

January 19, 2024

Erik Schoennauer  
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**SITE ADDRESS:** 1312 El Paseo de Saratoga and 1777 Saratoga Avenue

**RE. File No. PDA20-006-02** Planned Development Permit Amendment to allow changes to Buildings 1, 2, and 4 within the approved El Paseo Signature Project (File No. PD20-006) on an approximately 10.76-gross acre site.

Dear Mr. Schoennauer,

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. Additional comments may be made later when we receive revised plans and additional information.

### **Project Issues and Concerns**

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Based on our initial review of your project, the items listed below are the substantial issues that affect the proposed project, and are explained in more detail in this letter:

1. Based on the plans provided, Building 4 would be converted from a previously approved mixed-use residential/commercial building to a seven-story, 120-unit senior care facility (classified as a residential care facility). Residential care facilities are classified as commercial uses and are defined as “a facility licensed by the State of California where care, services or treatment is provided to persons living in a community residential setting”. To determine if the proposed facility meets this definition, and can be classified as a commercial use, additional information is required. Upon resubmittal, provide a detailed Operations Plan for the proposed facility. See the Zoning Consistency section below for more information.
2. The project plans note a future seven-story, 120-unit, multifamily residential building at the northern end of the site. However, no plans were provided for this building. Upon resubmittal, please confirm that the applicant intends apply for a separate Planned Development Permit Amendment for Building 4B.
3. Upon resubmittal, please provide an updated parking analysis. See the Zoning Consistency section below regarding vehicle, bicycle, and motorcycle parking requirements.
4. Upon resubmittal, please provide an updated open space analysis. See the Zoning Consistency section below regarding common and private open space requirements.
5. See comments below regarding conformance with the Citywide Design Standards and Guidelines.
6. See the Plan Clarifications section below for additional requested updates to the plan set.

7. Based on significant public interest in the project, a Community Meeting must be held. Staff will work with the applicant and City Council District office to determine an appropriate date and time for the meeting.
8. An on-site sign must be posted on the project frontage. On-site signs were forwarded with the completeness letter dated January 5, 2024.

## Permit Streamlining Act

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Pursuant to the Permit Streamlining Act (Government Code Chapter 4.5 of Title 7), your application has been determined to be **complete**. Please note, determining an application to be complete means the minimum required submittal documents have been provided. Additional information is required to prepare your project for hearing.

## Project Review

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### 1. Project Description

We understand the project to consist of a Planned Development Permit Amendment to allow changes to Buildings 1, 2, and 4 within the previously approved El Paseo and 1777 Saratoga Avenue Mixed-Use Village Signature Project. The proposed changes include the following:

- Building 1 – Construction of a 12-story, 120-foot-high, mixed-use building consisting of 376 residential units and 13,500 square feet of commercial space.
- Building 2 – Construction of a 10-story, 102-foot-high, mixed-use building consisting of 371 residential units and 15,500 square feet of commercial space.
- Building 4A – Construction of a 7-story, 80-foot-high, approximately 116,004-square foot, 120-unit, senior assisted living facility.

The project plans include the location of a future Building 4B, which is tentatively proposed as a 120-unit multifamily residential building. No plans were provided for Building 4B as part of this submittal.

Please confirm the description above includes all aspects of the proposed project and advise us immediately if any information is incorrect or omitted.

See staff comments in *red italics* below.

### 2. General Plan Consistency

The subject site is designated **Regional Commercial** and **Neighborhood/Community Commercial** on the Land Use/Transportation Diagram of the [Envision San José 2040 General Plan](#).

*Analysis: The existing Planned Development Zoning (File No. PDC19-049) and Planned Development Permit (File No. PD20-006) were approved under the previous criteria for the Signature Project Policy IP-5.10 to allow the construction of a mixed-use project at the subject site. The Planned Development Zoning requires that the project achieve a minimum residential density of 55 dwelling units per acre (DU/AC) and a minimum 127,500 square feet*

*of commercial space. The approved Planned Development Permit (File No. PD20-006) authorized the construction of four mixed-use buildings with up to 994 residential units and up to 165,949 square feet of commercial space. See the Zoning Consistency section below for staff comments regarding minimum density and square footage requirements.*

### 3. Zoning Consistency

The subject site is located within a CG(PD) Planned Development Zoning District (File No. PDC19-049). The Planned Development Zoning and associated Planned Development Permit (File No. PD20-006) were approved on June 21, 2022. The Planned Development Permit Amendment is subject to the following requirements of the General Development Plan of the Zoning District.

#### Allowed Uses

- a. Permitted, conditional, special, administrative, restricted and prohibited uses shall be those identified for the UV Urban Village Zoning District, as amended with the issuance of a Planned Development Permit or Planned Development Permit Amendment.

**Table 20-138 Allowed Uses - UV Urban Village Zoning District**

Use	Permit Required
Retail sales, goods, and merchandise	Permitted
Multifamily Residential	Permitted
Residential Care Facility or Residential Service Facility for seven or more persons	Conditional Use

*Staff Comments: This Planned Development Permit Amendment includes physical changes to Buildings 1 and 2 as well as both a use and physical change to Building 4A.*

- Building 1 – Building 1 was originally approved as a 127-foot-high mixed-use building with 267 multifamily residential units and 64,176 square feet of commercial space. This Planned Development Permit Amendment proposes a 120-foot-high, mixed-use building consisting of 376 residential units and 13,500 square feet of commercial space.*
- Building 2 – Building 2 was originally approved as a 99-foot-high mixed-use building with 273 multifamily residential units and 29,6999 square feet of commercial space. This Planned Development Permit Amendment proposes a 102-foot-high, mixed-use building consisting of 371 residential units and 15,500 square feet of commercial space.*
- Building 4A - Building 4 was originally proposed as a 132-foot-high mixed-use building with 248 multifamily residential units and 5,236 square feet of commercial space. This Planned Development Permit Amendment proposes a change in use to an 80-foot-high, approximately 116,004-square foot, 120-unit, senior assisted living facility. As the project site is located within a Planned Development Zoning District, a Planned Development Permit/Planned Development Permit Amendment is required to permit*

*the Residential Care Facility use. See comments in the Development Standards subsection below regarding the proposed use.*

- *Building 4B – The project plans note a future seven-story, 120-unit multifamily residential building at the northern end of the site. However, no plans were provided for this building. Upon resubmittal, please confirm that the applicant intends apply for a separate Planned Development Permit Amendment for Building 4B at a later date.*

**Development Standards**

**Minimum Density (Combined Area)**

<b>Use</b>	<b>Required</b>	<b>Provided</b>
Minimum Residential Density	55 DU/AC	69.4 DU/AC
Minimum Commercial Square Footage	127,500 square feet	80,370 sf

*Staff Comments:*

- *Residential Density - Pursuant to the General Development Plan of the Planned Development Zoning District, the project is required to achieve a minimum residential density of 55 dwelling units per acre (DU/AC). As currently proposed, this amendment proposes a total of 747 dwelling units between Buildings 1 and 2, resulting in a residential density of approximately 69.4 DU/AC. If Building 4B is constructed with 120 units, the project would achieve a residential density of approximately 80.5 DU/AC.*
- *Commercial Square Footage*
  - *Buildings 1, 2, and 3 - Pursuant to the General Development Plan of the Planned Development Zoning District, the project is required to provide a minimum commercial square footage of 127,500 square feet. As proposed, approximately 80,370 square feet of commercial space is provided between Buildings 1, 2, and 3.*
  - *Building 4 – Building 4 would be converted from a mixed-use residential/commercial building to a seven-story, 120-unit senior care facility (classified as a residential care facility). Residential care facilities are classified as commercial uses and are defined as “a facility licensed by the State of California where care, services or treatment is provided to persons living in a community residential setting”. To determine if the proposed facility meets this definition, and can be classified as a commercial use, additional information is required. Upon resubmittal, provide a detailed operations plan for the proposed facility. Include the following information:*
    - *General day to day operations*

- *Number of residents/patients*
- *Population to be served (i.e. memory care)*
- *Number of staff*
- *Staff roles (i.e. nurses, doctors, housekeepers, dining staff, etc.)*

**Building Height (Combined Area)**

Building	Required	Proposed
Building 1	145 feet (top of flat roof)	120 feet
Building 2	145 feet (top of flat roof)	102 feet
Building 3	145 feet (top of flat roof)	32 feet (approved w/PDA20-006-01)
Building 4A	145 feet (top of flat roof)	80 feet
Building 4B	145 feet (top of flat roof)	TBD

*Staff Comments: The proposed amendment is consistent with the allowable height limits of the Zoning District.*

**Perimeter Setbacks – El Paseo Site**

Development Standard	Required	Proposed (Building 1)	Proposed (Building 2)
North setback	0 feet minimum from property line	TBD	TBD
West setback	10 feet minimum from property line	TBD	TBD
South setback	25 feet minimum from property line	TBD	TBD
East setback	0 feet minimum from property line	TBD	TBD

*Staff Comments: No setback measurements were provided in this resubmittal. Upon resubmittal, identify the setback measurements for each building to each property line.*

**Perimeter Setbacks – Saratoga Site**

Development Standard	Required	Proposed (Building 4A)
North setback	5 feet minimum from property line	TBD

West setback	4 feet minimum from property line	TBD
South setback	17 feet minimum from property line	TBD
East setback	10 feet minimum from property line	TBD

*Staff Comments: No setback measurements were provided in this resubmittal. Upon resubmittal, identify the setback measurements for each building to each property line.*

Vehicle Parking

**Table 20-190 - Buildings 1, 2 and 4 - Required Vehicle Parking**

	Floor Area/Units/Beds	Ratio	Required
<b>Retail</b>	24,650 sf	1 per 200 sf of floor area	124 spaces
<b>Residential Care Facility (Senior Care Facility)</b>	TBD	1 per first 6 client beds, plus 1 additional space for up to 4 client beds (or portion thereof) above the first six, plus 1 additional space for each additional four client beds (or portion thereof), plus 1 space for each employee or staff member	TBD
<b>Residential</b>			
Studio	49 units	1.25 spaces per unit	62 spaces
1 Bedroom	476 units	1.25 spaces per unit	595 spaces
2 Bedroom	210 units	1.7 spaces per unit	357 spaces
3 Bedroom	12 units	2.0 spaces per unit	24 spaces
<b>Total Required</b>			<b>TBD</b>
<b>Total Provided</b>			<b>1,127 spaces</b>

*Staff Comments: Based on the previously approved Planned Development Permit (File No. PD20-006), the entire project was required to provide 1,944 total spaces with an approximately 6.1% parking reduction pursuant to Section 20.90.120 of the Zoning Code, in*

*effect at the time of project approval.*

*Based on the updated project description, it is unclear how many vehicle parking spaces are required for this Amendment, and the entire project as a whole. Additional information is required to determine the required parking for Building 4A (Senior Care Facility). Upon resubmittal, provide an updated parking analysis based on the above ratios.*

**Please note on December 6, 2022, City Council approved an update to the City’s Parking Ordinance. This update eliminated minimum parking requirements Citywide. The applicant has the option to utilize the updated parking ordinance, which was effective on April 10, 2023. If the applicant wishes to pursue this option, please inform staff upon resubmittal. If utilizing the updated ordinance, the applicant is required to submit a Transportation Demand Management (TDM) Checklist and TDM Plan.**

**Bicycle Parking – [Section 20.90.060](#)**

Use	Floor Area/Employees/Units	Ratio	Required
Retail	68,315 sf	1 per 3,000 sf of floor area	23 spaces
Residential Care Facility	TBD	1 per 10 employees	TBD
Multifamily Residential	747 units	1 per 4 living units	187 spaces
<b>Total Required</b>			<b>TBD</b>
<b>Total Provided</b>			<b>228 spaces</b>

*Staff Comments: Upon resubmittal, provide an updated parking analysis based on the above ratios. Also ensure that all bicycle parking spaces conform with the design requirements of [Section 20.90.190](#) of the Zoning Code.*

**Motorcycle Parking – [Section 20.90.350](#)**

Use	Ratio	Required
Commercial	1 per 20 code required spaces	TBD
Multifamily Residential	1 per 4 units	187 spaces
<b>Total Required</b>		<b>TBD</b>
<b>Total Provided</b>		<b>TBD</b>

*Staff Comments: Upon resubmittal provide an updated parking analysis based on the above ratios. Also ensure that all motorcycle parking spaces conform with the design requirements of [Section 20.90.370](#) of the Zoning Code.*

Common Open Space

Pursuant to the General Development Plan of the Planned Development Zoning District, the project is required to comply with [Section 20.55.102.B](#) of the Zoning Code for Common Open Space.

Use	Units	Ratio
Mixed Use Development	747 units	75 sf per unit
<b>Total Required</b>		56,025 sf
<b>Total Provided</b>		TBD

*Staff Comments: Upon resubmittal, provide a common open space analysis demonstrating conformance with the above requirements. Also see the Citywide Design Standards and Guidelines below for design requirements for public open space.*

Private Open Space

Pursuant to the General Development Plan of the Planned Development Zoning District, the project is required to comply with [Section 20.55.102.C](#) of the Zoning Code, with the exception that at least 25 percent of all dwelling units shall have direct access to private open space in the form of a balcony, patio, or roof terrace.

Unit Type	Units	Ratio	Required
Studios/1 bedroom	525/4 = 132	30 sf per unit	3,960 sf
2 Bedrooms or more	222/4 = 56	45 sf per unit	2,520 sf
<b>Total Required</b>			6,480 sf
<b>Total Provided</b>			TBD

*Staff Comments: Upon resubmittal, provide a private open space analysis demonstrating conformance with the above requirements. Also see the Citywide Design Standards and Guidelines below for design requirements for private open space.*

Park Space (POPOS)

Per the approved Planned Development Permit (File No. PD20-006), the previously approved project included the construction of an approximately 1.1-acre publicly accessible park and approximately 1.4 acres of additional open space throughout the site.

*Staff Comments: Upon resubmittal, provide an open space analysis, detailing the total amount of publicly accessible open space provided in this amendment. Provide the proposed acreage of the park area. Additionally, provide any details on park hours and accessibility.*

*The previously approved Planned Development Permit (PD20-006) counted a portion of the "Main Street" area as open space, despite this space also being used for vehicle circulation. Upon resubmittal, please provide details on how this space would be used. Would this space be closed daily, or on weekends, or certain hours, etc.? If closed, would vehicles still be able*



*to access Building 1?*

*Similarly, an Outdoor Plaza is proposed in front of Building 4. Upon resubmittal, please inform staff if this will be a POPOS or a private common open space area.*

#### Architectural and Site Design Guidelines

1. Ground Floor Interface – For ground floor commercial spaces that front Quito Road or Saratoga Avenue:
  - a. Ground floor commercial spaces shall be, to the extent possible, 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.
  - b. At least 50% transparency shall be provided on ground-floor retail spaces.
  - c. Windows/glazing for ground floor commercial spaces shall be clear un-tinted glass.
  - d. Ground floor commercial spaces shall provide a minimum of:
    - i. Overall depth of 40 feet (measured from outside face of exterior wall)
    - ii. Minimum plate height of 15 feet for any one-story commercial building.

*Staff Comments: Per this Planned Development Permit Amendment, there are no ground floor commercial spaces with frontage along Quito Road. The northernmost retail space in Building 1 does include frontage on Saratoga Avenue.*

*Show that the ground floor retail spaces meet the 50% transparency requirements with clear un-tinted glass. Ensure that the retail space has a minimum depth of 40 feet.*

2. Building Massing
  - a. The composition of the facades should include recessions and projections.
  - b. No more than 40 percent of the length of the façade should be blank.
  - c. Building corners should create a focal point, which can be accomplished through massing, architectural details, and/or providing a plaza.

*Staff Comments: Provide more detail at the building corners for Building 1. This can include a change in height or material to highlight the building corner at both the park and street intersection (Saratoga/Quito). See the Citywide Design Standards and Guidelines below for additional information.*

#### **4. Design Guidelines Consistency**

Where the Design Guidelines of the General Development Plan (File No. PDC19-049) are silent, the project is subject to the [Citywide Design Standards and Guidelines](#).

Standards are objective requirements that are quantifiable and verifiable. Development projects must comply with Standards identified within this document (unless other adopted plans or

policies prevail). Standards that are specific to residential, commercial, or industrial land uses (as defined in the General Plan) are listed under "Additional Standards for General Plan Residential, Commercial, or Industrial Land Use Designations."

Guidelines describe best practices and serve as overarching design guidance. Proposed commercial and industrial projects subject to the Design Standards and Guidelines must be in substantial conformance with the guidelines contained in the document. Guidelines provide a framework of design principles that supplement the mandatory design rules. Guidelines that are specific to residential, commercial, or industrial land uses as defined in General Plan are listed under "Additional Guidelines for General Plan Residential, Commercial, or Industrial Land Use Designations."

Exceptions: Please note that the Design Guidelines include an exception process. A project applicant may request an exception to the design standards contained in the design guidelines. The request must be made in writing as part of the Planning application for the proposed project. The application for an exception must contain detailed information on the design standard that is requested to be waived; how the physical constraints and unique situations of the project site make it infeasible to comply with the design standard; how the proposed project meets the design standard at issue to the extent feasible; and how the request meets each exception requirements. The decision-maker would need to consider the request and information provided and make certain findings to either approve or deny the request.

The decision-maker (Planning Director, Planning Commission, or City Council, as applicable) shall only grant an exception if all the following findings are made:

- There is physical constraint or unique situation that:
  - a. is not created by the project applicant or property owner; and
  - b. is not caused by financial or economic constraints considerations.
- Approving the waiver will not impair the integrity and character of the neighborhood in which the subject property is located or create a safety hazard.
- The proposed project meets the design standard at issue to the extent physically feasible.

If any of the above findings cannot be made, the decision-maker may still grant the exception if all of the following findings are made:

- The project advances the Major Strategies Chapter 1 of the General Plan;
- The project is consistent with the Values and Guiding Principles of Section 1.2.1 of the Design Guidelines;
- The project achieves the stated Rationale of the section of the Design Guidelines as set forth for each applicable Standard; and
- There are counterbalancing considerations that justify the inconsistency.

The project is subject to the following provisions of the [Citywide Design Standards and Guidelines](#).

- Section 2.2.1 – Pedestrian and Bicycle Access Location

- Standard 1 - When developments have multiple entrances, locate them based on the following priority:
  - Public Transit
  - Primary Streets
  - Secondary Streets
  - Publicly Accessible open spaces
  - Alleys or internal site circulation
- Standard 4 – Provide direct access for all lobbies, public open spaces, and paseos from the street or publicly-accessible pedestrian walkways.
- Standard 5 – Place the primary building entrance such that it can be accessed from a street, public open space, semi-private open space, or POPOS.

*Staff Comments:*

- *Building 1 has direct access from Saratoga Avenue (and the park/POPOS area)*
- *Building 4 – It is unclear if any building entrances are accessible from the public streets on Saratoga or Lawrence. Staff understands that the programming and population served may require the vehicle pick-up/drop-off area to be the primary entrance. However, the project should still provide accessible entrances to the building along the street.*

- Section 2.3.8 – Site Lighting

- Standard 1 - Orient all site lighting directly downwards to prevent light pollution and excess glare in the public realm.
- Standard 2 - Illuminate a zone of a maximum of five feet in front of the ground floor façade for all active frontages such as retail, offices, and community rooms.
- Standard 6 - All site lighting fixtures must be fully shielded (full cut-off) to prevent light from aiming skyward and light spillage and glare that can be seen from above.
- Standard 7 - Keep the maximum color temperature for outdoor lighting below 2700 Kelvin, except for outdoor decorative lighting from November 15 to January 15.

*Staff Comments: Upon resubmittal, please demonstrate compliance with the above site lighting standards.*

- Section 2.3.5 – Bicycle Parking Placement

- Standard 1 - Locate at least 40 percent of the required bicycle parking on the ground floor with direct physical access to an elevator or building exit.
- Standard 2 - Place bicycle parking so that bicyclists do not have to cross vehicular parking or drive aisles to enter the building.

*Staff Comments: Provide separate sheet with details for bicycle parking. Also see the Zoning Conformance section above.*

- Section 2.3.7 – Landscaping and Stormwater Management

- Standard 1 - Select trees which at maturity create a tree canopy cover that shades a minimum of 50 percent of each on-site surface parking area, common open space at the ground floor, and Privately-owned (and maintained) Public Open Space (see Fig. 2.37).
- Standard 2 - Tree wells must be at least four feet larger than the tree trunk diameter at maturity.
- Standard 3 - Designate 700 cubic feet of noncompacted soil for small trees, 1400 cubic feet of non-compacted soil for medium trees, and 2100 cubic feet of noncompacted soil for large trees to allow trees to reach their maturity. Structural soil systems, soil cells, or continuous trenches are example of ways to reach to the above soil volumes.
- Standard 4 - When planting trees on green roofs or above underground parking, provide a minimum soil depth of 36 inches and soil volume for each tree as identified in S3.
- Standard 7 - Provide minimum vertical clearance for tree canopies at maturity as follows:
  - 14 feet in and around service and loading areas and driveways,
  - 12 feet for parking lots, and
  - Eight feet for tree canopies immediately adjacent to sidewalks and patios.
- Standard 8 - Utilize at least 50 percent of the total landscaped area on a development site for LID site design measures, source controls, and green stormwater infrastructure, including but not limited to bioretention, rain gardens, LID planters, and permeable pavers.

*Staff Comments: Upon resubmittal, demonstrate conformance with the above listed standards. Please refer to page 30 of the [Citywide Design Standards for illustrative diagrams](#).*

- Section 3.1.2 – Form, Proportion, and Scale

- Standard 1 - Buildings at street intersections with traffic signals, terminus points, and open spaces must include at least two of the following architectural features for a minimum of 20 percent of each building frontage along the street:

- Corner plaza.
- Articulated corner with vertical or horizontal projections.
- Taller massing or exaggerated roof elements.
- Building entrances with a minimum recess of three feet.
- Different façade treatments such as variations in materials and color.

*Staff Comments: This design standard applies to both Buildings 1 & 2 and Building 4. See the figures below for reference.*

- *Buildings 1 and 2 front on an open space area. Therefore, they must include two of the above elements for each building. A corner plaza is already provided. Therefore, one additional element is required for each building.*
  - *Building 4 is located at the intersection of Saratoga Avenue and Lawrence Expressway, a signalized intersection. Upon resubmittal demonstrate conformance with the above standard.*
- Standard 2 – For streetwalls more than 200 feet in length, provide at least one recess or projection in the façade that is at least:
- 15 feet wide and 10 feet deep for residential, commercial, and mixed-use developments

*Staff Comments:*

- *Building 1 appears to comply with this standard. However, upon resubmittal, provide a measurement of the façade recess for Building 1. Building 2 is not located directly along the street, therefore no streetwall is required.*
- *Building 4 – Upon resubmittal, demonstrate compliance with the above standard for a recess for Building 4.*



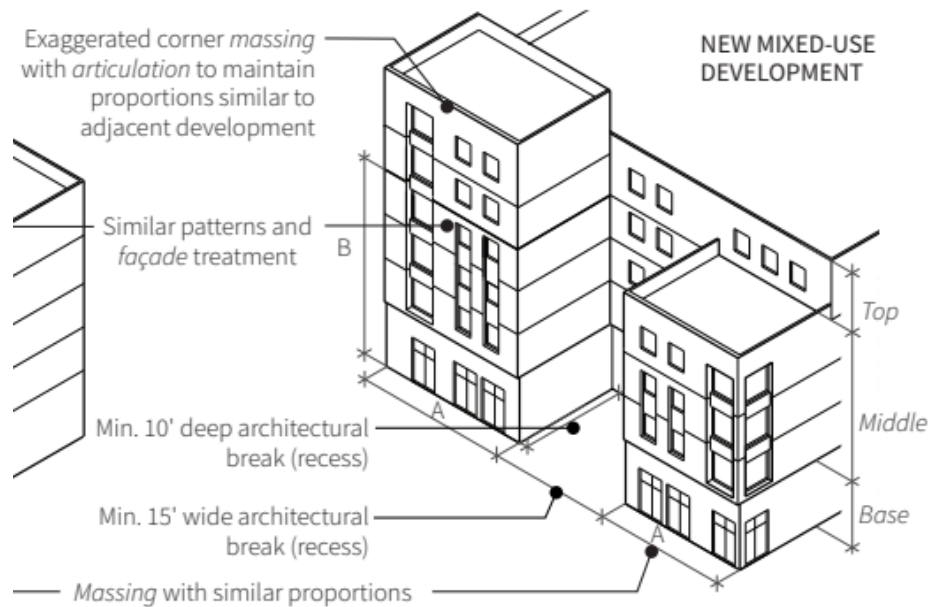
Articulated corner with exaggerated roof element

Architectural break



Articulated building corner with public plaza

Architectural break



• Section 3.2.1 – Pedestrian and Bicycle Entrances Design

- Standard 2 - Recess all building entrances that open towards a sidewalk by a minimum of three feet to protect pedestrians from bumping into doors opening outwards. If the doors open inwards, no recess is required, but provide a projecting or arching cover at least three feet deep for protection from weather and opportunity for addresses and additional signage.

*Staff Comments:*

- *Buildings 1 & 2: Ensure all lobby/commercial building entrances that open towards the paseo or park are recessed a minimum of three feet.*
- *Building 4: Ensure any entrances to the street from Building 4 comply with this standard.*
- Section 3.3.1 – Façade Design and Articulation
  - Standard 1 - Articulate all building façades facing a street or public open space for at least 80 percent of each façade length. Articulate all other building façades for at least 60 percent of each façade length. Façade articulation can be achieved by providing material and plane changes or by providing a rhythmic pattern of bays, columns, balconies, and other architectural elements to break up the building mass.  
*Staff Comments: Upon resubmittal, provide an exhibit that outlines compliance with the 80%/60% façade articulation requirements for all buildings. Provide East/West Elevations for Building 2.*
- Section 3.3.3 Decks and Balconies
  - Standard 2 - Occupied decks and balconies must be at least six feet wide and four feet deep to encourage outdoor seating.
  - Standard 3 - Façade elements and unoccupied spaces such as Juliet balconies must be a minimum of three feet wide and 12 inches deep to provide relief or articulation in the façade.
  - Standard 6 - Do not locate permanent storage boxes, condensers for air-conditioning units, or other mechanical equipment on decks and balconies.  
*Staff Comments: Upon resubmittal, demonstrate conformance with Section 3.3.3 for all decks and balconies provided. Provide dimensions for balconies and private open space.*
- Section 3.3.6 – Bird Safety
  - Standard 5 – Do not use mirrored glass or glazing with a reflective index above 20 percent.  
*Staff Comments: Upon resubmittal, demonstrate conformance with this requirement for all buildings.*
- Section 3.3.7 – Materials and Color
  - Standard 3 – For buildings taller than four stories, limit the use of stucco to a maximum of 60 percent of any façade that faces a street, open space, or paseo in General Plan growth areas.  
*Staff Comments: Upon resubmittal, ensure that the use of stucco for Building 4 is limited to no more than 60% of any of the street facing facades.*
- Section 3.3.8 - Architectural Lighting

- Standard 1 - Orient at least 90 percent of exterior lighting fixtures downward.
- Standard 2 - Provide pedestrian-scale lighting to illuminate the ground floor building façades and an adjacent four-foot-wide zone with lighting fixtures that are placed (see Fig. 3.51 and 3.52):
  - Every 40 feet or less for all building façades to illuminate the sidewalk along primary and secondary streets.
  - Every 20 feet or less for all ground floor blank walls.

*Staff Comments: Upon resubmittal, provide specifications and details for any architectural lighting. Ensure any new lighting conforms with the above standards.*

- Section 4.1.2 – Residential Frontages

- Standard 1 - Include a minimum three-foot-deep frontage zone at building entrances for residential and mixed-use developments. This transition space is useful for any doors opening out to the sidewalk and for providing stoops for raised residential units.
- Standard 2 - For all residential active frontages, provide at least six-foot-tall transparent windows or clear glazing that cover a minimum of 60 percent of the active frontage along primary streets and 40 percent along secondary streets.

*Staff Comments: Based on the plans provided, it appears that Buildings 1 and 2 include ground floor residential units facing Quito Road and the park area. Therefore, these units must have direct access to the street/sidewalk and public open space. Additionally, they must include a three-foot-deep frontage zone and conform with the transparency requirements of Standards 1 and 2 above. Upon resubmittal, demonstrate conformance with this requirement for all ground floor residential units. Show the location of doors/windows within each unit.*

- Section 4.2.1 – Privately-Owned (and Maintained) Public Open Space Design

- Standard 1 - When adjacent to retail spaces and mixed-use buildings, designate five percent of the total POPOS area for seating. If there are food service businesses adjacent to it, designate 10 percent of the total POPOS area for seating. This seating could be a combination of built-in or movable furniture.
- Standard 2 - The length and width of POPOS must each be at least 25 feet long when any building on its perimeter is 30 feet or taller.

*Staff Comments: Upon resubmittal, demonstrate conformance with the above requirements.*

- Section 4.2.2 Common and Private Open Space Design

- Standard 3 - When one or more building walls facing a common open space are more than eight stories tall, at least one of the common open space dimensions must be 80 feet or more. The other dimension must be 50 percent or more of the



height of the tallest building wall facing the common open space.

*Staff Comments: Upon resubmittal, demonstrate conformance with the above requirement for the podium courtyard area in Building 2.*

- **Section 4.3.1 – Public Art in Private Development**

- Guideline 1 - Integrate permanent and temporary art into common open spaces and gathering areas in all projects.
- Guideline 2 - Create an Element of Distinction at gateway sites or sites at the intersection of prominent primary streets and visible from the public realm at a distance of at least 50 feet from the art.
- Guideline 3 - Locate the different types of public art at strategic locations:
  - Elements of Distinction to identify buildings, key circulation paths, corridors, and neighborhood connections.
  - Elements of Distinction to anchor important places such as plazas, parks, POPOS, and public transit stations.

*Staff Comments: Staff recommends that the applicant engage with local neighborhood groups and the City Council District office to get feedback on any proposed public art installations on-site.*

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

Please reach out to Environmental Project Manager, Nhu Nguyen at [nhu.nguyen@sanjoseca.gov](mailto:nhu.nguyen@sanjoseca.gov) to begin the environmental review process.

## **6. Plan Clarifications and Required Additional Information**

- All Sheets
  - Add File No. PDA20-006-02 to all sheets
  - Update Revision Date

### **Buildings 1 & 2**

- Renderings
  - Renderings do not appear to show ground floor residential units in Buildings 1 and 2. Please update.
  - Please provide a rendering of the entire development (Buildings 1-4).
- Sheet B1-2 A0.05 – Site Plan Building 1 & 2 **or** Sheet B1-2 A2.01
  - Provide setback measurements from all buildings to all adjacent property lines.
  - Provide measurement of depth for all retail spaces.
  - Provide dimensions of proposed loading spaces

- Provide dimensions of proposed trash room
- Provide width of proposed parking garage entrances
- Provide parking analysis for Buildings 1, 2, and 3 including:
  - Vehicle Parking
  - Bicycle Parking
  - Motorcycle Parking
  - Loading Spaces
- Sheet B1-2 A0.10 – Area Calculations
  - This table appears blurry. If possible, please update.
  - Provide analysis for common and private open space.
  - Provide analysis for Park/POPOS space.
- Sheet B1-2 A1.01A – Site Section
  - Provide setback measurement from the building to the property line.
- Sheet B1-2 A2.B.2 – Parking Garage Floor Plans
  - Provide dimensions of drive aisles
  - Provide dimensions of typical vehicle parking space. See [Section 20.90.100](#) for requirements.
  - Provide details and dimensions for bicycle parking spaces. Provide details demonstrating all spaces conform with [Section 20.90.190](#) and [20.90.195](#).
  - Provide details for motorcycle parking spaces. Provide details demonstrating all spaces conform with [Section 20.90.370](#).
- Sheet B1-2 A3.02B – Building 2 Elevations
  - The North/South elevations for Building 2 are duplicated. Upon resubmittal, provide East/West elevations for Building 2.
  - Provide elevations demonstrating conformance with articulation percentage requirements per Section 3.3.1 – Façade Design and Articulation of the Citywide Design Standards.
- Sheets B1-2 A2.03 through B1-2 A2.12 – Floor Plans
  - Provide dimensions and square footage for typical balcony areas.
- Sheet B1-2 L10.01 – Landscape Illustrative Plan
  - Demonstrate conformance with Section 2.3.8 for Landscaping Requirements of Citywide Design Standards and Guidelines. Provide separate sheets or details if necessary.

- If necessary, provide separate sheet with details for bicycle parking. Provide details demonstrating all spaces conform with [Section 20.90.190](#) and [20.90.195](#)
- Sheet B1-2 L10.16 – Landscape Plan
  - Provide dimensions for the common open space areas (i.e. roof deck and podium courtyard).
- Add Sheet – Photometric Plan

#### **Building 4A**

- Provide an Operations Plan. See comments in Zoning Consistency section above.
- Sheet B4 A3.30 – Site Plan
  - Provide setback measurements from all buildings to all adjacent property lines.
  - Provide dimension of proposed loading space
  - Provide dimension of garage entry
  - Provide dimensions of drive aisles
  - Provide radius of drop-off circle
  - Provide dimensions of typical vehicle parking space. See [Section 20.90.100](#) for requirements.
  - Provide details and dimensions for bicycle parking spaces. Provide details demonstrating all spaces conform with [Section 20.90.190](#) and [20.90.195](#).
- Sheet B4 A7.3 - Elevations
  - Provide elevations demonstrating conformance with articulation percentage requirements per Section 3.3.1 – Façade Design and Articulation of the Citywide Design Standards.
  - Provide elevations demonstrating conformance with stucco requirements per Section 3.3.7 – Materials and Color of the Citywide Design Standards and Guidelines.
- Sheet B4 A9.0 through B4 A9.7 – Floor Plans
  - On garage floor plan, provide dimensions of typical vehicle parking space. See [Section 20.90.100](#) for requirements.
  - Provide details for motorcycle parking spaces. Provide details demonstrating all spaces conform with [Section 20.90.370](#).
  - Provide more detailed floor plans (i.e. number of rooms, beds, details on “public amenity rooms”, etc.)
  - Provide dimensions of typical balconies and terraces.
- Sheet B4 L10.01 - Landscaping Plans
  - Demonstrate conformance with Section 2.3.8 for Landscaping Requirements of

Citywide Design Standards and Guidelines. Provide separate sheets or details if necessary.

- If necessary, provide separate sheet with details for bicycle parking. Provide details demonstrating all spaces conform with [Section 20.90.190](#) and [20.90.195](#)
- Add Sheet – Photometric Plan

## 7. Comments from Other Departments/Divisions and Agencies

Attached is a memorandum from other departments/divisions and outside agencies as indicated below. Please carefully review the memos, as they contain essential information needed to successfully and efficiently move your project through the Planning entitlement process. As required, comments contained in the attached memos must be incorporated into the revised plan sets. Concerns about any of these issues should be brought to my attention so that I can coordinate with appropriate City staff on your behalf.

- a. Building – To be forward upon receipt.
- b. Fire – See attached.
- c. Public Works – To be forwarded upon receipt.
- d. ESD Integrated Waste Management – To be forwarded upon receipt.
- e. Housing Department – See attached.
- f. PRNS – To be forwarded upon receipt.

## 8. Community Outreach

Based on significant community interest in the previously approved project, a Community Meeting should be held to inform members of the public of the proposed changes to the project. Staff will coordinate with the City Council District Office and applicant to determine an appropriate date and time for the meeting. Please note, Mondays and Thursdays are preferred days for Community Meetings.

## 9. On-Site Sign Posting

Per the City's Public Outreach Policy, a sign describing the proposed project is required to be placed on each project site street frontage so it is legible from the street. Attached is a PDF of the on-site poster. Once the sign is posted, I would appreciate it if you could please take pictures of the on-site sign and fill out the Declaration of Posting (page 3 of the first link) and send both of those to me. Delay in posting the sign and providing the declaration form, would delay any future review.

- On-Site Noticing/Posting Requirements: <https://www.sanjoseca.gov/home/showpublisheddocument?id=15573>
- Public Outreach: <https://www.sanjoseca.gov/home/showpublisheddocument?id=12813>

## 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. 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 attached memos. When ready, please submit all updated plans and documents to ProjectDox using the [Planning File Naming Conventions](#). See additional information below regarding the naming conventions. Please anticipate at least three weeks for departmental staff to review your responses and revisions.

Description	Naming Example
Is it just a revision to an existing sheet?	First submittal sheet named 002-TS, Revised Sheet also name it 002-TS (do not put versions, updated etc)
Adding a sheet associated with existing sheet type (e.g. additional civil exhibits)	First submittal sheet named 007-C, additional sheet related to that sheet should be 007A-C

- Do not rename the sheet or document, even if you don't make changes, just submit under the previous sheet name.
- If you have sheets or documents with repeat number 002-A, 002-TS, 002-C, you are doing it wrong, each should be a unique sequence number or a sequence number with a suffix if multiple pages added to the plan set e.g. 002A-A, 002B-A

Additional fees may be applicable for community meetings, additional public noticing, and for other processes/reviews 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.

The decision to approve, deny, or conditionally approve or defer this proposal will occur at a **Director's Hearing**. Director's Hearings are held Wednesday at 9:00 am via Zoom.

Should you have any questions, you may contact me at [alec.atienza@sanjoseca.gov](mailto:alec.atienza@sanjoseca.gov) or (408) 535-7688. You may also contact the Supervising Planner overseeing this project, Laura Meiners, at [laura.meiners@sanjoseca.gov](mailto:laura.meiners@sanjoseca.gov).

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

Sincerely,



Alec Atienza  
Project Manager

City of San José  
(408) 535-7688

**Attachments:**

On-Site Sign – Already forwarded  
Fire Memo  
Housing Department Memo