

December 4, 2017

BWD Holdings LLC
c/o Pete Beritzhoff
2 Henry Adams St, #450
San Francisco, CA 94103

WRNS Studio
c/o Brian Milman
501 2nd Street, Suite 402
San Francisco, CA 94107

SITE ADDRESS: 1410 South Bascom Avenue (APNs: 282-26-011 and 282-26-012)

RE: File No. PDC17-047: Planned Development Zoning from Commercial Pedestrian to CP(PD) Planned Development Zoning to allow up to 800 multifamily residential units and up to 300,000 square feet of commercial/retail uses (minimum 200,000 square feet) on 6.4-gross acre site at the northeast corner of South Bascom Avenue and Southwest Expressway, commonly known as Dick's Center.

Dear Pete and Brian:

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 so you can appropriately respond to the issues identified below. The comments below are based on the plans and information currently on file. Additional comments may be made at a later time when I receive revised plans and any requested additional information. Please let me know if you have any questions regarding these comments.

Project Issues and Concerns

Based on the initial review of your project the items noted below are substantial issues that affect the proposed project. These issues are discussed further in the letter.

1. Better design attention and connection to the warranted traffic signal planned for the intersection of Pamlar and South Bascom Avenues.

Permit Streamlining Act

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

- Initial Study. Staff understands that the document is being prepared. Please have the environmental consultant scope the document with Supervising Planner David Keyon (david.keyon@sanjoseca.gov). Be sure that the scope is the most insensitive proposal that you may want to pursue.

In addition to the missing items, I have requested some changes to individual plan sheets as discussed below.

General Plan Conformance

The subject site has a General Plan land use designation of Neighborhood/Community Commercial. This designation supports a very broad range of commercial activity, including commercial uses that serve the communities in neighboring areas, such as neighborhood serving retail and services and commercial/professional office development.

The Neighborhood/Community Commercial General Plan land use designation does not allow for residential development; however, the project site is located within the South Bascom (North) Urban Village. The South Bascom (North) Urban Village is in Horizon 3, an area where an Urban Village Plan has not yet been developed; however, the Plan is close to adoption and will likely be approved by the City Council in the Spring of 2018.

Signature Project Criteria

The General Plan supports a Signature Project **only if** the project fully meets the Signature Project requirements as laid out in General Plan Implementation Policy IP-5.10. The requirements of the Signature Project can be found [here](#). If the project does not fully meet the Signature Project Requirements, then the project would not be consistent with the General Plan and would not be supported.

Currently, the project **does not** qualify to be considered as a Signature Project as the Planned Development Permit is not on file. Once this Permit is on file, a more definitive determination can be made. However, based upon the following analysis, the project may be tentatively considered a Signature Project:

1. Conforms to the Land Use/Transportation Diagram. Within the Urban Village areas, Signature Projects are appropriate on sites with an Urban Village, residential, or commercial Land Use/Transportation Diagram designation.

Any commercial and office uses must be consistent with what is allowed in the Neighborhood Community/Commercial Land Use Designation. The proposed retail and office uses are consistent with this designation. The residential uses are not consistent, but are allowed through the Signature Project process. The South Bascom Urban Village contains pipeline policy LU-1.4 which allows projects submitted prior to the adoption of the Plan to continue as pipeline projects:

Policy LU-1.4: Planned development zonings and discretionary development permits that are applying under the “Signature Project” policy, as defined in the Envision San Jose 2040 General Plan may continue to move forward as such, and will not be required to be in conformance with this Urban Village Plan. All of the “Pipeline” applications benefiting from this policy must have been submitted to the City, including full payment of initial application fees, prior to adoption of this Urban Village Plan.

2. Incorporates job growth capacity above the average density of jobs/acre planned for the developable portions of the entire Village Planning area and, for portion of a Signature Project that include housing, those portions incorporate housing density at or above the average density of dwelling units per acre planned for the entire Village Planning area.

For this project, the minimum required commercial square footage is 200,000 square feet and the fair share of residential units is 358 units or 55 dwelling units per acre. The project proposes up to 300,000 square feet of commercial/retail uses (minimum 200,000

square feet), in conformance with the commercial requirement. The project proposes up to 800 apartment units, in conformance with the residential fair share requirement.

3. Is located at a visible, prominent location within the Urban Village so that it can be an example for, but not impose obstacles to, subsequent other development within the Village area.

The project is located at a large lot, fronting the major thoroughfare South Bascom Avenue, which is a [Main Street](#) in the General Plan. The site is also directly adjacent to the VTA Bascom Light Rail Station, which direct access to the station platform. As such, this site is considered to be in a visible, prominent location within the village.

Additionally, a proposed Signature Project will be reviewed for substantial conformance with the following objectives:

1. Includes public parklands and/or privately maintained, publicly-accessible plazas or open space area. Achieves the pedestrian friendly design guideline objectives identified within this General Plan.

The Parks Department will issue a memo for the project which will assist with conformance with this standard.

2. Is planned and designed through a process that provided a substantive opportunity for input by interested community members.

As part of this process, multiple community meetings will be required.

3. Demonstrates high-quality architectural, landscape, and site design features.

As only concept images are submitted as part of a Planned Development Rezoning, staff cannot assess conformance with this standard. This analysis will be done when the Planned Development Permit is submitted and the project is reviewed by the City's Urban Design Review Consultants.

4. Is consistent with the recommendations of the City's Architectural Review Committee or equivalent recommending body if the project is subject to review by such body.

This recommendation will occur when the Planned Development Permit is submitted and is reviewed through the City's Urban Design Review Process.

Although you are meeting the commercial and residential requirements for a Signature Project, staff will continue to work with you on the site design, architecture, and park requirements when the Planned Development Permit is submitted.

Plan Set Comments

Sheet 0: Title Sheet

- Add PDC17-047 to the page, and every page in the title block.

Sheet G-001: Drawing Index, Project Directory

- Label all contents as conceptual except the cover, drawing index, land use plan, and development standards.
- Update the project description to include the up-to amounts that the zoning will allow.

Sheet C-100: General Development Plan

- Change the land use summary to include the proposed zoning to CP(PD), instead of referencing the General Plan Designation.
- Update the land uses to read as:
 - Residential uses shall conform to those identified for the R-M Multifamily Residence Zoning District of the San Jose Municipal Code, as amended.
 - Commercial uses shall conform to those identified for the CP Commercial Pedestrian Zoning District of the San Jose Municipal Code, as amended.

ADD *Sheet _____: Development Standards*

- See the draft development standards at the end of this document. Once the project is approved at hearing, the development standards will be placed on this page.

Sheet C-101: Conceptual Site Plan

- Update the tables to reflect the up to numbers for the units and square footages. At the Planned Development Permit stage, the numbers can be more specific.
- Include in the abovementioned narrative if any shared parking is assumed and how it will operate if that reduces the parking numbers.
- Move the signal to the south to reflect the warranted signal required at the intersection of Pamilar and South Bascom Avenues.
- Provide a section of the VTA interface to the site.
- Update the South Bascom Avenue section to more clearly show the 20-foot sidewalk.
- Once the circulation is more finalized given the potential reorganization to accommodate the Pamilar Avenue signal, the placement of the lobbies may need to be revisited.
- Change proposed use to CP(PD) Planned Development
- Add General Plan: Urban Village Commercial

Sheet A201: Conceptual Circulation Plan

- Special care must be taken to ensure that good sightlines are maintain from South Bascom Avenue to the VTA Bascom Light Rail Station.
- Staff appreciates the separate automobile entrances for the residential and office buildings.
- Please provide a section of the VTA platform interface with the site so staff can better understand the interaction.

Department Memos

Please find attached memos from the Airport, Integrated Waste Management, Building Department, and the Housing Department. Comments are expected from the Department of Public Works (on December 5th), Parks Department, Fire Department, and Valley Transportation Authority (VTA). I will forward the memos when they are available.

Timelines

Planned Development Zoning, accompanied by a Planned Development Permit take approximately nine months to a year for processing. These are estimates based upon typical timelines, and may be longer based upon multiple community meetings and required revisions. Please note that a hearing cannot be scheduled within 30 days of a community meeting. Once the Planned Development Permit is on file, the environmental document is filed and undergone a staff review, and the first community is held, a more concrete schedule can be determined.

Community Meetings

At a minimum, community meetings for the Rezoning and Planned Development Permit are required. The first community meeting should take place in the early part of 2018.

Conclusion

Please be advised that this summary does not constitute a final review. Additional comments may be necessary upon review of additional information and plan revisions submitted in response to this letter. In order to facilitate the development review process, **please include a detailed response letter with your resubmittal** that addresses all items contained in this letter and attached memos. Additionally, please submit five 24"x36" full-size plans and five 11"x17" reduced plans. **Please confirm the number of plan sets with me before you resubmit.** At the time of resubmittal, you should anticipate at least three weeks for departmental staff to review the revisions.

If you wish to revise the work scope, it may be best to do this as part of a second submittal, but have your traffic and environmental consultant prepare new scopes or reports with the new numbers. It may not be productive to resubmit to staff new plans until the final work scope is determined.

If you have questions about the information contained in this letter, or would like to set up a meeting to discuss any of the comments in more detail, please contact me at jennifer.piozet@sanjoseca.gov, or the Supervising Planner, Lesley Xavier, at lesley.xavier@sanjoseca.gov.

Thank you,

Jennifer Piozet
Project Manager

Draft Development Standards

These draft development standards are not final and the language below will be finalized with the City Attorneys and staff once the project is closer to completion. I've made my edits to these in track changes.

CITY COUNCIL ~~APPROVED~~ DRAFT DEVELOPMENT STANDARDS
DEVELOPMENT STANDARDS
FILE NO. PDC17-047
(GATEWAY STATION 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 uses identified in the R-M - Multi-~~F~~family Residence Zoning District as set forth in ~~the current~~ Title 20 of the San José Municipal Code, and ~~as may be amended~~ in the future.
- Commercial uses shall conform to those uses identified in the CP – Commercial Pedestrian Zoning District as set forth in ~~the current~~ Title 20 of the San José Municipal Code, and ~~as may be amended~~ in the future.
- All permitted, conditional, and special uses shall require the approval of a Planned Development Permit or ~~amendment~~ Amendment.

DEVELOPMENT PHASING

PHASE 1

- No certificate of occupancy (temporary or final) shall be issued for any residential units in the project, unless and until building permit(s) has been issued for the commercial building and proposed plaza design, and vertical construction for the commercial building has commenced.
- Once building permit(s) has been issued and vertical construction of the commercial building and adjacent plaza has commenced, a certificate of occupancy may be issued for the residential building.

DEVELOPMENT STANDARDS

DENSITY:

- ~~Minimum Residential: 400 units. Maximum Residential: 800 units.~~
- ~~Minimum Commercial square footage: 200,000 (gross square feet). Maximum Commercial square footage: 300,000 (gross square feet)~~

Commented [PJ1]: Update these with the new numbers if desired.

MAXIMUM BUILDING HEIGHT:

- ~~120 feet to the top of the roof (Site is an Urban Village area, per section 20.85.020 of Title 20).~~
- 150 feet to the top of the roof, ~~per the latest Urban Village Plan~~
- Elevator shafts, roof equipment, and other non-habitable building elements may extend 10 feet past the maximum building height to a height of 160 feet.

PERIMETER SETBACKS:

- ~~Front Yard: No minimum, 10' 0" maximum, per Title 20, Table 20-100, 12' minimum, 18' encouraged, taken from edge of curb, per the Urban Village Plan~~
 - ~~Providing: 18' 0" (10' 0" sidewalk + 8' 0" from property line = 18' 0")~~
- ~~Rear Yard Interior & Corner: none, per Title 20, Table 20-100, 25' 0", per the Urban Village Plan~~
 - ~~Providing: 33' 6" (26' 0" EVA + 2' 6" fence + 5' 0" sidewalk)~~

- ~~Side Yard Interior & Corner: none, per Title 20, Table 20-100~~
 - ~~Providing: 33' 6" (26' 0" EVA + 2' 6" fence + 5' 0" sidewalk)~~
- From Bascom Avenue (west property line): No minimum, 10'-0" maximum. Larger than 10 feet can be considered through a Planned Development Permit for open space, pedestrian amenities, or circulation (i.e., lobbies, cafes, plazas, entries, etc.)
- From north property line: 20'-0" minimum setback
- From southeast property line (near VTA station): No minimum setback

VEHICLE AND BICYCLE PARKING REQUIREMENTS:

- Per the San José Municipal Code, Title 20, as ~~may be~~ amended.
- Additional residential/guest parking may be shared on the commercial site area of the Planned Development Zoning District.

OPEN SPACE REQUIREMENTS:

- Minimum of 60 square feet of private open space per residential unit. ~~For sites in highly urbanized areas (40DU/AC or more) and are subject to significant noise impacts from an adjacent major street, A reduction of up to 50% of the private open space may be deleted for up to 50% of the units. *Per "San Jose Residential Design Guidelines – Mixed Use Development" (pg. 131-132) may be granted with a Planned Development Permit.~~
- Minimum of 100 square feet of common open space per residential unit

ARCHITECTURAL & SITE DESIGN

- **Ground Floor Interface** for commercial spaces in which any portion of the building that fronts on South Bascom Avenue:
 - The ground-floor level of commercial/active 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 65% transparency shall be provided on commercial spaces.
 - Windows/glazing shall be clear un-tinted glass.
 - Ground floor commercial spaces shall provide a minimum of:
 - Interior depth of 50 feet (inside face of exterior wall to inside face of exterior wall)
 - Minimum plate height of 17 feet.
- **Building Massing**
 - The composition of the facades shall include variety by providing recessions and projections.
 - Articulate building corners to create a focal point and/or plaza:
 - Corner elements should include prominent building features, entry plaza spaces or recessed entries.
 - Ensure that commercial/retail space has an activated façade (e.g. storefront windows, street front/sidewalk uses, interesting detailing of facades, attractive signage and lighting) that engages the passerby and activates the public realm.
 - Step building developments back to transition from the commercial frontage along South Bascom Avenue to the lower profile residential homes of the surrounding neighborhoods.
- **Building Entrances** for active uses such as lobbies, leasing centers, and commercial spaces:
 - Shall be placed at the ground-floor level; and

- Shall include appropriate transparency and architectural identity, including awnings or similar features.
- Recessed or projection features shall be used to indicate the location of primary entries and articulate the façade.
- **Building Design**
 - Discourage uninterrupted blank walls or façades. Where such blank walls are necessary, apply landscape screens, display boxes/merchandise displays, light patterns, material variations, or other mitigation measures to enhance visual interest.
 - Articulate façades of parking structures through interactive art, creative displays, vegetative screens, and/or new technology (such as dynamic parking space availability displays).
 - Screen mechanical equipment, loading, and service areas through careful site planning, landscaping, and screen walls.
- **Streets and Sidewalks**
 - Provide 20-foot minimum sidewalk width along South Bascom Avenue. Where the sidewalk in front of a development project falls short, the project must make up the difference so that the entire 20 feet is publicly-accessible and functions as a sidewalk.
 - Design any private street or driveway into the project off a public street, so as to provide the look and feel of a public street, such as park strip, sidewalk, parking etc.
 - Ensure that the sidewalk zone is wide enough to accommodate the free flow of pedestrians as well as important streetscape elements (e.g. street trees, lights, benches)
- **Plaza**
 - The plaza shall provide a visual connection between the VTA Bascom Light Rail Station and South Bascom Avenue. It shall be a publicly-accessible, visible connection.
- **Solar Power**
 - All residential units shall be constructed with solar power or be solar-ready as required by the California Building Code and CalGreen.

OUTDOOR VENDING FACILITIES:

- Outdoor Vending Facilities (mobile food vendors) are allowed on the non-residential use portion of the site.
- Vendors must meet the following requirements:
 - **Height:** The maximum height of any portion of a vending facility, including any folding or collapsible appendage, shall not exceed ten (10) feet.
 - **Width:** The maximum width of a vending facility or cart, including any folding or collapsible appendage, shall not exceed ten (10) feet.
 - **Length:** The maximum length of a vending facility or cart, including any folding or collapsible appendage, shall not exceed twenty-four (24) feet.
 - **Distance from intersection:** No vending facility shall be placed on or operate within the boundaries of a hypothetical triangular area described by the point of intersection of the curb-line extensions of perpendicular or nearly perpendicular streets, and a line joining two points thirty (30) feet from that point of intersection, measured along those curb-lines.
 - **Distance from Driveways:** Vending facilities shall be setback (20) feet from a driveway curb cut.
 - **Paved Locations:** No vending facility shall be placed or operate on a parcel or lot unless the surface is paved with asphalt, macadam or concrete.
 - **Mobility of Operations:** No vending facility shall be placed within or operate from a structure or stand which is attached to or bears directly upon or is supported by the surface of the site. Vending facilities shall operate exclusively from vehicles or carts or other conveyances which are fully *mobile* and have operational wheels in place at all

times. Vending facilities shall not connect to temporary or permanent on-site water, gas, electricity, telephone or cable sources.

- o Sanitary Facilities: Persons operating vending facilities shall have unrestrained right of access to toilet and handwashing facilities located on site within reasonable distance of the vending facility's approved location.

Commented [PJ2]: Consider adding these in if you want to potentially have outdoor vending facilities

CITY COUNCIL ADDED REQUIREMENTS

- TBD

ENVIRONMENTAL MITIGATION

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

Airport Comments PDC17-047

“1410 S Bascom Ave”

1. Any proposed structure above approximately 75’ feet above ground at this location requires FAA airspace safety review. As this project identifies the maximum height as 106’ feet above ground level, it will require FAA airspace safety review.

Federal regulations require submittal to the FAA for airspace safety review via applicant filing of a “Notice of Proposed Construction or Alteration” (FAA Form 7460-1) for each corner of the proposed buildings and any additional higher points within the building footprints. Such filings should be made at the time a proposed development permit application is under review by the City. The data on the FAA forms should be prepared by a licensed civil engineer or surveyor using NAD83 latitude/longitude coordinates out to hundredths of seconds and NAVD88 elevations rounded off to next highest foot.

Consistent with General Plan policy, FAA issuance of “determinations of no hazard” should be a prerequisite of City development permit approval, with any conditions set forth in the FAA determinations (such as roof-top obstruction lighting or subsequent construction notifications) incorporated into the City development permit as conditions of approval.

2. Based on the location of the project, the proposed maximum building heights would not conflict with the existing airline emergency (“OEI”) procedures over the subject site that the City desires to protect irrespective of FAA review.
3. The project site is located outside the ALUC Airport Influence Area, so the City does not need to require an Avigation Easement as a condition of permit approval.
4. Please continue to coordinate this project review with the Airport Planning Department. For any regarding the above comments, contact Cary Greene (cgreene@sjc.org / 408-392-3623 or Ryan Sheelen (rsheelen@sjc.org / 408-392-1193).

BUILDING CODE ISSUES, PRELIMINARY REVIEW

DATE: 11/08/17

TO: Jennifer Piozet

FROM: Olivier Baviere

Re: Building Division Comments

PLANNING NO: PDC17-047

DESCRIPTION: Planned Development Zoning from Commercial Pedestrian to CP(PD) Planned Development Zoning to allow 447 residential units and 200,000 square feet for commercial/retail uses on 6.4 gross acre site.

LOCATION: northeast corner of South Bascom Avenue and Southwest Expressway

ADDRESS: northeast corner of South Bascom Avenue and Southwest Expressway (1410 S BASCOM AV)

FOLDER #: 17 041332 ZN

The Building Division review is limited to general compliance with the 2016 California Building Code. This review should not be construed as a comprehensive plan check review that is required by the Building Division before obtaining building permit. This review is only intended to assist the designer toward preparing more detailed plans in obtaining building permit. Items that affect this planning permit should be resolved at this stage.

- | | |
|----|---|
| 1. | Show the property line on the site to be removed, and show any proposed property lines. |
|----|---|

Olivier Baviere
Department of Planning, Building, and Code Enforcement
(408) 535-7734 Olivier.Baviere@sanjoseca.gov

Memorandum

To: Jennifer Piozet

From: Dao Nguyen
Fire Department

Subject: INITIAL RESPONSE TO
DEVELOPMENT APPLICATION

Date: 11/30/17

Re: Plan Review Comments

PLANNING #: PDC17-047

DESCRIPTION: Planned Development Zoning from the Commercial Pedestrian Zoning District to the CP(PD) Planned Development Zoning District to allow up to 800 residential units and a minimum of 200,000 square feet (maximum 300,000 square feet) of commercial/retail uses on 6.4-gross acre site (Signature Project).

LOCATION: northeast corner of South Bascom Avenue and Southwest Expressway

ADDRESS: northeast corner of South Bascom Avenue and Southwest Expressway (1410 S BASCOM AV)

FOLDER #: 17 041332 ZN

The Fire Department's review was limited to verifying compliance of the project to Chapter 5, Appendix BB, Appendix C, and Appendix D of the 2016 California Fire Code (CFC) with City of San Jose Amendments (SJFC). Compliance with all other applicable fire and building codes and standards relating to fire and panic safety shall be verified by the Fire Department during the Building Permit process.

- These comments are based on the following information from drawings dated 10/12/2017 by Baywest Development

Area of Building(s): 157,030 sq. ft. (residential 115,100 sq. ft. + office 42,125 sq. ft.)

Number of Stories: Basement: 2 level; 6 level above podium.

Height of Building(s): 106'.

Construction Type(s): Residential Type I/III; Office building (?)

Occupancy Group(s): R2/B . Please confirm.

1. We advise the applicant to address the following and provide written responses to the items noted in this memo.
 - a) **Building Features.** Provide the above building features (area, number of stories, height, construction type, occupancy group) to evaluate the fire flow and fire hydrant requirements.

- b) **Required Fire Flow.** The Fire Flow shall meet the requirements of CFC Appendix BB. Provide the Required Fire Flow (in gpm) calculations to SJFD for approval. The Required Fire Flow is calculated based on the building construction type, size of the building, and fire sprinkler occupancy classification. The Required Fire Flow can be calculated by referring to the San Jose Fire Flow and Hydrant Policy. The policy can be obtained at <http://sanjoseca.gov/DocumentCenter/View/61703>. The chart already provides up to 50% reduction in Fire Flow based on fire sprinkler occupancy classification. For calculating the Fire Flow for buildings with mixed construction type, refer to the following link for guidance.
<http://sanjoseca.gov/DocumentCenter/View/61996>
- c) **Available Fire Flow.** Approval of Required Fire Flow and Fire Hydrant Location & Spacing is required, by SJFD, before requesting Fire Flow data from the water company. When approved, provide a copy of the letter from the Water Company that indicates the Available Fire Flow in gpm. Verify with the water company that a minimum of 1,000 gpm from each hydrant when flowed individually and a combined capacity as determined by the Required Fire Flow, is available.
- d) **Fire Hydrant Location & Spacing.** The Fire Hydrant Location & Spacing shall meet the requirements of CFC Appendix C with City of San Jose Amendments. Show the location and spacing of the fire hydrants on the plans meeting the following general requirements.
- Determine the required number and spacing of fire hydrants per CFC Appendix C, Table C102.1; (or Refer to San Jose Fire Flow and Hydrant Policy <http://sanjoseca.gov/DocumentCenter/View/61703>). For the purposes of determining the required number and spacing of fire hydrants, no reduction in the Required Fire Flow is allowed even for sprinklered buildings.
 - Show the spacing of the fire hydrants along the fire apparatus access roads on the plans.
 - Demonstrate on plans that all exterior walls of the building(s) are within 400 feet from a fire hydrant. The distance should be calculated from a fire hydrant on a fire apparatus access road, as measured along the path of travel around the exterior of the building (and not by drawing a 400 feet radius around the fire hydrant).
- e) **Fire Apparatus Access Road.** The Fire Apparatus Access Road shall meet the requirements of CFC Appendix D with City of San Jose Amendments. Refer to the following link <http://sanjoseca.gov/DocumentCenter/View/62200>.

Demonstrate on the plans that all exterior walls of the building are within 150 feet from the access road as measured along the path of travel. In addition, demonstrate/confirm on the plans the following.

The fire access shall:

- have an approved all weather surface;

- be at least 20 feet wide;
- have a minimum 13 feet 6 inch vertical clearance;
- be designed and maintained to support the loads of fire apparatus of at least 75,000 pounds;
- have a minimum inside turning radius of 30 feet and an outside turning radius of 50 feet;
- be designed with approved provisions for turning around of fire apparatus if it dead ends and is in excess of 150 feet;
- have a maximum grade of 10%;
- A second point of access is required when a fire apparatus road exceeds 1,000 feet;
- Curbs are required to be painted red and marked as “Fire Lane - No Parking” under the following conditions: (show exact locations on plan)
 - i) Roads, streets, avenues, and the like that are 20 to less than 26 feet wide measured from face-of-curb to face-of-curb shall have curbs on both sides of the road painted and marked
 - ii) Roads, streets, avenues, and the like that are 26 to less than 32 feet wide measured from face-of-curb to face-of-curb shall have one curb painted and marked

Turn around radius at north east corner and south west corner do not meet the Standard requirement. Comply per requirement above.

- f) **Aerial Apparatus Access Road Requirements.** Buildings that exceed 30 feet in height (measured from the grade plane to eave of the pitched roof, the intersection of the roof to the exterior wall or the top of parapet walls, whichever is greater) require aerial fire apparatus access roads that have a minimum unobstructed width of 26 feet and meet the requirements of CFC Appendix D, Section D105. At least one of the required access routes shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building which shall be approved by the fire code official. Demonstrate the above requirement on the plans.

What street will be using for aerial access? South Bascom or along the Southern Pacific Railroad? Demonstrate the above requirement on plans.

- g) **Means of Fire Apparatus Access.** Per CFC Appendix D, at least two (2) means of fire apparatus access that are separated by at least one-half of the length of the maximum overall diagonal dimension of the lot or area to be served. Typically, this requirement is applicable for buildings that exceed three (3) stories, or 30 feet in height, or sprinkler protected building of more than 124,000 square feet or multiple-family residential projects having more than 100 dwelling units.
- h) **Fire Apparatus Access to podium.** The fire department access to any podiums should be discussed with SJFD. The entire access route to the podium should be at least six (6) feet clear width.
- i) **Clearances.** A minimum six (6) feet clearance from the property line is required along all the sides of the building(s) for fire department operations.

- j) **Fire Apparatus Access Road Gates.** Fire apparatus access road gates shall comply with all the requirements of CFC Appendix D, Section D103.5.
<http://sanjoseca.gov/DocumentCenter/View/62200>
 - k) **Easements.** If any easements are required for Emergency Vehicle Access to the lot/site, provide a copy to SJFD and include a note about the Easement on the plans.
2. The following items are provided for general information. These requirements will be verified during the Building Permitting process. This is not an all-inclusive list.

- a) **Rescue Doors/Windows.** Every sleeping room below the fourth story shall require at least one operable window or door approved for emergency escape or rescue that shall open directly into a public street, public alley, yard, or exit court. Such windows or doors shall be in accordance with the adopted Building Code, and accessible for Fire Dept. laddering operation. The angle for laddering is 70deg. from horizontal. Show all pertaining details including landscaping and pavers in relation to rescue window operation.

If the construction type is Type I, IIA, IIIA, or IV and protected with an approved automatic sprinkler system, in accordance with Section 903.3.1.1 of the CFC, Emergency Escape and Rescue windows are not required.

- b) **High-rise requirements.** High-rise building fire service requirements related to Fire Fighter Breathing Air Replenishment System, fire pumps, generators, smoke control system, water supply, fire control room, etc. are applicable. For current SJFD policies see <http://sanjoseca.gov/index.aspx?nid=5250>

Sheet A-301 stated the height above lowest level of fire access is +/-74'-3". Does the roof area going to be occupy roof? If so, the building will be a high-rise building.

- c) **Smoke Control System.** Prior to submittal of application for Building Permit, a preliminary smoke control meeting shall be scheduled with San Jose Fire Department. At such time the Basis of Design (BoD) report will be presented. Although generally conceptual in nature, the BoD shall include all aspects required in the final Smoke Control Report less calculations, supporting data, and diagrams. The acceptance of the BoD report does not constitute final approval of the Smoke Control System. Please be advised of the pathway survivability requirements for Smoke Control Systems.
- d) **Emergency Responder Radio Coverage (ERRC).** ERRC is required throughout the area of each floor of the building. Communication repeaters may be required to be installed in the buildings. Please be advised of the pathway survivability requirements for ERRC Systems. <http://sanjoseca.gov/DocumentCenter/View/67591>
- e) **Pathway survivability requirements.** Please be advised that there are very specific pathway survivability and wiring requirements for fire & life safety systems such as 2-

Way Communication Systems, Fire Alarm Systems, Smoke Control Systems, Emergency Responder Radio Coverage (ERRC) System, etc. that may affect the fire ratings of the shafts and rooms. Typically, most of these systems require 2-hour rated rooms/pathways/cables. Rated Stairwells are not typically allowed for the purposes of running the Smoke Control System and ERRC System wiring.

- f) **Fire Sprinkler System.** Building(s) shall be provided with an automatic fire extinguishing system in accordance with CFC 903.2 and SJFC 17.12.620. Systems serving more than 20 heads shall be supervised by an approved central station to the satisfaction of the Fire Chief.

Please be advised that a higher density design sprinkler system is required in a speculative building or portions of a building that is built for lease (office areas and retail area) with floor to ceilings height greater than 14 feet. See Item 3.2 and 3.3 of the link <http://sanjoseca.gov/DocumentCenter/View/62142>

- g) **Fire Alarm System.** Building(s) shall be provided with a fire alarm system as required by CFC 907.2.
- h) **Standpipes Available During Construction.** All buildings under construction, three or more stories in height, shall have at least one standpipe for use during construction. Such standpipe shall be provided with fire department hose connections. Location(s) and numbers of standpipe(s) shall be reviewed and approved by the Fire Department.
- i) **Fire Department Connections.** As general guidelines, the Indicating Valve (PIV/BFP) and Fire Department Connection (FDC) should be located a minimum of 40 feet away from the building (where possible) and within 100 feet of a fire hydrant. High rise buildings shall have the requirements reviewed on a case by case basis. The fire hydrant should be located so that hoses can be laid directly to the fire department connection without crossing a road or driveway. The PIV/BFP and FDC shall be located near a main access point for the building. The FDC should be located where no frangible or glazing materials are located above or within 5 feet on either side of the FDC. Discuss with SJFD.
- j) **Fire Pump Room.** Location and access to the Fire Pump Room shall be pre-planned with SJFD. Approved access shall be provided and maintained for all fire protection equipment to permit immediate safe operation and maintenance of such equipment. Hence, fire pump rooms shall be directly accessible from the exterior of the building. A fire rated corridor may be acceptable for access depending on the location and configuration.
- k) **Fire Control Room.** Location and access to the Fire Control Room shall be pre-planned with SJFD. Confirm that the fire control room is of sufficient size to house the Fire Alarm Panel, Smoke Control Panel, Elevator Status Panels, Emergency Responder Radio Coverage System, 2-Way Communication System, etc. Also, discuss location of the fire pump room with respect to fire control room with SJFD.

- l) **Location of the Standpipe.** Discuss the location of the Standpipes in the buildings with SJFD.
- m) **Elevators.** Elevators shall be in accordance with the requirements stipulated in the 2017 CBC Section 3002.4 for fire department emergency access. The building shall be equipped with two fire service access elevators that shall meet the access requirements of 2017 CBC Section 3007.6. Confirm that at least two fire service access elevators are provided in the tower that meets the access requirements (direct access to a smokeproof enclosure or provide a protected path of travel per CBC 3007.6.1). Per 3007.9.1 of CBC, the exit enclosure containing the standpipe shall have access to the floor without passing through the fire service access elevator lobby.
- n) **Firefighter Breathing Air Replenishment System (FBARS).** The requirements for FBARS can be obtained at <http://sanjoseca.gov/DocumentCenter/View/67758>
- o) **Street Number Visibility.** Street numbers of the buildings shall be easily visible from the street at all times, day and night. <http://www.sanjoseca.gov/DocumentCenter/View/11672>
- p) **Lock Boxes.** The project development shall provide lock boxes to the satisfaction of the Chief Building Official and Fire Chief. Refer to the following documents.
<http://www.sanjoseca.gov/DocumentCenter/View/14760>
<http://www.sanjoseca.gov/DocumentCenter/View/14761>
- q) The developer/owner shall create and maintain a Management Association which will be responsible for the fire/life safety systems inspections per Title 19 and access to the systems if applicable.
- r) **HAZMAT.** The applicant must contact the Hazardous Materials Division at (408) 535-7750 as soon as possible to initiate the process to determine if the type and quantity of hazardous material is acceptable per code and whether a Hazardous Materials Plan Review is required.
- s) A “**Construction Fire Protection Plan**” for approval by San Jose Building and Fire Departments is required prior to starting construction for wood framing projects consisting of 15 or more dwelling units or construction exceeding a total of 50,000 square feet.

SJFD recommends a predesign meeting to discuss the issues in this memo before submitting revised plans.

The applicant has the option to apply for a Variance and propose a means of mitigation for the deficiencies stated in our review. The Variance must be approved prior to Planning approval. The Variance Application can be obtained at <http://www.sanjoseca.gov/DocumentCenter/View/70849>

Dao Nguyen
Bureau of Fire Prevention
San Jose Fire Department
Dao.nguyen@sanjoseca.gov



Memorandum

TO: Jennifer Piozet
PBCE

FROM: Peggy Horning
ESD

SUBJECT: RESPONSE TO
DEVELOPMENT APPLICATION

DATE: November 22, 2017

Approved

Date

PLANNING NO.: PDC17-047
DESCRIPTION: Planned Development Zoning from Commercial Pedestrian to CP(PD)
Planned Development Zoning to allow 447 residential units and
200,000 square feet for commercial/retail uses on 6.4 gross acre site.
LOCATION: 1410 S BASCOM AV., SAN JOSE

The Environmental Services Department received the subject project on 10/30/17 and submits the following comments and requirements.

Integrated Waste Management

Planning Comments:

- 1) Unable to locate the commercial solid waste enclosure area. Clearly identify and label the location and details of commercial garbage/recycling enclosure(s) and ensure compliance with Solid Waste Enclosure Area Guidelines (2011 Version) available on line. Alternatively, provide a written explanation of how commercial solid waste will be managed for this proposed project

For questions, contact Peggy Horning from the Integrated Waste Management at (408) 975-2527.

Route Revisions to ESD.

Memo Compiled by:

Peggy Horning
Environmental Services Specialist
Integrated Waste Management Division

TO: Jennifer Piozet

FROM: Tina Vo
Housing Department

SUBJECT: Housing Department's Initial Response to Planning Application PDC17-047 **DATE:** November 2, 2017

PLANNING NO.:	PDC17-047
PROJECT DESCRIPTION:	Planned Development Zoning from Commercial Pedestrian to CP(PD) Planned Development Zoning to allow 447 residential units and 200,000 square feet for commercial/retail uses on 6.4 gross acre site.
LOCATION(S):	1410 South Bascom Ave

The Housing Department received the subject project recently, and submits the following comments and requirements:

Actions Required Prior to Planning Approvals

1. Permit Issuance and/or Tentative Map or Parcel Map Approval

The above referenced proposed development(s) contains dwelling units and is thus subject to the City's Inclusionary Housing Ordinance or Affordable Housing Impact Fee (AHIF). The Applicant shall, as part of the application for First Approval, submit to the Housing Department for approval an Affordable Housing Compliance Plan Application (Compliance Plan), and all relevant attachments. The Compliance Plan Application is available at: <http://www.sanjoseca.gov/DocumentCenter/View/57915>.

The Developer must also submit the required Compliance Plan application processing fee to the Housing Department.

The Inclusionary Housing Ordinance and AHIF Resolution provide a process that allow developers to make a claim that a Project may be exempt from affordable housing obligations under the Inclusionary Housing Ordinance or the AHIF Resolution. However, the Applicant who believes their project is exempt must submit a Compliance Plan Application, and provide information regarding eligibility for a claimed exemption.

Please contact the Housing Department as soon as possible to initiate Affordable Housing Compliance Plan completion. The Compliance Plan must be submitted and approved by the

Housing Department prior to Planning scheduling the Project for hearing. Any Inclusionary Housing Ordinance benefits desired for on-site units (e.g. setbacks) listed in the Compliance Plan should be approved by Planning.

- A. The above listed permit(s) may seek demolition of existing structures with residential dwelling units. [If the existing structure is multi-family (triplexes or larger), the developer is required to comply with the Tenant Protection Ordinance, and cannot evict tenants without good cause; intent to demolish the building is not good cause.]
- B. If the project involves demolition of existing multi-family residential units (built before September 7, 1979), that is subject to the Apartment Rent Ordinance (ARO), and includes at least four units, that are subject to the City's Ellis Act Ordinance.

Requirements imposed upon the owner/developer include, but are not limited to, delivery of 120-days minimum to 1 year to tenants of owner's intent to withdraw building from the rental market, provide tenant relocation assistance, record an Ellis Act covenant.

New or remodeled units rented within five years of withdrawal under the Ellis Act are subject to the ARO and impacted tenants are notified of their right to return to the property upon owner's intention to bring back the property onto the rental market. For information, please visit: www.sjhousing.org and/or call (408) 975-4480.

2. Actions Required for Housing Department's Clearance for Building Permit(s) or Map Approval

Prior to the approval of any final or parcel map, or issuance of any building permit for a rental residential development, the developer of a Rental residential development shall either pay the outstanding AHIF fee(s) or, if the developer is claiming an exemption, the owner and developer shall execute an Affordable Housing Agreement to memorialize the project's affordable housing obligation, the outstanding requirements, and if needed, obtain a fee deferral. The Affordable Housing Agreement must then be recorded against the entire development.

Prior to the approval of any final or parcel map, or issuance of any building permit for a For-Sale residential development, the developer of a project that has claimed to be a For-Sale project shall provide evidence that it has met the For-Sale requirements and provide any documentation associated with its selected compliance option (e.g., on-site, off-site construction of affordable units), and any exemption that may have been claimed.

The owner and developer shall execute an Affordable Housing Agreement to memorialize the project's affordable housing obligation and the outstanding requirements. The Affordable Housing Agreement must then be recorded against the entire development.

3. *Actions required for Housing Department's Clearance of Final Inspection and Issuance of Certificate of Occupancy.*

No Final Inspection Approval, Temporary Certificate of Occupancy, Certificate of Occupancy, or Notice of Completion for any units will be issued until all requirements of the Inclusionary Housing Ordinance, and/or the AHIF Resolution and implementing regulations are met.

Status of Review

Please be advised that this response does not signify the Housing Department's final review of this project. Staff will continue to work with you and Planning throughout the entitlement process and, if necessary, may provide additional comments at a later time.

Please contact me at tina.vo@sanjoseca.gov or 408-975-4416 if you have any questions about the information contained in this letter.

Tina Vo
Development Officer
Housing Department