

September 29, 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 Zoning (PDC17-040), Planned Development Permit (PD20-007), and Tentative Map (PT21-007) to allow the demolition of 168,460 sf of existing commercial strip mall and surface parking lot; the removal of five ordinance-sized trees; 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 mixed-use building for seniors with 125,740 square feet of assisted living commercial use and 50 senior independent living residential units, 25 townhouse residential units, and 48 single-family homes, including 18 accessory dwelling units (ADUs), 4.0 acres of open space, 94 surface parking spaces, 1,012 underground parking spaces, and 146 garage parking spaces for a total of 1,252 parking spaces, and associated landscaping and amenities; and the subdivision of two existing lots into 48 residential lots and seven parcels 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. **Draft Development Standards** – Staff has reviewed Sheet A2.1 and found that the standard provided are not sufficient. Please see the updated Draft Development Standards attached and provide comments in Word format with the resubmittal.

2. **Operations Plan** – No updated Operations Plan was received with the latest resubmittal. Please make the revisions as requested below.
3. **Tree Removal** – Sheet L10.30 is inconsistent with the Arborist Report received with the latest ADEIR from the environmental consultant. Please make sure this is consistent.

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.
- Submit a Housing Compliance Plan to the Housing Department.

Project Review

1. Signature Project Analysis

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

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

Analysis: This is outstanding – It is understood that the Applicant would like the park to be privately owned public open space (POPOS). Please review the comment letter from PRNS and coordinate with Parks to resolve this issue. The memo still requests parkland dedication.

2. 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.

Based on Sheet A2.1, the Draft Development Standards provided with the last submittal were incorporated but heavily revised. Upon review, Staff finds most of the applicant's Development Standards to be repetitive and unnecessary. We do not need to call out uses and standards that are already allowed as part of the code. Staff has therefore updated our Draft Development Standards to reflect relevant changes made to the standards per Sheet A2.1 and included some additional standards such as minimum single-family lot size and width. Please review and update Sheet A2.1 per the updated standards. If the applicant has additional changes in the next resubmittal, please provide them in a Word file or PDF for easier access and editing.

Staff will perform a consistency analysis of the project with the Draft Development Standards once the standards have been substantially agreed upon. Please edit Sheet A2.0 to separate the single-family use from the multifamily townhome use so Staff can calculate the single-family minimum lot size for the standards.

3. Assisted Living Operations Plan

No updated Operations Plan was received with the latest resubmittal. The Operations Plan will be included as an attachment to the permit. Please clarify the following:

- a. How will the assisted living facility have 170 residents with only 110 beds. Are you including

the independent senior residential units? If so, please separate out to be clear, or specify only the Assisted Living portion of the building.

Analysis: The Response Letter indicates that the 170 residents counts both the 110 beds for assisted living and the 50 units of independent living. Is that assuming two residents for approximately 10 independent units? No revised Operations Plan was received making this clear. The Response Letter is not sufficient. Please provide a revised Operations Plan.

- b. Clarify if the two uses will operate together or separately from each other.

Analysis: Please also describe how the two uses will operate together in the revised Operations Plan.

- c. The Operations Plan is internally inconsistent. The form cover sheet submitted with this round indicates up to 45 employees. The more detailed Operations Plan submitted previously indicates up to 70 employees. Please clarify.

Analysis: Again, no updated Operations Plan was received with the most recent resubmittal. Please revise so that the Operations Plan is internally consistent.

4. Tree Removal Policy

Upon review of the Screencheck DEIR, the Arborist Report in the Appendices lists 40 total trees to be removed, including 17 ordinance-size trees. Update Sheet L10.30 to include the location, trunk size, and species of ALL trees. The project description has been updated to include the removal of 17 ordinance-size trees and 23 non-ordinance trees.

The number of replacement trees should also be updated per the table below as follows:

Tree Replacement Ratios				
Circumference of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Each Replacement Tree
	Native	Non-Native	Orchard	
38 inches or more	5:1	4:1	3:1	15-gallon
19 up to 38 inches	3:1	2:1	none	15-gallon
Less than 19 inches	1:1	1:1	none	15-gallon

x:x = tree replacement to tree loss ratio

Note: Trees greater than or equal to 38-inch circumference shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees. For Multi-Family residential, Commercial and Industrial properties, a permit is required for removal of trees of any size.

A 38-inch tree equals 12.1 inches in diameter.

A 24-inch box tree = two 15-gallon trees

Seventeen non-native ordinance-size trees are required to be replaced at 4:1, which results in 68 replacement trees. There are approximately 13 trees between 19 and 38 inches in circumference,

which results in 26 replacement trees, and ten trees less than 19 inches in circumference, which results in 10 required replacement trees. The total number of required replacement trees is therefore 104 trees. Please indicate somewhere in the Landscape Sheets the total number of trees to be planted so staff can make a determination of consistency with this requirement.

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

The City is reviewing the Screencheck of the DEIR at this time. You may contact the Environmental Project Manager, Kara Hawkins, at Kara.Hawkins@sanjoseca.gov with any questions or concerns about the CEQA process.

6. Tentative Map Review

- Remove the three sheets of the Tentative Map from the plan set and provide as a separate document.

7. 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.

- Public Works
- ESD-WMD (Waste Management Division)
- Parks

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.

8. Plan Clarifications and Required Additional Information

- Provide a letter of response to all comments within this letter and the department memos.
- Provide three separate plan sets with the next submittal, as follows:
 - For the PD Zoning plan set, please label all sheets as “Conceptual.” Include the Development Standards in this plan set.
 - For the PD Permit plan set, provide the development standards and zoning boundary as reference sheets from the PD Zoning plan set. None of the sheets in this plan set should be labeled as “Conceptual.”
 - Remove the Tentative Map from the PD Zoning and PD plan sets and submit separately.
 - The PD plan set is the only plan set that should be uploaded to ProjectDox at this time. Please coordinate with the Project Manager to delete files if necessary. Please submit the PD Zoning plan set and the Tentative Map plan set directly via email to the Project Manager.
- Clarify with PRNS if the 2.3-acre park will be dedicated as a public park.
- Operations Plan – Confirm the accuracy of the Operations Plan, specifically the number of anticipated residents. If the number of independent senior residential units are included, please specify and clarify how the two uses will operate together or separately from each

other. Make sure that both the Operations Plan and the Cover Sheet form are internally consistent.

- Review the Draft Development Standards and provide comments or revisions as necessary.

Sheet A2.0 – General Development Plan

- Separate out the single-family residential use from the townhome use
- The Fitness Park across Schaeffer Lane from the Community Garden (labeled as Easement 5 of 12) should also be designated as Privately Owned Open Space.

Sheet A3.2 – Project Data

- Make sure the plans are internally consistent. Sheet A9.23 shows 21 two-story and 27 three-story single-family homes, while Sheet A3.2 shows 30 units of three-story and 18 two-story.
- None of the parking tables take the independent senior living units into account. See the Draft Development Standards for recommended rates. Add the units into the table.

Sheets A.94 thru A9.26 – Single-Family Home Floor Plans

- Please clarify the side setbacks. The minimum requirement based on Fire code standards is three feet to eave, not three feet to building. Dimension the setback to the eave for this requirement. Single-family unit setbacks have been added to the Draft Development Standards. Please review.

Sheet L10.30 – Tree Disposition Plan

- Update to match the Arborist Report per the comments above.
- Indicate the number of proposed replacement trees and size (15 gal or 24” box) on the plans.

9. 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:

Public Works Memo
ESC-WMD Memo
Parks Memo
Updated Draft Development Standards

CITY COUNCIL APPROVED DEVELOPMENT STANDARDS

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.

ALLOWED USES

- Residential uses shall conform to those identified for the R-M Multiple Residence Zoning District of the San Jose Municipal Code, as amended.
- Commercial uses shall conform to those identified for the CP Commercial Pedestrian 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 Planned Development Permit Amendment, except as follows:
 - The following uses and structures are allowed without a PD permit, in accordance with Chapter 20.80, as amended:
 - Certified Farmer’s Markets in accordance with Part 3.5
 - Outdoor Vending Facilities in accordance with Part 10
 - Temporary Outdoor Events in accordance with Part 16
 - The following uses and structures are allowed without a PD permit, in accordance with Chapter 20.30, as amended:
 - Accessory structures in accordance with Part 5, only in conjunction with a primary structure
 - Fences in accordance with Part 6
 - Accessory Dwelling units in accordance with Part 4.5
 - Solar photovoltaic systems
 - Incidental Uses in accordance with Section 20.30.110
- 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 STANDARDS

All development standards shall be per the R-M Multiple Residence Zoning District for residential uses or the CP Commercial Pedestrian Zoning District for commercial uses, except as follows:

DENSITY:

- Minimum Residential Density:

- 38 dwelling units per net acre averaged across residential use area
- 20 dwelling units per gross acre averaged across the 18.13-gross acre site
- 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.
- Minimum Commercial Square Footage: 275,000 sf for the 18.13-gross acre site

LOT STANDARDS

- Minimum Single-Family Residence Lot Size: 2,800 square feet
- Minimum Single-Family Residence Lot Width: 35 feet

BUILDING HEIGHT:

- Maximum building height for single-family homes:
 - 25 feet where adjacent to existing residential lots.
 - 35 feet for all others
- If any use other than single-family residential is proposed adjacent to the existing single-family residences along the eastern property line, then the 45-degree daylight plane requirement shall apply. This means that starting at the height equal to the setback, there must be one foot of setback for one foot of height, creating a 45-degree angle from the shared property line.
- Maximum building height is otherwise 90 feet.

PROJECT BOUNDARY SETBACKS:

- North (Camden Ave) setback: 5 feet minimum from property line.
- West (Union Ave) setback: 5 feet minimum from property line.
- South setback: 12 feet minimum from property line.
- East/ Southeast setback adjacent to the rear property lines of existing single-family residences along Bercaw Lane:
 - For single-family lots, 15 feet minimum
 - For any other use, 40 feet minimum, not to project beyond a 45-degree stepback plane beginning at the existing grade of the adjacent rear property lines

INTERIOR SETBACKS

- Single-Family Homes, minimum setbacks:
 - Front – 20 feet
 - Side – minimum required per Fire and Building Code

- Rear – 15 feet
- Townhomes, minimum setbacks:
 - Common Driveway – 4 feet
 - Side property line – 10 feet
 - Schaeffer Lane – 5 feet
 - Union Avenue – 5 feet
 - Fitness Park / Community Garden – 4 feet

VEHICLE AND BICYCLE PARKING REQUIREMENTS:

- **Vehicle parking** per the San José Municipal Code, Title 20, as amended, or at the following rates:

Use	Ratio Required
Commercial	4 spaces per 1,000 net square feet
Multi-Family Residential	1.5 spaces per unit
Hotel	1.2 spaces per guest room
Assisted Living	1 space per 3 beds plus 1 space per 2 full-time employees
Independent Senior Units	0.5 spaces per unit
Townhouse Residential	2.5 spaces per unit
Single-Family Homes	2.5 spaces per unit

- **Bicycle Parking** per the requirements of the Zoning Code per Sections 20.90.190 and 20.90.195 and Tables 20-190 and 20-210, or at the following rates:

Building / Use	Standard
Mixed-Use – Commercial Retail	1 per 3,000 sf of net floor area
Mixed Use – Residential	1 per 4 living units
Hotel	1 space plus one per 10 guest rooms
Hotel Commercial	1 per 800 sf of net floor area
Assisted Living	1 per 10 full-time employees
Independent Senior Units	1 per 4 living units

- **Motorcycle Parking** per the requirements of the Zoning Code per Section 20.90.350 and Table 20-250 or at the following rates:

Building / Use	Standard
Mixed-Use– Commercial Retail	1 per 20 code-required auto spaces
Mixed Use – Residential	1 per 4 living units
Hotel Commercial	1 per 20 code-required auto spaces
Assisted Living	1 per 20 beds
Independent Senior Units	1 per 4 dwelling units

- **Loading Spaces** per the requirements of the Zoning Code per Section 20.90.410 or at the following rates:

Building / Use	Standard
Mixed-Use– Commercial Retail	1 + net sf / 20,000
Hotel	1 + net sf / 20,000
Assisted Living	2 spaces

- Commercial and multi-family residential parking may be shared among uses subject to a Planned Development Permit.

ADDITIONAL REQUIREMENTS FOR SIGNATURE PROJECTS:

- Includes public parklands and/or privately maintained, publicly-accessible plazas or open space areas.
- Achieves the pedestrian friendly design guideline objectives identified within the General Plan.
- Is planned and designed through a process that provided a substantive opportunity for input by interested community members.
- Demonstrates high-quality architectural, landscape and site design features.
- Is consistent with the recommendations of the City’s Urban Design Review process or equivalent recommending process if the project is subject to review by such a process.

ARCHITECTURAL AND SITE DESIGN GUIDELINES

GROUND FLOOR INTERFACE for ground floor commercial spaces (excluding residential and assisted living spaces) that front Union or Camden Avenues (excluding residential and assisted living spaces):

- Ground-floor commercial 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.
- At least 50% transparency shall be provided on ground-floor commercial spaces
 - Windows/glazing for ground floor commercial spaces shall be clear un-tinted glass
- Ground floor commercial spaces shall provide a minimum of:
 - Overall depth of 40 feet (outside face of exterior wall to outside face of exterior wall)
 - Minimum plate height of 17 feet for any one-story commercial building

BUILDING MASSING

- The composition of the facades should include variety by providing recessions and projections
- No more than 40% of the length of the façade should be blank
- Building corners should be articulated to create a focal point and/or plaza

BUILDING ENTRANCES for uses such as lobbies, leasing centers, retail and entertainment spaces:

- Shall be placed at the ground-floor level; and
- Should include appropriate transparency and a feature providing architectural identity, such as an awning recess or projection, to indicate the location of primary entries and articulate the façade

STREETS AND SIDEWALKS

- Any private street or driveway into the project should be accessed from a public or private street, so as to provide the look and feel of a public street, such as park strip, sidewalk, parking etc.

CITY COUNCIL ADDED REQUIREMENTS

If any

ENVIRONMENTAL MITIGATION

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



Memorandum

TO: Laura Meiners
Planning and Building

FROM: Tiffany Pong
Public Works

SUBJECT: 4TH INITIAL RESPONSE TO
DEVELOPMENT APPLICATION

DATE: 09/16/21

Approved

Michelle Kimball

Date

9/16/21

PLANNING NO.: PD20-007, PDC17-040, & PT21-007

DESCRIPTION: Planned Development Permit to allow the demolition of 168,460 sf of existing commercial strip mall and surface parking lot, the removal of five ordinance-sized trees, and the construction of a mixed-use project including the following: * 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 (110 beds) 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 * 94 surface parking spaces, 1,012 underground parking spaces, and 146 garage parking spaces for a total of 1,252 parking spaces

LOCATION: Southeast corner of Union Avenue and Camden Avenue

P.W. NUMBER: 3-13401

Public Works received additional information for the subject project on 09/07/21 and submits the following comments and requirements. **Upon completion of the Action/Revisions Required items by the applicant, Public Works will forward a Final Memo to the Department of Planning prior to the preparation of the Staff Report for Public Hearing.**

Actions / Revisions Required:

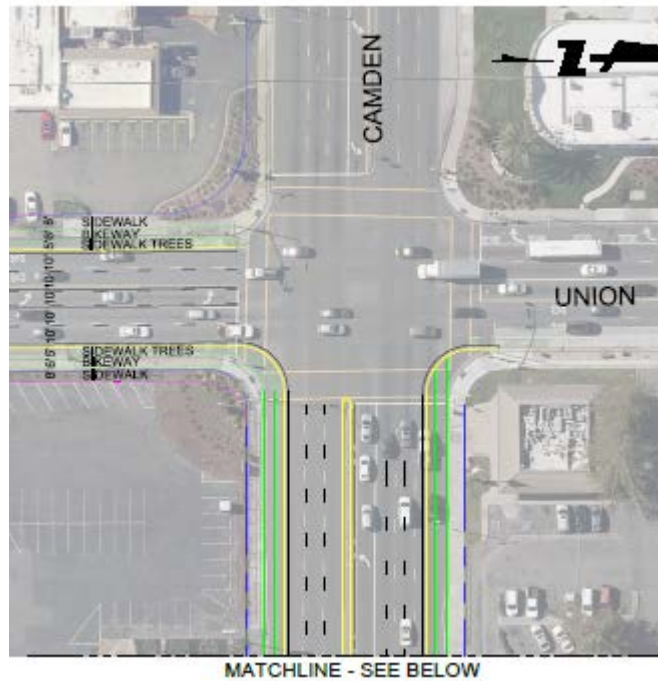
1. **Stormwater Runoff Pollution Control Measures:** Revise the Stormwater Control Plan (SCP) to reflect the following:
 - a) Per previous 3rd Initial Memo comment, there should only be one TCM per DMA. Even if the three (3) TCM 45's are hydraulically connected, if the pipe becomes clogged or if the runoff is not distributed correctly, the bioretention system will not function as intended.
 - i) If using a pump for DMA 45, demonstrate how runoff in DMA 45 will be proportionately distributed to the three (3) TCM 45's. The pipe connecting the pump and northernmost TCM 45 has the shortest proposed storm drain run, which may cause most of the pumped runoff to be directed to the northernmost TCM 45. Further, there will be head loss for the other two

TCM 45's, thereby potentially reducing the pumped runoff to reach the other two TCM 45's.

- b) Revise the TCM Summary Table that reflects the following:
 - i) Provide the excel file for the TCM summary table at the next resubmittal.
 - ii) Revise the Storage Depth Required and the Storage Depth Provided for all DMA's to be "N/A" as these columns are now reserved for pervious paver TCM's.
- c) Update / revise the notes and details on Sheets C5.0 and C5.2 with the latest notes and details from the Public Works website under the C.3 Design and Submittal Resources section of the webpage located at the following: <http://www.sanjoseca.gov/devresources>. The following Details and Notes need to be added or revised:
 - i) Revise the Bioretention & Flow Through Planter Notes by updating note 2 with "and side slopes" so that it reads as the following: "*Place 3" of composted, non-floatable mulch in areas between stormwater plantings and side slopes.*"

2. **Street Improvements:**

- a) Per previous 3rd Initial Memo comment, show and label 26' wide City standard driveway at the "Main Street" (private street) ingress/access locations. Remove curb returns along "Main Street" fronting both Union Ave and Camden Ave as they are not allowed at unsignalized intersections.
- b) Remove the proposed through channels along the flow lines at the new public street. The raised sidewalk along the new public street connecting to Wyrick Avenue should connect and be attached to the proposed curblines along the streets. Drainage along the public street flow line should be collected via hooded inlets per City standards.
- c) Ensure the Civil and Architectural site plans match depictions of public improvements along the Camden Ave and Union Ave frontages.
- d) Revise and shift the proposed curbline along the Camden Ave frontage (from Union Ave to Taper Ave) to eliminate the need for dedication/easement per the attached draft DOT planline.



- e) Show reconstruction of raised median island along Camden Ave frontage between Union Ave and the approach/departure of the Taper Ave/Camden Ave future signalized intersection.
- f) Provide updated conceptual plans with existing and proposed signal components to determine possible signal modification requirements at all new and existing signalized intersections.
- g) Show all existing utilities along Camden and Union Ave. project frontages that are located parallel to and within 10 feet of the proposed face of curb. Show and call out relocation of existing utilities which may conflict with new streets trees located adjacent to face of curb.

3. **Storm:**
 - a) Indicate the overland release path(s), location(s), and elevation(s).
 - i) Clearly label the elevation where overland release will occur. Add a leader call out at the Right-of-Way line, that says "Overland Release Point/FS xxx.xx".
 - ii) Show more elevations and slopes around the site to demonstrate conceptual drainage patterns, include more grades and slopes at the underground/covered garage entrances, and at the town home private drives, to help analyze the site.
4. **Referrals:** This project should be referred to the County Roads and Airports Department, and Valley Transportation Authority (VTA).
 - a) Coordination with County of Santa Clara is needed in regards to the City of San Jose whole street or half street ownership/operations/maintenance of the Woodard Road/Union Avenue signal and proposed Chelsea Drive/Union Avenue signal.
 - b) Coordination with VTA is required for improvements at the existing bust stop locations along the union Avenue and Camden Avenue project frontage.
5. **Other:** Show property lines and right of way dedications in all section views / building elevations, including landscape and architectural plans. This will help us analyze if there are any building projections or other building/architectural elements within the proposed right of way/street easement.

Project Conditions:

Public Works Clearance for Building Permit(s) or Map Approval: Prior to the approval of the Tract or Parcel Map (if applicable) by the Director of Public Works, or the issuance of Building permits, whichever occurs first, the applicant will be required to have satisfied all of the following Public Works conditions. The applicant is strongly advised to apply for any necessary Public Works permits prior to applying for Building permits. Standard review timelines and submittal instructions for Public Works permits may be found at the following:

<http://www.sanjoseca.gov/devresources>.

6. **Construction Agreement:** The public improvements conditioned as part of this permit require the execution of a Construction Agreement that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This agreement includes privately engineered plans, bonds, insurance, a completion deposit, and engineering and inspection fees.
7. **Transportation:** A Local Transportation Analysis was submitted to the City on January 15, 2021 from Hexagon Transportation Consultants, Inc. and has been approved. A separate Local Transportation Analysis Memo will be prepared and provided at a later date.
8. **Urban Village Plan:** This project is located in the Camden Avenue/Hillsdale Avenue Urban Village per the Envision San Jose 2040 General Plan. Urban Villages are

designed to provide a vibrant and inviting mixed-use setting to attract pedestrians, bicyclists, and transit users of all ages and to promote job growth.

9. **Grading/Geology:**

- a) A grading permit is required prior to the issuance of a Public Works Clearance.
- b) All on-site storm drainage conveyance facilities and earth retaining structures 4 foot in height or greater (top of wall to bottom of footing) or is being surcharged (slope of 3:1 or greater abutting the wall) shall be reviewed and approved under Public Works grading and drainage permit prior to the issuance of Public Works Clearance. The drainage plan should include all underground pipes, building drains, area drains and inlets. The project shall provide storm drainage calculations that adhere to the latest California Plumbing Code as adopted under the City of San Jose Municipal Code Section 24.04.100 or submit a stamped and signed engineered design alternative for Public Works discretionary approval and must be designed to convey a 10-year storm event.
- c) If the project proposes to haul more than 10,000 cubic yards of cut/fill to or from the project site, a haul route permit is required. Prior to issuance of a grading permit, contact the Department of Transportation at (408) 535-3850 for more information concerning the requirements for obtaining this permit.
- d) Because this project involves a land disturbance of one or more acres, the applicant is required to submit a Notice of Intent to the State Water Resources Control Board and to prepare a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity. Copies of these documents must be submitted to the City Project Engineer prior to issuance of a grading permit.
- e) A soils report must be submitted to and accepted by the City prior to the issuance of a grading permit. This report should include, but is not limited to: foundation, earthwork, utility trenching, retaining and drainage recommendations.

10. **Shoring:**

- a) Shoring plans will be required for review and approval as part of the Grading Permit for this project.
- b) If tie-backs are proposed in the Public right-of-way as a part of the shoring operation, a separate Revocable Encroachment Permit must be obtained by the Developer or Contractor and must provide security, in the form of a CD or Letter of Credit, in the amount of \$100,000. All other shoring will not be allowed to encroach more than 12” within the public right-of-way (i.e. soldier beams).

11. **Stormwater Runoff Pollution Control Measures:** This project must comply with the City’s Post-Construction Urban Runoff Management Policy (Policy 6-29) which requires implementation of Best Management Practices (BMPs) which includes site design measures, source controls and numerically-sized Low Impact Development (LID) stormwater treatment measures to minimize stormwater pollutant discharges.

- a) The project’s Stormwater Control Plan and numeric sizing calculations have been reviewed. See Actions/Revisions Required section above.

- b) Final inspection and maintenance information on the post-construction treatment control measures must be submitted prior to issuance of a Public Works Clearance.
 - c) A post construction Final Report is required by the Director of Public Works from a Civil Engineer retained by the owner to observe the installation of the BMPs and stating that all post construction storm water pollution control BMPs have been installed as indicated in the approved plans and all significant changes have been reviewed and approved in advance by the Department of Public Works.
12. **Stormwater Peak Flow Control Measures:** The project is located in a Hydromodification Management area but is not required to comply with the City's Post-Construction Hydromodification Management Policy (Council Policy 8-14).
13. **Flood Zone D:** The project site is not within a designated Federal Emergency Management Agency (FEMA) 100-year floodplain. Flood Zone D is an unstudied area where flood hazards are undetermined, but flooding is possible. There are no City floodplain requirements for Zone D.
14. **Sewage Fees:** In accordance with City Ordinance all storm sewer area fees, sanitary sewer connection fees, and sewage treatment plant connection fees, less previous credits, are due and payable.
15. **Parks:** This residential project is subject to either the requirements of the City's Park Impact Ordinance (Chapter 14.25 of Title 14 of the San Jose Municipal Code) or the Parkland Dedication Ordinance (Chapter 19.38 of Title 19 of the San Jose Municipal Code) for the dedication of land and/or payment of fees in-lieu of dedication of land for public park and/or recreational purposes under the "Formula for Dedication of Land" and/or "Schedule of Fees and Credits" contained within in the chapter.
16. **Undergrounding:** The In-Lieu Undergrounding Fee shall be paid to the City for all frontage(s) adjacent to Camden Avenue and Union Avenue prior to issuance of a Public Works Clearance. 100% percent of the base fee in place at the time of payment will be due. Currently, the 2021 base fee is \$532 per linear foot of frontage and is subject to change every January 31st based on the Engineering News Record's City Average Cost Index for the previous year. The project will be required to pay the current rate in effect at the time the Public Works Clearance is issued.
17. **Assessments:** This project proposes a hotel use. The City of San José on September 30, 2008, implemented a special tax for Convention Center Facilities District (CCFD) No. 2008-1 for all existing hotel properties with the intent that future hotel properties would participate as well. The special tax was authorized to be levied on hotel properties for the purpose of paying for the acquisition, construction, reconstruction, replacement, rehabilitation and upgrade of the San José Convention Center. The special tax is levied and collected in addition to and in a manner similar to the City's Transient Occupancy Tax. The special tax may not be apportioned in any tax year on any portion of property in residential use in that tax year, with the understanding that transient occupancy of hotel rooms is not residential use. The base special tax is 4% of gross rents and may be subject

to an additional special tax up to 1% of gross rents. All new hotel properties within San José are encouraged to annex into the CCFD. Please contact Thomas Borden at (408) 535-6831 to coordinate the annexation process.

18. Street Improvements:

- a) Construct the 60' half-street public ROW section along the Camden Avenue frontage per the attached cross-section:
 - i) Construct 22' wide City standard attached sidewalk that includes a 5' tree well, 6' raised bikeway, and 10' pedestrian through zone along Camden Avenue project frontage. Provide public street easement dedication as required.
- b) Construct the 46' half-street public ROW section along the Union Avenue frontage per the attached cross section:
 - i) Construct 19' wide City standard attached sidewalk that includes a 5' tree well, 6' raised bikeway, and 8' pedestrian through zone along Union Avenue project frontage. Provide public street easement dedication as required.
- c) Construct new 52' wide Public Street with a 5' City standard detached sidewalk, 3.5' park strip, 0.5' curb, 7' parking, and 10' drive lane in each direction.
- d) Construct 26' wide City Standard driveway at the "Main Street" ingress/access locations.
- e) Construct 26' wide City standard modified driveways at all entrances to private drive aisles along the new public street.
- f) Construct Class IV protected bikeways along the project frontage per the DOT planlines. See attached Preliminary Planlines.
- g) Shift proposed curb line along Camden Avenue project frontage (from Union Avenue to Taper Avenue) to eliminate the need for dedication/easement per the DOT plan line.
- h) Remove existing median at Westbound Union Avenue, left-turn pocket into the "Main Street" project entrance.
- i) Signal modification will be required at the Union Avenue/Camden Avenue project corner (SW and SE) to implement tighten curb radius and directional curb ramps; further coordination will determine possible signal modification requirements
- j) Signal modification will be required at the Woodard Road/Union Avenue existing intersection to implement needed equipment for enhanced signal operations.
 - i) Remove offset curblines transition at the east leg of the intersection along Northbound Union Avenue.
- k) New signal installations will be required at the following intersections:
 - i) Taper Avenue/Camden Avenue
 - ii) Chelsea Drive/Union Avenue
- l) Reconstruct raised median island along Camden Avenue project frontage between Union Avenue and the approach/departure of the Taper Avenue/Camden Avenue future signalized intersection.
- m) Replace existing copper cable (SIC) along the Camden Avenue and Union Avenue project frontage.

- n) Provide new 3” fiber conduit along the Union Avenue and Camden Avenue project frontages for ITS and signal operation’s needs.
 - o) Coordinate with Valley Transportation Authority (VTA) for improvements at the existing bus stop locations along the Union Avenue and Camden Avenue project frontage.
 - p) Close unused driveway cut(s).
 - q) Developer shall be responsible for adjusting existing utility boxes/vaults to grade, locating and protecting the existing communication conduits (fiber optic and copper) along the project frontage.
 - r) Dedication and improvement of the public streets to the satisfaction of the Director of Public Works.
 - s) Repair, overlay, or reconstruction of asphalt pavement may be required. The existing pavement will be evaluated with the street improvement plans and any necessary pavement restoration will be included as part of the final street improvement plans.
19. **Electrical:** Existing electroliers along the project frontage will be evaluated at the public improvement stage and any street lighting requirements will be included on the public improvement plans.
20. **Street Trees:**
- a) The locations of the street trees will be determined at the street improvement stage. Contact the City Arborist at (408) 794-1901 for the designated street tree. Install street trees within public right-of-way along entire project street frontage per City standards; refer to the current “Guidelines for Planning, Design, and Construction of City Streetscape Projects”. Street trees shall be installed in park strip at the back of curb. Obtain a DOT street tree planting permit for any proposed street tree plantings. Street trees shown on this permit are conceptual only.
 - b) Show all existing trees by species and diameter that are to be retained or removed. Obtain a street tree removal permit for any street trees that are over 6 feet in height that are proposed to be removed.
 - c) If street tree locations conflict with existing utilities, developer shall be solely responsible for relocating or adjusting utilities as necessary to resolve conflict.
21. **Referrals:** This project should be referred to the County Roads and Airports Department, and Valley Transportation Authority (VTA).

Planning and Building

09/16/21

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Please contact Jose Oropeza at jose.oropeza@sanjoseca.gov or (408) 793-6905 or me at tiffany.pong@sanjoseca.gov or (408) 535-6837 if you have any questions. You may also reach the Senior Engineer overseeing the project, Michelle Kimball at michelle.kimball@sanjoseca.gov, or (408) 535-6830.

A handwritten signature in blue ink, appearing to read 'Tiffany', with a long horizontal flourish extending to the right.

Tiffany Pong
Project Engineer
Development Services Division

MK:tp:jo