

March 10, 2021

Scott Henson
Weingarten Realty Investors
4440 North 36th Street, Suite 200
Phoenix, AZ 85018
Shenson@weingarten.com

Site Address: 14200 & 14420 Union Avenue (APN 419-08-012 & 013)

RE: Planned Development Permit (PD20-007) and Planned Development Zoning (PDC17-040) to allow the demolition of 168,460 sf of existing commercial strip mall and surface parking lot, the removal of four ordinance-sized trees, and the construction of a mixed-use project including a mixed-use building with 50,990 sf of retail/restaurant use on the ground floor and 305 multifamily residential units on the upper floors, a hotel with 229 hotel rooms and 4,610 sf of commercial use, a senior building with 125,740 square feet of assisted living commercial use and 50 senior independent living units, 25 townhouse residential units and 48 single-family homes, including 18 accessory dwelling units (ADUs), 4.0 acres of open space, 96 surface parking spaces, 1,012 underground parking spaces, and 146 garage parking spaces for a total of 1,254 parking spaces, and associated landscaping and amenities in the NCC Neighborhood Community Commercial General Plan Land Use Designation and the Camden Avenue/Hillsdale Avenue Urban Village Plan Area on an approximately 18.13-gross acre site. This project is associated with annexation file number Cambrian_37.

Dear Mr. Henson,

Your application, referenced above, has undergone review for completeness and consistency with City policies and regulations. The purpose of this letter is to provide you with comments and revisions necessary for the project to meet City policies and ordinances, 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 we receive revised plans and additional information. Please let me or the contact listed in the attached memos know if you have any questions regarding these comments.

Project Issues and Concerns

Based on review of your application, the items listed below are the substantial issues that would affect the proposed project. These issues are explained in more detail in this letter.

1. **Design Review** – Please review and address the design review comments provided in the Signature Project Analysis section and the Urban Design Review section. Staff recommends

scheduling a meeting to discuss the single-family home architecture.

2. **Zoning Consistency** – There are discrepancies between what is called out on Sheet A3.2 and what is shown on the plans. Please review and ensure internal consistency.

Permit Streamlining Act

Pursuant to the Permit Streamlining Act (Government Code Chapter 4.5 of Title 7), when applicable, your application has been deemed **incomplete**. The following information must be addressed to complete the review of your project.

- Please see and address the comments from this letter and from other departments.

Project Review

1. Project Description

Based on the plans and information you provided, we understand the project to include the following scope of work:

- The demolition of 168,460 sf of existing commercial strip mall and surface parking lot
- The removal of four ordinance-sized trees
- The construction of a mixed-use project, including:
 - Building 1 - 50,990 sf of retail/restaurant use on the ground floor and 305 multifamily residential units on the upper floors
 - Building 2 - 229 hotel rooms and 4,610 sf of commercial use
 - Building 3 - 125,740 square feet of assisted living and 50 senior independent living units
 - 25 townhouse residential units
 - 48 single-family homes, including 18 accessory dwelling units (ADUs)
 - 4.0 acres of public open space
 - 96 surface parking spaces, 1,012 underground parking spaces, and 146 garage parking spaces for a total of 1,254 parking spaces

Please confirm the description above includes all aspects of the proposed project. If the project description is not accurate, please let us know.

2. Signature Project Analysis

The Signature Project policy ([General Plan Chapter 7 Policy IP-5.10](#)) allows residential and mixed-use projects to proceed ahead of an Urban Village Plan and Growth Horizon if the project meets requirements related to residential density, project design, and the provision of employment space, parks and/or public and privately accessible open space on site.

This policy was evaluated in the previous review letter. Outstanding issues are listed below:

1. Includes public parklands and/or privately maintained, publicly-accessible plazas or open space areas.

Analysis: Please review the comment letter from PRNS. The City would like the applicant to dedicate the central 2.3-acre park to the City. Please coordinate with Parks for this dedication and the remainder of the parklands obligation.

2. Achieves the pedestrian friendly design guideline objectives identified within this General Plan.

- a. **Policy CD-2.3** Create easily identifiable and accessible building entrances located on street frontages or paseos.

The intent of this policy is to make sure pedestrians can recognize the main entrances to each building. For Building 1, distinguish the pedestrian entrances from the street and from the plaza into each commercial area. Building entrances have been identified on the plans in response to the previous comment letter, but no distinction can be seen from the perspective views or elevations to distinguish the entrances. A simple projection, recession, canopy, or other detail is sufficient.

In addition, the connection to the plaza from the street, labeled as "14" on Sheet A7.0, looks too similar to a driveway for cars or a garage entrance. Provide a column in the middle with some pedestrian detail like arches to distinguish this as a pedestrian pathway and not a driveway.

3. Zoning Consistency

The project shall conform to the Planned Development Standards. Please see Draft Development Standards attached. Staff will work with the applicant to finalize the Standards. However, staff has the following questions about the plans:

Fence and Wall Regulations

Per Section 20.30.600, fences and walls over seven feet in height are not allowed without a Fence Variance. Please provide variance findings per Section 20.100.1320.B for the eight-foot high wall with your next submittal.

Parking Table

1. The assisted living parking calculation is listed as number of beds per number of staff. Per the Operations Plan provided, this calculates to 110 spaces + 40 spaces = 150 spaces. The calculation provided on the plans is 98 spaces required. Please review and ensure consistency.
2. The assisted living parking calculations do not account for the 50 independent senior units. Please add to the calculations table.

Loading Spaces

1. Building 1 – Sheet 3.2 indicates four loading spaces for the commercial use, but the plans only call out two loading spaces (Sheet A9.0). Please review and ensure consistency.
2. Building 2 – Two loading spaces are required for this use, but no loading spaces are labeled on Sheet A9.7. Please indicate where the loading spaces are proposed to be located.
3. Building 3 – Sheet A9.15 calls out an Enclosed Loading Bay adjacent to the entrance to the underground parking. Please confirm the dimension of the loading bay so staff can ensure that it is sized appropriately for two loading spaces.

4. All loading spaces must be consistent with the required dimensions per Section 20.90.420 of the Zoning Code and shall be not less than ten feet wide, thirty feet long and fifteen feet clear in height.
5. The loading calculations on Sheet A3.2 are incorrect if you are basing the calculations on Section 20.90.410 of the Zoning Code. Please recalculate or provide clarification.

4. Urban Design Review Consistency

Building 1 – Mixed-Use Building

We are generally supportive of the revisions with the following comments:

1. Create more of a rhythm to the different facades along the main streets. For example, the architecture should be more prominent at corners, creating “bookends”; the designs adjacent to corners should be similar, and the center can be different but remain harmonious. See example below:



2. Small stairway windows should not face the street. Relocate around the corner or enlarge the windows.
3. The plaza openings should be redesigned to a more pedestrian scale, so they aren't confused for driveways. Staff suggests adding a column to the middle and arching the entrance ways to reference the main pedestrian archway.

Single-Family Residential Buildings

We have multiple comments on the design of the single-family homes. We recommend coordinating with the Project Manager to set up a meeting with the Design Review team at the applicant's convenience. The following are general comments:

1. Side elevations are unbalanced. Roof gables seem to be supported by the mid-point of another gable.
2. Although historic elements are not required, the elements provided are not harmonious. For example, craftsman elements should not be combined with mid-century modern elements. If

going for a historically-inspired style, staff recommends that the architect pick one and be cohesive, or go 100% contemporary.

3. Rooflines seem out of proportion.
4. The structures are vertically oriented, but the designs apply horizontal features that create complex geometry. Staff recommends that the architect simplify the designs.

5. Assisted Living Operations Plan

The plan was reviewed and found to be comprehensive. Please fill out the attached Operations Plan Form and use that as a cover sheet for the plan provided with your next submittal. Please make sure all fields are filled out.

6. Tree Removal Policy

A request for a tree removal permit may be included as part of an application for a development permit per Section 13.32.080 of the Municipal Code. Sheet L10.30 of the plan set shows four ordinance-size trees and one non-ordinance size tree to be removed. Please label the following on the referenced Tree Disposition Plan:

- Species of trees to be removed (label as native or non-native)
- Size of trees to be removed (height and circumference of trunk at 4.5 feet above grade)

Second review: This information was not provided on the plans received, although the response letter says it was added. Please include the information requested on Sheet L10.30.

7. Environmental Review - California Environmental Quality Act (CEQA)

The City is waiting for the second draft submittal of the EIR from the environmental consultant at this time. Please keep the environmental consultant updated as to any design and project description changes that may occur over the course of Planning project review. You may contact the Environmental Project Manager, Kara Hawkins, at Kara.Hawkins@sanjoseca.gov with any questions or concerns about the CEQA process.

8. Comments from Other Departments

Attached are memorandum(s) from other departments/divisions and outside agencies as indicated below. Please carefully review the memos, as they contain critical information related to successfully and efficiently moving through the entitlement process.

- Building
- Public Works
- ESC-WMD (Waste Management Division)
- Parks
- Fire - pending
- ESD-MEC (Municipal Environmental Compliance) – pending

Housing comments: The previous memo from October 2020 is still current. The Housing Department is still pending the Affordable Housing Compliance Plan application and fees.

Transportation (DOT) comments: Project must be in compliance per CSJ Muni Code 20.90.060, 20.90.190, and 20.90.195:

- Short-term bike parking is not shown within 20' of each commercial entrance. If all of the parking listed in the table is in rooms, the customers of these businesses will not know how to access it.
- Provide a rack type detail

9. Plan Clarifications and Required Additional Information

- The Tentative Map project number has been assigned as PT21-007. The initial submittal fees have not yet been paid, so no review comments are provided with this round. Please make sure to pay the fees prior to the next resubmittal.
- Include the project file number (PDC17-040 & PD20-007) on the Cover Sheet, the Civil Sheets, and the Landscape Sheets.
- The perspective views and renderings do not show the historic carousel sign. Please show on the plans.
- Provide Fence Variance Findings for the eight-foot high wall adjacent to the single-family homes per Section 20.100.1320.B of the Zoning Code.
- Clarify with PRNS if the 2.3-acre park will be dedicated as a public park.
- Coordinate with the Project Manager to schedule a meeting with staff to discuss the single-family home designs.
- Complete an Operations Plan Form and attach to the Assisted Living Operations Plan as a cover sheet. See the required Form attached.

Sheet A3.2 – Project Data

- Clarify if the total commercial area in Building 1 is 50,990 sf per the Building 1 summary or 55,600 sf per the Project Totals: Site Area summary.
- Provide a summary of total commercial area, excluding the independent living units from the assisted living building.
- The loading calculations are incorrect if you are basing the calculations on Section 20.90.410 of the Zoning Code. Please recalculate or provide clarification.
- Provide clarification regarding the parking and loading calculations as described in the Zoning Consistency section above.

Sheets A7.0 thru A7.6 - Elevations

- The main pedestrian entrances along Camden Avenue, Union Avenue, and Main Street should be more prominent and identifiable.
- The pedestrian entrances into the plaza area at Building 1 should be redesigned to look

less like vehicular driveways and more like pedestrian entrances.

- Review and address the design comments provided in the Urban Design Review Consistency section above.

Sheet L10.30 – Tree Disposition Plan

- Provide the species and size of each tree on the plan sheet.

10. Next Steps

Please be advised that this summary does not constitute a final review. Additional comments may be provided upon review of any additional information and plan revisions submitted in response to this letter. Please upload the revised plans and documents, including response letters addressing all the comments in this letter and other department comments to SJePlans. If there are questions, please contact the Project Manager or reference the User Manual here:

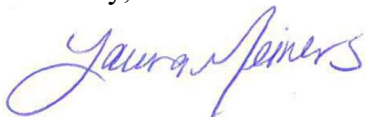
<https://www.sanjoseca.gov/home/showpublisheddocument?id=63457>.

Additional fees may be applicable as a result of revisions to the project description or plans, based on the adopted fee schedule. We will inform you should additional fees be required. The project will not be scheduled for hearing until all fees have been paid in full.

If you have any questions regarding the information contained in this letter, please feel free to contact me via e-mail at Laura.Meiners@SanJoseCA.gov or to give me on my direct line at (408) 535-7869. You may also contact the Supervising Planner overseeing this project, Patrick Kelly, at patrick.kelly@sanjoseca.gov.

We look forward to continuing to work with you and your team on your project in San Jose.

Sincerely,



Laura Meiners
Planner III / Project Manager

Attachments:

Building Memo
Public Works Memo
ESC-WMD Memo
Parks Memo
Operations Plan Form (cover sheet)