



DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

IN REPLY REFER TO
AERONAUTICAL STUDY
NO. 72-WE-200-OE

AERONAUTICAL STUDY OF PROPOSED CONSTRUCTION OR ALTERATION

SPONSOR	Golden West Savings & Loan Association 20th Street and Broadway Oakland, California 94612	CONSTRUCTION LOCATION	
		PLACE NAME San Jose, Calif. Near Reid-Hillview Airport of Santa Clara	
CONSTRUCTION PROPOSED	DESCRIPTION Building	LATITUDE	LONGITUDE
		Location described in body of the Notice	
		HEIGHT (IN FEET)	
		ABOVE GROUND	ABOVE MSL
		15	150

A notice has been filed with the Federal Aviation Administration that the above described structure is proposed for construction. As proposed the structure would exceed the standards of Subpart C of Part 77 of the Federal Aviation Regulations and would be identified as an obstruction to air navigation. Accordingly, the FAA is conducting an aeronautical study of the proposal to determine its effect upon the safe and efficient use of the navigable airspace by aircraft and on the operation of air navigation facilities.

In the study, consideration will be given to all facts relevant to the effect of the proposal on existing and planned airspace use; air navigation facilities; airports; aircraft operations, procedures and minimum flight altitudes; and the air traffic control system. However, only those plans on file with the FAA, on the date the notice concerning the above described proposed construction was received, will be considered.

Interested persons are invited to participate in the aeronautical study by submitting comments to the FAA office issuing this notice. To be eligible for consideration, comments must be relevant to the effect the proposed construction would have on aviation, provide sufficient detail to permit a clear understanding, and be received on or before 27 July 1972. Please refer to the aeronautical study number printed in the upper right hand corner of this notice.

This notice may be reproduced and recirculated by any interested person.

Location: 505' south of the physical ends of Reid-Hillview of Santa Clara Airport runways 31R and 31L and 60' west of extended centerline of runway 31R.

On 12 March 1972 the FAA issued a determination of "No Hazard" for the subject building, based on a height of 15 feet above ground (AG), 148 feet above mean sea level (MSL). A letter to the agency dated 26 June 1972, from the sponsor, indicated an error had been made in the site elevation. The site elevation was corrected to 135' AMSL instead of 133' AMSL. This resulted in a building height of 15' AG, 150' AMSL. At the proposed location and corrected height the building would exceed the standards of Federal Aviation Regulation, Part 77 by 1 foot and 10 inches as applied to Reid-Hillview of Santa Clara Airport, San Jose, California, Runway 31R. The structure would not exceed Part 77 standards as applied to Runway 31L. For the purpose of this Notice all computations are based on the physical ends of the runways.

SIGNED Don M. Davis TITLE Chief, Airspace and Procedures Branch
DON M. DAVIS Air Traffic Division
ISSUED IN Los Angeles, California ON 29 June 1972

The sponsor has indicated the building will be obstruction lighted per FAA "Obstruction Marking and Lighting" Advisory Circular 70/7460-1.

County of Santa Clara

California

July 17, 1972

Federal Aviation Administration
Western Region
P.O. Box 92007
World Way Postal Center
Los Angeles, CA 90009

Attention: Don M. Davis, Chief
Air Space & Procedures Branch
Air Traffic Division

Subject: Aeronautical Study No. 72-WE-200-OE

Dear Mr. Davis:

In July of 1968, the Federal Aviation Administration, in connection with Aeronautical Study No. SFO-OE-68-59, issued a "Determination of No Hazard" to air navigation with regard to the construction of the Eastridge Shopping Center Mall constructed by Bayshore Properties of San Francisco, California and located some 1300 feet, more or less, south of the approach end of Runway 31 at Reid-Hillview Airport of Santa Clara County in San Jose.

The no hazard determination was based on the fact that the Eastridge Shopping Center Mall was moved further south of its originally proposed location and the construction was depressed a number of feet below its originally intended ground elevation in order to comply with Sub Part C, Part 77 of the Federal Aviation Regulations. The Study also recommended that the buildings be obstruction lighted in accordance with the applicable FAA Advisory Circular. This compliance was a result of several meetings between the proponent of the Shopping Center, the County of Santa Clara, and upon at least one occasion, representatives of the Federal Aviation Administration.

With regard to the subject Aeronautical Study, the County of Santa Clara wishes to formally register its objections to the proposed Golden West Savings & Loan Association building which is to be located some 505 feet south of the approach ends of Runways 31R and 31L at Reid-Hillview Airport. In view of the limitations imposed upon the Bayshore Properties' construction cited above, the encroachment of 1'-10" into the approach slope, and in excess of Part 77 standards is unacceptable.

Additionally, consideration should be given to the fact that two formidable groups have mounted a continuing campaign in opposition to the continued operation and existence of Reid-Hillview Airport. One of the major factors in their campaign

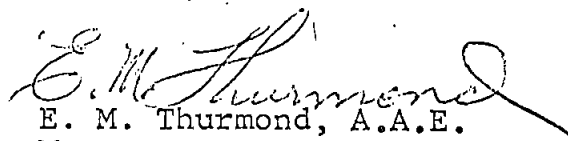
Federal Aviation Administration
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has been the sighting of Eastridge Shopping Center which they view as a hazard to persons and property because of its location adjacent to the airport. The Eastridge Shopping Center complex does not now exceed Part 77 of the Federal Air Regulations and through the efforts of the Federal Aviation Administration, the California Department of Aeronautics, and the County of Santa Clara the clear zones and approach surfaces at both ends of the runways at Reid-Hillview Airport have been kept free of penetrating permanent structures, we do not view aircraft operations at the airport to be hazardous or endangered by the present structures. We feel strongly that any permitted violation of Part 77 by the Golden West Savings & Loan Association building or future construction is indefensible in the light of the compliance required for the construction of the Eastridge Complex and particularly indefensible when dealing on a day-to-day basis with those who oppose the location of or continued operation of Reid-Hillview Airport.

Reid-Hillview Airport has in a few years become one of the busiest General Aviation Airports in the Nation. Student pilot training accounts for a large percentage of our flight operations. The required compliance of all construction in the approaches of Runways 31, together with obstruction lighting of the proposed Golden West Savings & Loan Association building will continue to provide a wide margin of safety which we believe to be mandatory. We therefore urge your concurrence in requiring the proposed construction to meet the standards set forth in Part 77 of the Federal Air Regulations.

Very truly yours,

JAMES T. POTT
Director


E. M. Thurmond, A.A.E.
Manager
Aviation Division

EMT:mp

July 31, 1972

Arvin O. Basnight, Director
Western Region
Federal Aviation Administration
P.O. Box 92007
World Way Postal Center
Los Angeles, CA 90009

Subject: Aeronautical Study 72-WE-200-OE

Dear Mr. Basnight:

Attached you will find a copy of Aeronautical Study of Proposed Construction or Alteration for the Golden West Savings & Loan Association Building to be located in the Eastridge Shopping Center near Reid-Hillview Airport of Santa Clara County. Also enclosed is a copy of our response to the Aeronautical Study dated July 17, 1972, which was prepared by Mr. E. M. Thurmond, A.A.E., Manager, Aviation Division, County of Santa Clara.

We have, this date, received a "Determination of No Hazard to Air Navigation" based on the subject Aeronautical Study dated July 25, 1972. It is in this regard that I am writing.

The Department of Public Works has not, until this time, issued a Building Permit for the construction of the Golden West Savings & Loan Building pending the outcome of the Aeronautical Study. We, of course, do not have any authority to further withhold the issuance of a Permit in view of the Determination of No Hazard finding by the Federal Aviation Administration. We are, in fact, prepared to accept the Determination based upon the wisdom of the Administration in these matters. However, we are obliged to once again call to your attention the Federal Aviation Administration's vested interest in this matter with regard to the preservation of Reid-Hillview Airport. As you know, the County of Santa Clara, the Federal Aviation Administration, and the California Department of Aeronautics, together with our airport businessmen have invested many millions of dollars in the development of Reid-Hillview Airport as a significant General Aviation Reliever Airport for the San Francisco Bay Area. For some time, we have all been struggling to preserve Reid-Hillview Airport and defend it from the many attacks of those who oppose its continued operation.

Opponents of the Airport have thus far been unsuccessful in their attempt to point to Eastridge Shopping Center as a significant safety hazard to the Airport operation or to turn the coin over, to point to the Airport operation as a significant safety factor to the Eastridge Shopping Center. Our defense has primarily been successful because of the FAA's Determination in

Arvin O. Basnight
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1968 of "No Hazard to Air Navigation", since the entire Eastridge Complex was originally required to be constructed beneath the Approach Slope established by Part 77 of the FAR.

We believe that there exists a very real probability that the Airport opponents will use the Golden West Savings & Loan Building location as the basis for a new assault against the continued operation of the Airport. With the full knowledge of the local conditions surrounding this matter, we trust that the Federal Aviation Administration will be in a position to defend the continued operation of Reid-Hillview Airport. I would like to also suggest that future Aeronautical Studies for the continued development of the Eastridge Shopping Center Complex warrant on site investigations by personnel of your Air Traffic Branch, and that Notices of Aeronautical Studies be initiated with a standard circulation and 30-day waiting period for comments rather than initiating the Study by telephone inquiry as was the case with the original initiation of this Aeronautical Study.

Very truly yours,

JAMES T. POTT
Director



25 July 1972

AERONAUTICAL STUDY NO. 72-WE-200-OE

Determination of No Hazard to Air Navigation

The Federal Aviation Administration (FAA) has conducted an aeronautical study in accordance with Part 77, Federal Aviation Regulations (FAA) to determine what effect the following proposed construction would have upon the safe and efficient use of the navigable airspace.

Golden West Savings and Loan Association, Oakland, California are the proponents for a building at the following location; 875 feet south of the displaced threshold of Reid Hillview Airport of Santa Clara, San Jose, California, runway 31R and 60 feet west of the extended runway centerline. (Correction of location shown in the 29 June 1972, circularization). The building, as proposed, would be 15 feet above ground, 150 feet above mean sea level.

An objection was received from the County of Santa Clara California Department of Public Works as the proposed building penetrated the surface of Federal Aviation Regulation, Section 77.25(d)(2)(i), Part 77 by 1' 10". This penetration resulted from the application of Section 77.25(d)(2)(i) to the physical end of runway 31R.

An aeronautical study has been conducted and the final determination based on the displaced threshold runway 31R. As required in Section 77.23(b)(2) of FAR, Part 77, the displaced threshold in this case would provide the FAR, Part 77, required clearance over Tully Road.

The required clearance over Tully Road would also provide the required clearance over the proposed building.

Therefore it is determined that the proposed building would not exceed the standards of Part 77 and would have no substantial adverse effect on the safe and efficient use of the navigable airspace and would not be a hazard to air navigation. Obstruction lighting the two north corners of the building in accordance with FAA Advisory Circular 70/7460-1, Obstruction Marking and Lighting is recommended.

This determination is subject to review by the Administrator if a petition is filed on or before 23 August 1972. In the event a petition for review is filed, it should be submitted in triplicate to the Chief, Airspace Obstruction and Airports Branch, AT-240, Federal Aviation Administration, Washington, D. C. 20590, and contain a full statement of the basis upon which it is made.

This determination becomes final on 2 September 1972 unless a petition for review is timely filed, in which case the determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review.

This determination expires on 2 March 1973 unless the determination is otherwise extended, revised or terminated.

E. Victor Walther

DON M. DAVIS
Chief, Airspace and Procedures Branch
Air Traffic Division