

January 18, 2018

Weingarten Realty Investors  
c/o Scott Henson  
4440 North 36<sup>th</sup> Street, Suite 200  
Phoenix, AZ 85018

Kenneth Rodrigues & Partners, Inc.  
c/o Kenneth Rodrigues  
445 N. Whisman Road, Suite 200  
Mountain View, CA 94043

**SITE ADDRESS: 14200 and 14420 Union Avenue**

**RE: 2<sup>nd</sup> Submittal of File No. PDC17-040:** Planned Development Pre-zoning from unincorporated to CN(PD) Planned Development Zoning District to allow for a mixed-use project with up to 238 hotel rooms, up to 150,000 square feet of office, up to 115,000 square feet of commercial, up to 280 multifamily residential units, up to 84 townhouse residential units and/or cluster housing, up to 130,000 square feet of convalescent hospital, and 1.6 acres of public open space on a 18.13-gross acre site at the southeast corner of Union and Camden Avenues, commonly known as Cambrian Park Plaza Shopping Center.

Dear Scott and Kenneth:

Your application, referenced above, has undergone its 2<sup>nd</sup> review for consistency with City policies and regulations, as well as the 1<sup>st</sup> Planning comment letter. The purpose of this letter is to provide you with comments and revisions necessary so you can appropriately respond to the issues identified below. The comments below are based on the plans and information currently on file. Additional comments may be made at a later time when I receive revised plans and any requested additional information. Please let me know if you have any questions regarding these comments.

**Project Issues and Concerns**

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Thank you for addressing the questions regarding the Union Avenue frontage road, adding the bike/pedestrian connection to the project site from Wyrick Avenue, and providing a clearer multi-modal diagram.

Pursuant to the Permit Streamlining Act (Government Code Chapter 4.5 of Title 7), your Planned Development Permit application has been deemed **incomplete**. Missing items include:

- Environmental Impact Report. While staff acknowledges that the Notice of Preparation is underway, the application will remain incomplete until the EIR is on file.

**Proposed Uses**

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Thank you for updating the “convalescent home/assisted-living facility” to convalescent hospital.

## Plan Set Comments

Thank you for addressing many of the comments from the first letter. Below are items that require further attention.

### Sheet 2.1: Development Standards

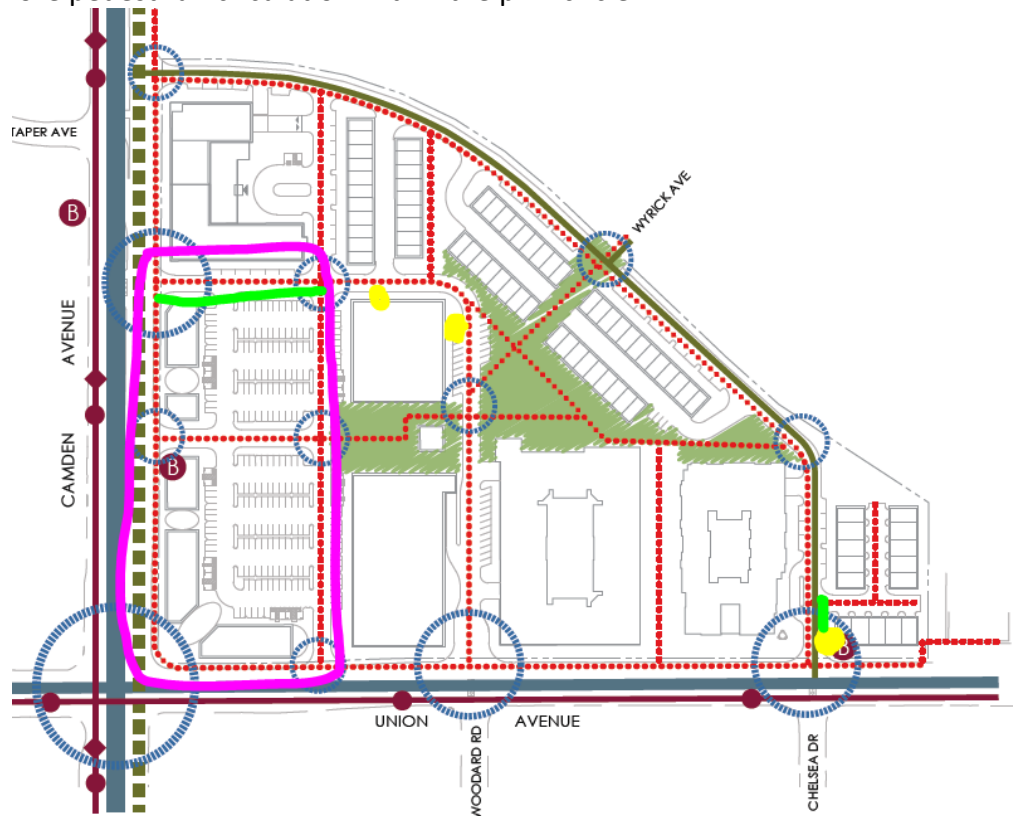
- See the 2<sup>nd</sup> draft of the development standards at the end of this document. I've made my changes in red and I've also included a clean copy at the end for easy reading.

### Sheet 3.0: Conceptual Site Plan

- Update the parking table section entitled "Retail/Entertainment Center Parking" to match the remainder of the table which includes new columns showing the number of spaces and associated ratios under Title 20.

### Sheet 3.1: Conceptual Circulation Diagram

- The bike lane is on Union Avenue, not Camden Avenue. Please revise.
- Staff requires more information regarding the incorporation of a crash gate at Wyrick Avenue. While bollards can be considered, a gate completely restricting pedestrian and bicycle access is not supported.
- Add a second circulation diagram showing only pedestrian circulation with no landscaping.
- Based on the marked up drawing below, please add pedestrian crossings at the two lime green lines, address dead ends for the pedestrian at the three yellow dots, and show more pedestrian circulation within the pink circle.



TRANSIT/ PEDESTRIAN AND BICYCLE CIRCULATION

*Sheet 10.7: Conceptual Landscape Plan – Enlargement*

- Remove the word “Sign” from “Relocated Existing Carousel”.

*Sheet 10.8: Conceptual Site Sections*

- Provide more details about the decorative metal screen panel shown in Section A-A. Staff is not sure this is allowed in the public right-of-way. This should be discussed with Public Works.
- Please show the overall dimension of Camden Avenue as well as the breakdown of each section of the sidewalk (i.e., tree well, pedestrian path, etc.). Staff would prefer a 20-foot overall sidewalk width on Camden Avenue.

*Sheet 10.11: Conceptual Site Sections*

- Please show the overall dimension of Union Avenue as well as the breakdown of each section of the sidewalk (i.e., tree well, pedestrian path, etc.). Staff would prefer a 15-foot overall sidewalk width on Union Avenue, if not 20 feet.

*Sheet 10.13: Conceptual Planting Imagery Board*

- Limit the use of palm trees to only decorative use, if not eliminate them all together.
- Eliminate Jacaranda trees as they do not do well in San Jose.
- Crepe Myrtle trees may only be used in a decorative fashion, as they are over planted in San Jose.

**Other Department Comments**

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- Department of Public Works’ comments are due Wednesday, January 24, 2018.
- Parks’ comments will be completed sometime next week. Planning staff is having a meeting with parks regarding the relocated park.
- Building, Housing, and Fire Departments have no further comments at this time.

**Conclusion**

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Please be advised that this summary does not constitute a final review. Additional comments may be necessary upon review of additional information and plan revisions submitted in response to this letter. In order to facilitate the development review process, **please include a detailed response letter with your resubmittal** that addresses all items contained in this letter and future memos. **Please check with me concerning the number of resubmittal plan sets and response letters. Also include a PDF of the plans.** At the time of resubmittal, you should anticipate at least two to three weeks for departmental staff to review the revisions.

If you have questions about the information contained in this letter, or would like to set up a meeting to discuss any of the comments in more detail, please contact me at [jennifer.piozet@sanjoseca.gov](mailto:jennifer.piozet@sanjoseca.gov).

Thank you,

Jennifer Piozet  
Project Manager

Draft Development Standards

CITY COUNCIL APPROVED DEVELOPMENT STANDARDS

Staff edits in red. Staff comments are in purple.

**DEVELOPMENT STANDARDS**  
**FILE NO. PDC17-040**  
**(CAMBRIAN PARK PLAZA MIXED-USE VILLAGE SIGNATURE PROJECT)**

*In any cases where the graphic plans and text may differ, this text takes precedence.*

~~**BASE ZONING DISTRICT**~~

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~~The Base Zoning District for the Planned Development (“PD”) Zone is the Commercial Neighborhood (“CN”) District.~~

**ALLOWED USES**

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- Residential uses shall conform to those identified for the R-M Multifamily Residence Zoning District of the San Jose Municipal Code, as amended.
- Commercial uses shall conform to those identified for the CN Commercial Neighborhood Zoning District of the San Jose Municipal Code, as amended.
- All **permitted**, conditional, and special uses shall require the approval of a Planned Development Permit **or Amendment**, ~~or Adjustment~~.
- All existing uses are permitted and may continue in accordance with the regulations of the base zone on any area of the site not yet developed pursuant to a Planned Development Permit.

**DEVELOPMENT PHASING**

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*Staff comment: The phasing needs to be done similar to the inserted text. You need to decide how you will phase the project, specifically which commercial portions will be built first with which residential portions. Please keep in mind that housing may not be built first.*

TBD

**The commercial/office component of the Signature project must be constructed before or concurrently with the residential component.**

The Project may be constructed in phases.

Townhomes may be constructed before multi-family units (such that the minimum residential density may not be achieved until buildout), provided that a minimum of 7.5 acres are preserved for residential uses, with a minimum of 2.2 acres preserved for high-density residential uses.

**PHASE 1**

- **No certificate of occupancy (temporary or final) shall be issued for any residential units in the project unless and until building permit(s) has been issued for the “Gear” mixed-**

use building on the corner of Capitol Avenue and Gimelli Way and construction of the “Gear” building (vertical construction) and construction of the “Art Plaza” paseo “Link” and the park, all as identified on the approved plan set for this project have commenced.

- Once building permit(s) has been issued and construction of the “Gear” building has commenced as described above, certificate of occupancy (temporary or final) may be issued for up to the sixty-sixth (66th) residential unit in the project.

#### PHASE 2

- No certificate of occupancy (temporary or final) shall be issued for residential units sixty-seven (67) to one hundred and twenty-six (126) unless and until the “Gear” building and construction of the “Art Plaza”, paseo “Link”, and the park as described above are completed and a final building permit has been issued for the “Gear” building and Notice of Completion recorded for the public amenities.

#### PHASE 3

- No certificate of occupancy (temporary or final) for the remainder of the residential units in the project may be issued until the commencement of construction (vertical) of all commercial buildings fronting North Capitol Avenue.

### DEVELOPMENT STANDARDS

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#### DENSITY:

- Minimum Residential Density: 55 dwelling units per net acre averaged across all residential use area ~~(net area shall be interpreted as the areas including residences, landscaping associated with the residences such as the pool area and paseos between buildings, and any surface parking which serves only the residences. It shall not include streets, alleys, easements, commercial spaces, or public park or plaza spaces).~~ Net acreage is defined as the area of land available for development after deducting the land area necessary for streets, private drives that look and function as streets, sidewalks, and other public uses such as flood control easements. ~~Until the site is fully redeveloped as contemplated by the proposed PD Permit, there is no minimum residential density.~~
- Minimum Commercial square footage (including retail, hotel, and convalescent hospital): 312,042 ~~(gross square feet).~~

*Staff comment: The net acreage definition is pulled directly from the General Plan. The description of minimum residential density is not necessary as this is all one project.*

#### MAXIMUM BUILDING HEIGHT:

##### ~~Stand-alone Retail~~

- ~~50-35 feet to the top of the roof.~~

##### ~~Hotel and Multi-Family Residential~~

- Maximum building height is 85 feet ~~to the top of the roof.~~

### Convalescent Hospital

- ~~60 feet to the top of the roof.~~

### Townhouses

- Within 50 feet of existing single-family residences, maximum height is ~~Within~~ 45 feet ~~to the top of the roof~~, except for at the point where the southern and eastern properties lines meet, where the setback can be 12 feet.

### All Building Types

- Elevator shafts, roof equipment, stairwell overruns, and other non-habitable building elements may extend 10 feet past the maximum building height.

### **PERIMETER SETBACKS:**

- North (Camden Ave) setback: 8 feet minimum from property line.
- West (Union Ave) setback: 7 feet minimum from property line.
- South setback: 12 feet minimum from property line.
- East/ Southeast setback: 40 feet minimum from property line except for the southernmost lot fronting Union Ave, where Southeast minimum setback is 12 feet from property line.

### **VEHICLE AND BICYCLE PARKING REQUIREMENTS:**

- Per the San José Municipal Code, Title 20, as amended.
- ~~Additional residential/guest parking may be shared on the commercial site area of the Planned Development Zoning District, as established by the applicable PD Permit.~~
- Parking may be shared among uses subject to a Planned Development Permit.
- Underground parking is permitted, but not required.

### **OPEN SPACE REQUIREMENTS:**

- ~~Minimum of 60 square feet of private open space per townhouse for at least 75% of the units.~~
- ~~Minimum of 30 square feet of private open space per apartment for at least 50% of the units.~~
- Minimum of 60 square feet of private open space per residential unit (For at least 75% of the units).
- ~~Minimum of 50 square feet of common open space per residential unit.~~
- A minimum 1.4-acre ~~combined town square and~~ publicly accessible open space is required on site.

*Staff comment: As the public park is required of the project, the common open space requirement can be eliminated. We removed the town square reference as to not limit the open space type.*

**CAROUSEL**

The iconic carousel must be retained on site, but can be relocated.

**OUTDOOR VENDING FACILITIES:**

- Outdoor Vending Facilities (mobile food vendors) are allowed on the non-residential use portion of the site ~~in accordance with the requirements for Outdoor Vending Facilities to be established in a Master PD Permit for the non-residential portion of the site.~~
- Vendors must meet the following requirements:
  - o **Height:** The maximum height of any portion of a vending facility, including any folding or collapsible appendage, shall not exceed ten (10) feet.
  - o **Width:** The maximum width of a vending facility or cart, including any folding or collapsible appendage, shall not exceed ten (10) feet.
  - o **Length:** The maximum length of a vending facility or cart, including any folding or collapsible appendage, shall not exceed twenty-four (24) feet.
  - o **Distance from intersection:** No vending facility shall be placed on or operate within the boundaries of a hypothetical triangular area described by the point of intersection of the curb-line extensions of perpendicular or nearly perpendicular streets, and a line joining two points thirty (30) feet from that point of intersection, measured along those curb-lines.
  - o **Distance from Driveways:** Vending facilities shall be setback (20) feet from a driveway curb cut.
  - o **Paved Locations:** No vending facility shall be placed or operate on a parcel or lot unless the surface is paved with asphalt, macadam or concrete.
  - o **Mobility of Operations:** No vending facility shall be placed within or operate from a structure or stand which is attached to or bears directly upon or is supported by the surface of the site. Vending facilities shall operate exclusively from vehicles or carts or other conveyances which are fully *mobile* and have operational wheels in place at all times. Vending facilities shall not connect to temporary or permanent on-site water, gas, electricity, telephone or cable sources.
  - o **Sanitary Facilities:** Persons operating vending facilities shall have unrestrained right of access to toilet and handwashing facilities located on site within reasonable distance of the vending facility's approved location.

*Staff comment: Adding this back in because it provides better guidance and must be established as part of this PDC. This version is more flexible than the Municipal Code, which is better for a mixed-use project.*

**ARCHITECTURAL & SITE DESIGN**

- **Ground Floor Interface** for ground floor ~~commercial retail~~ spaces that front Union or Camden Avenues:
  - o Ground-floor ~~commercial retail~~ spaces shall be at the same grade as the adjacent back of sidewalk or walkway, with reasonable variation allowable for gradient requirements and continuity of such floor level.

- o At least 65% transparency shall be provided on ground-floor retail spaces.
  - Windows/glazing for ground floor ~~commercial retail~~ spaces shall be clear un-tinted glass.
- o Ground floor ~~commercial retail~~ spaces shall provide a minimum of:
  - Overall depth of 50 feet (outside face of exterior wall to outside face of exterior wall)
  - Minimum plate height of the ground floor ~~for any commercial building is 17 feet for any one-story commercial building.~~
- **Building Massing and Design**
  - o The composition of the facades shall include variety by providing recessions and projections.
  - o No more than 40% of the length of the facade should be blank.
  - o Articulate building corners to create a focal point and/or plaza ~~by using prominent building features, entry plaza spaces or recessed entries.~~
  - o ~~Integrate new development appropriately into the existing residential neighborhood by providing transitions, and by developing at a compatible scale.~~
  - o ~~Provide proper height transitions between new, higher-density commercial and mixed-use development and adjacent single-family homes by using building setback, upper-story setback, and landscaping to soften the transitions near property lines.~~
  - o ~~At least 50 percent of building facades shall be articulated by a change in plane, color, arrangement of facade elements, or a change in materials (including glazing) to break up the building mass.~~
  - o ~~Any flat building facade shall incorporate details such as window trim, window recesses, cornices, changes in material, color, or other design elements in an integrated composition.~~
  - o ~~Street-facing residential units should be designed such that windows of primary living areas face the street. Building facades should be constructed of high quality and durable materials such as stone, brick, tile, wood, glass, and metal.~~
  - o ~~Use of stucco shall be minimized and aluminum mesh is prohibited as a balcony material.~~
- **Building Entrances** for uses such as lobbies, leasing centers, ~~commercial retail~~, and entertainment spaces:
  - o Shall be placed at the ground-floor level; and
  - o Shall include appropriate transparency and a feature providing architectural identity, such as an awnings, recess, or projection to indicate the location of primary entries and articulate the façade.
- **Streets and Sidewalks**
  - o Design any private street or driveway into the project off a public street, so as to provide the look and feel of a public street, such as park strip, sidewalk, parking etc.
  - o ~~The minimum sidewalk width on Camden and Union Avenues is 15 feet. The goal for minimum sidewalk widths is 20 feet; however, where the sidewalk~~



width falls short, the project should make up the difference so that the entire 20 feet is publicly accessible and functions as a sidewalk.

**CITY COUNCIL ADDED REQUIREMENTS**

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If any

**ENVIRONMENTAL MITIGATION**

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- The project shall conform to the Mitigation Monitoring and Reporting Program approved by the City Council for this project.

Cleaned up development standards with staff's edits accepted.

**DEVELOPMENT STANDARDS**  
**FILE NO. PDC17-040**  
**(CAMBRIAN PARK PLAZA MIXED-USE VILLAGE SIGNATURE PROJECT)**

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## **ALLOWED USES**

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## **DEVELOPMENT PHASING**

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The commercial/office component of the Signature project must be constructed before or concurrently with the residential component.

### **PHASE 1**

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### **MAXIMUM BUILDING HEIGHT:**

- Maximum building height is 85 feet.
- Within 50 feet of existing single-family residences, maximum height is 45 feet, except for at the point where the southern and eastern properties lines meet, where the setback can be 12 feet.
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**CAROUSEL**

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  - o Provide proper height transitions between new, higher-density commercial and mixed-use development and adjacent single-family homes by using building setback, upper-story stepback, and landscaping to soften the transitions near property lines.
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  - o Design any private street or driveway into the project off a public street, so as to provide the look and feel of a public street, such as park strip, sidewalk, parking etc.
  - o The minimum sidewalk width on Camden and Union Avenues is 15 feet. The goal for minimum sidewalk widths is 20 feet; however, where the sidewalk width falls short, the project should make up the difference so that the entire 20 feet is publicly accessible and functions as a sidewalk.

#### **CITY COUNCIL ADDED REQUIREMENTS**

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If any

## **ENVIRONMENTAL MITIGATION**

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- The project shall conform to the Mitigation Monitoring and Reporting Program approved by the City Council for this project.