



PLANNING COMMISSION REGULAR MEETING AGENDA

Thursday, September 7, 2023 | 6:00 PM

CITY COUNCIL CHAMBERS, CITY HALL
7351 ROSANNA STREET, GILROY, CA 95020

Chair: Manny Bhandal:
manny.bhandal@cityofgilroy.org

Vice Chair: Annedore Kushner:
annedore.kushner@cityofgilroy.org

Commissioners:

Stefanie Elle:
stefanie.elle@cityofgilroy.org
Joan Lewis:
joan.lewis@cityofgilroy.org

Adriana Leongardt:
adriana.leongardt@cityofgilroy.org
Kelly Ramirez:
kelly.ramirez@cityofgilroy.org

Terence Fugazzi:
terence.fugazzi@cityofgilroy.org

Staff Liaison: Sharon Goei, Community Development Director | sharon.goei@cityofgilroy.org

Written comments can be submitted by email to planningdivision@cityofgilroy.org. Please note that written comments will not be read out loud, but will be part of the written record.

Comments by the public will be taken on any agenda item before action is taken by the Planning Commission. Persons speaking on any matter are asked to state their name and address for the record. Public testimony is subject to reasonable regulations, including but not limited to time restrictions on particular issues and for each individual speaker. A minimum of 12 copies of materials should be provided to the Clerk for distribution to the Commission and Staff. Public comments are limited to no more than three-minutes, at the Chair's discretion.

Comments on any agenda item may be emailed to the Planning Division at planningdivision@cityofgilroy.org or mailed to the City of Gilroy, Community Development Department at City Hall, 7351 Rosanna Street, Gilroy, CA 95020. Comments received by the Planning Division by 1:00 pm on the day of a Planning Commission meeting will be distributed to the Planning Commissioners prior to or at the meeting and are available for public inspection at the Planning Division counter at City Hall, 7351 Rosanna Street. Any correspondence received will be incorporated into the meeting record. Items received after the 1:00 pm deadline will be provided to the Planning Commission as soon as practicable.

In compliance with the American Disabilities Act (ADA), the City will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Clerk 72 hours prior to the meeting at (408) 846-0491. A sound enhancement system is available in the City Council Chambers.

If you challenge any planning or land use decision made at this meeting in court, you may be limited to raising only those issues you or someone else raised at the public hearing held at this meeting, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Please take notice that the time within which to seek judicial review of any final administrative determination reached at this meeting is governed by Section 1094.6 of the California Code of Civil Procedure.

Persons who wish to speak on matters set for Public Hearing will be heard when the presiding officer calls for comments from those persons who are in support of or in opposition thereto. After persons have spoken, the hearing is closed and brought to the Planning Commission level for discussion and action. There is no further comment permitted from the audience unless requested by the Planning Commission.

A Closed Session may be called during this meeting pursuant to Government Code Section 54956.9(b)(1) if a point has been reached where, in the opinion of the legislative body of the City on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the City.

Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection with the agenda packet in the lobby of Administration at City Hall, 7351 Rosanna Street during normal business hours. These materials are also available with the agenda packet on the City website at www.cityofgilroy.org

KNOW YOUR RIGHTS UNDER THE GILROY OPEN GOVERNMENT ORDINANCE.

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, task forces, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE, TO RECEIVE A FREE COPY OF THE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE OPEN GOVERNMENT COMMISSION STAFF AT (408) 846-0204 or by email at cityclerk@cityofgilroy.org.

1. **OPENING**
2. **PLEDGE OF ALLEGIANCE**
3. **REPORT ON POSTING THE AGENDA AND ROLL CALL**
4. **PUBLIC COMMENTS**

(Three-minute time limit). This portion of the meeting is reserved for persons desiring to address the Planning Commission on matters not on the agenda. The law does not permit the Planning Commission action or extended discussion of any item not on the agenda except under special circumstances. Comments on any agenda item may be emailed to the Planning Division at planningdivision@cityofgilroy.org or mailed to Community Development Department at City Hall, 7351 Rosanna Street, Gilroy, CA 95020. Comments received by the Planning Division by 1:00pm on the day of a Planning Commission meeting will be distributed to the Planning Commission prior to or at the meeting and available for public inspection with the agenda packet located in the lobby of Planning Division at City Hall, 7351 Rosanna Street prior to the meeting. Any correspondences received will be incorporated into the meeting

record. Items received after 1:00pm deadline will be provided to the Planning Commission as soon as practicable. All statements that require a response will be referred to staff for reply in writing.

PUBLIC HEARINGS FOR RELATED PROJECT APPLICATIONS WILL BE HEARD CONCURRENTLY AND ACTION WILL BE TAKEN INDIVIDUALLY. COMPANION PROJECTS UNDER NEW BUSINESS WILL BE TAKEN UP FOR ACTION PRIOR TO, OR IMMEDIATELY FOLLOWING THE RELATED PUBLIC HEARING. THIS REQUIRES DEVIATION IN THE ORDER OF BUSINESS AS NOTED WITHIN THE AGENDA.

5. CONSENT AGENDA

5.1. August 3, 2023 Planning Commission Meeting Minutes

6. PUBLIC HEARINGS

6.1. Proposed Tentative Parcel Map to subdivide two developed commercial lots located at 6955 Camino Arroyo into seven parcels, Application No. TM 23-01

1. Staff Report: Melissa Durkin, Planner II
2. Open Public Hearing
3. Close Public Hearing
4. Possible Action:

Staff has analyzed the proposed project, and recommends that the Planning Commission:

- a) Recommend that the City Council, based on its independent analysis, determine that the proposed project is exempt from further environmental review by State CEQA Guidelines section 15061 (b), the “common sense” exemption, because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and
- b) Adopt a resolution recommending that the City Council approve the proposed tentative parcel map to subdivide the property known as APN 841-17-045 and 841-17-036 into seven separate parcels.

6.2. E&P Properties New Warehouse Building, Architectural and Site Review, 201 and 221 Yamane Drive, AS 22-16 (22050036).

1. Staff Report: Melissa Durkin, Planner II
2. Open Public Hearing
3. Close Public Hearing
4. Possible Action:

Staff has analyzed the proposed project, and recommends that the Planning Commission:

- a) Based on its independent analysis, determine this project is exempt from further environmental review pursuant to State CEQA Guidelines sections 15168 (Projects within the Scope of a Program EIR) and 15183 (Projects Consistent with a Community Plan or Zoning); and

b) Adopt a resolution approving proposed Architectural and Site Review permit application AS 22-16.

7. NEW BUSINESS

7.1. None

8. INFORMATIONAL ITEMS

8.1. Planning Division Staff Approvals

9. PLANNING DIVISION REPORT

10. ASSISTANT CITY ATTORNEY REPORT

11. ADJOURNMENT To the Next Meeting of October 5, 2023 at 6:00 PM

City of Gilroy
Planning Commission
Regular Meeting Minutes
Thursday, August 3, 2023 | 6:00 PM

1. OPENING

Tonight's meeting was called to order by Chair Bhandal at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

Chair Bhandal led the pledge of allegiance.

3. REPORT ON POSTING THE AGENDA AND ROLL CALL

The agenda was posted on Thursday, July 27, 2023 at 2:24 p.m.

Attendance	Attendee Name
Present	Stefanie Elle, Commissioner Terence Fugazzi, Commissioner Adriana Leongardt, Commissioner Joan Lewis, Commissioner Kelly Ramirez, Commissioner Annedore Kushner, Vice Chair Manny Bhandal, Chair

4. PUBLIC COMMENTS

Chair Bhandal opened public comment for items not on the agenda.

There being no speakers, Chair Bhandal closed public comment for items not on the agenda.

5. CONSENT AGENDA

5.1. July 20, 2023 Planning Commission Meeting Minutes

Motion made by Commissioner Lewis; seconded by Chair Bhandal to approve the consent agenda.

RESULT: Pass [7 – 0]

MOVER: Commissioner Lewis

SECONDER: Chair Bhandal

AYES: Commissioner Elle, Fugazzi, Leongardt, Lewis, Ramirez, Vice Chair Kushner, and Chair Bhandal

6. PUBLIC HEARINGS

6.1. Proposed Tentative Map for a three-lot subdivision Located at 7040 Church Street, Application No. TM 22-03.

1. Staff Report:

Erin Freitas

2. Public Hearing:

Chair Bhandal opened the item to public hearing.

3. Close Public Hearing:
There being no speakers, Chair Bhandal closed the public hearing.
4. Possible Action:
Staff has analyzed the proposed project and recommends that the Planning Commission:
 - a) Recommend that the City Council, based on its independent analysis, determine that the proposed Tentative Map is exempt from further environmental review and qualifies for the State CEQA Guidelines Class 15 Exemption, Minor Land Divisions, because the proposed subdivision results in less than four parcels, is in conformance with the City's General Plan and Zoning, seeks no exceptions or variances, and all necessary services and access to the resulting parcels are available; and
 - b) Adopt a resolution recommending that the City Council approve the proposed tentative map to divide the property known as 7040 Church Street, APN 799-11-068 into three residential parcels.

Motion made by Chair Bhandal, seconded by Vice Chair Kushner to:

- a) Recommend that the City Council, based on its independent analysis, determine that the proposed Tentative Map is exempt from further environmental review and qualifies for the State CEQA Guidelines Class 15 Exemption, Minor Land Divisions, because the proposed subdivision results in less than four parcels, is in conformance with the City's General Plan and Zoning, seeks no exceptions or variances, and all necessary services and access to the resulting parcels are available; and
- b) Adopt a resolution recommending that the City Council approve the proposed tentative map to divide the property known as 7040 Church Street, APN 799-11-068 into three residential parcels.

RESULT: Pass [7 – 0]

MOVER: Chair Bhandal

SECONDER: Vice Chair Kushner

AYES: Commissioner Elle, Fugazzi, Leongardt, Lewis, Ramirez, Vice Chair Kushner, and Chair Bhandal

7. NEW BUSINESS

7.1. No Items.

8. INFORMATIONAL ITEMS

8.1. Planning Division Staff Approvals

None.

9. PLANNING DIVISION REPORT

Community Development Director, Sharon Goei, reminded the Planning Commission about the AB 1234 training that the Commissioners must complete before the end of September.

10. ASSISTANT CITY ATTORNEY REPORT

Assistant City Attorney, Jolie Houston, advised the Planning Commission that the City Attorney, Andy Faber, will be providing a training session at the Monday, August 7, 2023, City Council meeting on conflicts of interest and FPPC rules and regulations.

Assistant City Attorney, Jolie Houston, informed the Planning Commission that there will be an upcoming training for the Commission regarding housing laws. This will be a follow up from the previous training that the Planning Commission received at the July 20, 2023 Special Planning Commission Meeting.

11. ADJOURNMENT

Chair Bhandal adjourned the meeting at 6:28 p.m.

Ariana Fabian

Ariana Fabian, Planning Technician



Community Development Department

Sharon Goei
DIRECTOR

7351 Rosanna Street, Gilroy, CA 95020-6197
Telephone: (408) 846-0451 | Fax: (408) 846-0429
cityofgilroy.org | planningdivision@cityofgilroy.org

DATE: September 7, 2023
TO: Planning Commission
FROM: Melissa Durkin, Planner II
SUBJECT: Proposed Tentative Parcel Map to subdivide two developed commercial lots located at 6955 Camino Arroyo into seven parcels, Application No. TM 23-01

RECOMMENDATION:

Staff has analyzed the proposed project, and recommends that the Planning Commission:

- a. Recommend that the City Council, based on its independent analysis, determine that the proposed project is exempt from further environmental review by State CEQA Guidelines section 15061 (b), the “common sense” exemption, because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and
- b. Adopt a resolution recommending that the City Council approve the proposed tentative parcel map to subdivide the property known as APN 841-17-045 and 841-17-036 into seven separate parcels.

PROJECT DESCRIPTION:

The applicant, Elan Sippel-Feldman representing Joule Gilroy Crossing Owner, LLC, is seeking approval of Tentative Map Application TM 23-01 to subdivide two developed commercial parcels, totaling 21.36+/- acres, into seven parcels, as follows:

- Parcel A1 would be 1.37 acres and contain two buildings
- Parcel A2 would be 5.32 acres and contain one building
- Parcel A3 would be 1.81 acres and contain one building
- Parcel A4 would be 1.09 acres and contain one building
- Parcel A5 would be 0.94 acres and contain one building
- Parcel B1 would be 4.59 acres and contain one building
- Parcel B2 would be 6.24 acres and contain two buildings

All parcels would contain multiple tenants and associated parking. No new construction is proposed, and the resulting lots will share parking and driveway access via reciprocal parking and access easements.

BACKGROUND:

Site and Surrounding Land Uses: The subject site is within the Gilroy Crossing shopping center located on the west side of Camino Arroyo and south of Hwy 152. This project was approved as a commercial/industrial planned development (C3/M2/HC PUD) under City applications TM 02-06, Z 02-06 and PUD AS 02-22. The entire PUD area includes 75.5 acres with lots on both sides of Camino Arroyo. Gilroy Crossing shopping center is located west of Camino Arroyo and contains approximately 258,419 square feet of commercial development.

The lots on the east side of Camino Arroyo are currently undeveloped and would be developed as Phase II of the PUD. The Planning Commission recently reviewed, and City Council approved, a plan for development of this site under applications AS 21-13, Z 22-02 and TM 21-02. The plan proposes two hotels, fast food restaurant, gasoline station and future industrial buildings.

The original tract map for the PUD was approved in April 2003 for 16 lots. In 2004 a revised parcel map was recorded for the area that includes the subject lots. In 2022 a subsequent parcel map was approved to separate a 0.90-acre parcel containing a drive-through restaurant from the remainder of the shopping center.

Environmental Determination: The proposed subdivision is exempt from further environmental review by State CEQA Guidelines section 15061 (b), the “common sense” exemption, because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Staff has made this determination because the proposed subdivision will not result in new development; is in conformance with the City’s General Plan and Zoning; does not seek exceptions or variances; and all services and access to the resulting parcels are in place.

DISCUSSION AND ANALYSIS:

General Plan: The site is designated for retail commercial land uses and the proposed lot split would have no material effect on the use of the site. There are no General Plan policies directly relevant to a commercial lot split. The project could be considered consistent with Goal EP 3 “Maintain a supportive business climate that increases the City’s ability to support expansion of existing businesses and attraction of new businesses” in that the lot split would provide separate ownership and financing options for the resulting parcels.

Zoning Consistency: The Gilroy Crossing PUD does not prohibit further subdivision of the lots, and there is no minimum lot size. The resulting lot would not create any substandard setback or parking conditions.

Tentative Map Consistency: The lot split is subject to review pursuant to State Subdivision Map Act and Gilroy City Code Chapter 21, which regulates the design of subdivisions and improvements to ensure orderly development is proposed. There are

specific findings that must be made to deny a tentative map, pursuant to Government Code Section 66474.

As noted, the parcel size would not conflict with PUD zoning. The property lines separating the lots will be located along drive aisles and parking areas, creating logical property boundaries. The resulting lots would maintain access to drive aisles and parking via reciprocal easements. Maintenance agreements already apply to property within the complex and would transfer to the new lots.

The minor lot split request does not trigger findings required for denial under Government Code Section 66474, has been conditioned appropriately, and does not warrant any new conditions related to the uses or construction of physical improvements.

PUBLIC NOTICING:

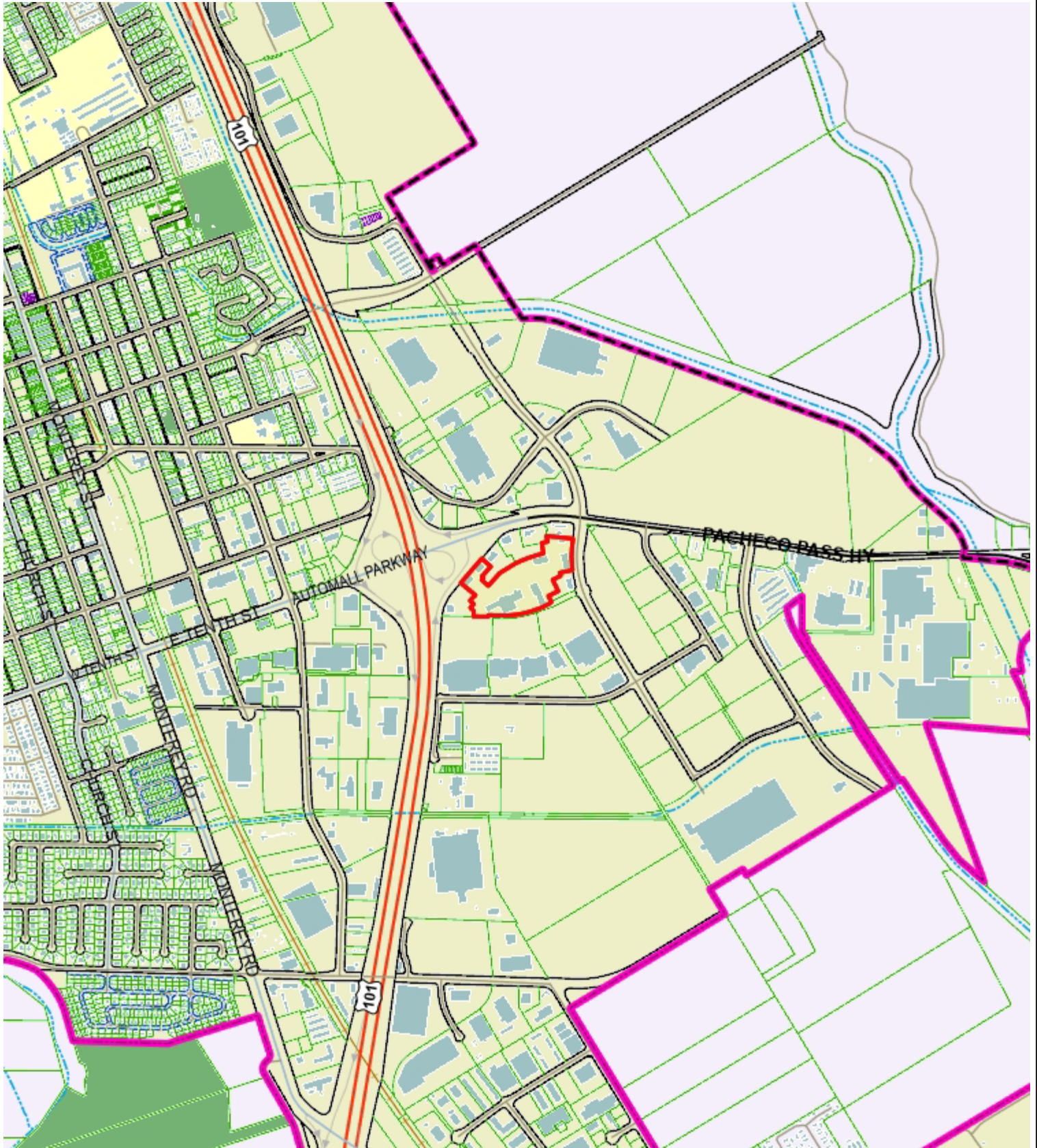
Notices were provided in compliance with code requirements. The plans were routed to all departments and agencies with jurisdiction or interest over development. At least 10 days prior to the hearing notices were mailed to property owners within 500 feet of the site, published in the Gilroy Dispatch, and posted on-site.

ATTACHMENTS:

1. Vicinity Map
2. Gilroy Crossing Proposed Tentative Parcel Map
3. Planning Commission Resolution TM 23-01

TM 23-01, Gilroy Crossing

City of Gilroy



2,613.3 0 1,306.67 2,613.3 Feet

NAD_1983_StatePlane_California_III_FIPS_0403_Feet
City of Gilroy, GIS Services

1: 15,680

Note: Map is for reference purposes only.

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 PROPOSED PARCEL BOUNDARY LINE
 EXISTING PARCEL LINE
 EASEMENT LINE
 SETBACK LINE

<u>OWNER/DEVELOPER:</u>	<u>SURVEYOR</u>
JOSEPH HILL	BRETT CHAPPELL, PLS 7547
RAIDER HILL ADVISORS, INC.	CHAPPELL GEOMATICS
757 THIRD AVENUE, 15TH FLOOR	147 NORTH 1ST AVENUE
NEW YORK, NY 10017	OAKDALE, CA 95361
JTHCAR@RAIDERHILL.COM	BRETT@CHAPGEO.COM
(212) 223-9090	(209) 845-9694

JENNIFER KIRBY, P.E. 92530
KIMLEY-HORN AND ASSOCIATES, INC.
4637 CHABOT DRIVE, SUITE 350
PLEASANTON, CA 94588
JENNIFER.KIRBY@KIMLEY-HORN.COM
(669) 800-4168

1. SUBDIVISION NAME: GILROY CROSSING
TYPE OF SUBDIVISION: GENERAL SERVICES COMMERCIAL
ASSESSOR'S PARCEL NO.: 841-70-045 & 841-70-036
EXISTING LAND USE: RESTAURANT
PROPOSED LAND USE: RESTAURANT
2. COUNTY OF SANTA CLARA ASSESSOR MAPPING
BOOK: 770
PAGE: 1 & 2
PARCEL NUMBER: 841-70-045 & 841-70-036
3. PROPOSED NUMBER OF LOTS: 5 (OF PARCEL A)
2 (OF PARCEL B)
4. LAND AREA: 10.53 ACRES (OF PARCEL A)
10.83 ACRES (OF PARCEL B)

THE BEARING NORTH 40°37'09" EAST BEING THE BEARING OF THE NORTHWESTERLY LINE OF PARCEL 1 AS SHOWN ON THE PARCEL MAP FILED FOR RECORD IN BOOK 770 OF MAPS AT PAGE 1, SANTA CLARA COUNTY RECORDER.

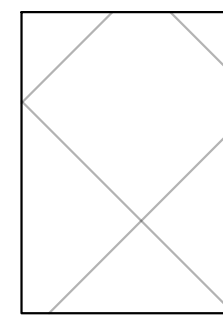
THE LAND REFERRED TO IS SITUATED IN THE COUNTY OF SANTA CLARA, CITY OF GILROY, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL TWO:
ALL OF PARCEL 1 AS SAID PARCEL IS SHOWN UPON THAT MAP ENTITLED, "PARCEL 3 AS SHOWN AND DESCRIBED ON "CERTIFICATE OF COMPLIANCE NO. 2003-10" FILED IN DOCUMENT NO. 17520707," WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON MAY 12, 2004 IN BOOK 770 OF MAPS AT PAGES 1 AND 2.

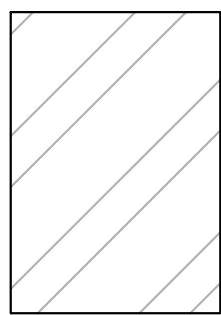
PARCEL THREE: NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF SAID LAND AS CREATED IN THAT CERTAIN "DEED OF CONVEYANCE AND EASEMENT AGREEMENT" EXECUTED BY AND AMONG TARGET CORPORATION, A MINNESOTA CORPORATION, KOHL DEPARTMENT STORES, INC., A DELAWARE CORPORATION, AND REGENCY REALTY GROUP, INC., A FLORIDA CORPORATION, RECORDED MARCH 23, 2004, INSTRUMENT NO. 16871019, OFFICIAL RECORDS AND EASEMENT AGREEMENTS, THAT CERTAIN "DEED OF CONVEYANCE AND EASEMENT AGREEMENT" RECORDED SEPTEMBER 27, 2004 AS INSTRUMENT NO. 18020898, OFFICIAL RECORDS, AND AS FURTHER AMENDED BY THAT CERTAIN "DEED OF CONVEYANCE AND EASEMENT AGREEMENT" RECORDED NOVEMBER 22, 2005, INSTRUMENT NO. 18688764, OFFICIAL RECORDS.

I, _____, CERTIFY THAT THIS TENTATIVE MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT IT COMPLIES WITH THE CITY OF GILROY SUBDIVISION ORDINANCE AND THE STATE MAP ACT.

I, _____, A LICENSED LAND SURVEYOR IN THE STATE OF CALIFORNIA, HEREBY STATE THAT THIS TENTATIVE MAP IS BASED UPON SURVEY UNDER MY DIRECT SUPERVISION AND THAT IT COMPLIES WITH CITY OF GILROW SUBDIVISION ORDINANCE AND STATE MAP ACT.

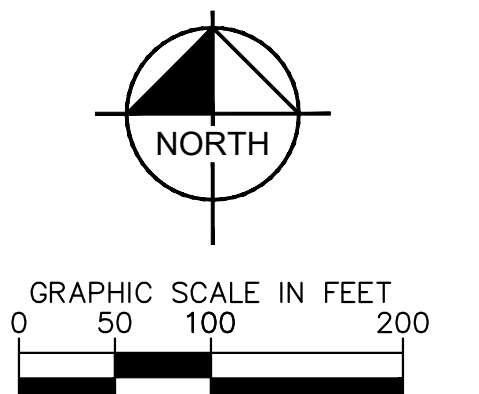


ZONE:	X
DESCRIPTION:	0.2% ANNUAL CHANCE FLOOD HAZARD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE
MAP NUMBER:	06085C0643H & 06085C0756H
COMMUNITY:	CITY OF GILROY
PANEL:	060340
NUMBER:	0643
SUFFIX:	H
EFFECTIVE DATE:	05/18/2009
REVISION DATE:	NONE



ZONE:	AE
DESCRIPTION:	AREAS OF 1% ANNUAL CHANCE FLOOD; BASE FLOOD ELEVATIONS DETERMINED
MAP NUMBER:	06085C0643H & 06085C0756H
COMMUNITY:	CITY OF GILROY
PANEL:	060340
NUMBER:	0643
SUFFIX:	H
EFFECTIVE DATE:	05/18/2009
REVISION DATE:	NONE

NOTE: THE BASE FLOOD ELEVATIONS (BFEs) IN THE CURRENT EFFECTIVE FEMA MAPS ARE INCORRECT, AND THE ELEVATIONS SHOWN IN THE 1998 LETTER OF MAP CHANGE (PANEL 060337, 0760F, DATED AUGUST 17 1998) ARE THE CORRECT BFEs. PER THE 1998 LOMC, THE PROPOSED PARCELS MAY BE SUBJECT TO BFEs APPROXIMATELY BETWEEN 183' AND 185' (NGVD 29). FUTURE DEVELOPMENT SHOULD ENSURE THAT ALL FINISHED FLOOR ELEVATIONS ARE ABOVE THE 1998 LOMC OR THE CURRENT EFFECTIVE BFE, WHICHEVER IS GREATER.

[illegible]

197422005	DATE
	07/31/2023
SCALE	AS SHOWN
DESIGNED BY	CKC
DRAWN BY	CKC
CHECKED BY	JAK

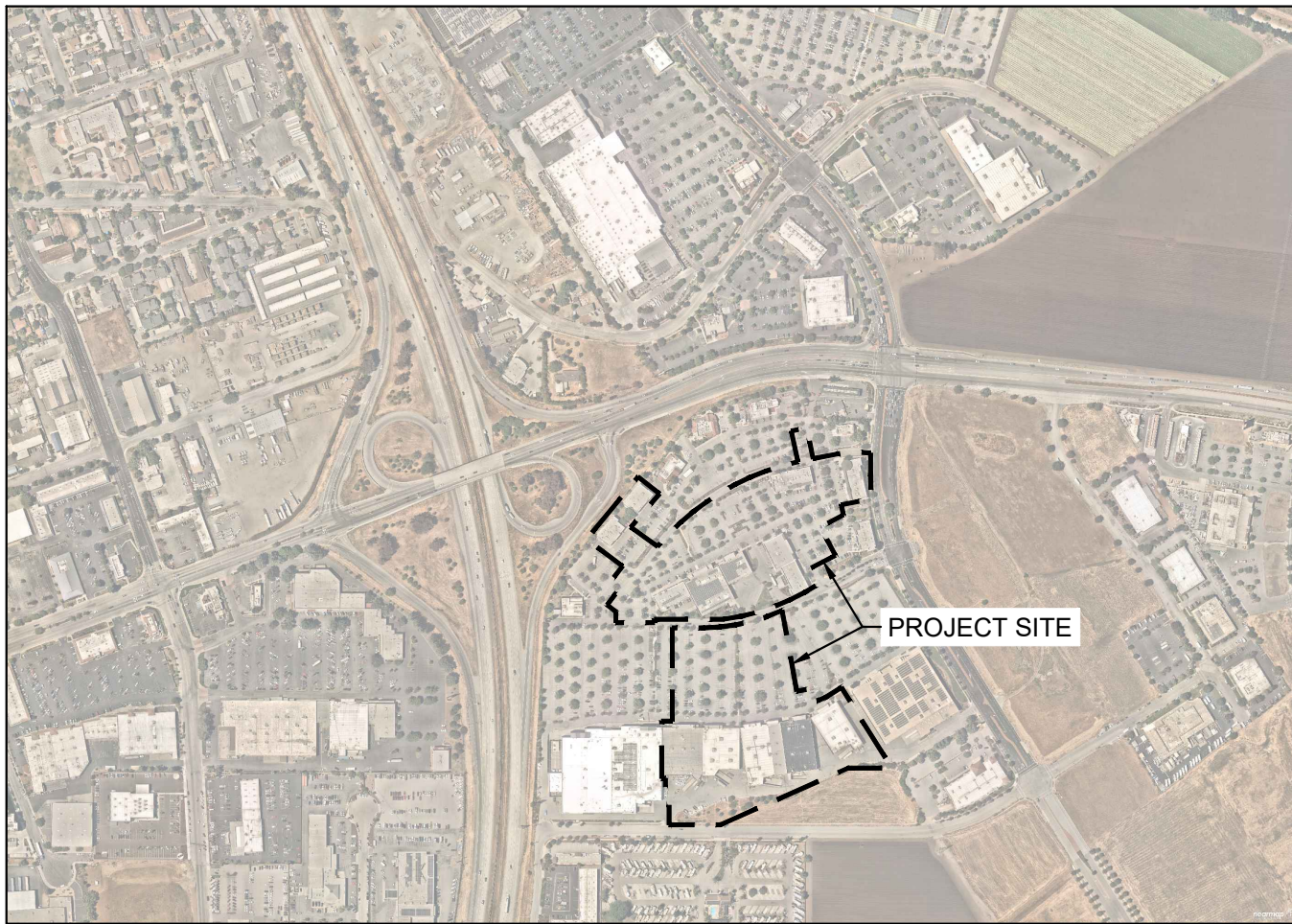
GILROY CROSSING
CAMINO ARROYO AND HWY 152
GILROY, CA 95020

PROPOSED
TENTATIVE
PARCEL MAP
KEYMAP

SHEET NUMBER
TM-1

K:\BAY-LEVA\197422207 - Gilroy Mapping 2 (Reider Hill) - JAK\CAD\PlotSheets\TENTATIVE PARCEL MAP\Gilroy Crossing 2 - Tentative Parcel Map.dwg
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CITY OF GILROY TENTATIVE PARCEL MAP TM 23-01



VICINITY MAP
SCALE: 1" = 500'

LEGEND

- PROPOSED PARCEL BOUNDARY LINE
- EXISTING PARCEL LINE
- EASEMENT LINE
- SETBACK LINE

PROJECT TEAM

OWNER/DEVELOPER:
JOSEPH TICHAR
RAIDER HILL ADVISORS, INC.
757 THIRD AVENUE, 15TH FLOOR
NEW YORK, NY 10017
JTICHAR@RAIDERHILL.COM
(212) 223-9090

SURVEYOR:
BRETT CHAPPELL, PLS 7547
CHAPPELL GEOMATICS
147 NORTH 1ST AVENUE
OAKDALE, CA 95361
BRETT@CHAPPEO.COM
(209) 845-9694

CIVIL ENGINEER:
JENNIFER KIRBY, P.E. 92530
KIMLEY-HORN AND ASSOCIATES, INC.
4637 CHABOT DRIVE, SUITE 350
PLEASANTON, CA 94588
JENNIFER.KIRBY@KIMLEY-HORN.COM
(669) 800-4168

NOTES

- SUBDIVISION NAME: GILROY CROSSING
TYPE OF SUBDIVISION: GENERAL SERVICES COMMERCIAL
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2 (OF PARCEL B)
- LAND AREA: 10.53 ACRES (OF PARCEL A)
10.83 ACRES (OF PARCEL B)

BASIS OF BEARINGS

THE BEARING NORTH 40°37'09" EAST BEING THE BEARING OF THE NORTHWESTERLY LINE OF PARCEL 1 AS SHOWN ON THE PARCEL MAP FILED FOR RECORD IN BOOK 770 OF MAPS AT PAGE 1, SANTA CLARA COUNTY RECORDER.

LEGAL DESCRIPTION

THE LAND REFERRED TO IS SITUATED IN THE COUNTY OF SANTA CLARA, CITY OF GILROY, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

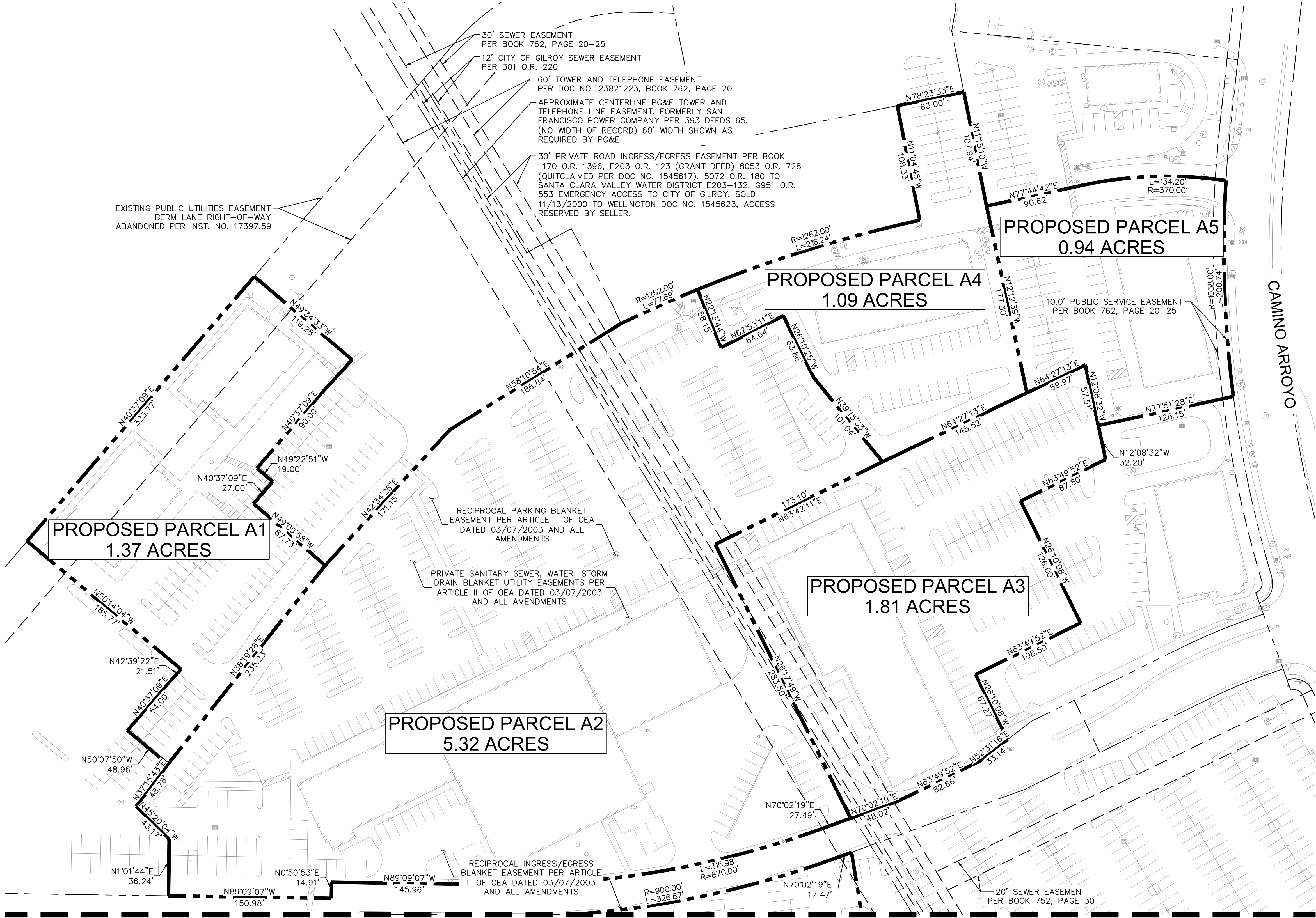
PARCEL TWO:
ALL OF PARCEL 1 AS SAID PARCEL IS SHOWN UPON THAT MAP ENTITLED, "PARCEL 3 AS SHOWN AND DESCRIBED ON "CERTIFICATE OF COMPLIANCE NO. 2003-10" FILED IN DOCUMENT NO. 17520707," WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON MAY 12, 2004 IN BOOK 770 OF MAPS AT PAGES 1 AND 2.

PARCEL THREE:
NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF SAID LAND AS CREATED IN THAT CERTAIN "OPERATION AND EASEMENT AGREEMENT" EXECUTED BY AND AMONG TARGET CORPORATION, A MINNESOTA CORPORATION, KOHL'S DEPARTMENT STORES, INC., A DELAWARE CORPORATION, AND REGENCY REALTY GROUP, INC., A FLORIDA CORPORATION, RECORDED MARCH 7, 2003, INSTRUMENT NO. 16871019, OFFICIAL RECORDS, AND AS AMENDED BY THAT CERTAIN FIRST AMENDMENT TO OPERATION AND EASEMENT AGREEMENT RECORDED SEPTEMBER 27, 2004 AS INSTRUMENT NO. 18020698, OFFICIAL RECORDS, AND AS FURTHER AMENDED BY THAT CERTAIN "SECOND AMENDMENT TO OPERATION AND EASEMENT AGREEMENT" RECORDED NOVEMBER 22, 2005, INSTRUMENT NO. 18688764, OFFICIAL RECORDS.

CERTIFICATIONS

I, _____, CERTIFY THAT THIS TENTATIVE MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT IT COMPLIES WITH THE CITY OF GILROY SUBDIVISION ORDINANCE AND THE STATE MAP ACT.

I, _____, A LICENSED LAND SURVEYOR IN THE STATE OF CALIFORNIA HEREBY STATE THAT THIS TENTATIVE MAP IS BASED UPON SURVEY UNDER MY DIRECT SUPERVISION AND THAT IT COMPLIES WITH CITY OF GILROW SUBDIVISION ORDINANCE AND STATE MAP ACT.



SEE SHEET TM-3 FOR CONTINUATION

FEMA FIRM FLOOD ZONE INFORMATION

ZONE: X
DESCRIPTION: 0.2% ANNUAL CHANCE FLOOD HAZARD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE

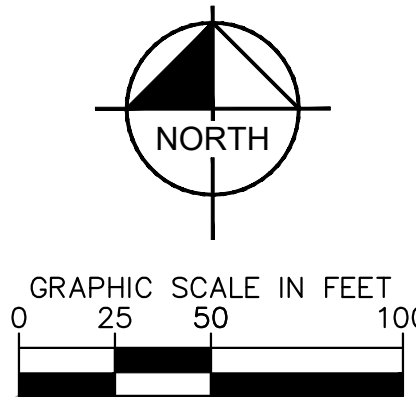
MAP NUMBER: 06085C0643H
COMMUNITY: CITY OF GILROY
PANEL: 060340
NUMBER: 0643
SUFFIX: H
EFFECTIVE DATE: 05/18/2009
REVISION DATE: NONE

OVERALL PARKING SUMMARY TABLE

PARCEL	BUILDING FLOOR AREA (SF)	TOTAL PARKING STALLS REQUIRED*	TOTAL PARKING STALLS PROVIDED	PARKING RATIO
A1	12,887	52	59	1 STALL: 219 SF
A2	41,358	166	328	1 STALL: 127 SF
A3	17,616	71	123	1 STALL: 144 SF
A4	10,092	41	45	1 STALL: 225 SF
A5	10,387	42	44	1 STALL: 237 SF

*ONE (1) STALL PER 250 SF GROSS FLOOR AREA (GFA) PER CITY OF GILROY MUNICIPAL CODE, CHAPTER 30.31, SECTION 30.31.25(A).

NOTE: THE PARCELS SHOWN HEREIN ARE HELD TO A SHARED PARKING AGREEMENT SPECIFIED IN THE OPERATION AND EASEMENT AGREEMENT (OEA; DATED MARCH 7, 2003).



KIMLEY-HORN		REVISIONS		BY	
4637 CHABOT DRIVE, SUITE 350, PLEASANTON, CA 94588 PHONE: 925-398-4840 FAX: 925-398-4849 WWW.KIMLEY-HORN.COM		No.		DATE	
KHA PROJECT 197422005		DATE 07/31/2023		SCALE AS SHOWN	
DESIGNED BY CKC		DRAWN BY CKC		CHECKED BY JAK	
GILROY CROSSING CAMINO ARROYO AND HWY 152 GILROY, CA 95020		CALIFORNIA		GILROY	
PROPOSED TENTATIVE PARCEL MAP		SHEET NUMBER		TM-2	

TENTATIVE PARCEL MAP TM 23-01

SEE SHEET TM-2 FOR CONTINUATION



VICINITY MAP

SCALE: 1" = 500'

LEGEND



PROPOSED PARCEL BOUNDARY LINE
 EXISTING PARCEL LINE
 EASEMENT LINE
 SETBACK LINE

PROJECT TEAM

OWNER/DEVELOPER:
JOSEPH TICHAR
RAIDER HILL ADVISORS, INC.
757 THIRD AVENUE, 15TH FLOOR
NEW YORK, NY 10017
JTICHAR@RAIDERHILL.COM
(212) 223-9090

SURVEYOR
BRETT CHAPPELL, PLS 7547
CHAPPELL GEOMATICS
147 NORTH 1ST AVENUE
OAKDALE, CA 95361
BRETT@CHAPGEO.COM
(209) 845-9694

CIVIL ENGINEER

JENNIFER KIRBY, P.E. 92530
KIMLEY-HORN AND ASSOCIATES, INC.
4637 CHABOT DRIVE, SUITE 350
PLEASANTON, CA 94588
JENNIFER.KIRBY@KIMLEY-HORN.COM
(669) 800-4168

NOTES

- | | | |
|----|--------------------------|--|
| 1. | SUBDIVISION NAME: | GILROY CROSSING |
| | TYPE OF SUBDIVISION: | GENERAL SERVICES COMMERCIAL |
| | ASSESSOR'S PARCEL NO.: | 841-70-045 & 841-70-036 |
| | EXISTING LAND USE: | RESTAURANT |
| | PROPOSED LAND USE: | RESTAURANT |
| 2. | COUNTY OF SANTA CLARA | ASSESSOR MAPPING |
| | BOOK: | 770 |
| | PAGE: | 1 & 2 |
| | PARCEL NUMBER: | 841-70-045 & 841-70-036 |
| 3. | PROPOSED NUMBER OF LOTS: | 5 (OF PARCEL A)
2 (OF PARCEL B) |
| 4. | LAND AREA: | 10.53 ACRES (OF PARCEL A)
10.83 ACRES (OF PARCEL B) |

BASIS OF BEARINGS

THE BEARING NORTH 40°37'09" EAST BEING THE BEARING OF THE NORTHWESTERLY LINE OF PARCEL 1 AS SHOWN ON THE PARCEL MAP FILED FOR RECORD IN BOOK 770 OF MAPS AT PAGE 1, SANTA CLARA COUNTY RECORDER.

LEGAL DESCRIPTION

THE LAND REFERRED TO IS SITUATED IN THE COUNTY OF SANTA CLARA, CITY OF GILROY, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

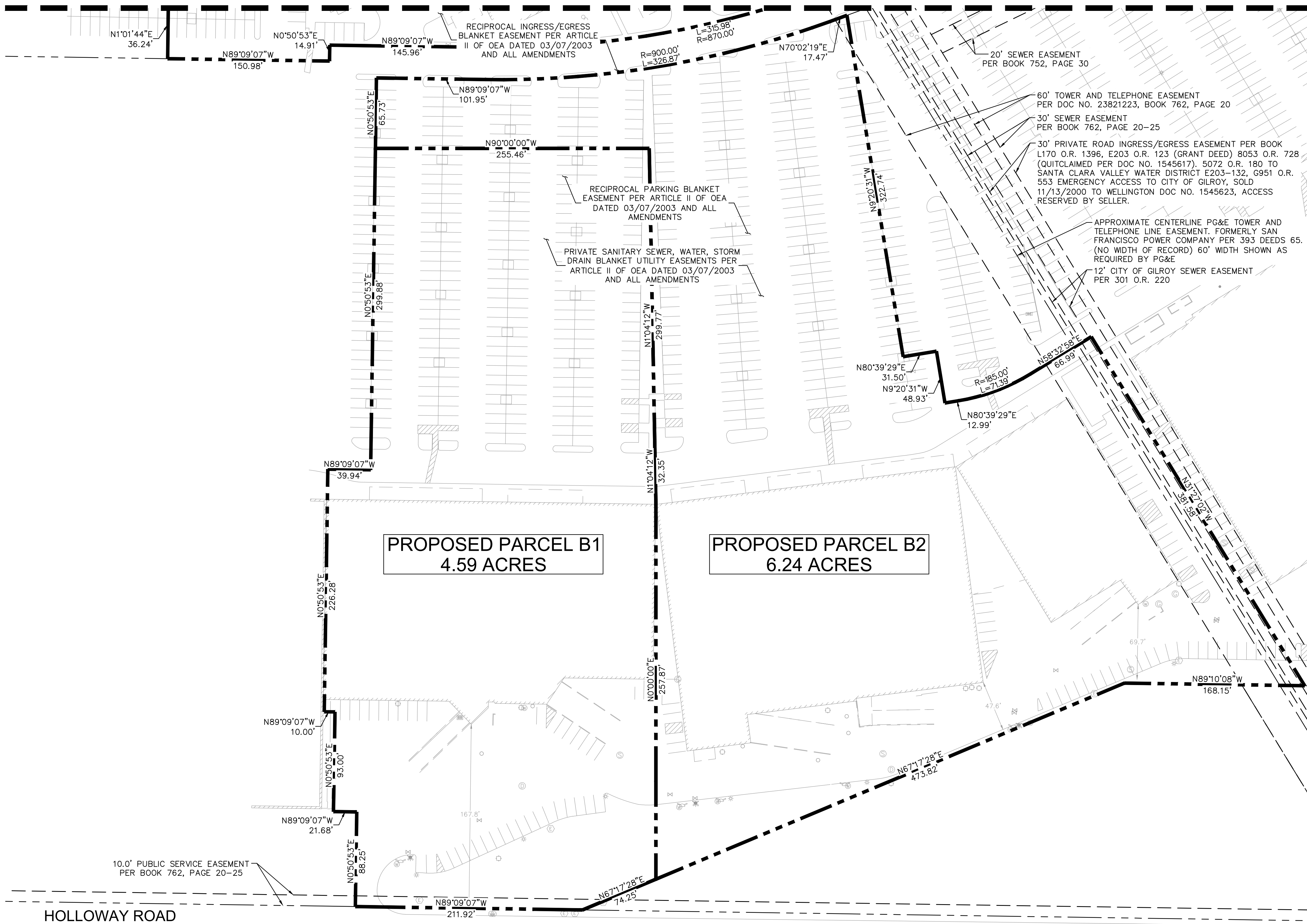
PARCEL TWO:
ALL OF PARCEL 1 AS SAID PARCEL IS SHOWN UPON THAT MAP ENTITLED, "PARCEL 3 AS SHOWN AND DESCRIBED ON "CERTIFICATE OF COMPLIANCE NO. 2003-10" FILED IN DOCUMENT NO. 17520707," WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON MAY 12, 2004 IN BOOK 770 OF MAPS AT PAGES 1 AND 2.

PARCEL THREE:
NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF SAID LAND AS CREATED IN THAT
CERTAIN "EASEMENT AND EASEMENT AGREEMENT" EXECUTED BY AND AMONG
TARGET CORPORATION, A MINNESOTA CORPORATION, KOHL DEPARTMENT STORES,
INC., A DELAWARE CORPORATION, AND REGENCY REALTY GROUP, INC., A FLORIDA
CORPORATION, RECORDED MARCH 7, 2004, INSTRUMENT NO. 16871019, OFFICIAL
RECORDS, AND CERTAIN OTHER EASEMENT RECORDS, COMING TOGETHER WITH THE
EASEMENT AGREEMENT RECORDED SEPTEMBER 27, 2004 AS INSTRUMENT NO.
18020898, OFFICIAL RECORDS, AND AS FURTHER AMENDED BY THAT CERTAIN
EASEMENT AGREEMENT RECORDED NOVEMBER 22, 2005 AS INSTRUMENT NO.
NOVEMBER 22, 2005, INSTRUMENT NO. 18688764, OFFICIAL RECORDS.

CERTIFICATIONS

I, _____, CERTIFY THAT THIS TENTATIVE MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT IT COMPLIES WITH THE CITY OF GILROY SUBDIVISION ORDINANCE AND THE STATE MAP ACT.

I, _____, A LICENSED LAND SURVEYOR IN THE STATE OF CALIFORNIA
HEREBY STATE THAT THIS TENTATIVE MAP IS BASED UPON SURVEY UNDER MY
DIRECT SUPERVISION AND THAT IT COMPLIES WITH CITY OF GILROW SUBDIVISION
ORDINANCE AND STATE MAP ACT.



FEMA FIRM FLOOD ZONE INFORMATION

ZONE: X
DESCRIPTION: 0.2% ANNUAL CHANCE FLOOD HAZARD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE

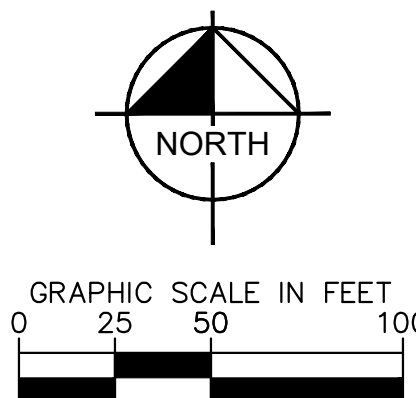
MAP NUMBER: 06085C0643H
COMMUNITY: CITY OF GILROY
PANEL: 060340
NUMBER: 0643
SUFFIX: H
EFFECTIVE DATE: 05/18/2009
REVISION DATE: NONE

OVERALL PARKING SUMMARY TABLE

OVERALL PARKING SUMMARY TABLE				
PARCEL	BUILDING FLOOR AREA (SF)	TOTAL PARKING STALLS REQUIRED*	TOTAL PARKING STALLS PROVIDED	PARKING RATIO
B1	55,670	223	281	1 STALL:199 SF
B2	81,302	326	336	1 STALL:242 SF

*ONE (1) STALL PER 250 SF GROSS FLOOR AREA (GFA) PER CITY OF GILROY MUNICIPAL CODE, CHAPTER 30.31, SECTION 30.31.25(A).

NOTE: THE PARCELS SHOWN HEREIN ARE HELD TO A SHARED PARKING AGREEMENT SPECIFIED IN THE OPERATION AND EASEMENT AGREEMENT (OE; DATED MARCH 7, 2003).

[illegible]

Kimley»»Horn
37 CHABOT DRIVE, SUITE 350, PLEASANTON, CA 94550
PHONE: 925-398-4840 FAX: 925-398-4849
WWW.KIMLEY-HORN.COM

PRELIMINARY FOR REVIEW ONLY NOT FOR CONSTRUCTION OR PERMIT PURPOSES.	Kimley»Horn Engineer <u>JENNIFER A KIRBY</u>	<u>92530</u>	<u>06/28/2023</u>
	P.E. No.		
	Date		

KHA PROJECT	DATE
197422005	07/31/2023
SCALE	AS SHOWN
DESIGNED BY	CKC
DRAWN BY	CKC
CHECKED BY	JAK

GILROY CROSSING
CAMINO ARROYO AND HWY 152
GILROY, CA 95020

PROPOSED
TENTATIVE
PARCEL MAP

SHEET NUMBER
TM-3

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GILROY RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A TENTATIVE PARCEL MAP TO SUBDIVIDE PROPERTY INTO SEVEN PARCELS, LOCATED AT 6955 CAMINO ARROYO, APN: 841-70-036 and 841-70-045 (FILE NUMBER TM 23-01)

WHEREAS, On May 15, 2023 an application was filed by Elan Sippel-Feldman representing Joule Crossing Owner, LLC proposing the subdivision of two parcels at 6955 Camino Arroyo within the C3/HC/M2-PUD, Commercial/Industrial Planned Unit Overlay zone district; and

WHEREAS, the application submittal was accepted as complete on August 8, 2023; and

WHEREAS, the proposed subdivision qualifies as exempt from further environmental review and qualifies for the State CEQA Guidelines section 15061 (b), the “common sense” exemption, because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment since the proposed subdivision will not result in new development; is in conformance with the City’s General Plan and Zoning; does not seek exceptions or variances; and all services and access to the resulting parcels are in place; and

WHEREAS, the Planning Commission held a duly noticed public meeting on September 7, 2023 at which time the Planning Commission received and considered the staff report as well as all evidence received including written and oral public testimony related to the project; and

WHEREAS, the City may deny a tentative map only if, based upon substantial evidence in the record, it makes one or more of seven listed findings for denial prescribed by Government Code Section 66474. Staff has reviewed the findings and concluded that project denial based on these findings would not be supported, and alternatively, that each of the seven findings may be made to support approval of the project; and

WHEREAS, the location and custodian of the documents or other materials which constitute the record of proceedings upon which the project approval is based is the Community Development Department, Planning Division.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Gilroy hereby finds as follows:

In order to deny the map, the Planning Commission would have to make one of the eight listed findings described in Government Code Section 66474 based upon substantial evidence in the record. The eight findings are listed below, along with an explanation for each one as to why the Planning Commission cannot make the finding:

1. The proposed subdivision TM 23-01 is not consistent with applicable general and specific plans as specified in 65451.

This Finding cannot be made. The proposed subdivision TM 23-01 is generally consistent with the goals and policies of the City's General Plan;

2. That the design or improvement of the proposed subdivision TM 23-01 is not consistent with the applicable general and specific plans.

This Finding cannot be made. The proposed subdivision TM 23-01 is generally consistent with the goals and policies of the City's General Plan.

3. That the site is not physically suitable for the type of development.

This Finding cannot be made. The site is physically suitable for this type of development because it is generally consistent with the City's Zoning Ordinance, Subdivision and Land Development Code;

4. That the site is not physically suitable for the proposed density of development.

This Finding cannot be made. The site is physically suitable for this density of development because it is generally consistent with the City's Zoning Ordinance.

5. That the design of the proposed subdivision TM 23-01 or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

This Finding cannot be made. The design of the subdivision and the proposed improvements will not cause substantial environmental damage, or substantially injure fish or wildlife because the site is located within a developed urban context and is not in or adjacent to any sensitive habitat areas;

6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.

This Finding cannot be made. The design of the proposed subdivision TM 23-01 will not cause serious public health problems because the site is located within an urban context and has access to urban services including sewer and water; and.

7. That the design of the proposed subdivision TM 23-01 or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if

it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

This Finding cannot be made. The design of the proposed subdivision TM 23-01 will not conflict with existing access easements.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Gilroy hereby recommends to the Gilroy City Council approval of Tentative Map Application No. TM 23-01, subject to the conditions attached hereto as Exhibit A.

PASSED AND ADOPTED this 7th day of September 2023 the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

Sharon Goei, Secretary

Manny Bhandal, Chairperson

EXHIBIT A

TENTATIVE MAP CONDITIONS OF APPROVAL GILROY CROSSING TENTATIVE PARCEL MAP TM 23-01

PLANNING DIVISION CONDITIONS

The following GENERAL conditions authorize specific terms of the project

ENTITLEMENT(S).

1. **APPROVED PROJECT:** Tentative Parcel Map TM 23-01 approval is granted to subdivide two developed commercial parcels totaling 21.36+/- acres into seven commercial parcels as shown on the proposed map prepared by Kimley Horn, designated KHA project 197422005, with the title "Sheet Number TM-1, Gilroy Crossing, Camino Arroyo and HWY 152", with preparation date 07//2023.

Any future adjustment or modification to the plans, including any changes made at time of building permit submittal, shall be considered by the Community Development Director or designee, may require separate discretionary approval, and shall conform to all City, State, and Federal requirements, including subsequent City Code requirements or policies adopted by City Council.

2. **COMPLIANCE WITH CONDITIONS:** If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to permit revocation or enforcement actions pursuant to the City Code. All costs associated with any such actions shall be the responsibility of Developer, owner or tenant.
3. **INDEMNIFICATION:** Developer agrees, as a condition of permit approval, at Developer's own expense, to defend, indemnify, and hold harmless the City of Gilroy ("the City") and its officers, contractors, consultants, attorneys, employees and agents from any and all claim(s), action(s) or proceeding(s) brought against the City or its officers, contractors, consultants, attorneys, employees, or agents to challenge, attack, set aside, void or annul the approval of this resolution or any condition attached thereto or any proceedings, acts or determinations taken, including actions taken under the California Environmental Quality Act of 1970, as amended, done or made prior to the approval of such resolution that were part of the approval process.

The following conditions shall be met prior to the approval of the FINAL MAP or PARCEL MAP, or other deadline as specified in the condition.

4. **TENTATIVE MAP:** An approved tentative parcel map, which shall expire twenty-four (24) months from the approval date, may be extended pursuant to the provisions of the Map Act.
5. **COVENANTS, CONDITIONS, AND RESTRICTIONS:** Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail.

PUBLIC WORKS CONDITIONS OF APPROVAL

The following conditions shall be met prior to the approval of the FINAL MAP or PARCEL MAP, or if another deadline is specified in a condition, at that time.

6. **PARCEL MAP:** It shall be the applicant's responsibility to have a parcel map, prepared by a person authorized to practice land surveying in California, delineating all parcels created or deleted and all changes in lot lines in conformance with the Gilroy Municipal Code. The parcel map shall be approved by the Department of Public Works and recorded with the County Recorder's Office prior to the issuance of any City permits. A parcel map guarantee shall be submitted to the City, by the applicant's title company, prior to release of the parcel map to the title company for recordation. Prior to the City's release of the parcel map to the title company, the applicant may, at the discretion of the City Engineer, be required to submit to the City an electronic copy of the map in the AutoCAD Version being used by the City at the time of recordation. It is the applicant's responsibility to check with their title company and the County Recorder's Office to determine the time necessary to have the map recorded after City approval. (PUBLIC WORKS)
7. **EASEMENTS:** This parcel map shall establish all necessary Public Service Easement for all existing public facilities within the map boundaries. (PUBLIC WORKS)
8. **TRASH ENCLOSURES:** All existing shared trash enclosures shall have access rights established with this parcel map. (PUBLIC WORKS)



Community Development Department

Sharon Goei
DIRECTOR

7351 Rosanna Street, Gilroy, CA 95020-6197
Telephone: (408) 846-0451 | Fax: (408) 846-0429
cityofgilroy.org | planningdivision@cityofgilroy.org

DATE: September 7, 2023
TO: Planning Commission
FROM: Melissa Durkin, Planner II
SUBJECT: E&P Properties New Warehouse Building, Architectural and Site Review,
201 and 221 Yamane Drive, AS 22-16 (22050036).

RECOMMENDATION:

Staff has analyzed the proposed project, and recommends that the Planning Commission:

- a) Based on its independent analysis, determine this project is exempt from further environmental review pursuant to State CEQA Guidelines sections 15168 (Projects within the Scope of a Program EIR) and 15183 (Projects Consistent with a Community Plan or Zoning); and
- b) Adopt a resolution approving proposed Architectural and Site Review permit application AS 22-16.

PROJECT DESCRIPTION:

Request for a 163,400+/- square-foot large-scale warehouse and light industrial building on an approximate 8.88-acre rectangular site in the M1 (Limited Industrial)/Murray Avenue Las Animas Overlay zoning district (APN 835-02-004 and 835-02-057). The building would be 40 feet in height; the allowable building height per zoning is 35 feet. However, the proposed project is consistent with the city code that permits minor deviations. Accordingly, the proposed project includes an application for a Minor Deviation to allow the 40-foot building height.

The applicant intends to use half the building (81,700 square feet) for Metropolitan Van & Storage, a moving and storage company. Metropolitan Van & Storage's operation would occupy 4,085 square feet with office uses and 77,615 square feet with warehouse uses. The remaining 81,700 square feet would be occupied with the following uses: Light Industrial Tenant: approximately 5,640 square feet of office space and 22,560 square feet of light industrial uses; Warehouse Tenant: approximately 5,350 square feet of office space and 48,150 square feet of warehouse space.

Colors and Materials. The building design proposes cast, tilted concrete panel walls and parapets, painted in gray tones with dark gray and white trim. The front facade features anodized aluminum storefront entryways and windows in dark gray. Wall pack lighting is proposed around the building for safety and security. Final details will be reviewed at building permit submittal to confirm building colors and ensure lighting is not directed

outward toward streets or adjacent properties.

Parking. Parking is proposed for 140 passenger vehicles; 37 trucks; 10 short-term bicycle stalls; and 7 long-term bicycle stalls to accommodate anticipated employee and truck parking needs.

Site Improvements. The project will include two driveways accessed from Yamane Drive and perimeter fencing. A trash enclosure and perimeter landscaping are provided in compliance with City standards. The site is relatively flat and minimal grading will be needed to accommodate the building foundation and parking improvements. Site landscaping is provided along the street frontage and along the rear side property line. Parking lot light standards will consist of LED lights on poles along the ear of the property directed downward and away from the adjacent channel.

DISCUSSION AND ANALYSIS:

Site History: The property is undeveloped and adjacent to a light industrial subdivision within the Murray-Las Animas overlay district. This overlay district requires public notification and Planning Commission review to ensure compliance with the Murray-Las Animas overlay design criteria.

Subject Property and Surrounding Land Uses: The project site contains two unpermitted industrial buildings used for prior agricultural and storage uses. The site and surrounding land uses are as follows:

LOCATION	EXISTING LAND USE	GENERAL PLAN	ZONING
Project Site	Agricultural/industrial Buildings	Industrial Park	M1/Murray Las Animas Overlay
North	West Branch Llagas Creek/ Undeveloped	Park/Recreation Facility and Industrial Park	PF and M1/Murray Las Animas Overlay
South	Industrial Uses	Industrial Park	M1/Murray Las Animas Overlay
East	Industrial Uses	Industrial Park	M1/Murray Las Animas Overlay
West	UPRR Railroad Tracks/Commercial and Industrial Uses	High Density Residential	R4

Environmental Assessment: The proposed project is exempt from further environmental review because it is consistent with the development density established in the General Plan and is within the scope of the General Plan and General plan EIR. No further CEQA documentation is required under both section 15168 and 15183, separately and independently. Further environmental analysis of the proposed project is not required because:

- No peculiar impacts have been identified as a result of the proposed project or its site. Adherence to General Plan policies and standards along with regulations of the City of Gilroy and incorporation of identified project design features ensure impacts are below the level of significance.
- There are no potentially significant impacts that were not analyzed as significant in the certified General Plan EIR. There are no potentially significant off-site and/or cumulative impacts that were not discussed by the Certified General Plan EIR.
- No substantial changes are proposed in the project which will require major revisions of the certified General Plan EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the certified General Plan EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the certified General Plan EIR was certified as complete.

General Plan Consistency: The City's General Plan designates the project site for Industrial Park uses, which supports the proposed project request. As such, the proposal conforms to the goals and policies of the General Plan. Key goals and policies, which pertain to the proposed project are discussed below:

POLICY #	TITLE AND SUMMARY	ANALYSIS
Lu 1.1	Pattern of Development Ensure an orderly, contiguous pattern of development that prioritizes infill and avoids land use incompatibilities.	The proposed project is contiguous to other developed industrial sites and has been planned for industrial development for decades. This proposed project is compatible with surrounding industrial land uses and the site is properly located. Conclusion: the project is consistent with this policy.

LU 1.4	Mix of uses Encourage a diverse mix of land uses to achieve a balance between jobs and housing.	The proposed project will create jobs, consistent with the city's goal of balancing jobs and housing. Conclusion: the project is consistent with this policy.
LU 5.1	Industrial Design Standards Ensure that new industrial developments contribute to the overall attractiveness of the community through appropriate site design, architectural design, and landscaping.	This site is located within the Murray-Las Animas Avenue overlay combining district. This district requires a higher level of design than normally required in industrial areas. The applicant has designed the building to comply with the requirements. Conclusion: the project is consistent with this policy.
LU 5.4	Connectivity within Industrial Areas Encourage greater automobile, bicycle, pedestrian, and transit connections within industrial areas.	This project is required to provide street improvements along its frontage. These improvements will provide connectivity to future sidewalks on Forest Street and Muraoka Drive. Conclusion: the project is consistent with this policy.
LU 8.13	Limit Light Pollution Encourage measures to limit light pollution from outdoor sources.	New lighting on the building and within the parking lot has been oriented to prevent off-site glare. Conclusion: the project is consistent with this policy.
M 3.2	New Development Require new development to include a system of sidewalks, trails, and bikeways that link all land uses [...] and connect to all existing or planned external street and trail facilities in accordance with the Mobility Diagrams.	This project is required to provide street improvements along its frontage. These improvements will provide connectivity to future sidewalks on Forest Street and Muraoka Drive. Conclusion: the project is consistent with this policy.
M 3.3	Sidewalk Network Gaps Fill gaps in the city's existing sidewalk network [...].	This project is required to provide street improvements along its frontage. These improvements will provide connectivity to future

		sidewalks on Forest Street and Muraoka Drive. Conclusion: the project is consistent with this policy.
M 3.9	Bicycle Parking Require adequate short- and long-term bicycle parking for all land uses except for single-family residential uses.	Bicycle parking will be provided on site in compliance with the California Building Standards Code. Conclusion: the project is consistent with this policy.
M 5.3	Promote Non-Auto Modes of Transportation Consider offering incentives as part of a multimodal system approach, for projects that incorporate travel demand management techniques and promote transit ridership, biking, and walking in order to reduce air pollution, energy consumption, and greenhouse gas emissions.	The city does not yet have an incentive program. This is a small project that would generate approximately 21 peak hour trips on US 101. This is below the 100 peak hour trip threshold to require a Vehicle Miles Traveled analysis. Conclusion: This policy is not applicable to this project.
M 5.4	Transportation Performance Metrics Apply useful and informative transportation performance metrics and thresholds, including vehicle miles traveled (VMT) [...] when measuring transportation system impacts [of projects].	This is a small project that would generate approximately 21 peak hour trips on US 101. This is below the 100 peak hour trip threshold to require a Vehicle Miles Traveled analysis. Conclusion: This policy is not applicable to this project.
M 5.11	Parking Maintain and implement a comprehensive on- and off-street parking system that serves the needs of residents and businesses while supporting the use of alternative transportation.	The project provides vehicle and bicycle parking for the facility. Conclusion: the project is consistent with this policy.
Goal EP 2	Support efforts to increase employment in Gilroy by encouraging attraction and expansion of private sector businesses	This project will provide building space for multiple new businesses. Conclusion: the project is consistent with this goal.

Goal EP 3	Maintain a supportive business climate [...] to support expansion of existing businesses and attraction of new businesses.	This project will provide building space for multiple new businesses. The proposed uses are permitted by right. Conclusion: the project is consistent with this goal.
-----------	--	---

Zoning Code Development Standards Compliance: The proposed development is located within the M1 Limited Industrial, Murray-Las Animas overlay combining zone district. The Gilroy City Code (GCC) permits light industrial uses in the M1 zone. However, new development within the Murray-Las Animas overlay district requires Planning Commission approval of an Architectural and Site Review permit. The project would comply with all applicable site and building standards as follows.

STANDARD	REQUIRED	PROPOSED	CONFORMS?
Lot Coverage	60% Maximum	42.23%	Yes
Front Setback	41 feet	102 +/- feet	Yes
Rear Setback	0 feet	138+/- feet	Yes
Side Setback	0 feet	56+/- feet	Yes
Building Height	35 feet/2 stories	40 feet/1 story	Yes (with approval of a minor deviation*)
Off-street parking	140 vehicle stalls; 7 short-term bicycle stalls; 7 long-term bicycle stalls	140 vehicle stalls; 10 short-term bicycle stalls; 7 long-term bicycle stalls	Yes
Front Landscaping	21 feet	30 feet	Yes
Side/Rear Landscaping	5 feet	6-foot minimum	Yes

Minor Deviation Request VMD 22-01

The project requests approval of a minor deviation (VMD 22-01) to increase the building height by 14% (from 35 feet to 40 feet). This may be administratively approved subject to the following findings:

- a. There are exceptional or extraordinary circumstances applying to the property (existing buildings or other site conditions) involved or to the proposed use.

The applicant proposes a large-scale warehouse facility, which is an unconditionally allowed use in the M1 zone. However, large-scale warehouse uses are unusual in this zone. The height standards for buildings in the M1 zone accommodate other allowed uses but are too low to accommodate large-scale warehouses. This minor deviation is considered appropriate

because it will allow the developer to develop this property in accordance with the uses allowed in the M1 zone.

- b. Because of such exceptional or extraordinary circumstances, the literal enforcement of specified provisions of this chapter would result in practical difficulty or unnecessary hardship such as to deprive the applicant of a substantial property right possessed by other owners of property in the same class or district.

The literal enforcement of the M1 height regulations would result in practical difficulty or unnecessary hardship that would deprive the applicant of a substantial property right possessed by other owners of adjacent properties because the other unconditionally allowed uses in the M1 zone district can be accommodated using the 35-foot height restriction. The large-scale warehouse use cannot be accommodated using this height restriction.

- c. The minor deviation will not, under the circumstances of the particular case, be materially detrimental to the public welfare or materially injurious to persons or property in the vicinity.

The minor deviation will not be materially detrimental to the public welfare or materially injurious to persons or property in the vicinity because it will allow the property to develop consistent with the Industrial Park general plan land use designation, which specifically identifies large warehouses as a typical use.

- d. The minor deviation will be in harmony with the general intent of the Zoning Ordinance.

The minor deviation will allow this property to be developed with a large-scale warehouse use, as allowed by the Zoning Ordinance.

- e. Granting the minor deviation will not constitute the granting of a special privilege greater than that provided for by the standard provisions of this chapter for other properties in the vicinity and in the same zoning district.

Granting the minor deviation will not constitute granting a special privilege because the proposed height will allow the project to develop with a pattern similar to other lots in this area.

Murray-Las Animas Overlay District:

The Murray-Las Animas Avenue overlay combining district was formed due to the established single-family neighborhoods existing in the Murray-Las Animas area prior to industrial development occurring. The Murray Avenue zoning overlay and related policy are used to soften the impact of industrial buildings, especially when they are near existing residential homes.

This site is not near residences. The applicant has provided an architectural design consistent with the proposed use and surrounding area, as well as enhanced landscaping improvements. These improvements are discussed below.

Architectural and Site Review (AS 22-16): The zoning code requires the Planning Commission to conduct a public hearing for new buildings within the Murray-Las Animas Avenue overlay district combining district, subject to review for compliance with the requirements of the overlay district policies and GCC Section 30.50.43 (Scope of Review), as follows:

- a) Traffic Safety and Efficiency:** The site layout provides adequate circulation for vehicles, parking, and traffic as follows:
- *Circulation.* The driveways and drives aisles have been reviewed by Engineering and Fire Protection staff to comply with the minimum standard (25-foot aisle), with adequate truck turning radii to access loading areas, truck parking spaces and the trash enclosure. Proposed truck parking spaces are dimensioned to provide sufficient area for commercial truck parking.
 - *Parking:*
 - *Passenger Vehicle Parking:* Standard parking calculations require 140 total parking spaces for the facility, based on 1 space per 300 square feet of office area (50.25 spaces); 1 space per 5,000 square feet of warehouse area (25.15 spaces); and 1 space per 350 square feet of speculative industrial area (64.45 spaces). Proposed parking spaces (9' wide by 18' long) comply with the City's required parking stall dimensions. The project proposes 140 passenger vehicle spaces for the facility.
 - *Bicycle Parking:* The project will provide 10 short-term bicycle stalls and 7 long-term bicycle stalls. The short-term bicycle parking exceeds minimum Reach Code requirements and the long-term bicycle parking meets minimum Reach Code requirements.
 - *Commercial Truck Parking:* The project will provide 37 commercial truck parking spaces, which will be used for the moving and storage operation.
- b) Signs:** The building has adequate area to accommodate signage on the buildings. A separate sign permit will be required prior to installation of any future signs.
- c) Site Development (Architectural and Site Design):** The building meets all applicable site and building development standards as noted above. In addition, the project complies with the applicable design criteria as follows:
1. Industrial Policy:
 - i. *Design Intent and Scale.* High quality industrial land uses in scale with the site and area are encouraged. The building is in scale and character with other buildings within the same industrial development and proposes an efficient use of the site.

- ii. *Streetscape.* The development, as proposed and conditioned, would create an attractive streetscape with building storefronts facing Yamane Drive. The applicant proposes a minimum 41-foot deep landscape area adjacent to Yamane Drive (measured from face-of-curb). This exceeds the minimum 21-foot deep landscape requirement. Landscaping along the street frontage and the project boundary meets City standards and contributes to the attractiveness of the site and area. The applicant will retain a portion of the existing chain link fence along the property boundaries.
- iii. *Access.* The site has adequate pedestrian and driveway access from the street frontage. The site plan would not create any safety conflicts with vehicles or pedestrians at intersections.
- iv. *Lighting and Utilities.* Light fixtures would be directed downward and shielded to avoid creating glare. Utilities will be placed in underground vaults or screened with landscaping.
- v. *Trash Enclosure.* The trash enclosure would be located at the rear of the property and screened with landscaping.
- vi. *Outdoor Storage.* No outdoor storage uses are proposed or approved as a part of this project. If any is proposed in the future, a subsequent staff review would be required to ensure compliance with the zoning code including section 30.50.44.

2. Murray-Las Animas Policy and Gilroy City Code Section 30.20.40:

- i. *Enhanced Landscaping.* As noted above, the landscaping along the site frontage exceeds the minimum required depth of 21 feet. The applicant proposes a minimum landscape depth of 41 feet at the front property line, exceeding the minimum required landscape depth by 20 feet. The project would provide a large landscape buffer at the rear of the property, ranging in depth from 18+/- feet to 77+/- feet. The project would provide an 8-foot wide landscape planter along the eastern property boundary and five landscape planters with trees along the western boundary, adjacent to the building.
- ii. *Attractive Architecture.* The building would consist of materials and architecture appropriate for an industrial use and comparable with other buildings in the area.
- iii. *Colors and Materials.* The building proposes neutral tones with four colors in compliance with applicable criteria. This location is not adjacent to residential land uses and would continue the existing campus industrial character of the area.

d) Landscaping and Fencing: The landscaping provides water efficient irrigation and planting in compliance with Gilroy City Code Article XXXVIII, and compliance with section 30.38.70 and the Industrial design guidelines. Drought tolerant plants are layered to provide interest and variety and integrated with bioswale planting. Combined landscaping exceeds standards as described in the

“Enhanced landscaping” discussion in the Murray-Las Animas Policy section of this staff report.

The applicant proposes to plant over 100 trees on this site, as well as shrubs, grasses and groundcover. The plant palette includes a total of eight tree species. Over 50 trees will be planted along the street frontage, with the remainder dispersed throughout the site. Complementary shrubs and groundcover would be planted and used to screen equipment along the side of the building.

The western fence on this property will be removed and replaced. A portion of the existing fence along the project frontage will be removed but not replaced.

- e) **Drainage:** The site is designed to drain to bioswales and stormwater systems in compliance with City standards.
- f) **Fire Protection:** The building is designed to comply with fire access and service requirements including provision of fire sprinkler systems as required by code.
- g) **Environmental Impacts:** This infill site has no special or unique environmental constraints. The project would be subject to payment of fees in compliance with the Santa Clara Valley Habitat Plan. The industrial use would not create any potential objectionable noise, odors, or traffic.

TECHNICAL ADVISORY COMMITTEE

Technical Advisory Committee (TAC): Project plans were routed to Engineering, Building, Police, and Fire representatives for internal review and comment. Recommendations of the TAC members have been incorporated into the project plans and/or are included as recommended conditions in attached resolution(s). No unique conditions have been established, and the project has been conditioned to assure plans submitted for building permit shall meet the applicable development standards.

PUBLIC NOTICING:

Property owner information (i.e. list, labels, and map) within 500 feet of the subject site were generated using current ownership data. Notices of this Planning Commission meeting were mailed to the property owners along with other interested parties and published in the Gilroy Dispatch at least 10 days prior to the meeting. In addition, the property has been posted with on-site signage notifying passersby of pending development, and the Planning Commission public hearing packets are available through the City's webpage

APPEAL PROCEDURE:

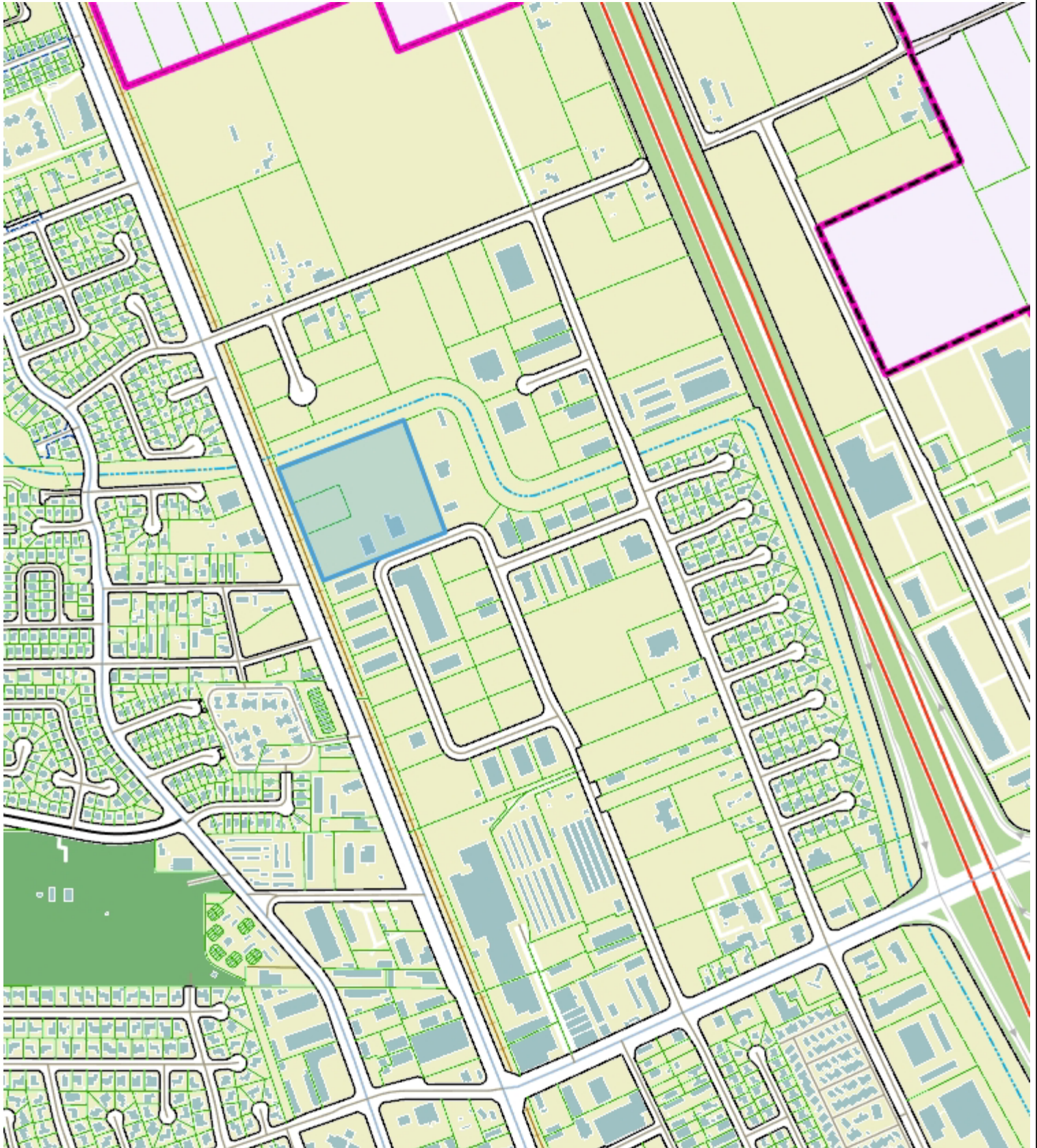
In accordance with Section 30.51.50 of the Gilroy City Code, the Planning Commission's decision may be appealed, in writing, to the City Council within 20 days of adoption of the resolution. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fee before the end of the appeal period.

ATTACHMENTS

1. Vicinity Map
2. AS 22-16 Project Plans
3. CEQA Guidelines Section 15168 and 15183 Consistency Checklist
4. AS 22-16 Draft Resolution

AS22-16, E&P Properties

City of Gilroy



1,306.7 0 653.33 1,306.7 Feet

NAD_1983_StatePlane_California_III_FIPS_0403_Feet
City of Gilroy, GIS Services

1: 7,840

Note: Map is for reference purposes only.

E&P PROPERTIES
NEW WAREHOUSE BUILDING
GILROY, CA

RMW

RMW
Architecture
Interiors

1718 Third Street
Suite 101
Sacramento
California 95811

Office
916 449-1400

rmw.com

CLIENT:

E & P
PROPERTIES
2250 S. WATNEY WAY,
FAIRFIELD, CA 94533

PRELIMINARY DESIGN DOCUMENTS FOR:

NEW ONE STORY
WAREHOUSE
BUILDING

201 & 221 YAMANE DRIVE
GILROY, CALIFORNIA 95020

approved for the owner by :

approved for the architect by :

issue :	description :	date :
A	INITIAL ENTITLEMENT SUBMITTAL	05-10-2022
△	PC COMMENTS AS 02-16 (#22050036) AND V 22-01 (22050037)	07-22-2022
△	PC COMMENTS AS 02-16 (#22050036) AND V 22-01 (22050037)	04-28-2023



PROJECT NARRATIVE:

VICINITY MAP:



Site: The project site is located between the intersection of Yamane Dr and Forest Steet and Monterey Dr in the city of Gilroy, California. The project scope includes a new 163,400 s.f. single story building and associated site improvements. The project site (APN 835-02-057 and 835-02-004) has a gross square footage of approximately +/- 8.88 acres of land. The site currently has (2) structures to be demolished and is undeveloped.

The building will be of Type VB or Type III construction, site cast, tilted concrete panels with a variety of architectural enhancements. The typical wall panels are to be enhanced with reveals and a textured elastomeric, multicolored coating system. The areas around the building entries are also enhanced with tinted glazing in aluminum frames with overhead steel-framed painted canopies. The placement of these enhancements is focused at those locations most visible from the public roadways.

Site Access and Parking: Entry into the site can be accessed at two entrance drives proposed along Yamane Drive and a semi-truck entrance and one exit along Yamane Drive.

Signage: The proposed signage in this submittal includes is for reference only. Criteria for future tenant signage will be provided at a later and under a separate permit as required.

Landscaping: The project will be fully landscaped using plants appropriate for and indigenous to the City of Gilroy and will adhere to Gilroy Zoning Code. Low water use plants will be used extensively, while moderate water use plants will be concentrated at accent points, such as driveways and building entries. For further landscaping design information, see "Design Notes" on the LP Preliminary Landscape Plan.

Sustainable Materials & Construction Practices: The project will incorporate a variety of sustainable materials and construction practices to include the following: 1) A storm water pollution prevention plan to minimize contamination, erosion, and dust pollution during construction. All storm water runoff from impervious surfaces (roofs and paving) will be routed through a specially designed water quality detention and treatment basin. Additionally, on-site detention will be provided to meet the local jurisdicational standards. 2) Storage and collection of recyclable materials. 3) Construction waste management. 4) Environmental tobacco smoke control. 5) Heat reflecting roof membranes. 6) Light pollution reduction. 7) Water efficient landscaping. 8) Water use reduction methods. 9) Low VOC emitting sealants, adhesives, coatings, floorings, and wood materials. 10) Roof structures designed to accommodate additional weight for roof-top photovoltaic electricity generation panel arrays. 11) California Green Building Code compliant electric vehicle charging stations at seven locations. 12) The project architect is a LEED accredited professional and will apply his knowledge of LEED techniques and practices to the project design and construction.

PROJECT TEAM:		SHEET INDEX:	
OWNER E&P PROPERTIES 2250 S. WATNEY WAY, FAIRFIELD, CA 94533	DEVELOPMENT MANAGER:  KELLEY COMMERCIAL, LLC 5150 FAIR OAKS BLVD, STE 101-219 CARMICHAEL, CA 95608 P: 916-956 0524 F: 916-956-1197	MICHAEL KELLEY mkelley@kelley-commercial.com	A00.1 * COVER SHEET A01.1 * PRELIMINARY SITE PLAN A01.2 * SITE DETAILS A02.1 FLOOR PLAN A02.2 ROOF PLAN A03.1 * EXTERIOR ELEVATIONS A05.0 * LINE OF SIGHT SITE PLAN & RENDERINGS A05.1 LINE OF SIGHT DETAILS
ARCHITECT: RMW ARCHITECTURE & INTERIORS 1718 3RD STREET, SUITE 101 SACRAMENTO, CA 95811 P: 916-449-1400 x405		JEFF LEONHARDT, PROJECT ARCHITECT & PROJECT DESIGNER jleonhardt@rmw.com	CIVIL C101 TOPOGRAPHIC SURVEY & DEMOLITION PLAN C301 GRADING AND DRAINAGE PLAN C302 GRADING AND DRAINAGE PLAN C401 UTILITIES PLAN C501 STORMWATER CONTROL PLAN C502 STORMWATER CONTROL DETAILS  C801 CROSS SECTIONS C901 FIRE PLAN
CIVIL ENGINEER: LAUGENOUR and MEIKLE P.O. BOX 828 WOODLAND, CA 95776 P: 530-662-1755 F: 530-662-4602	BRYAN BONINO bbp@lmce.net	LANDSCAPE L1.1 PRELIMINARY LANDSCAPE PLAN L1.2 PRELIMINARY LANDSCAPE PLAN	PHOTOMETRICS PH1.0 PRELIMINARY LIGHTING SITE PLAN PH0.2 LIGHTING CUT SHEETS
LANDSCAPE DESIGNER YAMASAKI LANDSCAPE ARCHITECTURE 1223 HIGH ST, AUBURN, CA 95603 P: 530-885-0040	JEFF AMBROSIA ASLA CLIA LEED AP Jeff@yamasaki-la.com	*DENOTES A SHEET TO BE PRINTED IN FULL COLOR	

SITE DATA:

ADDRESS: 201 AND 221 YAMANE DR.
APN: 835-02-004 and 835-02-057
SITE ZONING: M1 LIMITED INDUSTRIAL
OCCUPANCY TYPE: (ASSUMED) B, F-1, F-2, S-1, AND OR S-2
SITE AREA: 386,966.24 G.S.F. = 8.88 ACRES
BUILDING AREA: 163,400 G.S.F.
F.A.R.: 42.23%
CONSTRUCTION TYPE: TYPE III OR V-B
BUILDING HEIGHT: 40'-0"
NUMBER OF STORIES: 1

OVERALL REQUIRED PARKING CALCULATIONS :
(PER THE STATEMENT OF OPERATIONS)

MOVING AND STORAGE SPACE = 81,700 S.F. △
• MAX 5% OFFICE = 4,085 S.F. 13.62 (4,085 / 300)
(1 STALL PER 300 S.F. OF FLOOR AREA)
• WAREHOUSE = 77,615 S.F. 15.52 (77,615 / 5,000)
(1 STALL PER 5,000 S.F. OF FLOOR AREA)

TOTAL TENANT PARKING REQUIRED 29.14

LIGHT INDUSTRIAL = 28,200 S.F.
• MAX 20% OFFICE = 5,640 S.F. 18.80 (5,640 / 300)
(1 STALL PER 300 S.F. OF FLOOR AREA)
• SPECULATIVE INDUSTRIAL = 22,560 S.F. 64.46 (22,560 / 350)
(1 STALL PER 350 S.F. OF FLOOR AREA)

TOTAL TENANT PARKING REQUIRED 83.26

WAREHOUSING = 53,500 S.F.
• MAX 10% OFFICE = 5,350 S.F. 17.83 (5,350 / 300)
(1 STALL PER 300 S.F. OF FLOOR AREA)
• WAREHOUSING = 48,150 S.F. 9.63 (48,150 / 5,000)
(1 STALL PER 5,000 S.F. OF FLOOR AREA)

TOTAL TENANT PARKING REQUIRED 27.46

TOTAL OVERALL PARKING REQUIRED 140 (29.14 + 83.26 + 27.46 = 139.86)

BICYCLE PARKING PER CBC 5.106.4 BICYCLE PARKING:

SHORT TERM BICYCLE PARKING STALLS: 7 (5% OF NEW VISITOR PARKING. LAND USE ANTICIPATES MINIMAL VISITOR TRAFFIC)
LONG TERM BICYCLE STALLS: 7 (5% OF REQUIRED VEHICLE STALLS. FUTURE TENANTS WILL BE ENCOURAGED TO LOCATE LONG TERM BIKE PARKING WITHIN THE FACILITY)

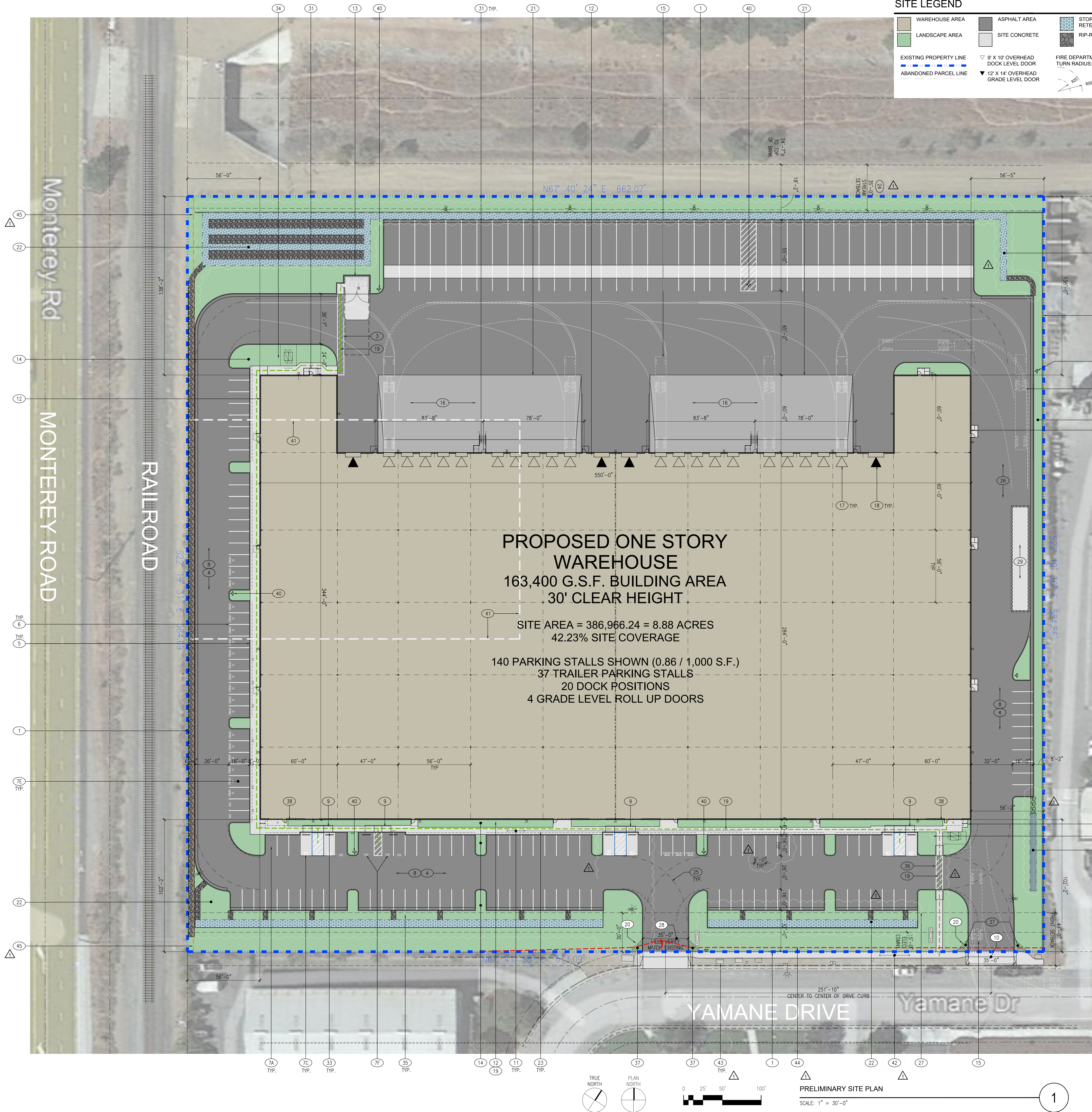
TOTAL VEHICLE PARKING PROVIDED PER CITY OF GILROY ZONING TABLE 30.31.40 :
STANDARD STALLS: 9'X18' (16' W/ Z-0" OVERHANG) 109
ADA ACCESSIBLE STALLS: 6 (6 TOTAL ADA STALLS REQ'D PER 2019 CBC 11B.208.2)

REQUIRED PARKING FOR CLEAN AIR VEHICLES PER 2022 CGBC TABLE 5.106.5.3.1: △

EV CAPABLE STALLS: 25 (101 - 150 TOTAL STALLS = 25)
REQUIRED EV CHARGING STALLS: 6 (101 - 150 TOTAL STALLS = 6)
STANDARD EV STALLS: 4
VAN ACCESSIBLE EV STALLS: 1
STANDARD ACCESSIBLE STALLS: 1

SHORT TERM BICYCLE PARKING STALLS: 10 (2 RACKS PROVIDED, 5 BIKES EACH)
LONG TERM BICYCLE STALLS: 7 (FINAL AMOUNT TBD @ TIME OF TENANT IMPROVEMENT)

TOTAL PARKING PROVIDED: 157 (140 VEHICLE STALLS + 17 BICYCLE STALLS)



SITE LEGEND

WAREHOUSE AREA	ASPHALT AREA	STORM WATER RETENTION AREA
LANDSCAPE AREA	SITE CONCRETE	RIP-RAP AREA
EXISTING PROPERTY LINE	▽ 9' X 10' OVERHEAD DOCK LEVEL DOOR	FIRE DEPARTMENT TURN RADIUS:
ABANDONED PARCEL LINE	▼ 12' X 14' OVERHEAD GRADE LEVEL DOOR	85° 85°

SITE DATA:

ADDRESS:	201 AND 221 YAMANE DR.	
APN:	835-02-004 and 835-02-057	
SITE ZONING:	M1	LIMITED INDUSTRIAL
OCCUPANCY TYPE:	(ASSUMED)	B, F-1, F-2, S-1, AND OR S-2
SITE AREA:	386,966.24 G.S.F.	= 8.88 ACRES
BUILDING AREA:	163,400 G.S.F.	
F.A.R.:	42.23%	
CONSTRUCTION TYPE:	TYPE III OR V/B	
BUILDING HEIGHT:	40'-0"	
NUMBER OF STORIES:	1	

OVERALL REQUIRED PARKING CALCULATIONS:
(PER THE STATEMENT OF OPERATIONS)

MOVING AND STORAGE SPACE = 81,700 S.F.	
• MAX 5% OFFICE = 4,085 S.F. (1 STALL PER 300 S.F. OF FLOOR AREA)	13.62 (4,085 / 300)
• WAREHOUSE = 77,615 S.F. (1 STALL PER 5,000 S.F. OF FLOOR AREA)	15.52 (77,615 / 5,000)

TOTAL TENANT PARKING REQUIRED 29.14

LIGHT INDUSTRIAL = 28,200 S.F.	
• MAX 20% OFFICE = 5,640 S.F. (1 STALL PER 300 S.F. OF FLOOR AREA)	18.80 (5,640 / 300)
• SPECULATIVE INDUSTRIAL = 22,560 S.F. (1 STALL PER 300 S.F. OF FLOOR AREA)	64.46 (22,560 / 350)

TOTAL TENANT PARKING REQUIRED 83.26

WAREHOUSING = 53,500 S.F.	
• MAX 10% OFFICE = 5,350 S.F. (1 STALL PER 300 S.F. OF FLOOR AREA)	17.83 (5,350 / 300)
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BICYCLE PARKING PER CBC 5.106.4 BICYCLE PARKING:

SHORT TERM BICYCLE PARKING STALLS:	7 (5% OF NEW VISITOR PARKING. LAND USE ANTICIPATES MINIMAL VISITOR TRAFFIC)
LONG TERM BICYCLE STALLS:	7 (5% OF REQUIRED VEHICLE STALLS. FUTURE TENANTS WILL BE ENCOURAGED TO LOCATE LONG TERM BIKE PARKING WITHIN THE FACILITY)

TOTAL VEHICLE PARKING PROVIDED PER CITY OF GILROY ZONING TABLE 30.31.40:
STANDARD STALLS: 9'X18' (16' W/ 2'-0" OVERHANG) 109
ADA ACCESSIBLE STALLS: 6 (6 TOTAL ADA STALLS REQ'D PER 2019 CBC 11B.208.2)

REQUIRED PARKING FOR CLEAN AIR VEHICLES PER 2022 CGBC TABLE 5.106.5.3.1:

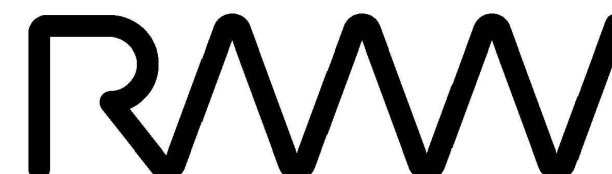
EV CAPABLE STALLS:	25 (101 - 150 TOTAL STALLS = 25)
REQUIRED EV CHARGING STALLS:	6 (101 - 150 TOTAL STALLS = 6)
STANDARD EV STALLS:	4
VAN ACCESSIBLE EV STALLS:	1
STANDARD ACCESSIBLE STALLS:	1

SHORT TERM BICYCLE PARKING STALLS:	10 (2 RACKS PROVIDED, 5 BIKES EACH)
LONG TERM BICYCLE STALLS:	7 (FINAL AMOUNT TBD @ TIME OF TENANT IMPROVEMENT)

TOTAL PARKING PROVIDED: 157 (140 VEHICLE STALLS + 17 BICYCLE STALLS)

KEYNOTES:

- EXISTING PROPERTY LINES.
- PROPOSED PROPERTY LINES, SEE CIVIL DRAWINGS
- STRIPED PATH OF TRAVEL TO TRASH ENCLOSURE
- PARKING AND DRIVE ISLES TO BE ASPHALTIC CONCRETE
- TYPICAL 6" TALL X 6" WIDE CONCRETE CURBS, SEE CIVIL DRAWINGS
- TYPICAL 4" WIDE TRAFFIC STRIPING
- TYPICAL PARKING:
 - STANDARD STALLS: 9' X 18' OR 9' X 16' WITH 2" PARKING OVERHANG
 - COMPACT STALLS: NO COMPACT STALLS PROPOSED
 - ACCESSIBLE PARKING STALLS: 9' X 18' MIN. WITH 2" PARKING OVERHANG WITH 5' OR 8' WIDE LOADING ZONE AS SHOWN. SEE DETAIL 12 SHEET A01.3
 - DESIGNATED PARKING PER CAL-GREEN REQUIREMENTS FOR CAR/VAN POOL, FUEL EFFICIENT, EV & LOW-EMITTING VEHICLES.
 - ELECTRIC VEHICLE CHARGING SPACES (STALLS LABELED "ELECTRIC VEHICLE CHARGING"), PER CGBC 5.106.5.2, TO FACILITATE FUTURE INSTALLATION CONDUIT, RING AND STRING SHALL BE INSTALLED AT THIS TIME AS PART OF THE SHELL CONSTRUCTION.
 - ACCESSIBLE ELECTRIC VEHICLE CHARGING STALL, 1 VAN, 1 STANDARD. (RING AND STRING ONLY)
- TYPICAL DRIVE ISLE, 26'-0" WIDE MINIMUM
- CURB RAMP, SEE DETAIL 9/A01.2
- PROPOSED LOCATION OF NEW SITE ACCESS DRIVE CURB CUT, SEE CIVIL DRAWINGS
- NEW CONCRETE PEDESTRIAN WALKS. ASSUME ALL SIDEWALKS TO BE ACCESSIBLE PATH OF TRAVEL. SLOPE NOT TO EXCEED 1:20 (5%) IN DIRECTION OF TRAVEL. CROSS SLOPE NOT TO EXCEED 1:50 (2%) WHERE PARKING OVERHANG OCCURS. INCREASE WIDTH OF SIDEWALK TO 6'-0" MIN.
- PROPOSED BUILDING EXTERIOR WALLS TO BE SITE CAST LIGHT CONCRETE WALLS WITH REVEALS, A TEXTURED ELASTOMERIC COATING AND A MULTI-COLOR PAINT PALLET. SEE EXTERIOR ELEVATIONS, SHEET A03.1
- TRASH ENCLOSURE W/ 40FT. APPROACH, SEE DETAILS 1 & 2/A01.2
- TYPICAL LANDSCAPE PLANTER AREA. ALL LANDSCAPING TO COMPLY WITH CITY OF GILROY ZONING AND ALL LOCAL JURISDICTIONAL REQUIREMENTS.
- SEMI TRACTOR TRAILER TEMPLATE SHOWN FOR REFERENCE ONLY
- 60" DEPRESSED CONCRETE TRUCK DOCK
- LOADING DOCK ROLL UP DOOR, TYPICAL
- GRADE LEVEL ROLL UP DOOR, TYPICAL
- DASHED GREEN LINE INDICATES ACCESSIBLE PATH OF TRAVEL AT PUBLIC SIDEWALK
- LOCATION OF SITE ENTRY SIGN REGARDING PARKING IN ACCESSIBLE PARKING STALLS. SEE DETAIL 15/A01.2
- EDGE OF CONCRETE LOADING DOCK
- BIO-RETENTION ROCK TRENCH AREA, SEE CIVIL DRAWINGS
- DASHED LINE INDICATES 2'-0" PARKING OVERHANG.
- 35'-0" STREAM SETBACK, SEE CIVIL DRAWINGS
- DASHDOT LINE INDICATES FIRE DEPARTMENT TURNING RADIUS. SEE FIRE TURN RADIUS DIAGRAM THIS SHEET.
- PROPOSED TRUCK ACCESS DRIVE AISLE.
- YARD SETBACK PER CITY OF GILROY ZONING TABLE 30.23.20.
- EXISTING DRIVEWAY
- PROPOSED LOCATION OF TRAILER SCALE
- DASH-DOT INDICATES EXTERIOR AREA OF ASSISTED RESCUE
- PREFABRICATED PAINTED STEEL STAIR W/ BOLLARDS WHERE APPLICABLE.
- BICYCLE RACKS, SEE DETAIL 14/A01.2
- CONCRETE WHEEL STOPS, SEE CIVIL DRAWINGS.
- POTENTIAL FUTURE LOCATION OF BIKE LOCKER. LOCATIONS SHOWN ARE TO DEMONSTRATE THE SITE HAS ADEQUATE SPACE FOR LONG TERM BICYCLE STORAGE. FINAL LOCATIONS TBD AT TIME OF TENANT IMPROVEMENT.
- SITE LIGHTING, SEE PHOTOMETRIC PLANS
- STRIPED PEDESTRIAN PATH OF TRAVEL
- ANGLED HATCH PATTERN REPRESENTS THE LINE OF SIGHT TRIANGLE. SEE CIVIL DRAWINGS FOR MORE INFORMATION.
- LOCATION OF FIRE DEPARTMENT APPROVED "INNOV BOX" AT BUILDING PRIMARY ENTRY. MOUNT AT 4'-0" AFF. CONFIRM LOCATION, MOUNTING HEIGHT AND ALL OTHER CRITERIA WITH THE LOCAL JURISDICTION HAVING AUTHORITY.
- SITE EASEMENT, SEE CIVIL DRAWINGS FOR MORE INFORMATION.
- PROPOSED LOCATION OF FIRE HYDRANT W/ BOLLARDS WHERE APPLICABLE. SEE CIVIL DRAWINGS.
- EXISTING PROPERTY LINE TO BE ABANDONED. SEE CIVIL DRAWINGS.
- NEW SIDEWALK ALONG PROJECT FRONTAGE. SEE CIVIL DRAWINGS.
- EXISTING SITE EQUIPMENT, SEE CIVIL DRAWINGS.
- RED DASHED LINE INDICATES EXISTING SITE FENCING TO BE REMOVED, SEE SITE DEMO SHEET C101.
- ORANGE FENCELINE INDICATES EXISTING FENCE TO BE REMOVED AND REPLACED ALONG ADJACENT PROPERTY LINE.



RMW Architecture Interiors 1718 Third Street Suite 101 Sacramento California 95811

Office 916 449-1400

rmw.com

CLIENT:

E & P PROPERTIES
2250 S. WATNEY WAY,
FAIRFIELD, CA 94533

PRELIMINARY DESIGN DOCUMENTS FOR:

NEW ONE STORY WAREHOUSE BUILDING

201 & 221 YAMANE DRIVE
GILROY, CALIFORNIA 95020

approved for the owner by :

approved for the architect by :

issue :	description :	date :
A	INITIAL ENTITLEMENT SUBMITTAL	05-10-2022
△	PC COMMENTS AS 22-16 (#2250006) AND V 22-01 (2250007)	07-22-2022
△	PC COMMENTS AS 22-16 (#2250006) AND V 22-01 (2250007)	04-28-2023

DEVELOPMENT MANAGER:



drawn by : RDG plot date : 07-26-2022

checked by : JDL

stamp



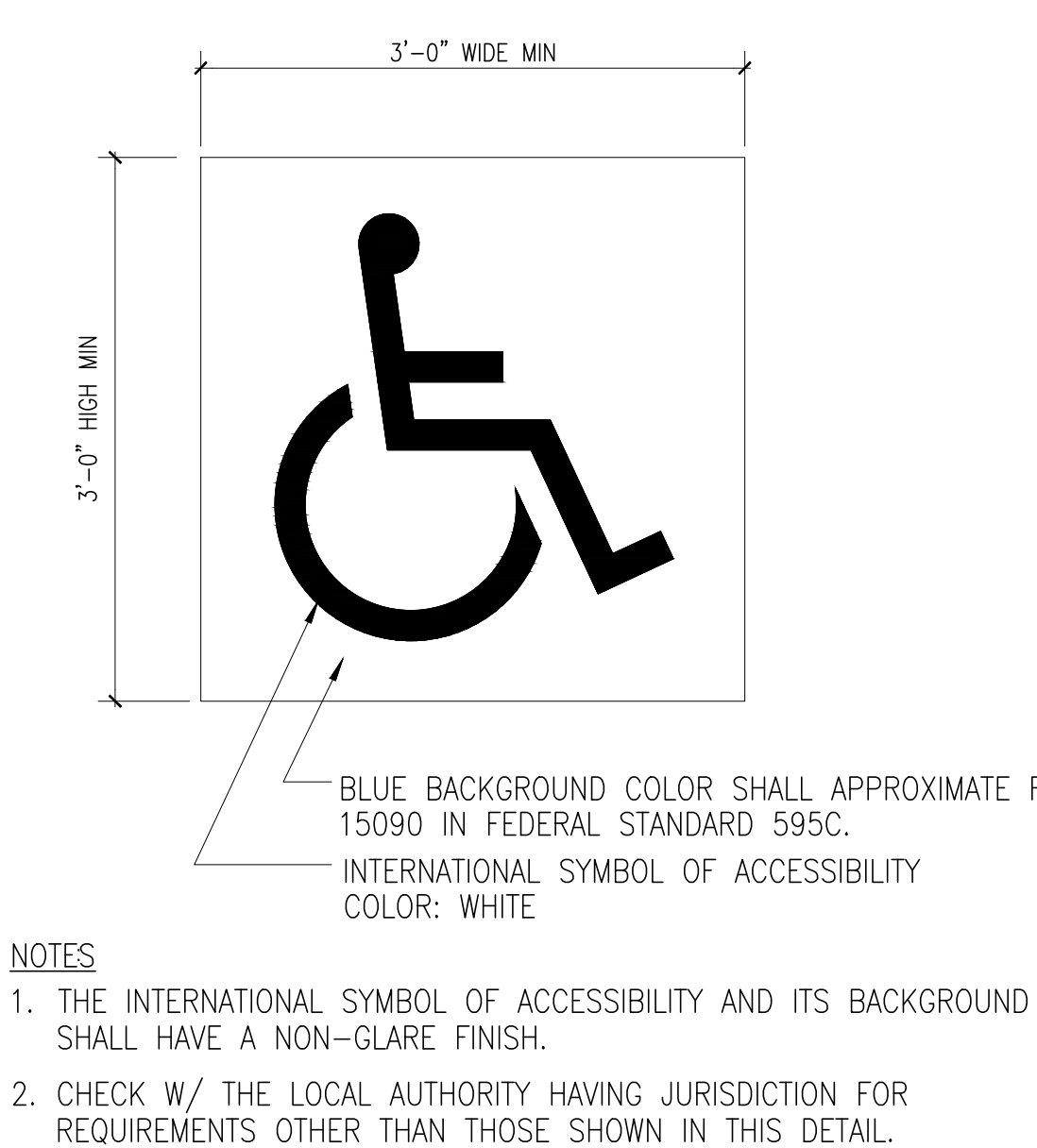
scale : AS NOTED

project number : 2204021.00

PRELIMINARY SITE PLAN

sheet no. :

A01.1



SCALE: N.T.S.

17

SCALE: 1" = 1'-0"

13

SCALE: 1" = 1'-0"

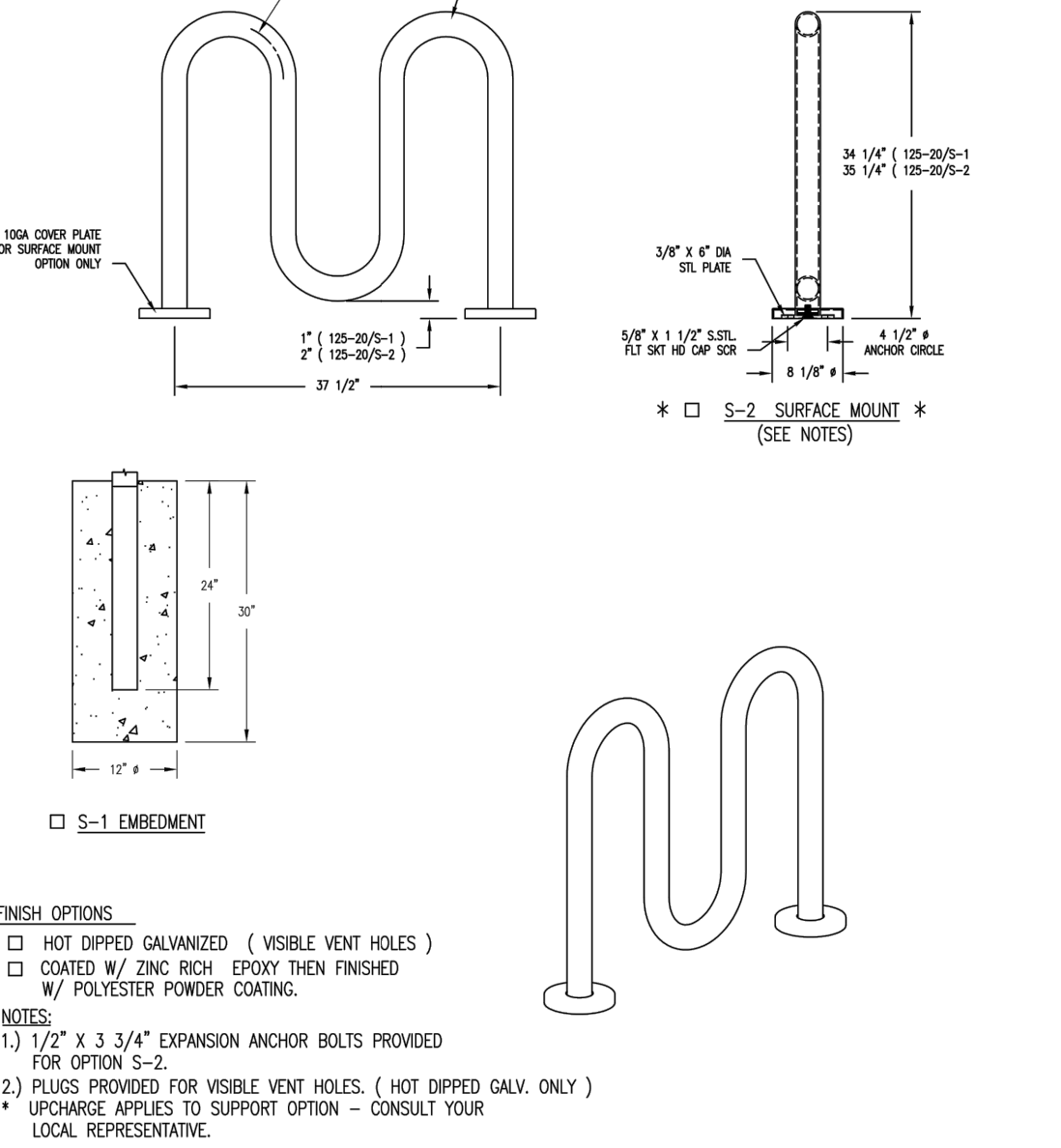
9

SCALE: 3" = 1'-0"

5

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

1



SCALE: 1" = 1'-0"

18

SCALE: N.T.S.

14

$$1^* = 1' - 0^*$$

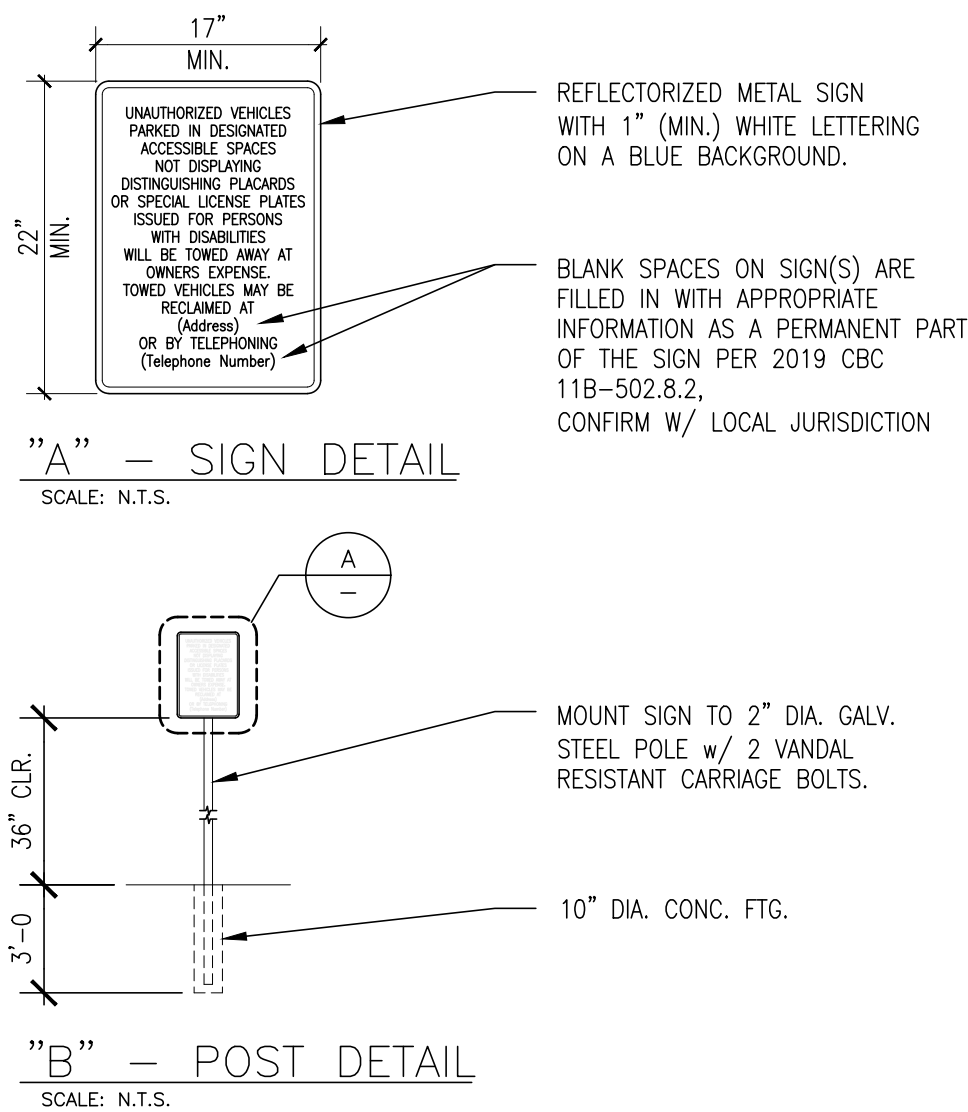
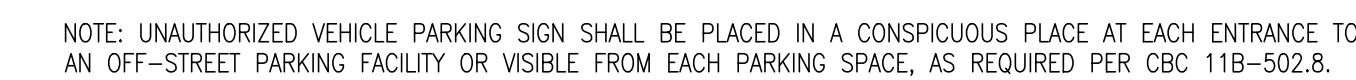
10

SCALE: 3" = 1'-0"

6

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

2



SCALE: NTS

15

SCALE: NO SCALE

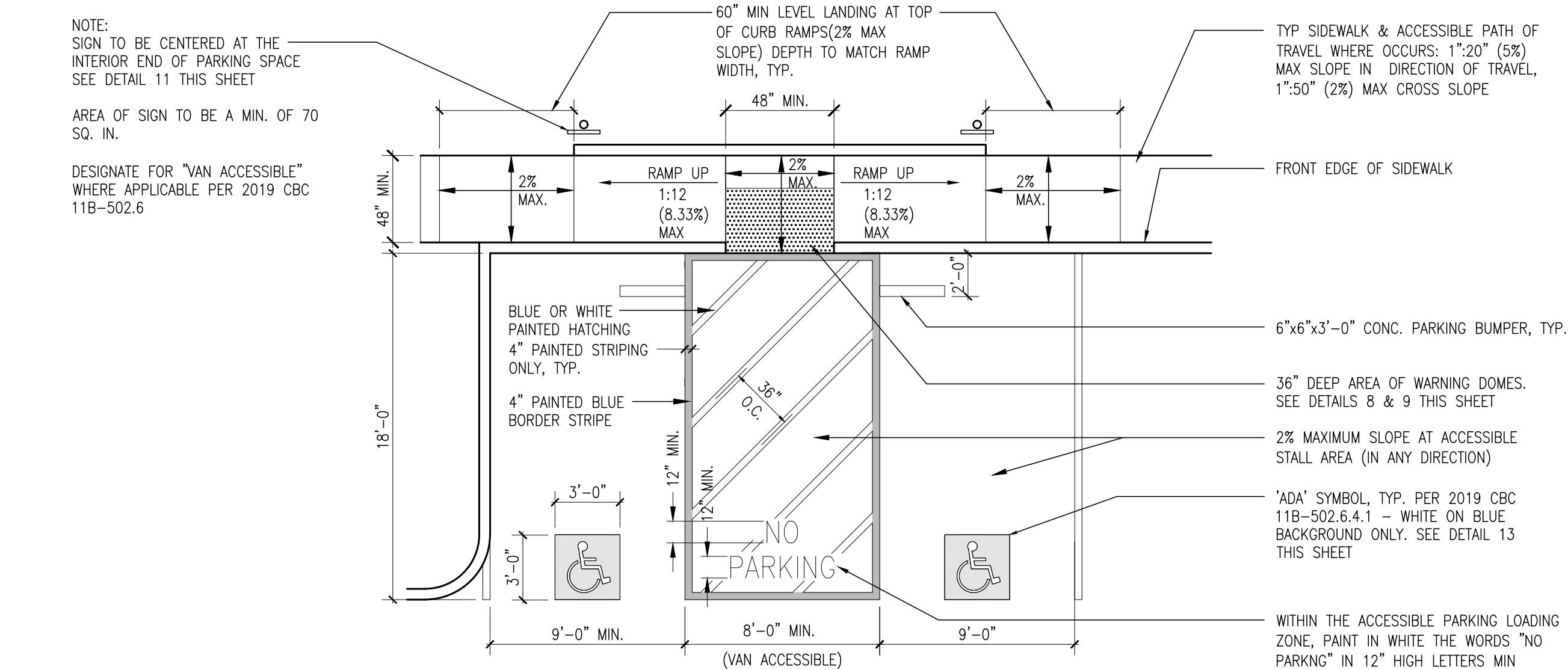
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SCALE: 3" = 1'-0"

7

SCALE: 1/2" = 1'-0"

3



SCALE: 3/16" = 1' - 0"

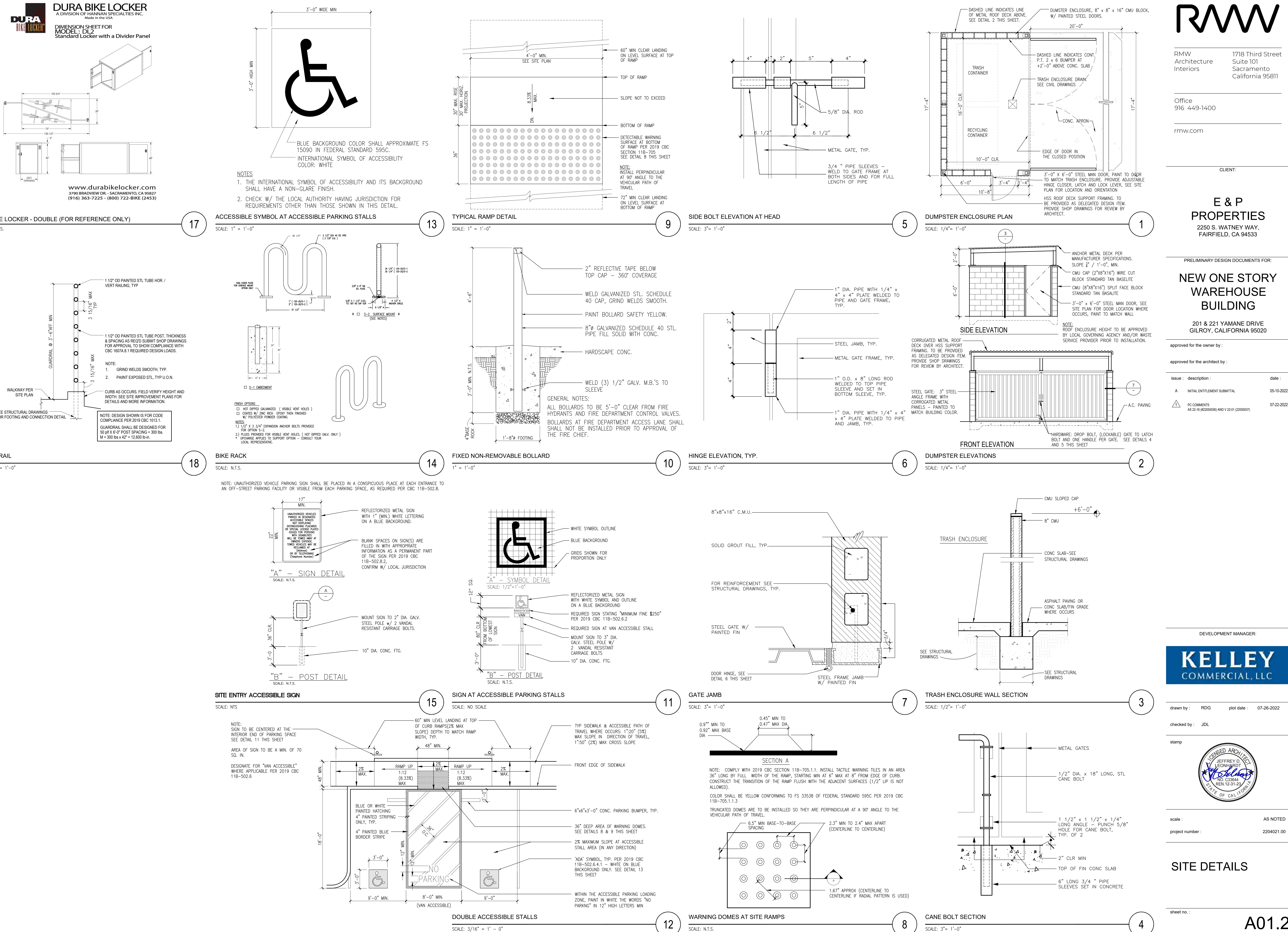
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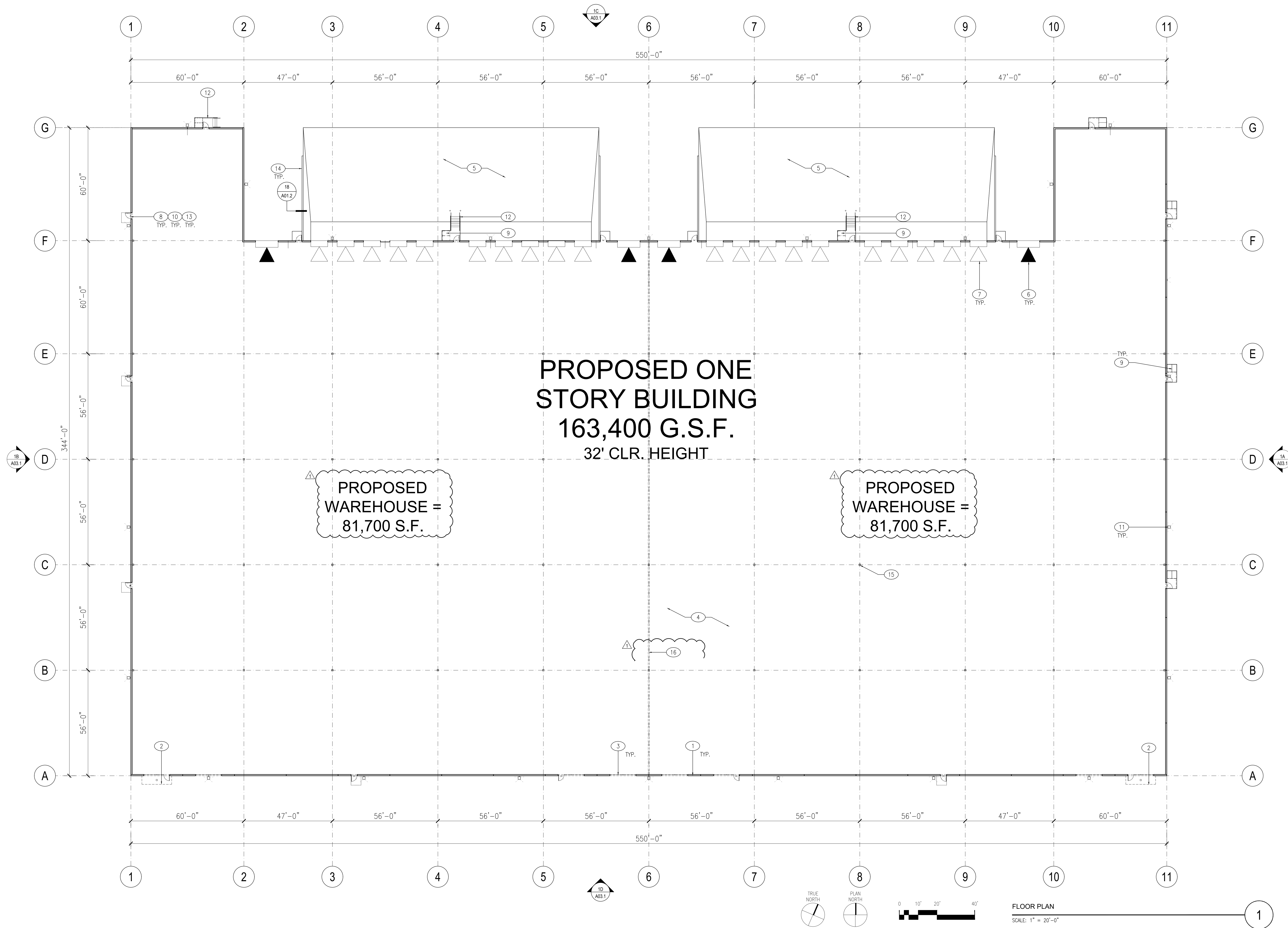
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SCALE: 3" = 1'-0"

4



issue :	description :	date :
A	INITIAL ENTITLEMENT SUBMITTAL	05-10-2022
1A	PC COMMENTS AS 22-16 (#22050036) AND V 22-01 (22050037)	07-22-2022
1B	PC COMMENTS AS 22-16 (#22050036) AND V 22-01 (22050037)	04-28-2023



KEYNOTES:

- TYPICAL EXTERIOR CONCRETE TILT-UP WALLS WITH 3/4" X 3/4" DOUBLE CHAMFER REVEALS AND A MULTICOLOR PAINT PALETTE. SEE EXTERIOR ELEVATIONS ON A03.1.
- OUTLINE OF STEEL C-CHANNEL CANOPY ABOVE. SEE SHEET A02.2, ROOF PLAN AND A03.1 EXTERIOR ELEVATIONS.
- TINTED GLAZING IN ALUMINUM FRAMES, TYPICAL. SEE A03.1 FOR MORE INFORMATION.
- CONCRETE SLAB.
- DEPRESSED CONCRETE TRUCK DOCK, SEE A01.1, AND CIVIL DRAWINGS.
- 12' X 14' GRADE LEVEL ROLL UP DOOR
- 9' X 10' DOCK LEVEL ROLL UP DOOR
- 3' X 7' STEEL MAN DOOR, WHERE DOORS ARE SHOWN AT GLAZING, DOORS TO BE STOREFRONT DOORS
- DASH-DOT OUTLINE INDICATE EXTERIOR AREA OF ASSISTED RESCUE.
- EXTERIOR MAN DOORS SHALL HAVE 5'-0" MIN. DEEP X 5'-2" MIN. WIDE LEVEL LANDING AT EXTERIOR SIDE OF DOOR. AREA OF LEVEL LANDING TO EXTEND 2'-0" MIN. PAST THE STRIKE SIDE OF THE DOOR - TYPICAL. SLOPE OF LEVEL LANDING TO NOT EXCEED 2% SLOPE LANDING AWAY FROM DOOR A MINIMUM OF 1%. ENLARGE LANDING WHERE AN EXTERIOR AREA OF ASSISTED RESCUE OCCURS.
- EXTERIOR WALL PACK LIGHTING. SEE PHOTOMETRIC PLAN FOR MORE INFORMATION.
- PREFABRICATED STEEL STAIRS AND GUARDRAILS, CONTRACTOR TO COORD. FINAL SIZE AND LOCATION WITH STAIR DESIGNER MANUFACTURER PRIOR TO FABRICATION.
- SURFACE MOUNTED EMERGENCY LIGHT FIXTURE CENTERED ABOVE DOOR, TYPICAL AT ALL EXTERIOR DOORS. SEE EXTERIOR ELEVATIONS, SHEET A03.1. SEE PHOTOMETRIC DRAWINGS FOR MORE INFORMATION.
- CURB WITH GUARDRAIL AT EACH SIDE OF DEPRESSED LOADING DOCKS, TYP. SEE DETAIL 18/A01.2
- TYPICAL STEEL COLUMN. PAINT SAFETY YELLOW UP TO +10' AFF, WHITE UP TO ROOF
- LINE OF FUTURE DEMISING WALL.

E & P
PROPERTIES2250 S. WATNEY WAY,
FAIRFIELD, CA 94533

PRELIMINARY DESIGN DOCUMENTS FOR:

NEW ONE STORY
WAREHOUSE
BUILDING201 & 221 YAMANE DRIVE
GILROY, CALIFORNIA 95020

approved for the owner by :

approved for the architect by :

issue :	description :	date :
A	INITIAL ENTITLEMENT SUBMITTAL	05-10-2022
1A	PC COMMENTS AS 22-16 (#2250006) AND V 22-01 (2250007)	07-22-2022
1B	PC COMMENTS AS 22-16 (#2250006) AND V 22-01 (2250007)	04-28-2023

DEVELOPMENT MANAGER:

KELLEY
COMMERCIAL, LLC

drawn by : RDG plot date : 07-26-2022

checked by : JDL

stamp



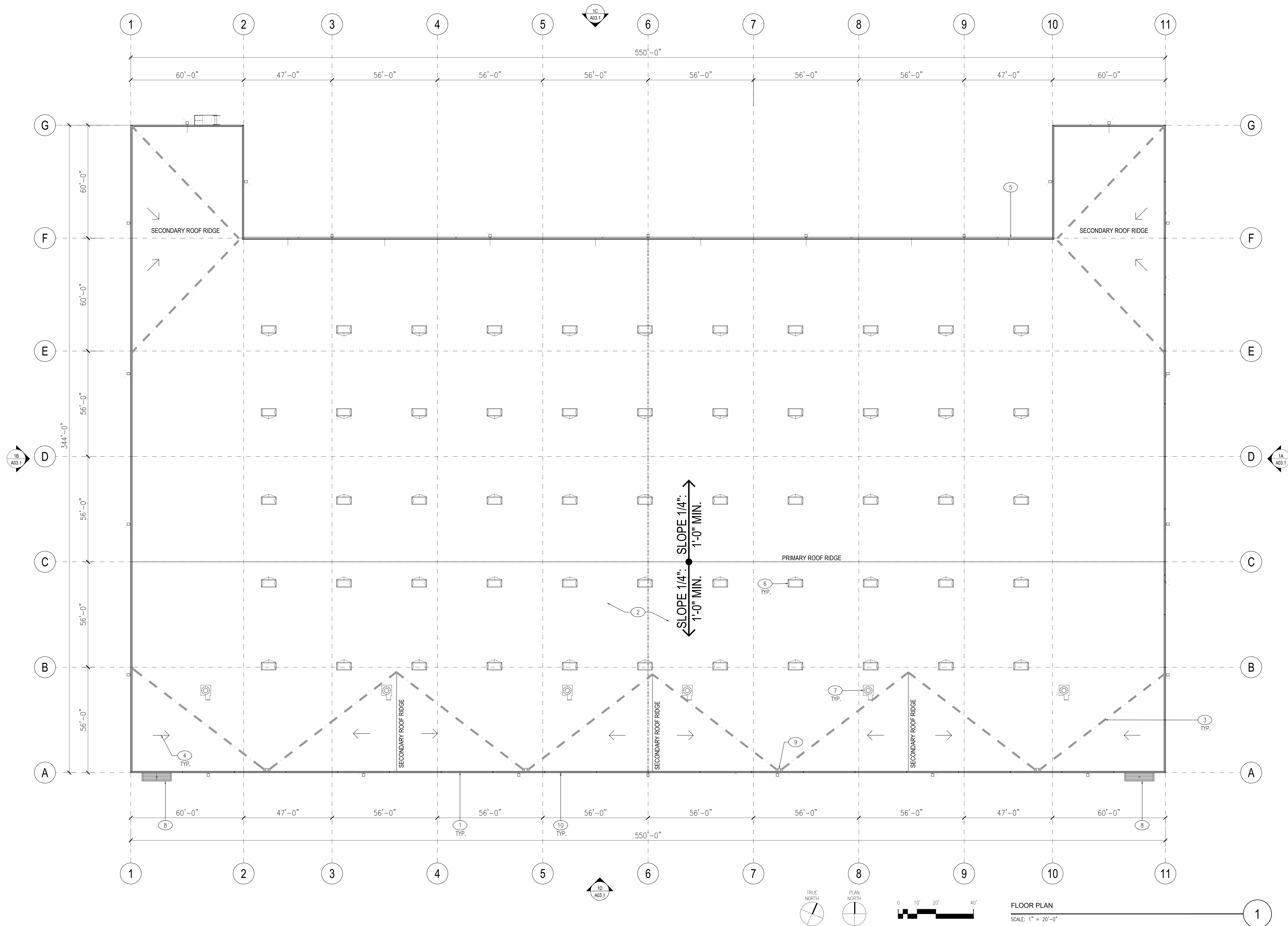
scale : AS NOTED

project number : 2204021.00

PRELIMINARY
ROOF PLAN

sheet no. :

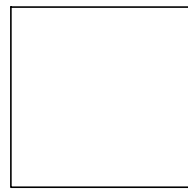
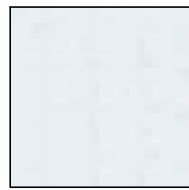
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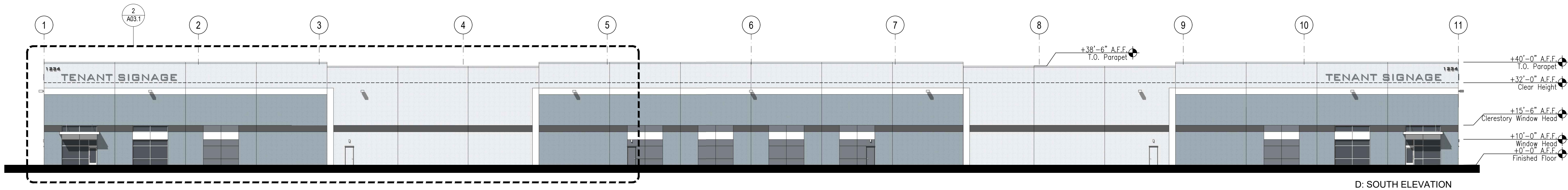
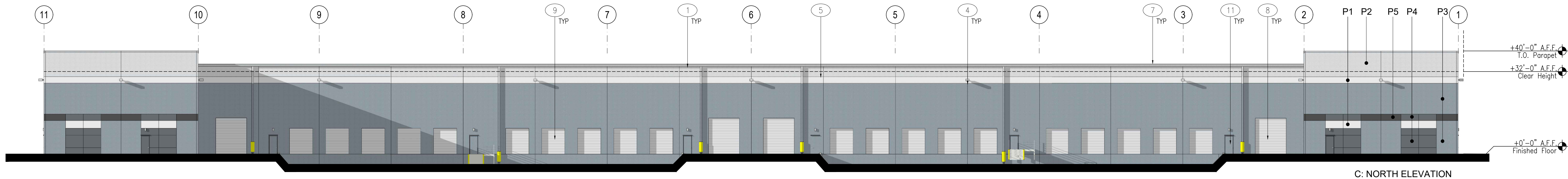
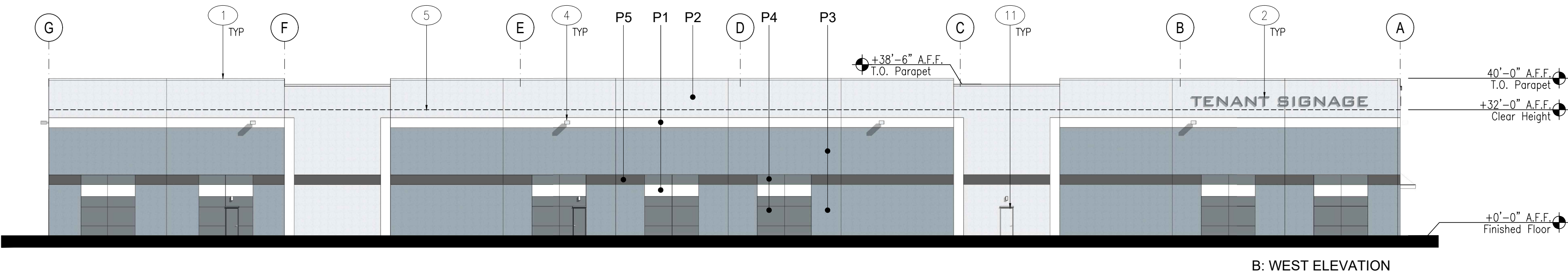
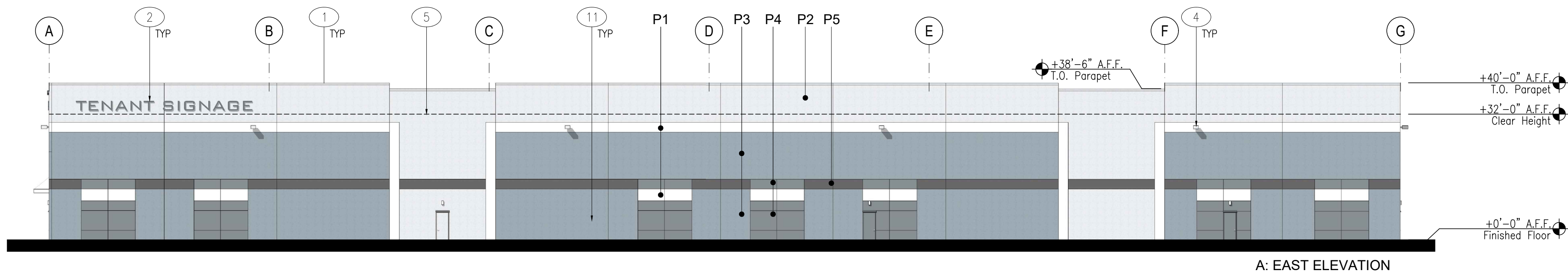


KEYNOTES:

- 1 LINE OF TYPICAL PARAPET WALL
- 2 TYPICAL LOW SLOPE ROOF 1/4" PER 12" MIN SLOPE. ROOF ASSEMBLY CONSISTS OF A TPO SINGLE PLY SYSTEM OVER 1/2" STRUCTURAL SHEATHING OVER SLOPED STRUCTURAL FRAMING.
- 3 THICK DASHED GRAY LINE INDICATES WARPED ROOF AREA
- 4 INDICATES DIRECTION OF ROOF SLOPE
- 5 CONTINUOUS METAL GUTTER, PAINT TO MATCH ADJACENT BUILDING COLOR.
- 6 INDICATES LOCATION OF 4' X 8' SELF-CURBING DUAL DOME SKYLIGHT. PROVIDE SHAPED FOAM CRICKET AT HIGH SIDE(S) OF SKYLIGHT CURB TO PROVIDE SLOPE FOR DRAINAGE
- 7 POTENTIAL LOCATION OF FUTURE ROOF MOUNTED HVAC EQUIPMENT. ALL ROOF MOUNTED EQUIPMENT SHALL BE DETERMINED AT TIME OF TENANT IMPROVEMENTS AND SHALL BE SCREENED FROM VIEW BY NATURE OF IT'S PLACEMENT OR BY A FUTURE MECHANICAL SCREEN.
- 8 ENTRY CANOPY BELOW WITH SLOPED PAINTED STEEL AND GALVANIZED METAL DECKING OVER STRUCTURAL FRAMING, PAINT AS SPECIFIED, SEE A03.1.
- 9 INTERNAL ROOF AND OVERFLOW DRAINS.
- 10 INDICATES LOCATION OF SURFACE MOUNTED EMERGENCY LIGHT FIXTURE CENTERED ABOVE DOOR, TYPICAL AT ALL EXTERIOR DOORS, SEE EXTERIOR ELEVATIONS, SHEET A03.1
- 11 EXTERIOR LIGHT FIXTURE AT UNDERSIDE OF ENTRY CANOPY.

- KEYNOTES:
- | | | | |
|---|---|----|--|
| 1 | TYPICAL SITE CAST, CONCRETE TILT-UP PANELS WITH 3/4" REVEALS AND A MULTI COLOR TEXTURED COATING SYSTEM. | 7 | SCUPPER BOXES AND SURFACE MOUNTED DOWNSPOUTS. PAINT AS SPECIFIED. |
| 2 | TENANT SIGNAGE UNDER SEPARATE PERMIT. | 8 | 12' X 14' GRADE LEVEL O.H. SECTIONAL ROLL UP DOOR |
| 3 | ADDRESS SIGNAGE UNDER SEPARATE PERMIT AND SHALL MEET BUILDING, FIRE AND SHERIFF DEPT REQUIREMENTS. | 9 | 9' X 10' DOCK LEVEL O.H. SECTIONAL ROLL UP DOOR |
| 4 | WALL PACK LIGHTING. SEE PHOTOMETRIC DRAWINGS FOR MORE INFORMATION. | 10 | PAINTED STEEL CHANNEL ACCENT CANOPIES. PAINT AS SPECIFIED. TYPICAL AT MAIN ENTRANCE STOREFRONT OPENINGS. |
| 5 | DASHED LINE INDICATES INTERNAL CLEAR HEIGHT. SEE ELEVATIONS FOR HEIGHT. | 11 | TYPICAL 3' X 7' STEEL MAN DOOR, WHERE DOORS ARE SHOWN AT GLAZING, DOORS TO BE STOREFRONT DOORS |
| 6 | TYPICAL WINDOW SYSTEM: DUAL PANE GLAZING IN 2" X 4" (NOMINAL) THERMALLY BROKEN, CLEAR ANODIZED ALUMINUM FRAMES. OUTER GLAZING PANE TO BE TINTED WITH LOW-E COATING ON INTERIOR SURFACE. INNER PANE CLEAR FLOAT. STOREFRONT DOORS WHERE SHOWN. | | |

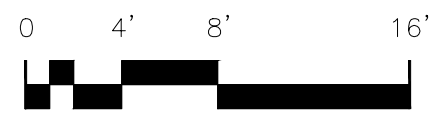
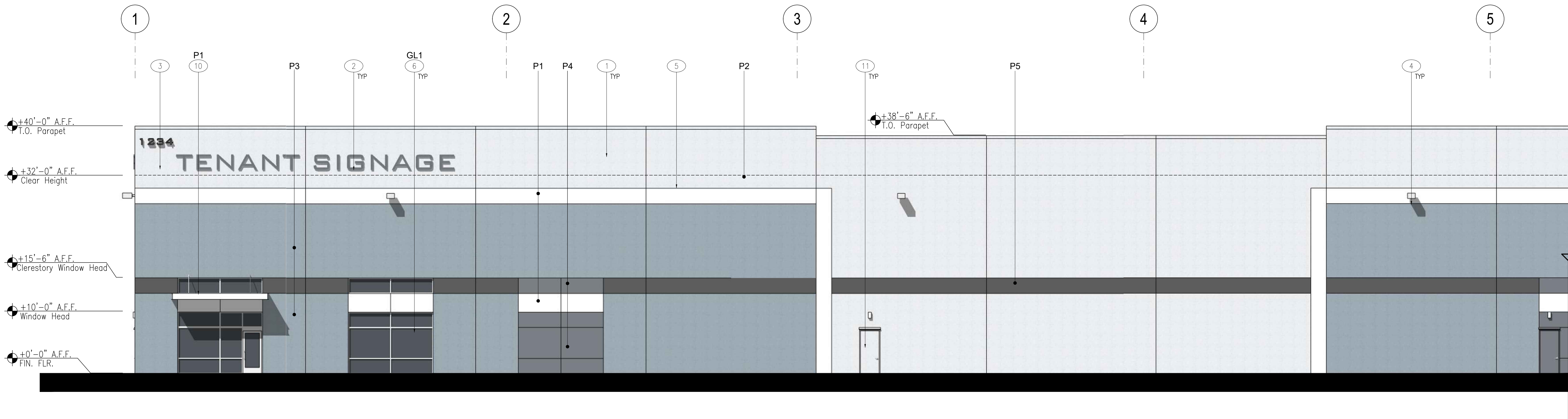
- FINISH LEGEND:
- | | |
|--|---|
|  P1: PAINT 1
SHERWIN WILLIAMS
SW7757 HIGH REFLECTIVE
WHITE |  P2: PAINT 2
SHERWIN WILLIAMS
SW6238 ICICLE |
|  P3: PAINT 3
PPG PAINTS
PPG 1159-4 WALDEN POND |  P4: PAINT 4
SHERWIN WILLIAMS
SW7669 SUMMIT GRAY |
|  P5: PAINT 5
SHERWIN WILLIAMS
SW7674 PEPPERCORN |  GL1: VITRO ARCHITECTURAL
GLASS "SOLARBLUE"
BLUE GLASS IN
THERMALLY BROKEN
CLEAR ANODIZED
ALUMINUM FRAMES |



EXTERIOR ELEVATIONS

SCALE: 1" = 20'-0"

1



PARTIAL ENLARGED SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

2

RMW

RMW
Architecture
Interiors

1718 Third Street
Suite 101
Sacramento
California 95811

Office
916 449-1400

rmw.com

CLIENT:

E & P
PROPERTIES

2250 S. WATNEY WAY,
FAIRFIELD, CA 94533

PRELIMINARY DESIGN DOCUMENTS FOR:

NEW ONE STORY
WAREHOUSE
BUILDING

201 & 221 YAMANE DRIVE
GILROY, CALIFORNIA 95020

approved for the owner by :

approved for the architect by :

issue :	description :	date :
A	INITIAL ENTITLEMENT SUBMITTAL	05-10-2022
△	PC COMMENTS AS 22-16 (R2020036) AND V 22-01 (22050037)	07-22-2022

DEVELOPMENT MANAGER:

KELLEY
COMMERCIAL, LLC

drawn by : RDG plot date : 07-26-2022

checked by : JDL

stamp

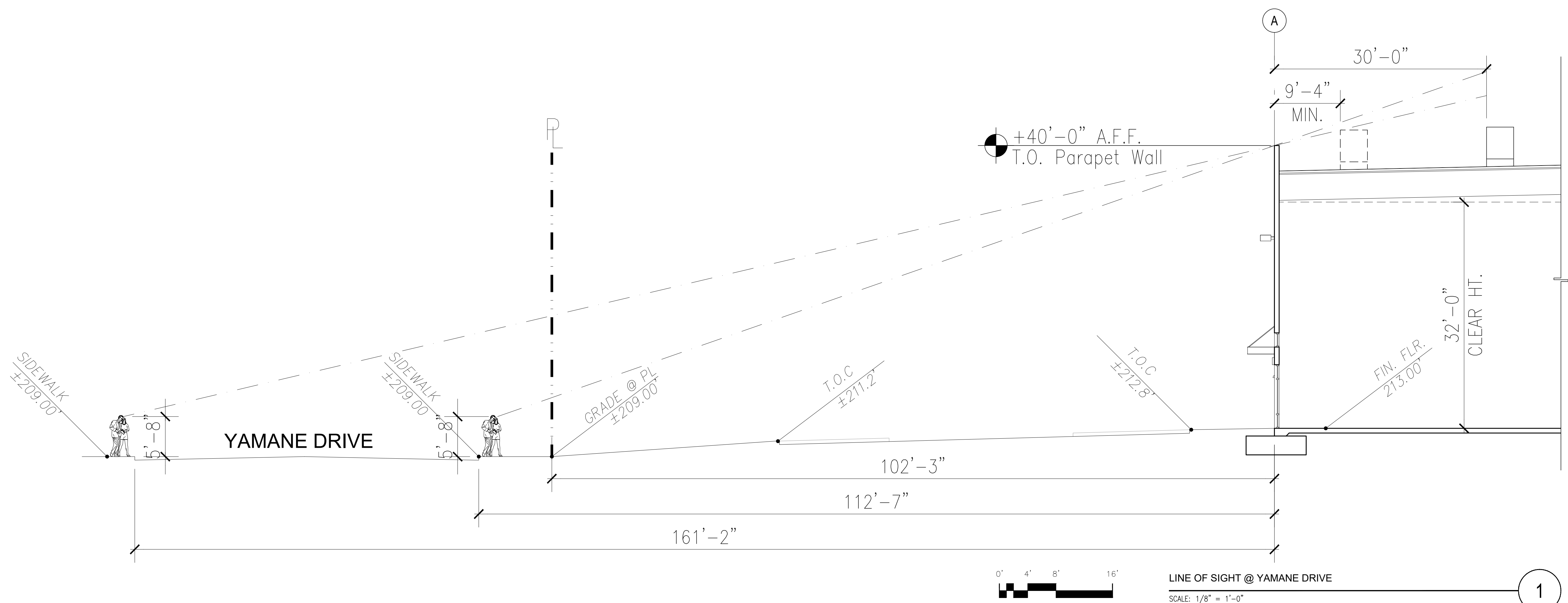
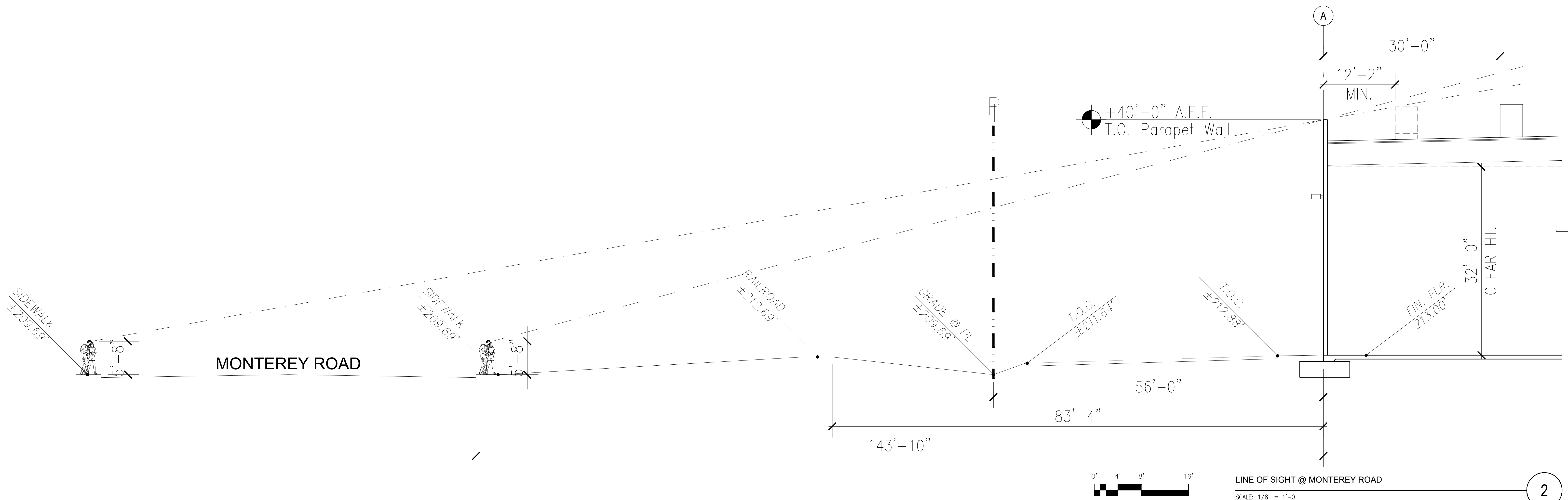


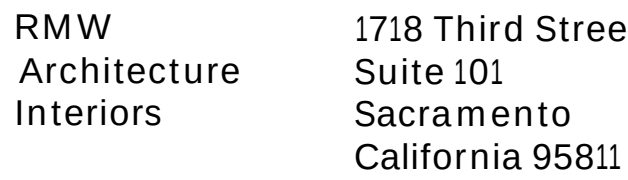
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project number : 2204021.00

EXTERIOR
ELEVATIONS

sheet no. :

A03.1





Office
916 449-1400

rmw.com

PROPERTIES

2250 S. WATNEY WAY,
FAIRFIELD, CA 94533

(insert client logo here)

PRELIMINARY DESIGN DOCUMENTS FOR

NEW ONE STORY WAREHOUSE BUILDING

201 & 221 YAMANE DRIVE
GILROY, CALIFORNIA 95020
(insert tenant name, address, city here)

approved for the owner by :

approved for the architect by

issue :	description :	date :
A	INITIAL ENTITLEMENT SUBMITTAL	05-10-2022
	PC COMMENTS AS 22-18 (#220500036) AND V 22-01 (220500037)	07-22-2022

DEVELOPMENT MANAGER



(insert consultant name, address here)

drawn by : RDG plot date : 05-04-2023

checked by : JDL

stamp

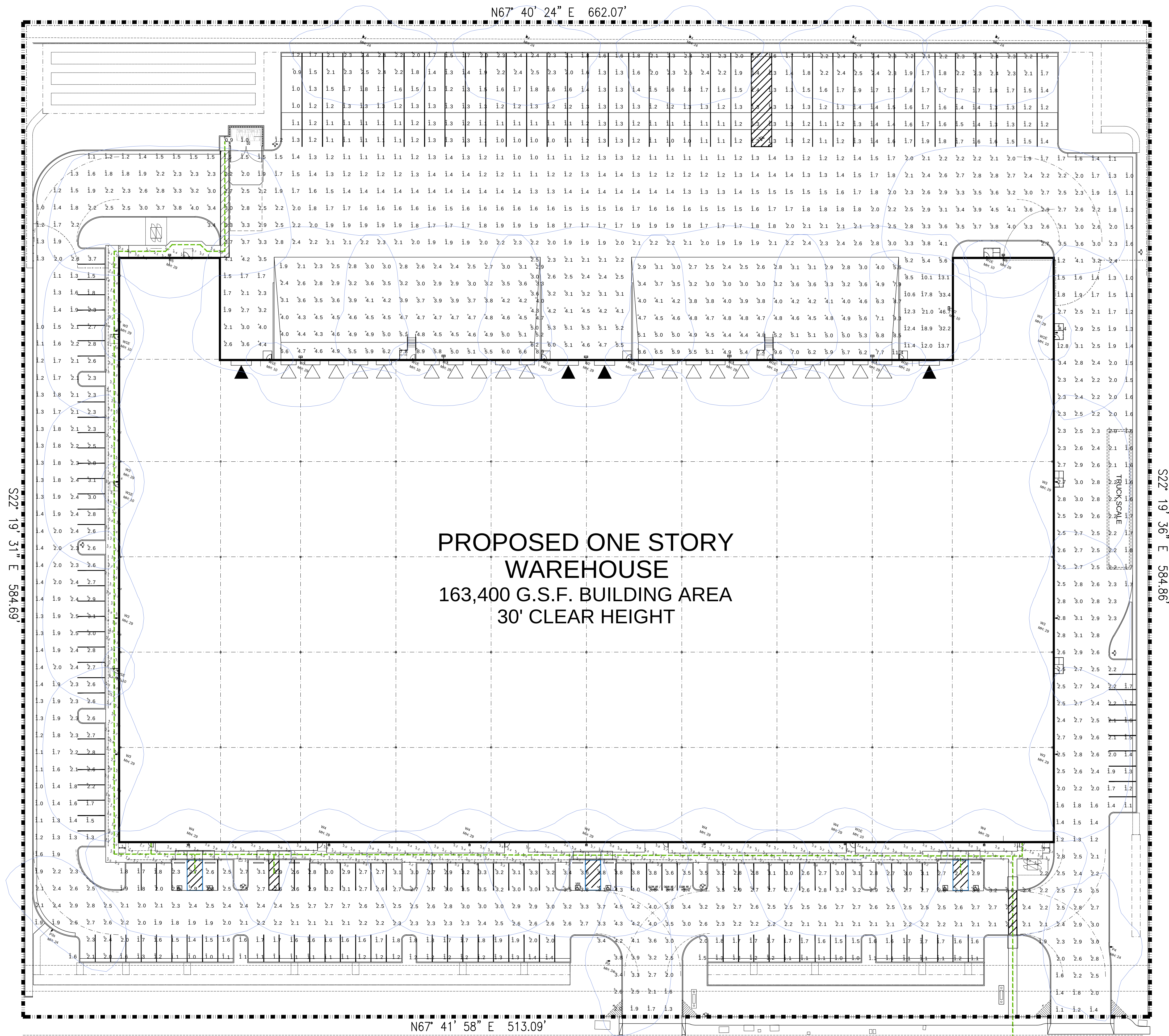
scale : AS NOTED

project number : 2204021.00

PRELIMINARY PHOTOMETRIC LIGHTING SITE PLAN

sheet no.

PH 1.0



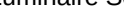
PRELIMINARY PHOTOMETRIC LIGHTING SITE PLAN

SCALE: 1" = 30'-0"

1

LIGHTING NOTES:
POLE LIGHTS IMOUNTING HEIGHT IS 24 FT (POLE+BASE+LIGHT)
BUILDING LIGHTS MOUNTING HEIGHT IS 29 FT
BUILDING ABOVE DOORS EMERGENCY LIGHTS TYPE W1E MOUNTING HEIGHT IS 10 FT
ALL LIGHTS ARE FULL CUT-OFF
ALL LIGHTS FINISH TO BE BRONZE EXCEPT TYPE D & WE1 THAT ARE WHITE

SCHEDULE/ CALCULATION SUMMARY

Luminaire Schedule													
Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Description	Tag			Lum. Watts	Lum. Lumens	[MANUFAC]	BUG Rating
	1	P3	SINGLE	N.A.	0.9000	GLEON-SA2B-740-U-13-BZ ON 24 FT BASE - POLE OVERALL HEIGHT	B2 BRONZE		85	11695		COOPER LIGHTING SOLUTIONS - MCGRAW-EDISON (FORMERLY EATON)	B2-U0-G2
	1	P3S	SINGLE	N.A.	0.9000	GLEON-SA2B-740-U-13-HSS -BZ ON 24 FT BASE - POLE OVERALL HEIGHT	B2 BRONZE		85	11695		COOPER LIGHTING SOLUTIONS - MCGRAW-EDISON (FORMERLY EATON)	B2-U0-G2
	1	P3S	SINGLE	N.A.	0.9000	GLEON-SA2C-740-U-14FT-BZ ON 24 FT BASE - POLE OVERALL HEIGHT	B2 BRONZE		113	14559		COOPER LIGHTING SOLUTIONS - MCGRAW-EDISON (FORMERLY EATON)	B2-U0-G3
	12	W12	SINGLE	N.A.	6.550	TBLW-13-LED-F2D-24-Z1-CEC-DIM-BB10-WH - WALL MOUNT AT 10 FT	BATTERY BACK - YOLK WHITE FINISH		24	338		LIGHTWAY INDUSTRIES, INC	B0-U0-G0
	6	W2	SINGLE	N.A.	0.9000	GLEON-SA7B-740-U-14FTW-BZ WALL MOUNT AT 29 FT LOADING DOCKS	B2 BRONZE		295	40663		COOPER LIGHTING SOLUTIONS - MCGRAW-EDISON (FORMERLY EATON)	B3-U0-G5
	8	S	SINGLE	N.A.	0.9000	GLEON-SA2C-740-U-15-BZ WALL MOUNT AT 29 FT	WALL MOUNT - B2 BRONZE FINISH		129	15879		COOPER LIGHTING SOLUTIONS - MCGRAW-EDISON (FORMERLY EATON)	B2-U0-G3
	2	W4	SINGLE	N.A.	0.9000	GLEON-SA2C-740-U-14W-BZ WALL MOUNT AT 29 FT	WALL MOUNT - B2 BRONZE FINISH		166	21442		COOPER LIGHTING SOLUTIONS - MCGRAW-EDISON (FORMERLY EATON)	B3-U0-G3
	2	WS	SINGLE	N.A.	0.9000	GLEON-SA5C-740-U-14W-WM-BZ WALL MOUNT AT 29 FT	WALL MOUNT - B2 BRONZE FINISH		279	35105		COOPER LIGHTING SOLUTIONS - MCGRAW-EDISON (FORMERLY EATON)	B3-U0-G5

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
LOADING DOCKS	illumiance	Fc	4.5	11.4	1.9	2.4	6.0
PEDESTRIAN	illumiance	Fc	3.4	16.3	1.0	3.4	16.3
SITE	illumiance	Fc	2.3	46.7	0.9	2.5	51.9

E & P PROPERTIES

2250 S. WATNEY WAY,
FAIRFIELD, CA 94533

PRELIMINARY DESIGN DOCUMENTS FOR:

NEW ONE STORY WAREHOUSE BUILDING

201 & 221 YAMANE DRIVE
GILROY, CALIFORNIA 95020

approved for the owner by :

approved for the architect by :

issue :	description :	date :
A	INITIAL ENTITLEMENT SUBMITTAL	05-10-2022
1	PC COMMENTS AS 02-18 (#22050036) AND V 22-01 (22050037)	07-22-2022
2	2ND PC COMMENTS AS 02-18 (#22050036) AND V 22-01 (22050037)	04-28-2023

GENERAL NOTES:

- CONTRACTOR SHALL POTHOLE AND VERIFY DEPTHS AND LOCATIONS OF EXISTING UTILITIES AS FIRST ITEM OF WORK, AND NOTIFY ENGINEER OF ANY CONFLICTS.
- CONTRACTOR SHALL COORDINATE UTILITY SHUTOFFS AND TERMINATIONS WITH UTILITY COMPANIES. CONTRACTOR SHALL PROVIDE PROOF OF SHUTOFFS PRIOR TO BEGINNING WORK.
- THE CONTRACTOR SHALL REMOVE ALL OBSTRUCTIONS, BOTH ABOVE AND BELOW GROUND AS REQUIRED FOR THE CONSTRUCTION OF THE PROPOSED IMPROVEMENTS. WHEN FEASIBLE SUCH WORK SHALL BE COMPLETED PRIOR TO GRADING.
- ALL UNSUITABLE AND SURPLUS MATERIALS SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE REMOVED FROM THE SITE UNLESS SPECIFIED OTHERWISE.
- WHERE EXISTING LANDSCAPE AREAS ARE DISTURBED, REPLACE IN KIND OR EXTEND AS REQUIRED TO MATCH EXISTING.
- THE CONTRACTOR SHALL ADJUST ALL EXISTING MANHOLES, VAULTS, AND VALVE BOXES WITHIN THE WORK AREA TO GRADE, EVEN THOSE THAT MAY NOT SPECIFICALLY BE NOTED. ALL DAMAGED BOXES SHALL BE REPLACED WITH NEW BOXES.

DEMOLITION NOTES

- SHADING DENOTES 2" PAVEMENT GRIND AND NEW AC FOR HALF ROADWAY WIDTH ALONG PROJECT FRONTAGE. PAVEMENT SECTION DIG OUT REPAIRS OF THE EX. ROADWAY WILL BE DETERMINED BY THE DEVELOPER'S GEOTECHNICAL ENGINEER AND WILL BE CONFIRMED BY THE CITY ENGINEER.

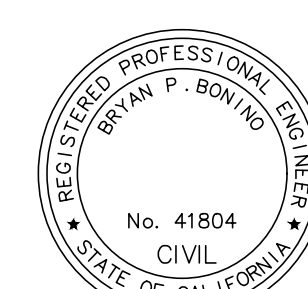
DEVELOPMENT MANAGER:



drawn by : PJ plot date : 05-04-2022

checked by : BPP

stamp



scale : AS NOTED

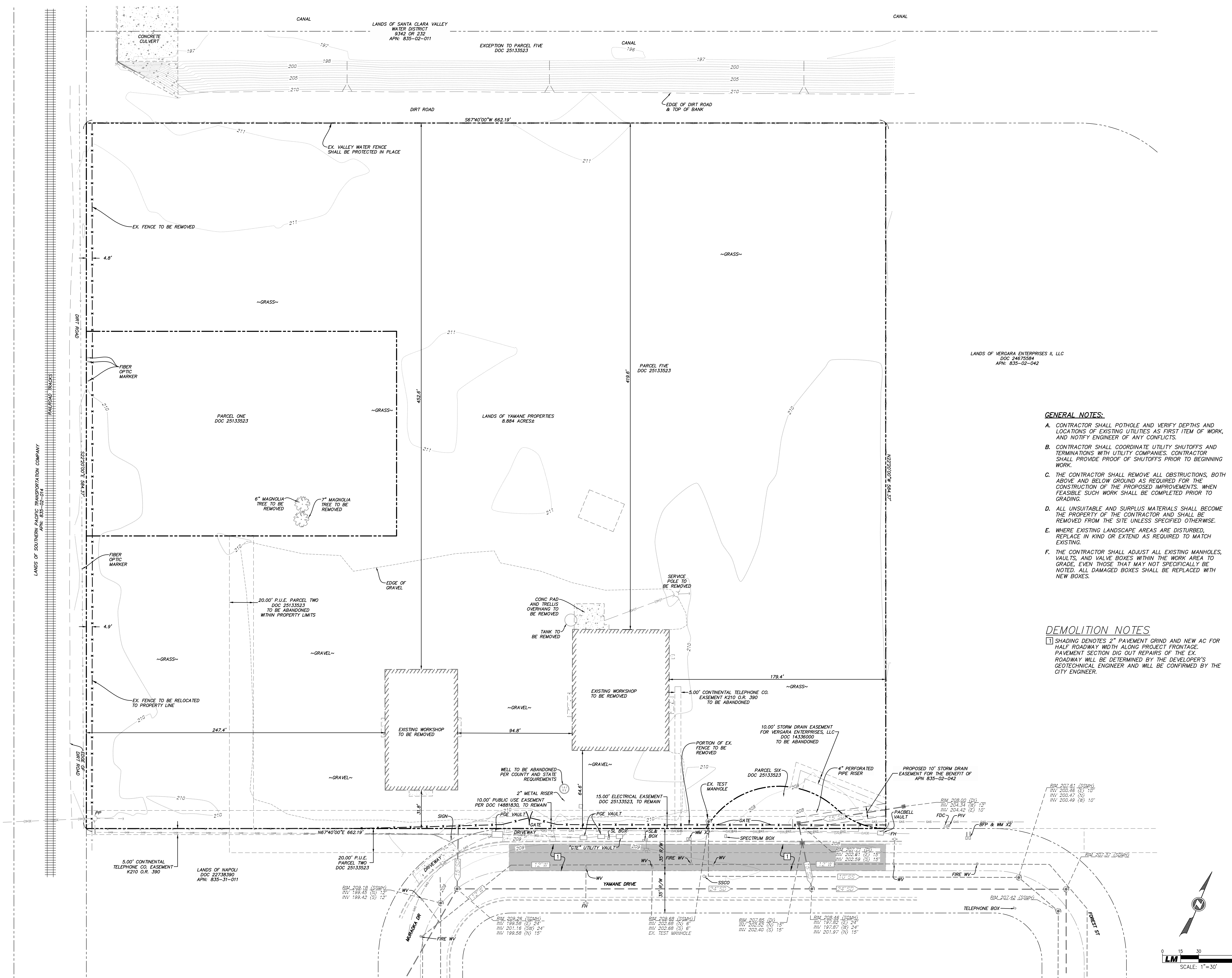
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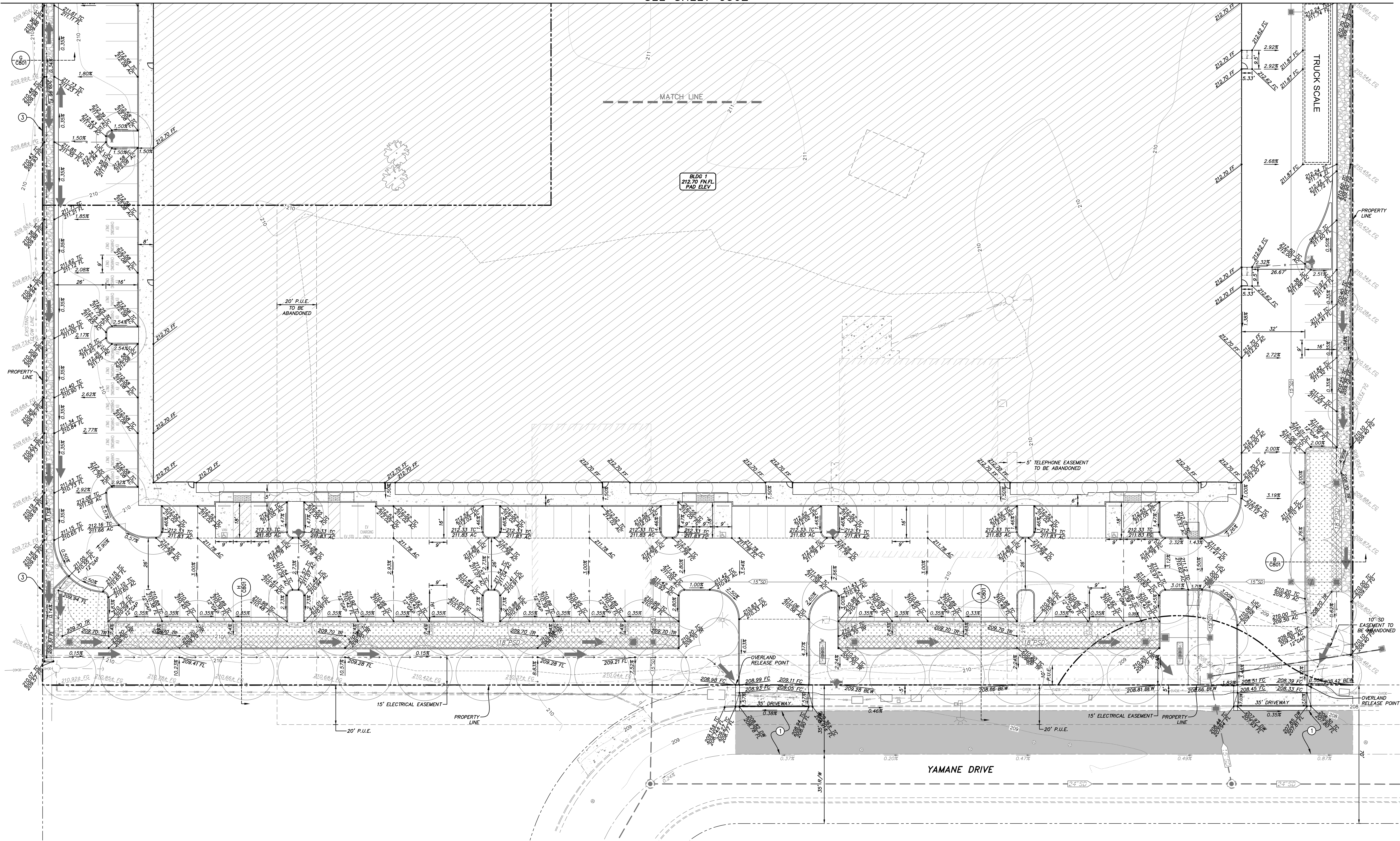
TOPOGRAPHIC SURVEY & DEMOLITION PLAN

sheet no. :

SHEET 1 OF 8

C101





GENERAL GRADING NOTES:

- A. ALL EARTHWORK ACTIVITIES, INCLUDING EXCAVATION, GRADING, SCARIFYING, MOISTURIZING, FILL PLACEMENT, COMPACTION, ETC., SHALL BE PERFORMED IN ACCORDANCE WITH THE RECOMMENDATIONS CONTAINED IN THE PROJECT GEOTECHNICAL ENGINEERING REPORT AND IN CONFORMANCE WITH THE CITY STANDARD SPECIFICATIONS, CALIFORNIA BUILDING CODE (C.B.C.), AND WITH THE GRADING PLAN.
- B. THE GEOTECHNICAL ENGINEER SHALL OBSERVE THE GRADING ACTIVITIES AND PERFORM COMPACTION TESTING FOR THIS PROJECT. THE CONTRACTOR SHALL PROVIDE AT LEAST 24 HOURS NOTICE TO THE GEOTECHNICAL ENGINEER OF THE NEED FOR OBSERVATION AND TESTING SERVICES. THE PROJECT OWNER WILL PAY FOR THE COST OF PROVIDING THESE SERVICES; HOWEVER, IF SAMPLES OF MATERIALS ARE SUBMITTED WHICH FAIL TO PASS THE SPECIFIED TESTS OR IF WORK IS PERFORMED WHICH FAILS TO MEET THESE SPECIFICATIONS, THE CONTRACTOR SHALL PAY FOR ALL SUBSEQUENT RE-TESTS AND RE-INSPECTIONS.
- C. EARTHWORK SHALL INCLUDE ALL LABOR, MATERIALS AND EQUIPMENT NECESSARY TO CONSTRUCT THE SITE TO THE GRADES SHOWN. NO ADDITIONAL COMPENSATION WILL BE ALLOWED FOR THE DISPOSAL OF EXCESS EXCAVATION OR FOR THE IMPORT OF MATERIAL.
- D. TO ACCOMMODATE TRENCH AND FOUNDATION SPOILS, THE CONTRACTOR'S GRADING SHALL INCLUDE UNDERCUTTING OF PAVED AREAS AS APPROPRIATE, OR SOME OTHER METHOD APPROVED BY THE ENGINEER. NO ADDITIONAL COMPENSATION WILL BE ALLOWED FOR THE DISPOSAL OF EXCESS EXCAVATION OR FOR THE IMPORT OF MATERIAL.
- E. CONTRACTOR SHALL OVEREXCAVATE LANDSCAPE AREAS TO ACCOMMODATE SITE STRIPPINGS. STRIPPINGS ARE NOT ALLOWED IN PAVING OR BUILDING AREAS.
- F. ALL CUT SLOPES SHALL BE ROUNDED AT THE "BREAK" SO THAT THEY BLEND WITH THE NATURAL GROUND CONTOUR.
- G. INSTALL 12" CURB OPENING PER DETAIL 2, SHEET C702 AT LOCATIONS NOTED AS "GAP" ON GRADING PLAN.
- H. OVERLAND RELEASE FLOW (➡).

GRADING NOTES:

- B1. THERE ARE NO PLANNED PERMANENT GRADING SPOILS AREAS PLANNED FOR THE SITE.
- B2. ALL TEMPORARY GRADING SPOILS AREAS REQUIRED FOR THE CONSTRUCTION OF THE SITE SHALL BE MAINTAINED UTILIZING BMP'S WHICH WILL BE REQUIRED WITH THE PROJECT SWPPP.
- B3. PRIOR TO FINISHED GRADING AND LANDSCAPE WORK, CONTRACTOR SHALL SCHEDULE A SITE WALK WITH THE ENGINEER TO VERIFY CRITICAL GRADING ISSUES.

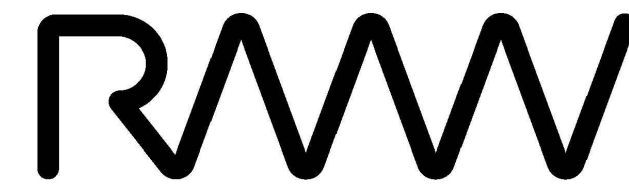
ESTIMATED EARTHWORK QUANTITIES

CUT: 12,000 CU. YDS.

FILL: 11,000 CU. YDS.

GRADING CONSTRUCTION NOTES

- ① SHADING DENOTES 2" PAVEMENT GRIND AND NEW AC FOR HALF ROADWAY WIDTH ALONG PROJECT FRONTAGE. PAVEMENT SECTION DIG OUT REPAIRS OF THE EX. ROADWAY WILL BE DETERMINED BY THE DEVELOPER'S GEOTECHNICAL ENGINEER AND WILL BE CONFIRMED BY THE CITY ENGINEER.
- ③ INSTALL FENCE ALONG PROPERTY LINE ADJACENT SOUTHERN PACIFIC TRANSPORTATION COMPANY RAIL ROAD.



RMW
Architecture
Interiors

1718 Third Street
Suite 101
Sacramento
California 95811

Office
916 449-1400

rmw.com

CLIENT:

E & P
PROPERTIES

2250 S. WATNEY WAY,
FAIRFIELD, CA 94533

PRELIMINARY DESIGN DOCUMENTS FOR:

NEW ONE STORY
WAREHOUSE
BUILDING

201 & 221 YAMANE DRIVE
GILROY, CALIFORNIA 95020

approved for the owner by :

approved for the architect by :

issue :	description :	date :
A	INITIAL ENTITLEMENT SUBMITTAL	05-10-2022
1	PC COMMENTS AS 02-16 (#22050036) AND V 22-01 (22050037)	07-22-2022
2	2ND PC COMMENTS AS 02-16 (#22050036) AND V 22-01 (22050037)	04-28-2023

DEVELOPMENT MANAGER:

KELLEY
COMMERCIAL, LLC

drawn by : PJ plot date : 05-04-2022

checked by : BPB

stamp



scale : AS NOTED
project number : 3687-12

GRADING &
DRAINAGE PLAN

sheet no :
SHEET 2 OF 8

C301

CLIENT:

**E & P
PROPERTIES**
2250 S. WATNEY WAY,
FAIRFIELD, CA 94533

PRELIMINARY DESIGN DOCUMENTS FOR:

**NEW ONE STORY
WAREHOUSE
BUILDING**

201 & 221 YAMANE DRIVE
GILROY, CALIFORNIA 95020

approved for the owner by :

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issue :	description :	date :
A	INITIAL ENTITLEMENT SUBMITTAL	05-10-2022
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2	2ND PC COMMENTS AS 22-16 (#22050036) AND V 22-01 (22050037)	04-28-2023

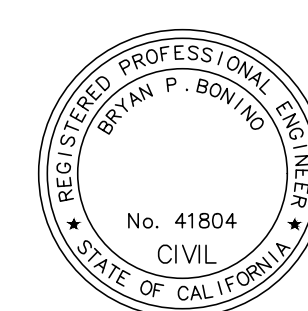
DEVELOPMENT MANAGER:



drawn by : PJ plot date : 05-04-2022

checked by : BPB

stamp



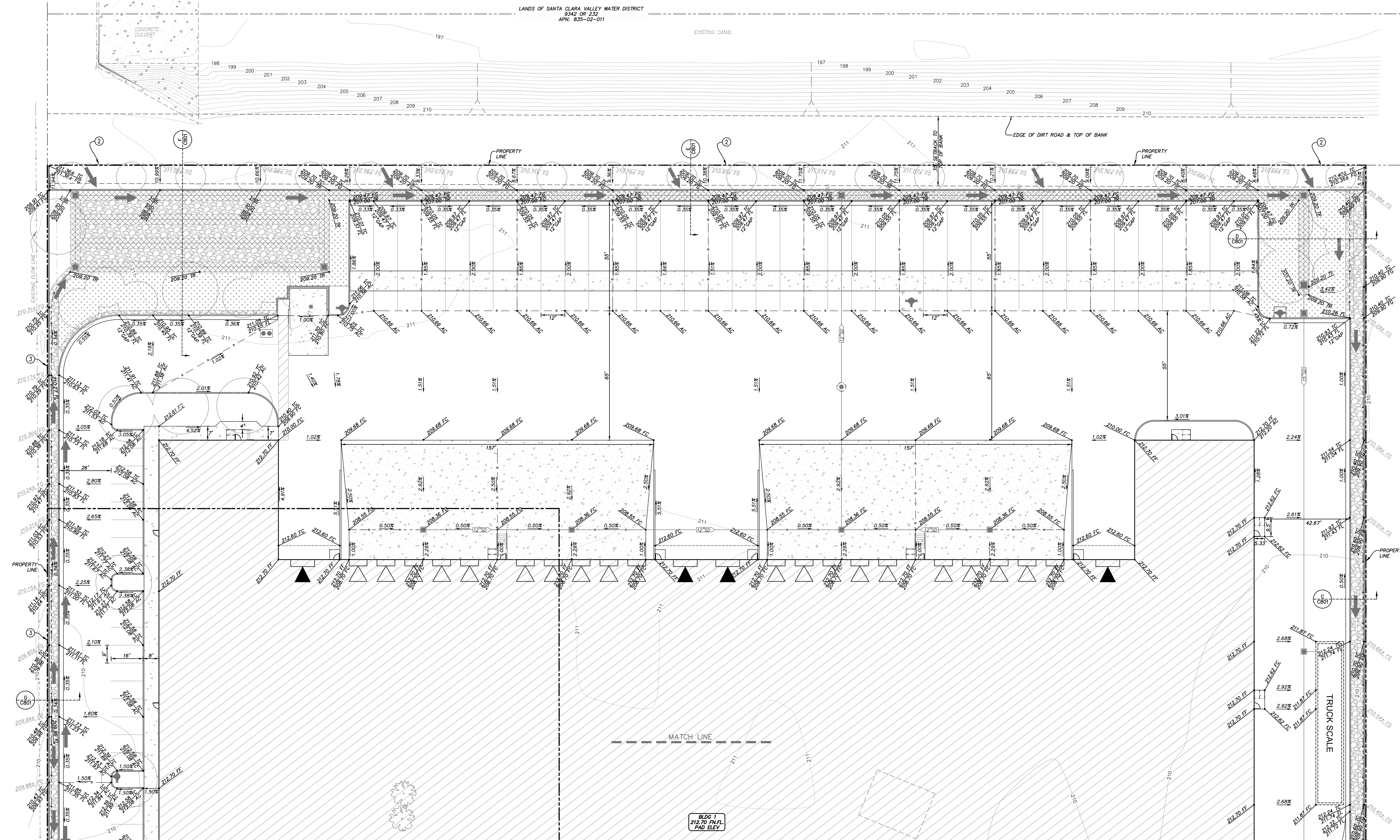
scale : AS NOTED

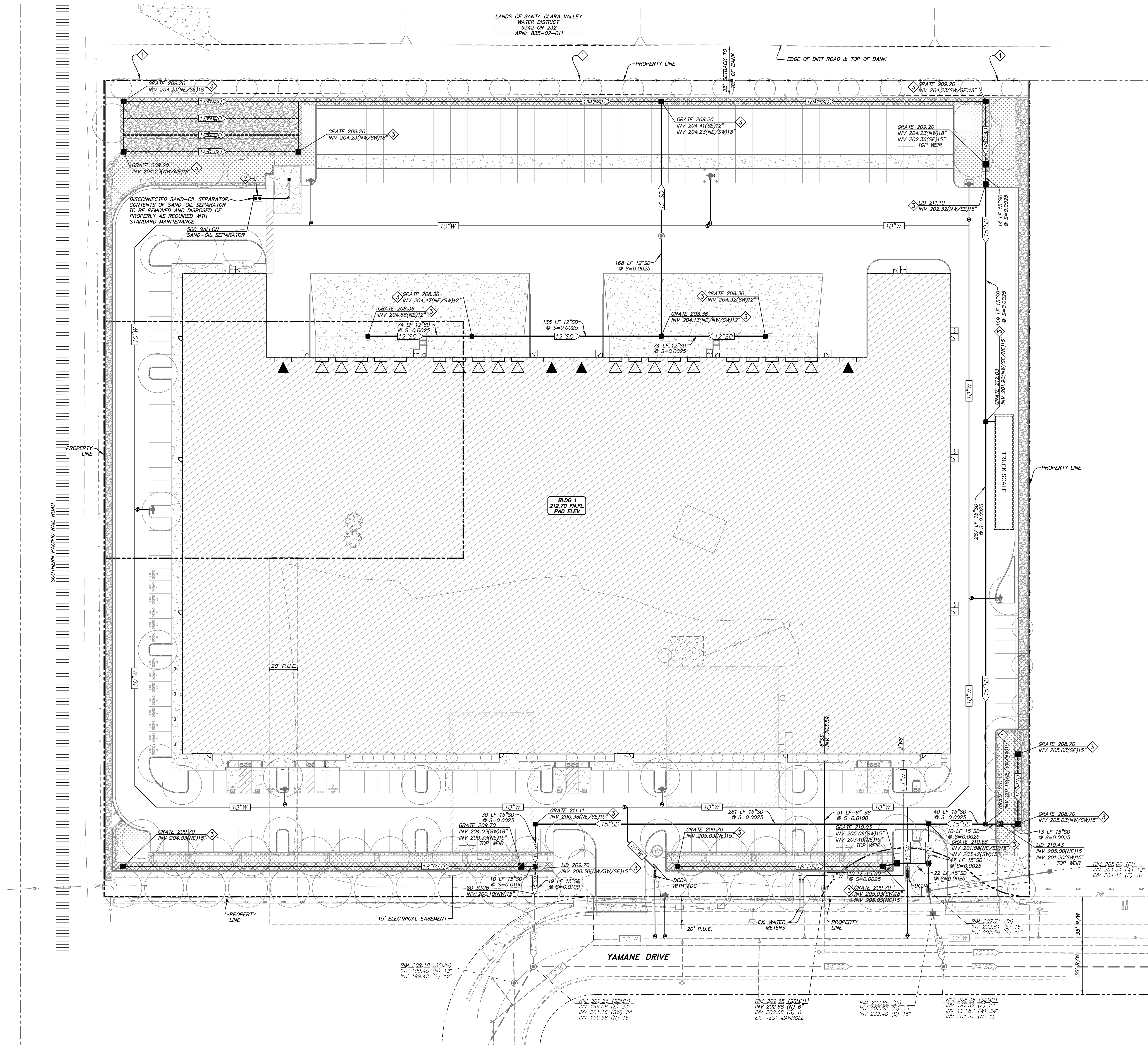
project number : 3687-12

**GRADING &
DRAINAGE PLAN**

sheet no :
SHEET 3 OF 8

C302





GENERAL UTILITY NOTES:

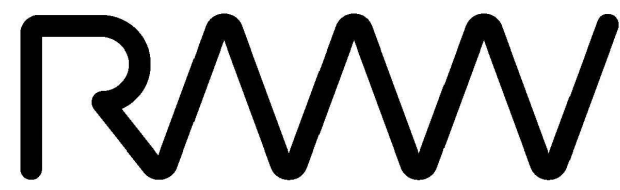
- A. POTHOLE & VERIFY EXISTING SEWER/STORM DRAIN AS FIRST ITEM OF WORK AND VERIFY INVERT ELEVATIONS WITH ENGINEER PRIOR TO BEGINNING WORK. CAUTION!!! EXISTING UTILITIES. CAUTION!!!
- B. MAINTAIN 6" MIN. CLEAR SPACE BETWEEN ON-SITE PIPES, EXCEPT AS NOTED. AT ALL LOCATIONS WHERE WATER MAIN CROSSES BELOW SEWER AND STORM DRAIN LINES, CENTER PIPE LENGTH SO THAT JOINTS ARE 10' FROM THE CENTERLINE OF THE STORM DRAIN OR SEWER MAIN (TYPICAL).
- C. ELECTRICAL AND GAS LAYOUT TO BE VERIFIED WITH PG&E. SEE ELECTRICAL & MECHANICAL PLANS FOR EXACT LOCATION.
- D. CONTRACTOR SHALL PROVIDE CONNECTION DETAIL SUBMITTAL FOR DOWN SPOUT CONNECTIONS TO UNDERGROUND STORM DRAIN SYSTEM PRIOR TO BEGINNING ANY STORM DRAIN INSTALLATION WORK INCLUDING ANY REQUIRED FOOTING PENETRATIONS. CONTRACTOR SHALL REVIEW/VERIFY BUILDING CONNECTION LOCATIONS RELATED TO POTENTIAL FOOTING/FOUNDATION OR OTHER CONFLICTS THAT MAY OCCUR. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE CONNECTIONS FOR ALL BUILDING DOWN SPOUTS TO THE UNDERGROUND STORM DRAIN SYSTEM UNLESS NOTED OTHERWISE. ROUTING OF THE STORM DRAIN PIPE TO DOWN SPOUTS ARE SHOWN FOR GENERAL LOCATION ONLY AND MAY NEED TO BE ADJUSTED DEPENDING ON THE CONTRACTOR'S ACTUAL METHODS OF CONSTRUCTION AND TIMING RELATED TO BUILDING AND SITE CONSTRUCTION.
- E. ALL FIRE HYDRANTS, PIV/FDC'S SHALL BE INSTALLED SO AS NOT TO BE BLOCKED BY PARKING STALLS, LOADING ZONES, LANDSCAPING, ETC.
- F. ALL FIRE HYDRANTS SHALL HAVE AN 18-INCH CLEARANCE FROM THE CENTER OF THE 4-1/2" DISCHARGE TO FINISHED GRADE LEVEL.
- G. ALL FIRE HYDRANTS SHALL BE INSTALLED WITH BREAK-OFF BOLTS AND/OR BREAK-OFF SPOOLS.
- H. ALL FIRE HYDRANTS SHALL BE EQUIPPED WITH A 3'X3' MINIMUM CONCRETE PAD AROUND THEM PER NFPA 24, 2019 EDITION. EXTEND PAD AS SHOWN ON PLANS TO BACK OF CURB.
- I. CONTRACTOR SHALL MODIFY DRAIN INLETS WITHIN VEHICULAR TRAFFIC AREA FOR SUBGRADE DRAINAGE.
- J. IF CONTRACTOR IS ORDERING PRECAST DRAINAGE INLETS, CONTRACTOR SHALL SUBMIT AN INSTALLATION MATRIX FOR EACH INLET WITH ALL INVERTS AND GRATES SHOWN FOR ENGINEERS APPROVAL PRIOR TO ORDERING.
- K. INSTALL THRUST BLOCK AT ALL WATER FITTINGS PER CITY OF GILROY STANDARD DETAIL WA-2 (" - TYPICAL).
- L. INSTALL WATER VALVES PER CITY OF GILROY STANDARD DETAIL WA-1. ALL PLASTIC WATER MAINS SHALL HAVE TRACER WIRE PER CITY OF GILROY STANDARDS AND SPECIFICATIONS.

CONSTRUCTION NOTES

- EXISTING VALLEY WATER FENCE SHALL BE PROTECTED IN PLACE.
- DISCONNECTED SAND-OIL SEPARATOR. CONTENTS TO BE REMOVED AND DISPOSED OF PROPERLY AS REQUIRED WITH STANDARD MAINTENANCE.
- INSTALL FLOGARD GRATE INLET BASKET (FLOGARD GIB) OR FLOGARD NETTECH, BOTH MANUFACTURED BY OLDCASTLE INFRASTRUCTURE, OR APPROVED EQUIVALENT WITH CERTIFICATION FROM THE STATE WATER BOARD FOR FULL TRASH CAPTURE.

PIPE MATERIAL:

- 6" SEWER: PVC SOLID WALL, SDR 26.
- STORM DRAIN: HDPE
- PERFORATED STORM DRAIN: HDPE
- 4" DOMESTIC WATER: PVC, C900
- 10" FIRE WATER (PUBLIC MAIN TO DCGA): DUCTILE IRON PIPE
- 10" FIRE WATER (ONSITE SYSTEM AFTER THE DCGA): PVC, C900



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CLIENT:

E & P PROPERTIES 2250 S. WATNEY WAY, FAIRFIELD, CA 94533

PRELIMINARY DESIGN DOCUMENTS FOR:

NEW ONE STORY WAREHOUSE BUILDING

201 & 221 YAMANE DRIVE GILROY, CALIFORNIA 95020

approved for the owner by :

approved for the architect by :

issue :	description :	date :
A	INITIAL ENTITLEMENT SUBMITTAL	05-10-2022
1	PC COMMENTS AS 22-16 (#22050036) AND V 22-01 (22050037)	07-22-2022
2	2ND PC COMMENTS AS 22-16 (#22050036) AND V 22-01 (22050037)	04-28-2023

DEVELOPMENT MANAGER:

KELLEY COMMERCIAL, LLC

drawn by : PJ plot date : 05-04-2022

checked by : BPB

stamp



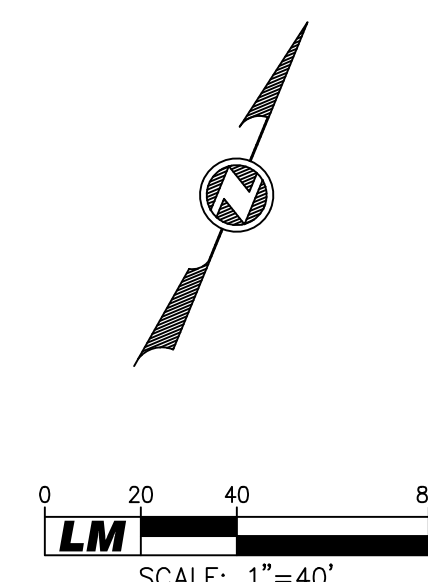
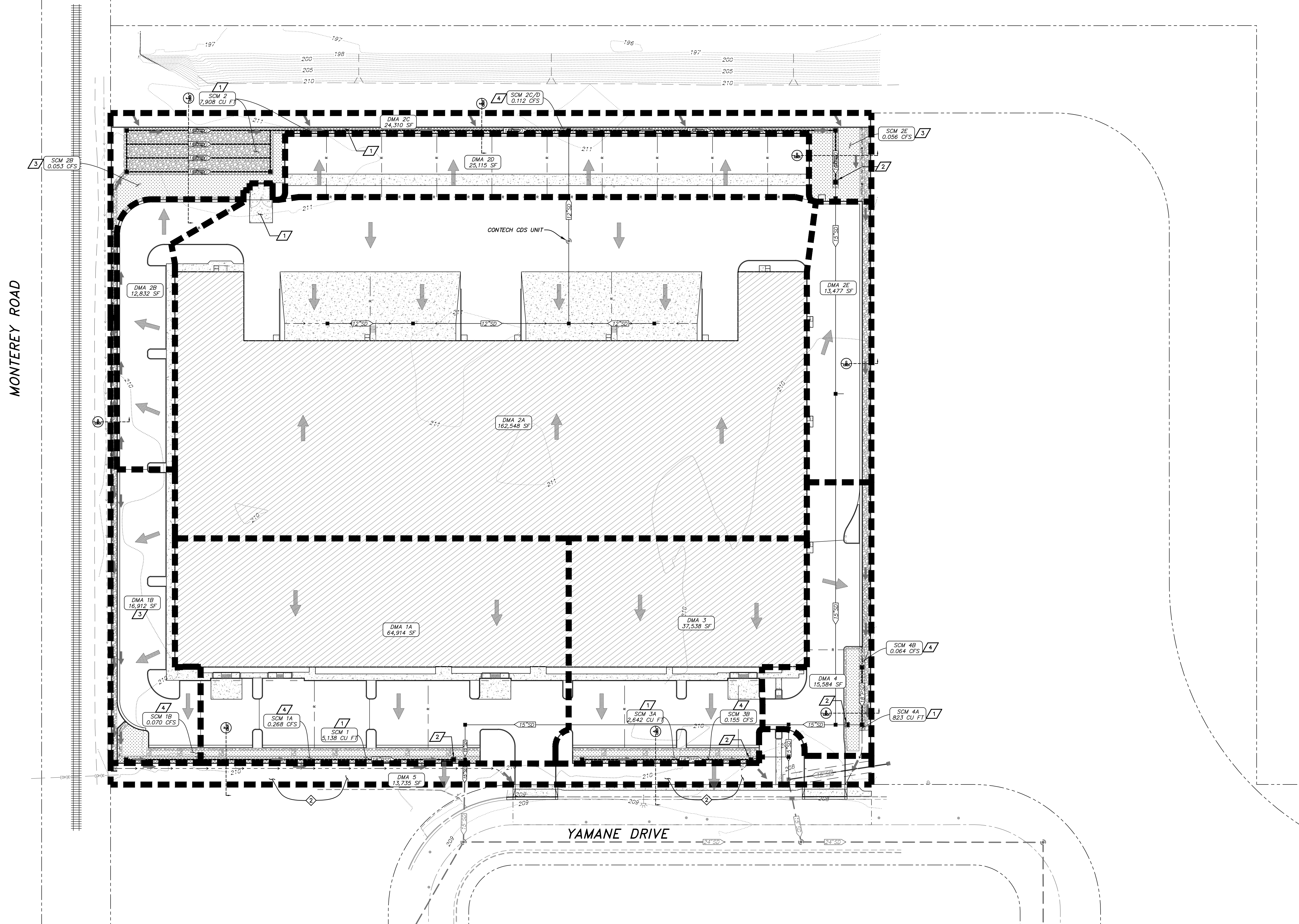
scale : AS NOTED project number : 3687-12

UTILITIES PLAN

sheet no : SHEET 4 OF 8

C401

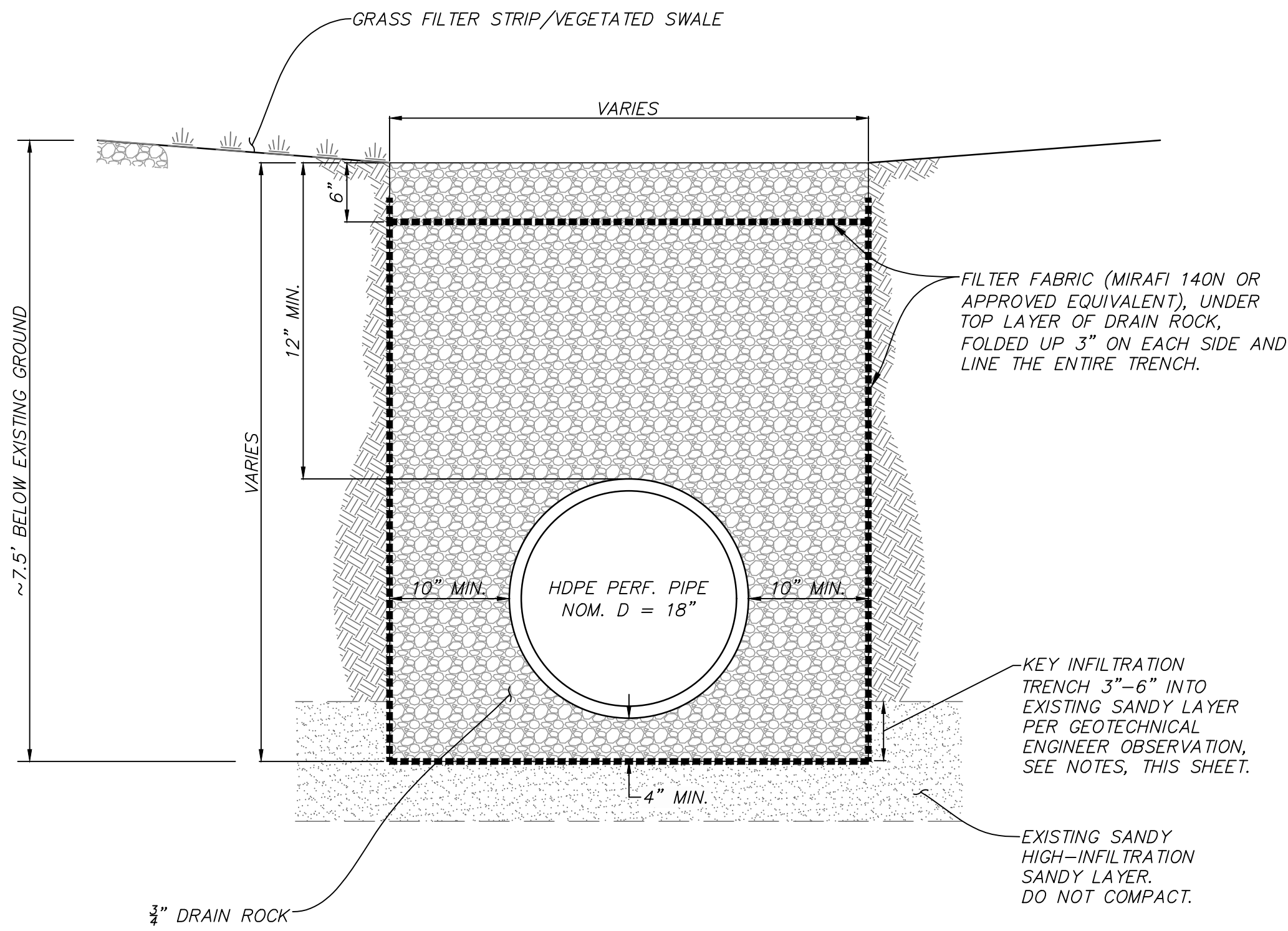
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2	2ND PC COMMENTS AS 22-16 (#22500036) AND V 22-01 (22500037)	04-28-2023



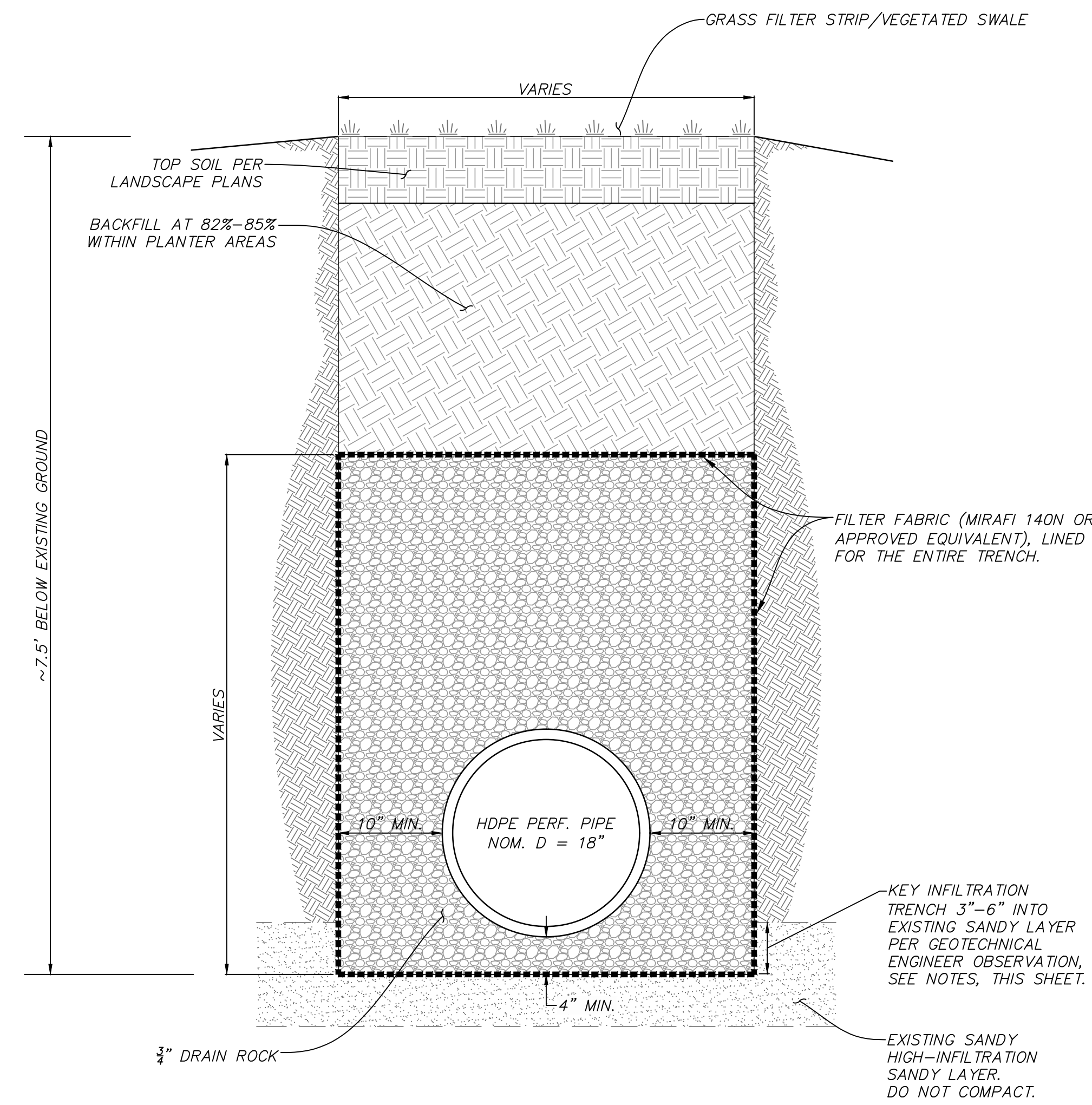
LEGEND	
DMA	DRAINAGE MANAGEMENT AREA
SCM	STORMWATER CONTROL MEASURE
DMA 1 1,000 SF	WATER QUALITY AREA NAME AND SQUARE FOOTAGE
---	WATER QUALITY AREA BOUNDARY
SCM 1 1,000 CU FT	STORMWATER CONTROL MEASURE NAME AND RETENTION VOLUME OR FLOW RATE
XXXXXX	ROCK TRENCH
→	GENERAL DIRECTION OF RUNOFF
.....	VEGETATED BUFFER STRIP OR VEGETATED SWALE

- GENERAL NOTES:**
- SOILS ARE GROUP C, PER USDA SOIL MAP VIEWER REPORT.
 - DEPTH TO SEASONAL HIGH GROUNDWATER IS APPROXIMATELY 10-20 FEET PER MAY 2022 SILICON VALLEY SOIL ENGINEERING GEOTECH REPORT.
 - RECEIVING WATER BODY APPARENTLY IS LLAGAS CREEK/RONAN CHANNEL, AFTER ROUTING THROUGH CITY STORM DRAIN SYSTEM.
 - SITE IS NOT IN A FEMA SPECIAL FLOOD HAZARD ZONE.
- SITE DESIGN MEASURES:**
- DIRECT RUNOFF FROM IMPERVIOUS AREAS TO LANDSCAPED/PERVIOUS AREAS.
 - SELF-TREATING AREA.
- POTENTIAL POLLUTION SOURCES AND CONTROL MEASURES:**
- REFUSE AREA, COVERED AND ENCLOSED FOR DUMPSTERS. SEE ARCHITECTURAL PLANS FOR FURTHER DETAIL. GRADED TO MINIMIZE STORMWATER RUN-ON AND RUNOFF. SEE GRADING PLAN FOR FURTHER DETAIL.
 - STORM DRAIN INLET. MARK WITH WORDS "NO DUMPING! FLOWS TO BAY". SEE UTILITY PLAN FOR

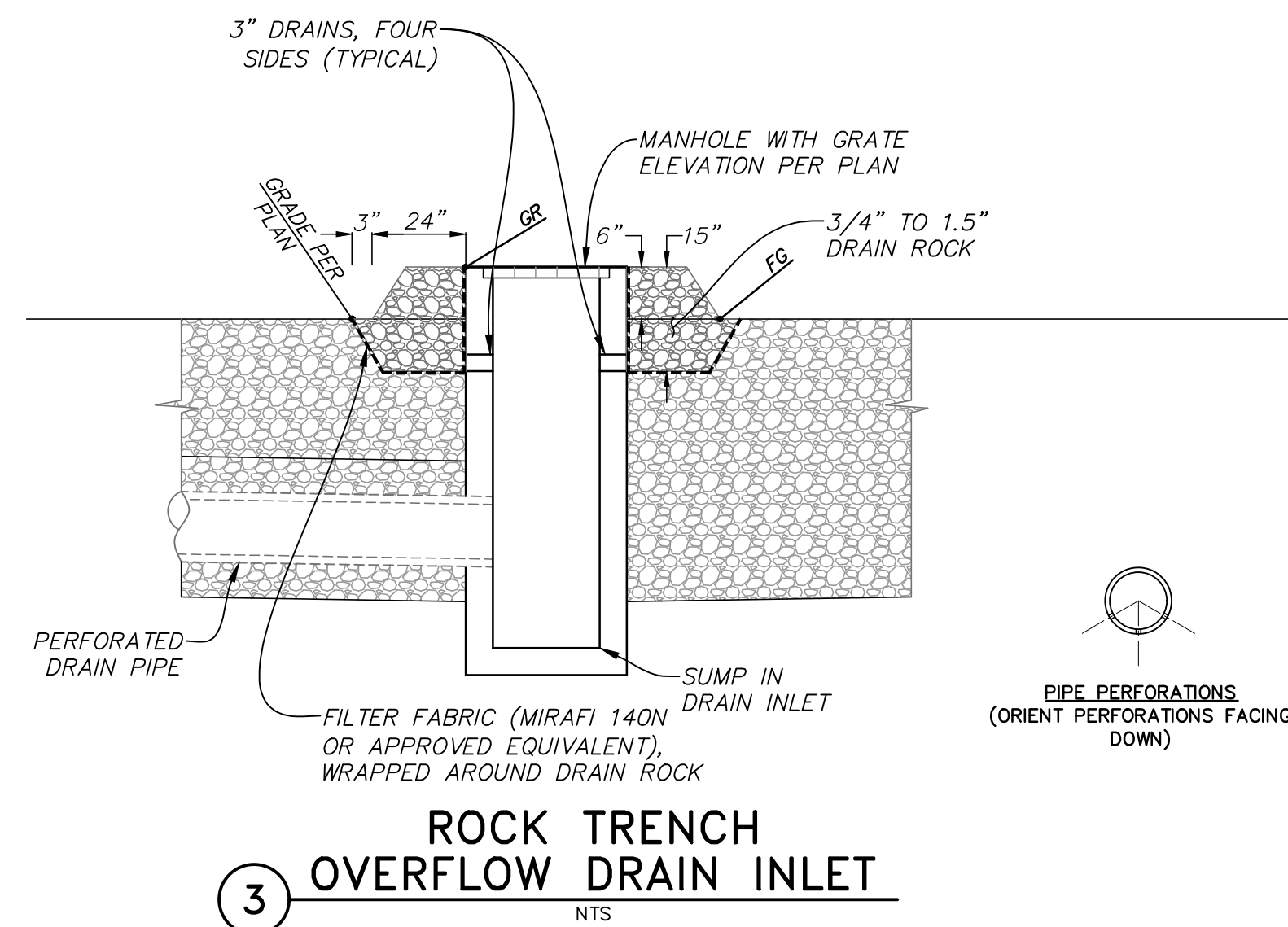
- FURTHER DETAIL.**
- DOCKS GRADED TO PREVENT RUNON AND TO MINIMIZE RUNOFF.
 - TRASH CONTROL. ON ALL DRAIN INLETS, INSTALL FULL TRASH CAPTURE INSERTS THAT ARE CERTIFIED AS FULL TRASH CAPTURE SYSTEM BY THE STATE WATER RESOURCES CONTROL BOARD.
- TREATMENT/RETENTION/PEAK MANAGEMENT MEASURES:**
- INSTALL INFILTRATION TRENCH PER DETAILS ON SHEET C502. SEE GRADING PLAN, SITE PLAN, UTILITY PLAN, AND LANDSCAPING PLAN FOR MORE DETAIL.
 - INSTALL OVERFLOW WEIR IN DRAIN INLET TO RETAIN RETENTION VOLUME IN INFILTRATION TRENCH, PER DETAIL X ON SHEET C502.
 - INSTALL VEGETATED BUFFER STRIP FOR PRETREATMENT.
 - INSTALL VEGETATED SWALE FOR PRETREATMENT.
- O&M SUMMARY:**
- O&M ACTIVITIES AND RESPONSIBLE PARTIES WILL BE SPECIFIED WITH THE FINAL CONSTRUCTION DOCUMENTS.



1 ROCK TRENCH
NTS



2 ROCK TRENCH — SUBSURFACE
NTS



3 ROCK TRENCH
OVERFLOW DRAIN INLET
NTS

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PRELIMINARY DESIGN DOCUMENTS FOR:

NEW ONE STORY
WAREHOUSE
BUILDING

201 & 221 YAMANE DRIVE
GILROY, CALIFORNIA 95020

approved for the owner by :

approved for the architect by :

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DEVELOPMENT MANAGER:

KELLEY
COMMERCIAL, LLC

drawn by : PJ plot date :

checked by : BPB

stamp



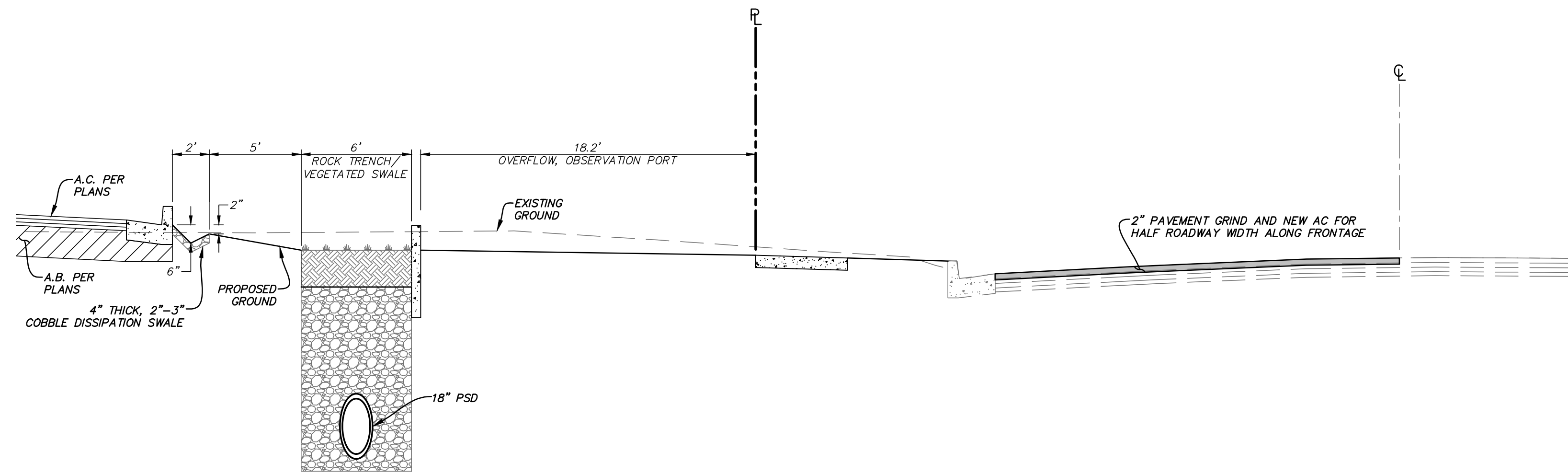
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project number : 3687-12

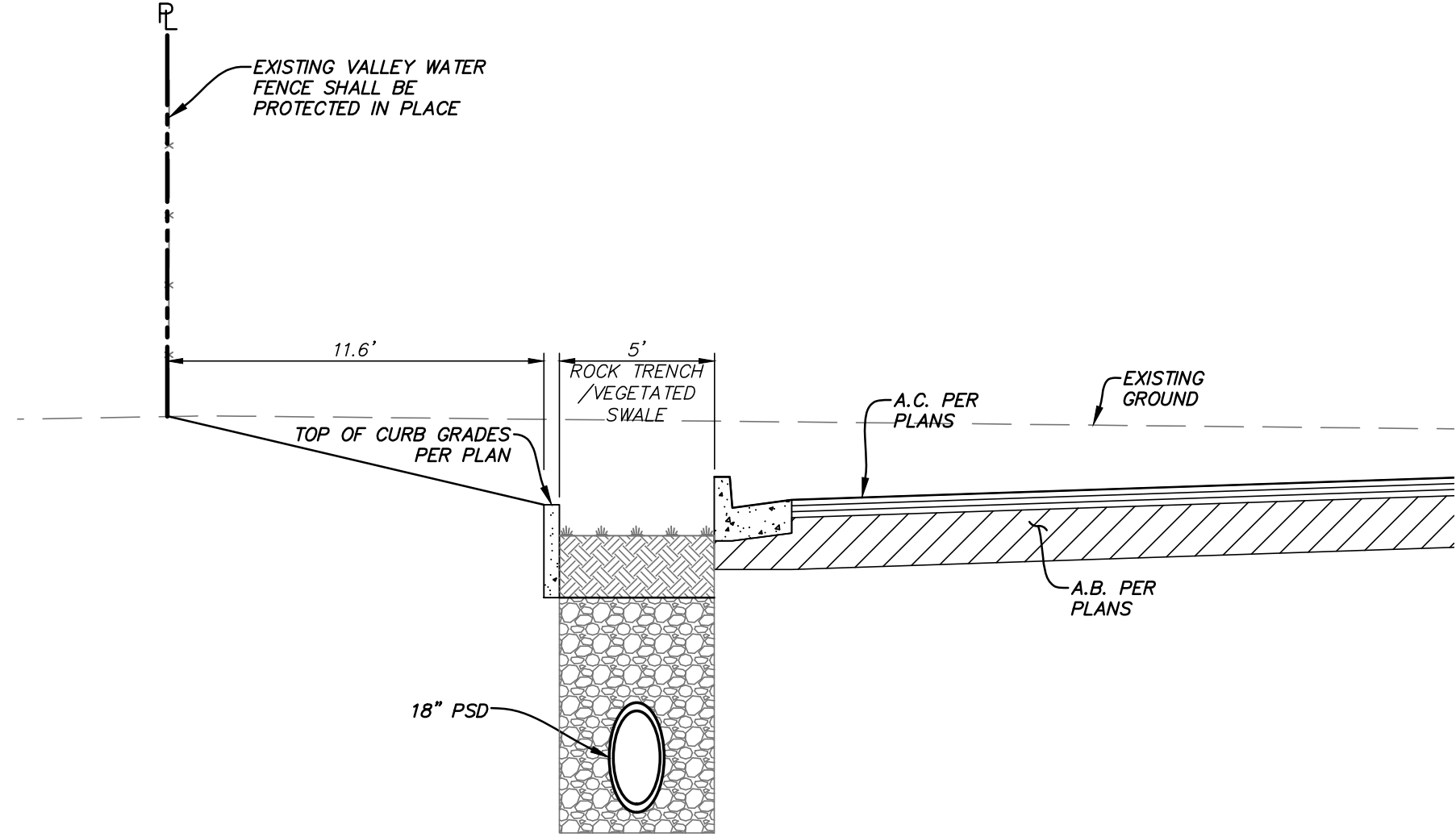
STORMWATER
CONTROL DETAILS

sheet no :
SHEET 6 OF 8

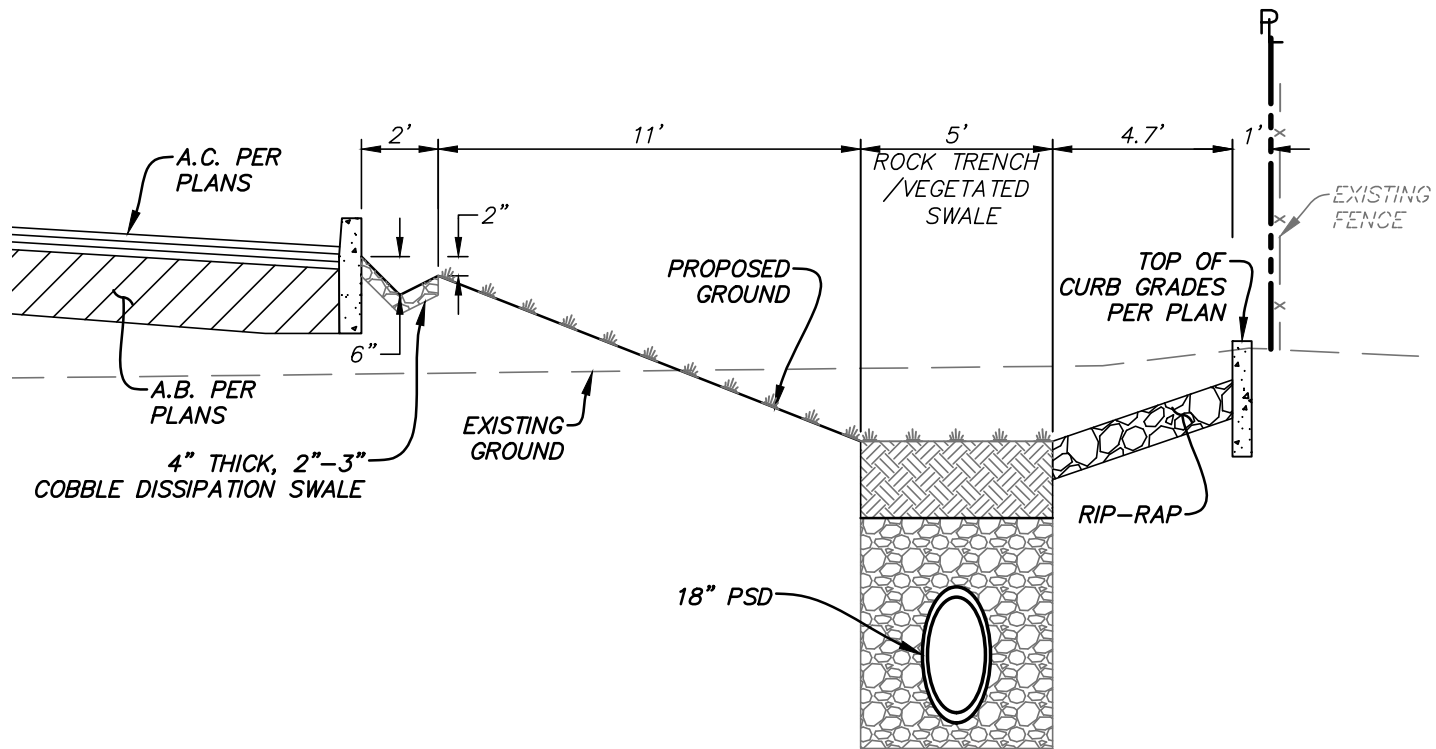
C502



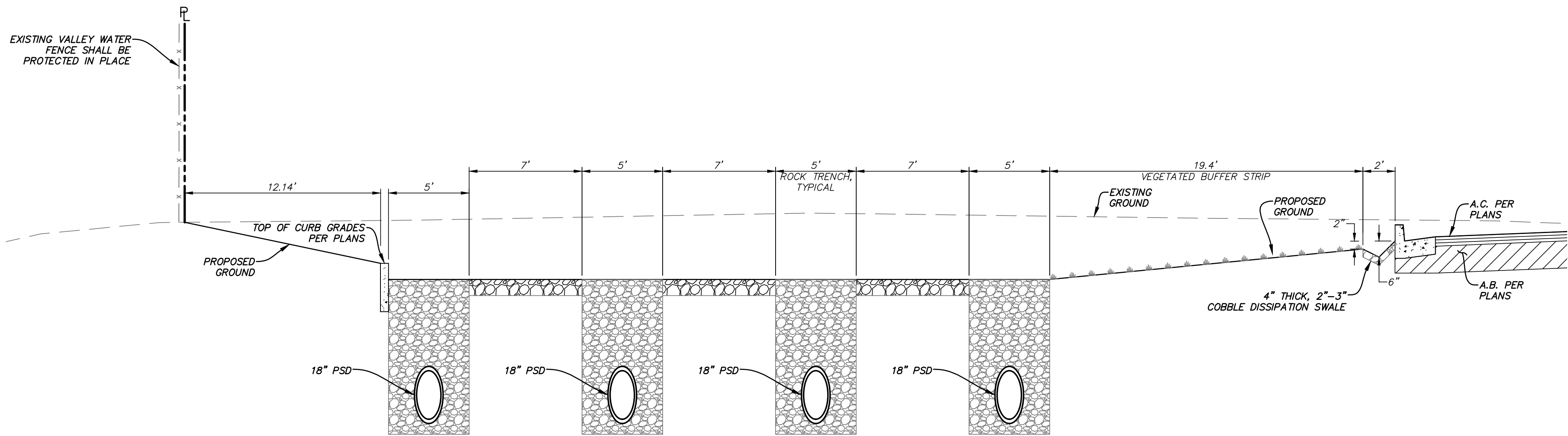
A ROCK TRENCH
ADJACENT TO YAMANE DRIVE
NTS



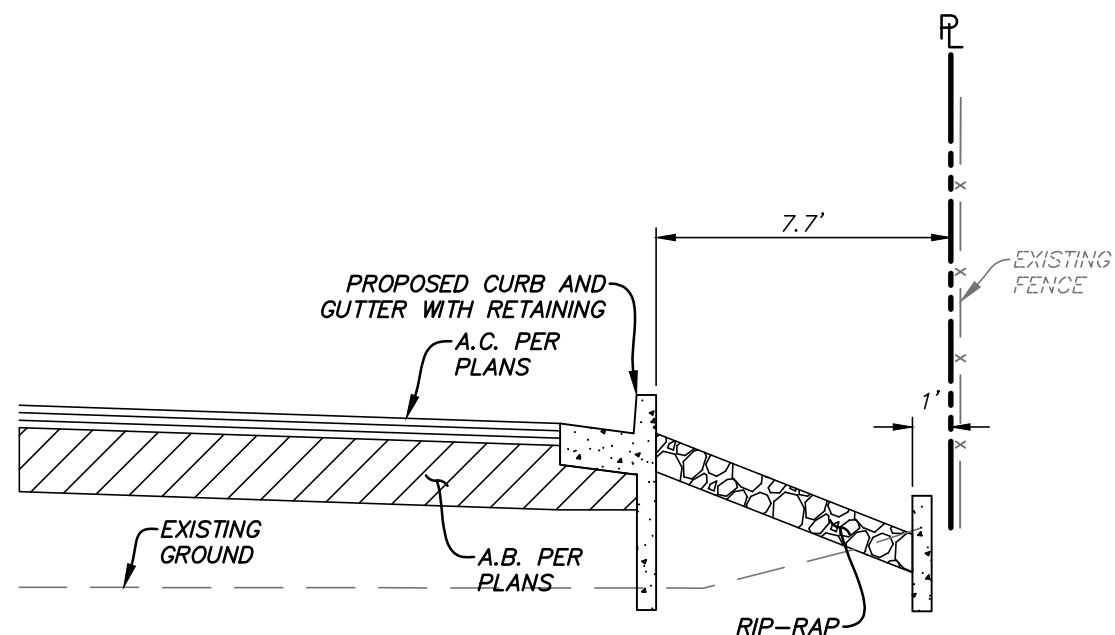
E ROCK TRENCH
NORTH OF TRUCK PARKING
NTS



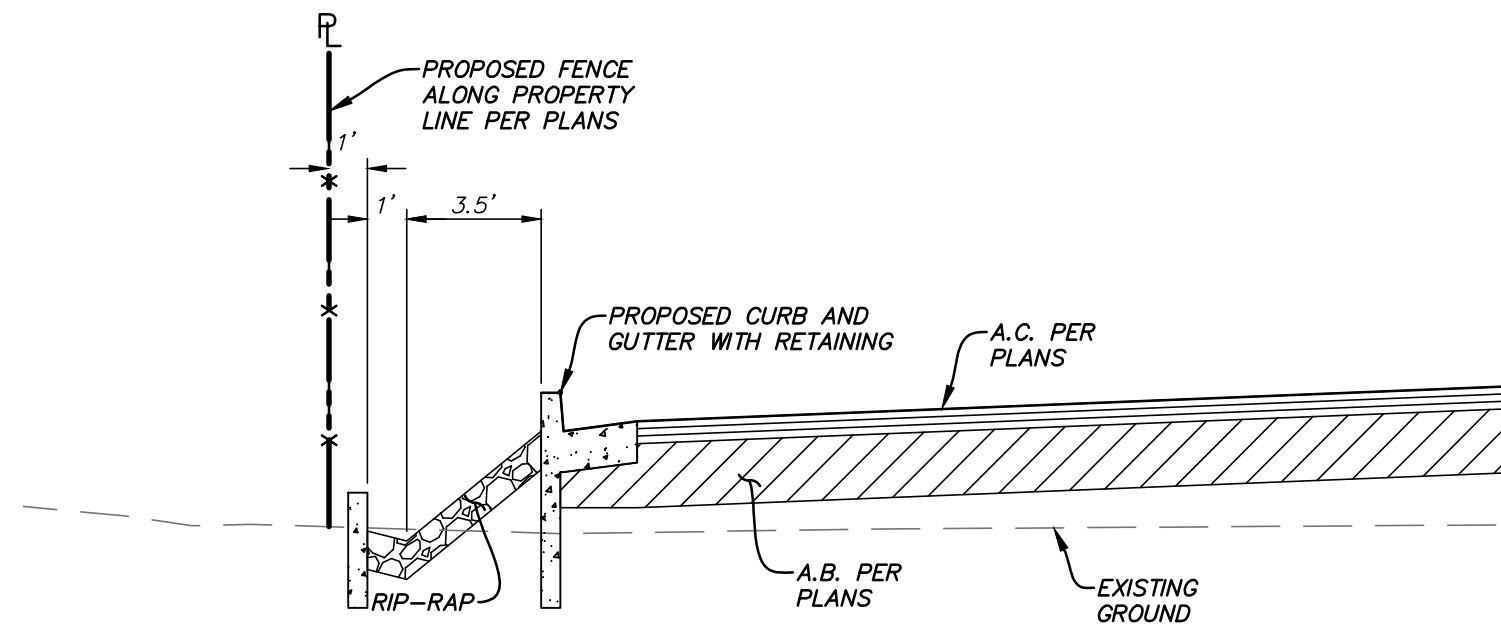
B ROCK TRENCH
ADJACENT TO EASTERLY DRIVEWAY
NTS



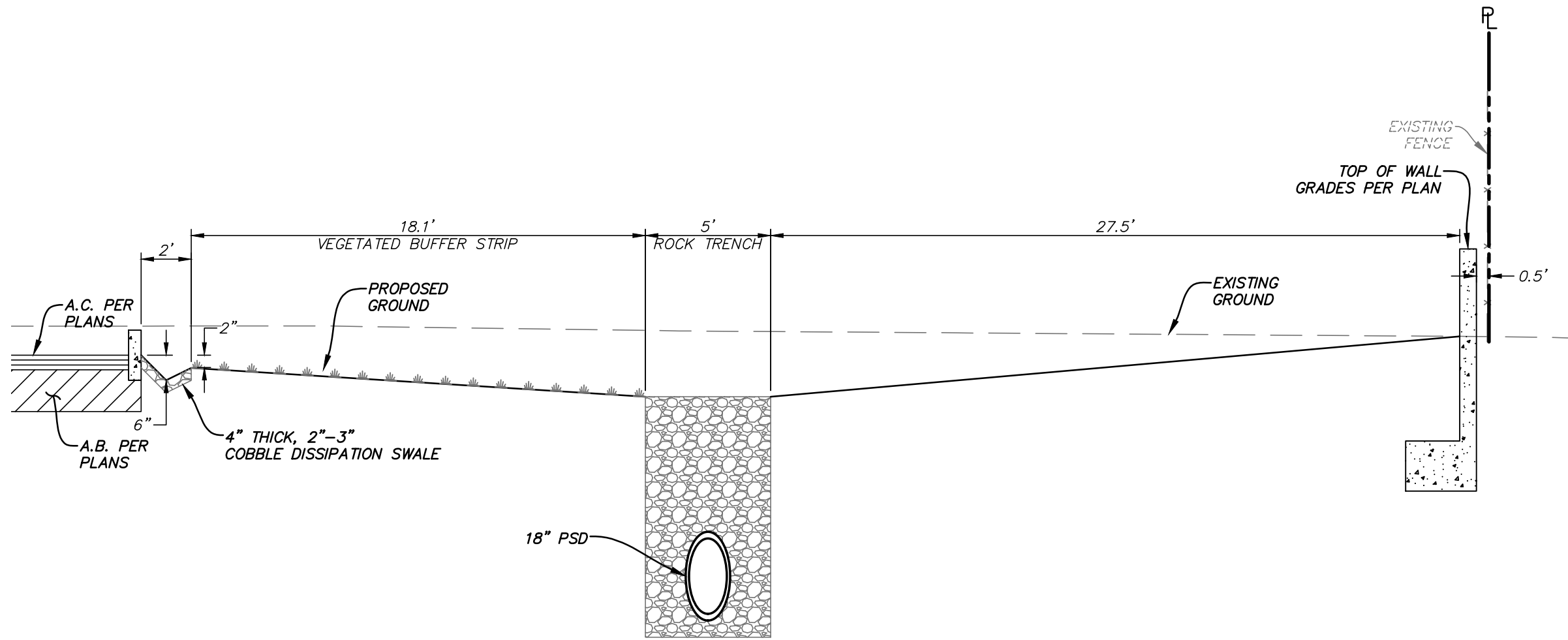
F ROCK TRENCH
ADJACENT TO TRASH ENCLOSURE
NTS



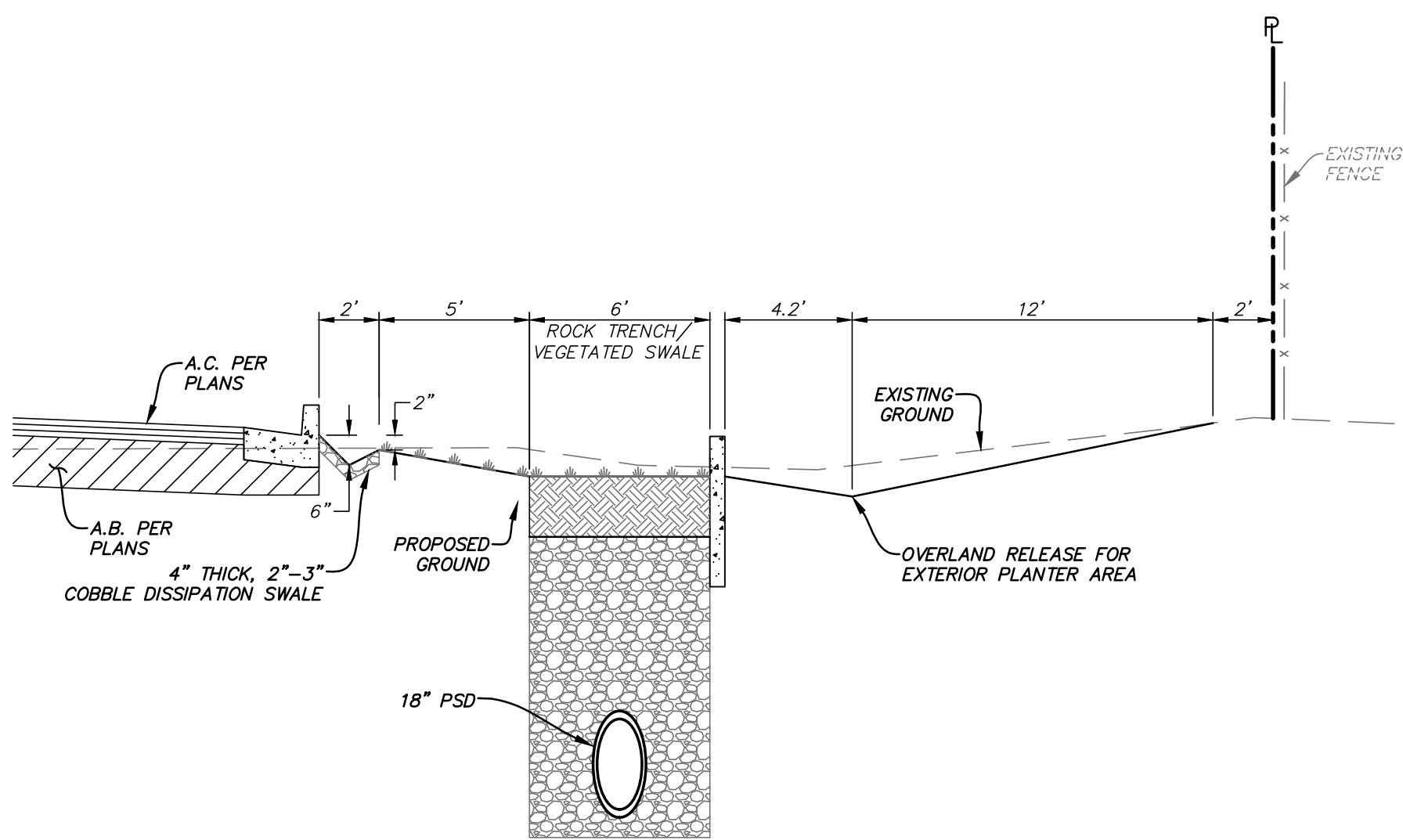
C EAST END PROPERTY LINE
NTS



G WEST END PROPERTY LINE
NTS



D ROCK TRENCH
EAST OF TRUCK PARKING
NTS



H SOUTHWEST ROCK TRENCH
NTS

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**NEW ONE STORY
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BUILDING**

201 & 221 YAMANE DRIVE
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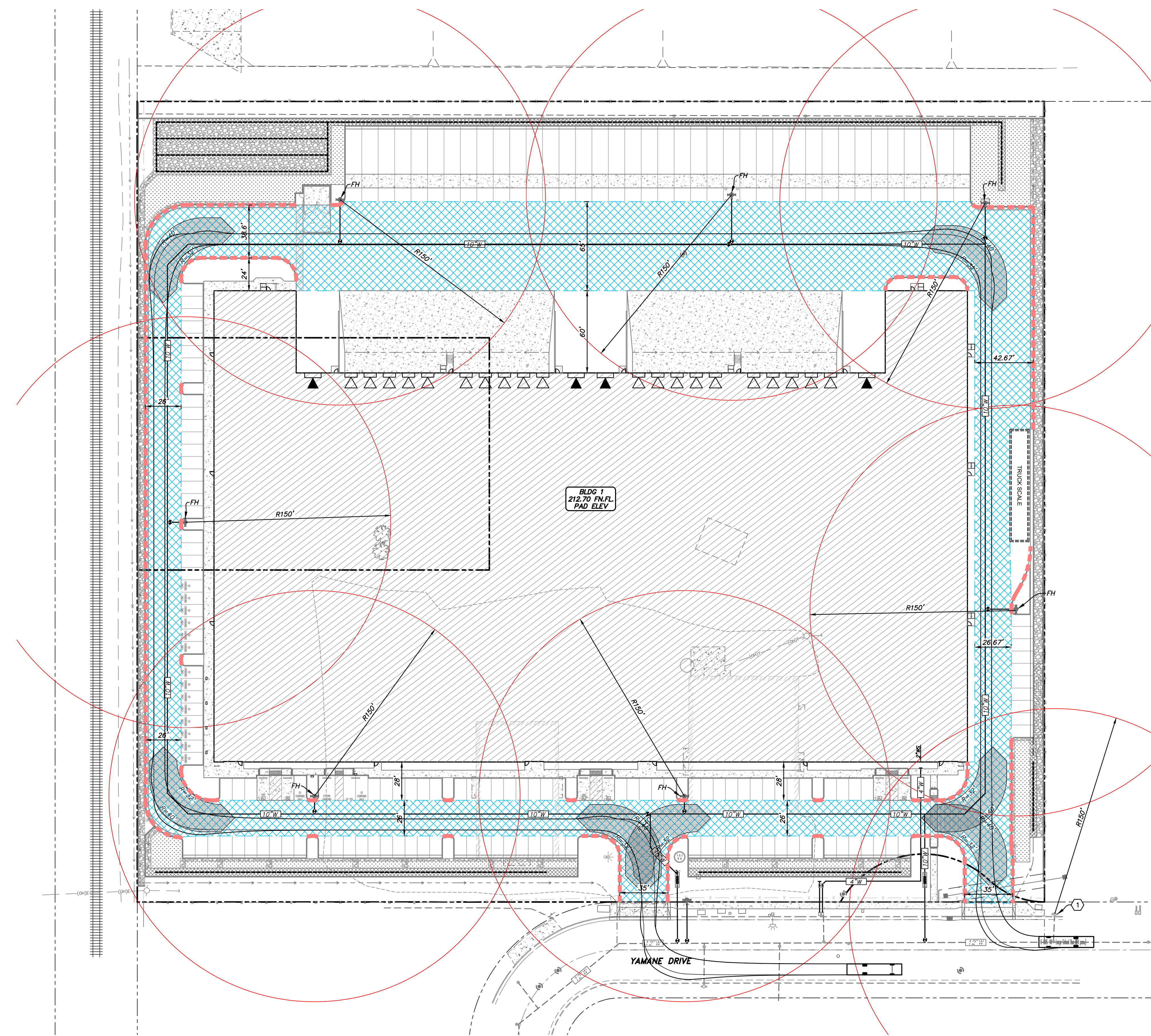


scale : AS NOTED
project number : 3687-12

CROSS SECTIONS

sheet no :
SHEET 7 OF 8

C801



GENERAL NOTES:

- A. FIRE LANES SHALL BE A MINIMUM OF 20 FEET CLEAR WIDTH AND 13 1/2 FEET CLEAR HEIGHT.
- B. SEE SHEET C401 FOR WATER MAIN, FIRE MAIN, APPURTENANCES, WATER CONNECTIONS, AND CONSTRUCTION SPECIFICATIONS.
- C. FINAL FIRE ACCESS LANE AFTER CONSTRUCTION.
- D. NO GATES SHALL BE INSTALLED ACROSS THE PROPOSED FIRE ACCESS LANES WITHIN THE LIMITS OF PROJECT IMPROVEMENTS.
- E. CURBS ALONG FIRE LANE SHALL BE PAINTED RED, TYPICAL.

CONSTRUCTION NOTES:

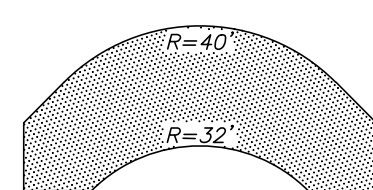
1. EXISTING FIRE HYDRANTS SHALL PROVIDE FIRE FIGHTING WATER DURING CONSTRUCTION.

FIRE PROTECTION NOTES:

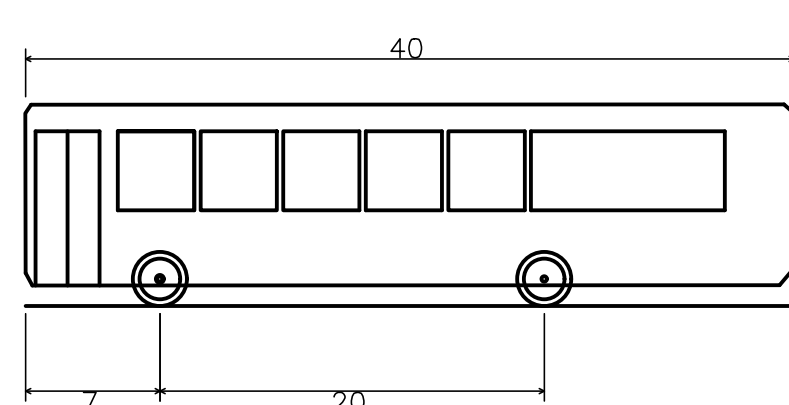
- A. ALL UNDERGROUND FIRE PROTECTION SHALL BE INSTALLED, TESTED, AND MAINTAINED PER NFPA 24, 2010 EDITION.
- B. ALL FIRE HYDRANTS, PIV/TDC'S SHALL BE INSTALLED SO AS NOT TO BE BLOCKED BY PARKING STALLS, LOADING ZONES, LANDSCAPING, ETC.
- C. ALL FIRE HYDRANTS SHALL HAVE AN 18-INCH CLEARANCE FROM THE CENTER OF THE 4-1/2" DISCHARGE TO FINISHED GRADE LEVEL.
- D. ALL FIRE HYDRANTS SHALL HAVE A BLUE DOT REFLECTOR INSTALLED 12-INCHES OFF CENTERLINE IN FRONT OF ALL FIRE HYDRANTS ON THE HYDRANT SIDE.
- E. ALL FIRE HYDRANTS SHALL BE INSTALLED WITH BREAK-OFF BOLTS AND/OR BREAK-OFF SPOOLS.
- F. ALL FIRE HYDRANTS SHALL BE EQUIPPED WITH A 3'X3' MINIMUM CONCRETE PAD AROUND THEM PER NFPA 24, 2010 EDITION. EXTEND PAD AS SHOWN ON PLANS TO BACK OF CURB.
- G. INSTALL THRUST BLOCK AT ALL WATER FITTINGS PER CITY OF GILROY STANDARD DETAIL WA-2 (TYPICAL).
- H. INSTALL WATER VALVES PER CITY OF GILROY STANDARD DETAIL WA-1. ALL PLASTIC WATER MAINS SHALL HAVE TRACER WIRE PER CITY OF GILROY STANDARDS AND SPECIFICATIONS.

PROJECT DATA:

1. BUILDING AREA: 163,400 SQ. FT.
2. CONSTRUCTION TYPE: V-B.
3. OCCUPANCY: F-1, F-2, S-1, S-2.
4. BUILDING HEIGHT: 30'.
5. AUTOMATIC SPRINKLERS: YES.



32' MIN. TURNING RADIUS IN FIRE LANE



S-BUS-40 - Large School Bus (84 pass.)
Overall Length 40.000ft
Overall Width 7.000ft
Overall Body Height 10.500ft
Min Body Ground Clearance 1.070ft
Track Width 7.000ft
Lock-to-lock time 5.00s
Max Steering Angle (Virtual) 34.40°

DESIGN VEHICLE

APPENDIX B

TABLE B105.1(1) REQUIRED FIRE FLOW FOR ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES			
FIRE-FLOW CALCULATION AREA (square feet)	AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE FLOW (gallons per minute)	FLOW DURATION (hours)
0-3,600	No automatic sprinkler system	1,000	1
3,601 and greater	No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2) at the required fire-flow rate
0-3,600	Section 903.3.1.3 of the California Fire Code or Section 313.3 of the California Residential Code	500	1/2
3,601 and greater	Section 903.3.1.3 of the California Fire Code or Section 313.3 of the California Residential Code	1/2 value in Table B105.1(2)	1

For SI: 1 square foot = 0.0929 m²; 1 gallon per minute = 3.785 L/min.

TABLE B105.1(2) REFERENCE TABLE FOR TABLES B105.1(1) AND B105.2					
FIRE-FLOW CALCULATION AREA (square feet)				FIRE FLOW (gallons per minute)	FLOW DURATION (hours)
Type IA and IB ^a	Type IIA and IIAA ^a	Type IV and V-A ^a	Type IIB and IIBB ^a	Type V-B ^b	
0-22,700	0-12,700	0-8,200	0-5,900	0-3,600	1,500
22,701-30,200	12,701-17,000	8,201-10,900	5,901-7,900	3,601-4,800	1,750
30,201-38,700	17,001-21,800	10,901-12,900	7,901-9,800	4,801-6,200	2,000
38,701-48,300	21,801-24,200	12,901-17,400	9,801-12,600	6,201-7,700	2,250
48,301-59,000	24,201-33,200	17,401-21,300	12,601-15,400	7,701-9,400	2,500
59,001-70,900	33,201-39,700	21,301-25,500	15,401-18,400	9,401-11,300	2,750
70,901-83,700	39,701-47,100	25,501-30,100	18,401-21,800	11,301-13,400	3,000
83,701-97,700	47,101-54,900	30,101-35,200	21,801-25,900	13,401-15,600	3,250
97,701-112,700	54,901-63,400	35,201-40,600	25,901-29,300	15,601-18,000	3,500
112,701-128,700	63,401-72,400	40,601-46,400	29,301-33,500	18,001-20,600	3,750
128,701-145,900	72,401-82,100	46,401-52,500	33,501-37,900	20,601-23,300	4,000
145,901-164,200	82,101-92,400	52,501-59,100	37,901-42,700	23,301-26,300	4,250
164,201-183,400	92,401-103,100	59,101-66,000	42,701-47,700	26,301-29,300	4,500
183,401-203,700	103,101-114,600	66,001-73,300	47,701-53,000	29,301-32,600	4,750
203,701-225,200	114,601-126,700	73,301-81,100	53,001-58,600	32,601-36,000	5,000
225,201-247,700	126,701-139,400	81,101-89,200	58,601-65,400	36,001-39,600	5,250
247,701-271,200	139,401-152,600	89,201-97,700	65,401-70,600	39,601-43,400	5,500
271,201-295,900	152,601-166,500	97,701-106,500	70,601-77,000	43,401-47,400	5,750
295,901-Greater	166,501-Greater	106,501-115,800	77,001-83,700	47,401-51,500	6,000
—	—	115,801-125,500	83,701-90,600	51,501-55,700	6,250
—	—	125,501-135,500	90,601-97,900	55,701-60,200	6,500
—	—	135,501-145,800	97,901-106,800	60,201-64,800	6,750
—	—	145,801-156,700	106,801-113,200	64,801-69,600	7,000
—	—	156,701-167,900	113,201-121,300	69,601-74,600	7,250
—	—	167,901-179,400	121,301-129,600	74,601-79,800	7,500
—	—	179,401-191,400	129,601-138,300	79,801-85,100	7,750
—	—	191,401-Greater	138,301-Greater	85,101-Greater	8,000

For SI: 1 square foot = 0.0929 m²; 1 gallon per minute = 3.785 L/min; 1 pound per square inch = 6.895 kPa.

a. Types of construction are based on the California Building Code.

b. Measured at 20 psi residual pressure.

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INTERNATIONAL CODE COUNCIL

2019 CALIFORNIA FIRE CODE
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APPENDIX C

TABLE C102.1 REQUIRED NUMBER AND SPACING OF FIRE HYDRANTS ^a			
FIRE-FLOW REQUIREMENT (gpm)	MINIMUM NUMBER OF HYDRANTS	AVERAGE SPACING BETWEEN HYDRANTS ^{b,c,d,e} (feet)	MAXIMUM DISTANCE FROM ANY POINT ON STREET OR ROAD FRONTAGE TO A HYDRANT ^{f,g}
1,750 or less	1	500	250
1,751-2,250	2	450	225
2,251-2,750	3	450	225
2,751-3,250	3	400	225
3,251-4,000	4	350	210
4,001-5,000	5	300	180
5,001-5,500	6	300	180
5,501-6,000	6	250	150
6,001-7,000	7	250	150
7,001 or more	8 or more ^h	200	120

For SI: 1 foot = 304.8 mm; 1 gallon per minute = 3.785 L/min.

- a. Reduce by 100 feet for dead-end streets or roads.
- b. Where streets are provided with median dividers that cannot be crossed by fire fighters pulling hose lines, or where arterial streets are provided with four or more traffic lanes and have a traffic count of more than 30,000 vehicles per day, hydrant spacing shall average 500 feet on each side of the street and be arranged on an alternating basis.
- c. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards.
- d. Reduce by 50 feet for dead-end streets or roads.
- e. One hydrant for each 1,000 gallons per minute or fraction thereof.
- f. A 50-percent spacing increase shall be permitted where the building is equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1 of the California Fire Code.
- g. A 25-percent spacing increase shall be permitted where the building is equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.2 or 903.3.1.3 of the California Fire Code or Section P2604 of the California Residential Code.
- h. The fire code official is authorized to modify the location, number and distribution of fire hydrants based on site-specific constraints and hazards.

FH SPACING:

- 200' x 1.5' = 300' AVG. SPACING

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2250 S. WATNEY WAY,
FAIRFIELD, CA 94533

PRELIMINARY DESIGN DOCUMENTS FOR:

NEW ONE STORY WAREHOUSE BUILDING

201 & 221 YAMANE DRIVE
GILROY, CALIFORNIA 95020

approved for the owner by :

approved for the architect by :

issue :	description :	date :
A	INITIAL ENTITLEMENT SUBMITTAL	05-10-2022
1	PC COMMENTS AS 22-16 (#22050036) AND V 22-01 (22050037)	07-22-2022
2	2ND PC COMMENTS AS 22-16 (#22050036) AND V 22-01 (22050037)	04-28-2023

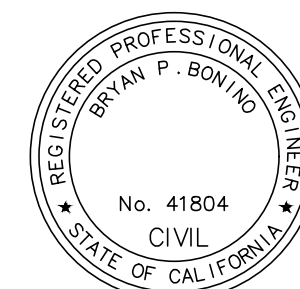
DEVELOPMENT MANAGER:

KELLEY COMMERCIAL, LLC

drawn by : PJ plot date : 05-04-2022

checked by : BPB

stamp



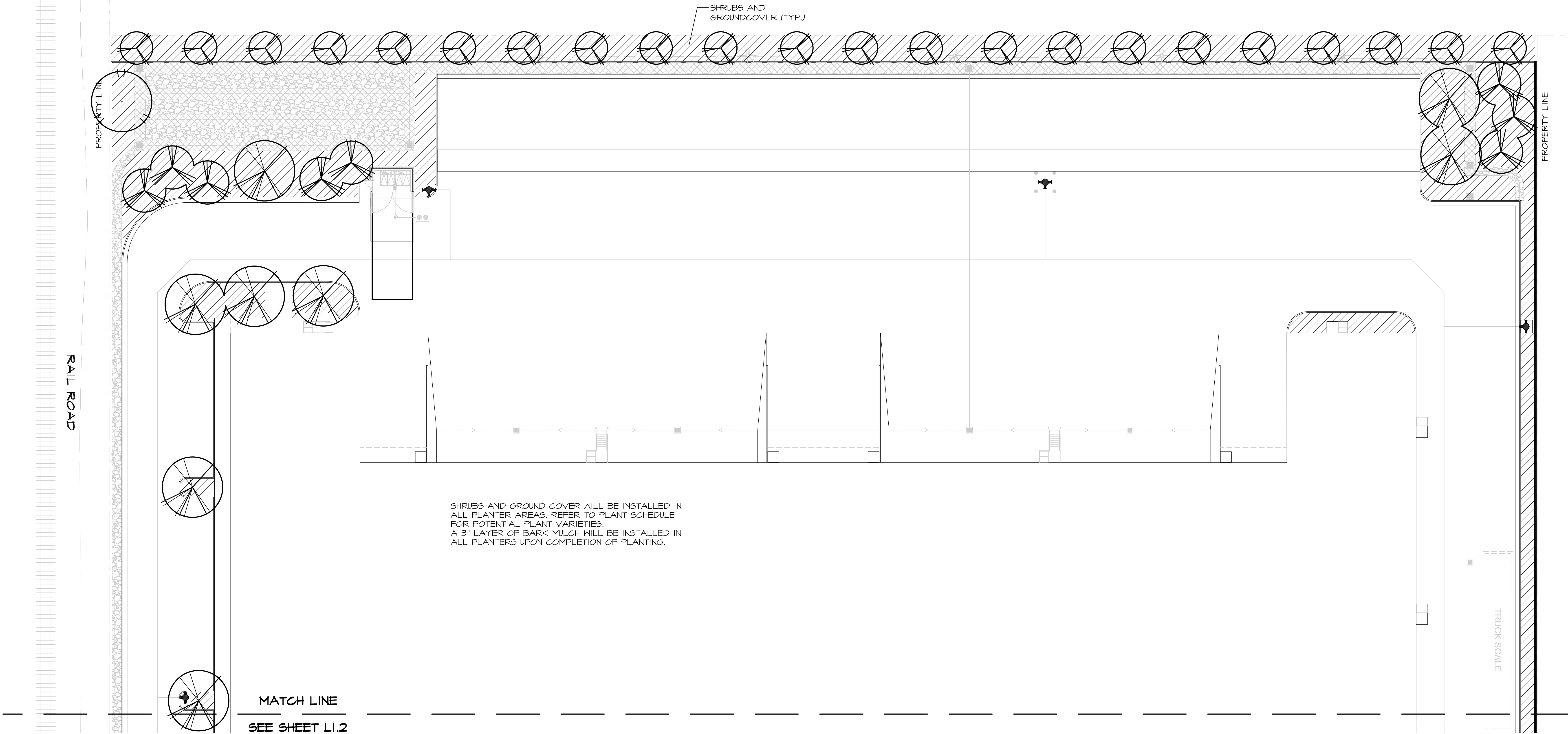
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project number : 3687-12

FIRE PLAN

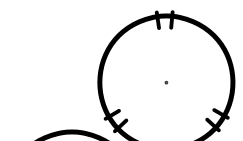
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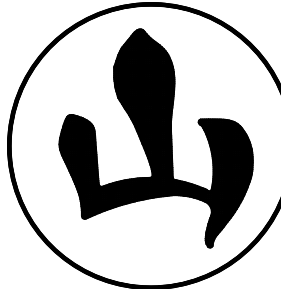
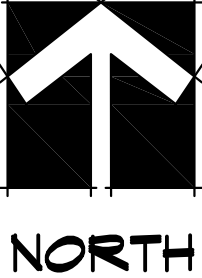
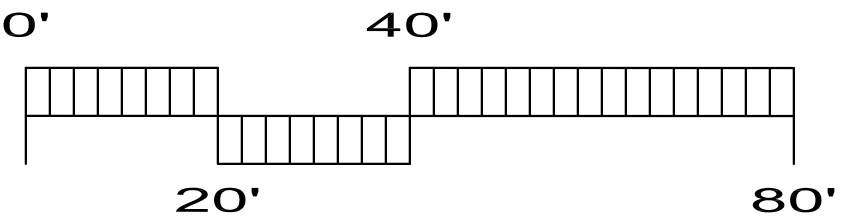


MATCH LINE
SEE SHEET L1.2

PLANT SCHEDULE

TREES	CODE	BOTANICAL / COMMON NAME	SIZE	QUANTITIES	H x W
	CED DEO	Cedrus deodara / Deodar Cedar	15 gal	L	75'X30'
	GEL OCC	Celtis occidentalis / Common Hackberry	15 gal	L	50'X50'
	LAG NAT	Lagerstroemia indica x fauriei 'Natchez' / Natchez Crape Myrtle	24" box	L	30'X20'
	PIN ELD	Pinus eldarica / Afghan Pine	15 gal	L	30'X30'
	PIS KEI	Pistacia chinensis 'Keith Davey' / Keith Davey Chinese Pistache	15 gal	L	60'X20'
	PLA COL	Platanus x acerifolia 'Columbia' / Columbia London Plane Tree	15 gal	M	45'X15'
	QUE SKY	Quercus robur 'Fastiglata' / Skyrocket English Oak	15 gal	L	12'X10'
	RHA MAJ	Rhaphiolepis x 'Montic' / Majestic Beauty Indian Hawthorn	15 gal	QUANTITIES	
POTENTIAL SHRUBS	CODE	BOTANICAL / COMMON NAME	SIZE		
	CAL LJN	Callistemon viminalis 'Little John' / Little John Weeping Bottlebrush	5 gal	L	
	CIS PRO	Cistus salviifolius 'Prostratus' / Sageleaf Rockrose	5 gal	L	
	GRE NOE	Grevillea x 'Noellii' / Noel Grevillea	5 gal	L	
	LAV STO	Lavandula stoechas / Spanish Lavender	5 gal	L	
	NAN COM	Nandina domestica 'Compacta' / Dwarf Heavenly Bamboo	5 gal	L	
	RHA EVE	Rhamnus californica 'Eve Case' / Eve Case Coffeeberry	5 gal	L	
	RHA JAC	Rhaphiolepis indica 'Jack Evans' / Jack Evans Indian Hawthorn	5 gal	L	
	ROS COL	Rosmarinus officinalis 'Collingwood Ingram' / Collingwood Ingram Rosemary	5 gal	L	
	SAL BAR	Salvia leucantha 'Santa Barbara' / Santa Barbara Mexican Bush Sage	5 gal	L	
	XYL CON	Xylosma congestum / Shiny Xylosma	5 gal	QUANTITIES	
POTENTIAL GRASSES	CODE	BOTANICAL / COMMON NAME	SIZE		
	MUH RIG	Muhlenbergia rigens / Deer Grass	1 gal	QUANTITIES	
POTENTIAL GROUND COVERS	CODE	BOTANICAL / COMMON NAME	SIZE	SPACING	L
	ACA CIT	Acacia cognata 'ACCOGO!' / Cousin Itt Little River Wattle	1 gal	60" o.c.	L
	ARC RAD	Arctostaphylos uva-ursi 'Radiant' / Radiant Kinnikinnick	1 gal	48" o.c.	L
	COT LOW	Cotoneaster dammeri 'Lowfast' / Lowfast Bearberry Cotoneaster	1 gal	60" o.c.	L

NOTE:
Project MAXIMUM ALLOWABLE WATER USE (MAWA) - 594,419 gal./year
ESTIMATED TOTAL WATER USE (ETWU) - will be calculated upon completion of the irrigation plans



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RMW

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rmw.com

CLIENT:

E & P
PROPERTIES
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DEVELOPMENT MANAGER:



drawn by : JMA plot date : 07-22-2022

checked by : JMA

stamp

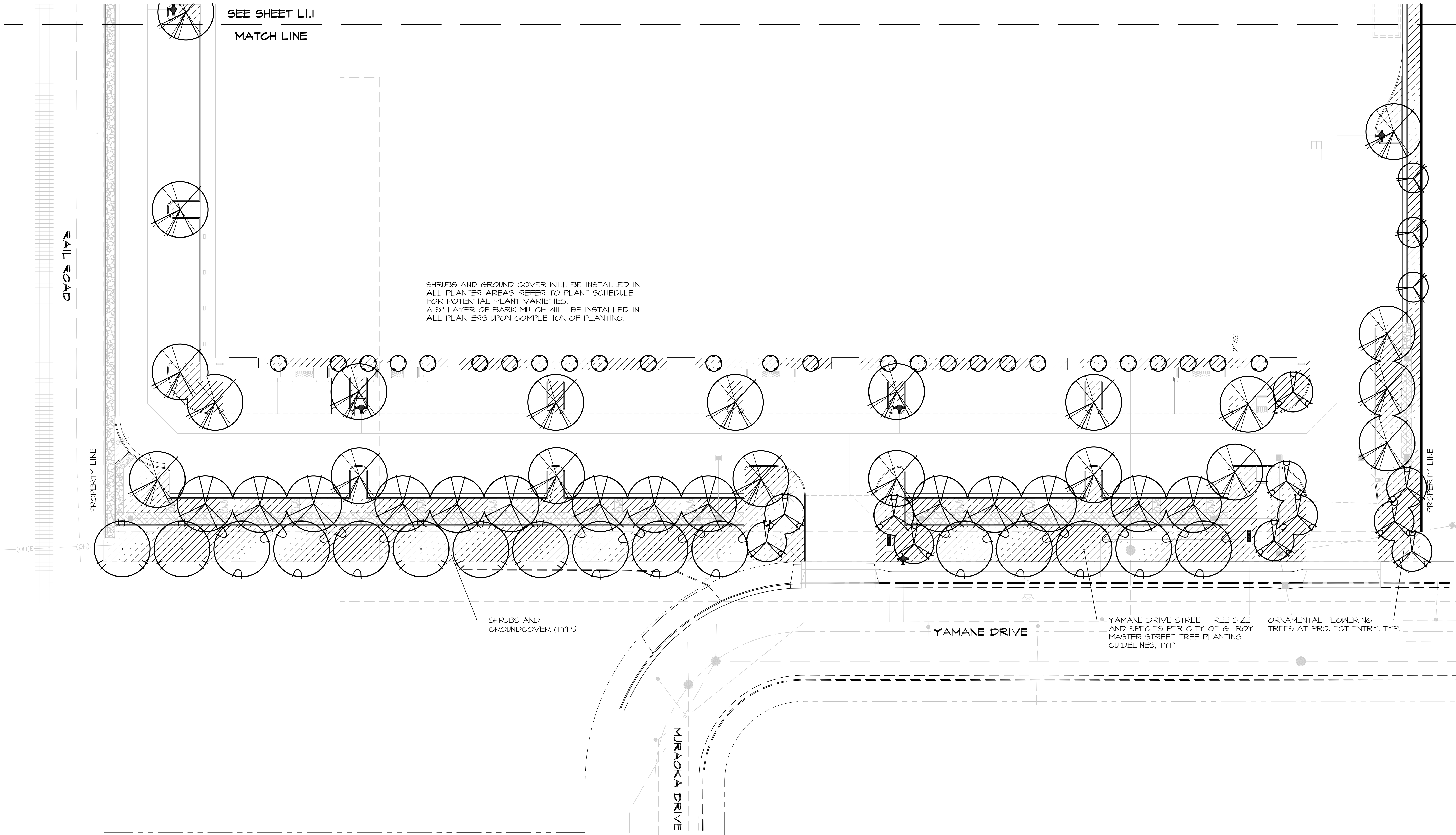


scale : AS NOTED
project number : 2204021.00

PRELIMINARY
LANDSCAPE PLAN

sheet no. :

L1.1



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checked by : JMA

stamp



scale : AS NOTED

project number : 2204021.00

PRELIMINARY
LANDSCAPE PLAN

sheet no. :

L1.2

TREE SCHEDULE

TREES	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	WUCOLS	H x W
	CED DEO	11	Cedrus deodara / Deodar Cedar	15 gal	L	75'X30'
	CEL OCC	11	Celtis occidentalis / Common Hackberry	15 gal	L	50'X50'
	LAG NAT	11	Lagerstroemia indica x fauriei 'Natchez' / Natchez Grape Myrtle	24" box	L	30'X20'
	PIN ELD	8	Pinus eldarica / Afghan Pine	15 gal	L	30'X30'
	PIS KEI	28	Pistacia chinensis 'Keith Davey' / Keith Davey Chinese Pistache	15 gal	L	60'X20'
	PLA COL	14	Platanus x acerifolia 'Columbia' / Columbia London Plane Tree	15 gal	M	45'X15'
	QUE SKY	20	Quercus robur 'Fastigiata' / Skyrocket English Oak	15 gal	L	12'X10'
	RHA MAJ	26	Rhaphiolepis x Montic / Majestic Beauty Indian Hawthorn	15 gal		

REFER TO SHEET L1.1 FOR FULL PLANT SCHEDULE

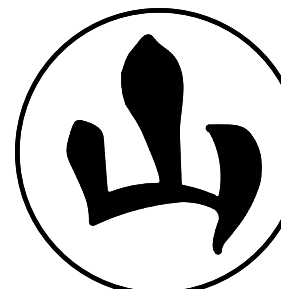
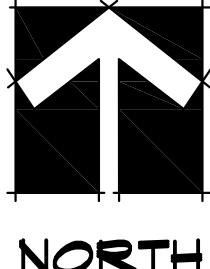
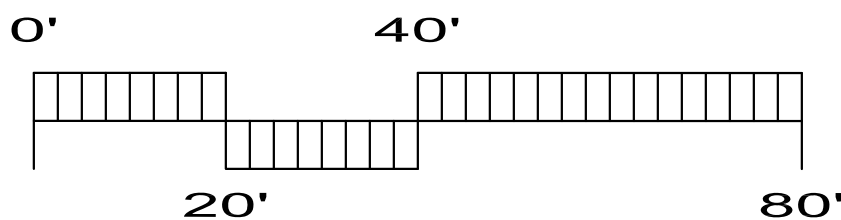
PLANTING STATEMENT

The proposed landscape plant palette consists of low water use shrubs, groundcover, trees, and ornamental grasses that are considered low maintenance and hardy. Choice of plants is guided by considerations of solar exposure, climate conditions of the site, and City of Gilroy Master Street Tree planting guidelines. Plant selection aims for longevity by selecting plants that are long lived varieties of trees, shrubs, groundcover, and grasses.

Shrubs and groundcover are minimum #1 size. Trees are minimum #15 size. Plant materials shall be spaced to provide substantial cover, but also to allow adequate room to mature into their natural form and ultimate size without required pruning.

IRRIGATION STATEMENT

The irrigation system will be serviced by a new point of connection. The irrigation design will consist of low volume point source drip irrigation. Proposed trees shall utilize bubbler irrigation to encourage deep root watering. The overall irrigation system will be designed with a smart irrigation controller. A weather sensor will be used to automatically adjust duration of application in accordance with recent weather conditions based on evapotranspiration. Maximum water allowance will be determined by State code. To also be consistent with the planting design, the irrigation design will create separate irrigation stations by hydrozone, locating plants of different water and solar needs into groups.



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CEQA Guidelines Sections 15168 and 15183 Consistency Checklist Yamane Warehouse Project City of Gilroy, Santa Clara County, California

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City of Gilroy

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Gilroy, CA, 95020

408.846.0440

Contact: Melissa Durkin, Planner II

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Alison Rondone, Senior Project Manager

Date: August 23, 2023

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ACRONYMS AND ABBREVIATIONS

°C	degrees Celsius (Centigrade)
°F	degrees Fahrenheit
µg/m ³	micrograms per cubic meter
AB	Assembly Bill
ADT	Average Daily Traffic
APN	Assessor's Parcel Number
ARB	California Air Resources Board
BAAQMD	Bay Area Air Quality Management District
BERD	Built Environment Resource Directory
BRA	Biological Resources Assessment
CAL FIRE	California Department of Forestry and Fire Protection
CalEEMod	California Emissions Estimator Model
CalRecycle	California Department of Resources Recovery and Recycling
CBC	California Building Standards Code
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CHL	California Historical Landmark
CMA	Congestion Management Agency
CMP	Congestion Management Program
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO ₂ e	carbon dioxide equivalent
COA	Conditions of Approval
CPHI	California Points of Historical Resources
dB	decibels
dba	A-weighted decibel
DMA	Drainage Management Area
DOC	California Department of Conservation
DPM	diesel particulate matter
DPR	California Department of Parks and Recreation
EIR	Environmental Impact Report
EOP	Emergency Operations Plan
ESA	Environmental Site Assessment

EV	electric vehicle
FAR	floor area ratio
FCS	FirstCarbon Solutions
FEMA	Federal Emergency Management Agency
FHSZ	Fire Hazard Severity Zones
FTA	Federal Transit Administration
GHG	greenhouse gas
GPAC	General Plan Advisory Committee
GUSD	Gilroy Unified School District
HHD	heavy heavy-duty
HRA	Historic Resource Assessment
IM	Implementing Measure
IP	Industrial Park
L _{dn}	day/night sound level
L _{eq}	equivalent continuous sound level
L _{max}	maximum instantaneous noise level
LOS	Level of Service
LU	Land Use
MBTA	Migratory Bird Treaty Act
MIR	Maximally Impacted Sensitive Receptor
MM	Mitigation Measure
mph	miles per hour
MRZ	Mineral Resource Zone
MT	metric tons
NAHC	Native American Heritage Commission
NCR	Natural and Cultural Resources
NO _x	nitrogen oxide
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NWIC	Northwest Information Center
OPR	Governor's Office of Planning and Research
PBCE	Planning, Building, and Code Enforcement
PG&E	Pacific Gas and Electric Company
PM ₁₀	particulate matter less than 10 microns in diameter
PM _{2.5}	particulate matter less than 2.5 microns in diameter
PPV	peak particle velocity
REC	Recognized Environmental Condition
ROG	reactive organic gas

RWQCB	Regional Water Quality Control Board
SSCCFD	South Santa Clara County Fire District
SCVHP	Santa Clara Valley Habitat Plan
SLF	Sacred Lands File
SOI	Sphere of Influence
SR	State Route
SRA	State Responsibility Area
State Water Board	California State Water Resources Control Board
SWCP	Stormwater Control Plan
TA	Transportation Analysis
TAC	toxic air contaminant
TCR	Tribal Cultural Resources
TDM	Transportation Demand Management
TIA	Transportation Impact Analysis
TPO	thermoplastic polyolefin
TRU	Transport Refrigeration Unit
UGB	Urban Growth Boundary
UPRR	Union Pacific Railroad
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	underground storage tank
UWMP	Urban Water Management Plan
Valley Water	Santa Clara Valley Water
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Traveled
VTA	Santa Clara Valley Transportation Authority
WEAP	Worker Environmental Awareness Program

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SECTION 1: INTRODUCTION

This Consistency Checklist and attached supporting documents have been prepared to determine whether and to what extent the City of Gilroy can approve the proposed Yamane Warehouse Project (proposed project) as consistent with the development density established in the Gilroy 2040 General Plan, or separately, as within the scope of the Gilroy 2040 General Plan EIR (State Clearinghouse No. 2015082014), or whether additional documentation is required under the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] §§ 21000, *et seq.*).

1.1 - CEQA Assessment

The following Consistency Checklist has been prepared pursuant to CEQA Guidelines Section 15168 (Projects within the Scope of a Program EIR) and 15183 (Projects Consistent with a Community Plan or Zoning) to determine whether the proposed project requires additional environmental review.

CEQA Guidelines Section 15168 states that no additional environmental document is required if the lead agency finds a later activity to be within the scope of the Program EIR. Factors that a lead agency may consider in determining consistency include, but are not limited to, consistency of the later activity with the type of allowable land use, overall planned density and building intensity, and geographic area covered in the EIR.

Separately and independently from the streamlining procedure in Section 15168, CEQA Guidelines Section 15183 mandates that projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which a Final EIR was certified (in this case, the Gilroy 2040 General Plan EIR) shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.

1.2 - Summary of Results

As illustrated by the following Consistency Checklist, the proposed project is found to be in conformance with the analysis and conclusions of the General Plan EIR. This determination supports the approval of the proposed project and is based on the following criteria:

1. There are no new significant effects peculiar to the proposed project or its site;
2. There are no new significant effects that were not previously evaluated in the General Plan EIR;
3. There are no new significant off-site or cumulative impacts that were not analyzed in the General Plan EIR, and
4. There are no adverse impacts that are more severe than those previously identified in the General Plan EIR.

This evaluation concludes that the proposed project is consistent with the development density established in the General Plan and is within the scope of the General Plan and the General Plan EIR, and that no further CEQA documentation is required under both Section 15168 and 15183, separately and independently. Further environmental analysis of the proposed project is not required because:

- No peculiar impacts have been identified as a result of the proposed project or its site. Adherence to General Plan policies and standards along with regulations of the City of Gilroy and incorporation of identified project design features ensure impacts are below the level of significance.
- There are no potentially significant impacts that were not analyzed as significant in the certified General Plan EIR. There are no potentially significant off-site and/or cumulative impacts that were not discussed by the Certified General Plan EIR.
- No substantial changes are proposed in the project which will require major revisions of the certified General Plan EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the certified General Plan EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the certified General Plan EIR was certified as complete.

The Final General Plan Environmental Impact Report (General Plan EIR) is available at:

City of Gilroy
7351 Rosanna Street
Gilroy, California 95020
Available at:
<https://www.cityofgilroy.org/DocumentCenter/View/11307/Final-EIR---Gilroy-2040-General-Plan-?bidId=>

SECTION 2: PROJECT DESCRIPTION

2.1 - Project Location and Setting

2.1.1 - Project Location

The project site is located in the City of Gilroy, in Santa Clara County, California (Exhibit 1). The City of Gilroy is surrounded by unincorporated Santa Clara County to the north, south, east, and west. The project site is located on 201 and 221 Yamane Drive, and is found north of the adjacent Yamane Drive, east of Monterey Highway, and south and west of the West Branch Llagas Creek (Exhibit 2). The site is located within the *Gilroy, California* United States Geological Survey (USGS) 7.5-minute Topographic Quadrangle Map.

The approximately 8.88-acre project site corresponds to Assessor's Parcel Numbers (APNs) 835-02-004 and 835-02-057. The project site is surrounded by land designated Industrial Park to the north, south, and east. West Branch Llagas Creek is directly adjacent to the project site to the north, and beyond that is vacant land. The Union Pacific Railroad (UPRR) and Monterey Highway border the site to the west. Tiny Tots Preschool and Daycare is located across Monterey Highway approximately 0.05 miles west of the project site. Additionally, Campbell Auto Finance is located across Monterey Highway, approximately 0.04 mile west of the project site. The land located beyond Tiny Tots Preschool and Daycare and Campbell Auto Finance consists of residences. EC Auto and Iron Fabrication, New Hope Community Church, and Next Generation Electric are located directly south of the project site. Vergara Enterprises is located directly east of the project site, and beyond that is West Branch Llagas Creek.

2.1.2 - Existing Development and Land Use Activities

The northern half of the project site is undeveloped. The project site is covered in grass with shrubs and a fence surrounding the perimeter. The southern side of the project site currently contains two vacant, unpermitted industrial structures. Both of these buildings would be demolished as part of the proposed project. The project site was formerly used as part of an agricultural operation.

2.1.3 - General Plan and Zoning Designations

The project site is within the city limits and designated as Industrial Park (IP) by the City of Gilroy 2040 General Plan (Gilroy 2040 General Plan) and is zoned M1 (Limited Industrial) (Exhibit 3). The IP designation provides for low-intensity industrial developments in proximity to residential and commercial uses. The M1 zoning provides for limited industrial uses and related activities, including automobile repair, building materials sales and storage establishments, offices, printing shops, and assembly plants. The M1 zone has a maximum building coverage limit of 60 percent and a maximum structure height limit of 35 feet.

The project site is also located within the Murray-Las Animas Avenue Overlay Combining District (Exhibit 4), which is an area generally extending south of Cohansey Avenue, north of Leavesley Road, east of Monterey Road, and west of U.S. Highway 101 (US-101). This zoning overlay defines specific

land uses and land use densities as distinguished by each of these areas. This zoning overlay is meant to soften the impact of industrial buildings fronting Murray Avenue, with specific focus to industrial buildings across the street from existing residential areas.

The surrounding area to the south, east, and north is designated as IP and zoned as M1—Limited Industrial, the same as the project site. Parcels to the west, across Monterey Highway, are designated High Density Residential and zoned R4-High Density Residential. Parcels to the west, across Monterey Highway, are designated as Medium Density Residential and zoned as CM—Commercial Industrial.

2.2 - Project Background and Previous Environmental Review

2.2.1 - General Plan

In August 2013 the City initiated a comprehensive update to the 2020 General Plan, adopted in June 2002. Action 28.C of the 2020 General Plan provides for a comprehensive review and technical update of the General Plan once every 10 years to evaluate the General Plan’s performance and consider possible modifications, in response to changed conditions and revised growth projections.¹ The Gilroy 2040 General Plan provides a framework for inter-jurisdictional coordination of planning efforts among officials and staff of the City and other government agencies and serves as the basis for a variety of regulatory measures and administrative procedures. California planning law requires consistency between the General Plan and its implementing programs, such as zoning and subdivision ordinances, capital improvement programs, specific plans, environmental impact procedures, and building and housing codes.²

The Gilroy 2040 General Plan is made up of two documents: the Policy Document and the Background Report. The Background Report provides a description of existing environmental setting within the Gilroy 2040 General Plan Planning Area, while the Policy Document contains the goals, policies, and implementation programs of the Gilroy 2040 General Plan.³

Following City Council approval of the 2040 General Plan Land Use Alternative in late 2019, the General Plan Advisory Committee (GPAC) and the Planning Commission recommended approval of the Draft Policy Document text (January 23 and February 6, 2020, respectively). The City Council approved the Draft General Plan Policy text on March 16, 2020. The Gilroy 2040 General Plan was adopted on November 2, 2020.⁴

¹ City of Gilroy. 2020. 2020 General Plan Annual Report. Website: <https://www.cityofgilroy.org/DocumentCenter/View/11630/2020-Annual-Housing-Element-Progress-Report-#:~:text=On%20October%202%2C%202020%2C%20the%20Gilroy%20Planning%20Commission,considerations%2C%20and%20adoped%20the%20Gilroy%202040%20General%20Plan>. Accessed June 3, 2023.

² City of Gilroy. 2020. Public Review Draft Gilroy 2040 General Plan EIR. June 22.

³ Ibid.

⁴ City of Gilroy. 2020. 2020 General Plan Annual Report. Website: <https://www.cityofgilroy.org/DocumentCenter/View/11630/2020-Annual-Housing-Element-Progress-Report-#:~:text=On%20October%202%2C%202020%2C%20the%20Gilroy%20Planning%20Commission,considerations%2C%20and%20adoped%20the%20Gilroy%202040%20General%20Plan>. Accessed June 3, 2023.

2.2.2 - General Plan Environmental Impact Report

In compliance with CEQA and the CEQA Guidelines, the Draft General Plan Environmental Impact Report (Draft General Plan EIR) (State Clearinghouse No. 2015082014) was prepared to evaluate the potentially significant adverse environmental impacts associated with implementation of the Gilroy 2040 General Plan. The Draft General Plan EIR was completed June 22, 2020. The Draft General Plan EIR was circulated for public review between June 26 and August 10, 2020. CEQA Guidelines Section 15200 indicates that the purposes of the public review process include sharing expertise, disclosing agency analysis, checking for accuracy, detecting omissions, discovering public concerns, and soliciting counter proposals. The Final EIR, which was prepared to address comments solicited during the public review period, together with the Draft General Plan EIR constitutes the complete EIR for the Gilroy 2040 General Plan. The Final EIR was completed September 23, 2020. The City, acting as the Lead Agency, determined that implementation of the Gilroy 2040 General Plan may result in significant adverse environmental impacts as defined by CEQA Guidelines Section 15064.⁵

On October 2, 2020, the Gilroy Planning Commission voted to recommend that the City Council certify the complete EIR and adopt the Gilroy 2040 General Plan. The City Council certified the complete EIR, adopted the CEQA Findings of Facts and Statement of Overriding Conditions, and adopted the Gilroy 2040 General Plan on November 2, 2020.⁶

2.3 - Project Description

2.3.1 - Development Summary

The project applicant, E&P Properties, proposes to demolish and remove the two existing, vacant industrial buildings, as well as some on-site utility infrastructure, and project fencing (Exhibit 5) and construct an approximately 163,400-square-foot large-scale warehouse/distribution building (Exhibit 6). The building would be 40 feet in height; allowable building height per zoning is 35 feet; however, the proposed project is consistent with the City Code which permits minor deviations. Accordingly, the proposed project includes an application for a Minor Deviation from the City to allow the 40-foot building height.

Metropolitan Van & Storage would occupy 50 percent of the building (81,700 square feet), including approximately 4,085 square feet of office space and the balance (approximately 77,615 square feet) to be operated as a warehouse. The remaining 50 percent of the building (81,700 square feet) would be occupied as follows: up to 5,640 square feet of office space; up to 22,560 square feet of light industrial uses; and the remainder (approximately 53,500 square feet) is planned for warehouse (48,150 square feet) and office (5,350 square feet) (Exhibit 6).

⁵ City of Gilroy. 2020. Final Gilroy 2040 General Plan EIR. September 23.

⁶ City of Gilroy. 2020. 2020 General Plan Annual Report. Website: <https://www.cityofgilroy.org/DocumentCenter/View/11630/2020-Annual-Housing-Element-Progress-Report-#:~:text=On%20October%20%2C%202020%2C%20the%20Gilroy%20Planning%20Commission,considerations%2C%20and%20adopted%20the%20Gilroy%202040%20General%20Plan>. Accessed June 3, 2023.

The proposed project would also develop approximately 140 parking stalls, approximately 37 trailer parking stalls, and approximately 20 truck docks. Two points of access would be provided along the eastern side of the parcel.

Employment

The proposed project's warehouse and office space for Metropolitan Van and Storage would employ approximately 28 full-time employees, consisting of office employees, warehouse employees, and 10-20 drivers/helpers, depending on the time of year. As the tenant for the remaining space is undetermined at this time, it is unknown what the employment resulting from that occupancy would be. However, it is estimated that similar employment of between 25 and 30 employees would result from occupancy of the remaining space.

2.3.2 - Design and Appearance

The proposed warehouse and distribution center would be developed with Type VB or Type III construction and would be composed of painted concrete tilt panels in shades of blue and gray to contribute to the overall building aesthetics. The roof would be composed of a metal hybrid roof structure with a thermoplastic polyolefin (TPO) roof system. The overall project design would adhere to the design standards determined by the Murray-Las Animas Avenue Overlay Combining District and approved by the City of Gilroy.

2.3.3 - Site Access

Regional access to the project site is provided via US-101 by way of the Leavesley Road exit. Local access to the site would be provided via two points of access along Yamane Drive. Semi-trucks would enter the project site via a separate truck-specific entrance and exit on Yamane Drive.

Emergency access to the project site would be provided through the two access points on Yamane Drive. Internal circulation on the project site would provide a 32-foot minimum turning radius for fire trucks around the proposed warehouse building, as shown in Exhibit 7.

2.3.4 - Fencing

The project site currently contains fencing around the site perimeter. Existing fencing near the west boundary of the project site would be removed and replaced. Existing fencing on the southern boundary of the project site would be partially removed and replaced with fencing approximately 5 feet inwards from the southern project boundary. Existing fencing on the eastern and northern boundaries of the project site would be preserved.

2.3.5 - Parking and Loading

The proposed project would include approximately 140 standard automobile parking spaces, including approximately 113 standard vehicle stalls, six ADA-accessible stalls, 18 electric vehicle (EV) charging stalls, and three clean air carpool and vanpool stalls. Parking for standard-sized vehicles would be provided along the east, south, and west boundaries of the project site, and on the south side of the proposed warehouse building. Furthermore, the proposed project would provide 37 parking stalls for semi-truck trailers. In addition, the proposed project would construct 10 short-term

bicycle parking stalls. Long-term bicycle storage would be determined in the future through tenant improvements.

Loading areas on the project site would be provided at 20 dock positions located on the northern side of the proposed warehouse. These dock positions would be constructed such that semi-truck trailer doors would be at grade level with the project site.

2.3.6 - Off-site Improvements

The proposed project would construct two curb cuts and develop sidewalk, utility, and roadway improvements across the northern half of the roadway width Yamane Drive adjacent to the project site (Exhibit 8). No other off-site improvements would occur.

2.3.7 - Lighting

The proposed project would utilize 24-foot-high pole lights and 29-foot-high building full cutoff lights to illuminate light up the exterior areas of the project site. Exterior lighting would meet City of Gilroy City Code (Gilroy City Code) requirements. Given that the proposed project would operate 7:00 a.m. to 5:00 p.m. Monday through Friday and on Saturdays from 7:00 a.m. to 12:00 p.m., and would include storage of consumer goods on-site, lighting would be designed to maximize employee safety and security while complying with Gilroy City Code standards.

2.3.8 - Signage

Signage in and around the project site would be specific to each tenant and would comply with all applicable Gilroy City Code requirements.

2.3.9 - Landscaping

The proposed project would include approximately 57,450 square feet of landscaping. Landscaping of the proposed project would include low water use shrubs, groundcover, trees, and ornamental grasses (Exhibit 9a and 9b). Some moderate water use plants would be concentrated at access points, such as driveways and building entries. Implementation of the proposed project would result in the removal of two existing magnolia trees, and the planting of approximately 129 trees with a minimum volume of 15 gallons, as shown in Table 1 below. Trees would be planted around all project boundaries, with planting concentrations in the north and south boundaries. The proposed landscaping plan would utilize plants indigenous to the Gilroy area.

Table 1: Proposed Tree Planting Schedule

Name	Size	Proposed Quantity
Deodar Cedar	15 gallons	11
Common Hackleberry	15 gallons	11
Natchez Crape Myrtle	24-inch box	11
Afghan Pine	15 gallons	8
Keith Davey Chinese Pistache	15 gallons	28

Name	Size	Proposed Quantity
Columbia London Plane Tree	15 gallons	14
Skyrocket English Oak	15 gallons	20
Majestic Beauty Indian Hawthorn	15 gallons	26
Source: Kelley Commercial 2022.		

Landscaped shrubs and groundcover would be irrigated through low-volume point-source irrigation system, and landscaped trees would be irrigated through a bubbler irrigation system to encourage deep root watering. Water use would be regulated through a smart irrigation controller and limited by the California Plumbing Code and other applicable federal, State, and local regulations. The proposed landscaping plan would be consistent with Article 30.38.70 of the Gilroy City Code.

2.3.10 - Utilities

Water

The proposed project would be served by the City of Gilroy via a 12-inch diameter water line located in Yamane Drive, with 10-inch diameter water lines under the proposed internal streets, and 4-inch connections to proposed warehouses. (Exhibit 10).

In addition, the proposed project would include abandonment of a water well on the southern side of the project site in conformance with Santa Clara County and State requirements.

Stormwater

The project site contains an existing a 10-foot storm drainage easement on the southeast corner of the project site, to serve the adjacent property. The proposed project would remove the current easement and replace it with another 10-foot storm drainage easement, starting from the same area on the eastern boundary of the project site, but angling further to the south (Exhibit 4). The new easement would contain a 15-inch diameter storm drainage line.

Runoff from most of the site would drain overland across roof, parking areas, sidewalks, and landscaped areas to vegetated buffer strips and to vegetated swales for stormwater quality pretreatment/treatment. The area along the frontage would drain over landscaping to the public right of way and will be self-treating. The dock area would drain through a storm drain line to a Contech CDS unit for stormwater quality pretreatment. After pretreatment/treatment, runoff would be routed to rock trenches. The rock trenches would tie into the underground sandy gravelly layer under the site, which would allow infiltration of runoff. The vegetated buffer strips, vegetated swales, and rock trenches would also function as runoff retention, and as peak flow management. Larger runoff flows that exceed the infiltration capacity will into storm drainage lines through grates located around the proposed internal streets, parking areas, and loading spaces. Storm drainage lines of 12-inch, 15-inch, and 18-inch diameters would be constructed across the project site and would drain into two existing 15-inch diameter storm drainage lines on the southeast corner of the project site and into a 24-inch storm drainage line in Yamane Drive.

Wastewater

Wastewater from the project site would be treated by the City of Gilroy. Wastewater infrastructure on the site would consist of a 6-inch diameter sanitary sewer line on the south side of the project site, connecting to the proposed warehouse building. The proposed sanitary sewer line would connect to an existing 10-inch diameter sanitary sewer line in Yamane Drive, as shown in Exhibit 9.

Solid Waste

Site improvements would include a trash enclosure near the northwest corner of the building for separate solid waste and recycling containers for use by Metropolitan Van & Storage and other tenants.

Power and Telecommunications

Electricity services for the proposed project would be provided by Pacific Gas and Electric Company (PG&E). The proposed project would construct a 15-foot electrical easement on the southern boundary of the project site. Spectrum would provide telecommunications services to the project site.

2.3.11 - Phasing and Construction

For the purposes of this environmental analysis, the proposed project is assumed to be constructed in a single phase beginning in the fourth quarter of 2023. Demolition of the existing buildings on the project site would occur within the first month of construction, followed by site preparation and grading activities. The proposed project is expected to be operational in the third quarter of 2024.

2.3.12 - Operation

Fifty percent of the warehouse would be occupied by Metropolitan Van & Storage, while the warehouse tenant of the other 50 percent is unknown at this time. The 50 percent that would be occupied by Metropolitan Van & Storage would be used to move and store household goods and office furniture. Metropolitan Van & Storage provides moving and storage services, as well as furniture installation, for residential and commercial customers. The project site would operate from 7:00 a.m. to 5:00 p.m. Monday through Friday and occasional Saturdays from 7:00 a.m. to 12:00 p.m.

2.4 - Discretionary Approvals

As mentioned previously, the City of Gilroy has discretionary authority over the proposed project and is the CEQA Lead Agency for the preparation of this Consistency Checklist. In order to implement the project, the following permits/approvals would be required:

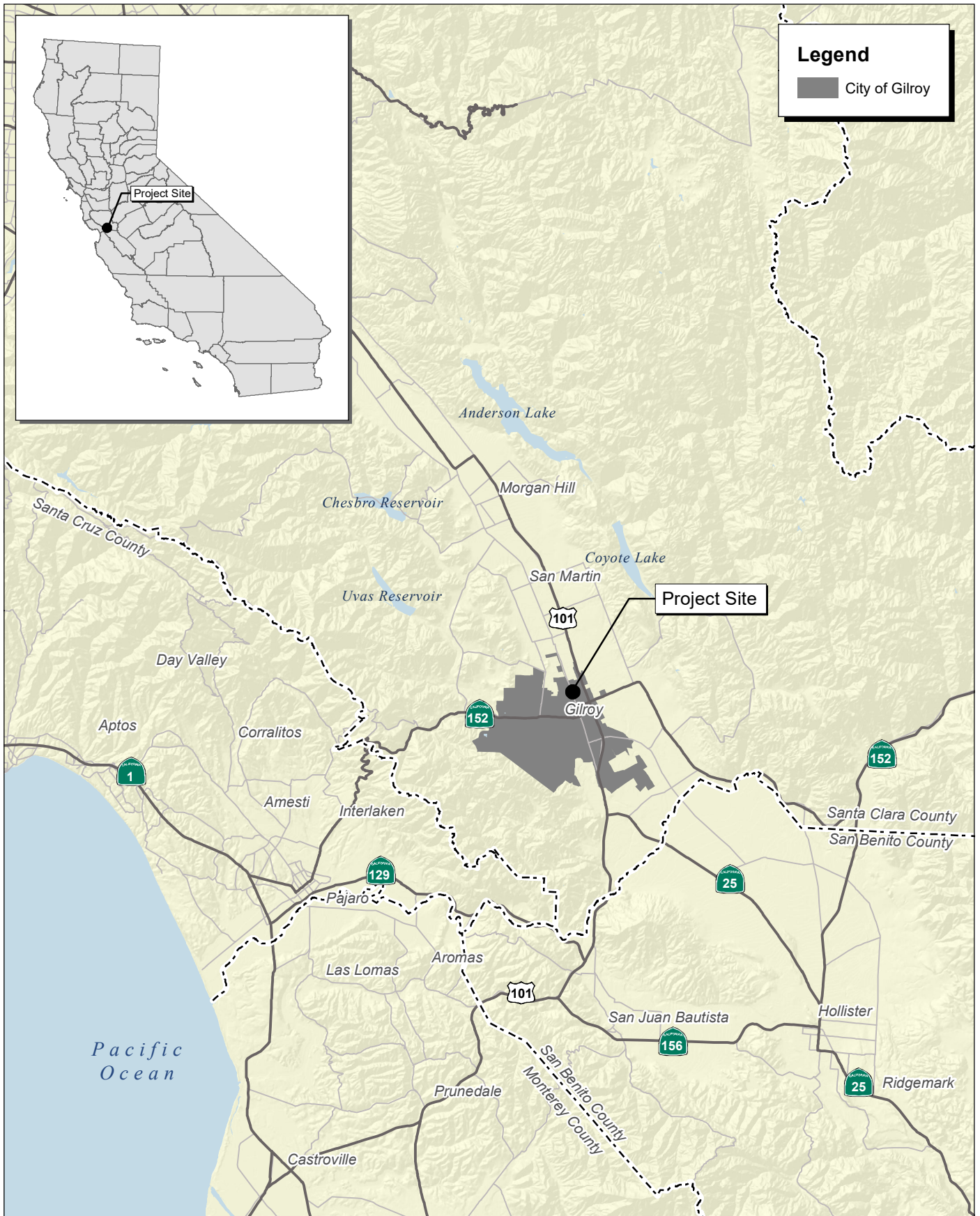
- Architectural and Site Review
- Minor Deviation
- Habitat Plan Permit

The proposed project would also require approval of a number of ministerial approvals such as a demolition, excavation, shoring, grading, encroachment, and building permits.

2.5 - Intended Uses of this Document

This Consistency Checklist has been prepared to document the proposed project's consistency with the certified General Plan EIR and General Plan. comments concerning the analysis contained in this Consistency Checklist should be sent to:

Melissa Durkin, Planner II
City of Gilroy
7351 Rosanna Street
Gilroy, California 95020
Phone: 925.931.5613
Email: melissa.durkin@cityofgilroy.org



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City of Gilroy

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 Project Site



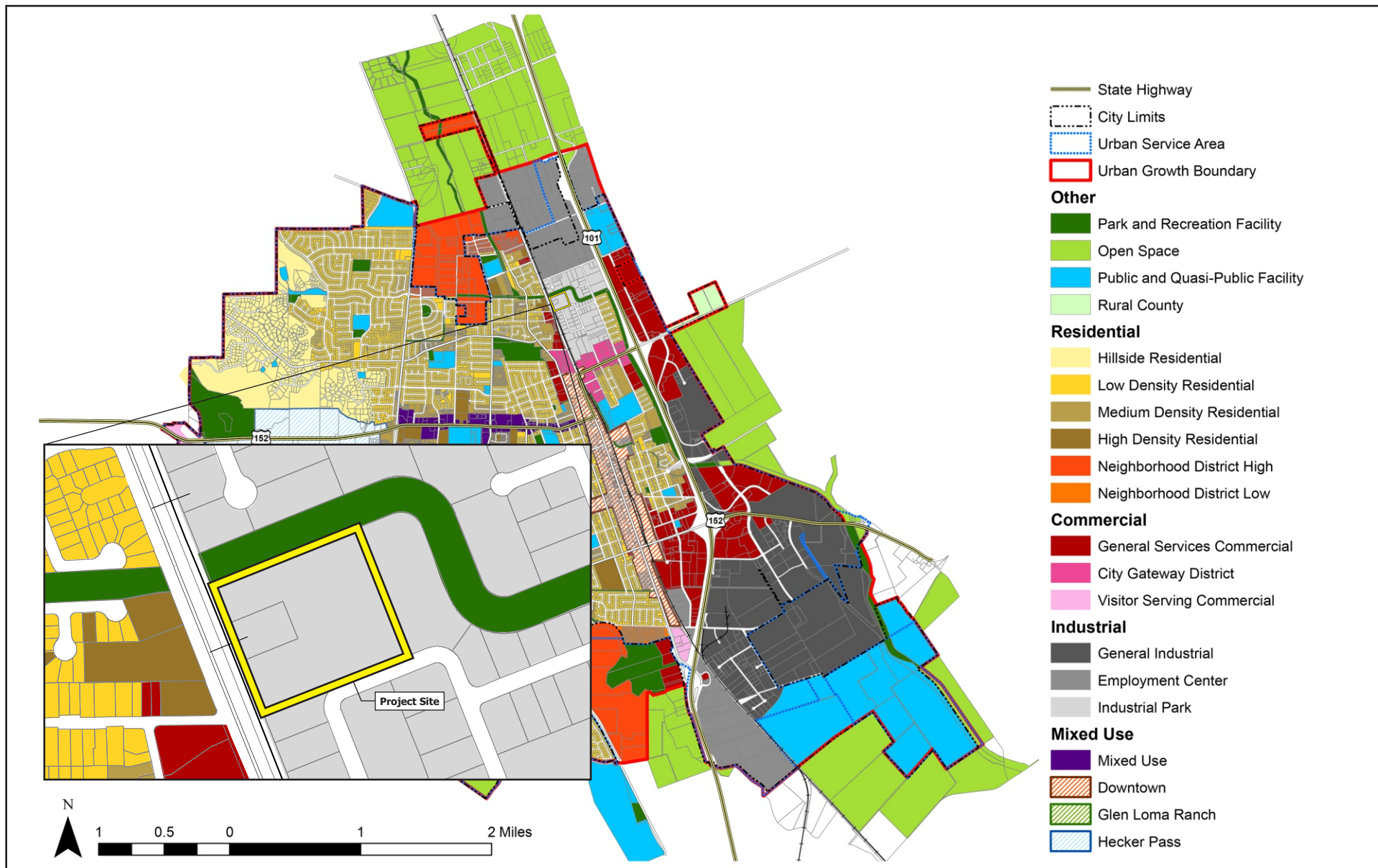
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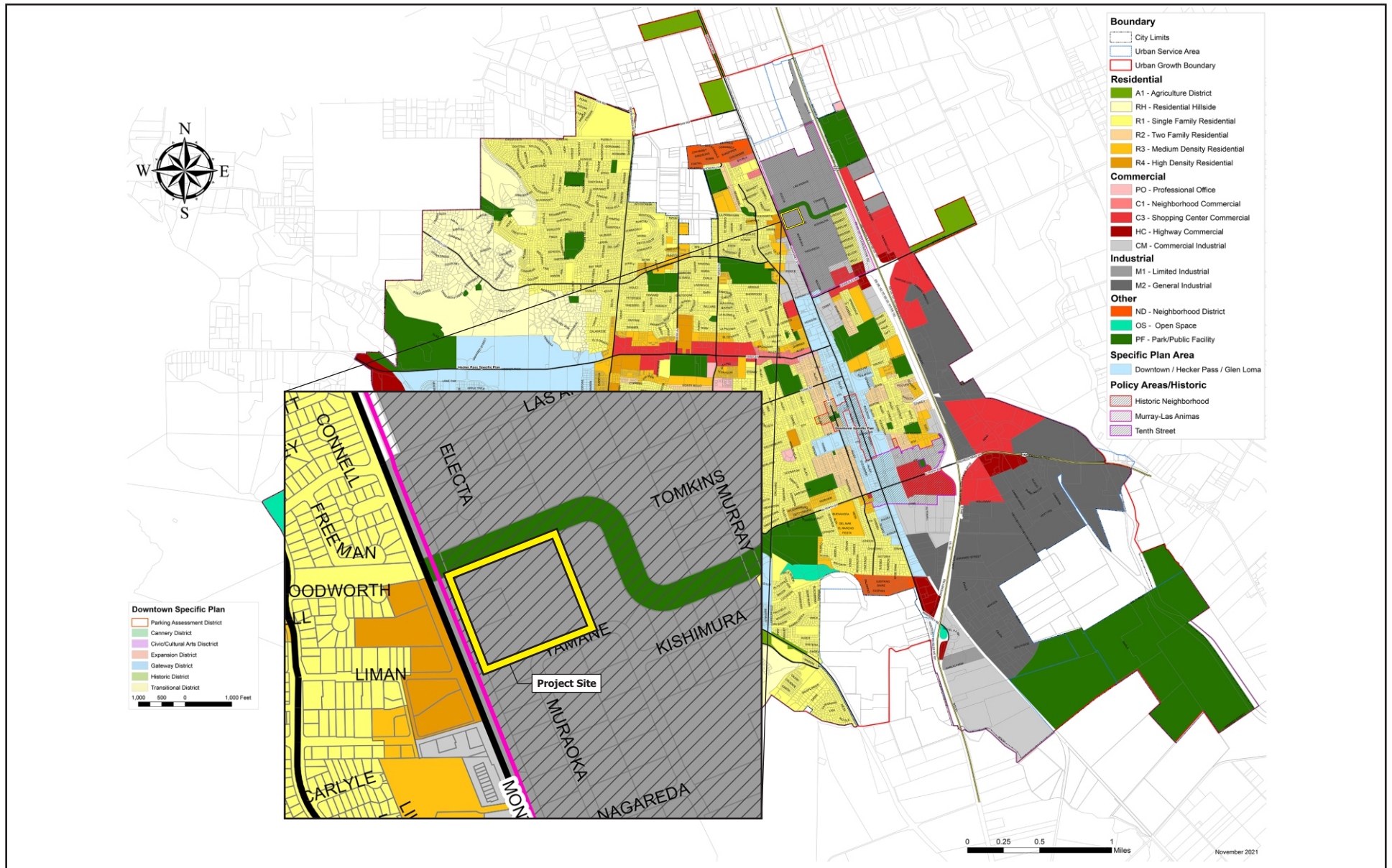


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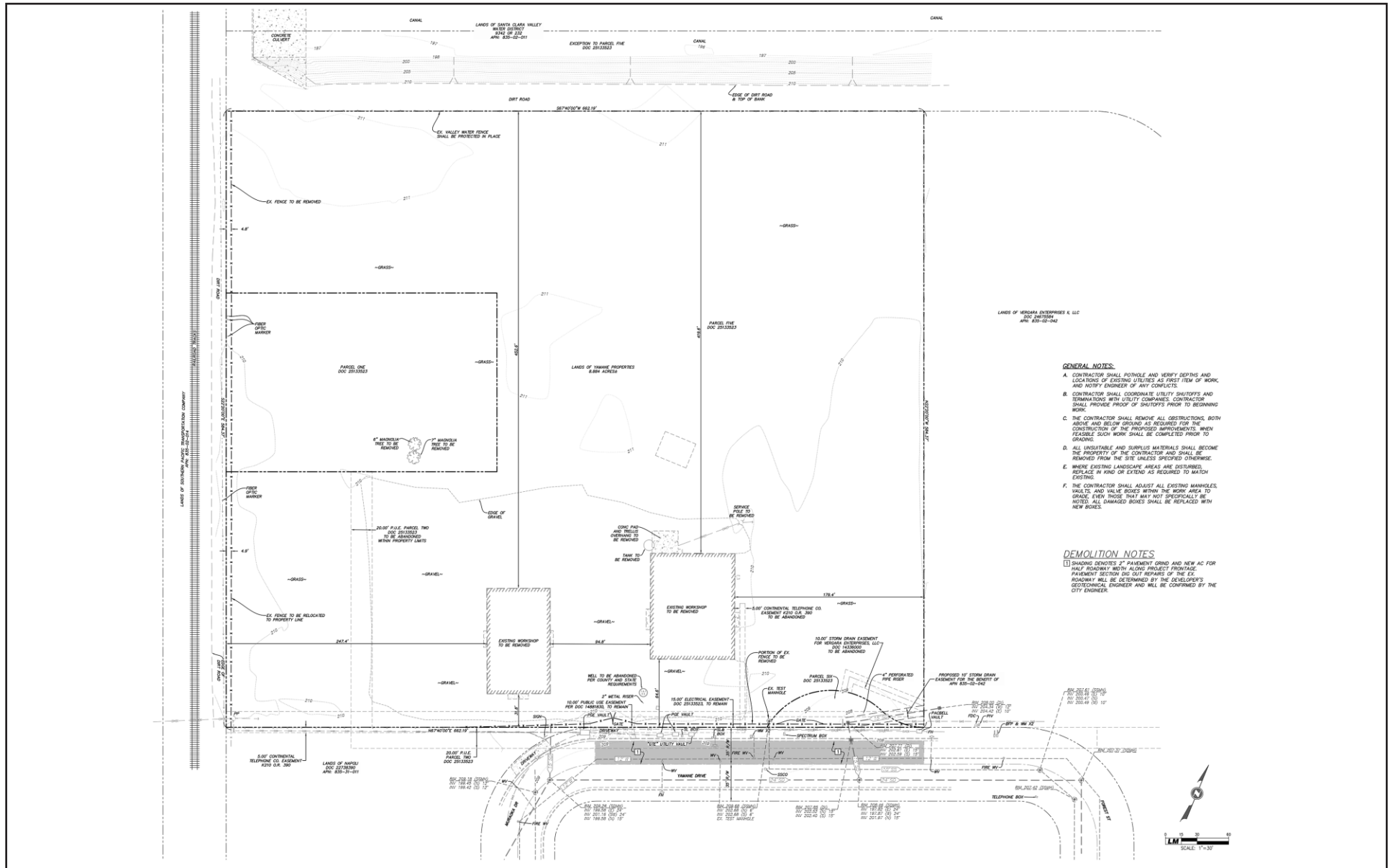
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Source: City of Gilroy, November 2021.

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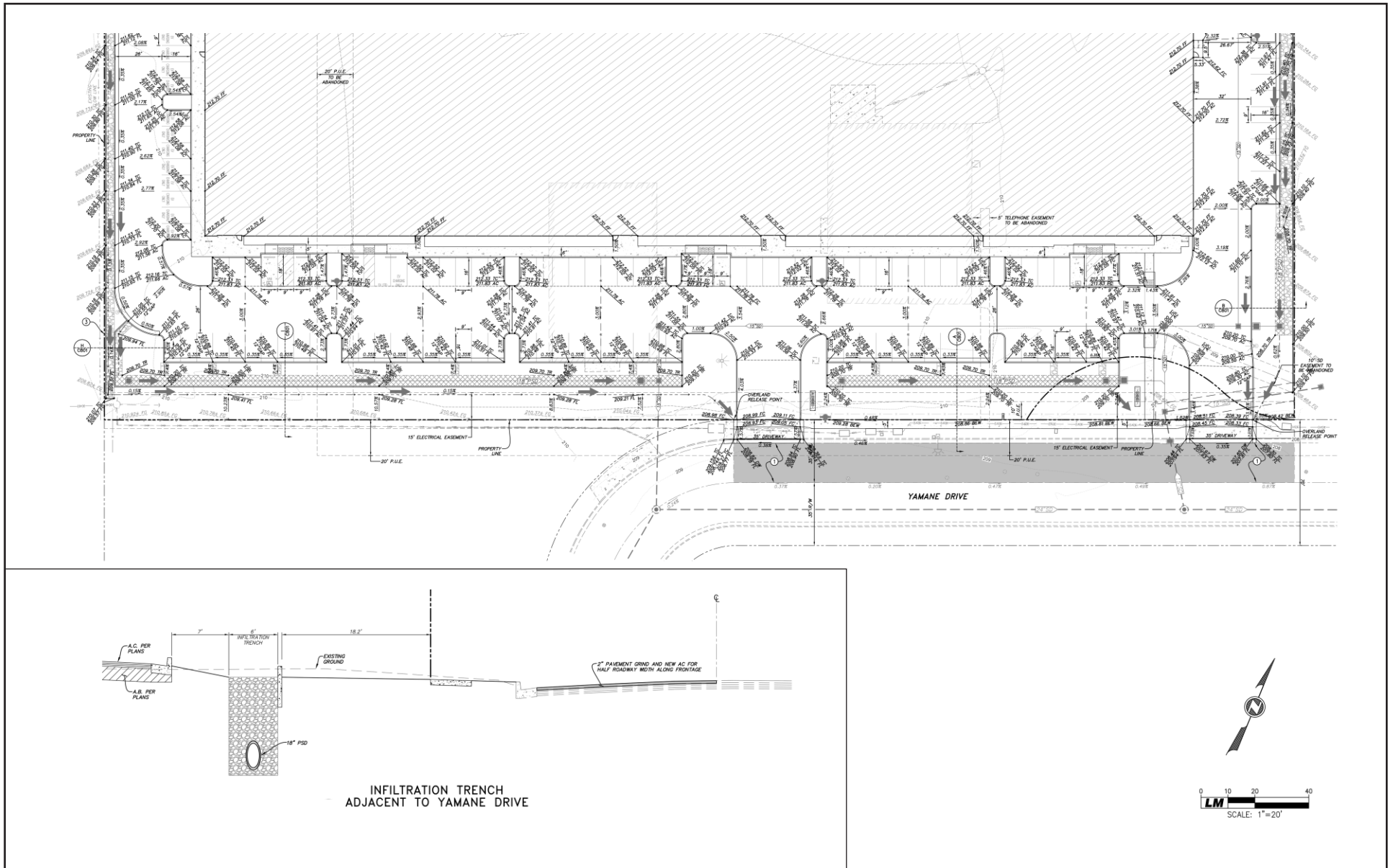


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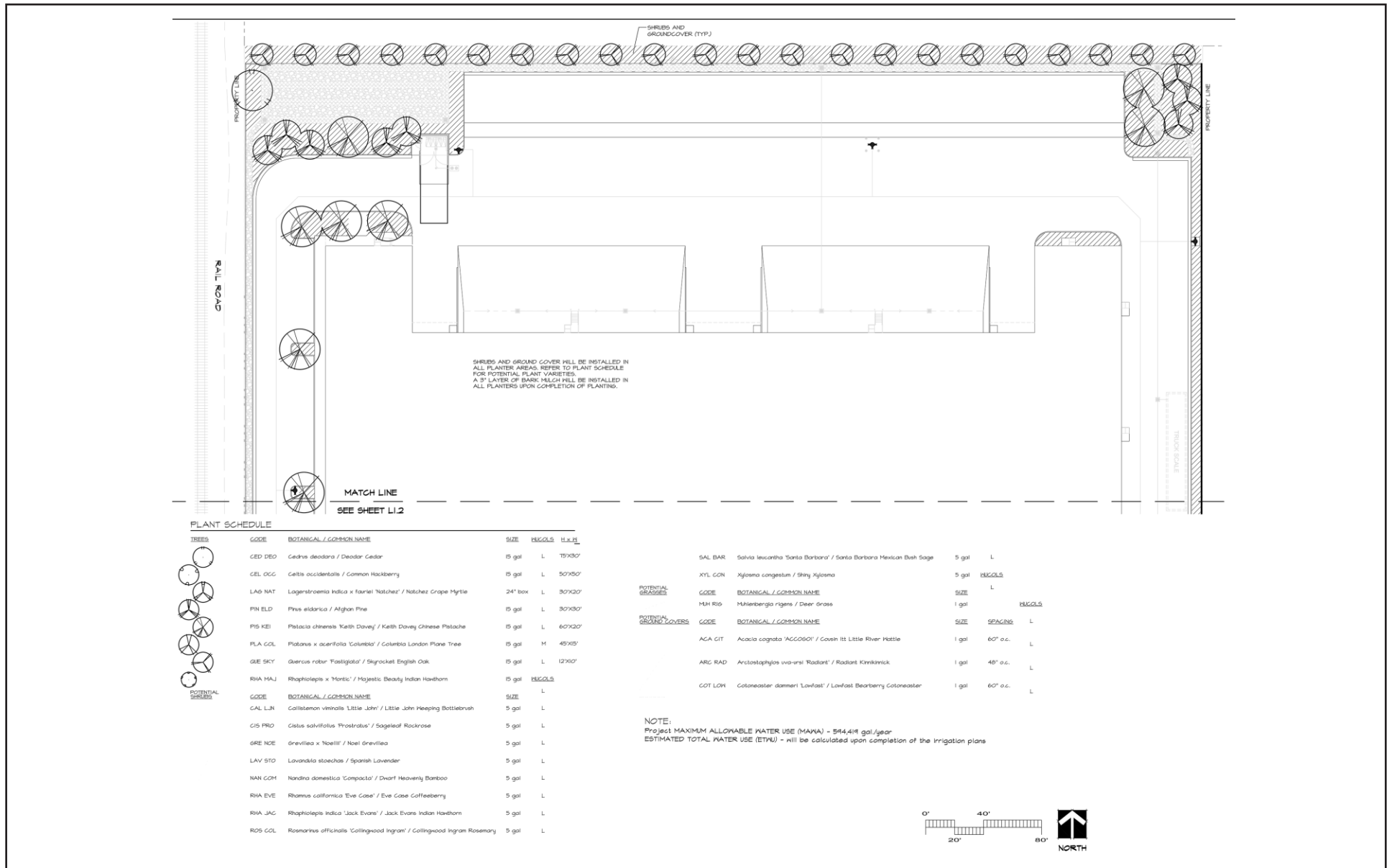
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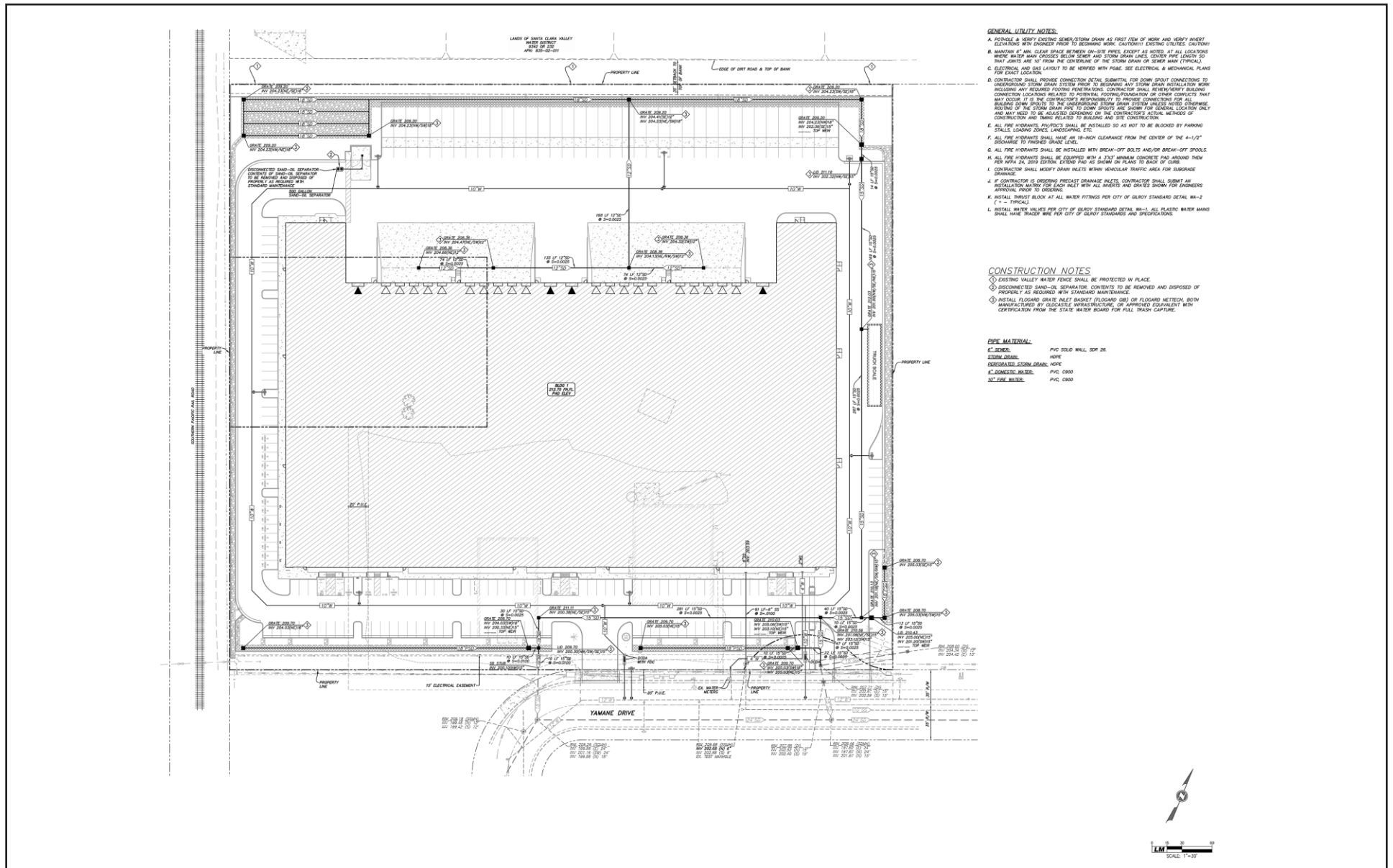
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SECTION 3: CEQA GUIDELINES SECTION 15168: PROJECTS CONSISTENT WITH PRIOR ENVIRONMENTAL DOCUMENTATION

3.1 - CEQA Guidelines Section 15168

Pursuant to CEQA Guidelines Section 15168, later activities that fit within the scope of a program are properly examined in the prior EIR to determine whether an additional environmental document must be prepared. The CEQA Guidelines instruct agencies to use checklists or similar mechanisms to conduct this analysis. An additional environmental document is not required unless the later activity: (1) would have new effects not examined in the prior EIR; or (2) would require new mitigation measures not previously identified in the prior EIR. If both requirements are met, the lead agency may approve the activity as being within the scope of the project covered by the prior EIR, and no additional environmental documentation is required. The lead agency shall incorporate all applicable mitigation measures and alternatives developed in the prior EIR into subsequent actions in the program.

The proposed project fits within the scope of the program analyzed in the Prior General Plan EIR, and therefore does not require additional environmental review. As discussed in Section 3, below, the proposed project would not have any new effects not examined in the Prior General Plan EIR, nor does the proposed project require any new mitigation measures; all applicable mitigation measures and alternatives have been incorporated.

3.2 - Public Resources Code Section 21166 and CEQA Guidelines Section 15162(a)

Public Resources Code Section 21166 and CEQA Guidelines Section 15162(a) direct that once an EIR has been certified, no subsequent EIR shall be prepared unless the lead agency determines, based on substantial evidence, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - a) The project will have one or more significant effects not discussed in the previous EIR;
 - b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

- c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

As described in Section 5, Environmental Checklist, none of the situations requiring the preparation of subsequent or supplemental environmental documentation are present for the proposed project. In accordance with CEQA, Section 5 of this document analyzes the proposed project with respect to the Prior General Plan EIR and demonstrates that all of the potential environmental impacts associated with the proposed project would be within the envelope of impacts already evaluated in the Prior General Plan EIR. The proposed project does not have any substantial changes that would result in significant environmental effects or result in a substantial increase in the severity of a previously identified impact. As demonstrated by the analysis herein, the proposed project would not result in any new additional significant impacts, nor would it substantially increase the severity of previously anticipated significant impacts. Rather, all of the impacts associated with the proposed project are within the scope of impacts addressed in the Prior General Plan EIR and do not constitute a new or substantially increased significant impact. Based on this determination, the proposed project does not meet the requirements for preparation of a Subsequent or Supplemental EIR pursuant to CEQA Guidelines Section 15162.

SECTION 4: CEQA GUIDELINES SECTION 15183: PROJECTS CONSISTENT WITH A COMMUNITY PLAN OR ZONING

CEQA Guidelines Section 15183 mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.

To evaluate the proposed project's consistency, this analysis will evaluate whether the proposed project is consistent with the zoning density in the General Plan and the General Plan EIR, and if there are any:

- (1) "project-specific significant effects that are peculiar to the project or its site,"
- (2) environmental effects that were "not analyzed as significant effects" in the General Plan EIR;
- (3) "potentially significant off-site impacts or cumulative impacts which were not discussed" in the General Plan EIR; or
- (4) environmental effects that were "previously identified significant effects, which as a result of substantial new information . . . are determined to have a more severe adverse impact than discussed in the previous" General Plan EIR. (CEQA Guidelines § 15183(b)(1)(4)).

A supplemental environmental document need not be prepared for a project solely on the basis of an impact that can be substantially mitigated by the imposition of uniformly applied development policies or standards (CEQA Guidelines § 15181)). An impact is not peculiar if uniformly applied development standards or procedures are imposed with a finding that they will substantially mitigate the applicable environmental impact (CEQA Guidelines § 15183(f)). Such uniformly adopted policies or procedures do not have to be addressed in the prior EIR or included in the community plan or the general plan. (Id.)

In approving a project that is consistent under CEQA Guidelines Section 15183, the lead agency appropriately limits its examination of environmental effects to those listed above.

Proposed Project Qualifies for No Further Environmental Review under CEQA Guidelines Section 15183

CEQA Section 15183 applies to the project since it meets all of the following conditions.

CEQA Guidelines Section 15183(d)(1)(A)(C): The project is consistent with the City of Gilroy General Plan.

There is no community or specific plan applicable to the project site. A project is consistent with established zoning and density if the project is the same or less than the standard contemplated for the involved parcel(s) in the general plan for which an EIR has been certified, and the project complies with the density-related standards contained in that plan. (CEQA Guidelines § 15183(i)(2)). Density standards are expressed in various ways, including based on the number of dwelling units per acre, the number of people in a given area, floor area ratio (FAR), and other measures of building intensity, building height, and size limitations and use restrictions. The proposed project would not amend the existing zoning on-site. Accordingly, the proposed project meets the requirements of this section.

CEQA Guidelines Section 15183(d)(1)(B): The project is consistent with a zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development.

The project site is zoned M-1 and the proposed project is consistent with this zoning. A Minor Deviation would be requested, approved by the zoning administrator, to allow a 14 percent increase in allowable building height (from the allowable 35 feet to 40 feet). Upon approval of the Minor Deviation, the proposed project would be considered consistent with the zoning of the parcel. Accordingly, the proposed project meets the requirements of this section.

CEQA Guidelines Section 15183(d)(2): An EIR was certified by the lead agency for the zoning action, the community plan, or the general plan.

The General Plan was approved pursuant to the General Plan EIR, certified on November 2, 2020. The proposed project is within the scope of and is consistent with the relevant provisions of the adopted General Plan and the certified General Plan EIR. Therefore, for the purposes of this analysis, the General Plan and General Plan EIR establish and evaluate the development density and zoning for the project site.

SECTION 5: ENVIRONMENTAL CHECKLIST

CEQA Guidelines Section 15183(b) states that:

In approving a project meeting the requirements of this section, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

- (1) Are peculiar to the project or the parcel on which the project would be located;
- (2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent;
- (3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action; or
- (4) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

The following pages of this document contain an Environmental Checklist that examines the project's potential environmental effects within the parameters outlined at CEQA Guidelines Section 15183(b). The "Prior FEIR" used for comparison is the Final Program Environmental Impact Report (General Plan EIR) certified by the Gilroy City Council on November 2, 2020, including all impact determinations and significance thresholds utilized therein.

Conditions of Approval (COA) necessary to implement the Gilroy City Code are listed, if applicable, in each topical section. Additionally, in the analysis for each topical area, this document identifies adopted General Plan EIR mitigation measures and General Plan policies applicable to the proposed project and discusses relevant actions to fully implement the General Plan mitigation measures and/or Policies. These COAs would ensure consistency with the General Plan and certified General Plan EIR.

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Environmental Issues	Prior General Plan EIR Determination	CEQA Section 15183(b) Criteria			
		Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.1 Aesthetics					
Except as provided in Public Resources Code Section 21099, would the project:					
a) Have a substantial adverse effect on a scenic vista?	Less than significant impact	No	No	No	No
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State Scenic Highway?	Less than significant impact	No	No	No	No
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Less than significant impact	No	No	No	No
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than significant impact	No	No	No	No

a) Scenic Vista

Would the project: *Have a substantial adverse effect on a scenic vista?*

Conclusions of the General Plan EIR

The General Plan EIR found that the City contained valuable scenic vistas in the wide, tree-lined streets in the older neighborhoods; the riparian corridors of Llagas Creek and Uvas Creek as they flow southward into the Pajaro River; agricultural lands to the north, south and east; and Gilroy's hillside backdrop. Specifically identified vistas include the panoramic views afforded of hillsides and open space along State Route (SR) 152 west of Santa Teresa Boulevard, and the "tapestry" of agricultural lands interwoven by riparian areas, accompanied by the hillside backdrop to the east and west that frame the City and the primary southern gateway to Santa Clara County. The General Plan EIR found that these vistas would be most prevalent from area roadways outside of the Urban Growth Boundary (UGB), including US-101 and SR-152 east of the UGB. The General Plan EIR determined that scenic vistas in the City could be significantly altered by the buildout of the General Plan, which could alter and block existing aesthetic views. In addition, the extension of overhead utilities could visually impair scenic vistas.

However, the General Plan EIR found that existing and new land use designations provided in the General Plan would not substantially alter the development density or visual character of scenic hillsides. The General Plan EIR noted that development within the City would be subject to applicable zoning requirements and Architectural and Site Review. The General Plan EIR recognized that buildout of industrial and agricultural uses would be encouraged in existing industrial areas to the north and south of the City, so as not to significantly alter scenic views with industrial uses across the City. Furthermore, buildout of the General Plan would be subject to various policies in the General Plan, regulations and standards in the City Ordinance, and the City's Agricultural Mitigation Policy, which requires a 150-foot buffer adjacent to areas with a County agriculture designation. Considering compliance with these policies and regulations, the General Plan EIR found that buildout consistent with the General Plan would have a less than significant impact to scenic vistas.

Yamane Warehouse Project Analysis and Conclusion

The proposed project would be located within city limits with an IP land use designation and M1 Limited Industrial zoning designation. The project site is surrounded by other industrial uses to the north, east, and south, and high-density residential to the west, across Monterey Highway. As such, land uses adjacent to the project site are of similar character to the project site.

The proposed project would be constructed in an area recognized by the General Plan EIR as having prior industrial uses; the General Plan EIR notes that industrial buildout of the General Plan is encouraged in these industrial areas so as not to alter or block existing aesthetic views throughout the City. In addition, the proposed project would comply with design standards established for the M1 zoning designation, including a maximum building coverage standard of 60 percent. The proposed project would consist of a maximum building coverage of 42.23 percent. However, the proposed project would construct a 40-foot-tall building, exceeding the M1 zoning maximum building height limit of 35 feet. However, to allow for flexibility in design, the City has a Minor Deviation process that allows for slight increases to the height limit. To ensure consistency with the General Plan, the proposed project would submit a Minor Deviation application consistent with the City's approval process. Additionally, the proposed project would comply with the Architectural and Site Review process. The proposed project would be required to comply with the policies in the General Plan, regulations and standards in the City Ordinance, and the City's Agricultural Mitigation Policy, which requires a 150-foot buffer adjacent to any areas with a City or County agricultural, agricultural preserve, or greenbelt area designation in and surrounding the UGB.⁷ Considering compliance with these policies and regulations, the proposed project would be consistent with the General Plan. Therefore, with approval of a Minor Deviation application, the proposed project would ensure that the development of the site is compatible and consistent with the objectives and policies of the General Plan. Accordingly, the proposed project would not introduce new environmental impacts or create more severe impacts than those analyzed in the General Plan EIR. No additional analysis is required.

⁷ City of Gilroy. 2004. Agricultural Mitigation Policy. May 3.

b) State Scenic Highways

Would the project: *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State Scenic Highway?*

Conclusions of the General Plan EIR

The General Plan EIR did not identify any eligible or officially designated State Scenic Highways in the City. As such, there would be no potential for scenic resources in the City to be within view of a State Scenic Highway. The nearest eligible or officially designated State Scenic Highway is SR-152, also called Hecker Pass Highway, approximately 8 miles southwest of the project site. Therefore, no impacts were identified.

While this threshold question only requires that potential impacts to scenic resources related to state scenic highways be addressed, the City also included a discussion of scenic resources viewed from local highways in the General Plan EIR evaluation. The General Plan EIR identified US-101, Hecker Pass Highway, and Santa Teresa Boulevard as significant local scenic corridors. The General Plan EIR found that significant impacts to scenic resources in these corridors could occur if buildout of the General Plan significantly altered the visual character of the corridors as viewed from the highways; however, the General Plan EIR concluded that General Plan Goals and Policies would minimize potential impacts to these scenic resources to a less than significant level.

Yamane Warehouse Project Analysis and Conclusion

The nearest eligible or officially designated State Scenic Highway is a portion of SR-152, located approximately 8 miles southwest of the project site, and is not visible because of distance intervening topography and development.⁸ As such, the effects of the proposed project were analyzed and anticipated by the General Plan EIR. The proposed project would not introduce new or off-site cumulative impacts or create more severe impacts related to scenic resources within a State Scenic Highway. No additional analysis is required.

The nearest “locally designated” scenic highway is US-101, located 0.32 miles northeast of the project site. While US-101 is close to the project site, intervening development and vegetation obscures the project site from view of travelers on US-101.

The proposed project would be required to comply with applicable General Plan Goals and Policies, M1 zoning standards, and the Architectural and Site Review process. As a result, the proposed project would not introduce new environmental impacts or create more severe impacts than those analyzed in the General Plan EIR. No additional analysis is required.

⁸ California Department of Transportation (Caltrans). 2023. Scenic Highways. Website: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed May 15, 2023.

c) Visual Character

Would the project: *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

Conclusions of the General Plan EIR

The General Plan EIR found that buildout of the General Plan would convert undeveloped natural and scenic, agricultural and hillside areas within the UGB, including land within the Hecker Pass Specific Plan area, to urban uses. The General Plan EIR also found that buildout of the General Plan could affect the visual character of the City's community gateways, which are identified as north and south Monterey Street, Hecker Pass Highway, Pacheco Pass Highway, north and south Santa Teresa Boulevard, and at US-101 interchanges at Masten, Buena Vista, Leavesley, and Tenth.

However, the General Plan EIR determined that compliance with applicable zoning district design standards, General Plan Goals and Policies, Hecker Pass Specific Plan design guidelines and standards, the Gilroy City Code provisions, the development Architectural and Site Review process, the Gilroy Tree Protection Ordinance, and the Gilroy Sound Attenuation Policy, would reduce potential impacts relating to visual character in aesthetically valuable areas to a less than significant level.

Yamane Warehouse Project Analysis and Conclusion

As described above, the proposed project would be surrounded by other industrial uses to the north, east, and south, and high-density residential to the west, across Monterey Highway. The heights of these uses range from approximately 20 feet to approximately 35 feet.

The proposed project would result in the development of a warehouse with similar uses and visual character to surrounding industrial operations to the north, east, and south. In addition, the proposed project would comply with all applicable General Plan Goals and Policies, M1 zoning design standards and Gilroy City Code Ordinances. Furthermore, the proposed project would undergo Architectural and Site Review by the City.

The project application does include a request for a Minor Deviation to allow the 35-foot height limit to be exceeded by 5 feet. The project site is in an urbanized area surrounded by land uses with heights ranging from approximately 20 feet to approximately 35 feet, and as such, the Minor Deviation application would slightly exceed surrounding development heights. However, surrounding landscaping and trees often exceed the height of observed development. Thus, the proposed project's height would not break the surrounding skyline and would match the visual characteristics of the surrounding area. As a result, the proposed project would not introduce new environmental impacts or create more severe impacts than those analyzed in the General Plan EIR. No additional analysis is required.

d) Light or Glare

Would the project: Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Conclusions of the General Plan EIR

The General Plan EIR found that buildout of the General Plan would result in new sources of light and glare. Potential new sources of light included sports fields, street and parking lot lamps, recreational parks and other gathering places, and other exterior lighting. Potential new sources of glare include reflective surfaces such as glass in building windows and automobile windshields. However, the General Plan EIR found that Gilroy City Code Section 30.50.44(c) prohibits light that extends beyond property lines and into the public right-of-way. Furthermore, light sources and fixtures proposed by new development would be reviewed by the City as part of the Architectural and Site Review process. Relevant General Plan Goals and Policies, such as Policy NCR 1.10, would help further reduce the impacts of light and glare on day and nighttime views. The combination of applicable General Plan Goals and Policies, applicable Gilroy City Code provisions, and the Architectural and Site Review process would ensure that light and glare impacts from the buildout of the General Plan would be less than significant.

Yamane Warehouse Project Analysis and Conclusion

The project site currently contains two vacant industrial buildings. These existing structures do not currently produce any light, though some glare may be generated from any reflective surfaces. The proposed project would result in the demolition of these structures and the construction of a new warehouse building that would generate new sources of light and glare from windows, interior lighting, pedestrian and street lighting, exterior security and safety lighting, and from vehicle headlights circulating the project site. New sources of glare could also be generated by the proposed project via reflective surfaces such as glass in building windows and vehicle windshields.

The proposed project would be required to install lighting fixtures and sources that would be compliant with Gilroy City Code Section 30.50.44(c). Furthermore, the proposed project would be required to comply with applicable General Plan Goals and Policies such as Policy LU 8.12 and PFS 8.10 require efficient exterior lighting fixtures that maximize energy efficiency while providing effective lighting. PFS 8.10 further requires compatibility with the neighborhood context. Policies NCR 3.1 and 3.12 are primarily intended to promote energy conservation in existing public and private buildings; however, the accompanying implementing programs also address the replacement of older lighting technologies in parking lots and public spaces, which would also reduce the intensity of lighting effects in these areas. In addition, the proposed project would also undergo City's review as part of the Architectural and Site Review process. As such, the proposed project would not introduce new environmental impacts or create more severe impacts than those analyzed in the General Plan EIR. No additional analysis is required.

General Plan EIR Mitigation Measures Applicable to the Proposed Project

None.

Conclusion

The conclusions from the certified General Plan EIR remain unchanged when considering the implementation of the proposed project.

The proposed project is consistent with the development evaluated in the General Plan and the analysis in the General Plan EIR and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively related to aesthetics.

Environmental Issues	Prior General Plan EIR Determination	CEQA Section 15183(b) Criteria			
		Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.2 Agriculture and Forest Resources <i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</i>					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	Significant and unavoidable impact	No	No	No	No
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	No impact	No	No	No	No
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	No impact	No	No	No	No
d) Result in the loss of forest land or conversion of forest land to non-forest use?	No impact	No	No	No	No
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?	Less than significant impact	No	No	No	No

a) Conversion of Important Farmland

Would the project: *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?*

Conclusions of the General Plan EIR

The General Plan EIR concluded that buildout of the General Plan could result in the conversion of up to 1,119 acres of Important Farmland. The General Plan would contain goals and policies that would help conserve and retain agricultural areas and practices including Policy Land Use (LU) 6.7, Agricultural Mitigation, which would provide some relief to the predicted loss of agricultural farmland within the City. However, despite the implementation of General Plan Goals and Policies that include the purchase of replacement agricultural lands or permanent conservation easement requirements, the General Plan EIR concluded that implementation of the General Plan would result in a significant and unavoidable impact.

Yamane Warehouse Project Analysis and Conclusion

The project site is located on land designated by the General Plan as IP, and is zoned as M1, Limited Industrial, which does not permit agricultural uses. In addition, the California Department of Conservation (DOC) Important Farmland Finder designated the southern and eastern portions of the project site as Urban and Built-Up Land, and the northern and western portions of the project site as Other Land.⁹ Thus, the project site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The proposed project would therefore not convert any farmland to nonagricultural use. Therefore, the effects of the proposed project were anticipated in the General Plan EIR and there are no project-specific effects that were not analyzed in the General Plan EIR. The proposed project would not introduce new or off-site cumulative impacts or create more severe impacts related to agriculture and forest resources than those analyzed in the General Plan EIR. No additional analysis is required.

b) Agricultural Zoning and Williamson Act Contracts

Would the project: *Conflict with existing zoning for agricultural use, or a Williamson Act Contract?*

Conclusions of the General Plan EIR

The General Plan EIR found that there were no parcels within the City's UGB that are under a Williamson Act Contract. Therefore, the General Plan EIR concluded that no impacts would occur to land under a Williamson Contract.

Yamane Warehouse Project Analysis and Conclusion

The project site is zoned as IP, which does not permit agricultural uses. Furthermore, there are no existing agricultural uses on the project site. As such, the proposed project would not conflict with existing zoning for agricultural use. The project site is also not located currently under a Williamson

⁹ California Department of Conservation (DOC). 2022. California Important Farmland Finder. Website: <https://maps.conservation.ca.gov/dlrp/ciff/>. Accessed May 22, 2023.

Act Contract.¹⁰ Therefore, the effects of the proposed project were anticipated in the General Plan EIR and there are no project-specific effects that were not analyzed in the General Plan EIR. The proposed project would not introduce new or off-site cumulative impacts or create more severe impacts related to agriculture and forest resources than those analyzed in the General Plan EIR. No additional analysis is required.

c) Forest Zoning

Would the project: *Conflict with existing zoning for forest land or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*

Conclusions of the General Plan EIR

The General Plan EIR did not identify impacts related to forest resources, including forest land, timberland, and its conversion to non-forest use.

Yamane Warehouse Project Analysis and Conclusion

The project site is currently occupied by two vacant, unpermitted industrial structures, and is covered in grass with shrubs. As such, the project site does not contain forest land or timberland. Additionally, the project site is zoned as M1, which does not support forestry and timberland production, or other forest uses. The proposed project would not introduce new or off-site cumulative impacts or create more severe impacts related to timberland and forest resources than those analyzed in the General Plan EIR. No additional analysis is required.

d) Conversion of Forest Land

Would the project: *Result in the loss of forest land or conversion of forest land to non-forest use?*

Conclusions of the General Plan EIR

The General Plan EIR did not identify impacts related to forest resources, including forest land, timberland, and its conversion to non-forest use.

Yamane Warehouse Project Analysis and Conclusion

As discussed above, the project site does not contain forest land or timberland, and is zoned as M1, which does not support forestry and timberland production, or other forest uses. The proposed project would not introduce new or off-site cumulative impacts or create more severe impacts related to timberland and forest resources than those analyzed in the General Plan EIR. No additional analysis is required.

e) Pressures to Convert Farmland or Forest Land

Would the project: *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?*

¹⁰ County of Santa Clara. 2023. Williamson Act and Open Space Easement. Website: <https://plandev.sccgov.org/policies-programs/williamson-act-and-open-space-easement>. Accessed May 22, 2023.

Conclusions of the General Plan EIR

The General Plan EIR determined that implementation of the General Plan would lead to temporary conflicts with County-designated agricultural zones within the UGB. These zones could be converted to nonagricultural land uses. However, the General Plan EIR found that conflicts with existing agricultural County zoning designations would be resolved through the Urban Service Area amendment, annexation, and pre-zoning process that project applicants would be required to undertake through the City and LAFCo. In addition, buildout of the General Plan would comply with the City's Agricultural Mitigation Policy, which requires a 150-foot buffer adjacent to areas with a Santa Clara County agriculture designation adjacent to the UGB. Given that buildout of the General plan would comply with General Plan Goals and Policies, and the Agricultural Mitigation Policy, impacts regarding the conversion of Farmland and forest land would be less than significant.

Yamane Warehouse Project Analysis and Conclusion

As discussed above, the project site is designated by the General Plan as IP and is surrounded to the south and east by similar uses, thus forming part of the City's dedicated northern industrial area. The northern IP area was identified by the General Plan and General Plan EIR as an area of future expected growth for industrial uses. Therefore, the proposed project would not result in changes in the existing environment that would convert farmland or forest land to nonagricultural or forestry uses. The effects of the proposed project were anticipated in the General Plan EIR and there are no project-specific effects that were not analyzed in the General Plan EIR. The proposed project would not introduce new or off-site cumulative impacts or create more severe impacts related to agriculture and forest resources than those analyzed in the General Plan EIR. No additional analysis is required.

General Plan EIR Mitigation Measures Applicable to the Proposed Project

None.

Conclusion

The conclusions from the certified General Plan EIR remain unchanged when considering the implementation of the proposed project.

The proposed project is consistent with the development evaluated in the General Plan and the analysis in the General Plan EIR and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively related to agriculture and forest resources.

Environmental Issues	Prior General Plan EIR Determination	CEQA Section 15183(b) Criteria			
		Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.3 Air Quality <i>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.</i> <i>Would the project:</i>					
a) Conflict with or obstruct implementation of the applicable air quality plan?	Less than significant impact with mitigation incorporated	No	No	No	No
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?	Significant and unavoidable	No	No	No	No
c) Expose sensitive receptors to substantial pollutant concentrations?	Less than significant with mitigation incorporated	No	No	No	No
d) Result in other emissions (such as those leading to odors or) adversely affecting a substantial number of people?	Less than significant	No	No	No	No

a) Air Quality Plan Conflict

Would the project: *Conflict with or obstruct implementation of the applicable air quality plan?*

Conclusions of the General Plan EIR

General Plan EIR determined that the General Plan would be consistent with the Bay Area Air Quality District's (BAAQMD) 2017 Clean Air Plan if it met three criteria:

1. Support the primary goals of the 2017 Clean Air Plan;
2. Include applicable 2017 Clean Air Plan control measures; and
3. Not disrupt or hinder the implementation of any 2017 Clean Air Plan control measures.

The General Plan EIR found that various policies under General Plan Land Use Element Goals LU 1, LU 3, LU 4, LU 5, LU 7, LU 8, and LU 9, Mobility Element Goals M 1, M 2, M 3, M 4, M 5, and M 7, Public Facilities Element Goals PFS 2, PFS 7, and PFS 8, Natural and Cultural Resources Element Goal NCR 3, and under the Economic Prosperity Element support various aspects of the 2017 Clean Air Plan.

Given the policies stated under the aforementioned General Plan Elements and Goals, the General Plan EIR determined that buildout of the General Plan would support the 2017 Clean Air Plan's primary goals. Under Table 3.13-7 of the General Plan EIR, applicable 2017 Clean Air Plan control measures were correlated to equivalent General Plan policies to demonstrate the General Plan's consistency with the second criteria for consistency with the 2017 Clean Air Plan. Finally, the General Plan found that buildout of the General Plan and implementation of General Plan Goals and Policies would not interfere with the 2017 Clean Air Plan, with the exception of the 2017 Clean Air Plan's implementation measure TR22: Construction, Freight and Farming Equipment, which has no equivalent policy in the General Plan. As such, the General Plan EIR implemented Mitigation Measure (MM) AQ-1 to require the use of low emissions construction equipment, shown below.

MM AQ-1 Add the following new policy to the Gilroy 2040 General Plan Natural and Cultural Resources element:

Reduce Construction Emissions

Require the use of low emissions construction equipment for public and private projects, consistent with the air district 2017 Clean Air Plan. Where construction-related emissions would exceed the applicable Thresholds of Significance, the City of Gilroy will consider, on a case-by-case basis, implementing Additional Construction Mitigation Measures (Table 8-3 in BAAQMD's CEQA Guidelines)

Furthermore, the General Plan EIR also found that implementation of the General Plan would result in particulate matter emissions during construction, thereby contributing to the exceedance of particulate standards. Thus, implementation of the General Plan was found to be inconsistent with the BAAQMD's 2012 Particulate Matter Plan. As a result, the General Plan EIR implemented MM AQ-2, dust control measures, that would reduce the impact of the General Plan on consistency with the 2012 Particulate Matter Plan to a less than significant level, shown below.

MM AQ-2 Add the following new policy to the Gilroy 2040 General Plan Natural and Cultural Resources element:

Implement Dust-Control Measures

Require the implementation of the air district's dust control measures during construction of individual projects, consistent with the air district 2017 Clean Air Plan.

With implementation of MM AQ-1 and MM AQ-2, the General Plan EIR concluded that implementation of the General Plan would not significantly conflict with or obstruct the 2017 Clean Air Plan or the 2012 Particulate Matter Plan. As such, the General Plan EIR determined that the General Plan would have a less than significant impact on air quality plans with mitigation incorporated.

Yamane Warehouse Project Analysis and Conclusion

The analysis below is based, in part, on the Air Quality, Greenhouse Gas Emissions, and Energy Analysis Report prepared for the proposed project, which is attached as Appendix A.

The proposed project would build an approximately 163,400-square-foot large-scale warehouse/distribution building on an 8.88-acre project site. The project site is designated Industrial Park (IP) by the Gilroy 2040 General Plan. As the proposed project would not result in population growth, and the proposed project is consistent with the underlying general plan land use designation and would not have the potential to substantially affect housing, employment, and population projections in the region that are the basis of the 2017 Clean Air Plan projections.

The 2017 Clean Air Plan requires reduction in emissions for a wide range of stationary and mobile sources and the proposed project's consistency analysis with these control measures. As shown in Table 11 in the Air Quality, Greenhouse Gases, and Energy Analysis Report, the proposed project would not conflict with the control measures of the 2017 Clean Air Plan, and the proposed project's Conditions of Approval (COA AQ-1) would implement MM AQ-2 from General Plan EIR, dust control measures. Therefore, the effects of the proposed project were anticipated in the General Plan EIR and there are no project-specific effects that were not analyzed in the General Plan EIR. The proposed project would not introduce new or off-site cumulative impacts or create more severe impacts related to air quality than those analyzed in the General Plan EIR. No additional analysis is required.

b) Air Quality Standard, Criteria Pollutants

Would the project: *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?*

Conclusions of the General Plan EIR

This impact is related to the cumulative effect of a project's regional criteria pollutant emissions. By its nature, air pollution is largely a cumulative impact resulting from emissions generated over a large geographic region (i.e., the air basin). The nonattainment status of regional pollutants is a result of past and present development within the Air Basin, and this regional impact is a cumulative impact. Therefore, new development projects (such as the proposed project) within the Air Basin would contribute to this impact only on a cumulative basis. No single project would be sufficient in size, by itself, to result in nonattainment of regional air quality standards. Instead, a project's emissions may be individually limited, but cumulatively considerable when evaluated in combination with past, present, and future development projects.

The buildout of the General Plan could be significant according to BAAQMD methods if the General Plan would result an increase in projected Vehicle Miles Traveled (VMT) or vehicle trips (either measure could be used) that was more than the projected population increase. Using VMT, the General Plan EIR found that citywide daily VMT would increase by 69.8 percent by 2040, while the projected population of the City would increase by 37.2 percent. While there are various goals and policies in the General Plan Land Use Element and Mobility Element that would aim to reduce citywide daily VMT, the General Plan could not assuredly conclude that these policies would reduce citywide daily VMT from 69.8 percent to the required 37.2 percent. Thus, the EIR found an increase in Operational Criteria Air Pollutant Emissions Resulting from an Increase in Vehicle Miles Traveled that would degrade air quality resulting in both project level and cumulative impacts. As such,

impacts from criteria pollutants from the VMT impacts of the buildout of the General Plan would be significant and unavoidable.

Yamane Warehouse Project Analysis and Conclusion

This impact is related to the cumulative effect of a proposed project's regional criteria pollutant emissions. The determination of cumulative air quality impacts for construction and operational emissions is based on whether the proposed project would result in regional emissions that exceed the BAAQMD regional thresholds of significance for construction and operations on a project level. Projects that generate emissions below the BAAQMD significance thresholds would be considered consistent with regional air quality planning efforts and would not generate cumulatively considerable emissions. Pollutants of concern include reactive organic gas (ROG), nitrogen oxide (NO_x), particulate matter less than 10 microns in diameter (PM₁₀), and particulate matter less than 2.5 microns in diameter (PM_{2.5}).

The proposed project's regional construction and operational emissions, which include both on- and off-site emissions, are evaluated separately below. Construction and operational emissions from the proposed project were estimated using the California Emissions Estimator Model (CalEEMod) Version 2022.1. A detailed description of the assumptions used to estimate emissions and the complete CalEEMod output files are included in Appendix A.

Based on applicant-provided information, project construction would be completed in a single phase. To estimate emissions, construction was modeled beginning in fourth quarter 2023 and construction would last 10 months. The construction includes frontage improvement, demolition of two on-site structures, site preparation, building construction, architectural coating, and paving. During construction, exhaust emissions would be generated from the operation of the off-road construction equipment and on-road construction vehicles. Additionally, fugitive dust would be generated from site grading and other earthmoving activities.

Model results can be found in Table 12, Appendix A, and it is found that the construction emissions of the proposed project would not exceed any of the BAAQMD's significance threshold. Additionally, the proposed project's Conditions of Approval (COA AQ-1) would implement General Plan EIR MM AQ-2, dust control plan, as well as limit equipment idling. Therefore, the proposed project would have a less than significant impact related to air quality during project construction.

The project is expected to start operation immediately after the construction. Operational emissions would include area, energy, and mobile sources. Area sources would include emissions from architectural coatings, consumer products, and landscape equipment. Energy sources include emissions from the combustion of natural gas for water heaters and other heat sources. Mobile sources include exhaust and road dust emissions from the automobiles that would travel to and from the project site. Proposed project is expected to generate an estimated 578 trips per day at full buildout, including 82 truck trips and 496 passenger vehicle trips.¹¹

¹¹ Hexagon Transportation Consultant. 2023. Yamane Drive Industrial Warehouse Traffic Analysis. May.

Modeling results can be found in Table 13, Appendix A, and it is found that the operational emissions of the proposed project would not exceed any of the BAAQMD's significance threshold. Therefore, the proposed project would not result in a considerable net increase of any criteria pollutant for which the project region is nonattainment during operation or construction.

Operational modeling results can be found in Table 13, Appendix A, and it is found that the operation of the proposed project would not exceed any of the BAAQMD's significance threshold. Therefore, the proposed project would not result in a considerable net increase of any criteria pollutant for which the project region is nonattainment during operation or construction.

Therefore, the effects of the proposed project were anticipated in the General Plan EIR and there are no project-specific effects that were not analyzed in the General Plan EIR. The proposed project would not introduce new or off-site cumulative impacts or create more severe impacts related to air quality than those analyzed in the General Plan EIR. No additional analysis is required.

c) Sensitive Receptors

Would the project: *Expose sensitive receptors to substantial pollutant concentrations?*

Conclusions of the General Plan EIR

The General Plan EIR identified various sources of toxic air contaminant sources, including generators, gasoline stations, other uses shown in Table 3.3-4 of the General Plan EIR, agricultural activities by new development on the UGB, and traffic on US-101. Furthermore, new development in proximity to US-101 could result in exposure to toxic air contaminants in the exhaust of vehicles on the freeway. The General Plan EIR concluded that exposure to agricultural sources of pollutant concentrations would be reduced to a less than significant level by existing requirements for buffers along the UGB. Furthermore, the General Plan EIR found that most existing air pollutant sources are located in existing industrial areas of the City or are far enough removed from sensitive receptors. Furthermore, the General Plan EIR found that development of new point sources of air pollution would mostly occur in designated Industrial and Heavy Industrial areas, well-removed from potential or existing sensitive receptors. However, some of the General Plan's buildout of new sensitive receptors was found by the General Plan EIR to potentially create significant impacts within 500 feet of US-101. The General Plan EIR determined that an overlay within 500 feet of US-101 was not needed to protect new sensitive receptors from US-101 traffic-related toxic contaminants, but implemented MM AQ-3, MM AQ-4, and MM AQ-5 to reduce impacts in this area to a less than significant level, included below:

MM AQ-3 Add the following new policy to the Gilroy 2040 General Plan Natural and Cultural Resources element:

Sensitive Receptors within 500 feet of US-101

Require modeling of toxic air contaminants prior to approval of new residential development within 500 feet of US-101.

MM AQ-4 Add the following new policy to the Gilroy 2040 General Plan Natural and Cultural Resources element:

Sensitive Receptors within 500 feet of Existing Point Sources or Existing Heavy Industrial Designated Areas.

Require modeling of toxic air contaminants prior to approval of new residential development within the Downtown Specific Plan within 500 feet of existing point sources with screening factors in excess of thresholds, or within 500 feet of areas designated Heavy Industrial.

MM AQ-5 Add the following new policy to the Gilroy 2040 General Plan Natural and Cultural Resources element:

New Industrial Uses within 500 feet of Sensitive Receptors

Require modeling of toxic air contaminants prior to approval of new industrial development within 500 feet of residential uses, Neighborhood District designations, or the Downtown Specific Plan.

The General Plan EIR concluded that with the implementation of General Plan Goals and Policies applicable to air pollutants and implementation of MM AQ-2, MM AQ-3, MM AQ-4, and MM AQ-5, impacts to pollutant concentrations near sensitive receptors from new development under the General Plan would be reduced to a less than significant level.

Yamane Warehouse Project Analysis and Conclusion

The proposed project could expose sensitive receptors to elevated pollutant concentrations if it causes or contributes significantly to elevated pollutant concentration levels. The closest sensitive receptors include a preschool approximately 220 feet west of the project site, and a single-family home neighborhood 400 feet west of the project site.

The project itself does not site sensitive receptors or involve residential development, so the General Plan EIR MM AQ-3 and MM AQ-4 do not apply to the proposed project.

With regard to General Plan EIR, MM AQ-5 above, modeling of toxic air contaminants is required prior to approval of new industrial development within 500 feet of residential uses. Industrial projects have the potential to emit toxic air contaminants during both construction and operational activities and the health risk potential was evaluated for both.

Since the project is within 500 feet of sensitive residential receptors and off-road construction equipment is a known source of diesel exhaust, a toxic air contaminant (TAC), a construction Health Risk Assessments (HRAs) was prepared for the proposed project. The exhaust PM₁₀ is modeled as the diesel particulate matter (DPM) in the construction HRA, which shows that the health risk at Maximally Impacted Sensitive Receptor (MIR) would be less than the BAAQMD excess cancer risk threshold of 10 risks per million. The detailed assumptions, methodology, and model outputs are included in Appendix A.

For project operation, potential TAC emissions would be from the exhaust of the trucks entering, exiting, and idling on the site. Diesel exhaust particulate emissions from on-road heavy duty trucks are substantially less than those from off-road construction equipment and are dispersed over a larger linear roadway path. Projects with the potential for health risk from DPM are those with high amounts of truck traffic, or sites where trucks with Transport Refrigeration Units (TRUs) (small diesel engines used to run refrigeration devices on trucks) idle for a significant amount of time. The California Air Resources Board (ARB) Air Quality and Land Use Handbook provides guidance on levels of activity that could result in a potential impact:¹²

Avoid siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week).

The traffic analysis estimates the daily heavy heavy-duty (HHD) truck trips accessing the project site would be 82 trips,¹³ which is 41 HHD trucks per day. Since the daily truck accommodated trucks for the proposed project would be 41 trucks, which is less than the 100-truck advisory threshold in the Air Quality and Land Use Handbook, an operational HRA is not necessary, therefore not analyzed in this study. It is assumed that the 41 truck visits (82 trips) would involve any operating TRU units. Therefore, risks due to DPM from this level of truck traffic would be less than significant.

The project is not currently configured for cold storage. However, provisions for ensuring that TRUs on trucks would not operate on the property would be implemented via a Condition of Approval (COA AQ-2). Provisions for future potential cold storage uses or operation of TRUs on the property would require a health risk assessment and assessment of the TAC emissions, consistent with requirements in the GP EIR mitigation measure AQ-5.

Therefore, the effects of the proposed project were anticipated in the General Plan EIR and there are no project-specific effects that were not analyzed in the General Plan EIR. The proposed project would not introduce new or off-site cumulative impacts or create more severe impacts related to health risks than those analyzed in the General Plan EIR. No additional analysis is required.

d) Odors

Would the project: *Result in other emissions (such as those leading to odors or) adversely affecting a substantial number of people?*

Conclusions of the General Plan EIR

The General Plan EIR found that none of the City's three existing principal sources of odors (the wastewater treatment plant, food processing plants along Pacheco Pass Highway, and agricultural operations) are located adjacent to large numbers of residences. The General Plan EIR determined that several land uses permitted by the General Plan could result in odors adjacent to residential districts. These were listed in Table 3.3-9 of the General Plan EIR. However, the General Plan EIR

¹² California Air Resource Board (ARB). Air Quality and Land Use Handbook: A Community Health Perspective. 2005. Website: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/california-air-resources-board-air-quality-and-land-use-handbook-a-community-health-perspective.pdf>. Accessed June 16, 2023.

¹³ Hexagon Transportation Consultant. 2023. Yamane Drive Industrial Warehouse Traffic Analysis. May.

found that the General Services Commercial land use designation, Monterey Road, frequently formed a buffer between potential odor sources and residential uses. Furthermore, the General Plan EIR found that General Plan policies would ensure that compatibility of uses is considered when uses are approved. Therefore, the General Plan EIR concluded that buildout of the General Plan would have a less than significant impact regarding odor or other emissions.

Yamane Warehouse Project Analysis and Conclusion

Potential construction activities that may emit odors include exhaust from diesel construction equipment. However, because of the intermittent nature of construction activities, and the diffusive properties of DPM exhaust, nearby receptors would not be affected by diesel exhaust odors associated with project construction. Odors from these sources would be localized and generally confined to the immediate area surrounding the proposed project site.

The proposed project would operate a 163,400-square-foot warehouse/distribution building, and associated office, parking spaces, and landscaping. Land uses that are typically identified as sources of objectionable odors include landfills, transfer stations, sewage treatment plants, wastewater pump stations, composting facilities, feedlots, coffee roasters, asphalt batch plants, and rendering plants. The end uses of the proposed warehouse would potentially involve transportation business and e-commerce distribution. The proposed project would not be considered a significant odor generator as identified in BAAQMD Guidelines.

Additionally, since the proposed project would not include new sensitive receptors, such as residences, the proposed project would not locate new sensitive receptors near potential odor sources.

Therefore, the effects of the proposed project were anticipated in the General Plan EIR and there are no project-specific effects that were not analyzed in the General Plan EIR. The proposed project would not introduce new or off-site cumulative impacts or create more severe impacts related to odor than those analyzed in the General Plan EIR. No additional analysis is required.

Conditions of Approval

The following COA would apply to the proposed project to implement General Plan policies:

COA AQ-1 Implement BAAQMD Best Management Practices to Control Dust During Construction

The following dust control measures as recommended by the Bay Area Air Quality Management District (BAAQMD), shall be included in the design of the proposed project and implemented during construction:

- All exposed non-paved surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and access roads) shall be watered at least two times per day and/or non-toxic soil stabilizers shall be applied to exposed non-paved surfaces.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered and/or shall maintain at least 2 feet of freeboard.

- All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes, as required by the California Airborne Toxics Control Measure (ACTM) Title 13, Section 2485 of California Code of Regulations. Clear signage regarding idling restrictions shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- The prime construction contractor shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The construction contractor shall take corrective action within 48 hours. The BAAQMD's and the City of Gilroy's phone numbers shall also be visible to ensure compliance with applicable regulations.

COA AQ-2 The project operation would address any potential TRU usage by requiring the following:

- Contractual language in all tenant lease agreements that will prohibit tenants from operating TRUs within the project site.
- Requiring a restrictive covenant over the parcel that prohibits the applicant's use of TRUs on the property unless the applicant seeks and receives an amendment to its conditional use permit allowing such use.
- The application of any future requests for cold storage and associated TRU usage to include an analysis which requires the modeling and a health risk assessment of air toxic contaminants emitted from operation of these TRUs, satisfying the General Plan EIR MM AQ-5. The results of such analysis must demonstrate that the operation of TRUs would not result in a significant health impact as defined by BAAQMD thresholds.

General Plan EIR Mitigation Measures Applicable to the Proposed Project

None.

Conclusion

The conclusions from the certified General Plan EIR remain unchanged when considering the implementation of the proposed project.

The proposed project is consistent with the development evaluated in the General Plan and the analysis in the General Plan EIR and would not result in any new impacts or increase the severity of any previously identified impacts related to air quality as compared to what was already identified and disclosed, either individually or cumulatively.

Environmental Issues	Prior General Plan EIR Determination	CEQA Section 15183(b) Criteria			
		Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.4 Biological Resources					
Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?	Less than significant impact with mitigation incorporated	No	No	No	No
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?	Less than significant impact	No	No	No	No
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less than significant impact with mitigation incorporated	No	No	No	No
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	Less than significant impact with mitigation incorporated	No	No	No	No
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less than significant impact	No	No	No	No
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan?	No impact	No	No	No	No

a) Special-status Species

Would the project: *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?*

Conclusions of the General Plan EIR

The General Plan EIR found that 18 special-status plant and wildlife species have the potential to occur within and in the vicinity of the City. To avoid or reduce impacts to special-status species, developments must be consistent with the General Plan Natural and Cultural Resources (NCR) Element Goals (NCR 1), specifically Policies NCR 1.7 and NCR 1.8, GP MM BIO-1, and Habitat Plan Programs. NCR 1.7 calls for minimization of future development in areas that support federally or State-listed Rare, Threatened, or Endangered species. This requires focused surveys be prepared per applicable regulatory agency protocols to determine whether identified species occur on the project site. It also offers guidance if occupied habitat must be developed, including compensation for lost habitat on or off-site and long-term management plan and monitoring programs. NCR 1.8 calls for native nesting bird protection, which is defined by the federal Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code. The General Plan EIR concluded that implementation of these policies, programs, and MM BIO-1, listed below, would reduce significant impacts to special-status species to a less than significant level with mitigation.

MM BIO-1 Modify the proposed language for Gilroy 2040 General Plan Policy NCR 1.7 (Rare, Threatened, and Endangered Species) as follows:

NCR 1.7 Special-status Species

Special-status species are those listed as Endangered, Threatened, or Rare, or as Candidates for listing by the United States Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW), or as Rare Plant Rank 1B or 2B species by the California Native Plant Society (CNPS). This designation also includes CDFW Species of Special Concern and Fully Protected Species. For special-status species that are not among the 18 covered species in the Habitat Plan, minimize future development in areas that support such species. Conduct focused surveys per applicable regulatory agency protocols as appropriate to determine whether such species occur on a given project site, as determined necessary by a qualified Biologist. If development of occupied habitat must occur, species impacts shall be avoided or minimized, and it required by a regulatory agency of the CEQA process, loss of wildlife habitat or individual plants should be fully compensated on the site. If off-site mitigation is necessary, it should occur within the Gilroy Planning Area whenever possible, with a priority given to existing habitat mitigation banks. Habitat mitigation shall be accompanied by a long-term monitoring program prepared by a qualified Biologist and include provisions for protection of mitigation lands in perpetuity through the establishment of easements and adequate funding for maintenance and monitoring. [Existing GP, 20.04, modified]

Yamane Warehouse Project Analysis and Conclusion

Field Survey

FirstCarbon Solutions (FCS) Biologists familiar with the biological resources of the region conducted general wildlife, habitat, vegetation community and aquatic resource surveys on March 17 and May 22, 2023. The objective of the field survey was to ascertain general site conditions, wildlife use, and identify whether existing vegetation communities provide suitable habitat for special-status plant or wildlife species. Potentially sensitive areas identified during the literature review were ground-truthed during the field survey for mapping accuracy. Special attention was paid to sensitive habitats and areas potentially supporting special-status floral and faunal species.

Wildlife species detected during the reconnaissance-level survey by sight, calls, tracks, scat, or other signs were recorded. Notations were made regarding suitable habitat for those special-status species determined to have the potential to occur within the project site.¹⁴ The following sections describe the vegetation communities, land cover types, and potential for special-status species to be present on the Study Area.

Wild Oat and Annual Brome Grassland (7.23 acres)

This vegetation type is typically described by being dominated by non-native annual grasses and annual or perennial forbs from dense to sparse cover with less than 10 percent tree cover. With a few exceptions, the plants are dead through the summer and fall dry season, persisting as seeds. This community usually occurs below 3,000 feet and is the most common herbaceous vegetation type of the region. This vegetation type is classified by the Manual of California Vegetation as *Avena spp.-Bromus spp.* Herbaceous Semi-Natural Alliance, which has broad membership rules, but is dominated by a non-native annual grass species. This community is found on various substrates including foothills, waste spaces, rangelands, and openings in woods. This alliance is the dominant vegetation community within the project site.

This community type is dominated by non-native annual grasses reaching a height of approximately two feet tall, unless grazed or mowed. The most predominant non-native grass species within the Study Area is wild oat (*Avena fatua*). Other common species include slim oat (*Avena barbata*), ripgut brome (*Bromus diandrus*), cheeseweed (*Malva parviflora*), storksbill (*Erodium cicutarium*) creeping woodsorrel (*Oxalis corniculata*), and others.

Developed (1.65 acres)

Developed land includes areas that have been constructed upon or physically altered to an extent that native vegetation is no longer supported and retains no soil substrate. Developed land is characterized by permanent or semi-permanent structures, pavement or hardscape, and landscaped areas that often require irrigation. Areas where no natural land is evident because a large quantity of debris or other materials has been placed upon it may also be considered developed. Developed areas are typically unvegetated or landscaped with a variety of ornamental (usually non-native) plants. Much of the southern portion of the site is developed.

¹⁴ California Department of Fish and Wildlife (CDFW). 2023. CNDDDB RareFind 5 California Natural Diversity Database Query for Special-Status Species. Website: <https://map.dfg.ca.gov/rarefind/view/RareFind.aspx>. Accessed June 13, 2023.

Special-status Plants

The California Natural Diversity Database (CNDDDB) and CNPS list 36 special-status or sensitive plant species that have been recorded within the *Gilroy, California*, USGS Topographic Quadrangle Map and the eight surrounding quadrangles. Special-status plant species that were determined to have no potential to occur on-site are included in the table, along with the justification for their exclusion from further discussion.

The project site is predominantly wild oat and annual brome grassland and developed land and has been previously subjected to significant surface disturbances, including repeated weed abatement activities and storage on-site. The project site is mostly surrounded by commercial development and barren land. Because of the conditions on and adjacent to the project site, all special-status plants that occur in the region were assessed as having no potential for occurrence (Appendix B; Special-Status Species Occurrence Evaluation).

Special-status Wildlife

CNDDDB identifies 28 federal and State-listed threatened and/or endangered wildlife species and State Species of Special Concern that have been recorded within the *Gilroy, California*, USGS Topographic Quadrangle Map and eight surrounding quadrangles. 22 of these species are unlikely to occur on-site (Appendix B; Special-Status Species Occurrence Evaluation).

The remaining 6 species (and functional groups like nesting birds and roosting bats that include special-status species) could have the potential to occur on-site, perhaps as vagrant, dispersing, nesting, or foraging individuals, and are therefore discussed in more detail below.

Swainson's Hawk

The closest known record for nesting Swainson's hawk is 7.5 miles southeast of the project site (CNDDDB Occurrence No. 2832).¹⁵ No Swainson's hawk nests have been observed on the site or off-site in the vicinity of the project site during the project site surveys. However, the grassland to the north and east of the project site could provide suitable foraging habitat for this species. Additionally, trees within disturbance distance (0.5 mile) of the site could provide nesting habitat for this species. While the habitat is not optimal due to its proximity to neighboring developments, it cannot be ruled out that Swainson's hawk could nest within relevant disturbance distance. If a Swainson's hawk nest is active near the project site during construction, the proposed project could impact this species by the destruction of active nests during tree removal activities, through generating noise, light, and other disturbances during project construction and operation, which may cause this species to abandon its nests, or through the loss of foraging habitat. However, with implementation of COA BIO-3 and COA BIO-4, potential impacts on Swainson's hawk would be reduced to less than significant levels under CEQA.

Western Burrowing Owl

The closest CNDDDB record was documented 2.7 miles northwest of the project site (CNDDDB Occurrence No. 280).¹⁶ The non-native annual grassland within the site could provide habitat for the

¹⁵ California Department of Fish and Wildlife (CDFW). 2023. CNDDDB RareFind 5 California Natural Diversity Database Query for Special-status Species. Website: <https://map.dfg.ca.gov/rarefind/view/RareFind.aspx>. Accessed June 2023.

¹⁶ Ibid.

western burrowing owl. No burrowing owls or signs of burrowing owl were observed during field surveys. However, ground squirrel burrows suitable for burrowing owl were present within the site.

It cannot be ruled out that burrowing owl may appear on-site under certain circumstances before start of construction and could potentially be impacted by the proposed project.

If burrowing owls are present within the project site, construction of the proposed project could result in direct loss of burrowing owls or the degradation of burrowing owl habitat due to temporary construction impacts and increased human activity on the project site. Project implementation could potentially result in significant impacts to this species; however, mitigation measures would be implemented to reduce potential impacts to burrowing owls. Through the implementation of COA BIO-5 and COA BIO-6, impacts to burrowing owls would be reduced to a less than significant level.

Protected Nesting Birds (Including All Special-status Bird Species)

In addition to the specific special-status bird species discussed in more detail above, the active nests of most resident and migratory (game and non-game) birds (including the nests of additional special-status bird on-site) are protected by the MBTA and/or Fish and Game Code; and are therefore categorized as “special-status” wildlife functional group during this time. Trees and grassland present within the project site could provide nesting habitat for different taxa of bird species, including ground nesters, white-tailed kite, grasshopper sparrow, and common songbirds (passerine birds). Therefore, it is likely that protected bird nests could be present on the project site during the nesting season (typically considered to last from February 15 to August 31 for most species).

Construction activities that occur during the avian nesting season could disturb protected nesting sites within the construction footprint and within disturbance distance. Grading, building demolition, and the removal of vegetation during the nesting season could result in direct harm to nesting birds, while noise, light, and other construction-related disturbances may cause nesting birds within or adjacent to the site to abandon their nests.

With implementation of COA BIO-7, requiring pre-construction nesting bird surveys and avoidance of direct and indirect impacts on nests, potential project-related impacts on protected bird nests can be reduced to a less than significant level under CEQA.

Roosting Bats (Including All Special-status Bat Species)

The project site offers marginal but potentially viable roosting habitat for bat species. Bats could potentially use the abandoned warehouses to roost and forage over the grassland within the project site. The pallid bat (*Antrozous pallidus*) and the Townsend’s big-eared bat (*Corynorhinus townsendii*) have the potential to roost within the project site.

Potential direct and indirect impacts could occur to roosting bats due to removal of potential roosting habitat during project construction. These activities could potentially subject bats to risk of death or injury, and they are likely to avoid using the area until such construction activities have dissipated or ceased. Relocation, in turn, could cause hunger or stress among individual bats by displacing them into adjacent territories belonging to other individuals.

With implementation of MM BIO-4, requiring pre-construction roosting bat surveys and avoidance of direct and indirect impacts on active bat roosts, potential project-related impacts on protected roosting bats can be reduced to a less than significant level under CEQA.

b) Riparian Habitat and Sensitive Natural Communities

Would the project: *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?*

Conclusions of the General Plan EIR

The General Plan EIR found that sensitive natural communities are present within the City's UGB, including oak woodlands, and riparian and wetland habitats. Habitat Plan sensitive land cover types are present within the UGB, including serpentine bunchgrass grassland, serpentine rock outcrop, valley oak woodland, and coastal and valley freshwater marsh. To avoid or reduce impacts to sensitive natural communities, developments must be consistent with the General Plan NCR Element Goals (NCR 1), specifically Policies NCR 1.2 and NCR 1.3, and Habitat Plan Programs. NCR 1.2 calls for protection of the ecological, aesthetic, and recreational value of the streams that flow through the Gilroy Planning Area. This policy also requires areas required for riparian setbacks to be dedicated to Santa Clara Valley Water (Valley Water) in fee or easement or incorporated into private open space to be preserved and maintained by future development projects. Policy NCR 1.3 requires riparian setback areas in new development, consistent with the requirements of the Habitat Plan and other City regulations. The General Plan EIR concluded that implementation of these policies and programs would reduce significant impacts to sensitive natural communities to a less than significant level.

Yamane Warehouse Project Analysis and Conclusion

The CDFW maintains a list of natural communities which attempts to classify vegetation types found within the State of California and rank them based on rarity. Communities ranked S1-S3 are considered sensitive natural communities. Wetlands and riparian habitats are also typically considered sensitive natural communities and are addressed in the environmental review process. No sensitive natural communities were identified within the project site.

The West Branch Llagas Creek is located approximately 50 feet from the project site and is separated from the site by a chain link fence and dirt maintenance road. The Creek is also classified as a category 2 stream regulated by the Santa Clara Valley Habitat Plan (SCVHP). While the project site would maintain a setback from the Creek (consistent with the requirements of the SCVHP), construction of the proposed project has the potential for indirect (temporary) adverse impacts to the aquatic habitat of the Creek. Potential temporary indirect impacts (during construction) include pollutant loading, increased erosion and sedimentation, and debris dispersal into the Creek. Implementation of COA BIO-1 would reduce potential indirect adverse impacts to the aquatic habitat of the Creek to a less than significant level.

c) State or Federally Protected Wetlands

Would the project: *Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

Conclusions of the General Plan EIR

The General Plan EIR found that several major creeks/drainage channels, large wetland features, and numerous Valley Water drainage ditches, smaller drainage and other wetland features are located within or traverse the City's UGB. To avoid or reduce impacts to federally protected wetlands, developments must be consistent with the General Plan NCR Element Goals (NCR 1), Policies (NCR 1.1 through NCR 1.6, and NCR 4.7), General Plan EIR MM BIO-2, and Habitat Plan Programs. Policy NCR 4.7 requires continued coordination with agencies relevant to South County's water supply and water quality, including the San Francisco Bay Regional Water Quality Control Board (San Francisco Bay RWQCB), the Central Coast RWQCB, Valley Water, the County of Santa Clara, and the City of Morgan Hill to protect regional water quality. The General Plan EIR concluded that implementation of these policies, programs, and mitigation measures would reduce significant impacts to federally protected wetlands to a less than significant level with mitigation incorporated.

Yamane Warehouse Project Analysis and Conclusion

The West Branch Llagas Creek is the nearest potential state or federally protected aquatic resource. As discussed in checklist question B, the proposed project would maintain a setback from the Creek. As noted in the Biological Resources Assessment (BRA), the field surveys found no evidence of regulated aquatic features on-site, including potentially jurisdictional waters or wetlands of the United States and/or State. As such, the proposed project would not have a substantial adverse effect on federally protected wetlands. No impact would occur.

d) Fish or Wildlife Movement

Would the project: *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?*

Conclusions of the General Plan EIR

General Plan EIR found that development could remove or otherwise impede regional habitat linkages that facilitate wildlife movement within the UGB, such as vegetated riparian corridors along Uvas Creek and Llagas Creek. However, the Habitat Plan incorporates conditions that accommodate for wildlife movement. To avoid or reduce impacts to wildlife movement and habitat linkages/corridors, developments must be consistent with the General Plan NCR Element Goals (NCR 1), specifically Policy (NCR 1.4), GP MM BIO-1, and Habitat Plan Programs. Policy NCR 1.4 calls for preservation of important plant and wildlife habitats, including streams and riparian habitats, wildlife movement corridors, heavily vegetated hillside areas, unique ecosystems (such as oak woodlands and serpentine substrates), and significant nesting/denning sites for native wildlife, in concert with the Habitat Plan. The General Plan EIR concluded that implementation of these policies, programs,

and mitigation measures would reduce significant impacts to wildlife movement and habitat linkages/corridors to a less than significant level with mitigation incorporated.

Yamane Warehouse Project Analysis and Conclusion

A wildlife corridor is an area of habitat connecting wildlife populations separated by human activities or structures (such as roads, development, or logging). This allows an exchange of individuals between populations, which may help prevent the negative effects of inbreeding and reduced genetic diversity (via genetic drift) that often occur within isolated populations.

The project site is surrounded on three sides by development, specifically Monterey Highway and residential development to the west, industrial developments to the south and east. Therefore, non-volant wildlife movement through the site is limited, and the site does not connect habitats suitable for sustainable wildlife populations.

Wildlife may utilize the West Branch of Llagas Creek for dispersal; however, the proposed project would maintain a setback from the Creek. No direct or indirect impacts to the Creek would occur from project construction. Therefore, the proposed project would have a less than significant impact on the movement of wildlife.

e) Conflict with Local Policies or Ordinances

Would the project: *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Conclusions of the General Plan EIR

The General Plan EIR found that development may require the removal of or result in significant damage to City-protected trees within the UGB. However, Gilroy City Code Chapter 30.38.270: Protected Tree Removal, regulates the removal of protected trees and tree communities on private property. To avoid or reduce impacts to regulated trees, developments must be consistent with the General Plan NCR Element Goals (NCR 1), specifically Policies NCR 1.9 and 1.11, and Gilroy City Code 30.38.270. Policy NCR 1.9 calls for preservation and protection of healthy oak trees and other native trees from harm or destruction during the development process. Policy NCR 1.11 calls for the maintenance and expansion of a vibrant, healthy urban forest in public street right-of-way, parks, and other public lands and facilities through arborist-supervised tree selection and planting, pest and disease control, scheduled pruning, tree removal limitations, and systematic removal and replacement of dead or diseased trees. The General Plan EIR concluded that implementation of these Policies, Programs, and Gilroy City Code would reduce significant impacts to regulated trees to a less than significant level.

Yamane Warehouse Project Analysis and Conclusion

Local policies or ordinances applicable to the proposed project include the Gilroy 2040 General Plan Goal NCR-1 and Gilroy City Code Chapter 30.38.27. The proposed project would meet the Gilroy 2040 General Plan Goal NCR-1 through the implementation of MM BIO-1 and through COA BIO-1 through COA BIO-8, which would protect and preserve sensitive habitat and special-status species with the potential to occur within the project site. Additionally, the proposed project would not

remove any trees protected under the City’s Tree Preservation Guidelines. With adherence to the local policies and ordinances outlined in the BRA and this document, the proposed project would not conflict with the City of Gilroy’s local policies or ordinances.

f) Habitat Conservation Plan/Natural Community Conservation Plan

Would the project: *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan?*

Conclusions of the General Plan EIR

The General Plan EIR found that development may impact biological resources protected by the City’s Habitat Plan. However, the Habitat Plan allows development within the Habitat Plan boundary for covered activities to proceed subject to the conditions of an approved permit issued by the local jurisdiction. To avoid conflict with the City’s habitat conservation plan, developments must be consistent with the General Plan NCR Element Goals (NCR 1), specifically Policy (NCR 1.1), and Habitat Plan. Policy NCR 1.1 requires compliance with the permit conditions of the Habitat Plan. The General Plan EIR concluded that implementation of these policies, programs, and Habitat Plan would ensure developments do not conflict with the City’s habitat conservation plan. There are no impacts.

Yamane Warehouse Project Analysis and Conclusion

The project site is located within the SCVHP. The project site is within the “Grain, Row-crop, Hay and Pasture, Disked/Short-term Fallowed” and “Urban-Suburban” land covers as defined by the SCVHP. The project site is not located in any special-status plant and wildlife survey areas. The undeveloped portion of the project site is mapped as “Fee Zone B (Agricultural and Valley Floor Lands). With implementation of COA BIO-2, the proposed project would not conflict with any policies of the SCVHP, including Condition 11 (creek setback). The land cover types and the absence of plant and wildlife survey areas has been confirmed on the ground through the survey conducted by a qualified Biologist, as required by the SCVHP. Therefore, with implementation of COA BIO-2, potential impacts regarding adopted conservation plans would be reduced to a less than significant level.

Conditions of Approval

COA BIO-1 Avoidance and Minimization of West Branch Llagas Creek

1. No substances toxic to fish and wildlife shall be discharged or allowed to leach into the Creek. Reasonable precautions to protect aquatic habitats of the Creek from pollution with harmful materials (e.g., fuels, oils, lubricants, and solvents) shall be implemented. Specifically, all potentially hazardous materials shall be controlled, cleaned up, and properly disposed of in accordance with the project’s water quality control permits and plans. Materials deleterious or toxic to fish and wildlife including, but not limited to, asphalt, tires, concrete, construction materials, treated wood, and creosote containing materials shall not be stockpiled within 100 feet of the Creek. Refueling and maintenance areas for equipment shall be limited to areas 100 feet from the Creek.

2. At no time shall silt-laden runoff be allowed to enter the Creek. Erosion control measures shall be utilized throughout all phases of construction where sediment runoff from the project may enter the Creek. Best Management Practices (BMPs) to avoid erosion and uncontrolled stormwater runoff shall be implemented. BMPs typically include silt fencing, coir rolls, and/or straw bale dikes.

COA BIO-2 Compliance with SCVHP

The project is subject to applicable SCVHP conditions and fees prior to issuance of any grading permits. The project applicant shall submit the SCVHP Coverage Screening Form to the Director of Planning, Building, and Code Enforcement (PBCE) or the Director's designee for approval and payment of all applicable fees prior to the issuance of a grading permit. The Habitat Plan and supporting materials can be viewed at www.scv-habitatplan.org.

COA BIO-3 Pre-construction Surveys for Swainson's Hawk

Prior to ground disturbance that occurs during the nesting season for Swainson's hawk (generally March 20 to July 20), a qualified Biologist shall conduct Swainson's hawk nesting surveys within a 0.5-mile radius of the project site to determine whether nests are occupied. Occupancy shall be determined through observation of all accessible areas, including from public roads or other publicly accessible observation areas of Swainson's hawk activity (e.g., foraging) on and near the project site.

The qualified Biologist shall follow the survey protocol outlined in the California Department of Fish and Wildlife (CDFW) Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley, which recommends surveys according to the following survey periods:

- I. January–March 20: Conduct one survey total. Survey shall be conducted all day.
- II. March 20–April 5: Conduct three surveys total. Surveys shall be conducted between sunrise to 10:00 a.m. and 4:00 p.m. to sunset.
- III. April 5–April 20: Conduct three surveys total. Surveys shall be conducted between sunrise to 12:00 p.m. and 4:30 p.m. to sunset.
- IV. April 21–June 10: Initiating surveys are not recommended. Monitoring of known nest sites is only recommended.
- V. June 10–July 30: (post-fledging) Conduct three surveys total. Surveys shall be conducted between sunrise to 12:00 p.m. and 4:00 p.m. to sunset.

Pre-construction surveys shall be completed for at least the two survey periods immediately prior to project initiation. It is recommended that surveys be completed in Periods II, III, and V. Surveys shall not be initiated during Period IV.

COA BIO-4 Swainson's Hawk Avoidance and Minimization and Construction Monitoring

If nests are located and determined to be occupied, minimization measures must be implemented, and construction monitoring must be conducted as follows:

- Construction activities shall be prohibited within 200 yards (600 feet) of an active and occupied Swainson's hawk nest, or within 200 yards (600 feet) of nests under construction, to prevent nest abandonment.
- Notwithstanding the foregoing, if site-specific conditions or the nature of the construction activity (e.g., other nearby development, steep topography, dense vegetation, limited activities) indicate that a smaller buffer, or no buffer at all, could be used, the project applicant may seek approval from the qualified Biologist who in coordination with the California Department of Fish and Wildlife (CDFW) shall determine the appropriate buffer size, which, once approved, shall govern.
- No tree containing an active Swainson's hawk nest shall be removed.

COA BIO-5 The project proponent shall retain a qualified Biologist to perform a pre-construction burrowing owl survey in order to determine whether burrowing owls are present within 30 days prior to construction activities, according to California Department of Fish and Wildlife (CDFW) (2012) Guidelines. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed. The pre-construction survey shall be completed on the project site and areas within 500 feet from the project boundary (where possible and appropriate based on habitat). All occupied burrows will be mapped on an aerial photo. At least 15 days prior to the expected start of any project-related ground disturbance activities, or restart of activities, the City of Gilroy shall provide a burrowing owl survey report and mapping to the CDFW. If no burrowing owl are detected during the pre-construction survey, no further action is necessary.

COA BIO-6 If any of the surveys (breeding season, nonbreeding season, or pre-construction) are positive for burrowing owl, the project proponent shall retain a qualified Biologist to develop and implement a Burrowing Owl Mitigation Plan and a Worker Environmental Awareness Program (WEAP). The Burrowing Owl Mitigation Plan shall contain the following elements (as outlined in California Department of Fish and Wildlife [CDFW] [2012] Guidelines), at a minimum:

- Avoidance of burrowing owls during construction, including establishment of a 160-foot radius around occupied burrows during the nonbreeding season (September 1 through February 14) or a 300-foot radius around occupied burrows during the breeding season (February 15 through August 31), within which construction activities may not occur until a qualified Biologist has determined that (1) nonbreeding season owls have dispersed from the area; or (2) breeding season owls have fledged their juveniles from the occupied burrows and the

juveniles are foraging independently and are capable of independent survival or have dispersed from the area.

- A plan for implementing a passive relocation program for nonbreeding owls, should it be needed. The passive relocation techniques should be consistent with CDFW (2012) Guidelines, including installation of artificial burrows at an off-site location and use of one-way exclusion doors to ensure owls have left the burrow(s).

COA BIO-7 Protection of Active Bird Nests (includes pre-construction survey and implementation of avoidance buffer, if found).

- Removal of trees shall be limited to only those necessary to construct the proposed project as reflected in the relevant project approval documents.
- If the proposed project requires vegetation to be removed during the nesting season (February 1 to August 31), pre-construction surveys shall be conducted no more than 7 days prior to the start of ground or vegetation disturbance (including tree removal) to determine whether or not active nests are present.
- If an active nest is located during pre-construction surveys, a qualified Biologist shall determine an appropriately sized avoidance buffer based on the species and anticipated disturbance level. (The California Department of Fish and Wildlife [CDFW] recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors.) A qualified Biologist shall delineate the avoidance buffer using Environmentally Sensitive Area fencing, pin flags, and/or yellow caution tape. The buffer zone shall be maintained around the active nest site(s) until the young have fledged and are foraging independently. No construction activities or construction foot traffic is allowed to occur within the avoidance buffer(s).
- The qualified Biologist shall monitor the active nest during construction activities and modify the protection zone accordingly to prevent project-related nest disturbance, until the young have fledged.

COA BIO-8 Roosting Bat Pre-construction Survey and Avoidance

A qualified Biologist with relevant roosting bat experience shall conduct a survey for special-status bats during the appropriate time of day to maximize detectability to determine whether bat species are roosting near the work area no less than 7 days and no more than 14 days prior to beginning ground disturbance and/or construction. Survey methodology may include visual surveys of bats (e.g., observation of bats during foraging period), inspection for suitable habitat, bat sign (e.g., guano), or use of ultrasonic detectors (Anabat, etc.).

If the Biologist determines or presumes bats are present, the Biologist shall exclude the bats from suitable spaces by installing one-way exclusion devices. After the bats vacate the space, the Biologist shall close off the space to prevent recolonization.

Grading shall only commence after the Biologist verifies 7 to 10 days later that the exclusion methods have successfully prevented bats from returning. To avoid impacts on non-volant (i.e., nonflying) bats, the Biologist shall only conduct bat exclusion and eviction from May 1 through October 1. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young).

General Plan EIR Mitigation Measures Applicable to the Proposed Project

MM BIO-1 Modify the proposed language for Gilroy 2040 General Plan Policy NCR 1.7 (Rare, Threatened, and Endangered Species) as follows: NCR 1.7 Rare, Threatened, and Endangered Special-Status Species. Special-status species are those listed as Endangered, Threatened, or Rare, or as Candidates for listing by the United States Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW), or as Rare Plant Rank 1B or 2B species by the California Native Plant Society (CNPS). This designation also includes CDFW Species of Special Concern and Fully Protected Species. For special-status species that are not among the 18 covered species in the Habitat Plan, minimize future development in areas that support State or federally listed Rare, Threatened, or Endangered such species. Conduct focused surveys per applicable regulatory agency protocols as appropriate to determine whether such species occur on a given project site, as determined necessary by a qualified Biologist. If development of occupied habitat must occur, species impacts shall be avoided or minimized, and if required by a regulatory agency or the CEQA process, loss of wildlife habitat or individual plants should be fully compensated on the site. If off-site mitigation is necessary, it should occur within the Gilroy Planning Area whenever possible, with a priority given to existing habitat mitigation banks. Habitat mitigation shall be accompanied by a long-term management plan and monitoring program prepared by a qualified Biologist and include provisions for protection of mitigation lands in perpetuity through the establishment of easements and adequate funding for maintenance and monitoring. [Existing GP, 20.04, modified].

Conclusion

With adherence to General Plan MM BIO-1, and COA BIO-1 through COA BIO-8, the construction of the proposed project would be consistent with the findings of the General Plan EIR, General Plan NCR Element Goal (NCR 1). The conclusions from the General Plan EIR regarding impacts to biological resources remain unchanged.

The proposed project is consistent with the development evaluated in the General Plan and the analysis in the General Plan EIR and would not result in any new impacts or increase the severity of any previously identified impacts related to biological resources as compared to what was already identified and disclosed, either individually or cumulatively.

Environmental Issues	Prior General Plan EIR Determination	CEQA Section 15183(b) Criteria			
		Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.5 Cultural and Tribal Cultural Resources					
Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as pursuant to Section 15064.5?	Less than significant impact with mitigation incorporated	No	No	No	No
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Less than significant impact with mitigation incorporated	No	No	No	No
c) Disturb any human remains, including those interred outside of formal cemeteries?	Less than significant impact with mitigation incorporated	No	No	No	No
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
d) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	Less than significant impact with mitigation incorporated	TBD	TBD	TBD	TBD
e) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	Less than significant impact with mitigation incorporated	TBD	TBD	TBD	TBD

The analysis in this section is based on information provided by the California Native American Heritage Commission (NAHC), Northwest Information Center (NWIC), a pedestrian survey of the existing project site and a Historic Resource Assessment. All supporting material is included as Appendix C.

Native American Heritage Commission

On March 1, 2023, FCS sent a request to the NAHC in an effort to determine whether any sacred sites are listed on its Sacred Lands File (SLF) for the project site. A response was received on March 13, 2023, indicating that the SLF search produced a positive result for Native American cultural resources within the project site. The NAHC included a list of eight tribal representatives available for consultation. To ensure that all Native American knowledge and concerns over potential Tribal Cultural Resources (TCRs) that may be affected by implementation of the proposed project are addressed, a letter containing project information and requesting additional information was sent to each tribal representative on March 20, 2023. No responses have been received to date.

Northwest Information Center

On March 8, 2023, a records search was conducted at the NWIC located at Sonoma State University, in Rohnert Park, California, for the project site and a 0.5-mile radius beyond the project boundaries. The current inventories of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the California Historical Landmarks (CHL) list, the California Points of Historical Interest (CPHI) list, and the California Built Environment Resource Directory (BERD) for Santa Clara County were also reviewed to determine the existence of previously documented local historic resources. The results of the records search indicate that three resources have been recorded within the 0.5-mile radius, one historic resource (P-43-000928), and two prehistoric resources (P-43-000928 and P-43-000111). In addition, 50 area-specific survey reports are on file within the 0.5-mile radius, one of which (S-004286) linearly transects the project boundary. This indicates that the project site has been partially surveyed for cultural resources. The documentation for study S-004698 indicates that isolated lithic artifacts were within the 0.5-mile records search radius; however, it was not formally documented and no site record is available.

Pedestrian Survey

On April 5, 2023, FCS Archaeologists Dr. Dana DePietro, RPA, and Ti Ngo, MA conducted a pedestrian survey for unrecorded cultural resources in the project site. The project site is rectangular in shape and located on Yamane Drive in the City of Gilroy. The survey began in the southwest corner of the project site and moved north and east, using north-south transects spaced at 10-meter intervals. All areas of the project site were closely inspected for prehistoric artifacts (e.g., fire-affected rock, milling tools, flaked stone tools, toolmaking debris, ceramics), soil discoloration and depressions that might indicate the presence of a cultural midden, faunal and human osteological remains, and features indicative of the former presence of structures or buildings (e.g., postholes, standing exterior walls, foundations) or historic debris (e.g., glass, metal, ceramics). In addition, the project site was inspected for culturally modified soils or other indicators of potential historic or prehistoric resources. This includes raw materials commonly used in the manufacture of tools such as obsidian, Franciscan chert, etc. The southern portion of the project site is hardscaped with elements of imported fill and gravel surrounding the two existing warehouses on-site. The rest of the project site consisted of light brown dry clay friable soil (7.5 YR 5/6) interspersed with quartz, schist, and river stones ranging from 2 to 5 centimeters. Because of high levels of vegetation, visibility of native soils ranged between 5-7 percent across the project site.

A man-made canal of the West Branch of Llagos Creek runs to the north of the project site and a branch of the Southern Pacific Railroad lies to the west of the project site. Both linear features are adjacent to but outside of the project site and the construction footprint. Dr. DePietro and Mr. Ngo encountered two metal storage barns in the southern portion of the project site. A review of Historic Aerials indicates that the silver-colored storage barn in the west was constructed after 1998 and does not appear to qualify as a historic resource for the NRHP, CRHR, or local listings. The beige-colored structure in the east was built circa 1968 and may qualify as a historic resource under the CRHR or NRHP (Historic Aerials 2023). Dr. DePietro and Mr. Ngo also encountered a piece of translucent amethyst-colored glass in the southern portion of the project site between the two storage barns.

Survey conditions were documented using digital photographs and field notes. During the survey, the team examined all areas of the exposed ground surface for prehistoric artifacts (e.g., fire-affected rock, milling tools, flaked stone tools, toolmaking debris, ceramics), soil discoloration and depressions that might indicate the presence of a cultural midden, faunal and human osteological remains, features indicative of the former presence of structures or buildings (e.g., postholes, standing exterior walls, foundations), or historic debris (e.g., glass, metal, ceramics).

No other indication of historic or prehistoric archaeological resources were found over the course of the pedestrian survey.

Architectural and Historic Resource Assessment 201 Yamane Drive

In California, the term “historical resource” includes but is not limited to “any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California” (California Public Resources Code [PRC] § 5020.1(j)) The criteria for listing resources on the CRHR (enumerated below) were expressly developed to be in accordance with previously established criteria developed for listing in the NRHP. According to California Public Resources Code Section 5024.1(c) (1–4), a resource is considered historically significant if it (1) retains “substantial integrity” and (2) meets at least one of the following criteria:

- **Criterion A: Event.** It is associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.
- **Criterion B: Person.** It is associated with the lives of persons important to local, California, or national history.
- **Criterion C: Architecture.** It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values.
- **Criterion D: Information Potential.** It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

The identified structure, 201 Yamane Drive, was recorded and evaluated for historical significance on the appropriate set of California Department of Parks and Recreation (DPR) forms in consideration of CRHR and City designation criteria and integrity requirements. The structure was found not eligible under all State and local designation criteria due to a lack of significant historical associations, architectural merit, and integrity.

FCS evaluated the property on June 23, 2023. Based on the chain of ownership from the Santa Clara County Assessor's Office and Santa Clara Clerks Office, the lack of architectural integrity, and the lack of importance to the prehistory and history to California or the nation, 201 Yamane Drive does not appear to qualify under any of the above criteria. Therefore, the structure is not considered a historic resource under CEQA for the purposes of listing on the NRHP, CRHR, or any local listings.

a) Historical Resources

Would the project: *Cause a substantial adverse change in the significance of a historical resource as pursuant to Section 15064.5?*

Conclusions of the General Plan EIR

According to the General Plan EIR, future development consistent with the General Plan land use designations could result in modification to potential and known historically significant resources. Such modifications could potentially occur to the extent that these resources or their surroundings would no longer meet the eligibility criteria for inclusion on the NRHP, the CRHR, or the City's Historic Resources Inventory. Such modifications would constitute a significant environmental impact.

However, the General Plan EIR details various General Plan Goals and Policies which could identify and protect significant historical resources. These goals and policies include Goal NCR 5 and Policies NCR 5.1, NCR 5.2, NCR 5.3, NCR 5.4, NCR 5.5, NCR 5.6, NCR 5.7, NCR 5.8, NCR 5.9, NCR 5.9, NCR 5.10, and NCR 5.11. In addition to the above goals and policies, the General Plan EIR includes MM CR 1, listed below, which is intended to reduce impacts to significant structures, historic archaeological resources, and unique tribal archaeological resources by making minor modifications to General Plan Goal NCR 5, Policies NCR 5.5 and NCR 5.10, and Implementation Program 7.

MM CR 1 To reduce the likelihood of impacts to significant historic structures and historic archaeological resources, as well as unique and tribal archaeological resources resulting from publication of the locations of these culturally significant resources, the following modifications shall be made to Gilroy 2040 General Plan Goal NCR 5, Policy NCR 5.2, Policy NCR 5.5, and Implementation Program 7:

Goal NCR 5 Preserve historic and culturally significant buildings, sites, and resources to enrich the sense of place and appreciation of the City's history.

Policy NCR 5.5 Historic Resources Inventory. Maintain and periodically update the City's inventory of historically and culturally significant buildings to meet current State and Federal historic preservation guidelines.

NCR 5.10 Historic Building Demolition. Prior to approving the demolition of historically significant buildings, evaluate alternatives including structural preservation, relocation or other mitigation in an Environmental Impact Report (EIR), and demonstrate that financing has been secured for replacement use.

Implementation Program 7, Historic Resources Inventory. Maintain and update every five years, the historic resource inventory to evaluate, register, and protect Gilroy's historic resources. The inventory should be publicly accessible and regularly updated.

The General Plan EIR concluded that compliance with General Plan Goals and Policies noted above, as well as the implementation of MM CR 1, would mitigate potential impacts to historically significant resources to less than significant levels.

Yamane Warehouse Project Analysis and Conclusion

CEQA Guidelines Section 15064.5 defines "historic resources" as resources listed in the CRHR, a local register, determined significant by the lead agency, or determined to be eligible by the California Historical Resources Commission for listing in the CRHR. The criteria for eligibility are generally set by the National Historic Preservation Act of 1966, which established the NRHP, and which recognizes properties that are significant at the national, State, and local levels. To be eligible for listing in the NRHP and CRHR, a district, site, building, structure, or object must possess integrity of location, design, setting, materials, workmanship, feeling, and association relative to American history, architecture, archaeology, engineering, or culture. In addition, unless the property possesses exceptional significance, it must be at least 50 years old to be eligible.

Results from the NWIC indicate that one historic resource has been identified within the 0.5-mile search, none of which are located within the project boundary. Additionally, during the pedestrian survey, one structure over the age of 45 was identified. The structure was evaluated and found not eligible under all State and local designation criteria due to a lack of significant historical associations, architectural merit, and integrity. While there were no other historical resources identified during the pedestrian survey, the presence of a historic resource within the 0.5-mile search radius and the ineligible structure over the age of 45 within the project boundaries would require the implementation of adopted General Plan EIR MM CR 1 to ensure all impacts associated with any previously unknown historic resources remain less than significant.

Consistent with the findings from the General Plan EIR, impacts would be less than significant. Therefore, the effects of the proposed project were anticipated in the General Plan EIR and there are no project-specific effects that were not analyzed in the General Plan EIR. The proposed project would not result in any effects and would not result in a new or more severe adverse impact that was not previously identified in the General Plan EIR.

b) Archaeological Resources

Would the project: *Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?*

Conclusions of the General Plan EIR

The General Plan EIR found that future development within the UGB and consistent with General Plan land use designations could potentially destroy or substantially alter subsurface archaeological resources, such as previously identified or unidentified archaeological and/or cultural resources or remains. Disturbance or damage to these resources would be considered a significant impact.

According to the General Plan EIR, there is a potential for sensitive archaeological resources to exist in the Gilroy area. However, there is not sufficient information to clearly establish a boundary between areas of low archaeological sensitivity and the undisturbed areas to the east of the City (generally outside of the UGB). Areas in proximity to the Uvas Creek corridor within the western portion of the City are considered to have high archaeological sensitivity, and over two dozen potentially significant prehistoric sites could exist within the Planning Area/Sphere of Influence (SOI) and within the UGB.

However, the General Plan EIR details various General Plan Goals and Policies which could identify and protect known and previously unidentified historic and prehistoric archaeological resources. These goals and policies include Goal NCR 5 and Policies NCR 5.2, NCR 5.3, and NCR 5.4. In addition to the above goals and policies, the General Plan EIR includes MM CR 2, listed below, which is intended to reduce potential impacts to unique archaeological resources by implementing minor modifications to General Plan Goal NCR 5, Policies NCR 5.2 and NCR 5.5, and Implementation Program 7.

MM CR 2 To reduce the likelihood of significant impacts to unique archaeological resources resulting from disturbance and/or publication of the locations of these culturally significant resources, the following modifications shall be made to Gilroy 2040 General Plan Goal NCR 5, Policy NCR 5.2, Policy NCR 5.5, and Implementation Program 7:

Goal NCR 5 Preserve historic and culturally significant buildings, sites, and resources to enrich the sense of place and appreciation of the City's history.

Policy NCR 5.2 Historic and Prehistoric Archaeological Resources and CEQA. Discretionary projects subject to the California Environmental Quality Act (CEQA) which include disturbance of the existing ground surface of the project site will require an archaeological survey and records search if the project site is located in a moderate to high archaeological sensitivity zone as identified on Figure 3.5-1 of the General Plan EIR, or if other evidence suggests the project site to be archaeologically sensitive.

The General Plan EIR concluded that implementation of MM CR-2, in addition to compliance with the general plan goals and policies listed above, would reduce these potential impacts to less than significant levels.

Yamane Warehouse Project Analysis and Conclusion

Section 15064.5 of the CEQA Guidelines defines significant archaeological resources as resources that meet the criteria for historical resources, as discussed above, or resources that constitute unique archaeological resources. A project-related significant adverse effect could occur if a project were to affect archaeological resources that fall under these categories.

Results from the NWIC indicate that there are three archaeological (two prehistoric and one historic) resources located within the 0.5-mile search radius, none of which are located within the project boundary; however, the pedestrian survey identified one structure over the age of 45. The structure was evaluated and found not eligible under all State and local designation criteria due to a lack of significant historical associations, architectural merit, and integrity. While there were no other archaeological resources identified during the pedestrian survey, the presence of three archaeological (two prehistoric and one historic) resources within the 0.5-mile search radius and the ineligible structure over the age of 45 within the project boundaries would require the implementation of adopted General Plan EIR MM CR 1 and MM CR 2 to ensure all impacts associated with any previously unknown historic resources remain less than significant.

Consistent with the findings from the General Plan EIR, impacts would be less than significant. Therefore, the effects of the proposed project were anticipated in the General Plan EIR and there are no project-specific effects that were not analyzed in the General Plan EIR. The proposed project would not result in any effects and would not result in a new or more severe adverse impact that was not previously identified in the General Plan EIR.

c) Human Remains

Would the project: *Disturb any human remains, including those interred outside of formal cemeteries?*

Conclusions of the General Plan EIR

The General Plan EIR found that future development consistent with the General Plan could result in the disturbance of previously undiscovered human remains, included Native American human remains, which would constitute a significant, adverse impact.

According to the General Plan EIR, the following goals and policies are included in the General Plan to protect known and previously undiscovered historic and prehistoric archaeological resources, including human remains. These goals and policies include Goal NCR 5 and Policies NCR 5.2, NCR 5.3, and NCR 5.4. The General Plan EIR concluded that compliance with these goals and policies and implementation of MM CR 1 and MM CR 2, detailed above, would ensure that potential impacts related to the disturbance of Native American human remains would be reduced to less than significant levels.

Yamane Warehouse Project Analysis and Conclusion

Results from the NWIC and pedestrian survey failed to locate or identify any human remains and/or cemeteries. The Sacred Land Files search from the NAHC was positive for the presence of Native American cultural resources in the immediate project area. Accordingly, a letter containing project information and requesting any additional information was sent to each of the eight tribal representatives recommended by the NAHC. As of this date, no responses have been received.

Nevertheless, there is always the possibility that ground-disturbing activities during construction may uncover previously unknown, buried human remains. Should this occur, Section 7050.5 of the California Health and Safety Code and Public Resources Code Sections 5097.94 and 5097.98 must be implemented. This shall include the immediate ceasing of ground disturbance activities, and notification of the County Coroner. If the coroner determines the remains are Native American, the coroner shall contact the NAHC within 24 hours, and the NAHC shall identify the person or persons it believes to be the “most likely descendant” of the deceased Native American.

While there are no known human remains within the project site, implementation of MM CR 1 and MM CR 2 from the General Plan EIR shall ensure all impacts associated with any previously unknown human remains remain less than significant.

Consistent with the findings in the General Plan EIR, impacts shall be less than significant with respect to inadvertent discoveries of human remains. Therefore, the proposed project would not result in any peculiar effects and shall not result in a new or more severe adverse impact that was not previously identified in the General Plan EIR.

d) Listed or Eligible Tribal Cultural Resources

Would the project: *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?*

Conclusions of the General Plan EIR

As discussed above, the General Plan EIR stated that future development consistent with the General Plan land use designations could result in modification to potential and known historically significant resources such that these resources or their surroundings could no longer meet the eligibility criteria for inclusion on the NRHP, the CRHR, or the City’s Historic Resources Inventory. The General Plan EIR also noted that future development consistent with the General Plan could disturb archaeological resources, including tribal archaeological resources, such as previously identified or unidentified archaeological and/or cultural resources or remains.

However, the General Plan EIR details various General Plan Goals and Policies which could identify and protect significant historical resources. These goals and policies include Goal NCR 5 and Policies

NCR 5.1, NCR 5.2, NCR 5.3, NCR 5.4, NCR 5.5, NCR 5.6, NCR 5.7, NCR 5.8, NCR 5.9, NCR 5.9, NCR 5.10 and NCR 5.11. In addition to the above goals and policies, the General Plan EIR includes MM CR 1 and MM CR 2, detailed above, to reduce potential impacts to significant structures, historic archaeological resources, and unique tribal archaeological resources and reduce potential impacts to unique archaeological resources.

The City of Gilroy offered consultation under Senate Bill (SB) 18 and no responses were received. Therefore, the City has adequately complied with both Assembly Bill (AB) 52 and SB 18. The General Plan EIR concluded that compliance with General Plan Goals and Policies noted above, as well as the implementation of MM CR 1 and MM CR 2, would mitigate potential impacts to historically significant resources to less than significant levels.

Yamane Warehouse Project Analysis and Conclusion

The records search conducted at the NWIC, which included a search of the CRHR, did not identify any listed or eligible TCRs that would be adversely affected by the proposed project. However, the NAHC SLF's search results were positive for TCR's within the project boundaries. Should any undiscovered TCRs be encountered during project construction, implementation of adopted General Plan EIR MM 3.5-1, and General Plan policies would be followed.

e) Lead Agency Determined Tribal Cultural Resources

Would the project: *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?*

Conclusions of the General Plan EIR

As discussed above, the General Plan EIR stated that future development consistent with the General Plan land use designations could result in modification to potential and known historically significant resources such that these resources or their surroundings could no longer meet the eligibility criteria for inclusion on the NRHP, the CRHR, or the City's Historic Resources Inventory. The General Plan EIR also noted that future development consistent with the General Plan could disturb archaeological resources, including tribal archaeological resources, such as previously identified or unidentified archaeological and/or cultural resources or remains.

However, the General Plan EIR details various General Plan Goals and Policies that could identify and protect significant historical resources. These goals and policies include Goal NCR 5 and Policies NCR 5.1, NCR 5.2, NCR 5.3, NCR 5.4, NCR 5.5, NCR 5.6, NCR 5.7, NCR 5.8, NCR 5.9, NCR 5.9, NCR 5.10, and NCR 5.11. In addition to the above goals and policies, the General Plan EIR included MM CR 1 and MM CR 2, which revised language of goals and Policies NCR 5, NCR 5.2, NCR 5.5, and implementation of Program 7 to reduce potential impacts to significant structures, historic archaeological resources, and unique tribal archaeological resources and reduce potential impacts to unique archaeological resources.

The City of Gilroy offered consultation under SB 18 and no responses were received. Therefore, the City has adequately completed with both AB 52 and SB 18. The General Plan EIR concluded that compliance with General Plan Goals and Policies noted above, as well as the implementation of MM CR 1 and MM CR 2, would mitigate potential impacts to historically significant resources to less than significant levels.

Yamane Warehouse Project Analysis and Conclusion

No significant TCRs based upon the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 have been identified by the Lead Agency. To ensure that all Native American knowledge and concerns over potential TCRs that may be affected by the proposed project are, a letter containing project information was sent to each tribal representative on March 20, 2023. No responses have been received to date. Tribal consultation efforts conducted by the City pursuant to AB 52 to identify additional significant TCRs meeting the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 is ongoing. [TO BE COMPLETED WHEN CONSULTATION PROCESS COMPLETE.]

General Plan EIR Mitigation Measures Applicable to the Proposed Project

None.

Conclusion

Pending results from the Historical Resource Assessment and ongoing Native American consultation, the conclusions from the General Plan EIR remain unchanged. No further analysis is required.

Environmental Issues	Prior General Plan EIR Determination	CEQA Section 15183(b) Criteria			
		Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.6 Energy Would the project:					
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Less than significant impact	No	No	No	No
b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?	No impact	No	No	No	No

a) Energy Use

Would the project: *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Conclusions of the General Plan EIR

The General Plan EIR found that the three primary sources of long-term energy consumption from new development and operations within the City will be fuel use in vehicles traveling within, and to and from the City, use of natural gas, and use of electricity. To reduce energy consumption, developments must be consistent with applicable State regulations and legislation (AB 32), as well as implementation of General Plan Goals, Policies (NCR 3.14, LU 8.12, and PSF 2.4 through PSF 2.6), and Programs (BAAQMD, 2017 Clean Air Plan, and City of Gilroy Climate Action Plan [CAP]). The General Plan EIR concluded that implementation of the General Plan Goals, Policies, and Programs will not result in wasteful, inefficient, or unnecessary consumption of energy resources. No additional mitigation is required.

Yamane Warehouse Project Analysis and Conclusion

The proposed project's construction is assumed to begin in the fourth quarter of 2023 and last approximately 10 months based on project applicant provided information. The General Plan EIR evaluated construction impacts for consistent projects through 2040, and the construction period for the proposed project falls within the time period studied. Accordingly, the proposed project is within the scope of the General Plan's evaluation. If the construction schedule moves to later years, construction emissions would likely decrease because of improvements in technology and more stringent regulatory requirements as older, less efficient equipment is replaced by newer and cleaner equipment. The proposed project would require frontage improvement, site preparation, grading, building construction, architectural coating, and paving. The construction phase would require energy for the manufacture and transportation of building materials, preparation of the site (e.g.,

site clearing and grading), and the actual construction of the building. Petroleum-based fuels such as diesel fuel and gasoline would be the primary sources of energy for these tasks.

When the proposed project becomes operational, the proposed project would consume energy as part of building operations and transportation activities. The proposed project would utilize all-electric design and no natural gas would be consumed. The proposed buildings would also be compliant with Title 24 Standards and adhere to the energy efficiency, water efficiency, and material conservation requirements (CALGreen Title 24, Part 11). Since the proposed project is also consistent with the General Plan land use designation, it is reasonable to conclude that the energy use of the project construction and operation have been accounted for within the General Plan.

Therefore, the effects of the proposed project were anticipated in the General Plan EIR and there are no project-specific effects that were not analyzed in the General Plan EIR. The proposed project would not introduce new or off-site cumulative impacts or create more severe impacts related to agriculture and forest resources than those analyzed in the General Plan EIR. No additional analysis is required.

b) Energy Efficiency and Renewable Energy Standards Consistency

Would the project: *Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?*

Conclusions of the General Plan EIR

The General Plan EIR states that new development within the City must comply with State regulations and legislative acts that are aimed at improving vehicle fuel efficiency, energy efficiency, and enhancing energy conservation. The previous EIR concluded that conformance to applicable State regulations (AB 52, AB 2021, California Building Standards Code [CBC]) and legislation and implementation of the General Plan Goals, Policies, and Programs (Energy Action Plan, Silicon Valley Clean Energy, and California Energy Commission [CEC]) would ensure that buildout of the General Plan will not conflict with or obstruct State or local plans for renewable energy or energy efficiency.

Yamane Warehouse Project Analysis and Conclusion

The proposed project would be all-electric design and utilize electricity from Silicon Valley Clean Energy. In 2021, Silicon Valley Clean Energy obtained 44.1 percent of its electricity from renewable energy sources, including geothermal, solar, and wind.¹⁷ Therefore, the proposed project's electricity provider meets the State's current objective of 33 percent. The proposed project's electricity provider would also be required to meet the State's future objective of 60 percent of in-State electricity sales being generated from renewable energy sources by 2030.

The proposed buildings would also be compliant with Title 24 Standards and adhere to the energy efficiency, water efficiency, and material conservation requirements (CALGreen Title 24, Part 11). For example, the proposed project would install solar panels and heat pumps to cover the energy consumption of the proposed office. Additionally, the proposed project would provide bicycle

¹⁷ Silicon Valley Clean Energy. 2021. Power content label. Website: <https://www.energy.ca.gov/filebrowser/download/4672>. Accessed June 13, 2023.

parking spaces, and clean air vehicle parking spaces with EV charging facilities as required by Title 24. Therefore, the proposed project would be consistent with all applicable energy policies and plans.

Therefore, the effects of the proposed project were anticipated in the General Plan EIR and there are no project-specific effects that were not analyzed in the General Plan EIR. The proposed project would not introduce new or off-site cumulative impacts or create more severe impacts related to energy than those analyzed in the General Plan EIR. No additional analysis is required.

General Plan EIR Mitigation Measures Applicable to the Proposed Project

None.

Conclusion

The conclusions from the certified General Plan EIR remain unchanged when considering the implementation of the proposed project.

The proposed project is consistent with the development evaluated in the General Plan and the analysis in the General Plan EIR and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively related to energy.

		CEQA Section 15183(b) Criteria			
		Prior General Plan EIR Determination	Effect Peculiar to Project or Site?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.7 Geology and Soils <i>Would the project:</i>					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	Less than significant impact	No	No	No	No
ii) Strong seismic ground shaking?	Less than significant impact	No	No	No	No
iii) Seismic-related ground failure, including liquefaction?	Less than significant impact	No	No	No	No
iv) Landslides?	Less than significant impact	No	No	No	No
b) Result in substantial soil erosion or the loss of topsoil?	Less than significant impact	No	No	No	No
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less than significant impact	No	No	No	No
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Less than significant impact	No	No	No	No
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	No impact	No	No	No	No

Environmental Issues	Prior General Plan EIR Determination	CEQA Section 15183(b) Criteria			
		Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	No impact	No	No	No	No

Information and analysis in this section is based, in part, on the Geotechnical Investigation for the Proposed Warehouse Building 201 and 221 Yamane Drive prepared by Silicon Valley Soil Engineering in May 2022 (Appendix D).

a) Earthquake Hazards

Would the project: Directly or indirectly cause *potential substantial adverse effects, including the risk of loss, injury or death involving: (i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; (ii) Strong Seismic Ground Shaking; (iii) Seismic-related ground failure, including liquefaction; or (iv) Landslides.*

i) Fault Rupture

Conclusions of the General Plan EIR

The General Plan EIR found that buildout of the General Plan would result in new development and introduce additional population that could be exposed to risks of harm and property damage resulting from surface fault rupture and/or fault creep along the Carnadero Fault. However, the General Plan EIR determined that General Plan Goals and Policies would minimize risks to natural hazards by requiring safety measures such as geotechnical investigations in new development, emergency preparedness planning, and new development design reviews. As such, the General Plan concluded that impacts relating to fault rupture hazards from buildout of the General Plan would be less than significant.

Yamane Warehouse Project Analysis and Conclusion

The project site is located within the area evaluated in the General Plan EIR. It is not located within the County's Fault Rupture Hazard Zones and is not located near any active faults.^{18,19} Furthermore, the proposed project would comply with the CBC, applicable General Plan Goals and Policies, and applicable standards and regulations in the Gilroy City Code to minimize adverse effects in the event of surface fault rupture. Therefore, the proposed project would not result in new or substantially

¹⁸ County of Santa Clara. 2012. Santa Clara County Geologic Hazard Zones. October 26.

¹⁹ Silicon Valley Soil Engineering. 2022. Proposed Warehouse Building 201 and 221 Yamane Drive, Geotechnical Investigation. May.

more severe impacts related to surface fault rupture beyond what was previously analyzed in the General Plan EIR. No additional analysis is required.

ii) Ground Shaking

Conclusions of the General Plan EIR

The General Plan EIR determined that areas within the General Plan's UGB would likely be subject to significant ground shaking during a seismic event, and that buildout of the General Plan would be exposed to seismic ground shaking to the extent that human harm and/or property damage could occur to a potentially significant level. However, the General Plan EIR determined that General Plan Goals and Policies would minimize risks to natural hazards by requiring safety measures such as geotechnical investigations in new development, emergency preparedness planning, and new development design reviews. As such, the General Plan concluded that impacts relating to ground shaking hazards from buildout of the General Plan would be less than significant.

Yamane Warehouse Project Analysis and Conclusion

The project site is within city limits and not in the UGB. The nearest active fault line to the project site is the Calaveras Fault, located approximately 3.5 miles east of the project site.²⁰ The Calaveras Fault has a 26 percent chance of generating an earthquake greater than 6.8 on the Richter Scale, which would generate significant ground shaking on the project site.²¹ In addition, future earthquakes originating from active faults in the region could also be felt on the project site. However, as directed by the General Plan EIR the proposed project would adhere to seismic design standards in the CBC and General Plan Goals, Policies, and Programs. Therefore, the proposed project would not result in new or more severe impacts related to seismic ground shaking beyond what was previously analyzed in the General Plan EIR. No additional analysis is required.

iii) Ground Failure

Conclusions of the General Plan EIR

The General Plan EIR found that liquefaction hazard zones designated by the County were located within areas the General Plan's UGB. Specifically, the General Plan EIR found liquefaction hazard zones along Uvas Creek from Hecker Pass Highway to the southeast toward US-101, and east of US-101. The General Plan EIR determined that buildout of the General Plan in these areas could suffer significant damage in the event of a strong earthquake that triggered liquefaction or soil settlement. However, the General Plan EIR concluded that the General Plan's goals and policies would reduce the risk of human harm or property damage resulting from exposure to seismically induced ground failure to a less than significant level.

Yamane Warehouse Project Analysis and Conclusion

The analysis in the General Plan EIR focused primarily on impacts within the UGB and much of the analysis is not germane to the proposed project site, which is within city limits. Historically, ground surface displacements closely follow the trace of geologically young faults. The site is not within an

²⁰ Silicon Valley Soil Engineering. 2022. Proposed Warehouse Building 201 and 221 Yamane Drive, Geotechnical Investigation. May.

²¹ Ibid.

Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known active or potentially active faults exist on the site. Furthermore, the site-specific Geotechnical Investigation conducted by Silicon Valley Soil Engineering determined that there are no Seismic Hazard Zones for Liquefaction, as designated by the California Geological Survey, on the project site.²² Therefore, the Geotechnical Investigation determined that the potential for liquefaction on the project site is minimal. In addition, the proposed project would comply with General Plan Goals and Policies, and seismic design standards contained in the CBC, which would minimize the risk of human harm and property damage. Therefore, the proposed project would not result in new or more severe impacts related to seismic ground failure and liquefaction beyond what was previously analyzed in the General Plan EIR. No additional analysis is required.

iv) Landslides

Conclusions of the General Plan EIR

The General Plan EIR found that small areas within the City's UGB contained County-designated slope instability and landslides hazard zones that could produce landslides. Specifically, the General Plan EIR found slope instability and landslides hazard zones in the foothills of the Santa Cruz Mountains in the northwestern and southwestern parts of the UGB. The General Plan EIR determined that development within the areas identified as having a landslide risk and areas where slopes are greater than 10 percent could suffer significant damage from downward or lateral slope movement during large earthquakes, as well as wet weather, weak soils, improper grading, improper drainage, steep slopes, or a combination of these factors. However, the General Plan EIR concluded that implementation of General Plan Goals and Policies would reduce impacts from downward or lateral slope movement in relation to buildout of the General Plan to a less than significant level.

Yamane Warehouse Project Analysis and Conclusion

The project site sits at 204 feet above mean sea level, and is relatively flat, with a gentle slope in the southeastern direction.²³ The project site is also not located within a slope instability and landslides hazard zone.²⁴ In addition, the proposed project would comply with General Plan Goals and Policies, and seismic design standards contained in the CBC, which would minimize the risk of human harm and property damage. Therefore, the proposed project would not result in new or more severe impacts related to landslides beyond what was previously analyzed in the General Plan EIR. No additional analysis is required.

b) Erosion

Would the project: *Result in substantial soil erosion or the loss of topsoil?*

Conclusions of the General Plan EIR

The General Plan EIR found that western and southern areas with 10 to 75 percent slopes within the City's UGB contain moderate to very severe soil erosion potential. However, most of the buildout of

²² Silicon Valley Soil Engineering. 2022. Proposed Warehouse Building 201 and 221 Yamane Drive, Geotechnical Investigation. May.

²³ Radius. 2022. 221 Yamane Drive Phase I Environmental Site Assessment. February 15.

²⁴ California Geological Survey. 2022. Earthquake Zones of Required Investigation. Website: <https://maps.conservation.ca.gov/cgs/eqzapp/app/>. Accessed May 30, 2023.

the General Plan would occur on relatively flat slopes where the soil erosion potential ranges from none to slight. The General Plan EIR also determined that General Plan Goals and Policies would be sufficient to reduce potential soil erosion impacts in moderate to very severe soil erosion potential areas to a less than significant level. Therefore, the General Plan EIR concluded that soil erosion impacts from buildout of the General Plan would be less than significant.

Yamane Warehouse Project Analysis and Conclusion

As discussed above, the project site is relatively flat. In addition, the proposed project would comply with Gilroy City Code Section 30.38.140, Grading Design Plan, which requires that proposed grading on the project site minimize soil erosion and runoff as part of a comprehensive grading plan prepared by a Civil Engineer. This would include the City's requirement to employ erosion and runoff Best Management Practices (BMPs), which would be reviewed by the City as part of the proposed project's landscape documentation package.²⁵ In addition, the proposed project would comply with applicable General Plan Goals and Policies, including Policy PH 2.6, which requires that new development include a site plan detailing appropriate methods of erosion and deposition control during site development and subsequent use and Policy PH 3.6, which requires new development to include landscaped areas that minimize the erosive effects of stormwater. Therefore, the proposed project would not result in new or more severe impacts related to erosion of topsoil beyond what was previously analyzed in the General Plan EIR.

c) Unstable Soils or Geologic Units

Would the project: *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landsliding, lateral spreading, subsidence, liquefaction, or collapse?*

Conclusions of the General Plan EIR

The General Plan EIR noted that parts of the City's UGB are located on unstable geologic units, and as such, could result in subsidence, landslides, liquefaction, and other impacts relating to unstable geologic units. However, the General Plan EIR concluded that goals and policies in the General Plan, such as Policy PH 2.2, Site Investigation and Mitigation, would reduce impacts related to unstable soils or geologic units to a less than significant level.

Yamane Warehouse Project Analysis and Conclusion

Historically, ground surface displacements closely follow the trace of geologically young faults. The site is not within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known active or potentially active faults exist on the site.²⁶

Lateral spreading occurs when a continuous layer of soil liquefies at depth and the soil layers above move toward an unsupported face, such as a shoreline slope, or in the direction of a regional slope or gradient. As stated above, the Geotechnical Investigation found that the potential for liquefaction

²⁵ City of Gilroy. 2018. Gilroy City Code, Article XXXVIII. Landscaping, Water Efficiency, and Storm Water Retention And Treatment. Website: <https://www.codepublishing.com/CA/Gilroy/html/Gilroy30/Gilroy3038.html>. Accessed May 30, 2023.

²⁶ California Geological Survey. 2022. Earthquake Zones of Required Investigation. Website: <https://maps.conservation.ca.gov/cgs/eqzapp/app/>. Accessed May 30, 2023.

on the project site is minimal and did not find any liquefiable soil on the project site. As such, the potential for lateral spreading is low.

The proposed project would be required to adhere to seismic design standards contained within the CBC and General Plan Goals and Policies which would reduce impacts to any potentially unstable soils or geologic units. The construction of the proposed project would require ground disturbance; this site does not contain loose saturated, sandy soils. Soils encountered at the site were predominantly stiff to very stiff clays and medium dense to dense sands.²⁷ This condition precludes the likelihood of construction activity being on unstable or unsuitable land for development. Therefore, the proposed project would not result in new or more severe impacts related to unstable soils or geologic units beyond what was previously analyzed in the General Plan EIR.

d) Expansive Soils

Would the project: *Be located on expansive soil, creating substantial direct or indirect risks to life or property?*

Conclusions of the General Plan EIR

The General Plan EIR noted that most soils within the City's UGB are characterized as having a moderate or high shrink-swell potential. As such, buildout of the General Plan could experience settlement caused by consolidation of expansive soils under the weight of the new fill and building load, with different loads potentially causing differential settlement and potentially damaging structures, surrounding pavements and utilities, which may subsequently create hazardous environments to humans. However, the General Plan EIR found that the Gilroy City Code requires soils investigations as part of development applications and infrastructure improvement plans to address concerns that might be identified regarding expansive soils at specific building sites. Furthermore, the General Plan EIR found that implementation of General Plan Goals and Policies would minimize any potential risks related to expansive soil. As such, the General Plan EIR concluded that buildout of the General Plan would have a less than significant impact to expansive soil risks.

Yamane Warehouse Project Analysis and Conclusion

The Geotechnical Investigation for the project site found that the existing soils on-site have low expansion capabilities.²⁸ However, the Geotechnical Investigation also surmised that imported fill could contain expansive soils. Thus, the Geotechnical Investigation provided specific recommendations for reviewing the geotechnical aspects of the project's structural, civil, and landscape plans and specifications, and provided recommendations for imported fill standards to minimize expansion risk. The City's Architectural and Site Review process will ensure that these recommendations are reflected in the grading and building plans.

Consistent with the General Plan EIR, the proposed project would adhere to General Plan Goals and Policies, and would additionally comply with State regulations, such as the CBC. Therefore, the

²⁷ Silicon Valley Soil Engineering. 2022. Proposed Warehouse Building 201 and 221 Yamane Drive, Geotechnical Investigation. May.

²⁸ Ibid.

proposed project would not result in new or more severe impacts related to expansive soils beyond what was previously analyzed in the General Plan EIR.

e) Septic Tanks

Would the project: *Have soils incapable of supporting the use of septic tanks or other alternative wastewater disposal systems where sewers are not available?*

Conclusions of the General Plan EIR

The General Plan EIR did not identify impacts related to septic tanks or other alternative wastewater disposal systems. However, the General Plan EIR found that the City's existing wastewater treatment system would be maintained and expanded to serve all anticipated future development of the General Plan as part of General Plan Goal PS 4. Therefore, no impacts were listed or anticipated by the General Plan EIR.

Yamane Warehouse Project Analysis and Conclusion

The proposed project would not utilize septic tanks or alternative wastewater treatment systems and would connect to the City's existing wastewater treatment system. As such, the proposed project would not result in new or more severe impacts related to septic tanks and alternative wastewater disposal systems beyond what was previously analyzed in the General Plan EIR.

f) Destruction of Paleontological Resource or Unique Geologic Feature

Would the project: *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Conclusions of the General Plan EIR

The General Plan EIR did not directly address potential paleontological resource impacts in the City. However, an analysis to paleontological resources was provided in Section 3.5 of the General Plan EIR. The General Plan EIR found that the City's geology consists mostly of Holocene deposits that are too new to contain paleontological resources, and that no known paleontological resources have been discovered in the City.

Yamane Warehouse Project Analysis and Conclusion

The proposed project is not located in an area with known paleontological resources, a high sensitivity area for paleontological resources, or an area with known unique geologic features. As a result, this potential impact would not be relevant to the project site, and no additional analysis was required.

General Plan EIR Mitigation Measures Applicable to the Proposed Project

None.

Conclusion

The conclusions from the certified General Plan EIR remain unchanged when considering the implementation of the proposed project.

The proposed project is consistent with the development evaluated in the General Plan and the analysis in the General Plan EIR and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively related to geology and soils.

Environmental Issues	CEQA Section 15183(b) Criteria				
	Prior General Plan EIR Determination	Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.8 Greenhouse Gas Emissions <i>Would the project:</i>					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Significant and unavoidable	No	No	No	No
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	Significant and unavoidable	No	No	No	No

a) Greenhouse Gas Emissions

Would the project: *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Conclusions of the General Plan EIR

The General Plan EIR found that implementation of the General Plan would generate greenhouse gas (GHG) emissions at a less than significant level by 2030 if it reduced GHG emissions to 3.85 metric tons (MT) of carbon dioxide equivalent (CO₂e) per capita. The General Plan EIR estimated that implementation of the General Plan would result in approximately 16 MT CO₂e per capita of GHG emissions in 2030, which is the established statewide GHG reductions target year as established in AB 32. In addition, the General Plan EIR found that at the time of the full buildout of the General Plan, which would be expected in year 2040, the statewide GHG reduction target would be 1.93 MT CO₂e per capita. At full buildout, the General Plan would produce approximately 10.36 MT CO₂e per capita, thus exceeding the 2040 GHG reduction target. However, the General Plan EIR implemented MM GHG-1 and MM GHG-2 to ensure that a qualified GHG reduction plan is prepared in a timely manner, shown below:

MM GHG-1 To further enhance GHG reductions from community activities and provide CEQA streamlining benefits for analysis of greenhouse gas (GHG) impacts, Gilroy 2040 General Plan Policy NCR 3.14 shall be replaced, as follows:

NCR 3.14 Prepare a Qualified GHG Reduction Plan. Pursue funding through grants and any other appropriate funding mechanisms, including California Air Resources Board's list of programs and projects, California State Coastal Conservancy's Climate Ready Grant Program, Climate Corps, and CivicSpark. The plan may be prepared by amending the Gilroy 2040 General Plan or by preparing a separate GHG Reduction Plan. In either case, requirements for a qualified GHG reduction plan as identified in

CEQA Guidelines, § 15183.5 (b)(1) must be met. Accordingly, definition and implementation of GHG reduction measures in addition to those identified in Gilroy 2040 General Plan policies and programs may be required to show progress toward meeting the reduction targets established in the GHG Reduction Plan.

MM GHG-2 To implement modified Policy NCR 3.14 identified in mitigation measure GHG-1, the Gilroy 2040 General Plan shall include an Implementation Program entitled “Qualified GHG Reduction Plan.” The Implementation Program shall require that that City prepare and adopt a qualified greenhouse gas (GHG) emission reduction plan within 3 years of the date the Gilroy 2040 General Plan is adopted.

When drafting the Climate Action Plan/GHG Reduction Strategy, the City shall consider recommendations outlined in the Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines, and any requirements of Assembly Bill (AB) 32, Senate Bill (SB) 32, Executive Order B-55-18, and SB 100.

While the mitigation measures would result in reduced GHGs, in the interim period before the GHG Reduction Plan is adopted, General Plan EIR determined that there were no assurances that actions to reduce significant GHG impacts would be undertaken. As such, the General Plan EIR concluded that implementation of the General Plan would result in significant and unavoidable impacts to GHG emissions both in 2030 and 2040.

Yamane Warehouse Project Analysis and Conclusion

For GHG emissions, the BAAQMD updated their GHG significance thresholds for land use projects in April 2022. These new thresholds of significance, also known as BAAQMD’s new “fair share” based thresholds, are based on consistency with achieving the State’s overarching goal of carbon neutrality by 2045. Accordingly, projects that demonstrate consistency with these thresholds are determined to have a less than significant impact on GHG emissions and are consistent with State’s Scoping Plan and carbon neutrality goals. A project can demonstrate a less than significant impact to GHG emissions by documenting certain key attributes which are considered as contributing fair share reductions (in Criterion A below), or alternatively, a project demonstrate consistency with a local GHG reduction strategy that meets the requirements of CEQA Guidelines Section 15183.5, in Criterion B.

The BAAQMD GHG Thresholds of Significance for Land Use Projects requires that a project meet the criterion outlined in A or B, as follows:

- A. Projects must include, at a minimum, the following project design elements:
 - 1. Buildings
 - a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
 - b. The project will not result in any wasteful, inefficient, or unnecessary energy use as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.
 - 2. Transportation

- a. The project will achieve a reduction in project-generated VMT below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target that reflects the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory: Evaluating Transportation Impacts in CEQA:
 - i. Residential projects: 15 percent below the existing VMT per capita
 - ii. Office projects: 15 percent below the existing VMT per employee
 - iii. Retail projects: no net increase in existing VMT
- b. The project will achieve compliance with off-street EV requirements in the most recently adopted version of CALGreen Tier 2.

Or

- B. Projects must be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b).

The proposed project does not satisfy Criterion A. The proposed buildings would be all-electric design and would provide clean air vehicle parking spaces with EV charging facilities as required by Title 24 Standard and would meet Criterion A.1.a, A.1.b, and A.2.b as shown in BAAQMD GHG Guidelines. However, the proposed project does not demonstrate VMT reductions for the office portion of the project and would, therefore, not meet Criterion A.2.a.ii.

For Criterion B, since the City of Gilroy has not adopted a GHG Reduction Plan that meets the criteria under CEQA Guideline Section 15183.(b), it does not satisfy Criterion B for demonstrating a less than significant impact.

The traffic report for the project found that though implementation of Transportation Demand Management (TDM) strategies could potentially achieve a reduction in the project's VMT per worker below the Governor's Office of Planning and Research (OPR) recommended 15 percent below existing VMT impact threshold, that some of the TDM strategies may not be applicable or feasible to be implemented by the proposed project.²⁹ OPR's recommended 15 percent below existing VMT impact threshold encourages developments in transit-centered, highly mixed-use areas to implement design features and trip reduction measures to take advantage of existing multi-model infrastructure and land use mixes in reducing trip making and/or trip lengths. However, many communities such as Gilroy have very limited multimodal transportation infrastructure and lack a mix of complementary land uses. The minimal existing multi-model infrastructure reduces the opportunity for non-vehicular trips to the site. Therefore, it is unlikely that developments like the proposed project in these cities can achieve OPR's recommended 15 percent reduction in VMT. Therefore, absent of the City adopting its own City-specific VMT policies and impact thresholds, if the project cannot reduce its VMT per worker to below the impact threshold, the proposed project's VMT impact would be deemed significant and unavoidable.

Since the project does not demonstrate a 15 percent reduction in VMT for office land use trips, the proposed projects GHG emission impact would be significant and unavoidable. This is consistent

²⁹ Hexagon Transportation Consultants. 2023. Yamane Drive Industrial Warehouse Development Transportation Analysis. May 19.

with the General Plan EIR's determination that GHG impacts would be significant and unavoidable. The City identified MM GHG-1 and MM GHG-2 as feasible and enforceable mitigation measures to reduce GHG emissions that may have a significant impact on climate change at the project and cumulative levels. The Gilroy 2040 General Plan would have interim significant and unavoidable GHG emission impacts, meaning that impacts are interim until the Qualified GHG Reduction Plan is adopted and implemented. As previously noted, the City of Gilroy has not adopted a GHG Reduction Plan that meets the criteria under CEQA Guideline Section 15183(b). COA GHG-1 would require the project to demonstrate consistency with the City's Qualified GHG Reduction Plan if it is adopted prior to the issuance of building permits.

Because the General Plan EIR anticipated GHG emissions from future development projects to be considered in the Qualified GHG Reduction Plan, the effects of the proposed project were anticipated in the General Plan EIR and there are no project-specific effects that were not analyzed in the General Plan EIR. The proposed project would not introduce new or off-site cumulative impacts or create more severe impacts related to GHG emissions than those analyzed in the General Plan EIR. No additional analysis is required.

b) Greenhouse Gases Emissions Reduction Plan Conflict

Would the project: *Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?*

Conclusions of the General Plan EIR

The General Plan EIR found that this impact will be significant and unavoidable until such time as the City adopts and implements a qualified GHG reduction plan which demonstrates how the City will contribute its fair share toward achieving consistency with State GHG reduction guidance. Furthermore, implementation of MM GHG-1 and MM GHG-2 would result in the adoption of a GHG Reduction Plan in a timely manner, which would further reduce GHG emissions. Regardless, the current General Plan would not be sufficient to comply with applicable GHG reduction plans, policies, and regulations established by the State, resulting in a significant and unavoidable impact for the interim period until the City adopts and implements a qualified GHG reduction plan. However, upon implementation of a qualified GHG reduction plan, GHG plan, policy, and regulation compliance impacts related to buildout of the General Plan would be reduced to a less than significant level.

Yamane Warehouse Project Analysis and Conclusion

As shown in analysis above, the City of Gilroy does not have a CEQA qualified GHG reduction plan. While the proposed buildings would be all-electric design and would provide clean air vehicle parking spaces with EV charging facilities as required by Title 24 Standards, the proposed project would have a significant VMT impact, which would result in the proposed project conflicting with the BAAQMD GHG Guidelines threshold Criterion A. Therefore, the proposed project would result in significant GHG emissions impacts since it cannot meet either criterion A or B of the BAAQMD significance threshold. This finding is consistent with the General Plan EIR's determination that GHG impacts would be significant and unavoidable for projects consistent with the General Plan's buildout assumptions.

If the City adopts a CAP prior to the issuance of building permits for the proposed project, as identified in MM GHG-1 and MM GHG-2 of the General Plan EIR, the proposed project would adopt the applicable measures from the GHG Reduction Plan and this GHG impact would be reduced to less than significant consistent with the City's General Plan EIR. For purposes of this environmental document, the proposed project is consistent with the buildout assumptions that were evaluated in the General Plan EIR and within the scope of impacts evaluated in the EIR and the potential impact is consistent with the conclusions in the General Plan EIR.

Therefore, the effects of the proposed project were anticipated in the General Plan EIR and there are no project-specific effects that were not analyzed in the General Plan EIR. The proposed project would not introduce new or off-site cumulative impacts or create more severe impacts related to GHG emissions than those analyzed in the General Plan EIR. No additional analysis is required.

Conditions of Approval

The following COA would apply to the proposed project to implement General Plan policies:

COA GHG-1 Demonstrate Project Consistency with the City's Qualified GHG Reduction Plan Once Adopted

If the City adopts a Qualified GHG Reduction Plan prior to the issuance of building permits for the proposed project, the project shall demonstrate consistency with the City's GHG Reduction Plan.

General Plan EIR Mitigation Measures Applicable to the Proposed Project

None.

Conclusion

The conclusions from the certified General Plan EIR remain unchanged when considering the implementation of the proposed project.

The proposed project is consistent with the development evaluated in the General Plan and the analysis in the General Plan EIR and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively related to GHG emissions.

Environmental Issues	CEQA Section 15183(b) Criteria				
	Prior General Plan EIR Determination	Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.9 Hazards and Hazardous Materials <i>Would the project:</i>					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less than significant impact	No	No	No	No
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Less than significant impact	No	No	No	No
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Less than significant impact	No	No	No	No
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less than significant impact	No	No	No	No
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	Less than significant impact	No	No	No	No
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	No impact	No	No	No	No
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	Less than significant impact	No	No	No	No

Information and analysis in this section is based, in part, on the Phase I Environmental Site Assessment (Phase I ESA) prepared for the proposed project by CREtelligent on February 15, 2022 (Appendix E).

a) Routine Transport, Use, or Disposal of Hazardous Materials

Would the project: *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Conclusions of the General Plan EIR

The General Plan EIR found that development could result in an increase in routine use, storage, transport, and disposal of hazardous materials by residents, commercial businesses, and industry. This may increase risks for significant public health and environmental hazards from these activities. To reduce these risks, developments must be consistent with General Plan Goals (PH 5, M 6, and NCR 4), Policies (PH 5.1 through PH 5.8, M 6.1, and PH 4.2 and PH 4.3), and City of Gilroy Hazardous Materials Storage Permit Ordinance.³⁰ The General Plan EIR concluded that implementation of the General Plan Goals, Policies, and City Ordinance will minimize risks to the people and environment resources from the increase use, storage, transport and disposal of hazardous materials to less than significant. No additional mitigation is required.

Yamane Warehouse Project Analysis and Conclusion

The proposed project would demolish and remove the existing buildings within the General Plan area and associated infrastructure to construct an approximately 163,400-square-foot large-scale warehouse/distribution building. A Phase I ESA was conducted by CREtelligent on February 15, 2022. According to the Phase I ESA report, the project site has a history of agricultural activities and would be of interest due to potential pesticide use. However, the project site was not identified in regulatory databases as storing or utilizing hazardous chemicals of concern. Assuming the property remains used, or is developed for commercial purposes, no further assessment or remediation is required. Additionally, the project site does not have the presence of any hazardous materials, nor has it been associated with the release of any hazardous substances.

Project alignment with General Plan Policies (PH 5.1 through PH 5.8, M 6.1, and PH 4.2 and PH 4.3) would ensure compliance with local, State, and federal regulations to reduce potential risks associated with the use, handling, and storage of hazardous materials and wastes. Therefore, implementation of the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Impacts would be less than significant. No additional analysis is required.

b) Risk of Upset

Would the project: *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Conclusions of the General Plan EIR

The General Plan EIR found that development includes construction, manufacturing and other service and household practices involving hazardous materials and waste have the potential to

³⁰ City of Gilroy. 1998. City of Gilroy Hazardous Materials Storage Permit Ordinance. Website: <https://www.cityofgilroy.org/DocumentCenter/View/604/Hazardous-Materials-Ordinance-PDF?bidId=>. Accessed May 26, 2023.

create a significant hazard to the public or environment. To reduce these risks, developments must be consistent with General Plan Goals (PH 5 and NCR 4), Policies (PH 5.1 through PH 5.8, and PH 4.2), and City of Gilroy Hazardous Materials Storage Permit Ordinance, in addition to compliance with applicable federal, State, and local regulations for hazardous materials and their waste. Adherence to the General Plan and regulations will minimize risks of the release of hazardous materials into the environment involving the release of hazardous materials into the environment. The General Plan EIR concluded that potential significant impacts are reduced to less than significant levels. No additional mitigation is required.

Yamane Warehouse Project Analysis and Conclusion

As discussed above, the proposed project would demolish the existing buildings and infrastructure to construct a warehouse/distribution building. According to the Phase I ESA report, there were no obvious signs of underground storage tanks (USTs), hazardous waste generation, ill-appropriate disposal, staining, and/or other indications of releases noted on the project site. Furthermore, the Phase I ESA report concluded there is no presence of any hazardous substances, petroleum products, or Recognized Environmental Conditions (RECs) on the project site.

Project alignment with General Plan Policies (PH 5.1 through PH 5.8, and PH 4.2 and PH 4.3) would ensure compliance with local, State, and federal regulations to reduce potential risks associated with the use, handling, and storage of hazardous materials and wastes. Therefore, implementation of the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Impacts would be less than significant. No additional analysis is required.

c) Exposure of Schools to Hazardous Materials or Emissions

Would the project: *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

Conclusions of the General Plan EIR

The General Plan EIR found that development could emit hazardous emissions and involve the handling of hazardous materials and wastes. Placement of uses that emit hazardous materials and generate hazardous waste within one-quarter mile of a school facility could result in a potentially significant impact. However, to reduce these potential risks, developments must be consistent with General Plan Goals (PH 5), Policies (PH 5.1 through PH 5.7), and comply with the State standards for school facilities construction identified in Title 5, Section 14010 of the California Code of Regulations. Therefore, the General Plan EIR concluded that potentially significant impacts are reduced to less than significant levels. No additional mitigation is required.

Yamane Warehouse Project Analysis and Conclusion

The project site is not located within one-quarter mile of an existing or proposed school. The closest school in proximity to the project site is South Valley Middle School, approximately 1 mile south of the site. Consistent with the General Plan, Policies (PH 5.1 through PH 5.7) would require that the handling, storage, and transportation of hazardous materials shall be completed in accordance with applicable County, regional, State, and federal laws and regulations. Therefore, the proposed project

would not introduce new impacts or create more severe impacts than those previously analyzed in the previous EIR. No additional analysis is required.

d) Hazardous Materials Sites

Would the project: *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

Conclusions of the General Plan EIR

The General Plan EIR identified numerous hazardous material sites listed in the State of California GeoTracker and EnviroStor databases. The majority of these sites within the City of Gilroy are closed, completed, or require no further action, and are no longer considered a significant hazard to the public or the environment. Of the eight sites within the UGB listed on the State of California GeoTracker and EnviroStor databases, three site are classified as closed, four sites are inactive, and one site is being actively remediated. The General Plan EIR indicated risks to public health and safety from development on or in the vicinity of sites that are completed, closed, inactive, require no further action, or undergoing active remediation would be less than significant.

Additionally, developments must be consistent with General Plan Goal (PH 5), Policies (PH 5.4 through PH 5.6), and compliance with applicable federal, State, and other local regulations reduce the public health risks and potential environmental damage from exposures to known sites with hazardous materials. In the event that residual contamination is encountered on a property, Policy PH 5.6 requires that all necessary mitigation measures are incorporated into the project to ensure there is no public health danger. The responsible County or State agency will evaluate the potential hazards and provide appropriate guidance for protecting and minimizing risks to the public and the environment during site development. Therefore, the General Plan EIR concluded that potential impacts will be less than significant, and no mitigation measures are required.

Yamane Warehouse Project Analysis and Conclusion

The project site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment. Additionally, the Phase I ESA reported no obvious signs of USTs, hazardous waste generation, ill-appropriate disposal, staining, and/or other indications of releases noted on the project site. Furthermore, the Phase I ESA report concluded there is no presence of any hazardous substances, petroleum products, or RECs on the project site. Therefore, the proposed project would not introduce new impacts or create more severe impacts than those previously analyzed in the previous EIR. No additional analysis is required.

e) Airports

Would the project: *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

Conclusions of the General Plan EIR

This checklist question did not exist at the time the previous EIR was certified (2020). However, impacts associated with excessive noise levels are analyzed in the Noise section of the previous EIR. The previous EIR states that general aviation and occasional high-altitude jet aircraft overflights are audible throughout the community but do not make a substantial contribution to community noise levels. Aircraft Noise and Crash Hazards are not anticipated to affect the City of Gilroy. The closest airport to the City is the San Martin Airport located approximately five miles to the north, west of US-101. A mixture of residential, commercial, and industrial uses surrounds the San Martin Airport on all sides. The San Martin Airport is within the South County Airport Master Plan.³¹

The General Plan EIR found that developments nearby elevated noise levels have the potential to result in a safety hazard or excessive noise for people in the area. However, implementation of General Plan Policies PH 6.1 through PH 6.8 reduces potentially significant impacts associated with new noise-sensitive land use exposure to noise sources. Therefore, the previous EIR concluded that impacts are less than significant. No additional mitigation is required.

Yamane Warehouse Project Analysis and Conclusion

The closest airport to the project site is the San Martin Airport, located approximately 3.9 miles north of the project site. General aviation and occasional high-altitude jet aircraft overflights are audible from the project site, but do not make substantial noise levels. Project implementation of General Plan Policies PH 6.1 through 6.8 would reduce potentially significant impacts associated with new noise-sensitive land use exposure to noise sources. Therefore, the proposed project would not introduce new impacts or create more severe impacts than those previously analyzed in the previous EIR. No additional analysis is required.

f) Emergency Response and Evacuation

Would the project: *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Conclusions of the General Plan EIR

The General Plan EIR identifies the adopted Santa Clara County Operational Area Emergency Operations Plan (EOP) to serve the entire population of Santa Clara County, including the City of Gilroy. The Santa Clara County Operational Area EOP does not contain an evacuation map that outlines the routes or locations of emergency facilities for the City of Gilroy. The *Regional Catastrophic Earthquake Mass Transportation/Evacuation Plan* contains regional evacuation maps for 12 counties including Santa Clara County.

The General Plan EIR found that development will increase population but would not impair implementation of or physically interfere with the adopted local and regional emergency response plans and evacuation plans. Periodic review of these regional emergency plans in addition to local performance reviews ensures the maintenance of adequate emergency response times and

³¹ County of Santa Clara. 2006. South County Airport Master Plan Report. Website: <https://countyairports.sccgov.org/sites/g/files/exjcpb686/files/E16%20Masterplan.pdf>. Accessed May 31, 2023.

adequacy of established emergency evacuation routes and plans. Therefore, the General Plan EIR concluded that there are no impacts to the implementation of an adopted emergency plan or evacuation plan.

Yamane Warehouse Project Analysis and Conclusion

As discussed above, the proposed project would demolish the existing buildings and infrastructure to construct a warehouse/distribution building. The project site is located in a developed area within the Santa Clara County Operational Area jurisdiction. Project alignment with the Santa Clara County Operational Area EOP and Earthquake Mass Transportation/Evacuation Plan, would reduce potential risks associated with emergency response and evacuation. Periodic review of these regional emergency plans in addition to local performance reviews ensures the maintenance of adequate emergency response times and adequacy of established emergency evacuation routes and plans. Therefore, project implementation of the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, the proposed project would not introduce new impacts or create more severe impacts than those previously analyzed in the previous EIR. No additional analysis is required.

g) Wildland Fires

Would the project: *Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?*

Conclusions of the General Plan EIR

The General Plan EIR found that the majority of the area within the UGB that has been developed with urban uses is generally not susceptible to risks from wildland fires. However, the southern and western hillside areas pose a high fire hazard. These areas are subject to special development controls to help reduce the potential loss of life and property in the event of a local wildfire. To reduce these potential risks, developments must be consistent with General Plan Goals (PH 1, PH 4, and PH 10), Policies (PH 1.1 through PH 1.18, PH 4.1 through PH 4.5, and PH 10.1 through PH 10.8), and comply with the most recent State standards for fire code adoption, in CBC, Title 24, Part 9. The General Plan EIR concluded that implementation of General Plan Goals and Policies reduces potential, significant impacts related to an increased risk of human harm and/or property damage involving wildland fires to less than significant. No additional mitigation is required.

Yamane Warehouse Project Analysis and Conclusion

As discussed above, the proposed project would demolish the existing buildings and infrastructure to construct a warehouse/distribution building. The project site is located in a developed area within city limits with urban uses and is not susceptible to risks from wildland fires. Project alignment with General Plan Goals, Policies, and CBC Title 24, Part 9, would reduce potential risks associated with wildland fires. Therefore, project implementation of the proposed project would not expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires. Therefore, the proposed project would not introduce new impacts or create more severe impacts than those previously analyzed in the previous EIR. No additional analysis is required.

General Plan EIR Mitigation Measures Applicable to the Proposed Project

None.

Conclusion

The conclusions from the certified General Plan EIR remain unchanged when considering the implementation of the proposed project.

The proposed project is consistent with the development evaluated in the General Plan and the analysis in the General Plan EIR and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively related to hazards.

Environmental Issues	CEQA Section 15183(b) Criteria				
	Prior General Plan EIR Determination	Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.10 Hydrology and Water Quality <i>Would the project:</i>					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less than significant impact	No	No	No	No
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Less than significant impact	No	No	No	No
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	—	—	—	—	—
(i) result in substantial erosion or siltation on- or off-site;	Less than significant impact	No	No	No	No
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	Less than significant impact	No	No	No	No
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	Less than significant impact	No	No	No	No
(iv) impede or redirect flood flows?	Less than significant impact	No	No	No	No
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Less than significant impact	No	No	No	No
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less than significant impact	No	No	No	No

Information and analysis in this section is based, in part, on the Preliminary Stormwater Control Plan (SWCP) prepared for the proposed project by Laugenour and Meikle on July 26, 2022 (Appendix F).

a) Water Quality

Would the project: *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Conclusions of the General Plan EIR

The General Plan EIR found that development will increase potential surface and groundwater quality degradation and consequently, potential violations to water quality standards could inadvertently occur. Implementation of General Plan Goals (NCR 4) and Policies (NCR 4.1 through 4.4, and NCR 4.8) aid in the reduction of potential water quality impacts. Additionally, individual projects must comply with Gilroy City Code Chapters 27C and 27D, the City's Storm Water Master Plan and Stormwater Management Guidance Manual, NPDES, and other Central Coast waterboard requirements during or post-construction.^{32,33} Therefore, the previous EIR concluded that implementation of General Plan policies and compliance with local programs will result in less than significant impacts. No mitigation is required.

Yamane Warehouse Project Analysis and Conclusion

The proposed project would demolish and remove the existing buildings and associated infrastructure to construct an approximately 163,400-square-foot large-scale warehouse/distribution building. Development could increase the use of chemicals and other commercial/industrial products that contain contaminants with potential to degrade water quality. According to the SWCP prepared for the proposed project, implementation of the proposed project would result in 320,300 square feet of new impervious surface area as compared to existing conditions (Appendix F). New impervious surfaces may result in increased stormwater runoff that could be discharged directly to surface waters including Valley Water facilities such as Llagas Creek, Uvas Creek, Valley Water drainage channels, or to groundwater directly. However, the proposed project would include stormwater treatment measures. After flowing overland through landscaped/pervious areas, stormwater from the project site would be routed to infiltration trenches which would rely on the sandy gravelly soil layer approximately 7 feet below ground surface. Storm drainage lines of 12-inch, 15-inch, and 18-inch diameters would be constructed across the project site and would drain into an existing 15-inch diameter storm drainage line on the southeast corner of the project site, and into a 24-inch storm drainage line in Yamane Drive. According to the SWCP, the infiltration trenches will treat/retain 85th percentile storm events, retain 95th percentile storm events, and mitigate 2- to 10-year storm events in accordance with the current edition of the Central Coast RWQCB to the maximum extent feasible (Appendix F).

Potential impacts to surface would be reduced with adherence to Gilroy City Code Chapter 27C and Chapter 27D, which specifies the City's regulations for implementing stormwater quality

³² City of Gilroy. 2023. City of Gilroy Gilroy City Code, Chapter 27C – Municipal Storm Water Quality Protection and Discharge Control. Website: <https://www.codepublishing.com/CA/Gilroy/html/Gilroy27C.html#27C.1>. Accessed May 31, 2023.

³³ City of Gilroy. 2023. City of Gilroy Gilroy City Code, Chapter 27. Website: <https://www.codepublishing.com/CA/Gilroy/html/Gilroy27.html>. Accessed May 31, 2023.

management strategies consistent with NPDES requirements.^{34,35} The Gilroy 2015 Groundwater Management Plan outlines all required measures that must be implemented by the City and by future development to comply with NPDES water quality protection requirements. Standard conditions of permit approval include requirements that discharged water meet State Water Resources Control Board and/or Central Coast water board standards. Additionally, General Plan Goals (NCR 4) and Policies (NCR 4.1 through 4.4, and NCR 4.8) maintain overall water quality by protective surface and groundwater sources and would reduce potentially significant impacts associated with water quality. Therefore, the proposed project would not introduce new impacts or create more severe impacts than those previously analyzed in the previous EIR. No additional analysis is required.

b) Groundwater

Would the project: *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Conclusions of the General Plan EIR

The General Plan EIR found that development will increase population and increase demand for potable water, which would lead to increased groundwater extraction from the Llagas Subbasin. Valley Water implements comprehensive conjunctive management, groundwater monitoring, and groundwater protection programs described in the Gilroy 2015 Groundwater Management Plan. As a result, conditions in the Santa Clara and Llagas subbasins remained sustainable and groundwater levels and storage in the two subbasins have recorded pre-drought conditions. Additionally, General Plan Goals (PFS 3) and Policies (PFS 3.1 through PFS 3.9) address groundwater management through phased growth, mandatory water conservation, water reclamation, and other programs intended to avoid or reduce impacts of population growth and development to the availability of groundwater. Therefore, the previous EIR concluded that buildout will not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basins. Impacts are less than significant. No mitigation is required.

Yamane Warehouse Project Analysis and Conclusion

As discussed above, the proposed project would demolish the existing buildings and infrastructure to construct a warehouse/distribution building. This development would increase the demand for potable water, which would lead to increased groundwater extraction from the Llagas Subbasin. Project implementation must be consistent with General Plan Policies PH 6.1 through 6.8 and would reduce potentially significant impacts associated with groundwater supply and recharge to less than significant levels. Therefore, the proposed project would not introduce new impacts or create more severe impacts than those previously analyzed in the previous EIR. No additional analysis is required.

³⁴ City of Gilroy. 2023. City of Gilroy Gilroy City Code, Chapter 27C – Municipal Storm Water Quality Protection and Discharge Control. Website: <https://www.codepublishing.com/CA/Gilroy/html/Gilroy27C.html#27C.1>. Accessed May 31, 2023.

³⁵ City of Gilroy. 2023. City of Gilroy Gilroy City Code, Chapter 27 – <https://www.codepublishing.com/CA/Gilroy/html/Gilroy27.html>. Accessed May 31, 2023.

c) Drainage

Would the project: *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

i) result in substantial erosion or siltation on- or off-site;***Conclusions of the General Plan EIR***

The General Plan EIR found that buildout of the Gilroy 2040 General Plan will result in significant impacts through alteration of natural drainage courses. This would lead to an increase in stormwater runoff volume and inadequate stormwater drainage facilities could lead to erosion. However, to reduce these potential risks, developments must be consistent with General Plan Goals (PFS 5), Policies (PH 5.1 through PH 5.5), and comply with the City's Storm Water Master Plan and Stormwater Management Guidance Manual. Therefore, the General Plan EIR concluded that potentially significant impacts are reduced to less than significant levels. No additional mitigation is required.

Yamane Warehouse Project Analysis and Conclusion

As discussed above, the proposed project would demolish the existing buildings and infrastructure to construct a warehouse/distribution building. This development would increase the amount of impervious surfaces within project site boundaries and thus contribute new sources of runoff. Compliance with City and California State Water Resources Control Board (State Water Board) detention or retention requirements, in combination with applicable Valley Water requirements for development adjacent to Valley Water facilities, would ensure stormwater facilities within and downstream of the project site are adequate to transport stormwater runoff and reduce substantial erosion or siltation on- or off-site. Furthermore, the SWCP completed for the proposed project notes that there are no significant natural drainage features within the project site, however, stormwater drainage from the project site would be made to mimic existing natural drainage patterns to the maximum extent practicable (Appendix F). Therefore, the proposed project would not introduce new impacts or create more severe impacts than those previously analyzed in the previous EIR. No additional analysis is required.

(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;***Conclusions of the General Plan EIR***

The General Plan EIR found that buildout of the Gilroy 2040 General Plan will result in significant impacts through alteration of natural drainage courses. This would lead to an increase in stormwater runoff volume and inadequate stormwater drainage facilities could lead to flooding. However, to reduce these potential risks, developments must be consistent with General Plan Goals (PFS 5), Policies (PH 5.1 through PH 5.5), and comply with the City's Storm Water Master Plan and Stormwater Management Guidance Manual.

Future development within the UGB would be required to demonstrate compliance during construction and post-construction with applicable Central Coast water board requirements, applicable Valley Water channel improvement requirements, and Gilroy City Code requirements that mitigate increases in impervious surfaces that could lead to flooding. Therefore, the General Plan EIR concluded that compliance with these policies and related regulations ensures that potentially significant flood impacts from development are less than significant. No mitigation is required.

Yamane Warehouse Project Analysis and Conclusion

As discussed above, the proposed project would demolish the existing buildings and infrastructure to construct a warehouse/distribution building. This development would increase the amount of impervious surfaces within project site boundaries and thus contribute new sources of runoff and potential flooding. Compliance with City and State Water Resource Control Board detention or retention requirements, in combination with applicable Valley Water requirements for development adjacent to Valley Water facilities, would ensure stormwater facilities within and downstream of the project site are adequate to transport stormwater runoff and reduce flooding on- or off-site. Therefore, the proposed project would not introduce new impacts or create more severe impacts than those previously analyzed in the previous EIR. No additional analysis is required.

- (iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;**

Conclusions of the General Plan EIR

The General Plan EIR found that buildout of the Gilroy 2040 General Plan will result in significant impacts through alteration of natural drainage courses. This would lead to an increase in stormwater runoff volume and inadequate stormwater drainage facilities could lead to polluted runoff. Development will increase the amount of impervious surfaces within the UGB and thus contribute to new sources of runoff. As a result, the volume of stormwater runoff generated by buildout conditions would substantially increase without appropriate controls. The General Plan EIR found that buildout of the Gilroy 2040 General Plan will result in significant impacts through alteration of natural drainage courses. This would lead to an increase in stormwater runoff volume and exceed the capacity of existing stormwater drainage facilities that could lead to additional sources of polluted runoff. However, to reduce these potential risks, developments must be consistent with General Plan Goals (PFS 5), Policies (PH 5.1 through PH 5.5), and comply with the City's Storm Water Master Plan and Stormwater Management Guidance Manual.

Future development within the UGB would be required to demonstrate compliance during construction and post-construction with applicable Central Coast water board requirements, applicable Valley Water channel improvement requirements, and Gilroy City Code requirements that mitigate increases in impervious surfaces that could exceed the capacity of stormwater facilities. Therefore, the General Plan EIR concluded that compliance with these policies and related regulations ensures that potentially significant flood impacts from development are less than significant. No mitigation is required.

Yamane Warehouse Project Analysis and Conclusion

As discussed above, the proposed project would demolish the existing buildings and infrastructure to construct a warehouse/distribution building. This development would increase the amount of impervious surfaces within project site boundaries and thus contribute new sources of runoff. Substantial areas of new impervious surfaces would be created through construction of roads, parking lots, building roofs, etc. Uncontrolled stormwater runoff could also flow over soil surfaces, thereby resulting in increased erosion and siltation of downstream water bodies, such as Uvas Creek, Llagas Creek, or Pajaro River. According to the SWCP, the proposed project would include infiltration trenches that would treat/retain 85th percentile storm events, retain 95th percentile storm events, and mitigate 2- to 10-year storm events in accordance with the current edition of the Central Coast RWQCB to the maximum extent feasible (Appendix F).

Compliance with City and State Water Resource Control Board detention or retention requirements, in combination with applicable Valley Water requirements for development adjacent to Valley Water facilities, would ensure stormwater facilities within and downstream of the project site are adequate to transport stormwater runoff and reduce polluted runoff on- or off-site. Therefore, the proposed project would not introduce new impacts or create more severe impacts than those previously analyzed in the previous EIR. No additional analysis is required.

(iv) impede or redirect flood flows?

Conclusions of the General Plan EIR

The General Plan EIR found that development could result in significant impacts from exposing people to flood risks and from impeding flood flows if future development within the boundaries of 100-year flood hazard zones is not managed consistent with regulations and policies designed to protect against such hazards. According to the Federal Emergency Management Agency (FEMA) Flood Map, large portions of the City of Gilroy is located in a 0.2 percent Annual Chance Flood Hazard Area.³⁶ The Open Space land use designation is applied to areas where urban development is either inappropriate or undesirable.

To address flood risks and potentially significant impacts, project alignment with General Plan Goals (PH 1 and PH 3) and Policies (PH 1.3, PH 3.1, PH 3.4, PH 3.7, and PH 3.8) reduces risks by incorporating uniform enforceable measures to reduce losses due to flood related hazards to an acceptable level of risk. Policies PH 3.4 and PH 3.8 set forth guidelines for the City to coordinate with multiple agencies in order to efficiently prepare for potential flood events. Additionally, Gilroy City Code Chapters 27C and 27D, the RWQCB stormwater infiltration requirements, and Valley Water requirements for channel improvements ensures that potential flood hazards within and downstream of the UGB would be prevented and/or minimized.^{37,38} Therefore, General Plan EIR

³⁶ Federal Emergency Management Agency (FEMA). 2009. FEMA Flood Map Service Center – Gilroy, CA 06085C0639H. Website: <https://msc.fema.gov/portal/search?AddressQuery=121%20Yamane%20Street%20Gilroy%20CA#searchresultsanchor>. Accessed May 31, 2023.

³⁷ City of Gilroy. 2023. Gilroy City Code, Chapter 27C – Municipal Storm Water Quality Protection and Discharge Control. Website: <https://www.codepublishing.com/CA/Gilroy/html/Gilroy27C.html#27C.1>. Accessed May 31, 2023.

³⁸ City of Gilroy. 2023. Gilroy City Code, Chapter 27 – <https://www.codepublishing.com/CA/Gilroy/html/Gilroy27.html>. Accessed May 31, 2023.

concluded that the potential to expose people or structures to significant flooding is considered a less than significant impact. No mitigation is required.

Yamane Warehouse Project Analysis and Conclusion

As discussed above, the proposed project would demolish the existing buildings and infrastructure to construct a warehouse/distribution building. This development would increase the amount of impervious surfaces within project site boundaries and thus contribute to the impeding or redirection of flood flows. According to the FEMA Flood Map, the project site is located in a 0.2 percent Annual Chance Flood Hazard Area.³⁹

To reduce potential impacts, the proposed project must comply with City and State Water Resource Control Board detention or retention requirements, in combination with applicable Valley Water requirements for development adjacent to Valley Water facilities. Compliance would ensure that potential flood hazards within and downstream of the project site would be prevented and/or minimized. Additionally, General Plan Goals (PH 1 and PH 3) and Policies (PH 1.3, PH 3.1, PH 3.4, PH 3.7, and PH 3.8) reduce risks by incorporating uniform enforceable measures to reduce losses due to flood related hazards to an acceptable level of risk. Therefore, the proposed project would not introduce new impacts or create more severe impacts than those previously analyzed in the previous EIR. No additional analysis is required.

d) Risk of Pollutant Release Due to Inundation

Would the project: *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

Conclusions of the General Plan EIR

The General Plan EIR found that the entire Gilroy 2040 General Plan Planning Area/SOI is within one or more inundation areas for dam failure from the Uvas Dam, Chesbro Dam, or Anderson Dam. However, these dams were designed to meet special seismic design specifications and are regularly inspected and maintained by Valley Water. The previous EIR concluded that the overall risk of dam failure from the Uvas Dam, Chesbro Dam, or Anderson Dam is low. Therefore, risks to future development within the proposed UGB would likewise be low, and the impact would be less than significant. No mitigation is required.

Yamane Warehouse Project Analysis and Conclusion

The project site is located within one or more inundation areas for dam failure from the Uvas Dam, Chesbro Dam, or Anderson Dam. However, these dams were designed to meet special seismic design specifications and are regularly inspected and maintained by Valley Water. Furthermore, the project site is not located within a tsunami or seiche zone. Therefore, the proposed project would not introduce new impacts or create more severe impacts than those previously analyzed in the previous EIR. No additional analysis is required.

³⁹ Federal Emergency Management Agency (FEMA). 2009. FEMA Flood Map Service Center – Gilroy, CA 06085C0639H. Website: <https://msc.fema.gov/portal/search?AddressQuery=121%20Yamane%20Street%20Gilroy%20CA#searchresultsanchor>. Accessed May 31, 2023.

e) Water Quality Control or Sustainable Groundwater Management Plans Consistency

Would the project: *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

Conclusions of the General Plan EIR

The General Plan EIR found that development will increase potential groundwater degradation and consequently, potential violations to ground water management plans could inadvertently occur. Valley Water implements comprehensive conjunctive management, groundwater monitoring, and groundwater protection programs described in the Gilroy 2015 Groundwater Management Plan. Additionally, General Plan Goals (PFS 3 and NCR 4) and Policies (PFS 3.1 through PFS 3.9, NCR 4.1 through 4.4, and NCR 4.8) address groundwater management and aid in the reduction of potential water quality impacts. Future development projects must comply with Gilroy City Code Chapters 27C and 27D, the City's Storm Water Master Plan and Stormwater Management Guidance Manual, NPDES, and other Central Coast RWQCB requirements during or post-construction.^{40,41} Therefore, the previous EIR concluded that project alignment of General Plan policies and compliance with local programs, will not conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Impacts are less than significant. No mitigation is required.

Yamane Warehouse Project Analysis and Conclusion

As discussed above, the proposed project would demolish the existing buildings and infrastructure to construct a warehouse/distribution building and could increase the use of commercial/industrial products that contain contaminants with potential to degrade water quality. New impervious surfaces may result in increased storm water runoff that could be discharged directly to surface and ground waters including Valley Water facilities such as Llagas Creek, Uvas Creek, Valley Water drainage channels, or to groundwater directly.

These potential violations would be reduced with adherence to the Gilroy City Code Chapter 27C and Chapter 27D, which specifies the City's regulations for implementing storm water quality management strategies consistent with NPDES requirements.^{42,43} The Gilroy 2015 Groundwater Management Plan outlines all required measures that must be implemented by the City and by future development to comply with NPDES water quality protection requirements. Standard conditions of permit approval include requirements that discharged water meet State Water Resources Control Board and/or Central Coast water board standards. Additionally, General Plan Goals (NCR 4) and Policies (NCR 4.1 through 4.4, NCR 4.8, and PH 6.1 through 6.8) maintain overall water quality by protective surface and groundwater sources and would reduce potentially significant impacts associated with groundwater supply and recharge to less than significant levels.

⁴⁰ City of Gilroy. 2023. Gilroy City Code, Chapter 27C – Municipal Storm Water Quality Protection and Discharge Control. Website: <https://www.codepublishing.com/CA/Gilroy/html/Gilroy27C.html#27C.1>. Accessed May 31, 2023.

⁴¹ City of Gilroy. 2023. Gilroy City Code, Chapter 27 – <https://www.codepublishing.com/CA/Gilroy/html/Gilroy27.html>. Accessed May 31, 2023.

⁴² City of Gilroy. 2023. Gilroy City Code, Chapter 27C – Municipal Storm Water Quality Protection and Discharge Control. Website: <https://www.codepublishing.com/CA/Gilroy/html/Gilroy27C.html#27C.1>. Accessed May 31, 2023.

⁴³ City of Gilroy. 2023. Gilroy City Code, Chapter 27 – <https://www.codepublishing.com/CA/Gilroy/html/Gilroy27.html>. Accessed May 31, 2023.

Therefore, the proposed project would not introduce new impacts or create more severe impacts than those previously analyzed in the previous EIR. No additional analysis is required.

General Plan EIR Mitigation Measures Applicable to the Proposed Project

None.

Conclusion

The conclusions from the certified General Plan EIR remain unchanged when considering the implementation of the proposed project.

The proposed project is consistent with the development evaluated in the General Plan and the analysis in the General Plan EIR and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively related to hydrology or water quality.

Environmental Issues	CEQA Section 15183(b) Criteria				
	Prior General Plan EIR Determination	Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.11 Land Use and Planning <i>Would the project:</i>					
a) Physically divide an established community?	No Impact	No	No	No	No
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	No Impact	No	No	No	No

a) Division of an Established Community

Would the project: *Physically divide an established community?*

Conclusions of the General Plan EIR

The General Plan EIR does not specifically analyze impacts related to land use and planning, such as the physical division of an established community. However, the General Plan EIR does discuss the existing environmental setting of the Gilroy 2040 General Plan UGB and land use designations of the Gilroy 2040 General Plan. According to the General Plan EIR, the City approved the existing UGB in 2016 to retain the City's unique character and the agricultural and open space character of the surrounding areas. Urban development is not allowed beyond the UGB in an effort to direct future growth to within the City's existing urban area. According to the General Plan EIR, the Gilroy 2040 General Plan Land Use Diagram includes new designations and changes to existing designations. Table 2.3-1, General Plan Land Use Designations, of the General Plan EIR identifies areas of the City where land use changes are proposed as part of the Gilroy 2040 General Plan. According to the General Plan EIR, the Gilroy 2040 General Plan would replace the development guidance provided by the existing 2020 General Plan. Therefore, the General Plan EIR found that evaluation of the Gilroy 2040 General Plan for consistency with the 2020 General Plan is not applicable.

Yamane Warehouse Project Analysis and Conclusion

The physical division of an established community is defined as any development that creates a linear feature or removal of a means of access that would impact mobility within an existing community or between the community and the surrounding area. The proposed project proposes to construct a warehouse/distribution building. The northern portion of the project site is undeveloped, while the southern portion of the site contains two existing vacant, unpermitted industrial structures. Implementation of the proposed project would involve the demolition of the two existing structures. The project site is surrounded by existing development to the south and east, West Llagas Creek and vacant land to the north, and the UPRR and Monterey Highway to the west. Access to the project site would be provided via two driveways along the existing Yamane

Drive. No features of the proposed project would physically divide an established community. Therefore, the proposed project would not introduce new impacts or create more severe impacts than those previously analyzed in the General Plan EIR. No additional analysis is required.

b) Conflict with Applicable Land Use Plans, Policies, or Regulations

Would the project: *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

Conclusions of the General Plan EIR

As noted above, the General Plan EIR does not specifically discuss environmental impacts related to land use and planning, including potential environmental impacts related to conflicts with any land use plan, policy or regulation. According to the General Plan EIR, the Gilroy 2040 General Plan would replace the development guidance provided by the existing 2020 General Plan. Therefore, the General Plan EIR found that evaluation of the Gilroy 2040 General Plan for consistency with the 2020 General Plan is not applicable. The General Plan EIR states that future individual projects would be subject to evaluation for consistency with policies and programs contained in the Gilroy 2040 General Plan.

Yamane Warehouse Project Analysis and Conclusion

The project site is designated as IP by the Gilroy 2040 General Plan and is zoned M1. The IP designation provides for low-intensity industrial development in proximity to commercial and residential uses. The project site is also located within the Murray-Las Animas Avenue Overlay Combining District. The proposed project consists of the development of a warehouse/distribution building, which is consistent with these designations. Therefore, the proposed project would not introduce new impacts or create more severe impacts than those previously analyzed in the General Plan EIR. No additional analysis is required.

General Plan EIR Mitigation Measures Applicable to the Proposed Project

None.

Conclusion

The conclusions from the certified General Plan EIR remain unchanged when considering the implementation of the proposed project.

The proposed project is consistent with the development evaluated in the General Plan and the analysis in the General Plan EIR and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively related to land use and planning.

Environmental Issues	CEQA Section 15183(b) Criteria				
	Prior General Plan EIR Determination	Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.12 Mineral Resources <i>Would the project:</i>					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	No impact.	No	No	No	No
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	No impact.	No	No	No	No

a, b) Loss of Minerals Resources of Statewide or Local Importance*Would the project:*

- a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?*
- b) *Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

Conclusions of the General Plan EIR

According to the General Plan EIR, mineral resources in the vicinity of the City include resources such as sand, clay, or gravel. Significant mineral resources are located in the vicinity of Uvas Creek in the southwestern area of the City as well as west of the City. Uvas Creek and some areas within the City's Hecker Pass Special Use District are designated as Mineral Resource Zone (MRZ) 2. The MRZ-2 designation applies to areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence. A second MRZ-2 designated area is located approximately 0.5 miles southwest of the intersection of Highway 101 and SR 25. This MRZ-2 is located within the Gilroy 2040 General Plan Planning Area/SOI, but outside of the UGB. This MRZ-2 zone encompasses the Verne D. Freeman Sr Quarry, a 60-acre active quarry. The General Plan EIR found that implementation of the Gilroy 2040 General Plan would have no impact to known mineral resources.

Yamane Warehouse Project Analysis and Conclusion

The project site is located approximately 1.55 miles northeast of the Hecker Pass Special Use District and approximately 1.85 miles northeast of Uvas Creek, areas which are associated with MRZ-2 zones. The other MRZ-2 zone, which includes the Verne D. Freeman Sr Quarry, is located outside of the UGB and would thus not be impacted by the proposed project. The proposed project is consistent with the Gilroy 2040 General Plan, the implementation of which the General Plan EIR

concluded would have no impact on mineral resources. Therefore, the proposed project would not result in any new or more serve impacts related to mineral resources beyond what was previously analyzed in the General Plan EIR

General Plan EIR Mitigation Measures Applicable to the Proposed Project

None.

Conclusion

The conclusions from the certified General Plan EIR remain unchanged when considering the implementation of the proposed project.

The proposed project is consistent with the development evaluated in the General Plan and the analysis in the General Plan EIR and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively related to mineral resources.

Environmental Issues	CEQA Section 15183(b) Criteria				
	Prior General Plan EIR Determination	Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.13 Noise <i>Would the project:</i>					
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less than significant impact	No	No	No	No
b) Generation of excessive groundborne vibration or groundborne noise levels?	Less than significant impact	No	No	No	No
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	No impact	No	No	No	No

Characteristics of Noise

Noise is defined as unwanted sound. Sound levels are usually measured and expressed in decibels (dB), with 0 dB corresponding roughly to the threshold of hearing. Most of the sounds that we hear in the environment do not consist of a single frequency, but rather a broad band of frequencies, with each frequency differing in sound level. The intensities of each frequency add together to generate a sound. Noise is typically generated by transportation, specific land uses, and ongoing human activity.

The standard unit of measurement of the loudness of sound is the dB. The 0 point on the dB scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Changes of 3 dB or less are only perceptible in laboratory environments. A change of 3 dB is the lowest change that can be perceptible to the human ear in outdoor environments. While a change of 5 dBA is considered to be the minimum readily perceptible change to the human ear in outdoor environments.

Since the human ear is not equally sensitive to sound at all frequencies, the A-weighted decibel scale (dBA) was derived to relate noise to the sensitivity of humans, it gives greater weight to the frequencies of sound to which the human ear is most sensitive. The A-weighted sound level is the basis for a number of various sound level metrics, including the day/night sound level (L_{dn}) and the Community Noise Equivalent Level (CNEL), both of which represent how humans are more sensitive to sound at night. In addition, the equivalent continuous sound level (L_{eq}) is the average sound

energy of time-varying noise over a sample period and $L_{\max}$ is the maximum instantaneous noise level occurring over a sample period.

a) Noise Levels in Excess of Adopted Standards

Would the project result in: *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Conclusions of the General Plan EIR

The General Plan EIR found that residences, businesses, and other land uses located adjacent to development sites would be affected at times by construction noise. Temporary construction-related noise would be considered significant if noise levels would exceed 60 dBA L_{dn} (the maximum permissible outdoor noise level for residential land uses) at residential land uses or 65 dBA L_{dn} at commercial land uses for a period of more than one construction season. To reduce ambient noise levels, developments must be consistent with General Plan Goals (PH 6), Policies (PH 6.10 and PH 6.11), and Gilroy City Code Section 16.38. The General Plan EIR concluded that implementation of the General Plan Goals, Policies, and compliance with the Gilroy City Code will not result in a substantial temporary or permanent increase in ambient noise levels in excess of established standards. Impacts will be less than significant.

Yamane Warehouse Project Analysis and Conclusion

Short Term Construction Impacts

Construction-related Traffic Noise

The transport of workers and construction equipment and materials to the project site would incrementally increase noise levels on access roads leading to the site. Because workers and construction equipment would use existing routes, noise from passing trucks would be similar to existing vehicle-generated noise on these local roadways. Proposed project-related construction trips would not be expected to double the hourly traffic volumes along any roadway segment in the project vicinity. For this reason, short-term intermittent noise from construction trips would be minor when averaged over an hour or longer time-period would not result in a perceptible increase in hourly or daily average traffic noise levels in the project vicinity, and the impact would be less than significant.

Therefore, the proposed project would not result in any peculiar effects and would not result in new or more severe impacts related to short-term construction-related noise impacts associated with the transportation of workers and equipment to the project site beyond what was previously analyzed in the General Plan EIR.

Construction Equipment Operational Noise

The closest commercial receptor to the project site is an auto fabrication commercial facility located approximately 100-feet south of the project's nearest construction acoustic center where heavy construction equipment would operate. At this distance, reasonable worst-case hourly average noise levels from the loudest phase of construction would attenuate to 70 dBA L_{dn} . This would not exceed

the City's maximum permissible outdoor noise level for commercial land uses of 70 dBA L_{dn} . The noise calculation sheets are provided in Appendix G. Furthermore, this phase of construction would only last an estimated 6 weeks; therefore, these noise levels would be considered less than significant.

The closest residential land use would be located over 400 feet from the nearest construction footprint where the heaviest construction equipment would be operating simultaneously. At this distance, reasonable worst-case hourly average noise levels from the loudest phase of construction would attenuate to 53 dBA L_{dn} . This would not exceed the City's maximum permissible outdoor noise level for residential land uses of 60 dBA L_{dn} . Thus, construction noise level impacts to residential receptors would be less than significant. The noise calculation sheets are provided in Appendix G.

Therefore, the proposed project would not result in any peculiar effects and would not result in new or more severe impacts related to temporary construction operational noise impacts for the proposed project beyond what was previously analyzed in the General Plan EIR.

Operational/Stationary Source Noise Impacts

Mechanical Equipment Operations

At the time of preparation of this analysis, details were not available pertaining to the proposed rooftop mechanical ventilation systems for the project; therefore, a reference noise level for typical rooftop mechanical ventilation systems was used. Noise levels from commercially available rooftop mechanical ventilation equipment range from 50 dBA to 60 dBA L_{eq} at a distance of 25 feet.

Rooftop mechanical ventilation systems could be located approximately 135-feet from the nearest commercial land use, the auto fabrication commercial land use south of the project site. At this distance, noise levels from rooftop mechanical ventilation equipment would attenuate to 50 dBA L_{dn} , assuming operation of the equipment 100 percent of the day for 24-hours. This would not exceed the City's maximum permissible outdoor noise level for commercial land uses of 70 dBA L_{dn} , and these noise levels would be a less than significant impact. The noise calculation sheets are provided in Appendix G.

The closest residential property line would be located approximately 425-feet from the nearest rooftop mechanical ventilation systems. At this distance, noise levels from rooftop mechanical ventilation equipment operations would attenuate to 38 dBA L_{dn} . This would not exceed the City's maximum permissible outdoor noise level for residential land uses of 60 dBA L_{dn} , and these noise levels would be a less than significant impact. The noise calculation sheets are provided in Appendix G.

Therefore, the proposed project would not result in any peculiar effects and would not result in new or more severe impacts related to mechanical equipment operation noise impacts beyond what was previously analyzed in the General Plan EIR.

Truck Loading Activities

Noise would also be generated by truck loading and unloading activities at the loading docks along the northern side of the proposed building. Typical noise levels from truck loading and unloading

activity range from 70 dBA to 80 dBA L_{max} as measured at 50 feet. This maximum noise level range includes noise from associated truck loading/unloading activity, including trucks maneuvering, truck trailer loading, truck trailer unloading, backup alarms or beepers, and truck docking noise.

The closest commercial receptor to the project's loading docks is the daycare facility located approximately 390-feet west of the project's nearest loading docks. At this distance, reasonable worst-case hourly average noise levels from truck loading and unloading operations would attenuate to 57 dBA L_{dn} . This would not exceed the City's maximum permissible outdoor noise level for commercial land uses of 70 dBA L_{dn} . The noise calculation sheets are provided in Appendix G. Therefore, these noise levels would be a less than significant impact.

The closest residential land use to the project's loading docks would be located over 480 feet northwest of the nearest loading docks. At this distance, reasonable worst-case hourly average noise levels from the loudest phase of construction would attenuate to 50 dBA L_{dn} . This would not exceed the City's maximum permissible outdoor noise level of 60 dBA L_{dn} for residential land uses. The noise calculation sheets are provided in Appendix G. Thus, truck loading and unloading operational noise impacts to residential receptors would be less than significant.

Therefore, the proposed project would not result in any peculiar effects and would not result in new or more severe impacts related to truck loading activity noise impacts beyond what was previously analyzed in the General Plan EIR.

Operational/Mobile Source Noise Impacts

A significant impact would occur if implementation of the proposed project would result in a substantial increase in traffic noise levels compared with traffic noise levels existing without the proposed project. Typically, a doubling of the Average Daily Traffic (ADT) hourly volumes on a roadway segment is required in order to result in an increase of 3 dBA in traffic noise levels, which, as discussed in the characteristics of noise discussion above, is the lowest change that can be perceptible to the human ear in outdoor environments. Therefore, for purposes of this analysis, a doubling of the existing ADT volumes would result in a substantial permanent increase in traffic noise levels.

Based on the traffic analysis prepared for the project,⁴⁴ the proposed project would generate an estimated total of 578 daily trips, with 72 trips (61 inbound and 11 outbound) occurring during the AM peak-hour and 71 trips (15 inbound and 56 outbound) occurring during the PM peak-hour. The documented existing traffic volumes on Forest Street on the segment that provides access to the project site average approximately 1,570 trips per day. Therefore, the project's average daily trips would not result in a doubling of the average daily trips along Forest Street or any other roadway segment in the project vicinity. Therefore, the increase in hourly-average or daily traffic noise levels resulting from project operations would not be perceptible along any roadway segment in the project vicinity. Implementation of the proposed project would not result in a substantial increase in traffic noise levels compared with traffic noise levels existing without the proposed project.

⁴⁴ Hexagon Transportation Consultants, Inc. 2023. Yamane Drive Industrial Warehouse Development. May 19.

The proposed project would not result in any peculiar effects and would not result in new or more severe impacts related to short-term construction-related noise impacts, temporary construction operational noise impacts, mechanical equipment operation noise impacts, stationary operation noise impacts, or proposed project-related traffic noise levels beyond what was previously analyzed in the General Plan EIR.

b) Groundborne Vibration

Would the project result in: *Generation of excessive groundborne vibration or groundborne noise levels?*

Conclusions of the General Plan EIR

The General Plan EIR found that demolition and construction activities required for future development may generate perceptible vibration levels when heavy equipment or impact tools. Heavy tracked vehicles (e.g., bulldozers or excavators) can generate distinctly perceptible groundborne vibration levels when this equipment operates within approximately 25 feet of sensitive land uses. Impact pile drivers can generate distinctly perceptible groundborne vibration levels at distances up to about 100 feet and may exceed building damage thresholds within 25 feet of any building, and within 50 to 100 feet of a historical building or building in poor condition. To reduce ambient noise levels, developments must implement General Plan Goals (PH 6) and Policies (PH 6.12 and PH 6.13). The General Plan EIR concluded that implementation of the General Plan Goals and Policies will not result in excessive groundborne vibration or groundborne noise levels. Impacts will be less than significant.

Yamane Warehouse Project Analysis and Conclusion

Less than significant.

Short-term Construction Vibration Impacts

The nearest off-site structure to the project site construction footprint is a commercial/light-industrial building south of the project site on Muraoka Drive. The façade of this structure would be located approximately 60 feet from the nearest construction footprint where the heaviest construction equipment would potentially operate. At this distance, groundborne vibration levels would range up to 0.03 in/sec peak particle velocity (PPV) from operation of the types of equipment that would produce the highest vibration levels. This is well below the Federal Transit Administration (FTA) Construction Vibration Impact Criteria of 0.2 in/sec PPV for buildings of non-engineered timber and masonry construction.

Therefore, the proposed project would not result in any peculiar effects and would not result in new impacts related to short-term groundborne vibration associated with construction to off-site receptors beyond what was previously analyzed in the General Plan EIR.

Operational Vibration Impacts

Implementation of the proposed project would not include any permanent sources of vibration that would expose persons in the project vicinity to groundborne vibration levels that could be perceptible without instruments at any existing sensitive land use in the vicinity of the project site. Therefore, the proposed project would not result in any peculiar effects and would not result in new

or more severe impacts related to short-term groundborne vibration or operational groundborne vibration beyond what was previously analyzed in the General Plan EIR.

c) Airport or Private Airstrip Noise

Would the project result in: *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

Conclusions of the General Plan EIR

The General Plan EIR found that general aviation and occasional high-altitude jet aircraft overflights are also audible throughout the community but do not make a substantial contribution to community noise levels. The closest airport to Gilroy is the San Martin Airport located approximately five miles to the north, west of US 101. The General Plan EIR concluded that development will not impact people residing or working in the project area to excessive noise levels.

Yamane Warehouse Project Analysis and Conclusion

No impact. The nearest airport to the project site is the Frazier Lake Airport, located approximately 7.8 miles southeast of the project site. As noted in the General Plan EIR, the City of Gilroy is located outside of the 65 dBA CNEL noise impact area of this airport, and the proposed project would not include development of noise-sensitive land uses and therefore there would be no impact related to airport noise for the proposed project. Therefore, the proposed project would not result in any peculiar effects and would not result in new or more severe impacts related to airport noise beyond what was previously analyzed in the General Plan EIR.

General Plan EIR Mitigation Measures Applicable to the Proposed Project

None

Conclusion

The conclusions from the certified General Plan EIR remain unchanged when considering the implementation of the proposed project.

The proposed project is consistent with the development evaluated in the General Plan and the analysis in the General Plan EIR and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively related to noise.

Environmental Issues	CEQA Section 15183(b) Criteria				
	Prior General Plan EIR Determination	Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.14 Population and Housing <i>Would the project:</i>					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Not addressed	No	No	No	No
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Not addressed	No	No	No	No

a) Growth Inducement

Would the project: *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

Conclusions of the General Plan EIR

The General Plan EIR did not address impacts related to population and housing, including population growth, both direct and indirect. However, Section 2.2 of the General Plan EIR included information on the City's population and employment projections from 2020 through to 2040. The General Plan EIR found that by 2040, the City is projected to increase in population by 19,756 persons, increase in housing 6,477 housing units, and increase in employment by 21,434 jobs (374 originating from IP Land Use designations) from 2020 figures.

Yamane Warehouse Project Analysis and Conclusion

The proposed project would demolish existing industrial structures and construct an industrial warehouse building and would not provide any residential housing. Therefore, the proposed project would not directly provide housing that could contribute to population growth. However, the proposed project would employ approximately 28 full-time employees. These employees would most likely be sourced from the local population similar to the employment for the existing structures on-site that would be replaced. According to the California Department of Finance Population and Housing Estimates, there were approximately 3.26 persons per household in 2023.⁴⁵ Although the proposed project is replacing existing industrial uses, even in the worst-case scenario where all employees would be new residents of the City and would generate individual households,

⁴⁵ California Department of Finance. 2023. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023. May.

the proposed project would indirectly add approximately 91 new residents. As discussed above, the General Plan EIR found that between 2020 and 2040, the City would grow by 19,756 persons. Thus, the proposed project would at worst represent less than 0.5 percent of the projected population growth. Furthermore, the General Plan EIR found that between 2020 and 2040, the City is projected to gain approximately 21,434 jobs. The proposed project would represent approximately 0.13 percent of the projected job growth.⁴⁶ Therefore, the anticipated population growth resulting from the proposed project would be within General Plan EIR projections, and the impact of population growth proposed by new housing would be within the impacts disclosed in the General Plan EIR and be less than significant. No project-specific mitigation is required.

b) Displacement of Persons or Housing

Would the project: *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

Conclusions of the General Plan EIR

The General Plan EIR did not address impacts related to population and housing, including the displacement of existing people or housing. However, Section 2.2 of the General Plan EIR included information on the City's population and employment projections from 2020 through to 2040. The General Plan EIR found that by 2040, the City is projected to increase in population by 19,756 persons, increase in housing 6,477 housing units, and increase in employment by 21,434 jobs (374 originating from IP Land Use designations) from 2020 figures.

Yamane Warehouse Project Analysis and Conclusion

The proposed project would demolish two existing vacant industrial buildings and construct a warehouse building that would employ 28 full-time employees. As such, the proposed project would not displace any existing people or housing. Therefore, the proposed project would not result in new or substantially more severe impacts related to displacement of substantial numbers of existing people or housing than what was previously analyzed in the General Plan EIR.

General Plan EIR Mitigation Measures Applicable to the Proposed Project

None.

Conclusion

The conclusions from the certified General Plan EIR remain unchanged when considering the implementation of the proposed project.

The proposed project is consistent with the development evaluated in the General Plan and the analysis in the General Plan EIR and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively related to population and housing.

⁴⁶ 21,434 projected new jobs from General Plan buildout * 28 full-time employees / 100 = 0.13 percent.

Environmental Issues	CEQA Section 15183(b) Criteria				
	Prior General Plan EIR Determination	Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.15 Public Services <i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>					
a) Fire protection?	Less than significant impact	No	No	No	No
b) Police protection?	No impact	No	No	No	No
c) Schools?	Less than significant impact	No	No	No	No
d) Parks?	Less than significant impact	No	No	No	No
e) Other public facilities?	Less than significant impact	No	No	No	No

a) Fire Protection

Would the project: *Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection?*

Conclusions of the General Plan EIR

The General Plan EIR determined that population growth resulting from buildout of the General Plan would result in an increase in demand for fire prevention and emergency services. At full buildout of the General Plan, the population of the City would be expected to increase by approximately 19,756 persons by 2040, which would result in a total projected population of approximately 73,340. According to the General Plan EIR, this would require an additional 33 firefighters, or a total of 74 firefighters, to meet the Gilroy Fire Department's target staffing standard of one firefighter per 1,000 people. In addition, buildout of the General Plan would increase the Gilroy Fire Department's service area to the UGB and potentially to adjacent streets, which could require additional service stations, apparatus, and staff to provide response times within the Gilroy Fire Department's response time goals. However, the General Plan EIR found that the South Santa Clara County Fire District (SSCCFD)

would likely continue to provide fire protection services to portions of land within the UGB while the Gilroy Fire Department facilities are expanded to meet the General Plan buildout's demand. Furthermore, the General Plan EIR concluded that the City was expanding fire protection facilities by developing a fourth fire station in the southwest Glen Loma area, which would increase the City's ability to meet fire protection needs of new development under the General Plan. Goals and policies in the General Plan, such as the provision of Development Impact Fees (DIF) (Policy PFS 1.11) and the setting of standards of fire and police service (Policy PFS 10.1), would also ensure that the City is able to expand fire services to meet buildout needs. Given the expected expansion of fire protection facilities, the continued temporary coverage of new development areas in the General Plan by the SSCCFD, and goals and policies in the General Plan would reduce impacts to fire protection services to a less than significant level.

Yamane Warehouse Project Analysis and Conclusion

The proposed project would include industrial uses that would require additional fire protection and emergency services beyond those needed on the existing, vacant industrial structures on the project site. The closest fire station to the project site is Gilroy Fire Department's Las Animas Station, located on 8383 Wren Avenue, approximately 0.84 miles southwest of the project site.⁴⁷ The project site is surrounded on all sides by existing industrial and residential uses that receive fire services from the Gilroy Fire Department. Therefore, the proposed project would not cause the Gilroy Fire Department to travel farther or require additional time to reach the project site. In addition, the proposed project would meet the California State Fire Code and City building requirements, and project developers would pay DIFs as established by Policy PFS 1.11 of the General Plan. With adherence to General Plan Policies for the City, the proposed project would not result in new or more severe impacts related to fire protection than what was previously analyzed in the General Plan EIR.

b) Police Protection

Would the project: *Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Police protection?*

Conclusions of the General Plan EIR

The General Plan EIR found that population growth resulting from buildout of the General Plan would result in an increase in demand for police services. Furthermore, buildout of the General Plan would result in the expansion of the Gilroy Police Department's service area beyond the current City Limits to the UGB. The General Plan EIR determined that additional staff, equipment and possibly eventually facilities would be required to maintain an acceptable level of service for projected growth. However, the General Plan EIR concluded that current police facilities would be able to

⁴⁷ City of Gilroy. 2023. Fire Stations. Website: <https://www.cityofgilroy.org/754/Fire-Stations>. Accessed June 3, 2023.

accommodate any additional staff and equipment needs resulting from buildout of the General Plan. Therefore, the General Plan EIR found that no impact to police services would occur.

Yamane Warehouse Project Analysis and Conclusion

According to the General Plan EIR, the Gilroy Police Department operates out of one station located at 7301 Hanna Street, approximately 1.55 miles south of the project site. Police Patrol Operations consists of six patrol teams that cover all calls for service. The City is organized into four patrol districts, the project site is located within response area 4.^{48,49} Industrial uses on the project site resulting from the proposed project would not increase response times for various calls for service as the proposed project is located in an area already currently served by police protection services with sufficient capacity to serve the proposed project. In addition, the proposed project would adhere to General Plan Policies to further reduce potential impacts on police protection services. Furthermore, as discussed in Section 5.14, Population and Housing, population growth resulting from employment generated by the proposed project would be less than 0.5 percent of the projected General Plan buildout's population growth and would therefore result in a negligible increase in population-related police services demand. Thus, the proposed project would not result in new or substantially more severe impacts related to police protection than what was previously analyzed in the General Plan EIR.

c) Schools

Would the project: *Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Schools?*

Conclusions of the General Plan EIR

The General Plan EIR found that buildout of residential land under the General Plan would increase the number of school-aged children and increase demand for school services. The General Plan EIR estimated that full buildout of the General Plan would result in a projected increase of 2,136 new students, resulting in a total school enrollment of 12,788 in the Gilroy Unified School District (GUSD). The Gilroy Unified School District was found by the General Plan EIR to have a total capacity of 14,634 students, given existing staffing and facilities. The General Plan noted that while high school and middle school facilities would be sufficient to accommodate the General Plan's buildout, elementary schools would be over capacity under the buildout conditions, even if Antonio del Buono Elementary School were to reopen. Therefore, elementary school facilities would need to be expanded. The General Plan EIR concluded that Level I fees collected by the GUSD would be sufficient to offset impacts from any need to incorporate more school facilities to serve the implementation of the General Plan. Therefore, the General Plan EIR found that impacts to school facilities would be less than significant.

⁴⁸ City of Gilroy. 2023. Patrol. Website: <https://www.cityofgilroy.org/190/Patrol>. Accessed June 3, 2023.

⁴⁹ City of Gilroy. 2020. Public Review Draft Gilroy 2040 General Plan EIR, Figure 3.13-3 City of Gilroy Police Response Areas. June 22.

Yamane Warehouse Project Analysis and Conclusion

The proposed project does not contemplate development on residential land and would not construct residential housing and would therefore not directly contribute to an increased need for school facilities. However, as stated in Section 5.14, Population and Housing, employment resulting from the proposed project would result in up to approximately 91 new residents in a worst-case scenario. Given student generation rates in Table 3.15-2 of the General Plan EIR, the proposed project would generate up to approximately 33 students in that scenario.⁵⁰ This would represent approximately 0.02 percent of the GUSD's total school capacity and would be negligible. This maximum student generation rate is within the scope of anticipated growth evaluated in the General Plan. Given the negligible number of potential students that would be indirectly generated from the proposed project, the proposed project would not result in new or substantially more severe impacts related to school facilities than what was previously analyzed in the General Plan EIR.

d, e) Parks and Other Public Services?

Would the project: *Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Parks? Other public services?*

Conclusions of the General Plan EIR

The General Plan EIR found that implementation of the proposed Gilroy 2040 General Plan would result in an increase in demand for new parkland and recreational facilities and an increase in use of existing City and regional facilities. Based on the City's 5.0 park acres per 1,000 people standard, the General Plan EIR determined that 367 acres of parkland would be needed to accommodate the projected total population from full buildout of the General Plan. The General Plan EIR noted that the City currently contains 167.92 acres of developed parks, and has 132.06 acres of parks planned for future development, resulting in a total of 299.98 acres of parks. While insufficient to meet the total projected demand, the General Plan EIR found that goals and policies within the General Plan would ensure that sufficient park facilities would be developed to meet the City's 5 park acres per 1,000 people standard. These policies would also serve to reduce related impacts to a less than significant level.

The General Plan EIR did not address impacts related to libraries or other public facilities. However, information regarding these facilities can be found dispersed across the General Plan EIR. Section 3.13 of the General Plan EIR, Police Protection Facilities, stated that the City adopted a Public Facilities Impact Fee whereby funds are paid by new residential, commercial, and industrial development projects to finance expansion of police, fire, parks and recreation, library and general public facilities. Furthermore, Section 3.16 of the General Plan EIR, Parks and Recreation Facilities, also described various goals and policies in the General Plan that address the development of

⁵⁰ 91 projected residents * 0.36 students per single-family residential unit (highest student generation rate provided) = 33 projected students.

libraries and other public facilities to match demands from buildout of the General Plan, including Policy PFS 1.7, which promotes clustering public and quasi-public facilities (e.g., schools, parks, libraries, child care facilities), the joint-use of these facilities, and agreements for sharing costs and operational responsibilities among public service providers.

Yamane Warehouse Project Analysis and Conclusion

The proposed project would not construct residential units and would therefore not create a direct demand for library services. However, as discussed under Section 5.14, Population and Housing, employment would likely be sourced locally, and in a worst-case scenario, would generate less than 0.5 percent of the projected population increase considered by full buildout of the General Plan. Therefore, any increase in the use of existing libraries within the City would be negligible and would not create a need to construct new or expand existing library facilities. It is also possible to imagine that employees would desire to use library facilities during operational hours of the proposed project. The nearest library to the project site is located at 350 West Sixth Street, approximately 1.48 miles south of the project site. The proposed project is consistent with the land use and density assumed for the site in the General Plan and would adhere to General Plan Goals and Policies. As such, the proposed project would not result in new or substantially more severe impacts related to library services than what was previously analyzed in the General Plan EIR.

General Plan EIR Mitigation Measures Applicable to the Proposed Project

None.

Conclusion

The conclusions from the certified General Plan EIR remain unchanged when considering the implementation of the proposed project.

The proposed project is consistent with the development evaluated in the General Plan and the analysis in the General Plan EIR and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively related to public services.

Environmental Issues	CEQA Section 15183(b) Criteria				
	Prior General Plan EIR Determination	Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.16 Recreation <i>Would the project:</i>					
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less than significant impact	No	No	No	No
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	Less than significant impact	No	No	No	No

a, b) Existing Neighborhood and Regional Parks and Recreational Facilities

Would the project: a) *increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or*

Does the project: b) *include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?*

Conclusions of the General Plan EIR

As stated above in Section 5.15, Public Services, General Plan EIR found that implementation of the proposed Gilroy 2040 General Plan would result in an increase in demand for new parkland and recreational facilities and an increase in use of existing City and regional facilities. The General Plan Policy PR 1.4, Park Land Standard, maintained the pre-existing standard of five acres of park land per 1,000 residents. The General Plan EIR estimated that population growth resulting from buildout of the General Plan would require approximately 367 acres of parkland to meet the PR 1.4 standard. However, as stated in Section 5.15, Public Services, the General Plan EIR recorded that existing and planned park facilities would only provide 290.98 acres. Despite this, the General Plan EIR found that General Plan Goals, Policies, and Implementation Programs, such as the Public Facilities Impact Fee, would be sufficient to ensure that new park facilities and expansions to existing park facilities are provided to adequately serve the City. Therefore, the General Plan EIR concluded that potential impacts to parks and recreational facilities from buildout of the General Plan would be less than significant.

Yamane Warehouse Project Analysis and Conclusion

The proposed project would not introduce new residential units and would not directly contribute to population growth in the City. Furthermore, industrial uses from the proposed project would generate approximately 28 new full-time employees, all or most of which would be sourced from the existing local population. As found in Section 3.14, Population and Housing, the proposed project could generate up to 91 new residents in a worst-case scenario where all 28 of the proposed full-time employees are brought in from elsewhere. Any new residents generated from the proposed project would reside in locations dispersed throughout the City and would therefore utilize various park and recreation facilities throughout the City. Therefore, any increase in the use of existing park and recreation facilities within the City would be negligible and would not create a need to construct new or expand existing parks and/or recreation facilities.

Potential employees on-site during operation of the proposed project could feasibly visit park and recreational facilities. The nearest park to the project site is Las Animas Park, located approximately 0.35 miles southwest of the project site. Given the proposed scale of employment and the proposed industrial use, any increase in the use of Las Animas Park and other surrounding parks and recreation facilities as a result of the proposed project would be negligible. Therefore, the proposed project would not result in new or substantially more severe impacts related to park facilities beyond what was previously analyzed in the General Plan EIR.

General Plan EIR Mitigation Measures Applicable to the Proposed Project

None.

Conclusion

The conclusions from the certified General Plan EIR remain unchanged when considering the implementation of the proposed project.

The proposed project is consistent with the development evaluated in the General Plan and the analysis in the General Plan EIR and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively related to parks and recreation facilities.

Environmental Issues	CEQA Section 15183(b) Criteria				
	Prior General Plan EIR Determination	Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.17 Transportation <i>Would the project:</i>					
a) Conflict with a program plan, ordinance or policy of the circulation system, including transit, roadway, bicycle and pedestrian facilities?	No impact	No	No	No	No
b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	Significant and unavoidable impact	No	No	No	No
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	No impact	No	No	No	No
d) Result in inadequate emergency access?	No impact	No	No	No	No

Information in this section is based on the Transportation Analysis (TA) completed by Hexagon Transportation Consultants (Hexagon) on May 19, 2023 (Appendix H).

a) Congestion Management Plan

Would the project: *Conflict with a program plan, ordinance or policy of the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

Conclusions of the General Plan EIR

The General Plan EIR determined that the General Plan would replace prior policies established in the 2020 General Plan, including policies relating to the City's circulation systems. In addition, the General Plan EIR provided a discussion of potential conflict with the applicable congestion management plans, the City of Gilroy's traffic level of Service (LOS) standard (LOS D), and found that some intersections would not meet the City's standard. However, the General Plan EIR identified various improvements to intersections through areas under the General Plan to improve overall LOS to match the City's LOS D standard. The General Plan EIR also noted that General Plan Goals, Policies, and Implementation Programs would improve mobility and safety for all modes through planned roadway improvements, TDM programs, traffic fees, and vehicle reduction policies. With the City's projected population increase under full buildout of the General Plan, the General Plan further includes policies that would reduce traffic associated with development. It was determined that there would be no impact.

Yamane Warehouse Project Analysis and Conclusion

Program Plan

The Santa Clara Valley Transportation Authority (VTA) serves as the Congestion Management Agency (CMA) for the Santa Clara County. The VTA administered the current Congestion Management Program (CMP) for the County in December 2021. However, current Transportation Impact Analysis (TIA) guidelines for the CMP were adopted in October 2014. The CMP requires an analysis of CMP-managed facilities for any project that is expected to generate more than 100 peak-hour vehicle trips. According to the TA, the proposed project would generate approximately 21 peak-hour trips on US-101 and approximately 72 peak-hour trips on project site driveways, which is lower than the 100 peak-hour threshold.⁵¹ As such, an analysis of CMP facilities in the Study Area was not conducted. Therefore, the proposed project would not result in new or more severe impacts related to a Program Plan than was analyzed in terms of the CMP in the General Plan EIR.

Pedestrian Facilities

Pedestrian facilities include sidewalks, crosswalks, pedestrian signal phases, curb ramps, curb extensions, and various streetscape amenities such as lighting, benches, etc. In general, a network of sidewalks, crosswalks, pedestrian signals, and curb ramps provide access for pedestrians in the vicinity of the proposed project site. Pedestrian facilities in the project area consist primarily of sidewalks along developed residential areas, crosswalks, and pedestrian push buttons.⁵² However, the industrial area in northern Gilroy and the project area is mostly devoid of sidewalks, and therefore has an incomplete pedestrian network. The lack of sidewalks extends to Yamane Drive, Muraoka Drive, Forest Street north of Leavesley Street, Kishimura Drive, portions of Murray Avenue, and Las Animas Avenue. The proposed project would add sidewalks and ADA-compliant curbs to the project frontage and develop an internal pedestrian network on the project site, in compliance with City guidelines. Thus, the proposed development of pedestrian facilities on Yamane Drive would improve the existing pedestrian network in the project area. Since the proposed project would provide an adequate network of sidewalks and crosswalks throughout the site and along the project frontage with Yamane Drive, no potential safety issues for pedestrians associated with the project were identified. Therefore, the proposed project would not result in new or substantially more severe impacts related to pedestrian facilities beyond what was previously analyzed in the General Plan EIR.

Bicycle Facilities

The Caltrans Highway Design Manual classifies bikeways into four categories:⁵³

- Class I Multiuse Path—a completely separated right-of-way for the exclusive use of bicycles and pedestrians with cross flows of motorized traffic minimized.
- Class II Bike Lane—a striped and signed lane for one-way bike travel on a street or highway.

⁵¹ Hexagon Transportation Consultants. 2023. Yamane Drive Industrial Warehouse Development Transportation Analysis. May 19.

⁵² Ibid.

⁵³ California Department of Transportation (Caltrans.) 2020. Highway Design Manual. Chapter 1000 – Bicycle Transportation Design. <https://dot.ca.gov/-/media/dot-media/programs/design/documents/chp1000-a11y.pdf>. Accessed June 1, 2023.

- Class III Bike Route—signing only for shared use with motor vehicles within the same travel lane on a street or highway.
- Class IV Bikeway—also known as a separated bikeway, a Class IV Bikeway is for the exclusive use of bicycles and includes a separation between the bikeway and the motor vehicle traffic lane. The separation may include, but is not limited to, grade separation, flexible posts, inflexible physical barriers, or on-street parking.

Class II bike lanes exist in the project vicinity, along Leavesley Road, Monterey Road, and Murray Avenue. In addition, the City's Bicycle Transportation Plan plans to develop the following Class I multiuse trails in the project vicinity: Monterey Road Trail, Lions Creek Trail, Ronan Channel Trail, Las Animas Trail, and Miller Slough. The TA determined that the proposed project would increase demand for bicycle facilities in the vicinity of the project site. This demand would be adequately served by bicycle lanes on Leavesley Road, Murray Avenue, and Monterey Road, and additional future bicycle lanes in the project vicinity planned by the City's Bicycle Transportation Plan. Therefore, the proposed project would not result in new or substantially more severe impacts related to bicycle facilities beyond what was previously analyzed in the General Plan EIR.

Transit Facilities

The project site is located approximately 450 feet east of the Monterey Highway and Ronan Avenue bus stop. This bus stop is served by local bus route 85, which provides weekday and weekend service between the Gilroy Transit Center and Saint Louise Regional Hospital, with bus stops along Leavesley Road, east of Forest Street. The TA found that the proposed project could result in approximately two new transit riders generated by the proposed project added to the local transit service during peak-hour service and would have a negligible effect on existing transit facilities. Therefore, the proposed project would not result in new or more severe impacts related to transit facilities beyond what was previously analyzed in the General Plan EIR.

b) Inconsistent with CEQA Guidelines Section 15064.3

Would the project: *Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?*

Conclusions of the General Plan EIR

CEQA Guidelines Section 15064.3(b) establishes criteria for determining the significance of transportation impacts. VMT is the metric for measuring transportation impacts. The General Plan EIR noted that the City adopted Draft VMT Guidelines established an impact threshold of 15 percent below the 2017 baseline citywide average daily residential VMT of 16.46 VMT per capita and average daily employment VMT of 20.14 VMT per job. Thus, the General Plan EIR determined that the potential impact of growth on transportation would be considered significant if it results in VMT that is greater than either or both an average of 13.99 VMT per capita per day and 17.12 VMT per job per day.

The General Plan EIR analyzed the expected VMT that would be generated as a result of buildout of the General Plan and found that buildout would result in a decrease in average daily residential VMT

(-1.84 VMT per capita) and an increase in average daily employment VMT (+1.80 VMT per job) compared to the 2017 baseline citywide average VMT. These average daily VMT were found to be above threshold values, and as such, would result in a potentially significant impact. However, the General Plan EIR found that Gilroy City Code Chapter 25B, Transportation Demand Management Program, and the TDM measures, services, and incentives contained therein would help reduce impacts. Furthermore, the County's 2017 CMP also listed various TDM strategies that employers, developers, and local agencies could adopt to manage congestion on the transportation network. In addition, the General Plan contained goals and policies that would further reduce VMT impacts, such as Policy M 1.7, which requires the reduction of VMT by developing a transportation network that makes it convenient to use transit, ride a bicycle, walk, or use other non-automobile modes of transportation.

While there were existing measures in place to reduce VMT, the General Plan EIR was unable to assert the extent of the reduction. Therefore, the General Plan EIR implemented mitigation measure MM TRANS-1 (shown below) to reduce VMT impacts further. However, the General Plan EIR concluded that impacts relating to VMT and CEQA Guidelines Section 15064.3 would still be significant and unavoidable.

MM TRANS-1

To reduce Vehicle Miles Traveled (VMT), the City shall review and update Gilroy's 1999 Transportation Demand Management program (Municipal Code Chapter 25B) to be consistent with the Gilroy 2040 General Plan and Valley Transportation Authority Congestion Management Plan. A new General Plan Policy and Implementation Program shall be added to the Gilroy 2040 General Plan Mobility Implementation Program.

Policy

Transportation Demand Management. Review and update the Transportation Demand Management program for consistency with Gilroy 2040 General Plan and Valley Transportation Authority Vehicle Miles Traveled reduction strategies.

Implementation Programs

- 1. Average Vehicle Ridership Goals.** Update the average vehicle ridership goal for Gilroy for the year 2040 to achieve and measure progress toward a net increase in the use of commute alternatives and a reduction in vehicle trips.
- 2. Update Municipal Code Chapter 25B.** Update this code chapter to:
 - a. Provide guidance to project applicants in identifying possible project-specific Transportation Demand Management measures that can be implemented to reduce Vehicle Miles Traveled and increase bicycle and pedestrian opportunities and vehicle ridership as part of the development review process;
 - b. List Transportation Demand Management services and incentives that can be implemented by employers that reduce trips; and

- c. Establish a five-year review cycle to measure the efficacy of program objectives and adjust the program as needed.

Yamane Warehouse Project Analysis and Conclusion

Information in this section is based, in part, on the TA completed by Hexagon on May 19, 2023 (Appendix H).

The potential for the project to conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) was evaluated based on the project's anticipated VMT.

According to the Santa Clara VTA VMT Evaluation Tool, the citywide average daily VMT per job is 18.79 miles. Based on both City and OPR guidance, a project generating a VMT that is 15 percent or more below this value, or 15.97 miles per job, would have a less than significant VMT impact. The TA found that under existing conditions, the average daily VMT per job in the project area is 17.81 miles. The proposed project would create an average daily VMT per job of 17.71 miles.⁵⁴ However, the TA determined that implementation of recommended TDM measures as part of the proposed project could reduce the average daily VMT per job to 14.25 miles, which would be below the targeted 15.97 miles per job significance threshold. The recommended TDM measures include click-through rate marketing and education campaigns, an employee parking cash-out program, a subsidized transit program, telecommuting and alternative work schedules, and ride sharing programs.⁵⁵ In addition of the recommended TDM measures, the proposed project would comply with applicable TDMs and regulations provided by Gilroy City Code Chapter 25B, and goals and policies within the General Plan. However, while implementation of TDM measures would theoretically reduce impacts to a less than significant level, the TA found that due to the nature of the City having very limited multimodal transportation infrastructure and lack a mix of complementary land uses, many of the TDM measures might be incompatible with the proposed project.

Given the above discussion, it cannot be guaranteed that the proposed project would be able to reduce its VMT impact through TDM measures, and as such, the proposed project would have a significant and unavoidable impact regarding consistency with CEQA Guidelines Section 15064.3, Subdivision (b). However, this significant and unavoidable impact is consistent with the impact previously analyzed and accounted for in the General Plan EIR. Therefore, the proposed project would not result in new or more severe impacts related to consistency with CEQA Guidelines Section 15064.3, subdivision (b) beyond what was previously analyzed in the General Plan EIR.

c) Roadway Safety Hazards

Would the project: *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

⁵⁴ Hexagon Transportation Consultants. 2023. Yamane Drive Industrial Warehouse Development Transportation Analysis. May 19.

⁵⁵ Ibid.

Conclusions of the General Plan EIR

While the General Plan EIR did not provide a direct analysis and impact determination toward roadway safety hazards, it evaluated rail, roadway, pedestrian, and bicycle facilities updates for potential safety conflicts and determined that General Plan Goals and Policies, such as Policy M 5.5 which directly addresses the safety and efficiency of performance of intersections for all travel modes through signal phasing and potential use of traffic control measures would improve safety and mobility, would ensure roadway safety.

Yamane Warehouse Project Analysis and Conclusion

Information in this section is based on the TA completed by Hexagon on May 19, 2023 (Appendix H).

Sight Distance

The project site would be accessed via two driveways on Yamane Drive, one existing, with the western driveway occurring adjacent to the Yamane Drive and Muraoka Drive intersection. Yamane Drive has a speed limit of 25 mph, which corresponds to a minimum stopping sight distance of 150 feet, according to the Caltrans Highway Design Manual. The available sight distance from the western project driveway to Muraoka Drive is approximately 130 to 170 feet, dependent of whether a vehicle is parked along the east side of Muraoka Drive, just south of Yamane Drive; the available sight distance from the eastern driveway to the east extends to the Yamane Drive/Forest Street roadway bend, more than a 200- foot distance.⁵⁶ Other sightlines from the driveways exceed 300 feet. In conditions where parking on the east side of Muraoka Drive is permitted, the available sight distance from the western project driveway to Muraoka Drive would be insufficient, as it would be below the minimum 150-foot sight distance for 25 mph roads.⁵⁷ To that end, the TA proposed that approaches from Muraoka Drive to the western driveway be limited to 20 mph, for which a sight distance of 130 feet would be adequate.

As part of the proposed project, the TA recommended that the proposed project ensure that either adequate advisory signage along the northbound direction of Muraoka Drive to make the northbound right-turn to Yamane Drive at no faster than 20 mph speed be provided, or to prohibit on-street parking along the east side of Muraoka Drive, near the Muraoka Drive/Yamane Drive roadway bend.

As part of the proposed project's COA, the proposed project would implement TA recommendations to create an adequate sight distance from the western project driveway to Muraoka Drive. In addition, the features related to development of the proposed project would not interfere with the sight distance at the proposed site driveways.⁵⁸ Therefore, the proposed project would not result in new impacts related to sight distances due to design feature or incompatible uses beyond what was previously analyzed in the General Plan EIR.

⁵⁶ Hexagon Transportation Consultants. 2023. Yamane Drive Industrial Warehouse Development Transportation Analysis. May 19.

⁵⁷ Ibid.

⁵⁸ Ibid.

Access Analysis

The proposed project would provide a truck access driveway eastern side of the project's frontage with Yamane Drive. This driveway would be 35 feet wide, measured at the throat, which meets the City requirements for width of industrial/commercial driveways.⁵⁹ In addition, Yamane Drive, which would provide entry to the truck access driveway, includes 12-foot travel lanes in each direction.⁶⁰ The TA determined that the existing widths on Yamane Drive, and the widths of the proposed eastern driveway are adequate to allow left and right truck turns in and out of the proposed driveway without encroaching on the opposing direction of traffic along Yamane Drive. Internal circulation for truck access to the docks would also have sufficient maneuvering space.

The TA also provided a vehicle queue analysis and found that all evaluated turn-movements currently have adequate queue storage capacity to serve the projected queue lengths under existing conditions and with the addition of the proposed project. Traffic originating from the proposed project would not have an adverse effect on the available queue storage capacity at intersections. Therefore, the proposed project result in hazards related site access due to geometric design features or incompatible uses beyond what was previously analyzed in the General Plan EIR.

d) Emergency Access

Would the project: *Result in inadequate emergency access?*

Conclusions of the General Plan EIR

The General Plan EIR did not provide an impact analysis or determination on the General Plan buildout's effect on emergency access. However, the General Plan EIR found that Gilroy City Code Chapter 10, Article 10 (19–28) identifies regulations for providing emergency access and requires City review of development projects for adequacy regarding emergency access.

Yamane Warehouse Project Analysis and Conclusion

Information in this section is based on the TA completed by Hexagon on May 19, 2023 (Appendix H).

Gilroy City Code Chapter 10, Fire Protection, requires that a fire access roadway greater than or equal to 20 feet in width be provided in all new commercial, industrial, and residential building development, within 150 feet of all structures. The proposed project would construct internal circulation ranging from 26 to 48 feet in width and would have two driveways with a width of 35 feet. Furthermore, the proposed project provided a fire plan demonstrating emergency access around the entire proposed building for vehicles with the dimensions of a large school bus (S-BUS-40). As such, the proposed project would exceed the City's emergency access standards. While the proposed project would be expected to result in a minor increase in delay for traffic in the project vicinity, emergency response vehicles have lights and sirens to bypass queued traffic and minimize the effects of intersection delay. Therefore, the proposed project would not result in new impacts related to inadequate emergency access beyond what was previously analyzed in the General Plan EIR.

⁵⁹ Hexagon Transportation Consultants. 2023. Yamane Drive Industrial Warehouse Development Transportation Analysis. May 19.

⁶⁰ Ibid.

General Plan EIR Mitigation Measures Applicable to the Proposed Project

None.

Conclusion

The conclusions from the certified General Plan EIR remain unchanged when considering the implementation of the proposed project.

The proposed project is consistent with the development evaluated in the General Plan and the analysis in the General Plan EIR and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively related to transportation.

Environmental Issues	CEQA Section 15183(b) Criteria				
	Prior General Plan EIR Determination	Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.18 Utilities and Service Systems <i>Would the project:</i>					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less than significant impact	No	No	No	No
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Less than significant impact	No	No	No	No
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Less than significant impact	No	No	No	No
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less than significant impact	No	No	No	No
e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?	No impact	No	No	No	No

a) Water, Wastewater, and Stormwater Facilities

Would the project: *Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

Conclusions of the General Plan EIR

Water

The General Plan EIR found that implementation of the Gilroy 2040 General Plan could require new or expanded water facilities. However, the need for new or expanded water facilities would not exceed that which was identified in the 2004 Water System Master Plan. According to the General

Plan EIR, water demand in 2040 is expected to be approximately 10.1 million gallons per day, which would be significantly less than the demand anticipated by the 2004 Water System Master Plan. Thus, the General Plan EIR concluded that implementation of the Gilroy 2040 General Plan would not require new or expanded water facilities beyond those identified in the 2004 Water System Master Plan and there would be no impacts related to the provision of water service.

Wastewater

The General Plan EIR found that development consistent with the Gilroy General Plan could increase demand for wastewater services beyond the capacity of existing and planned wastewater facilities, which would result in the need for new wastewater infrastructure. According to the General Plan EIR, the Gilroy 2040 General Plan contains several goals and policies which address potential impacts related to demand for wastewater services and new or expanded wastewater infrastructure. These include Goals LU 1, PFS 1, PFS 2, PFS 4 and policies LU 1.1, LU 1.2, LU 1.3, LU 1.10, LU 1.11, PFS 1.1, PFS 1.2, PFS 1.3, PFS 1.4, PFS 1.10, PFS 1.11, PFS 2.2, PFS 2.3, PFS 2.7, PFS 4.1, PFS 4.2, PFS 4.3, PFS 4.4, PFS 4.5, PFS 4.6, PFS 4.7, and PFS 4.8. While the implementation of these goals and policies would reduce the impact of buildout of the Gilroy 2040 General Plan, they would not avoid the need for new or expanded wastewater infrastructure.

However, the General Plan EIR asserted that the site-specific environmental impact of future new or expanded wastewater facilities can be reasonably assumed to be similar to other new development within the City. Thus, the Gilroy 2040 General Plan policies and mitigation measures included in the General Plan EIR which aim to avoid or reduce impacts from new development would also avoid or reduce potential environmental impacts of expanded or new wastewater treatment facilities and impacts would be less than significant.

Stormwater

The General Plan EIR does not specifically consider the potential environmental impacts of the construction of new or expanded stormwater drainage infrastructure. The General Plan EIR does, however, consider potential impacts related to flooding, erosion, and/or alternations of natural drainage patterns as a result of increased stormwater runoff exceeding the capacity of existing stormwater facilities. According to the General Plan EIR, future development consistent with the Gilroy 2040 General Plan would increase the amount of impervious surfaces within the UGB, thus contributing new sources of runoff and increasing the volume of stormwater runoff to levels which would exceed the capacity of existing stormwater facilities. According to the General Plan EIR, the Gilroy 2040 General Plan contains several goals and policies which address potential impacts related to stormwater drainage infrastructure capacity and secondary flooding impacts. These include Goal PFS 5 and policies PFS 5.1, PFS 5.2, PFS 5.3 and PFS 5.5.

The General Plan EIR concluded that implementation of the above goals and policies, in addition to project-specific compliance with the City's Storm Water Master Plan and Stormwater Management Guidance Manual, compliance with City and State Water Resource Control Board detention or retention requirements and Gilroy City Code requirements would mitigate increases in impervious surfaces which could lead to flooding or stormwater runoff exceeding the capacity of existing stormwater facilities. Impacts related to flooding as a result of development would be less than significant.

Natural Gas, Electricity, and Telecommunications

The General Plan EIR did not analyze the potential environmental impact of the relocation or construction of new or expanded electric power, natural gas, or telecommunication facilities as a result of implementation of the Gilroy 2040 General Plan.

Yamane Warehouse Project Analysis and Conclusion

Water

The proposed project would receive potable water service from the City via an existing 12-inch water line located in Yamane Drive and new 10-inch water lines within the proposed internal streets. The proposed warehouse would connect to the existing and new water lines via 4-inch connections.

The proposed project is consistent with the Gilroy 2040 General Plan land use designation of IP. As discussed above, the General Plan EIR concluded that implementation of the Gilroy 2040 General Plan would not require new or expanded water facilities beyond those identified in the 2004 Water System Master Plan and there would be no impacts related to the provision of water service. Therefore, the effects of the proposed project were anticipated in the General Plan EIR and there are no project-specific effects that were not analyzed in the General Plan EIR. The proposed project would not result in any new or more severe impacts related to water treatment facilities expansion beyond what was previously analyzed in the General Plan EIR.

Wastewater

The proposed project would receive wastewater services from the City via a 6-inch diameter sanitary sewer line on the south side of the project site which would connect to an existing 10-inch diameter sanitary sewer line in Yamane Drive. According to the General Plan EIR, development consistent with the Gilroy 2040 General Plan could increase demand for wastewater services beyond the capacity of existing and planned wastewater facilities. The proposed project is consistent with the Gilroy 2040 General Plan land use designation of IP and would increase wastewater generation compared to existing conditions. However, the General Plan EIR concluded that compliance with Gilroy 2040 General Plan policies as well as mitigation measures included in the General Plan EIR would avoid or reduce potential environmental impacts of expanded or new wastewater treatment facilities. Because the proposed project is consistent with the Gilroy 2040 General Plan, the effects of the proposed project were anticipated in the General Plan EIR and there are no project-specific effects that were not analyzed in the General Plan EIR. The proposed project would not result in any new or more severe impacts related to wastewater treatment capacity beyond what was previously analyzed in the General Plan EIR.

Stormwater

The proposed project would remove the existing 10-foot storm drainage easement at southeast corner of the project site and replace it with another 10-foot storm drainage easement containing a 15-inch diameter storm drainage line.

According to the General Plan EIR, future development consistent with the Gilroy 2040 General Plan would increase impervious surfaces, thus increasing stormwater runoff to levels that would exceed the capacity of existing stormwater facilities. The proposed project would introduce 320,300 square

feet of new impervious surface area as compared to existing conditions. According to the SWCP completed for the proposed project, the project site would consist of five drainage management areas (DMAs). DMA 5 would be self-treating while DMAs 1 through 4 would drain overland to landscaped/pervious areas, then runoff would be routed to infiltration trenches. The proposed infiltration trenches would be designed to retain runoff from a 95th percentile 24-hour storm events. Runoff in excess of the retention volume of the infiltration trenches would flow into the on-site storm drain system. Preliminary hydrologic/hydraulic modeling indicates that the infiltration trenches would be adequate to mitigate 2- to 10-year peak flows, thus 2- to 10-year peak flows discharged from the project site under proposed project conditions would not exceed those under existing conditions (Appendix F).

Furthermore, the proposed project would be required to comply with all post-construction requirements under Phase II National Pollutant Discharge Elimination System (NPDES) Stormwater Permit, the City's Storm Water Master Plan and Stormwater Management Guidance Manual, City and State Water Resource Control Board detention or retention requirements, Gilroy City Code requirements, and Gilroy 2040 General Plan Goals and Policies, including Policy NCR 1.14 which encourages projects to maintain pre-project stormwater flows for smaller projects in the areas of the unconfined Llagas subbasin.

Natural Gas, Electricity, and Telecommunications

The proposed project would receive electricity services by PG&E. The proposed project would construct a 15-foot electrical easement on the southern boundary of the project site.

b) Water Supply

Would the project: *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

Conclusions of the General Plan EIR

According to the General Plan EIR, the City provides potable water services to customers within the City limits. The City's sole source of potable water is groundwater from the Llagas Subbasin. Groundwater extractions are balanced, in part, by Valley Water groundwater recharge programs. According to Valley Water's 2017 Annual Groundwater Report, end of year groundwater storage of more than 300,000 acre-feet falls within the normal stage (Stage 1) of Valley Water's Water Shortage Contingency Plan, indicating good water supply conditions. Valley Water also stores water supply banked underground at Semitropic Water Storage District near Bakersfield. Valley Water's Semitropic groundwater bank reserves were at 100 percent of capacity, or 349,970 acre-feet as of December 31, 2019 (Valley Water 2020). Valley Water estimated the operational storage capacity of the Llagas Subbasin to range between 150,000 152,000 and 165,000 acre-feet.

Buildout of the Gilroy 2040 General Plan would increase population, which would in turn increase demand for potable water. According to the Gilroy 2015 Urban Water Management Plan (UWMP) the projected water supply for normal years is 16,840 million gallons or approximately 51,679 acre-feet per year. According to the General Plan EIR, projected water demand in 2040 would be approximately 10.1 million gallons per day or approximately 3,687 million gallons per year (11,425

acre-feet per year [AFY]). Water supply is projected to exceed demand in normal, single dry year, and multiple dry years through 2040. The General Plan EIR noted that for smaller projects in the areas of the unconfined Llagas subbasin, the City will include a policy in the General Plan to encourage project design to maintain post project flows to be the same as pre-project flows. It should be noted, however, that the City's stormwater standards for Tier 3 projects indicate off-site discharge is prohibited up to the 95th percentile storm event, for Tier 2 projects treat and release is allowed, and Tier 1 projects allow a more passive design 'best practices' to minimize runoff.

The General Plan EIR determined that, while implementation of the Gilroy 2040 General Plan may increase water demand for new and existing development within the UGB, demand would not exceed that which was identified in the City's 2015 UWMP. Thus, the General Plan EIR concluded that implementation of the Gilroy 2040 General Plan would not substantially deplete potable water sources and impacts would be less than significant.

Yamane Warehouse Project Analysis and Conclusion

As previously discussed, although the proposed project would increase water demand compared to existing conditions, the proposed project would be consistent with the Gilroy 2040 General Plan land use designations of IP. As such, the proposed project's water demand is included in the overall water demand based on buildout of the Gilroy 2040 General Plan. The General Plan EIR determined that water supply is projected to exceed demand in normal, single dry year, and multiple dry years through 2040 and that demand associated with implementation of the Gilroy 2040 General Plan would not exceed that which was identified in the City's 2015 UWMP.

Since the adoption of the General Plan EIR, the City's UWMP has been updated. According to the City's 2020 UWMP, demand is projected to increase to 14,109 acre-feet of water per year in 2045 while supply would reach 24,464 acre-feet per year. Projected supply would exceed project demand during normal, single dry, and multiple dry years.⁶¹ In addition, the proposed project would include low water landscaping, which would further reduce water demand. Therefore, the effects of the proposed project were anticipated in the Final General Plan EIR and there are no project-specific effects that were not analyzed in the Final General Plan EIR. The proposed project would not result in any new or more severe impacts related to water supply beyond what was previously analyzed in the General Plan EIR.

c) Wastewater Treatment Capacity

Would the project: *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Conclusions of the General Plan EIR

As discussed above, the General Plan EIR found that development consistent with the Gilroy General Plan could increase demand for wastewater services beyond the capacity of existing and planned

⁶¹ City of Gilroy. 2021. 2020 Urban Water Management Plan. Website: <https://www.cityofgilroy.org/DocumentCenter/View/12538/FINAL-2020-Urban-Water-Management-Plan?bidId=>. Accessed May 30, 2023.

wastewater facilities. The Gilroy 2040 General Plan contains several goals and policies which address potential impacts related to demand for wastewater services and new or expanded wastewater infrastructure. These include Goals LU 1, PFS 1, PFS 2, PFS 4 and policies LU 1.1, LU 1.2, LU 1.3, LU 1.10, LU 1.11, PFS 1.1, PFS 1.2, PFS 1.3, PFS 1.4, PFS 1.10, PFS 1.11, PFS 2.2, PFS 2.3, PFS 2.7, PFS 4.1, PFS 4.2, PFS 4.3, PFS 4.4, PFS 4.5, PFS 4.6, PFS 4.7, and PFS 4.8. While the implementation of these goals and policies would reduce the impact of buildout of the Gilroy 2040 General Plan, they would not avoid the need for new or expanded wastewater infrastructure. However, while the General Plan EIR found that implementation of the Gilroy 2040 General Plan would increase demand for wastewater services and thus require new or expanded wastewater facilities, this would not exceed beyond what was identified in the City of Gilroy Sewer System Master Plan. Thus, the General Plan EIR concluded that potential impacts related to the provision of wastewater services would be less than significant.

Yamane Warehouse Project Analysis and Conclusion

Because the proposed project is consistent with the Gilroy 2040 General Plan, implementation of the proposed project would not result in new or more severe impacts related to wastewater treatment capacity beyond what was previously analyzed in the General Plan EIR. As described above, the proposed project would be required to pay sewer service fees that would be used to fund any required improvements to wastewater treatment facilities, and thus would not result in a significant effect. As such, no additional analysis is required.

d) Solid Waste Reduction Goals Consistency

Would the project: *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Conclusions of the General Plan EIR

According to the General Plan EIR, buildout of the Gilroy 2040 General Plan could result in generation of approximately 127.5 tons per day of additional solid waste. This would represent approximately 12.75 percent of the John Smith Road landfill current permitted daily tonnage limit of 1,000 tons per day. The General Plan EIR found that continued compliance with City and County waste reduction programs and policies would reduce the volume of waste entering landfills. Furthermore, future development consistent with the Gilroy 2040 General Plan would be reviewed on a project-specific basis to ensure that solid waste disposal services and landfills have sufficient capacity to serve the development.

According to the General Plan EIR, the Gilroy 2040 General Plan contains several goals and policies which address potential impacts related to demand for wastewater services and new or expanded wastewater infrastructure. These include Goals PFS 6 and NCR 3 and Policies PFS 6.1, PFS 6.2, PFS 6.3, PFS 6.4, PFS 6.5, PFS 6.6, PFS 6.7, PFS 6.8, PFS 6.9, PFS 6.10, NCR 3.9, and NCR 3.13. The General Plan EIR concluded that compliance with the above goals and policies as well as federal, State, and local mandates related to solid waste reduction, recycling, and waste diversion would reduce potential impacts related to solid waste generation to less than significant levels.

Yamane Warehouse Project Analysis and Conclusion

The proposed project would increase production of solid waste as compared to existing conditions. As discussed above, buildout of the Gilroy 2040 General Plan could result in generation of approximately 127.5 tons per day of additional solid waste, or approximately 12.75 percent of the John Smith Road landfill current permitted daily capacity. However, the General Plan EIR concluded that compliance with City and County waste reduction programs and policies, in coordination with federal and State mandates for solid waste reduction, would reduce the volume of waste entering landfills. The proposed project consists of an approximately 163,400-square-foot large-scale warehouse/distribution building and is anticipated to employ approximately 28 full-time employees. Based on a solid waste generation rate of 13.82 pounds of solid waste per employee per day, the proposed project could generate as much as 387 pounds of solid waste per day.^{62,63} According to the General Plan EIR, the California Department of Resources Recovery and Recycling (CalRecycle) states that the City's average solid waste generation rate for employees is 12.9 pounds per day per employee and 4.5 pounds per day per capita. Therefore, the proposed project would not result in new or more severe impacts related to solid waste reduction goals beyond what was previously analyzed in the Final General Plan EIR.

e) Solid Waste Regulations Consistency

Would the project: *Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?*

Conclusions of the General Plan EIR

The General Plan EIR does not specifically analyze impacts related to compliance with federal, State, and local management and reduction statutes and regulations related to solid waste. However, as discussed above under Impact(d), the General Plan EIR does analyze impacts related to solid waste generation and solid waste infrastructure capacity. According to the General Plan EIR, the City has consistently met the State's targets for per capita employment and daily disposal rate. The General Plan EIR concluded that compliance with Gilroy 2040 General Plan Goals and Policies, as well as compliance with federal, State, and local mandates related to solid waste reduction, recycling, and waste diversion would reduce potential impacts related to solid waste generation to less than significant levels.

Yamane Warehouse Project Analysis and Conclusion

Consistent with the General Plan EIR, the proposed project would comply with General Plan Goals and Policies as well as federal, State, and local mandates related to solid waste reduction, recycling, and waste diversion. Therefore, the proposed project would not result in new or more severe impacts related to solid waste regulations beyond what was previously analyzed in the General Plan EIR.

⁶² California Department of Resources Recycling and Recovery (CalRecycle). 2019. Website: <https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates>. Accessed May 30, 2023.

⁶³ $13.82 \times 28 = 386.96$

General Plan EIR Mitigation Measures Applicable to the Proposed Project

None.

Conclusion

The conclusions from the certified General Plan EIR remain unchanged when considering the implementation of the proposed project.

The proposed project is consistent with the development evaluated in the General Plan and the analysis in the General Plan EIR and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively related to utilities or service systems.

Environmental Issues	CEQA Section 15183(b) Criteria				
	Prior General Plan EIR Determination	Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.19 Wildfire <i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	No Impact	No	No	No	No
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	No impact	No	No	No	No
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	No impact	No	No	No	No
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	No impact	No	No	No	No

a) Emergency Response/Evacuation Plan Consistency

Would the project: *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, substantially impair an adopted emergency response plan or emergency evacuation plan?*

Conclusions of the General Plan EIR

The General Plan EIR does not specifically discuss whether the City or its Sphere of Influence are located within a State Responsibility Area (SRA). However, General Plan EIR Figure 3.8-1, Fire Hazard Severity Zones, does provide a map of Very High, High, Moderate, Non-Wildland/Non-Urban, and Urban Unzoned Fire Hazard Severity Zones (FHSZ) within the General Plan Planning Area/SOI and within the UGB.

The General Plan EIR found that future development under the General Plan would increase population which, as a result, could increase the number of people that might require evacuation or assistance in the event of an emergency. However, all emergency response plans are periodically

updated to account for regional population growth and changes in development patterns. The City is served by the Santa Clara County Operational Area EOP, which was most recently updated in 2017. The Santa Clara County Operational Area Emergency Operations Plan does not identify evacuation routes or emergency facilities within the City.

Periodic review of these regional emergency plans, in addition to local performance reviews, ensures that adequate emergency response times and adequacy of established emergency evacuation routes and plans is maintained. Therefore, the General Plan EIR concluded that there would be no impact.

Yamane Warehouse Project Analysis and Conclusion

According to the California Department of Forestry and Fire Protection (CAL FIRE), the project site is not located within an SRA or a Very High Fire Hazard Severity Zone (VHFHSZ). The FHSZ within an SRA is located approximately 1.27 miles northwest of the project site and is designated as a Moderate FHSZ. The nearest VHFHSZ is located more than 6 miles northwest of the project site.⁶⁴ Furthermore, Figure 3.8-1 of the General Plan EIR designates the project site as Urban Unzoned.

Emergency access to the project site would be provided through the two access points on Yamane Drive and internal circulation on the project site would provide a 32-foot minimum turning radius for fire trucks. The project does not propose permanent road closures or lane narrowing that would impact an emergency response plan or evacuation plan. Therefore, the proposed project would not result in new or more severe impacts related to emergency response plans beyond what was previously analyzed in the Final General Plan EIR.

b) Expose Project Occupants to Pollutant Concentrations from Wildfire

Would the project: *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

Conclusions of the General Plan EIR

As discussed above, the General Plan EIR does not specifically discuss whether the City or its SOI are located within an SRA. Figure 3.8-1 of the General Plan EIR does, however, provide a map of FHSZs within the General Plan Planning Area/SOI and within the UGB. According to the General Plan EIR and Figure 3.8-1, the majority of the Planning Area/SOI is designated as Non-Wildland/Non-Urban. Western portions of the Planning Area/SOI are designated as High and Moderate FHSZ, with a small area along the southwestern boundary of the Planning Area/SOI identified as a High FHSZ. The majority of the area within the UGB is developed with urban uses and is designated as Urban Unzoned and Non-Wildland/Non-Urban and is generally not susceptible to risks from wildland fires. High to very high wildfire threats affect areas located in the western and southwestern foothills of the UGB, these areas are designated as Moderate and High FHSZ by Figure 3.8-1.

⁶⁴ California Department of Forestry and Fire Protection (CAL FIRE). 2023. FHSZ Viewer. Website: <https://egis.fire.ca.gov/FHSZ/>. Accessed May 30, 2023.

According to the General Plan EIR, the General Plan contains several goals and policies which address the risks of human harm and property damage due to wildland fires. These include Goals PH 1, PH 4 and PFS 10, and Policies PH 1.1, PH 1.2, PH 1.3, PH 1.4, PH 1.5, PH 1.6, PH 1.7, PH 1.12, PH 1.15, PH 1.16, PH 1.18, PH 4.1, PH 4.2, PH 4.3, PH 4.4, PH 4.5, PFS 10.1, PFS 10.5, PFS 10.6, and PFS 10.8. Furthermore, the General Plan EIR concluded that compliance with the General Plan Goals and Policies listed above would reduce potential impacts related to an increased risk of human harm and/or property damage involving wildland fires to less than significant levels.

Yamane Warehouse Project Analysis and Conclusion

As previously noted, the project site is not located within an SRA or a VHFHSZ. Additionally, Figure 3.8-1 of the General Plan EIR designates the project site as Urban Unzoned. Thus, the project site is not located adjacent to unmanaged open space or a recognized fire prone area. The project site is relatively flat and is surrounded by existing development to the west, south, and east. The northern half of the project site is undeveloped and the project site is covered in grass and shrubs, which can act as fuel for wildfires. Development of the proposed project, therefore, would reduce potential fuels on the project site. Furthermore, the BAAQMD, which monitors wind speeds at locations in the Bay Area, reports the average windspeed at the Gilroy monitoring station as between 3 and 4 miles per hour (mph) between January and August 2021 (the most recent windspeed data available for the Gilroy monitoring station).⁶⁵

As a result, the proposed project is not located on a project site with severe slopes or high prevailing winds that would further exacerbate wildfire risk. Therefore, the proposed project would not result in new or more severe impacts related to exposure of project occupants to pollutant concentrations from wildfire beyond what was previously analyzed in the General Plan EIR.

c) Infrastructure that Exacerbates Fire Risk

Would the project: *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

Conclusions of the General Plan EIR

As discussed above, the General Plan EIR does not specifically discuss whether the City or its SOI are located within an SRA. Neither does the General Plan EIR consider the impact of the installation or maintenance of associated infrastructure to fire risk.

However, as previously discussed, the General Plan EIR concluded that compliance with General Plan Goals PH 1, PH 4 and PFS 10, and Policies PH 1.1, PH 1.2, PH 1.3, PH 1.4, PH 1.5, PH 1.6, PH 1.7, PH 1.12, PH 1.15, PH 1.16, PH 1.18, PH 4.1, PH 4.2, PH 4.3, PH 4.4, PH 4.5, PFS 10.1, PFS 10.5, PFS 10.6,

⁶⁵ Bay Area Air Quality Management District (BAAQMD). 2021. Wind Speed. Website: <https://www.baaqmd.gov/about-air-quality/current-air-quality/air-monitoring-data/#/met?date=2021-11-28&id=203&view=monthly&style=chart&zone=93773827-1afa-4151-9aa9-dcfc6d512a66>. Accessed May 30, 2023.

and PFS 10.8 would be sufficient to ensure that impacts related to an increased risk of human harm and/or property damage involving wildland fires would be less than significant.

Yamane Warehouse Project Analysis and Conclusion

The proposed project is not located within or near an SRA or VHFHSZ. The proposed project would not include the installation of emergency water sources or overhead power lines. Furthermore, the Gilroy City Code requires that all utility facilities, including wires, cables, and other facilities supplying electric, communication, or similar services, shall be undergrounded.⁶⁶ Therefore, the proposed project would not result in new or more severe impacts related to infrastructure that exacerbates fire risk beyond what was previously analyzed in the General Plan EIR.

d) Flooding and Landslide Hazards Due To Post-fire Slope Instability/Drainage Changes

Would the project: *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

Conclusions of the General Plan EIR

The General Plan EIR does not specifically discuss whether the City or its SOI are located within an SRA, nor does it specifically analyze potential impacts related to downslope or downstream flooding or landslides as a result of post-fire slope instability. However, the General Plan EIR does discuss landslides and flood risks. According to the General Plan EIR, future development associated with buildout of the Gilroy 2040 General Plan could occur on unstable soils potentially susceptible to landslides, lateral spreading, subsidence, liquefaction, or collapse. However, the General Plan EIR concluded that implementation of Gilroy 2040 General Plan Goals and Policies related to development on unstable soils or geologic units would reduce potential impacts related to groundfailure to less than significant. General Plan EIR Figure 3.6-3, Slope Instability and Landslide Hazard Zones, maps areas susceptible to landslide.

According to the General Plan EIR, implementation of the Gilroy 2040 General Plan could result in people being exposed to flood risks should future development be located within the 100-year flood hazard zone. Figure 3.9-1, Flood Risk Areas, maps flood hazard areas across the City, its SOI and with UGB. The General Plan EIR concluded that implementation of the Gilroy 2040 General Plan policies and programs, compliance with RWQCB stormwater infiltration requirements, Valley Water requirements for channel improvements, and Gilroy City Code ensures that potential flood hazards within and downstream of the UGB would be minimized or avoided. Therefore, potential impacts related to exposure of people or structures to significant flooding risks within a 100-year flood hazard area would be less than significant.

Yamane Warehouse Project Analysis and Conclusion

The proposed project is not located within or near an SRA or VHFHSZ. The project site is located within a flat, highly urbanized area of the City that is designated as Urban Unzoned by Figure 3.8-1 of

⁶⁶ City of Gilroy. 2023. Gilroy City Code, Chapter 21, Article V. Requirements for Undergrounding Utilities.

the General Plan EIR. According to Figure 3.9-1, Flood Risk Areas, of the General Plan EIR, the proposed project is located within Flood Zone X. Flood Zone X is defined as minimal risk areas outside the 1 percent and 0.2 percent annual-chance floodplains. Furthermore, according to General Plan EIR Figure 3.6-3, Slope Instability and Landslide Hazard Zones, the proposed project is not located within a County Landslide Hazard Zone.

Therefore, the proposed project would not result in new or more severe impacts related to post-fire slope instability or drainage changes beyond what was previously analyzed in the General Plan EIR.

General Plan EIR Mitigation Measures Applicable to the Proposed Project

None.

Conclusion

The conclusions from the certified General Plan EIR remain unchanged when considering the implementation of the proposed project.

The proposed project is consistent with the development evaluated in the General Plan and the analysis in the General Plan EIR and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively related to wildfire.

Environmental Issues	CEQA Section 15183(b) Criteria				
	Prior General Plan EIR Determination	Effect Peculiar to Project or Site?	New Significant Effect?	New Significant Off-site, Cumulative Impact?	New Information, More Severe Adverse Impact?
5.20 Mandatory Findings of Significance					
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	Less than Significant Impact	No	No	No	No
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	Significant and Unavoidable Impact	No	No	No	No
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	Significant and Unavoidable Impact	No	No	No	No

a) Potential Degradation to Environment and Examples of California History or Prehistory

Does the project: *Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?*

The proposed project may result in impacts associated with biological resources and cultural resources that would be significant if left unmitigated. Adopted General Plan EIR mitigation measures and COAs would ensure that the proposed project is compliant with General Plan Goals and Policies, thus reducing all potential impacts to less than significant levels. With the implementation of these mitigation measures and compliance with applicable rules and regulations, the proposed project would have less than significant impacts.

b) Cumulatively Considerable Impacts

Does the project: *Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

A significant impact may occur if the Modified Project, in conjunction with other related projects in the area of the Modified Project site would result in impacts that are less than significant when viewed separately but would be significant when viewed together.

The General Plan EIR found that buildout of the General Plan EIR would result in significant and unavoidable impacts to agriculture and forestry resources (Impact 5.2(a)), air quality (Impact 5.3(b)), greenhouse gas emissions (Impact 5.8(a), Impact 5.8(b)), and transportation (Impact 5.17(b)). However, analysis of the proposed project found that individually, the proposed project would either have no impact, or have a less than significant impact to Agriculture and Forestry Resources, as discussed in Section 5.2.

The proposed project would have a cumulative significant and unavoidable impact related to the cumulatively considerable increase in VMT and consistency with CEQA Guidelines Section 15064.3, subdivision (b).

Construction emissions of the proposed project would not exceed any of the BAAQMD’s significance threshold. Additionally, the proposed project’s Conditions of Approval (COA AQ-1) would implement General Plan EIR MM AQ-2, dust control plan, as well as limit equipment idling. Operational emissions of the proposed project would not exceed any of the BAAQMD’s significance threshold. Therefore, the proposed project would not result in a considerable net increase of any criteria pollutant for which the project region is nonattainment during operation or construction. However, these impacts were determined to be significant and unavoidable by the General Plan EIR, and as such, the proposed project would not introduce new environmental impacts or create more severe impacts than those analyzed in the General Plan EIR. No additional analysis is required.

c) Adverse Effects on Human Beings?

Does the project: *Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?*

All impacts identified in this Consistency Checklist have either already been found to be either less than significant, reduced to less than significant with prior mitigation measures provided by the General Plan EIR, or been previously found by the General Plan EIR to be significant and unavoidable. Therefore, the proposed project would not introduce new environmental impacts or create more severe impacts than those analyzed in the General Plan EIR. No additional analysis is required.

Conditions of Approval

The following COA would apply to the proposed project to implement General Plan policies:

COA BIO-1 Avoidance and Minimization of West Branch Llagas Creek

1. No substances toxic to fish and wildlife shall be discharged or allowed to leach into the Creek. Reasonable precautions to protect aquatic habitats of the Creek from pollution with harmful materials (e.g., fuels, oils, lubricants, and solvents) shall be implemented. Specifically, all potentially hazardous materials shall be controlled, cleaned up, and properly disposed of in accordance with the project's water quality control permits and plans. Materials deleterious or toxic to fish and wildlife including, but not limited to, asphalt, tires, concrete, construction materials, treated wood, and creosote containing materials shall not be stockpiled within 100 feet of the Creek. Refueling and maintenance areas for equipment shall be limited to areas 100 feet from the Creek.
2. At no time shall silt-laden runoff be allowed to enter the Creek. Erosion control measures shall be utilized throughout all phases of construction where sediment runoff from the project may enter the Creek. Best Management Practices (BMPs) to avoid erosion and uncontrolled stormwater runoff shall be implemented. BMPs typically include silt fencing, coir rolls, and/or straw bale dikes.

COA BIO-2 Compliance with SCVHP

1. The project is subject to applicable SCVHP conditions and fees prior to issuance of any grading permits. The project applicant shall submit the SCVHP Coverage Screening Form to the Director of Planning, Building, and Code Enforcement (PBCE) or the Director's designee for approval and payment of all applicable fees prior to the issuance of a grading permit. The Habitat Plan and supporting materials can be viewed at www.scv-habitatplan.org.

COA BIO-3 Pre-construction Surveys for Swainson's Hawk

Prior to ground disturbance that occurs during the nesting season for Swainson's hawk (generally March 20 to July 20), a qualified Biologist shall conduct Swainson's hawk nesting surveys within a 0.5-mile radius of the project site to determine whether nests are occupied. Occupancy shall be determined through observation of all accessible areas, including from public roads or other publicly accessible observation areas of Swainson's hawk activity (e.g., foraging) on and near the project site.

The qualified Biologist shall follow the survey protocol outlined in the California Department of Fish and Wildlife (CDFW) Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley, which recommends surveys according to the following survey periods:

- I. January–March 20: Conduct one survey total. Survey shall be conducted all day.
- II. March 20–April 5: Conduct three surveys total. Surveys shall be conducted between sunrise to 10:00 a.m. and 4:00 p.m. to sunset.

- III. April 5–April 20: Conduct three surveys total. Surveys shall be conducted between sunrise to 12:00 p.m. and 4:30 p.m. to sunset.
- IV. April 21–June 10: Initiating surveys are not recommended. Monitoring of known nest sites is only recommended.
- V. June 10–July 30: (post-fledging) Conduct three surveys total. Surveys shall be conducted between sunrise to 12:00 p.m. and 4:00 p.m. to sunset.

Pre-construction surveys shall be completed for at least the two survey periods immediately prior to project initiation. It is recommended that surveys be completed in Periods II, III, and V. Surveys shall not be initiated during Period IV.

COA BIO-4 Swainson's Hawk Avoidance and Minimization and Construction Monitoring

If nests are located and determined to be occupied, minimization measures must be implemented, and construction monitoring must be conducted as follows:

- Construction activities shall be prohibited within 200 yards (600 feet) of an active and occupied Swainson's hawk nest, or within 200 yards (600 feet) of nests under construction, to prevent nest abandonment.
- Notwithstanding the foregoing, if site-specific conditions or the nature of the construction activity (e.g., other nearby development, steep topography, dense vegetation, limited activities) indicate that a smaller buffer, or no buffer at all, could be used, the project applicant may seek approval from the qualified Biologist who in coordination with the California Department of Fish and Wildlife (CDFW) shall determine the appropriate buffer size, which, once approved, shall govern.
- No tree containing an active Swainson's hawk nest shall be removed.

COA BIO-5 The project proponent shall retain a qualified Biologist to perform a pre-construction burrowing owl survey in order to determine whether burrowing owls are present within 30 days prior to construction activities, according to California Department of Fish and Wildlife (CDFW) (2012) Guidelines. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed. The pre-construction survey shall be completed on the project site and areas within 500 feet from the project boundary (where possible and appropriate based on habitat). All occupied burrows will be mapped on an aerial photo. At least 15 days prior to the expected start of any project-related ground disturbance activities, or restart of activities, the City of Gilroy shall provide a burrowing owl survey report and mapping to the CDFW. If no burrowing owl are detected during the pre-construction survey, no further action is necessary.

COA BIO-6 If any of the surveys (breeding season, nonbreeding season, or pre-construction) are positive for burrowing owl, the project proponent shall retain a qualified Biologist to develop and implement a Burrowing Owl Mitigation Plan and a Worker Environmental Awareness Program (WEAP). The Burrowing Owl Mitigation Plan shall

contain the following elements (as outlined in California Department of Fish and Wildlife [CDFW] [2012] Guidelines), at a minimum:

- Avoidance of burrowing owls during construction, including establishment of a 160-foot radius around occupied burrows during the nonbreeding season (September 1 through February 14) or a 300-foot radius around occupied burrows during the breeding season (February 15 through August 31), within which construction activities may not occur until a qualified Biologist has determined that (1) nonbreeding season owls have dispersed from the area; or (2) breeding season owls have fledged their juveniles from the occupied burrows and the juveniles are foraging independently and are capable of independent survival or have dispersed from the area.
- A plan for implementing a passive relocation program for nonbreeding owls, should it be needed. The passive relocation techniques should be consistent with CDFW (2012) Guidelines, including installation of artificial burrows at an off-site location and use of one-way exclusion doors to ensure owls have left the burrow(s).

COA BIO-7 Protection of Active Bird Nests (includes pre-construction survey and implementation of avoidance buffer, if found).

- Removal of trees shall be limited to only those necessary to construct the proposed project as reflected in the relevant project approval documents.
- If the proposed project requires vegetation to be removed during the nesting season (February 1 to August 31), pre-construction surveys shall be conducted no more than 7 days prior to the start of ground or vegetation disturbance (including tree removal) to determine whether or not active nests are present.
- If an active nest is located during pre-construction surveys, a qualified Biologist shall determine an appropriately sized avoidance buffer based on the species and anticipated disturbance level. (The California Department of Fish and Wildlife [CDFW] recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors.) A qualified Biologist shall delineate the avoidance buffer using Environmentally Sensitive Area fencing, pin flags, and/or yellow caution tape. The buffer zone shall be maintained around the active nest site(s) until the young have fledged and are foraging independently. No construction activities or construction foot traffic is allowed to occur within the avoidance buffer(s).
- The qualified Biologist shall monitor the active nest during construction activities and modify the protection zone accordingly to prevent project-related nest disturbance, until the young have fledged.

COA BIO-8 Roosting Bat Pre-construction Survey and Avoidance

A qualified Biologist with relevant roosting bat experience shall conduct a survey for special-status bats during the appropriate time of day to maximize detectability to determine whether bat species are roosting near the work area no less than 7 days and no more than 14 days prior to beginning ground disturbance and/or construction. Survey methodology may include visual surveys of bats (e.g., observation of bats during foraging period), inspection for suitable habitat, bat sign (e.g., guano), or use of ultrasonic detectors (Anabat, etc.).

If the Biologist determines or presumes bats are present, the Biologist shall exclude the bats from suitable spaces by installing one-way exclusion devices. After the bats vacate the space, the Biologist shall close off the space to prevent recolonization.

Grading shall only commence after the Biologist verifies 7 to 10 days later that the exclusion methods have successfully prevented bats from returning. To avoid impacts on non-volant (i.e., nonflying) bats, the Biologist shall only conduct bat exclusion and eviction from May 1 through October 1. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young).

General Plan EIR Mitigation Measures Applicable to the Proposed Project

The following mitigation measures set forth in the General Plan EIR are required mitigation for the proposed project and are identified utilizing the updated nomenclature for the proposed project.

- MM BIO-1** Modify the proposed language for Gilroy 2040 General Plan Policy NCR 1.7 (Rare, Threatened, and Endangered Species) as follows: NCR 1.7 Rare, Threatened, and Endangered Special-Status Species. Special-status species are those listed as Endangered, Threatened, or Rare, or as Candidates for listing by the United States Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW), or as Rare Plant Rank 1B or 2B species by the California Native Plant Society (CNPS). This designation also includes CDFW Species of Special Concern and Fully Protected Species. For special-status species that are not among the 18 covered species in the Habitat Plan, minimize future development in areas that support State or federally listed Rare, Threatened, or Endangered such species. Conduct focused surveys per applicable regulatory agency protocols as appropriate to determine whether such species occur on a given project site, as determined necessary by a qualified Biologist. If development of occupied habitat must occur, species impacts shall be avoided or minimized, and if required by a regulatory agency or the CEQA process, loss of wildlife habitat or individual plants should be fully compensated on the site. If off-site mitigation is necessary, it should occur within the Gilroy Planning Area whenever possible, with a priority given to existing habitat mitigation banks. Habitat mitigation shall be accompanied by a long-term management plan and monitoring program prepared by a qualified Biologist, and include provisions for

protection of mitigation lands in perpetuity through the establishment of easements and adequate funding for maintenance and monitoring. [Existing GP, 20.04, modified].

Conclusion

The conclusions from the General Plan EIR regarding the potential impacts discussed above remain unchanged. No further analysis is required.

The proposed project is consistent with the development evaluated in the General Plan and the analysis in the certified General Plan EIR and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

SECTION 6: LIST OF PREPARERS

FirstCarbon Solutions

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Project Director	Mary Bean
Senior Project Manager.....	Alison Rondone
Legal Counsel.....	Megan Starr, JD
Director of Cultural Resources.....	Dana DePietro, PhD, RPA
Director of Noise and Air Quality	Phil Ault, LEED® AP
Environmental Analyst.....	Isobel Cooper
Environmental Analyst.....	Henrique Zhu
Environmental Analyst.....	Hannah Carney
Publications Manager	Susie Harris
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RESOLUTION NO. 2023-##

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GILROY APPROVING ARCHITECTURAL AND SITE REVIEW FOR A 163,400+/- SQUARE-FOOT WAREHOUSE AND LIGHT INDUSTRIAL BUILDING ON AN APPROXIMATE 8.88-ACRE SITE LOCATED AT 201 AND 221 YAMANE DRIVE, APN: 835-02-004 and 835-02-057 (FILE NUMBER AS 22-16)

WHEREAS, on May 25, 2022, Dennis Paulley representing E&P Properties, Inc. submitted an application requesting architectural and site review of a new industrial facility for a 163,400+/- square-foot large-scale warehouse and light industrial building on property located within the M1 Limited Industrial, Murray-Las Animas Avenue Overlay Combining zoning district (APN: 835-02-004 and 835-02-057); and

WHEREAS, on December 19, 2022 the application was accepted as complete for processing, after review of additional information and/or revisions provided on August 1, 2022; and

WHEREAS, the project has been determined to be exempt from further environmental review because it is consistent with the development density established in the General Plan and is within the scope of the General Plan and General plan EIR. No further CEQA documentation is required under both section 15168 and 15183, separately and independently; and

WHEREAS, on September 7, 2023, the Planning Commission held a duly noticed public meeting on the project, at which time the Planning Commission received and considered the staff report and all evidence received on the project, including written and oral public testimony; and

WHEREAS, the location and custodian of the documents or other materials which constitute the record of proceedings on this project is the Community Development Department, Planning Division.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Gilroy hereby grants approval of Architectural and Site Review AS 22-16 based on the following findings made pursuant to Gilroy City Code section 30.50.43 (Scope of Review) and subject to the conditions in Exhibit A:

- A. The proposed development is consistent with the intent of the goals and policies of the City of Gilroy 2040 General Plan (adopted November 2020) given the light industrial development is anticipated within the Industrial Park land use designation and is in substantial conformance with the applicable goals and policies including LU1.1, LU 1.4, LU5.1, LU5.4, LU 8.13, M.3.2, M3.3, M3.9, M5.3, M5.4, M5.11, Goal EP2 and Goal EP3 as it results in orderly and attractive in-fill industrial development that will provide additional employment opportunities within the city; proposes durable materials and a color scheme that is compatible with the architecture and

surrounding buildings; provides landscaping in compliance with standards; provides lighting shielded to prevent glare; and provides public sidewalks and bicycle facilities;

- B. The development as proposed and conditioned is consistent with the Zoning Ordinance given that it involves development of a legal lot in compliance with all applicable requirements of the M1 zoning district land use tables and site and building standards;
- C. The proposed Architectural and Site Review request is consistent with the Industrial Design Guidelines given that the in-fill project provides vertical and horizontal articulation of the building with varied colors and materials that complement the architecture; landscaping is provided for all yard areas which include trees on the street frontage and side yard areas; adequate parking, access and fire lanes are provided; loading and unloading areas are available on-site; and a screened trash enclosure for waste materials is provided;
- D. The Architectural and Site Review request is consistent with the intent of the goals and policies of the Murray-Las Animas Avenue Overlay Combining District Policy given that the project provides landscaping that enhances the site appearance, and attractive architecture and building materials, consistent with the requirements of the policy;
- E. Public utilities and infrastructure improvements needed to serve the proposed project are available to serve the site from the existing public streets; and
- F. There will be no significant environmental impacts as a result of this project, which qualifies for an exemption from the California Environmental Quality Act (CEQA) because it is consistent with the development density established in the General Plan and is within the scope of the General Plan and General plan EIR. No further CEQA documentation is required under both section 15168 and 15183, separately and independently. The project will require payment of any required habitat fees in compliance with the Santa Clara Valley Habitat Plan prior to issuance of a building permit.

PASSED AND ADOPTED this 7th day of September 2023 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

Sharon Goei, Secretary
Community Development Director

Manny Bhandal, Chairperson

Attachment: Exhibit A (Conditions of Approval)

**EXHIBIT A
AS 22-16
201 and 221 Yamane Drive**

<u>PLANNING CONDITIONS</u>	
<i>The following GENERAL conditions authorize specific terms of the project ENTITLEMENT(S).</i>	
1.	APPROVED PROJECT: The approval for AS 22-16 is granted to construct a new 163,400+/- square-foot large-scale warehouse and light industrial building with ancillary offices, located on Assessor Parcel No. 835-02-004 and 835-02-057, as shown on Project Plans stamped approved in the Planning Division project file, as follows: a. Architectural Plans prepared by RMW Architecture & Interiors for E&P Properties New One Story Warehouse Building dated 4/28/23 consisting of floor plan, elevation, photometric and detail plans, sheets A00.1, A01.1, A01.2, A02.1, A02.2, A03.1, A05.0, A05.1, PH 1.0, and PH 1.1; b. Civil Plans prepared by Laugenour and Meikle for E&P Properties New One Story Warehouse Building dated 3/17/23 4/28/23 consisting of topographic survey & demolition plan, grading & drainage plan, utilities plan, stormwater control plan, stormwater control details, cross sections, and fire plan, sheets C101, C301, C302, C401, C501, C502, C801, and C901. c. Landscape Plans prepared by Yamasaki Landscape Architecture for E&P Properties New One Story Warehouse Building dated 4/28/23 consisting of preliminary landscape plan, L1.1 and L1.2. Build-out of the project shall conform to the plans, except as otherwise specified in these conditions. Any future adjustment or modification to the plans, including any changes made at time of building permit submittal, shall be considered by the Community Development Director or designee, may require separate discretionary approval, and shall conform to all City, State, and Federal requirements, including subsequent City Code requirements or policies adopted by City Council.
2.	PERMIT EXPIRATION: The expiration date of this approval is one year from the decision date, September 7, 2024 during which time the applicant shall submit application for building permits and pursue construction diligently to completion. If any development for which architectural and site approval has been granted has not submitted complete application for building permits within one (1) year from the date of notification of approval, pursued issuance of the permit and/or initiated construction within 6 months of the permit issuance shall be deemed automatically revoked. Once issued construction shall be completed within one (1) year. Upon application, an extension of time may be granted by the Community Development Director or designee. Should Developer intend to request an

	extension to the permit expiration date, Developer must submit to the Planning Division a written application with applicable fees prior to the expiration date. Only timely requests may be considered pursuant to the City Code.
3.	COMPLIANCE WITH CONDITIONS: If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to permit revocation or enforcement actions pursuant to the City Code. All costs associated with any such actions shall be the responsibility of Developer, owner or tenant.
4.	INDEMNIFICATION: Developer agrees, as a condition of permit approval, at Developer's own expense, to defend, indemnify, and hold harmless the City of Gilroy ("the City") and its officers, contractors, consultants, attorneys, employees and agents from any and all claim(s), action(s) or proceeding(s) brought against the City or its officers, contractors, consultants, attorneys, employees, or agents to challenge, attack, set aside, void or annul the approval of this resolution or any condition attached thereto or any proceedings, acts or determinations taken, including actions taken under the California Environmental Quality Act of 1970, as amended, done or made prior to the approval of such resolution that were part of the approval process.
5.	SIGNS: No signs are approved as part of this application. Prior to issuance of a sign permit for this site, Developer shall propose well-designed, quality signs that comply with the allowances of the City Code and are to the satisfaction of the Community Development Director or designee.
6.	SIGNAGE: All signage advertising the development project or components thereof, including individual tenants or subdivisions, shall be installed or maintained onsite or offsite as allowed and in conformance with an approved sign permit.
7.	WATER LIMITATIONS: Developer shall be advised that the approval is subject to the drought emergencies provisions pursuant to the Gilroy City Code Chapter 27.98.
8.	SINGLE-PHASE DEVELOPMENT: Construction of the project shall be done in a single-phase unless a phased construction project schedule is approved by the Community Development Director or designee.
9.	LIGHTING DETAILS. Plans for building permit shall include details for wall pack and parking light lighting which shall be compatible with the building architecture and directed downward and shielded to direct lighting to illuminate the walkways, entrances and parking areas without creating off-site glare.
<i>The following conditions shall be addressed prior to issuance of any BUILDING PERMIT, GRADING PERMIT or IMPROVEMENT PLAN, whichever is first issued, or as</i>	

<i>otherwise specified in the condition.</i>	
10.	CONDITIONS OF APPROVAL: Developer shall include a plan sheet(s) that includes a reproduction of all conditions of approval of this permit, as adopted by the decision-maker.
11.	EXISTING VIOLATIONS: Prior to issuance of building permits, Developer shall correct all violations of the City Code, if any, existing on the project property for which the City has open cases.
12.	COLORS AND MATERIALS: Plans submitted for building permit applications shall include all exterior building materials and colors, including product and finish manufacturer name, color name and number, and surface finish type (e.g. stucco with sand finish, plaster with smooth finish) to be used in construction.
13.	LANDSCAPE AND LIGHTING PLAN: Prior to issuance of grading permits, Developer shall submit a combined landscape and lighting plan to verify all project onsite lighting shall be of a type and in a location that does not constitute a hazard to vehicular traffic, either on private property or on public property, including streets. Such lighting shall not conflict with drainage plans, landscape plans, tree locations, parking spaces, or any other such land use concerns.
14.	HABITAT PERMIT: Concurrent with or prior to an application for a grading permit, Developer shall have submitted and obtained a final Habitat Permit approval. The grading permit will be issued only after approval of the Habitat Plan permit and payment of assessed fees. The applicant shall be responsible for all costs associated with review and issuance of the permit, including application processing fee and consultant review deposit. The application shall consist of submittal of a Santa Clara Valley Habitat Plan <i>Application For Private Projects and Fees and Conditions Worksheet</i>. Applications for Private Projects shall be submitted electronically through the agency website]. See the Santa Clara Valley Habitat Agency website: https://www.scv-habitatagency.org for more information.
15.	FENCES AND WALLS: All fencing and walls are to be shown on construction drawings submitted for building permit review and comply Article XXXIV. The design and location must comply with all setback and height requirements.
16.	BICYCLE RACKS OR STORAGE: Plans for building permit shall show long-term and short-term bicycle racks in compliance with building code requirements. The racks shall be “inverted U,” style and should be located near the building entrance (i.e., within constant visual range) unless it is demonstrated that they create a public hazard or locating them there is otherwise infeasible. If space is unavailable near building entrances, the racks must be designed so that the lock is protected

	from physical assault.
17.	LOADING ZONES: Prior to issuance of building permit, Developer shall identify loading areas and shall post a sign prohibiting storage or other non-loading activity within a designated loading zone.
18.	TRASH ENCLOSURE: Prior to building permit issuance, details of an opaque screen trash enclosure are to be shown on construction drawings and approved by the Community Development Director or designee. The trash enclosure should match the architectural design, color, and materials of the primary structure.
19.	SCREENING OF APPURTENANCES: Developer shall show on construction drawings details of screening for all exterior equipment, including but not limited to mechanical equipment, post indicator valves, backflow prevention devices, utility meters, mailboxes and address directories, etc. Ground mounted utility appurtenances such as transformers shall not be visible from any public right-of-way and shall be adequately screened through the use or combination of concrete or masonry walls, berms, and landscaping. In addition to the above, backflow preventers shall be painted dark green, except the fire connection which shall be painted yellow. The final placement and design of these items shall be to the satisfaction of the Community Development Director or designee.
20.	ROOFTOP EQUIPMENT: Developer shall ensure rooftop mechanical equipment, including but not limited to heating and cooling systems, plumbing vents, ducts, antennas and other appurtenances protruding from the roof are recessed or otherwise screened from public street view. Details of the roof equipment and roof screens shall be included in the building permit drawings and approved by the Community Development Director or designee.
21.	ROOF AND BUILDING DRAINPIPES: Developer shall install all roof and building drainpipes and downspouts inside building elements and/or not be visible on any exterior building elevations.
22.	RAIN GUTTERS AND DOWNSPOUTS: Developer shall install all roof and building rain gutters and downspouts, vents, and flashing to integrate as closely as possible with building design elements, including matching the color of the adjacent surface.
23.	LANDSCAPE MULCH: As part of the Landscape Plan submittal, Developer shall clarify a minimum three (3) inch layer of mulch to be applied on all exposed soil surfaces, as required by the State Model Water Efficient Landscape Ordinance (MWELo).

24.	INVASIVE PLANT SPECIES: Developer shall not include any invasive plant species, such as those listed by the California Invasive Plant Council.
25.	LANDSCAPE DOCUMENTATION PACKAGE: Prior to issuance of building permits or initiation of the proposed use, whichever comes first, Developer shall submit a completed Landscape Documentation Package, including a soil analysis/management report along with appropriate application review fees, to the Community Development Department, including required documentation for compliance verification, and obtain approval of such plans.
26.	IRRIGATION SENSORS: Prior to issuance of building permits, developer shall (as part of the irrigation system) indicate on construction drawings sensors that suspend or alter irrigation operation during unfavorable weather conditions (e.g. automatic rain shut-off devices).
<i>The following conditions shall be met prior to RELEASE OF UTILITIES, FINAL INSPECTION, or ISSUANCE OF A CERTIFICATE OF OCCUPANCY, whichever occurs first, or as otherwise specified in the condition.</i>	
27.	ON- AND OFF-SITE IMPROVEMENTS: Prior to occupancy, Developer shall complete all required offsite and onsite improvements related to the project, including structures, paving, and landscaping, unless otherwise allowed by the Community Development Director, or stated in these conditions.
28.	LANDSCAPE AND IRRIGATION INSTALLATION: Prior to issuance of certificate of occupancy or building permit final sign-off, Developer shall complete installation of all landscaping and irrigation in accordance with the approved plans.
29.	LANDSCAPE CERTIFICATE OF COMPLETION: Prior to occupancy or initiation of the proposed use, or completion of each build-out phase of development, Developer shall submit a signed Certificate of Completion, along with all necessary supporting documentation and payment to the Community Development Department, for compliance verification of the landscape installation. Developer is required under the Model Water Efficient Landscape Ordinance (MWELO) to provide a copy of the approved Certificate of Completion to the property owner or his or her designee.
30.	PLANNING INSPECTION: Inspection(s) by the Planning Division may be required for the foundation, framing, application of exterior materials, and final completion of each structure to ensure that the construction matches the approved plans.
31.	SITE CLEAN-UP: Prior to issuance of a certificate of occupancy, Developer shall remove all construction materials, debris, and vehicles from the subject property.
<i>The following conditions shall be complied with AT ALL TIMES DURING THE</i>	

CONSTRUCTION PHASE OF THE PROJECT, or as otherwise specified in the condition.	
32.	CONSTRUCTION RELATED NOISE: To minimize potential construction-related impacts to noise, Developer shall include the following language on any grading, site work, and construction plans issued for the subject site: “During earth-moving, grading, and construction activities, Developer shall implement the following measures at the construction site: a. Limit construction activity to weekdays between 7:00 a.m. and 7:00 p.m., and on Saturdays between 9:00 a.m. and 7:00 p.m. Construction noise is prohibited on Sundays and City-observed holidays; b. Locate stationary noise-generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction project area; c. Construct sound walls or other noise reduction measures prior to developing the project site; d. Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment; e. Prohibit all unnecessary idling of internal combustion engines; f. Utilize “quiet” models of air compressors and other stationary noise sources where technology exists; and g. Designate a “disturbance coordinator” who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g. bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem.”
33.	CONSTRUCTION RELATED AIR QUALITY: To minimize potential construction-related impacts to air quality, Developer shall require all construction contractors to implement the basic construction mitigation measures recommended by the Bay Area Air Quality Management District (BAAQMD) and shall include the following language on any grading, site work, and construction plans issued for the project site: “During earth-moving, grading, and construction activities, Developer shall implement the following basic control measures at the construction site: a. All exposed surfaces (e.g. parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day; b. All haul trucks transporting soil, sand, or other loose material onsite or offsite shall be covered; c. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day.

	The use of dry power sweeping is prohibited; d. All vehicle speeds on unpaved roads or pathways shall be limited to 15 miles per hour; e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used; f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points; g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator; and h. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations."
34.	DISCOVERY OF CONTAMINATED SOILS: If contaminated soils are discovered, the Developer will ensure the contractor employs engineering controls and Best Management Practices (BMPs) to minimize human exposure to potential contaminants. Engineering controls and construction BMPs will include, but not be limited to, the following: a. Contractor employees working on-site will be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training; b. Contractor will stockpile soil during development activities to allow for proper characterization and evaluation of disposal options; c. Contractor will monitor area around construction site for fugitive vapor emissions with appropriate filed screening instrumentation; d. Contractor will water/mist soil as it is being excavated and loaded onto transportation trucks; e. Contractor will place any stockpiled soil in areas shielded from prevailing winds; and f. Contractor will cover the bottom of excavated areas with sheeting when work is not being performed.
35.	DISCOVERY OF PALEONTOLOGICAL RESOURCES: In the event that a fossil is discovered during construction of the project, excavations within 50' of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with the Society of Vertebrate Paleontology standards. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the find is determined to be significant and if avoidance is not feasible, the paleontologist

	shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards.
36.	DISCOVERY OF ARCHAEOLOGICAL RESOURCES: In the event of an accidental discovery of archaeological resources during grading or construction activities, Developer shall include the following language on any grading, site work, and construction plans issued for the project site: “If archaeological or cultural resources are discovered during earth-moving, grading, or construction activities, all work shall be halted within at least 50 meters (165 feet) of the find and the area shall be staked off immediately. The monitoring professional archaeologist, if one is onsite, shall be notified and evaluate the find. If a monitoring professional archaeologist is not onsite, the City shall be notified immediately and a qualified professional archaeologist shall be retained (at Developer’s expense) to evaluate the find and report to the City. If the find is determined to be significant, appropriate mitigation measures shall be formulated by the professional archaeologist and implemented by the responsible party.”
37.	DISCOVERY OF HUMAN REMAINS: In the event of an accidental discovery or recognition of any human remains, Developer shall include the following language in all grading, site work, and construction plans: “If human remains are found during earth-moving, grading, or construction activities, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of Santa Clara County is contacted to determine that no investigation of the cause of death is required. If the coroner determines the remains to be Native American the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98. The landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 24 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.”

38.	LANDSCAPE MAINTENANCE: For the life of the project, Developer shall maintain landscaping and irrigation in accordance with the approved plans, except as otherwise permitted or required by law. Significant changes to the number, placement, and selection of plant species may require a modification to this approval, to be determined by the Community Development Director or designee.
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BUILDING DIVISION - Standard Conditions of Approval

39.	CONDITIONS OF APPROVAL: All conditions of approval shall be included on the first sheet after the cover sheet of the construction drawing submitted for a building permit.
40.	PRE-CONSTRUCTION MEETING: A pre-construction meeting shall be held at a time and location agreed upon by the City and applicant for the purpose of reviewing conditions of approval, pre-occupancy requirements / temporary certificate of occupancy and construction-site procedures. This meeting shall be held prior to the issuance of any permit issued by the building department. The applicant shall be represented by his design and construction staff, which includes any sub-contractors. Departments having conditions of approval for the project will represent the City.
41.	CONSTRUCTION MANAGEMENT PLAN: The project developer shall provide a Construction Management Plan (CMP). The CMP shall be submitted to as part of the building permit and/or Grading Permit and shall be incorporated into the plans for review and approval by the Building Official before issuance of a building permit. This plan shall be a binding document. Failure to adhere to the plan may result in a "Stop Work Notice" being placed on the project. This plan shall be updated as project conditions warrant. The construction plan shall be designed to minimize the loss of public parking spaces and, if any need to be lost, to minimize the length of the time they are used for construction-related activities. The CMP shall include but not be limited to: The proposed location of materials and equipment storage, scaffolding, safety measures to protect the public from construction activities, temporary fencing, construction trailers, parking of construction vehicles, location of portable toilets, etc. Work schedule (start of construction date, road or lane closure intent/dates, important milestones and proposed final dates). It shall include the hours of construction, the construction waste Management plan, show the location of all staging/storage types, the travel routes and turn-around locations, any road and/or lane closures and a phasing plan.
42.	TEMPORARY FENCING: Temporary fencing along the perimeter of a building site, during construction is required to ensure security, public safety, and/or noise/dust mitigation. "Temporary" shall mean the placement of fencing in a manner that is not

	permanently attached to the ground, or attached to any other structure or material that is itself permanently attached to the ground. Temporary construction fences consisting of chain-link or plywood, no more than 6-feet in height above the ground and shall not require any permits or special authorization. Unless letters of permission from adjacent property owners or a City encroachment permit have been obtained, temporary construction fencing shall be placed only on the property that contains the subject construction project. All temporary construction fencing shall be thoroughly removed from the project site upon completion of construction. Temporary construction fences proposed in excess of 6-feet in height will require review and permitting by the Building Department (discretionary review is not required for temporary fences).
43.	JOB SITE SIGNAGE: Prior to construction, A 24 inch by 36 inch weatherproof sign shall be located so it is clearly readable from the public right-of-way and shall include the following information: - Address of the project site. - Permitted hours of construction and of deliveries/off-haul. - Name, e-mail address and direct phone number of the General Contractor. - Name, e-mail address and direct phone number of the person responsible for managing the project. - Name and phone number of person to call in case of an emergency. - Code Enforcement complaint telephone number (408-846-0264).
44.	CONSTRUCTION ACTIVITIES: The following provision to control traffic congestion, noise, and dust shall be followed during site excavation, grading and construction: Unless otherwise provided for in a validly issued permit or approval, construction activities shall be limited between the hours of seven am and seven pm Monday through Friday and nine am to seven pm on Saturday.
45.	FINAL GRADING AND DRAINAGE PLAN: At the time of building permit plan submittal, the project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades (with accurate elevations above sea level indicated) and on-site drainage control measures to prevent storm water runoff onto adjoining properties.
46.	PAD ELEVATION CERTIFICATION: The applicant and/or developer shall submit a pad elevation certification letter prepared by a licensed land surveyor or registered civil engineer to the Building Official certifying that the pad elevation(s) and building location (setbacks) are pursuant to the approved plans, prior to receiving a foundation inspection for the structure.
47.	SITE SURVEY: The applicant shall provide a site survey of entire parcel stamped and signed by a Land Surveyor licensed by the State of California. The survey shall include, but not be limited to, the following: location and dimensions of property line, location of streets and easements, existing buildings, topographic

	contour lines, trees/landscape, miscellaneous structures, etc.
48.	PERMIT CARD: The stamped, approved, job copy of the plans and permit card shall be located onsite at all times.
49.	TITLE 24: The building(s) covered by this approval shall be designed and constructed to the Title 24 Building Standards, including Building, Electrical, Mechanical, Plumbing, Energy, Fire, Green Building and both State and Federal accessibility requirements in effect and as amended by the City of Gilroy at the time of building permit submittal.
50.	GREEN BUILDING STANDARDS: The building shall be designed to include the green building measures specified as mandatory in the application checklists contained in the California Green Building Standards Code. The applicant shall incorporate the checklist along with a notation on the checklist to specify where the information can be located on the plans, details, or specifications, etc. All measures will be verified by the Building Inspector at final inspection.
51.	GEOTECHNICAL REPORT: The applicant shall provide a stamped, signed, and dated soil investigation report containing design recommendations to the Building Official. The classification shall be based on observation and any necessary tests of materials disclosed by boring or excavations made in appropriate locations. Additional studies may be necessary to evaluate soil strength, the effect of moisture variation on soil-bearing capacity, compressibility, liquefaction, seismically induced soil liquefaction, soil instability, and expansiveness. Additionally, the applicant shall submit a stamped, signed, and dated letter from the Geotechnical Engineer or Civil Engineer who prepared the soil investigation stating the following: a. The plans and specifications substantially conform to the recommendations in the soil investigation. b. The Geotechnical Engineer or Civil Engineer who prepared the soil investigation has been retained to provide soil site observation and provide periodic and final reports to the City of Gilroy. Prior to final inspection for any building or structure, the Geotechnical Engineer or Civil Engineer who prepared the soil investigation shall issue a final report stating the completed pad, foundation, finish grading and associated site work substantially conform to the approved plans, specifications and investigations.
52.	STORMWATER POLLUTION PREVENTION PLAN: The project developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) to the City Engineer/Building Official for review and approval prior to the issuance of a grading or building permit, whichever is sooner. A copy of the approved SWPPP, including all approved amendments, shall be available at the project site for City review until all engineering and building work is complete and City permits have been finalized. A site specific SWPPP must be combined with proper and timely installation of the Best Management Practices (BMPs), thorough and frequent inspections,

maintenance, and documentations. SWPPP for projects shall be kept up to date with the projects' progress. Failure to comply with the most updated construction SWPPP may result in the issuance of correction notices, citations, and/ or stop work orders. The project developer is responsible for implementing the following BMPs. These, as well as any other applicable measures, shall be included in the SWPPP and implemented as approved by the City.

- a. The project developer shall include erosion control/stormwater quality measures on the project grading plan which shall specifically address measures to prevent soil, dirt, and debris from entering the public storm drain system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags, and siltation fences and shall be subject to the review and approval of the City Engineer/Building Official. If no grading plan is required, necessary erosion control/stormwater quality measures shall be shown on the site plan submitted for a building permit, and shall be subject to the review and approval of the Building Division. The project developer is responsible for ensuring that the contractor is aware of and implements such measures.
- b. All cut and fill slopes shall be revegetated and stabilized after completion of grading, but in no case later than October 15. Hydroseeding shall be accomplished before September 15 and irrigated with a temporary irrigation system to ensure that the vegetated areas are established before October 15. No grading shall occur between October 15 and May 1 unless approved erosion control/stormwater quality measures are in place, subject to the approval of City Engineer/Building Official. Such measures shall be maintained until such time as permanent landscaping is in place.
- c. Gather all sorted construction debris on a regular basis and place in the appropriate container for recycling; to be emptied at least on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater runoff pollution.
- d. Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement and storm drains adjoining the site. Limit construction access routes onto the site and place gravel on them. Do not drive vehicles and equipment off paved or graveled areas during wet weather. Broom sweep the street pavement adjoining the project site on a daily basis. Scrape caked on mud and dirt from these areas before sweeping.
- e. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any debris or dirt flowing in the storm drain system. Maintain and/or replace filter materials to ensure effectiveness and to prevent street flooding.
- f. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
- g. Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into a street, gutter, or storm drain.
- h. Concrete wash area: 1) locate wash out area away from storm drains and open ditches; 2) construct a temporary pit large enough to store the liquid and solid waste; 3) clean the pit by allowing concrete to set; 4) break

	up the concrete; and then 5) recycle or dispose of properly.
53.	PRE-MANUFACTURED TRAILER: A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period. At no time shall campers, trailers, motor homes, or any other vehicle be used as living or sleeping quarters on the construction site. All such vehicles shall be removed from the site at the end of each workday. A building permit is required for the installation of a pre-manufactured trailer.
54.	PORTABLE TOILETS: Portable toilets used during construction shall be emptied on a regular basis as necessary to prevent odor. A containment pan is required under all portable toilets.
55.	CONSTRUCTION STORAGE: All construction materials, debris and equipment shall be stored on site. If that is not physically possible, an encroachment permit shall be obtained from the Department of Public Works prior to placing any construction materials, debris, debris boxes or unlicensed equipment in the right-of-way. The placing of portable restroom facilities in the City right-of-way will not be permitted.
56.	CONSTRUCTION SITE MAINTENANCE: All portions of the job site shall be maintained in an organized and professional condition. All trash, debris, construction scraps and broken/deteriorated machinery shall be removed from the site at the end of each week. If off loaded construction materials are not used within 2 weeks, they shall be screened from view. All sidewalks, driveways and public/private roadways fronting the subject site shall be broom cleaned at the end of each business day.
57.	DEMOLITION PERMIT: Demolition permit(s) shall be issued in accordance with Section 6.1 of the Gilroy Municipal Code. Safeguards during construction shall be provided in accordance with Chapter 33 of the California Building Code.
58.	PLAN MODIFICATIONS: Acceptance of the plans does not release the developer from correction of mistakes, errors, or omissions contained therein. If, during the course of construction, the public interest requires a modification or a departure from these accepted plans, the City shall have the authority to require such modifications and shall specify the manner in which the same is to be made.
59.	BICYCLE PARKING: Short-term bicycle parking. Provide bicycle racks for 5 percent of new visitor parking spaces added, with a minimum of one two-bike capacity inverted U-rack, or equivalent as approved by the Community Development Director. Long-term bicycle parking. Provide secure bicycle parking for 5 percent of the tenant-occupant parking spaces with a minimum of one bicycle parking facility.

FIRE SAFETY CONDITIONS

The following conditions apply to NEW CONSTRUCTION, based on the provisions for fire safety during building construction. The building owner and general contractor are responsible for compliance with the provisions below.

60.	If a gate is to be installed it shall comply with setback and fire department access requirements. Contact Jonathan Crick at Jonathan.crick@cityofgilroy.org if needed.
61.	The building must be equipped with fire protection systems (e.g. a commercial (NFPA 13) overhead fire sprinkler system, an underground fire water supply (NFPA 24), and a fire alarm system as required by the current codes and standards. The fire sprinkler system must be designed for the highest expected hazard/commodity classification using the hydraulic calculation method.
62.	A fire hydrant flow test must be requested to design adequate fire protection systems. Contact Jonathan Crick at Jonathan.crick@cityofgilroy.org to request a fire hydrant flow test. The fee is \$300.00.
63.	Double Detector Check Assembly shall use the specifications found at the City of Gilroy's website for Standards and Specifications: Standard Details & Specifications Gilroy, CA - Official Website (cityofgilroy.org)
64.	On building plans indicate uses proposed inside the building specifying if there will be any high-piled storage (12 and higher) or any storage tanks.
65.	A sewer test manhole shall be installed on the property (see City Specifications) and in an area that can be readily accessed by an inspector (minimum of one for each building). For tenants with industrial waste treatment systems, a separate sewer test manhole may be required. Show all utilities on future plans.
66.	The trash enclosure shall be equipped with the following: 1) a noncombustible roof (e.g. metal), 2) a sloping floor draining to a floor drain, 3) A Vandal-Proof floor drain, 4) a small 40 pound grease trap plumbed to the sanitary sewer system.

PUBLIC WORKS CONDITIONS OF APPROVAL

The following conditions authorize the specific terms and are a part of the project ENTITLEMENT(S); and which shall be addressed on the construction plans submitted for any BUILDING PERMIT, GRADING PERMIT or SUPERSTRUCTURE, and shall be satisfied prior to issuance of whichever permit is issued first, or if another deadline is specified in a condition, at that time.

67.	PAYMENT OF PUBLIC WORKS PLAN CHECK AND INSPECTION FEE: At the
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	time of first improvement plan submittal, the applicant shall submit a \$10,000.00 (Ten thousand dollar) initial deposit for project plan check and construction inspection. This deposit will be credited/accounted toward final plan check and inspection fee for the project. In addition, the applicant shall submit a detailed project cost estimate prepared by the project engineer, to approval of the City Engineer, with the initial project plan submittal. The cost estimate shall be broken out into on-site and off-site improvements. Prior to plan approval, the applicant shall pay 100% of the plan check and inspection fee based on the approved project cost estimate. Public Works will not sign-off on the issuance of the project building permit without full payment of this plan check and inspection fee. (PUBLIC WORKS).
68.	PLAN SUBMITTAL: The Engineering project plans shall be submitted, in full, with the building permit plans. Improvement plans are required for both on-site and off-site improvements, and the improvement plan set cover sheet shall include an index referencing on-site and off-site improvements. All improvements shall be designed and constructed in accordance with the City of Gilroy Municipal Code and Standard Specifications and Details and are subject to all laws of the City of Gilroy by reference. The improvement plans shall include all civil project plans including, but not limited to, site plans, grading plans, utility plans, joint trench, off-site plans, lighting (photometric) plans, and landscaping plans within the public right-of-way. The plan shall clearly identify both public and private utilities. The improvement plans shall be submitted with the Public Works Engineering submittal checklist provided by the City, and available on the City website. In addition: - A complete set of improvement plans shall consist of Civil site design, landscape site design, Electrical, Joint Trench. Any walls or structural features part of the landscape design shall also be included; - Improvement plans are required for both on-site and off-site improvements. A separate plan set for each shall be prepared, or at the approval of the City Engineer, onsite and offsite sheets can be combined into one plan set; - The improvement plan submittal, including utility sheets, shall show appropriate line types and labels to identify different type of utilities and pipe sizes. Utility boxes, hydrants, backflow preventers, etc. shall be relocated/installed behind the back of sidewalk; - Improvement plans (as second sheet in plan set) shall contain Approved Conditions of Approval; - Improvement plans shall include General Notes found in the City of Gilroy General Guidelines; - Improvement plans shall be completed per the Public Works Engineering submittal checklist, which can be found in the City's website. At first submittal, a completed checklist shall be included in the submittal package and shall show which items have been included.

	g. The improvement plan cover sheet shall include a table summarizing all facilities (Streets, Utilities, Parks, Landscaping, etc.), showing the ownership of all facilities, access rights to, and the maintenance responsibilities of all facilities; h. Improvement and grading plans shall show existing topo and features at least 50' beyond the project boundary. The plan shall clearly show existing topo, label contour elevations, drainage patterns, flow lines, slopes, and all other property encumbrances; i. If the project has excess fill or cut that will be off-hauled to a site or on-hauled from a site within the city limits of Gilroy, an additional Haul Permit is required. A statement indicating the need to obtain a Haul Permit must be added as a general note to the Grading and Drainage Plan; j. All grading and improvement plans shall identify the vertical elevation datum, date of survey, and surveyor; k. A Title Report shall be submitted with first submittal improvement plans. An existing site plan shall be submitted showing all existing site conditions and title report easements. The plan shall include bearing and distance information for all right-of-way and easements; l. The plan shall show any proposed easements to be dedicated for any needed purpose, or any easement expected to be abandoned through separate instrument. This includes PUE, PSE, EVAE, Cross-Property Access Easement, Landscape Easement, Drainage Easement, Pole Line Easement, etc.; m. To ensure the plans are coordinated and there are no conflicts between disciplines, the applicant shall provide a "composite exhibit" showing Civil, Landscape, Electrical, and Joint Trench design information (as a separate sheet titled "Composite Plan") to confirm that there are no conflicts; n. All Solid Waste Vehicle circulation movements shall be modeled and shown on a separate plan sheet. The circulation plan shall be prepared to the City Engineer's satisfaction, and modeled using AutoTurn swept analysis software, and shall include all turning and street circulation movements; o. All Emergency Vehicle circulation movements shall be modeled and shown on a separate plan sheet. The circulation plan shall be prepared to the City Engineer's satisfaction, and modeled using AutoTurn swept analysis software, and shall include all turning and street circulation movements; p. All utility boxes exposed to traffic or in a driveway, including sanitary sewer and/or water meter boxes, shall have traffic-rated boxes and lids; q. All on-site recycled water system improvements, including appurtenances, shall be located within a PSE. (<i>PUBLIC WORKS</i>)
69.	UTILITY PLANS: A utility plan shall be provided for all projects as specified within these conditions of approval. To ensure coordination between the applicant and the relevant utility company: a. The applicant shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television, and communication conduits and cables including the size, location and details of all trenches, locations of

	building utility service stubs and meters and placements or arrangements of junction structures as a part of the Improvement Plan submittals for the project. Show preferred and alternative locations for all utility vaults and boxes if project has not obtained PG&E approval. A licensed Civil or Electrical Engineer shall sign the composite drawings and/or utility improvement plans. (All dry utilities shall be placed underground). b. The applicant shall negotiate any necessary right-of-way or easement with PG&E, or any other utilities, subject to the review and approval by the Engineering Division and the utility companies. c. A “Will Serve Letter” shall be provided for each utility company expected to service the subdivision. Early coordination with the utility companies is necessary to obtain this letter. Coordination of City utilities shall be through the Engineering Division. d. A note shall be placed on the joint trench composite plans which states that the plan agrees with City Codes and Standards and that no underground utility conflict exists. (PUBLIC WORKS)
70.	PRIVATE UTILITIES: Private Storm, sewer and water utilities in private areas shall be privately owned and privately maintained. This note shall be added to the utility plan. (PUBLIC WORKS)
71.	TABLE OF RESPONSIBILITIES: The plans shall note the inspection, ownership and maintenance responsibility for each utility shown on the plans within a Table of Responsibilities on the project cover sheet of the improvement plans submitted with the initial plan submittal. The table shall include the list of streets, the responsible party for inspection of the improvements, who is responsible for the ownership of the utility, and who is responsible for the maintenance of the utility. An example of this table, including the types of utilities to be listed, can be provided by the Engineering Division upon request. (PUBLIC WORKS)
72.	PREPARATION OF ELECTRICAL PLANS: The project electrical plans shall be prepared by a registered professional engineer experienced in preparing these types of plans. The applicant shall submit, with the improvement plans submitted with the initial plan submittal, a letter from the design Electrical or Civil Engineer that states the electrical plan conform to City Codes and Standards, and to the approved improvement plans. The letter shall be signed and stamped by the professional engineer that prepares the improvement plans. (PUBLIC WORKS)
73.	EXISTING FACILITIES PROTECTION: All existing public utilities shall be protected in place and if necessary, relocated as approved by the City Engineer. No permanent structure is permitted within City easements without the approval of the City of Gilroy. (PUBLIC WORKS)
74.	CONDITIONS OF APPROVAL: As a stand-alone document, submit detailed responses of how the development will comply with each Condition of Approval.

75.	WATER QUALITY: Project design shall comply with the Stormwater Management Guidance Manual for Low Impact Development & Post-Construction Requirements. The applicant shall submit the Source Control Checklist as well as the appropriate Performance Requirements Checklist found in Appendix A of the manual at the time of the initial submittal for building permit. The manual can be found at the following site: www.cityofgilroy.org/261/Storm-Water-Management <i>(PUBLIC WORKS)</i>
76.	DEVELOPER STORM WATER QUALITY RESPONSIBILITY: The developer is responsible for ensuring that all contractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations, or a project stop order. <i>(PUBLIC WORKS)</i>
77.	BEST MANAGEMENT PRACTICES (BMP): The applicant shall perform all construction activities in accordance with Gilroy Municipal Code Section 27C, Municipal Storm Water Quality Protection and Discharge Controls, and Section E.10, Construction Site Storm Water Run-Off Control Program of the Regional NPDES Permit. Detailed information can be located at: www.flowstobay.org/documents/business/construction/SWPPP.pdf . This sheet shall be printed and included in all building construction plan sets permitted for construction in the City of Gilroy. <i>(PUBLIC WORKS)</i>
78.	FIRE DEPARTMENT HYDRANT FLOW TEST: The applicant shall perform a Fire Hydrant flow test to confirm the water system will adequately serve the development and will modify any part of the systems that does not perform to the standards established by the City. Applicant shall coordinate with Fire Department for the Fire Hydrant flow test. The flow test results shall be submitted with the initial plan submittal. <i>(PUBLIC WORKS)</i>
79.	WATER CONSERVATION: The project shall fully comply with the measures required by the City's Water Supply Shortage Regulations Ordinance (Gilroy City Code, Chapter 27, Article VI), and subsequent amendments to meet the requirements imposed by the State of California's Water Board. This ordinance established permanent voluntary water saving measures and temporary conservation standards. <i>(PUBLIC WORKS)</i>
80.	MASTER PLANS: Refer to the latest 2023 City Master Plans and check that the development is in conformance with the Master Plans, City Standards, City Specifications, & City General Guidelines. The Developer's engineer shall confirm in writing this project is in conformance with Master Plans at first improvement plans submittal. If the project is not in conformance with the Master Plans, the Developers engineer shall design and construct all items to be in conformance with the Master Plans, City Standards, City Specifications, & City General Guidelines.

81.	IMPACT FEES: The project is subject to the City's Street Tree, Storm, Sewer, Water, Traffic, and Public Facilities Development Impact Fees. The City's latest impact fee schedule is available on the City's website. Payment of all Impact Fees is required at first building permit issuance. Fees shall be based on the current fee schedule in effect at the time of fee payment, consistent with and in accordance with City policy. Note that impact fees increase at the beginning of each fiscal year, July 1. Specific fee language is provided further in these conditions of approval. (<i>PUBLIC WORKS</i>)
82.	STORMWATER MANAGEMENT PLAN: At first improvement plan submittal, the applicant shall submit a Storm Water Management Plan (SWMP) prepared by a registered Civil Engineer. The SWMP shall analyze the existing and ultimate conditions and facilities, and the study shall include all off-site tributary areas. Study and the design shall be in compliance with the City's Stormwater Management Guidance Manual (latest edition). Existing off-site drainage patterns, i.e., tributary areas, drainage amount, and velocity shall not be altered by the development. The plan shall be to the approval of the City Engineer and shall be approved prior to the issuance of the building permit. (<i>PUBLIC WORKS</i>)
83.	STORMWATER CONTROL PLAN: At first improvement plan submittal, the applicant shall submit a design level Stormwater Control Plan Report (in 8 ½ x 11 report format), to include background, summary, and explanation of all aspects of stormwater management. The report shall also include exhibits, tables, calculations, and all technical information supporting facts, including but not limited to, exhibit of the proposed site conditions, which clearly delineates impervious and pervious areas on site. The plan shall provide a separate hatch or shading for landscaping/pervious areas on-site including those areas that are not bio-retention areas. This stormwater control plan report format does not replace or is not in-lieu of any stormwater control plan sheet in the improvement plans. The stormwater control plan shall include a signed Performance Requirement Certifications specified in the Stormwater Guidance Manual. At applicant's sole expense, the stormwater control plan shall be submitted for review by an independent third party accepted by the City for compliance. Result of the peer review shall be submittal and approved by the City Engineer prior to the issuance of the first building permit. (<i>PUBLIC WORKS</i>)
84.	REPAIR OF PUBLIC IMPROVEMENTS: The applicant shall remove and replace any and all existing improvements that are non-standard, damaged and all new improvements that are damaged during construction or removed because of the applicant's operations. The applicant shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions. Any identified damaged to the existing facilities shall be remove and replaced to the satisfaction of the City Engineer. Said repairs shall be completed prior to the first occupancy of the project. (<i>PUBLIC WORKS</i>)
85.	SIGHT DISTANCE: At first improvement plan submittal, provide sight distance

	plans that clearly show standard sight distance will be provided and no items obstruct sight distance for driveways, roadways, intersections, etc. Please note that private signs, fences, walls, buildings, landscape features, above ground utilities, guardrail, barriers, railing, art, etc. will not be allowed within sight distance triangles. Provide all Sight Distance plans per Caltrans, AASHTO, and NCHRP Requirements for all project frontage access points, driveways, roadways, and offsite mitigation measure locations. These calculations shall be done as part of the first improvement plan submittal as it is important to ensure the development meets sight distance standards and all roadways, intersections, driveways, and access points to these facilities are safe for motorists and pedestrians. Sight distance plans shall be approved by the City Engineer prior to first permit issuance. <i>(PUBLIC WORKS)</i>
86.	GRADING & DRAINAGE: Adjust grade breaks and/or field inlets to capture and direct all stormwater into the stormwater treatment areas prior to entering the public right of way and storm drain facilities. On-site stormwater facilities need to be sized to account for off-site impervious improvement areas. <i>(PUBLIC WORKS)</i>
87.	GRADING & DRAINAGE: All grading activity shall address National Pollutant Discharge Elimination System (NPDES) concerns. There shall be no earthwork disturbance or grading activities between October 15th and April 15th unless otherwise approved by the City Engineer. If approved, the applicant shall submit a Winterization Erosion Control Plan to the City Engineer for review and approval. This plan shall incorporate erosion control devices and other techniques in accordance with Gilroy Municipal Code § 27C to minimize erosion. Specific measures to control sediment runoff, construction pollution and other potential construction contamination shall be addressed through the Erosion Control Plan and Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall supplement the Erosion Control Plan and project improvement plans. These documents shall also be kept on-site while the project is under construction. A Notice of Intent (NOI) shall be filed with the State Water Resources Control Board, with a copy provided to the Engineering Division before a grading permit will be issued. A project WDID# shall be added to the grading plans prior to plan approval. <i>(PUBLIC WORKS)</i>
88.	GEOTECHNICAL ENGINEER: Prior to building permit issuance, the applicant's Geotechnical Engineer shall review the final grading, pavement design and drainage plans to ensure that said designs are in accordance with the recommendations or the project geotechnical study, and the peer review comments. The applicant's Geotechnical Engineer's approval shall then be conveyed to the City either by letter, or by signing the plans. All grading operations and soil compaction activities shall be per the approved

	project's design level geotechnical report. All grading activities shall be conducted under the observation of, and tested by, a licensed geotechnical engineer. A report shall be filed with the City of Gilroy for each phase of construction, stating that all grading activities were performed in conformance with the requirements of the project's geotechnical report. The applicant shall add this condition to the general notes on the grading plan. Certification of grades and compaction are required prior to Building Permit final. This statement must be added as a general note to the Grading and Drainage Plan. (PUBLIC WORKS)
89.	ENCROACHMENT PERMIT: The applicant must obtain an encroachment permit prior to the first building permit submittal and prior to any work being done in the City's right-of-way. Refer to the following link for encroachment permit requirements: https://www.cityofgilroy.org/244/Encroachment-and-Transportation-Permits Submit the encroachment permit at first improvement plan submittal to jose.cedano@cityofgilroy.org The applicant shall have off-site improvement plans prepared for all work in the public right-of-way by a licensed civil engineer, whose signed engineer's stamp shall appear on the plans. All design assumptions and criteria shall be submitted with each submittal. Final construction plans shall be approved by the City Engineer, and released for construction, with the issuance of the encroachment permit. Right-of-way improvements shall include, but not limited to, the following items: (PUBLIC WORKS) a. STREET TREES: The applicant shall plant street trees along the project frontage to match the City of Gilroy's Street Tree Plan in effect at the time of construction. The street tree plans shall be per City Standard. Trees shall be placed behind the back of sidewalk along Muraoka & Nagareda because sidewalk along project frontage will be monolithic per City Standard. b. STREET MARKINGS: The applicant shall install necessary street markings of a material and design approved by the City Engineer and replace any that are damaged during construction. These include but are not limited to all pavement markings, painted curbs, and handicap markings. All permanent pavement markings shall be thermoplastic and comply with Caltrans Standards. Color and location of painted curbs shall be shown on the plans and are subject to approval by the City Engineer. Any existing painted curb or pavement markings no longer required shall be removed by grinding if thermoplastic, or sand blasting if in paint. c. SIDEWALK: The applicant shall install a new City Standard sidewalk along the entire project frontage per City Standard Drawings.

- d. **CURB AND GUTTER:** At first improvement plan submittal, show the removal and replacement of any damaged and non-City Standard curb and gutter along the project frontage. Removal and replacement limits shall be from expansion joint to expansion joint per City standard. Show the removal and replacement of curb and gutter for locations where existing utilities need to be removed where they cross the curb and gutter. Also show the removal and replacement of curb and gutter where new utilities will cross the curb and gutter. The actual amount of curb and gutter to be replaced shall be determined by the Public Works Construction Inspector and confirmed by the City Engineer in the field prior to construction. New curb and gutter shall be constructed per the City Standard Drawing STR-12.
- e. **DRIVEWAY APPROACHES:** The applicant shall install City Standard Non-Residential driveway approaches as shown on the approved plans. The new Non-Residential driveway approach shall be constructed per the City Standard Drawing.
- f. **SEWER LATERAL:** The applicant shall install a sewer lateral and main line connection to the sewer main located in Yamane. Connection to the City main will be with a Manhole.
- g. **SEWER TEST MANHOLE:** The applicant shall install standard sanitary sewer manholes and test manholes, per approved plans and in accordance with the City Standard Drawing.
- h. **STORM DRAIN MANHOLE(S):** The applicant shall install standard sanitary sewer, per approved plans and in accordance with the City Standard Drawing.
- i. **STORM WATER CATCH BASIN(S):** The applicant shall install standard storm water catch basins, in accordance with the City Standard Drawing.
- j. **STREET LIGHT(S):**
 - i. *Cobra Head.* The applicant shall provide and install standard aluminum electrolier street light(s) per City Standard Drawing EL-1 to EL-5. The applicant is responsible for all PG&E service fees and hook-up charges. Any new service point connection required to power the new lights shall be shown on the construction drawings along with the conduit, pull boxes and other items necessary to install the street lights. An Isometric lighting level needs to be provided by the designer/contractor. A separate light study may be required by the City Engineer. The new street light shall have 32' mounting height per Standard Drawing EL-3, with mounting arm length per Standard Drawing EL-4, the Fixture shall be Leotek GC1 or GC2 series in an approved configuration per detail EL-2 or approved equal. The arm

	shall be installed at the location as shown on the approved plans. k. FIRE HYDRANTS: The applicant shall install new fire hydrants along the project frontage. Spacing shall meet City and Fire Marshall requirements.
90.	SEWER LATERAL: The proposed lateral connection from the existing manhole onsite shall not cross the proposed stormwater facility. At initial design submittal, the plans shall be updated to show the proposed lateral connection outside of the proposed stormwater facilities. (<i>PUBLIC WORKS</i>)
91.	POTHOLE REQUIREMENTS: The applicant is required to confirm the location of existing utility lines along the project frontage by potholing. Prior to any potholing, applicant shall submit a pothole plan for City review and approval. Applicant shall provide the pothole result to the City Engineer prior to final design. (<i>PUBLIC WORKS</i>)
92.	EASEMENTS: Show and label the locations of the existing and proposed Easements on all plans per the title report. Identify what easements will be preserved or adjusted. Easements that cannot be located on the project parcel shall be formally confirmed by a written letter from the developer's land surveyor. All relevant references shall be included as part of this written letter for Engineering to review and approve. (<i>PUBLIC WORKS</i>)
93.	UTILITIES: All new services to the development shall be "underground service" designed and installed in accordance with the Pacific Gas and Electric Company, AT&T (phone) Company and local cable company regulations. Transformers and switch gear cabinets shall be placed underground unless otherwise approved by the Planning Director and the City Engineer. Underground utility plans must be submitted to the City prior to installation. (<i>PUBLIC WORKS</i>)
94.	STREET CUT MORATORIUM: Yamane Drive is going to be a part of the latest Street Cut Moratorium. The project is proposing to make new pavement cuts into the newly resurfaced street which reduces the City Pavement Condition Index. The project shall grind, pave and microsurface slurry the entire width of Yamane Drive (Lip of Gutter to Lip of Gutter) to the satisfaction of the City Engineer with a minimum 2.5" hot mix AC, and with pavement section dig-outs and repairs. Extent of the dig-outs and repairs to be determined by the Developers Geotechnical Engineer and City Engineer. (<i>PUBLIC WORKS</i>)
95.	SITE LIGHTING STANDARDS: The applicant shall submit a photometric plan for on-site lighting showing lighting levels to Illuminating Engineering Society (IES) Standards. The plan shall comply with the requirement of an average of 1 foot-candle with a 4:1 minimum to average ratio and a minimum lighting of 0.3 foot-candle. This lighting standard is applicable to all publicly-accessibly parking lots,

	driveways, circulation areas, aisles, passageways, recesses, and publicly-accessible grounds contiguous to all buildings. Private, interior courtyards not accessible to the public are not required to meet this standard. The lighting system shall be so designed as to limit light spill beyond property lines and to shield the light source from view from off site. The photometric plan shall be approved by the City Engineer or their designee and shall be addressed on the construction plans submitted for any demolition permit, building permit, or grading permit and shall be satisfied prior to issuance of whichever permit is issued first. Any subsequent building permits that include any site lighting shall also meet these requirements. <i>(PUBLIC WORKS)</i>
96.	STREET LIGHTING STANDARDS: The applicant shall submit plans for street/sidewalk showing lighting levels to Illuminating Engineering Society (IES) Standards. The plan shall comply with lighting requirements as follows: • Collector Streets .60fc average 4/1 average to minimum uniformity .15fc minimum • Local streets .40fc average 6/1 average to minimum uniformity .07fc minimum • Low volume intersection .70fc average 4/1 average to minimum uniformity .18fc minimum The applicant shall submit a photometric plan identifying how these lighting levels are being met given the site geometrics, using City Standard street lights, and a Type III lighting distribution. The width of the street and lighting levels shall determine the lighting spacing. Street lights and pull boxes shall be installed in the planter strip if one is present, or behind the back of walk where feasible so as to maintain sidewalk clear of obstructions to the approval of the City Engineer. The photometric plan shall be approved prior to the issuance of the building permit. <i>(PUBLIC WORKS)</i>
97.	FENCES AND OTHER PERMANENT STRUCTURES WITHIN CITY RIGHT-OF-WAY: The applicant shall locate all project fencing and foundation of a permanent nature within the project's property and outside of the City right-of-way and outside of the Public Easement. <i>(PUBLIC WORKS)</i>
98.	DOMESTIC WATER: At first improvement plan submittal, show the installation of domestic water service per City Standards. Water meter shall be located at the back of sidewalk within the Public Easement. Install backflow preventer on private property completely outside of the public right of way and completely outside of public easement per City Standards. Existing services not being used along the project frontage shall be removed up to the main line.
99.	LANDSCAPE WATER: At first improvement plan submittal, show the installation of landscaping water service per City Standards. Water meter shall be located at the back of sidewalk within the Public Easement. Install backflow preventer on private property completely outside of the public right of way and completely outside of

	public easement per City Standards. Existing services not being used along the project frontage shall be removed up to the main line.
100.	STORM DRAIN INLETS AND WATERWAYS: Per the City's Clean Water Program's requirements, the applicant shall mark with the words "No Dumping! Flows to Waterway," or equivalent, using methods approved by the City standards on all storm inlets surrounding and within the project parcel. (PUBLIC WORKS)
101.	LOADING DOCKS: Per Gilroy Municipal Code Section 27C.8 Prohibition of Discharges from Industrial or Commercial Activity, the applicant shall cover loading docks to minimize run-on to and run-off from the loading area. Roof downspouts shall be positioned to direct stormwater away from the loading area. Water from covered loading dock areas shall be drained to the onsite storm water facilities. (PUBLIC WORKS)
102.	GARBAGE/RECYCLE STORAGE AND SERVICE: The applicant shall provide an adequate area for the purposes of storing garbage and recycling collection containers for scheduled servicing by the franchise solid waste collection service. The containers shall be placed at the service location allowing enough room for the truck to safely approach the containers. The collection containers shall be brought to the service area on the day of service and returned to the storage enclosure by the property owner. The containers are not to be in public view prior to, or beyond the scheduled service times. The applicant shall obtain a review letter from the City's franchise solid waste collection service provider (Recology) confirming serviceability and site accessibility of the solid waste pickup as designed and shown on the project plans and provide to the City Engineer for approval. Contact Lisa Patton, Operations Manager 408-846-4421. No public right of way areas to be used for solid waste pickup. Provide confirmation that the garbage truck can fully access the site and does not have to "back up" into City Right of Way or Easement. There can be no interruption to the City Right of Way or easements due to solid waste pickup. (PUBLIC WORKS)
103.	DRAINAGE: Drainage designed into landscaping with the purpose of reducing volume or improving quality of runoff from the site shall be implemented according to the requirements of the Stormwater Management Guidance Manual for Low Impact Development & Post Construction Requirements (June 2015) and shall also be, subject to the approval of the City Engineer. Where necessary, sidewalk drains per the City Standard Drawing shall be provided to direct the water under the sidewalk and through the curb. No increase to the peak discharge shall be permitted downstream. In addition, discharge must conform to any non-point source permit issued by the Regional Water Quality Control Board. Drainage improvements made on-site shall conform to standard engineering practices and shall not allow any site drainage to impact adjacent properties. All drainage capacity calculations shall be performed by a licensed Civil Engineer, whose signed engineer's stamp shall appear on the calculations sheets and shall be submitted to the City for review and approval with the project civil plans. For

	projects that include permanent structural controls for water quality protection, the O&M (operation and maintenance) procedures for such control features shall be submitted in a site-specific Stormwater Control Plan (SWCP) which shall be reviewed and approved prior to occupancy. A formal O&M Agreement shall specify the owner's responsibility to ensure their ongoing effective operation and maintenance. Such O&M responsibility requirements shall be recorded on the property deed. If the project is proposing to connect to an existing storm drain system within or downstream from the site, the design engineer shall provide calculations with the final design plans to demonstrate that the downstream drainage system has adequate capacity to accommodate the additional site flows being added to the system for the design storm per City Standards. The calculations shall be to the approval of the City Engineer prior to the issuance of the first building permit. (PUBLIC WORKS)
104.	STORMWATER: The project shall prepare a hydraulic study to evaluate the stormwater impacts and impacts to surrounding discharge locations and receiving waters. Stormwater detention shall be designed to not exceed existing condition discharge rates under stormwater events range of events, such as the 2-yr., 10-yr., and 25-yr. events. Refer to the City of Gilroy General Guidelines Section 7 #13 "A 24-hour, 25-year storm, total rainfall of 4.79 inches shall be used if a reasonable outlet is provided (detention). If no disposal other than evaporation, percolation or irrigation is provided (retention), a 24-hour, 100-year storm, total rainfall of 5.59 inches, shall be used. 25% of the total basin volume shall be considered as freeboard." https://www.cityofgilroy.org/260/Standards-Specifications
105.	STORMWATER MANAGEMENT: At Developer's sole expense, Developer shall submit results from a third-party review of the project's stormwater design. The results shall confirm that the project is complying with requirements set in the City of Gilroy Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements. (PUBLIC WORKS)
106.	BIO RETENTION LANDSCAPING: The bioretention facilities shall be clear of proposed trees. At initial plan submittal, all plans shall be updated to show the bio retention facilities free of trees. (PUBLIC WORKS)
107.	SITE LANDSCAPING COORDINATION: The site landscaping needs to be coordinated between the stormwater treatment area and the overall site landscaping plan area. The landscaping within the stormwater treatment area will not count towards the site landscaping requirement. Stormwater treatment areas should be identified on the site first, and then site landscaping to make sure the correct plant material is identified for each area. Some site landscaping plant material may not be suitable in stormwater treatment areas due to the nature of the facility. Sewer facilities cannot be aligned through stormwater treatment facilities. It is the applicant's responsibility to coordinate the civil stormwater treatment

	facilities and the plans from the project landscaper. (PUBLIC WORKS)
108.	PARKING LOTS: The applicant shall submit plans for all required off-street parking lots showing proper grading, drainage, ramps profile, and parking dimensions in conformance with City parking standards. The plans shall be approved by the City Engineer prior to the issuance of the first City permits. (PUBLIC WORKS)
109.	BICYCLE PARKING: The applicant shall provide both long-term bicycle lockers and short-term bicycle racks on-site, as shown on the approved site plan, to the approval of the Community Development Director and City Engineer. (PUBLIC WORKS)
110.	PERMITS REQUIRED BY OTHER AGENCIES: The applicant shall obtain all applicable permits from federal, state, and local agencies as required to construct the proposed improvements. The applicant is hereby informed that permits may be required by one (1) or more of the following: Army Corps of Engineers, UPRR, Fish and Wildlife, Regional Water Quality Control Board, Santa Clara County Roads and Airports, Santa Clara Valley Water District or Habitat Permit. If project is within jurisdiction of any of these agencies, verification of permit or waiver of permit must be given to the Public Works Department prior to issuance of any required City permits. If the City is required to be a party to the permit application and a fee is required, the applicant shall reimburse the City for its cost. A copy of these permits shall be provided to the satisfaction of the City Engineer prior to the issuance of the building permit. (PUBLIC WORKS)
111.	STREET TREE DEVELOPMENT IMPACT FEE: The applicant shall pay a fee to prove funding towards additional tree planting in the City. The fee is based on the amount of added hardscape the project is adding. The estimated impact fee, based on the approved plans, is \$1,178.00. This fee is only an estimate. The actual impact fee will be calculated based on building permit plans submitted, and the fees approved by the City Council in place at the time of the building permit submittal. The fee shall be collected by the Public Works Department and paid prior to issuance of the first building permit. (PUBLIC WORKS)
112.	STORM DEVELOPMENT IMPACT FEE: The applicant shall pay a fee proportional to the project's share of storm drainage flowing off-site and shall be used to enhance the City's storm drainage system based on the recommendations of the adopted Storm Drainage Master Plan. The estimated impact fee, based on the approved plans, is \$10,594.00. This fee is only an estimate. The actual impact fee will be calculated based on building permit plans submitted, and the fees approved by the City Council in place at the time of the building permit submittal. The fee shall be collected by the Public Works Department and paid prior to issuance of the first building permit. (PUBLIC WORKS)
113.	SANITARY SEWER DEVELOPMENT IMPACT FEE: The applicant shall pay a fee

	proportional to the project's share of the increase amount of sewage generated by the project, which shall be used to enhance the City's sewer system based on the adopted Sewer Master Plan. The estimated impact fee, based on the approved plans, is \$186,557.00. This fee is only an estimate. The actual impact fee will be calculated based on building permit plans submitted, and the fees approved by the City Council in place at the time of the building permit submittal. The fee shall be collected by the Public Works Department and paid prior to issuance of the first building permit. At first improvement plan submittal, applicant's engineer shall submit a calculation for sanitary sewer and water generation per the City's Master Plan design criteria. The fee shall be collected by the Public Works Department and paid prior to issuance of the first building permit. <i>(PUBLIC WORKS)</i>
114.	WATER DEVELOPMENT IMPACT FEE: The applicant shall pay a fee proportional to the project's share of impact to the City's water system, and the water needs of the development. The fee shall be used to fund improvements identified in the City's Water Master Plan. The estimated impact fee, based on the approved plans, is \$50,787.00. This fee is only an estimate. The actual impact fee will be calculated based on building permit plans submitted, and the fees approved by the City Council in place at the time of the building permit submittal. At first improvement plan submittal, applicant's engineer shall submit a calculation for water generation per the City's Master Plan design criteria. The fee shall be collected by the Public Works Department and paid prior to issuance of the first building permit. <i>(PUBLIC WORKS)</i>
115.	TRANSPORTATION IMPROVEMENT FEE: The applicant shall pay a fee proportional to the project's share of transportation improvements needed to serve cumulative development within the City of Gilroy. The funds shall be used to fund improvements identified in the City Traffic Circulation Master Plan. The estimated impact fee, based on the approved plans, is \$932,197.00. This fee is only an estimate. The actual impact fee will be calculated based on building permit plans submitted, and the fees approved by the City Council in place at the time of the building permit submittal. The fee shall be collected by the Public Works Department and paid prior to issuance of the first building permit. <i>(PUBLIC WORKS)</i>
116.	PUBLIC FACILITIES IMPACT FEE: The applicant shall pay a fee proportional to the project's share of the increase to the use of City Public facilities. The estimated impact fee, based on the approved plans, is \$246,734.00. This fee is only an estimate. The actual impact fee will be calculated based on building permit plans submitted, and the fees approved by the City Council in place at the time of the building permit submittal. The fee shall be collected by the Public Works Department and paid prior to issuance of the first building permit. <i>(PUBLIC WORKS)</i>
117.	LANDSCAPE MAINTENANCE AGREEMENT: The developer will be required to enter into a landscape maintenance agreement for the maintenance of landscape

	in the public right of way along the project frontage.
118.	ELEVATION CERTIFICATE: (specifically for projects in the flood zone) An elevation certificate per FEMA requirements must be complete by a Land Surveyor or Civil Engineer. The elevation certificate shall be submitted, to the approval of the City Engineer, prior to the first building occupancy. <i>(PUBLIC WORKS)</i>
119.	RECORD DRAWINGS: The applicant shall submit one full set of original record drawings and construction specifications for all off-site improvements to the Department of Public Works. All underground facilities shall be shown on the record drawings as constructed in the field. The applicant shall also provide the City with an electronic copy of the record drawings in the AutoCAD Version being used by the City at the time of completion of the work. The applicant shall also submit an AutoCAD drawing file of all consultants composite basemap linework showing all public improvements and utility layouts. This condition shall be met prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first. <i>(PUBLIC WORKS)</i>
120.	STORMWATER MANAGEMENT FACILITIES MAINTENANCE AGREEMENT: The applicant shall execute a Stormwater Management Facilities Maintenance Agreement with the City Engineer as specified in Chapter 7.39.210-230 of the Stormwater Management and Discharge Control ordinance. The agreement shall outline the operation and maintenance (O&M) plan for the permanent storm water treatment facilities. The City-Standard Stormwater BMP Operation and Maintenance Agreement will be provided by Public Works Engineering. The agreement shall include the following: a. This Agreement shall also provide that in the event that maintenance or repair is neglected, or the stormwater management facility becomes a danger to public health or safety, the city shall have the authority to perform maintenance and/or repair work and to recover the costs from the owner. b. All on-site stormwater management facilities shall be operated and maintained in good condition and promptly repaired/replaced by the property owner(s) or other legal entity approved by the City. c. Any repairs or restoration/replacement and maintenance shall be in accordance with City-approved plans. d. The property owner(s) shall develop a maintenance schedule for the life of any stormwater management facility and shall describe the maintenance to be completed, the time period for completion, and who shall perform the maintenance. This maintenance schedule shall be included with the approved Stormwater Runoff Management Plan. This agreement shall be executed prior to the first occupancy of the building. <i>(PUBLIC WORKS)</i>
121.	STORMWATER MANAGEMENT FACILITIES INSPECTION: The Stormwater Management Facilities Maintenance Agreement work shall require inspections be performed which shall adhere to the following:

- a. To comply with the State Stormwater requirements and the NPDES permit, the applicant shall secure a QSD or QSP to maintain all erosion control and BMP measures during construction. The applicant's QSD or QSP shall provide the City weekly inspection reports to the approval of the City Engineer.
- b. Stormwater facility inspections shall be done at least twice per year, once in Fall by October 1st, in preparation for the wet season, and once in Winter by March 15th. Written records shall be kept of all inspections and shall include, at minimum, the following information:
 1. Site address;
 2. Date and time of inspection;
 3. Name of the person conducting the inspection;
 4. List of stormwater facilities inspected;
 5. Condition of each stormwater facility inspected;
 6. Description of any needed maintenance or repairs; and
 7. As applicable, the need for site re-inspection.
- c. Upon completion of each inspection, an inspection report shall be submitted to Public Works Engineering no later than October 1st for the Fall report, and no later than March 15th of the following year for the Winter report.
- d. Before commencing any grading or construction activities, the applicant shall obtain a National Pollutant Discharge Elimination System (NPDES) permit and provide evidence of filing of a Notice of Intent (NOI) with the State Water Resources Control Board.
- e. The applicant is responsible for ensuring that all contractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop order.
- f. Sequence of construction for all stormwater facilities (bioswales, detention/retention basins, drain rock, etc.) shall be done toward final phases of project to prevent silting of facilities and reduce the intended use of the facilities.
- g. Prior to final inspection, all stormwater facilities will be tested by a certified QSP or QSD to meet the minimum design infiltration rate. All tests shall be made at on 20 ft x 20ft grid pattern over the surface of the completed stormwater facility unless otherwise approved by the City Engineer.
- h. Maintenance ports on proposed below ground retention facility are inaccurate. All access maintenance ports to below ground chambers or SW facilities must be manhole structure to allow for proper facility and maintenance.

All soil and infiltration properties for all stormwater facilities shall be evaluated by the geotechnical engineer. Infiltration testing at specific treatment device locations and depths. Percolation tests (using Double Ring Infiltrometer Testing with appropriate safety factors) at horizontal and vertical (at the depth of the stormwater facility) shall be conducted for each stormwater facility. A 50% safety factor shall be applied to the calculated percolation test and shall be used as the basis for design (the design percolation rate). The geotechnical report shall include a

	section designated for stormwater design, including percolation results and design parameters. Geotechnical engineer shall provide recommendations for bio retention facilities based on the shallow groundwater table of 6.5-ft. (<i>PUBLIC WORKS</i>)
122.	REGIONAL BOARD STORMWATER REVIEW: This project may be subject to an audit by the Central Coast Regional Board. City may be required to provide the project stormwater design and storm water management plan for Regional Board review and comment. Prior to building permit issuance, the project shall receive approval or acknowledgment by the Regional Board. The project may need to provide the Regional Board any and all necessary documents (including reports, technical data, plans, etc.) for the Regional Board approval. (<i>PUBLIC WORKS</i>)
123.	STORMWATER TREATMENT: The planning level proposed stormwater facilities proposed surface flow of over a vegetative area as means of complying with stormwater quality treatment requirements. This is not an acceptable method of treatment to meet the stormwater quality requirements. The proposed stormwater control and management plans shall be updated to show bioswales as the acceptable means of meeting the stormwater quality treatment requirements of PR-2. At final design submittal, the project shall make any design changes to satisfy tier 2 water quality requirements. update the plans and stormwater control plan to reflect the requirements of this COA. (<i>PUBLIC WORKS</i>)
124.	CDS UNIT: This project shall install CDS units prior to any entry of stormwater into the proposed retention facilities. The purposed of the CDS unit is to remove trash and debris to meet the requirements of the Trash Amendment. The CDS unit is not to be used or considered as a pretreatment device to meet the stormwater quality treatment requirements. (<i>PUBLIC WORKS</i>)
125.	PARCEL MAP – A parcel map shall be prepared to merge all lots and establish which easement are to remain. This map shall be prepared and submitted at the same time as the design drawings, consistent with public works submittal requirements. (<i>PUBLIC WORKS</i>)
<i>The following conditions shall be complied with AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT, or if another deadline is specified in a condition, at that time.</i>	
126.	PUBLIC WORKS CONSTRUCTION ACTIVITIES: The City shall be notified at least ten (10) working days prior to the start of any construction work, and at that time the contractor shall provide a project construction and phasing schedule, and a 24-hour emergency telephone number list. The schedule shall be in Microsoft Project, or an approved equal, and shall identify the scheduled critical path for the installation of improvements to the approval of the City Engineer. The schedule shall be updated weekly. The approved construction and phasing schedule shall

be shared with Gilroy Unified School District (GUSD) to avoid traffic impacts to surrounding school functions. An approved construction information handout(s) shall also be provided to GUSD to share with school parents. (*PUBLIC WORKS*)

- a. All work shown on the improvement plans shall be inspected to the approval of the City Engineer as applicable. Uninspected work shall be removed as deemed appropriate by the City Engineer.
- b. Construction activities related to the issuance of any Public Works permit shall be restricted to the weekday between 7:00 a.m. and 7:00 p.m., Saturday 9:00 a.m. to 7:00 p.m. for general construction activities. No work shall be done on Sundays and on City Holidays unless otherwise approved by the City Engineer. Please note that no work shall be allowed to take place within the City right-of-way after 5:00 p.m. Monday through Friday. In addition, no work being done under the issuance of a Public Works encroachment permit may be performed on the weekend unless prior approvals have been granted by Public Works. The City Engineer may apply additional construction period restrictions, as necessary, to accommodate standard commute traffic along arterial roadways and along school commute routes. Signs outlining the project construction times shall be posted at conspicuous locations on site where it is visible to the public. The signs shall be per the City Standard Drawing for posting construction hours. The sign shall be kept free of graffiti at all times. Contact the Public Works Department to obtain sample City Standard sign outlining hours of operation.
- c. The allowed hours of Public Works construction activities may be waived or modified through an exemption, for limited periods, if the City Engineer finds that the following criteria are met:
 - i. Permitting extended hours of construction will decrease the total time needed to complete the project thus mitigating the total amount of noise associated with the project as a whole; or,
 - ii. Permitting extended hours of construction are required to accommodate design or engineering requirements, such as a large concrete pour. Such a need would be determined by the project's design engineer and require approval of the City Engineer.
 - iii. An emergency situation exists where the construction work is necessary to correct an unsafe or dangerous condition resulting in obvious and eminent peril to public health and safety. If such a condition exists, the City may waive any of the remaining requirements outlined below.

- iv. The exemption will not conflict with any other condition of approval required by the City to mitigate significant impacts.
 - v. The contractor or owner of the property will notify residential and commercial occupants of property adjacent to the construction site of the hours of construction activity which may impact the area. This notification must be provided three days prior to the start of the extended construction activity.
 - vi. The approved hours of construction activity will be posted at the construction site in a place and manner that can be easily viewed by any interested member of the public.
 - vii. The City Engineer may revoke the exemption at any time if the contractor or owner of the property fails to abide by the conditions of exemption or if it is determined that the peace, comfort and tranquility of the occupants of adjacent residential or commercial properties are impaired because of the location and nature of the construction. The waiver application must be submitted to the Public Works Construction Inspector ten (10) working days prior to the requested date of waiver.
- d. The following provision to control traffic congestion, noise, and dust shall be followed during site excavation, grading and construction:
- i. All construction vehicles should be properly maintained and equipped with exhaust mufflers that meet State standards.
 - ii. Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible.
 - iii. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the City, or a minimum of three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites in order to insure proper control of blowing dust for the duration of the project.
 - iv. Watering on public streets and wash down of dirt and debris into storm drain systems will not be allowed. Streets will be cleaned by street sweepers or by hand as often as deemed necessary by the Construction Inspector, or at least once a day.

Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 5 p.m. and shall include at least one late-afternoon watering to minimize the effects of blowing dust. Recycled water shall be used for construction watering to manage dust control where possible, as determined by the City Engineer. Recycled water shall be billed at the municipal industrial rate based on the current Santa Clara Valley Water District's municipal industrial rate. Where recycled water is not available potable water shall be used. All potable construction water from fire hydrants shall be metered and billed at the current portable fire hydrant meter rate.

- v. All public streets soiled or littered due to this construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the Construction Inspector.
- vi. Construction grading activity shall be discontinued in wind conditions that in the opinion of the Public Works Construction Inspector cause excessive neighborhood dust problems.
- vii. Site dirt shall not be tracked into the public right-of-way, and shall be cleaned immediately if done, or the project may risk being shut down. Mud, silt, concrete, and other construction debris shall not be washed into the City's storm drains.
- viii. Construction activities shall be scheduled so that paving and foundation placement begin immediately upon completion of grading operation.
- ix. All aggregate materials transported to and from the site shall be covered in accordance with Section 23114 of the California Vehicle Code during transit to and from the site.
- x. Prior to issuance of any permit, the applicant shall submit any applicable pedestrian or traffic detour plans, to the satisfaction of the City Engineer, for any lane or sidewalk closures. The traffic control plan shall be prepared by a licensed professional engineer with experience in preparing such plans. The Traffic Control Plan shall be prepared by a licensed engineer in accordance with the requirements of the latest edition of the California Manual on Uniform Traffic Control Devices (MUTCD) and standard construction practices. The Traffic Control Plan shall be approved prior to the commencement of any work within the public right-of-way.
- xi. During construction, the applicant shall make accessible any

	or all City utilities as directed by the City Engineer. xii. The minimum soils sampling and testing frequency shall conform to Chapter 8 of the Caltrans Construction Manual. The applicant shall require the soils engineer submit to daily testing and sampling reports to the City Engineer.
127.	HERITAGE TREE PROTECTION MEASURES: (if applicable) The applicant shall submit a tree protection plan showing how all on and off-site heritage trees will be protected during construction. All approved and installed Heritage Tree protection measures shall be installed prior to any site activities and maintained throughout the period of construction. The Project Arborist shall complete inspections on an as-need basis during the construction period and shall submit a monthly report of his/her findings in a letter sent by fax or email to the City Planner assigned to this project. <i>(PUBLIC WORKS)</i>
128.	PROJECT CLOSE-OUT: Prior to City acceptance of property improvement agreements, the applicant shall comply with all City construction close-out procedures to the approval of the City Engineer. Refer to the City's website for a copy of these procedure. Prior to final inspections, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director and City Engineer. A letter indicating that all project conditions have been met shall be submitted prior to the first occupancy. All public improvements, including the complete installation of all improvements relative to streets, fencing, sanitary sewer, storm drainage, water system, underground utilities, etc., shall be completed and attested to by the City Engineer before approval of occupancy of any unit. Where facilities of other agencies are involved, such installation shall be verified as having been completed and accepted by those agencies. In addition, the applicant shall submit a detailed project cost estimate of all public improvements constructed on-site and within the public right-of-way. The cost estimate shall be prepared by the project engineer and be to the approval of the City Engineer. The cost estimate shall be broken out into on-site and off-site improvements based on the format provided by the City. Until such time as all improvements required are fully completed and accepted by City, the applicant shall be responsible for the care maintenance of and any damage to such improvements. City shall not, nor shall any officer or employee thereof, be liable or responsible for any accident, loss, or damage, regardless of cause, happening or occurring to the work or Improvements required for this project prior to the completion and acceptance of the work or Improvements. All such risks shall be the responsibility of and are hereby assumed by the applicant. <i>(PUBLIC WORKS)</i>
129.	HOLIDAY CONSTRUCTION MORATORIUM: Due to concerns for businesses within the vicinity of the Gilroy Outlets and within the Downtown area during the holiday season (November 20 to January 1), there shall be no construction

	activities within the right-of-way which would create lane closures, eliminate parking, create pedestrian detours, or other activities that may create a major disturbance as determined by the City Engineer. This prohibition shall apply to Leavesley Road east of US101, and Camino Arroyo in the vicinity of the Gilroy Outlets. For the Downtown, the prohibition shall be along Monterey Road between 4 th Street and 8 th Street, and for one block east and west of Monterey in the specified restricted zone. (<i>PUBLIC WORKS</i>)
130.	MATERIAL HAULING ROUTE AND PERMIT: For material delivery vehicles equal to, or larger than two-axle, six-tire single unit truck (SU) size or larger as defined by FHWA Standards, the applicant shall submit a truck hauling route and receive a haul permit that conforms to City of Gilroy Standards to the approval of the City Engineer. Note that the City requires a Haul Permit be issued for any hauling activities. The project sponsor shall require contractors to prohibit trucks from using “compression release engine brakes” on residential streets. A letter from the applicant confirming the intention to use this hauling route shall be submitted to the Department of Public Works, and approved, prior to the issuance of any City permits. All material hauling activities including but not limited to, adherence to the approved route, hours of operation, staging of materials, dust control and street maintenance shall be the responsibility of the applicant. All storage and office trailers will be kept off the public right-of-way. Tracking of dirt onto City streets and walks will not be allowed. The applicant must provide an approved method of cleaning tires and trimming loads on-site. Any job-related dirt and/or debris that impacts the public right-of-way shall be removed immediately. No wash down of dirt into storm drains will be allowed. All material hauling activities shall be done in accordance with applicable City ordinances and conditions of approval. Mud, silt, concrete, and other construction debris shall not be washed into the City’s storm drains. Violation of such may be cause for suspension of work. (<i>PUBLIC WORKS</i>)
131.	CONSTRUCTION WORKER PARKING: The applicant shall provide a construction-parking plan that minimizes the effect of construction worker parking in the neighborhood and shall include an estimate of the number of workers that will be present on the site during the various phases of construction and indicate where sufficient off-street parking will be utilized and identify any locations for off-site material deliveries. Said plan shall be approved by the City Engineer prior to issuance of City permits and shall be complied with at all times during construction. Failure to enforce the parking plan may result in suspension of the City permits. No vehicle having a manufacturer's rated gross vehicle weight exceeding ten thousand (10,000) pounds shall be allowed to park on the portion of a street which abuts property in a residential zone without prior approval from the City Engineer (§15.40.070). (<i>PUBLIC WORKS</i>)
132.	SITE WATER DISCHARGE: In accordance with the City’s Municipal Code, Prohibition of Illegal Discharges (Gilroy Municipal Code Section 27C.7), the City Engineer may approve the discharge of uncontaminated pumped ground waters to

	the sanitary sewer only when such source is deemed unacceptable by State and Federal authorities for discharge to surface waters of the United States, whether pretreated or untreated, and for which no reasonable alternative method of disposal is available. Following the verification of the applicable local, state and/or federal approvals, a Discharge Plan will be approved and monitored by the City Engineer. (<i>PUBLIC WORKS</i>)
133.	ARCHITECTURAL COPPER: Per Gilroy Municipal Code Section 27C.7 <i>Prohibition of Illegal Discharges</i>, the applicant shall follow the specific best management practices for the installation of the Architectural Copper. For detailed information please distribute the flyer to all construction personnel involved in the fabrication and installation of the Architectural Copper that is located at: http://flowstobay.org/files/newdevelopment/flyersfactsheets/ArchitecturalcopperBMPs.pdf (<i>PUBLIC WORKS</i>)
<i>The following conditions shall be complied with AT ALL TIMES that the use permitted by this entitlement occupies the premises</i>	
134.	POST CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP): In accordance with Gilroy Municipal Code Chapter 27D <i>Post Construction Storm Water Pollution Prevention</i> all projects that meet the criteria described in the Storm Water Guidance Manual for Low Impact Development and Post-Construction Requirements shall prepare a storm water control plan (SWCP) and shall meet the requirements of the design standards and selection of best management practices and shall be selected and designed to the satisfaction of the City Engineer or designee. Requirements shall include: - Owner/occupant shall inspect private storm drain facilities at least two (2) times per year and sweep parking lots immediately prior to and once during the storm season. - The applicant shall be charged the cost of abatement for issues associated with, but not limited to, inspection of the private storm drain facilities, emergency maintenance needed to protect public health or watercourses, and facility replacement or repair in the event that the treatment facility is no longer able to meet performance standards or has deteriorated. Any abatement activity performed on the applicant's property by City staff will be charged to the applicant at the City's adopted hourly rate. - Label new and redeveloped storm drain inlets with the phrase "No Dumping: Drains to Bay" plaques to alert the public to the destination of storm water and to prevent direct discharge of pollutants into the storm drain. Template ordering information is available at www.flowstobay.org. - All process equipment, oils fuels, solvents, coolants, fertilizers, pesticides, and similar chemical products, as well as petroleum-based wastes, tallow, and grease planned for storage outdoors shall be stored in covered containers at all times. - All public outdoor spaces and trails shall include installation and upkeep of

	dog waste stations. Garbage and recycling receptacles and bins shall be designed and maintained with permanent covers to prevent exposure of trash to rain. Trash enclosure drains shall be connected to the sanitary sewer system. (<i>PUBLIC WORKS</i>)
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Community Development Department

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TO: Planning Commission
FROM: Sharon Goei, Community Development Director
Kraig Tambornini, Senior Planner
DATE: September 7, 2023
SUBJECT: Planning Division Staff Approvals

The Planning Division has not approved or denied any Minor Deviation or Architectural and Site Review applications since the last report provided to the Planning Commission on August 3, 2023.ⁱ

The current status of other planning projects is available online at:
<https://www.cityofgilroy.org/298/Development-Activity-Projects>

ⁱ Submitted in conformance with Gilroy Municipal Code Sections 30.50.20(b) and 30.50.46