

Discussion Item #2 Content of Staff Reports**BACKGROUND AND PURPOSE**

This is the report on the progress of updating Planning Commission staff reports with the goal of improving the information about the project. Our current template is at least two decades old and doesn't take advantage of the most modern principles and tools that desktop publishing can offer. Further, the Planning Commission has often commented that our reports could be improved in discussing and documenting areas of concern, such as the surrounding context of the neighborhood and the type and level of community engagement performed up to date.

To that end, City Staff began a comprehensive review of staff reports from around the state to see how other jurisdictions were communicating with their audiences. Many good examples were found that staff is interested in. One common feature of reports is the use of color images from the plan sets themselves that are designed to complement and assist in the description of the design. The staff report from the City of San Jose did this quite well. Staff would be the first to acknowledge that a purely textual description of a building design can be difficult to comprehend, particularly for those without a detailed understanding of design. While it did not appear that these images were meant to replace a plan set (and that would not be our intention) it can often assist the reader by showing a picture of what's being described, reducing the amount of "flipping" between the plans and the text for the reader, which is particularly trying when reading a staff report online. Staff believes the use of building graphics will be quite beneficial for projects where design review is a major focus of the report.

The staff report from the City of Los Angeles provided a very robust context section and showed that they were looking at context as not merely being adjacent properties but also similar types of projects that had been brought before the Planning Commission, which expanded the way staff was contemplating the context issue. We believe it's beneficial to approach context in both ways, the regulatory context and the immediate geographic context to help the Commission and public see how the project before them fits into what's happened before.

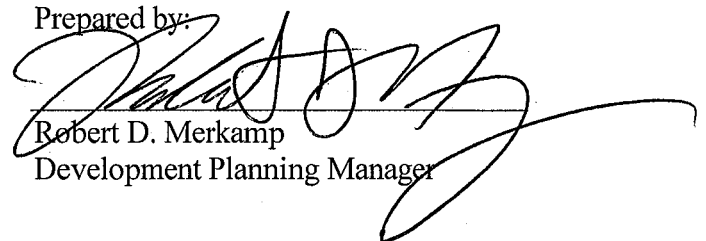
There were also several good examples of standard sections on the topic of community engagement for the City of Oakland to learn from. They went beyond the notation of dates and the number of meetings but also the public response including specific comments and concerns.

Many reports also favored an executive summary and recommendation at the beginning of the report. This is something we're looking at including as well. While it won't replace or lessen the analysis to support our recommendation there is benefit to this approach as it gives decision makers an early glance at the recommended direction. Aerial photos, often from commercial sources, gives additional context for the reader to make better sense of the surrounding neighborhood. Other more miscellaneous touches include the use of specific text boxes and shading to establish a visual hierarchy for key sections and usually cleaned and simplified headers and footers. Also, this report uses columns in some sections, particularly when side by side comparisons are being made of different elevations.

These changes, major and minor, have been incorporated into a Design Review Committee report going to that body in early May (see Attachment A). It should incorporate many of the thoughts articulated above. We would like to discuss those changes in more detail with and take the feedback from the Committee to continue to refine our applications. While this is a DRC report, many of the sections and the template share commonality with other templates, including the Planning Commission's report. Further feedback and

changes will ultimately inform all the templates. Incidentally, there will be more than one DRC item on that agenda, so we'll also ask the DRC to provide their thoughts on the new format versus the existing. At this point, we'd like the Policies and Procedures Committee to review the proposed alterations and provide feedback as well as other suggestions and best practices that they'd like the City to review.

Prepared by:



Robert D. Merkamp
Development Planning Manager

Approved for forwarding to the
City Planning Commission:



Darin Ranelletti
Interim Director
Department of Planning and Building

Attachments:

- A) Draft of Oakland DRC report May 3, 2017
- B) Sample Staff Report, City of San Jose
- C) Sample Staff Report, City of Los Angeles



Design Review Committee Staff Report

Location: 2044 Franklin St.	
Proposal:	Proposal to construct a new 29 story mixed use primary building containing 179 residential units with a secondary low rise 3 story townhouse building with 5 units and ground floor commercial. The entire project would have 184 units approximately 57,000 square feet of office and 5,000 square feet of commercial at the ground floor. This proposal will require a Regular Design Review permit for new construction; Major Conditional Use Permit for development exceeding 200,000 square feet; and Tentative Parcel Map to merge two lots.
Applicant:	Lih-Chuin Loh
General Plan:	Central Business District
Zoning:	CBD-C ;Height Area 7(no limit)Central Business District Determination PendingCBD-C ;Height Area 7(no limit)
Environmental Determination:	Determination Pending
Historic Status:	None
City Council District:	3
For further information:	Contact case planner Rebecca Lind at 510-238-3472 or by email: rlind@oaklandnet.com

EXECUTIVE SUMMARY

The Nautilus Group has filed an application with the Bureau of Planning to develop a mixed use 29 story facility that would include two structures with 184 market rate dwelling units, approximately 57,000 square feet of office and 5,000 square feet of ground floor commercial.

The subject property consists of two lots with a slightly irregular parcel configuration and frontage on three streets, Franklin, 21st and Webster. All streets are important in this part of downtown but Webster and Franklin are considered primary. There is an existing two story commercial building on site at the corner of Franklin and 21st St. with a parking lot at the Webster and 21st Street corner.

STAFF RECOMMENDATION(S)

Staff recommends the DRC review the proposed project for appropriate site and building design considerations and provide direction to the applicant and city staff. The DRC should also provide input as to whether they wish to see the item return to them prior to being scheduled for a Planning Commission hearing.

SURROUNDING USES

The district consists of a mix of low rise and high rise structures including a 20 story, 220 foot building and a 10 story, 110 foot building on 21st street adjacent to the subject site to the north. Both of these are commercial office buildings.

The internal lot line to the south abuts a 6 story, 75 foot high commercial building. The site is immediately across Webster Street from the Kaiser Plaza and rooftop garden.

The building is located in a mixed commercial neighborhood with a blend of lower scale, 1950s era bank and office buildings to the west and south and taller office buildings to the north and east. Indeed, amongst the existing high rises are the two current, tallest buildings (The Ordway Building and the Kaiser Plaza building) in Oakland.

SIMILAR CASES

As noted above, this is a section of downtown Oakland with several larger buildings, many for commercial purposes. There are also several larger projects in the wider vicinity that are under construction, that have been permitted, or are seeking entitlements. Below is a brief summary of each and a map showing the location of each.

Under Construction:

1. *1700 Webster*: This 25 story, 250 unit project was approved by Planning Commission in Late 2015 and commenced site demolition work in February of 2017.
2. *1640 Broadway (449 17th St)*: Approved in early 2016 by the Planning Commission, this new residential building broke ground in March of 2017. It will be 33 stories tall with 254 units and would be the largest residential building in the City.

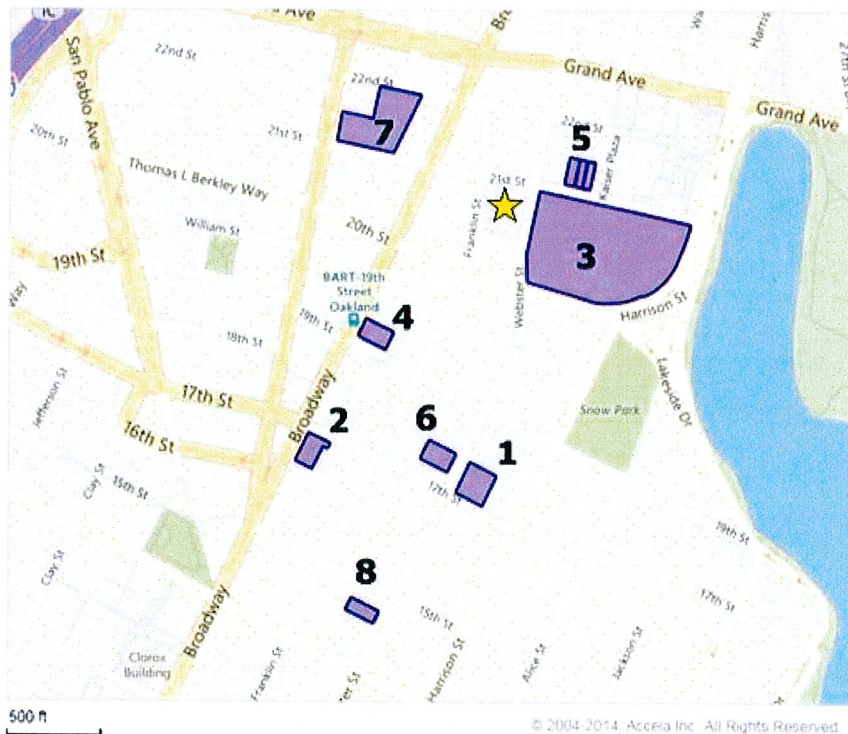
Permitted but not yet built:

3. *Kaiser Rooftop*: This project was approved in and consists of two commercial office towers located on top of a portion of the Kaiser Center rooftop garden (directly across Webster St from subject site). The total net new office square footage would be approximately 1.47 million square feet.
4. *1900 Broadway*: The 2015 approved project would build 345 residential units, approximately 9,700 square feet of commercial in a 33 story high rise. It would also

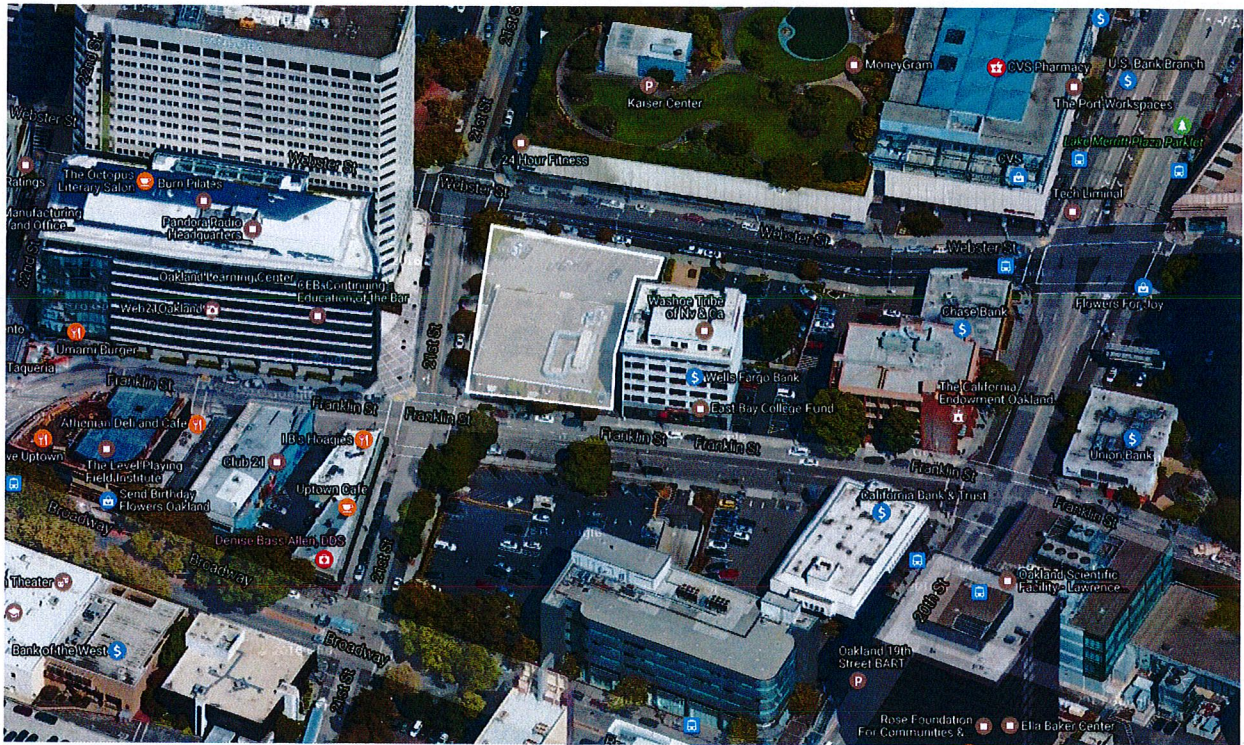
encompass and rehabilitate the 1920's era historic building (The Tapscott Building) at the corner of 19th and Broadway.

Under Review:

5. *2 Kaiser Plaza*: This site is an existing parking lot roughly 70 yards to the east from the subject property. The applicant is studying two options, A) 1.1 million square feet of office building approximately 450 feet tall or B) a 600,000 square foot office building approximately 250 feet tall. This project is being reviewed and went to the Design Review Committee in February.
6. *1721 Webster*: This is a proposed 250 unit, 25 story residential tower that was heard by the Design Review Committee in March. It is almost directly across the street from the 1700 Webster project across the street.
7. *2100 Telegraph*: A recently submitted project, the City is reviewing an application for approximately 880,000 square feet of office, 395 residential units and approximately 18,000 square feet of retail.
8. *1433 Webster*: This is a similar building not only in scale but design as its proposed by the same developer and involves the same modular construction method. It's included in this list even so due to the visual closeness this proposal shares with the project being analyzed.



PROJECT LOCATION



Oblique aerial of the site and surroundings, looking east.

GENERAL PLAN AND ZONING

The property is in the Central Business District of the General Plan. The intent of the Central Business District Classification is to “encourage support and enhance the downtown area as a high density mixed use urban center of regional importance and a primary hub for business, communications, office government high technology, retail, entertainment and transportation in Northern California”. The Downtown policies further clarify this intent with Policy D2.1 Enhancing the Downtown which states “Downtown development should be visually interesting, harmonize with its surroundings, respect and enhance important views in and of the downtown, respect the character, history, and pedestrian orientation of the downtown, and contribute to an attractive skyline”.

These policies are implemented by the CBD-C Zone which includes development standards such as height, FAR, density and a range of uses that facilitate high density mixed use projects. The intent of the CBD-C Zone is to create, maintain, and enhance areas of the Central Business District appropriate for a wide range of ground-floor office and other commercial activities. Upper-story spaces are intended to be available for a wide range of residential and office or other commercial activities. The CBD-C Zone also includes zone specific design criteria for new buildings that are relevant to this proposal including criteria for the entrance, ground floor treatment, location of parking, street activity, massing, upper story windows, and the building terminus.

PROJECT DESCRIPTION

The proposed project would demolish the existing building and construct a new mixed

use facility consisting of two structures: Building 1, a 353 foot high 28 story tower with a 77 foot high 6 story podium, and Building 2, a 40 foot high 3 story low rise building. The uses include commercial office, retail and residential proposed at an intensity and density that complies with the General Plan policy framework and the CBD-C zoning standards.



View of proposal from Franklin St.

The tower portion of this proposal is substantially the same as the project at 1433 Webster Street. The tower “Base” and “Top” designs are modified as is the south elevation which previously showed a blank wall. The internal configuration of the building remains much the same including, proposed activities and number/size of dwelling units. The 29th story is changed to include 3 penthouse units. This project is located on a larger, three sided parcel, in a different section of the downtown. It is also coupled with a new low rise building, of similar design but with smaller scale proportions that complement the tower and

contribute to the feeling of the streetscape with additional ground floor retail.

Tower/Podium Building Summary

1. The ground floor 1,400 square feet of retail at the corner of Webster and 21st St, with the entry on 21st.

- 15 foot ceiling height.
- Entries: residential on 21st Street and office on Webster.
- Mechanical parking system accommodating 86 cars for residential use is proposed at the back of the ground floor in the podium portion of the building.
- Parking access is on Webster. A ramp leads to a subterranean level where additional parking would be provided.
- Trash, one loading berth, mail/package room, and a locker room with showers are also provided on the first floor in the interior of the building.
- Long term commercial bicycle parking is in the subterranean level.

2. Levels two through five 57,873 square feet of office.

- The fifth floor terraces open to the streets.
- The office space extends over the parking area in the podium portion of the building.
- The sixth floor provides amenity spaces for the residents of the building with access out to a roof top outdoor open space.
- Long term residential bicycle parking is also located on this floor.

3. Levels 7 through 28: residential floors with eight units per floor for a total of 176 apartments: 44 1bed and 132 2 bed

4. 29th level/ tower rooftop would contain 3 penthouses with 3 bedroom units.

Building 2 Low Rise



Ground Floor elevation of the proposed building

This building is proposed for 5 townhouses on the 2nd and 3rd floors with 3950 sq. ft. of ground floor retail. The ground floor retail has a 15' ceiling height. The retail would wrap around the corner of 21st and Franklin with entrances on both frontages. The "L" shaped footprint is 20-30' deep and two smaller storefront areas are proposed separated by a mechanical room, residential and commercial trash room, and commercial bicycle storage on the ground floor. The juxtaposition of the low rise building and the tower/podium create an internal group open space with a children's play area proposed between the buildings. The open space has gated access to 21st Street and through the parking garage. The townhouse units range from 2,180 sq. ft. to 1950 sq. ft. One of these is proposed as an ADA unit and it would have a 200 sq. ft. entry on the ground floor. The other townhouse units would have access through the open space via enclosed stairs at the rear of the units. Private open space is proposed on the roof of the townhouse units.

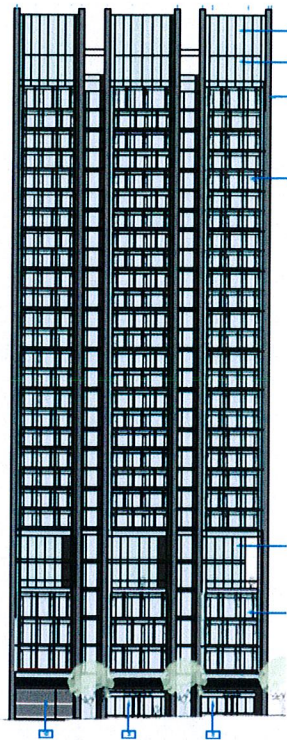
DESIGN REVIEW

Building 1 Tower and Podium The building façade is made of painted aluminum panels mounted on a system of pillars that extend from the ground to the top of the building with various modulations and window treatments.

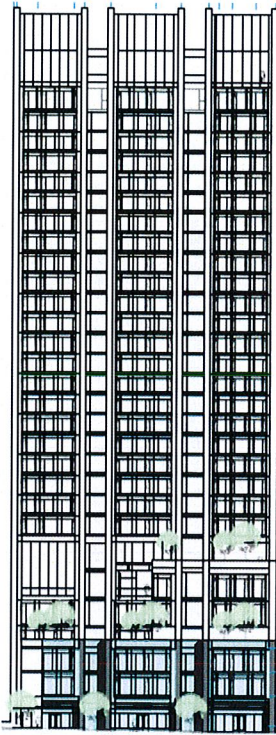
East and West Elevations Design Elements and Massing

The east and west elevations have the same design concept. On these elevations the pillars are repeated across the façade. Three strong vertical elements are created from windows repeated up the length of the tower and framed by the pillars. These window banks have off set mullions which create additional texture and complexity but read "flat" so do not offset the strong vertical feel of the design. There are no upper story setbacks so the building presents as a straight shot from earth to sky.

A 13 foot wide modulation occurs at approximately 30 foot intervals resulting from introduction of a recessed window bank treated with darker glass. Although it does break up the building mass the modulated area reads as a line of darker texture running from the base to the top of the structure and as a result reinforce vertical feel of the building.



Webster Street



Franklin Street

Massing

Design requirements in the CBD-C zone require the mass of newly-constructed principal buildings to be broken up into smaller forms to reduce the scale and enhance the visual interest of the streetscape. Providing a visually differentiated base, middle and top of a building is one method of complying with this requirement. Other methods include providing building articulation, varied materials, and contrasting window patterns or treatments.

Base

The 6th floor of the east and west elevations begins to differentiate the base and top. A change to larger window glass with lighter hue on floors 5 and 6 creates a light horizontal band breaking up the building mass. On the east elevation the ground floor windows also are presented with the lighter glass.

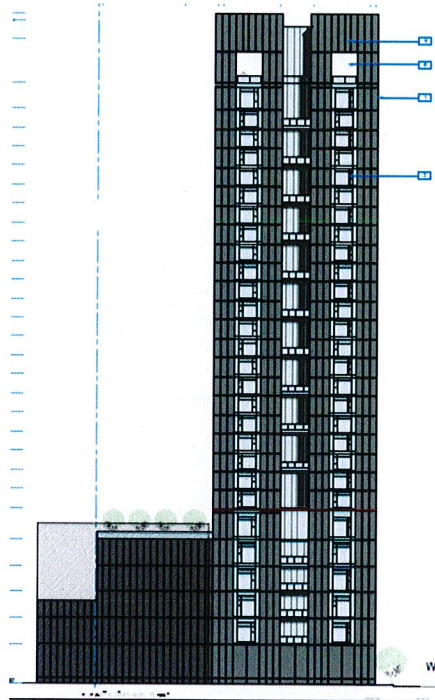
The podium itself creates an element of a base where it connects to the tower at the 6th story. The 3 story low rise building adds to the base by creating a stepped back building form where it wraps around the podium on the Franklin and 21st street elevations. The two story components of the podium and low rise building further articulate the mass of the tower structure from the Franklin side.

Top

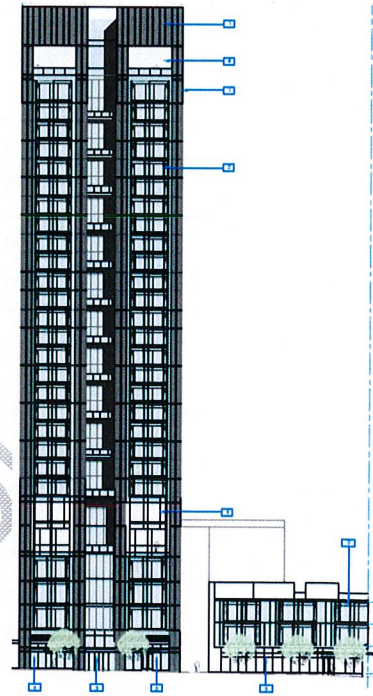
The design requirement for the top of the tower is the building to include a distinct visual terminus integrated into the design concept of the building. Two floors of windows with no mullion cap are proposed creating a horizontal element composed of three rectangles that draw the eye to the top of the building. Lighting would highlight the three rectangles. This design applies only to the

east and west elevations. The north and south sides of the top are treated with a continuation of aluminum cladding with a smaller window and no lighting.

Interior lot Elevation (South)



21st St Elevation (North)



South Elevation

The South elevation occurs on the inner lot line but the upper stories will be visible from the adjacent properties at street level and will contribute to the skyline. The first 4 floors have a balcony panel but the windows are not recessed. This elevation has the least differentiation on the amenity floor (6th) where the other elevations make a stronger effort to differentiate the base.

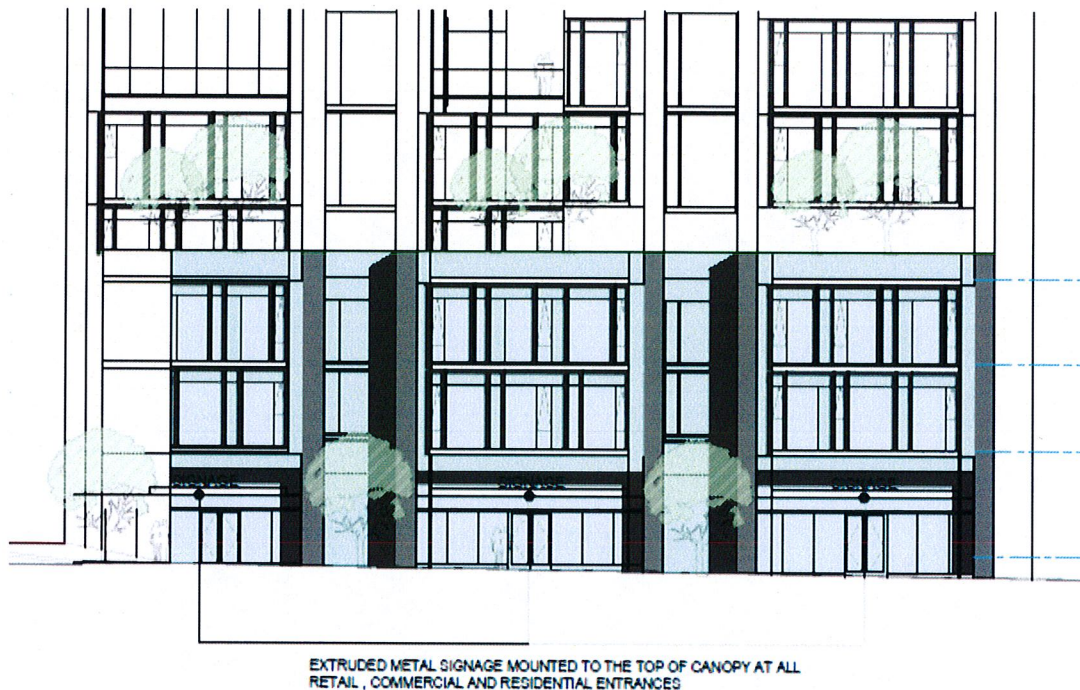
The “Top” and “Base” treatments on this elevation are a continuation of the pillars. Window treatment at the base is also different. There is no transparency at the ground floor where the parking drive aisle is located on the site plan

North Elevation 21st St.

The North elevation has two banks of windows and narrower aluminum clad pillars. With increased transparency and reduction of pillar width, the visual effect is both a lighter color and less mass. Larger windows on floors 2-6 introduce a horizontal element that begins to define a base. North side also has ground floor retail with larger display windows and a distinct residential entry that enhances the visual experience for pedestrians. These features distinguish this portion of the building from the upper stories.

The “Top” is the same concept as on the South elevation but larger window bays and less aluminum panel mass.

Building 2 Low Rise



The low rise building uses the same pillar and window system proposed for the east and west elevations. This version of the façade has the larger window bays with a narrower aluminum clad pillar and a 13' modulation with recessed windows. Only the east and south elevations are seen from the street. The building wraps the corner of Franklin and 21st creating pedestrian oriented retail on the street side and the opportunity for courtyard common open space in the interior of the lot.

The tower elevation as experienced from the courtyard would be a 22 foot long and 77 foot high blank wall on the podium south side on half of the façade and a continuation of the pillar and window system. The east elevation of the podium wall is not clarified but based on window placement on the floor plans, level 2-6 is a continuation of pillar and window system as shown on the tower north elevation. No elevations of the interior walls of the low rise structure are as yet submitted. A proposed canopy is shown at street level.

DEVELOPMENT STANDARDS

Density/FAR

CBD-C Zone within Height Areas 7. The Height Area 7 does not set any restriction on building height and allows a density of one dwelling unit per 90 square feet of lot area and a Commercial FAR of 20.0. The proposed development meets these standards as it has a lower density and a lower FAR than the CBD-C zone allows.

Site	Area	Residential Density	Commercial FAR	Max Units/ Floor Area
2044 Franklin St Allowed	25,568	1:90	20.0	284.8 / 511,360 sq. ft.
2044 Franklin St Proposed	25,568	1:90	20.0	184/325,934

Height and Bulk

Height Area 7 allows unlimited height however building bulk and scale are still regulated by the maximum FAR and the requirement that the structure not exceed 85% of the site area above the base height. The proposed project is 44% of the site area.

Front of the Building Webster St. vs 21st St. vs Franklin St.

The tower building is oriented to both Webster and 21st Streets. Webster St. has the smaller lot width compared with 21st Street. The Low rise building is oriented to Franklin and 21st Streets. The determination of street frontage

Maximum Setback

To facilitate buildings with active street fronts and a continuous street wall, the CBD-C zone allows zero setbacks on all frontages. The zoning also sets a maximum setback of 5 feet on the ground floor and the first 2 upper stories on at least 75% of the frontage. The intent is to reduce dead spaces along the street. The proposal meets both the front and side setback standard. The buildings are placed within 5 feet of the property line on Webster (3 feet) and Franklin (5 feet). On 21st Street the corner of the building is within 5 to 10.11 feet of the property line for 47 feet of the 189.9 foot frontage which just meets the 75% criteria. This corner area is shown with outdoor seating and a differentiated paving design.

ADDITIONAL DESIGN PERFORMANCE STANDARDS RELATED TO DESIGN REVIEW

Transparency

Design standards require a 55% ground floor transparency for the principal building. The project exceeds the standard for the tower. This standard does not apply to the low rise structure but is encouraged because it supports the quality of the pedestrian environment.

Street	Transparency Required (sq. ft.)	Provided (sq. ft.) Tower	Additional Transparency Provided (sq. ft.) Low Rise
Franklin primary	854	none	1242
21 st primary	938	1008	1026
Webster primary	602	912	

Building Entrances

Design Standards require one prominent entrance facing a primary street. For nonresidential activities the entrance is to be at grade. Entrances may be identified by elements such as projecting or recessing door area, change in material, awnings, detailing or stairs. The tower building complies with this requirement but the Low Rise building does not.

Tower Building

- The 21st Street façade has both residential and retail entries at grade. Both are recessed, have transparent doors and a canopy over the entry that projects 3 feet from the building. The retail entry has a change in paving material between the building and the sidewalk in the front setback area.
- The Webster St façade has a commercial entry with transparent doors and a similar canopy.
- The tower building has no entry on Franklin St.

Low Rise Building

- The 21st St façade has retail entries but no residential main entry. Townhouse entries are at the back of the building off of the common open space courtyard and are not visible public entries for residents, guests and deliveries.
- Retail entries have transparent doors and a canopy that projects 3 feet into the sidewalk over the entry. The canopy turns the corner of the building, extending 22 feet down the Franklin frontage but ends before the entries to the Franklin side of the building.
- The Franklin façade has two retail entries with transparent doors and no canopy.

Active Street Requirements and Parking Entrance

New buildings, are required to have active first floor uses. In order to promote active uses parking spaces, locker areas, mechanical rooms, and other non-active spaces may not be located within thirty (30) feet from the front of the ground floor of the principal building. For newly-constructed principal buildings, the design standards stipulate that garage doors shall not be from the principal street when alternative access such as a secondary street or alley is feasible.

Tower Building

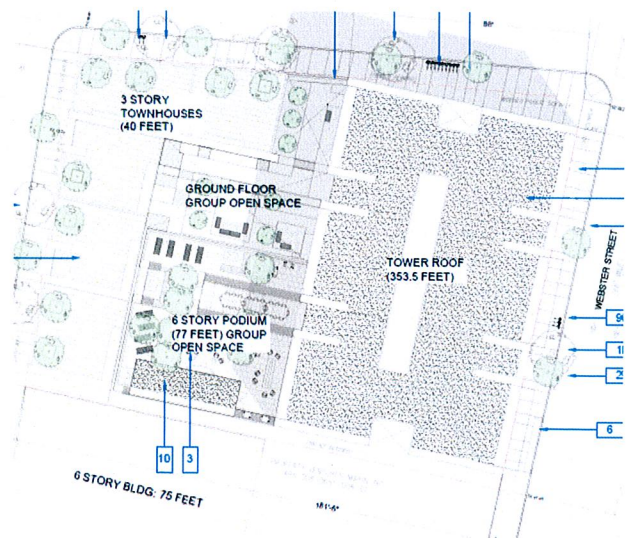
- The Webster St. frontage does not meet this standard. 156 feet of the 186 foot frontage has non active street level ground floor use including the parking access, parking spaces, locker areas, mechanical rooms, located within thirty (30) feet from the street. While there is 24' of ground floor retail on this frontage it does not have an entry to the street. (See Plan Sheet A1.1).
- 21st St. meets the standard with ground floor retail with entrances, the residential lobby, and outdoor seating area proposed.

Low Rise Building

- The standard is met with ground floor retail on both 21st St and Franklin.

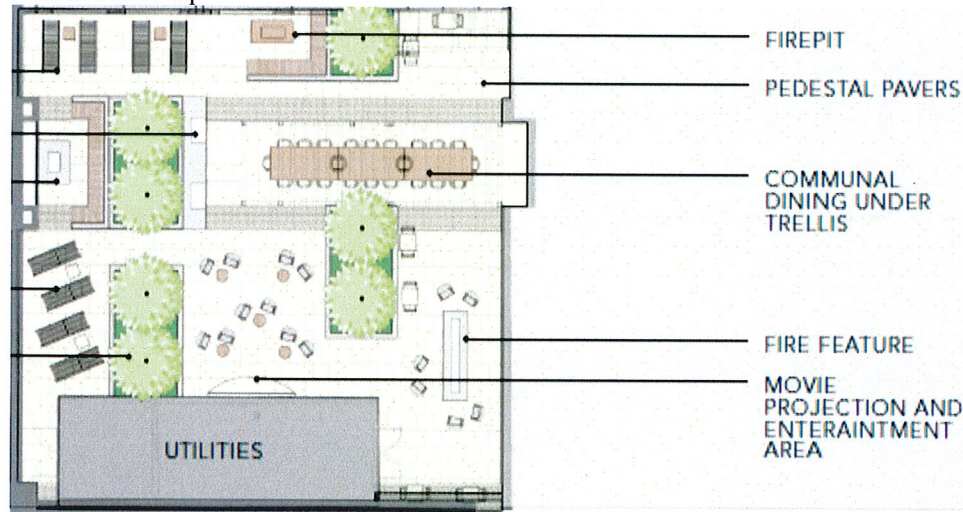
Open Space

The project meets open space requirements. Group open space is provided in the courtyard between the buildings and, on the 6th floor in a roof top common amenity facility. Private open space is proposed, in private balconies available to 46 units on the north and south sides of the building. and on the private roof tops of the town house units.



Townhouse rooftop and ground floor courtyard

Podium roof top



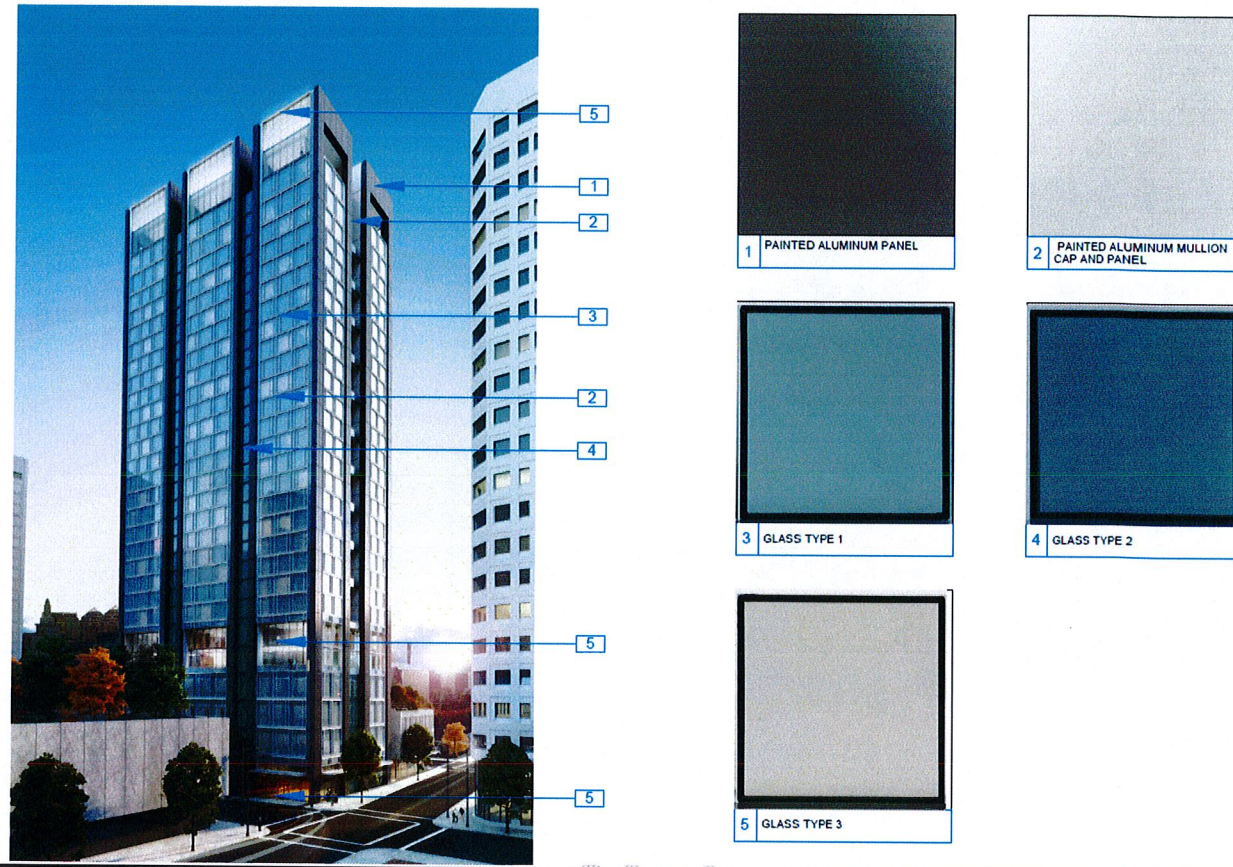
The low rise building is proposed with private roof top open space including tree plantings that would be visible from the street, courtyard and the tower common

open space on the 6th story roof. These elements potentially add to the amenity value of the courtyard but are as yet undefined

Upper Story Windows

The design standards require ample placement of windows above the ground floor at all street-fronting facades to achieve a coherent and appealing composition on the facade.

Larger windows at the top of the building and on the 6th floor amenity level are proposed. Both revised window treatments, and glass types are proposed.



Exterior Materials

During the earlier DRC review of this tower this issue of the black aluminum paneling system, which would provide a very dark appearance to the building. A concern was that this dark appearance would cause the building to stand out within the context of the skyline. This issue remains. Staff continues to request feedback from the Committee as to the appropriateness of the exterior color of the building within the context of the skyline.



The sixth floor of the building previously was proposed with large louvers for the mechanical systems within the building. Staff recommends that these either be better concealed or that more creative design treatments are provided to better incorporate this element into the balcony recess break at this portion of the building. Mechanical systems are now proposed on the tower roof.

Issues

Addressing the following issues will help achieve the goals for downtown development (See Policy D2.1 Enhancing the Downtown) and the CBD-C zone design requirements.

- A. To meet CBD zone building frontage and street activation requirements consider establishing 2 “fronts” for the development; one on Webster serving the tower, and one on Franklin serving the low rise building.
 - a. The two separate buildings on this site would benefit from two separate addresses and distinct building entries.
 - b. The east and west tower facades read as “fronts” because they have the wider building width with three banks of window bays; there is greater transparency and texture in the upper stories, and the facades have more distinctive tops. Both of these elevations will be noticeable on the skyline and from the street.
 - c. The north and south facades read as sides of the building and do not provide the distinction of “fronts”.
- B. To meet front entry requirements of the CBD zone consider requiring a front entry to the residential units in the low rise building off of Franklin Street.
 - a. The proposal shows these residential entries off of the internal courtyard with access through the parking garage and through an exterior gate to 21st Street.
 - b. A clear residential entry with an address on Franklin will
- C. To respect the pedestrian orientation of the downtown and parking entry and street activity requirements of the CBD zone, consider requiring re-organization of the first floor activities to activate Webster St. Although the Webster tower façade reads as the front of the building, the street level reads more like a side. The commercial lobby is located on Webster but it is the only use with active pedestrian potential on this side of the building.
 - a. Consider moving the parking entry to 21st St.
 - b. Consider requiring a retail entry and outdoor dining to the Webster frontage.
- D. To harmonize the building with its surroundings and enhance views of the downtown consider a lighter hue for the aluminum panel treatment and light glass treatment to de-emphasize the dark vertical elements of the building and reduce the visual prominence of the building within the context of the skyline.
- E. To achieve an attractive skyline and make the building more visually interesting, and to address the building terminus, consider extending the same “top” element presented for the east and west elevation to the north and south elevations: that is windows and lighting.

Prepared by:

REBECCA LIND
Planner III

Approved:

ROBERT MERKAMP
Development Projects Manager

DRAFT for PPC Discussion



PLANNING COMMISSION STAFF REPORT

File Nos.	PDC15-049 and PD15-044
Applicant:	Horizon Real Properties Holdings LLC.
Location	Northeasterly Corner of E. Santa Clara Street and N. 11th Street (505, 509, 525 E Santa Clara Street)
General Plan	Urban Village
Existing Zoning	R-M Multiple Residence and CG Commercial General Zoning Districts
Proposed Zoning	CP-PD (Planned Development) Zoning District
Council District	3
Historic Resource	N/A
Annexation Date:	03/27/1850 (Original City)
CEQA:	Mitigated Negative Declaration (MND), "N. 11 th Street & E. Santa Clara Street Student Housing Project" (File Nos. PDC15-049 and PD15-044)

APPLICATION SUMMARY:

This project is located on an approximately 0.63 gross acre site, at the northeasterly corner of E. Santa Clara Street and N. 11th Street (525 E. Santa Clara St), within the E. Santa Clara Urban Village Boundary.

File No. PDC15-049: Planned Development Rezoning from the CG Commercial General Zoning District and R-M Multiple Residence Zoning District to the CP(PD) Planned Development Zoning District to allow 86 multi-family attached residential units, with up to 300 bedrooms, and 11,530 square feet of commercial space in a seven story building.

File No. PD15-044: Planned Development (PD) Permit to allow demolition of three existing buildings, removal of three ordinance size trees, and the construction of 86 multi-family attached residential units, with 271 bedrooms for student housing, and 11,530 square feet of commercial space in a seven story building.

RECOMMENDATION:

Staff recommends that the Planning Commission consider the Mitigated Negative Declaration for the "North 11th and East Santa Clara Streets Student Housing Project" in accordance with CEQA and recommend to the City Council approval of the Planned Development Rezoning and Planned Development Permit based on the reasons stated in this staff report and attached draft resolution.

PROJECT DATA**GENERAL PLAN CONSISTENCY**

General Plan Designation	Urban Village <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent
Consistent Policies	CD-7.2, IP-5.10, LU-2.1, TR-3.3, IE-1.6, FS-4.8, FS-4.7, VN-1.3, MS-21.6, H-4.3, TR 8.1, TR-8.6, CD-1.17, CD-2.1, CD-1.9, CD-2.4, CD-7.1, CD-8.3, H-4.3, CD-1.11, and CD-2.8
Inconsistent Policies	

SURROUNDING USES

	General Plan Land Use	Zoning	Existing Use
North	Urban Village	R-M Multiple Family Zoning District	Single-family and multi-family Residences
South	Urban Village	CG Commercial General Zoning District	Gas Station, Beauty Salon, Radio Broadcaster
East	Urban Village	CG Commercial General Zoning District	Vietnamese Restaurant
West	Urban Village	CG Commercial General Zoning District	Chapel Parking lot

RELATED APPROVALS

Date	Action
NA	NA

PROJECT DESCRIPTION

The proposed rezoning project would facilitate the demolition of three existing commercial buildings and allow development of a new mixed use, multi-family development with up to 86 multi-family residential units, structured parking, and a minimum of 11,530 square feet of commercial space on the ground and second floors of the building.

The Planned Development Permit plan set depicts one building with 5,683 square feet of ground floor commercial space along East Santa Clara Street, a lobby and residential leasing office along 11th Street, and 5,847 square feet of second floor commercial space. In addition, the project has two floors of above-ground parking which is wrapped by ground floor retail and five floors of residential units with 271 bedrooms for student housing. The building has a maximum height of 88 feet along East Santa Clara and 11th Street, stepping down to four and five stories near the northern boundary of the site. The height of the architectural element at the corner of East Santa Clara Street and 11th street extends up to 98 feet. Additionally, the site has a 1,238 square foot publicly accessible plaza at the corner of 11th and East Santa Clara Streets.

Site and Surrounding Uses

The 0.63-acre project site is located at the northeast corner of East Santa Clara and 11th Streets, and is currently developed with three existing commercial buildings totaling approximately 9,490 square feet that are occupied with a number of tenants (Noodle Dude, Idol Karaoke, LVA SPA Massage Therapy, Sunny Hair and Nails, Pham Anhs Pharmacy). The remainder of the site includes 47 surface parking spaces and three trees. There are also four existing street trees along

East Santa Clara Street, and one street tree along 11th Street, which is the only tree that will be preserved with this project.

The project site is bound to the north by a historic three-story single-family house and one-story multi-family residences, an Arco Gas Station and a convenience store is located to the south across East Santa Clara Street, a one-story restaurant and surface parking lot is located to the west, and to the east across 11th Street is the Darling-Fischer Garden Chapel. There is one large free standing pole sign at the northeast corner of 11th and East Santa Clara Streets on the subject site, which will be removed with the development of the proposed project.

North 11th Street is a one-way, two-lane roadway with on-street parking and a northbound bike lane on the eastern side. East Santa Clara Street is a two-way, four-lane roadway with metered on-street parking. There are four bike racks fronting the existing buildings along East Santa Clara Street. Additionally, San Jose State University is located approximately 1,390 feet south of the subject site.

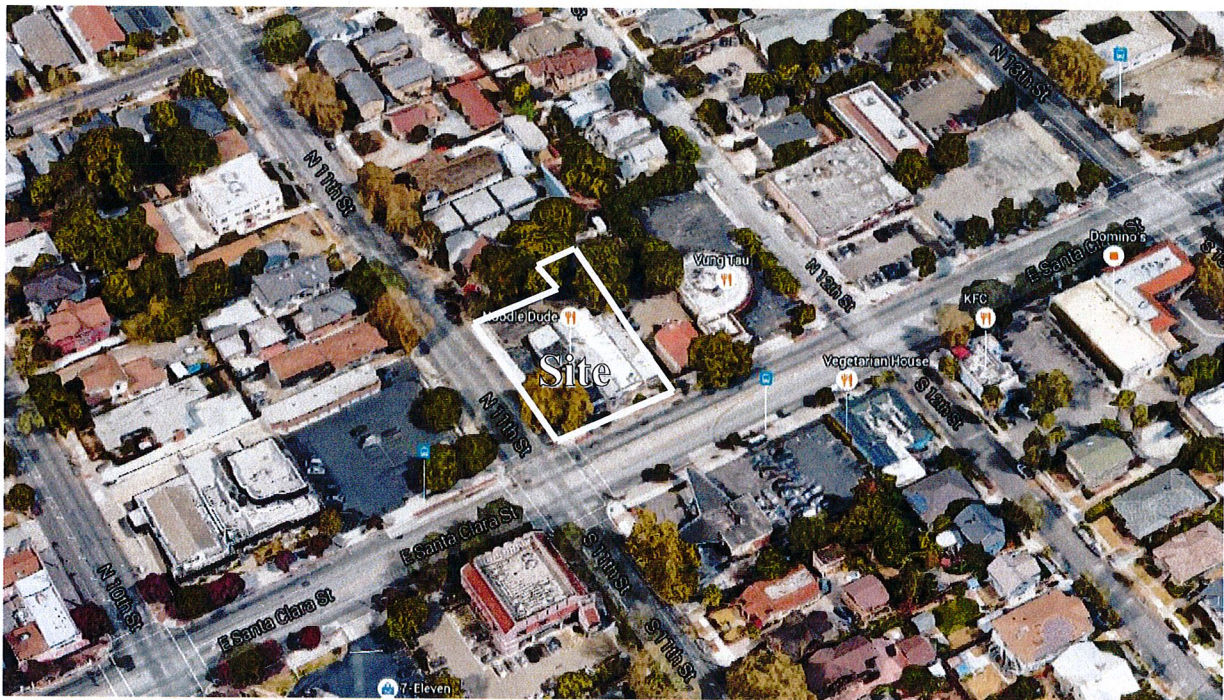


Figure 1. Aerial of the subject site and surrounding area.

ANALYSIS

Envision San José 2040 General Plan Conformance

The subject site is designated as Urban Village within the East Santa Clara Urban Village Boundary on the Envision 2040 General Plan Land Use/Transportation Diagram. The Urban Village land use designation has a permitted residential density of up to 250 DU/AC, an FAR of up to 10. This designation supports a wide variety of commercial, residential, and institutional uses with an emphasis on establishing an attractive urban form. Prior to preparation of an Urban Village Plan, this designation supports uses consistent with those of the Neighborhood/Community Commercial land use designation, as well as development of a “Signature Project” as defined in Chapter 7 – Implementation, of the General Plan.

The East Santa Clara Urban Village planning process for the development of an Urban Village Plan is underway and not yet completed. As such, the proposed project is applying under the “Signature Project” policy (IP-5.10). As analyzed in the Signature Project Policy section of this report, the proposed rezoning and Planned Development Permit meets the minimum requirements to be considered a “Signature Project”. In addition to the rezoning’s conformance with the site’s land use designation, the rezoning and Planned Development Permit are also consistent with the following General Plan Major Strategies and Policies as identified and analyzed below:

General Plan Major Strategies

- **Major Strategy #3 - Focused Growth:** Strategically focus new growth into areas of San José that will enable the achievement of City goals for economic growth, fiscal sustainability and environmental stewardship and support the development of new, attractive urban neighborhoods. Focusing new growth into the Growth Areas will help to protect the quality of existing neighborhoods, while also enabling the development of new Urban Village areas with a compact and dense form attractive to the City’s projected growing demographic groups (i.e., an aging population and young workers seeking an urban experience), that support walking, provide opportunities to incorporate retail and other services in a mixed-use format, and support transit use. Planning such sites for higher, not lower, density residential development acknowledges their value as a finite land resource and enables the City to provide housing growth capacity consistent with demographic trends and the community objectives of the *Envision San José 2040 General Plan*.

***Analysis:** This proposed project is located within the East Santa Clara Urban Village. Urban Villages are areas to focus new growth in the City of San José. The project is consistent with this Strategy in that it provides a compact and dense development in a mixed-use format that supports transit ridership. It also will provide high density student housing within walking distance of San Jose State University; thereby, providing more housing options in the community.*

- **Major Strategy #5 - Urban Villages:** This strategy promotes the development of Urban Villages to provide active, walkable, bicycle-friendly, transit-oriented, mixed-use urban settings for new housing and job growth attractive to an innovative workforce and consistent with the Plan’s environmental goal.

***Analysis:** This site is located within the East Santa Clara Urban Village and is consistent with this Major Strategy. The proposed project will provide a mix of housing, commercial space and a publicly accessible plaza. The density from this project further supports the existing (buses) and future (Bus Rapid Transit and BART) transit opportunities along this street.*

- **Major Strategy #6 - Streetscapes for People:** Design streets for people, not just cars, and to support a diverse range of urban activities and functions. The General Plan policies also support the development of streets as “Complete Streets”. A Complete Street provides safe, comfortable, attractive and convenient access and travel for pedestrians, bicyclists, motorists, and transit users of all ages, abilities, and preferences. The design of a Complete Street considers both the public right-of-way and the land uses and design of adjoining properties. As part of the Complete Street concept, appropriate land uses, building heights, setback dimensions and other design elements related to the type and character of the street, are addressed through new zoning districts and other implementation tools adopted to advance the goals of the *Envision San José 2040 General Plan*.

Analysis: Complete streets promote land uses and compact development that bring many activities close together. The proposed project is consistent with this Strategy in that it provides density in a compact development that would support transit ridership, as well as walking and bicycling. The proposed rezoning's Development Standards also provide a 20-foot sidewalk (15-foot width of sidewalk and 4-foot building setback) along East Santa Clara Street and a 15-foot sidewalk along 11th Street that will facilitate an active commercial ground floor with enough space to comfortably walk on the sidewalk along the project frontage. In addition, this project is providing bike racks along East Santa Clara Street and a bulb-out at the northeast corner of East Santa Clara and 11th Street extending into 11th Street making the crosswalk for this street shorter and the pedestrian experience safer.

General Plan Policies

Land Use and Employment/Complete Neighborhoods

- **Growth Areas, LU-2.1:** Provide significant job and housing growth capacity within strategically identified "Growth Areas" in order to maximize use of existing or planned infrastructure (including fixed transit facilities), minimize the environmental impacts of new development, provide for more efficient delivery of City services, and foster the development of more vibrant, walkable urban settings.
- **Maximize use of Public Transit, TR-3.3:** As part of the development review process, require that new development along existing and planned transit facilities consist of land use and development types and intensities that contribute toward transit ridership. In addition, require that new development is designed to accommodate and to provide direct access to transit facilities.
- **Land Use and Employment Policies, IE-1.6:** Plan land uses, infrastructure development, and other initiatives to maximize utilization of existing and planned transit systems including fixed rail (e.g., High-Speed Rail, BART and Caltrain), Light-Rail and Bus Rapid Transit facilities, promote development potential proximate to these transit system investments compatible with their full utilization.
- **Promote Fiscally Beneficial Land Use Policy, FS-4.8 and FS-4.7:** Emphasize mixed-use development for most new development, to achieve service efficiencies from compact development patterns and to maximize job development and commercial opportunities near residential development. Encourage transit-oriented development as a means to reduce costs for expansion and maintenance of our City's street system, in addition to other benefits and consistent with the General Plan Transportation goals and policies.
- **Vibrant, Attractive, and Complete Neighborhoods Policy, VN-1.3:** Encourage the development and maintenance of compatible neighborhood retail and services within walking distance of residences as a means to promote the creation of "complete" neighborhoods.

Analysis: The proposed project conforms with all of the above policies in that, the rezoning requires compact, mixed-use development with up to 86 residential dwelling units at a relatively high density of 137.6 DU/AC and a minimum of 11,530 square feet of commercial uses. The Planned Development Permit provides 5,683 square feet of ground floor commercial space along East Santa Clara Street and 5,847 square feet of 2nd floor commercial space fronting East Santa Clara Street. The ground floor has a 50-foot depth and a minimum height of 17 feet which will accommodate a variety of commercial users. The ground floor and second floor commercial space is designed to serve the residents and the adjacent neighborhoods and will provide job growth that furthers the vision of the General Plan. The Planned Development

Permit will also create student housing within walking distance of San José State University (SJSU) and is also located along several existing bus routes including the 22, 23 and the 522 express. Additionally, the project can contribute to the ridership of future transit facilities in that it is within close proximity to a planned station for the Santa Clara Valley Transportation Authority's (VTA) planned Bus Rapid Transit (BRT) located along East Santa Clara Street, as well as the future Bay Area Rapid Transit (BART) line.

Trees and Environmental Sustainability

- **Community Forest Policy, MS-21.6:** As a condition of new development, require, where appropriate, the planting and maintenance of both street trees and trees on private property to achieve a level of tree coverage in compliance with and that implements City laws, policies or guidelines.
- **Housing – Environmental Sustainability, H-4.3:** Encourage the development of higher residential densities in complete, mixed-use, walkable and bikeable communities to reduce energy use and greenhouse gas emissions.

***Analysis:** Implementation of the proposed project will result in the loss of three trees on the project site. All trees removed, regardless of size or species, will be replaced in accordance with the City's tree replacement policy, which requires a replacement ratio of 4:1. Therefore, the rezoning is consistent with the above policies. Also, because this project is a dense mixed-use project and located in a complete, walkable and bikeable community, it can contribute to reducing energy use and greenhouse gas emissions.*

Parking and Transportation Demand Management

- **Parking Strategies, TR 8.1 and TR-8.6:** Promote transit-oriented development with reduced parking requirements and promote amenities around appropriate transit hubs and stations to facilitate the use of available transit services. Allow reduced parking requirements for mixed-use developments and for developments providing shared parking or a comprehensive TDM program, or developments located near major transit hubs or within Urban Villages and other Growth Areas.
- **Attractive City Policy, CD-1.17:** Minimize the footprint and visibility of parking areas. Where parking areas are necessary, provide aesthetically pleasing and visually interesting parking garages with clearly identified pedestrian entrances and walkways. Encourage designs that encapsulate parking facilities behind active building space or screen parked vehicles from view from the public realm.
- **Function, CD-2.1:** Consider support for reduced parking requirements, alternative parking arrangements, and Transportation Demand Management strategies to reduce area dedicated to parking and increase area dedicated to employment, housing, parks, public art, or other amenities. Encourage decoupled parking to ensure that the value and cost of parking are considered in real estate and business transactions.

***Analysis:** This proposed project provides a parking garage that has two floors of above ground parking, which is wrapped by ground floor retail and will not be visible from the public right-of-way, minimizing any visual or aesthetic impact on the surrounding neighborhood. The project includes a Comprehensive Transportation Demand Management Plan that allows parking to be reduced by more than 50% from what is required in the Zoning Ordinance. The Development Standards include this commitment in furtherance of the above General Plan policies.*

Publicly Accessible Plaza/Pedestrian Facilities

- **Function, CD-2.1:** Create a comfortable and safe pedestrian environment by implementing wider sidewalks, shade structures, attractive street furniture, street trees, reduced traffic speeds, pedestrian-oriented lighting, mid-block pedestrian crossings, pedestrian-activated crossing lights, bulb-outs and curb extensions at intersections, and on-street parking that buffers pedestrians from vehicles.
- **Attractive City Policies, CD-1.9:** Give the greatest priority to developing high-quality pedestrian facilities in areas that will most promote transit use and bicycle and pedestrian activity. In pedestrian-oriented areas place commercial and mixed-use building frontages at or near the street-facing property line with entrances directly to the public sidewalk, provide high-quality pedestrian facilities that promote pedestrian activity.
- **Function Policy, CD-2.4:** Incorporate public spaces (squares, plazas, etc.) into private developments to encourage social interaction, particularly where such spaces promote symbiotic relationships between businesses, residents, and visitors.

***Analysis:** Consistent with the above policies, the proposed project provides ground floor commercial space with access directly to 11th and East Santa Clara Streets. The project also provides an additional four feet of setback between the property line and the building face on East Santa Clara Street, which extends the width of the sidewalk and provides a greater opportunity to locate active space, such as a sidewalk café or retail display adjacent to the sidewalk. The parking for the project is wrapped by the building and does not interrupt the pedestrian activity and the liveliness of the street. To provide the least amount of disruption to the pedestrian environment, the driveway accessing the parking garage is located as far from the active uses as possible at the northern edge of the site on 11th Street. Additionally, the project provides a quality 1,238 square foot publicly-accessible urban plaza at the corner of East Santa Clara and 11th Streets that is highly visible to the public.*

Density and Height

- **Urban Villages Design Policy, CD-7.1:** Support intensive development and uses within Urban Villages, while ensuring an appropriate interface with lower-intensity development in surrounding areas and the protection of appropriate historic resources.
- **Building Height Policy, CD-8.3:** While the height of new development should be regulated to avoid long-term land use incompatibilities, ensure proposed Zoning Ordinance changes establish adequate maximum building heights to allow full build-out of the planned job and housing growth capacity within each of the identified Growth Areas.
- **Housing - Environmental Sustainability Policy, H-4.3:** Encourage the development of higher residential densities in complete, mixed-use, walkable and bikeable communities to reduce energy use and greenhouse gas emissions.

***Analysis:** This rezoning proposes a density of 137.6 DU/AC and a maximum building height of 88 feet. The building reduces in height to 54-64 feet when adjacent to single-family and multi-family residences at the northern side of the property line. This mixed-use project contributes to the planned job and housing capacity for the East Santa Clara Urban Village in a form that is compatible with adjacent uses, yet still maximizes the uses on the site. This residential density will also add more people to support future transit ridership, provide housing close to future planned employment and SJSU, and support a walkable environment. Therefore, this project is in conformance with the above General Plan policies.*

Ground-Floor Interface

- **Attractive City Policy, CD-1.11:** To create a more pleasing pedestrian-oriented environment, for new building frontages, include design elements with a human scale, varied and facades using a variety of materials, and entries oriented to public sidewalks or pedestrian pathways. Encourage inviting, transparent façades for ground-floor commercial spaces that attract customers by revealing active uses and merchandise displays.
- **Function Policy, CD-2.8:** Size and configure mixed-use development to accommodate viable commercial spaces with appropriate floor-to-floor heights, tenant space configurations, window glazing, and other infrastructure for restaurants and retail uses to ensure appropriate flexibility for accommodating a variety of commercial tenants over time.

***Analysis:** The proposed project is consistent with the above policies in that, it will facilitate a vibrant, transparent and human-scale ground-floor commercial space along East Santa Clara Street. Ground floor entrances are well-defined, inviting, and oriented to the pedestrian realm. The ground floor commercial space will also be flexible to accommodate a wide range of tenants and adapt to market demand over time. To accommodate larger stores, restaurants, and smaller shops, and to provide flexibility for demising opportunities over time, the depth of ground floor commercial space is 50 feet with a minimum floor-to-ceiling height of 17 feet. The Planned Development Permit Plans include the location of a grease interceptor that can better facilitate potential restaurants at two locations on the ground floor.*

“Signature Project” Policy

As stated above, the East Santa Clara Urban Village Plan has not been completed. The proposed project is requesting to move ahead of the Urban Village Plan as set forth in General Plan Policy IP-5.10 (“Signature Project”). The criteria to be considered a “Signature Project” is listed in Policy IP-5.10 below and followed by an analysis on how the proposed project meets each of the criteria and objectives below.

- **Urban Village Planning, IP-5.10:** A residential, mixed-use Signature Project may proceed within Urban Village areas in advance of the preparation of an Urban Village Plan if it fully meets the following requirements:

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 land use designation.

***Analysis:** In conformance with this criterion, the subject site has a General Plan Land Use / Transportation Diagram land use designation of Urban Village. This designation allows density of up to 250 DU/AC and FAR of up to 10.0. The proposed project provides a density of 137.6 DU/AC and Floor Area Ratio of 4.94.*

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 portions 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.

***Analysis:** The minimum commercial square footage requirement for a Signature Project at this location is 11,200 square feet, which is the site's fair share of planned growth for the entire Village area. This project is providing 11,530 square feet of commercial space, which is 330 square feet above the average square footage requirement. The East Santa Clara Urban Village is approximately 64 acres and the planned housing unit capacity for*

this Urban Village is 850 units. The average residential density for this Urban Village is 13.3 DU/AC. This project provides a residential density of 137.6 DU/AC, which is above the average density of dwelling units per acre planned for the entire Village Planning area.

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

Analysis: This proposed project is located at the northeast corner of East Santa Clara and 11th Street which is a visible, prominent location at the center of the East Santa Clara Urban Village. Given the site's key location five blocks east of San José City Hall and one block north of San José State University, the site provides an opportunity to and a catalyst for the rest of the Urban Village to develop in the envisioned urban form.

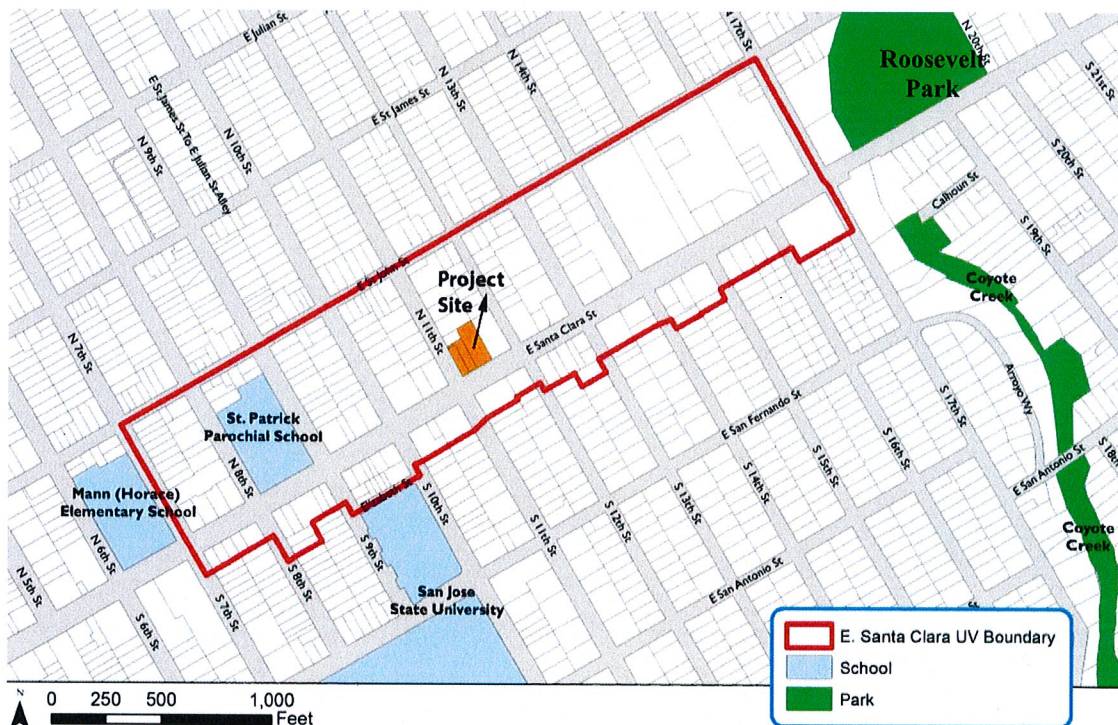


Figure 2. East Santa Clara Urban Village Boundary with subject project site identified.

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

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

Analysis: This proposed project provides a 1,238 square foot publicly accessible urban plaza at the corner of 11th and East Santa Clara Streets. This plaza includes special lighting, paving, temporary furniture and open awnings. The plaza location at the intersection of two streets allows the plaza area to extend into the sidewalk and provides an opportunity for café seating. The corner location also provides good circulation within and through the plaza, as well as ample space for the location of moveable furniture.

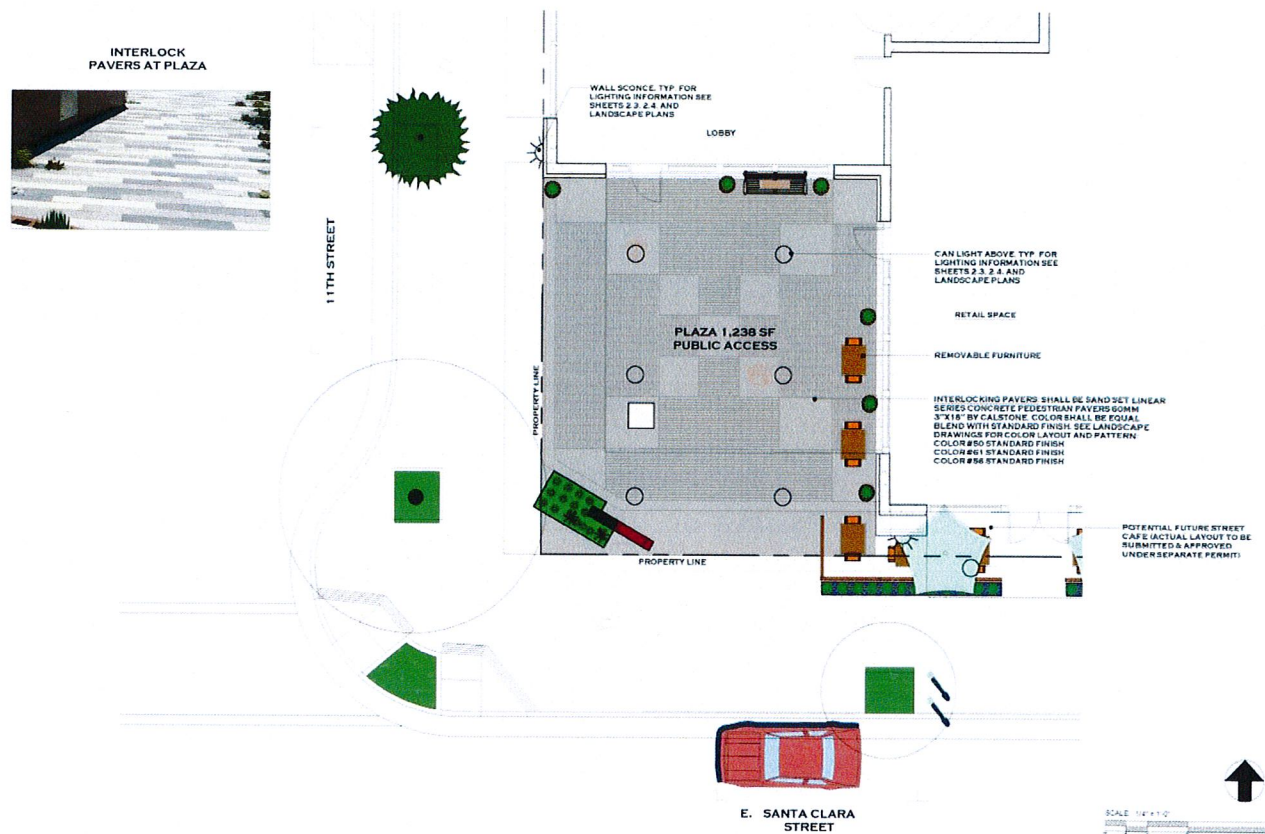


Figure 3. Publicly accessible plaza plan.

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

Analysis: This proposed project provides a 20-foot sidewalk along East Santa Clara Street and a 15-foot side walk along 11th Street, street trees, bicycle racks, pedestrian friendly ground floor retail along East Santa Clara Street and a bulb-out at the corner of East Santa Clara and 11th Streets. The bulb-out at this location will increase pedestrian visibility at the intersection and decrease pedestrian exposure to vehicles. The bulb-out shortens the crossing distance, reduces vehicle turning speed by physically and visually narrowing the roadway, increases pedestrian waiting space and provides additional space for street furnishings, plantings and other amenities. This will provide a model for streetscape treatments along other portions of East Santa Clara Street.

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

Analysis: This proposed project was planned and designed through a process that provided a substantive opportunity for input by interested community members. There was a sign posted at the site, and a community meeting was held in February 2016 for which community meeting notices were mailed to the residences living within 1,000 feet of the project boundary and was advertised in the City of San Jose planning website.

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

Analysis: This proposed project demonstrates high-quality architectural, landscape and site design features. The composition of the facades on East Santa Clara and 11th Streets include discernable portions which define the base, middle, and top of the building. The facades include variety by providing building recessions and projections. The space between this projection and recession are a minimum of 2 feet along the total vertical height of the East Santa Clara facade, and a minimum of 1 foot along the 11th Street facade. No more than 40% of the length of the facade is blank. The ground floor and the corner plaza include canopies that give the building a human scale. The building also includes a variety of high quality materials. A wood grain finish for the top, plaster/stucco that is applied using two different techniques for the middle portion, and a stone material for the base. The corner architectural feature is articulated in metal and glass and is the tallest portion of the building.

8. 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.

Analysis: This proposed project was presented to two architects as a part of the City's Urban Design Review process. The initial design submitted at the time of application is shown in Figure 4 to the right. In summary, the architects suggested that this project simplify the exterior of the building, use durable and high quality material for the exterior, match the architectural style of the corner element with the rest of the building, use transparency for the corner element, have the corner element respond to the interior architecture (student lounge), have a corner element that is visible from far when driving down East Santa Clara Street, use moveable furniture for the plaza instead of permanent furniture, and provide a bulb-out at the corner of East Santa Clara and 11th Street.

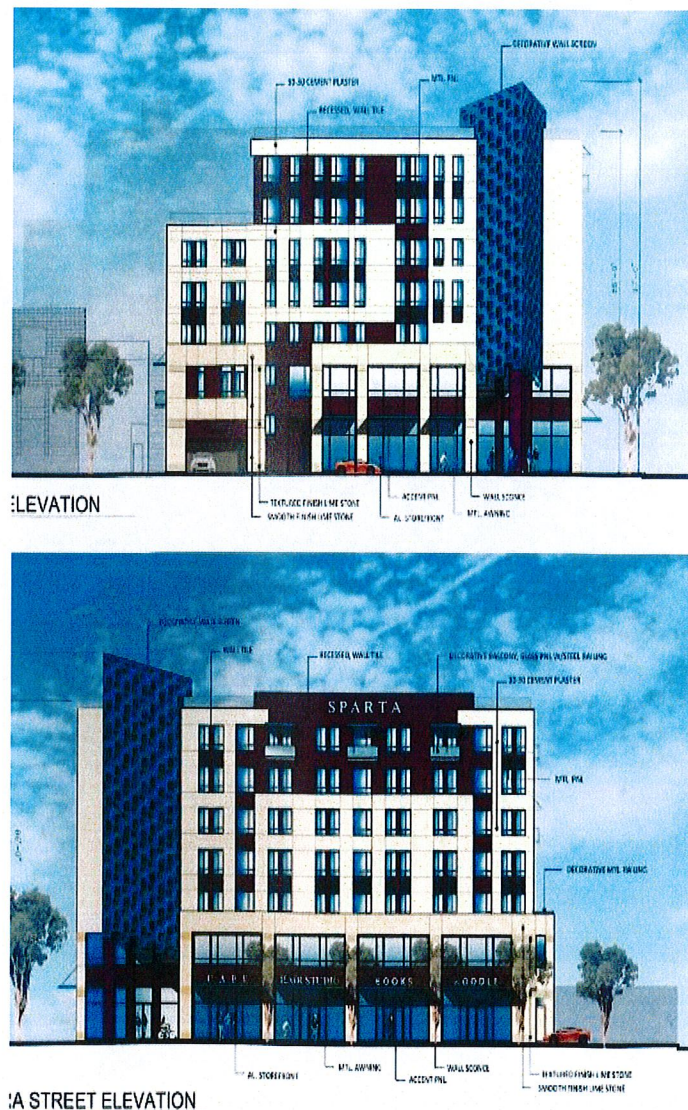


Figure 4. Building elevations from initial application submittal.

As shown in Figure 5 below, this project addressed all of the aforementioned comments made by the architects as a part of the Urban Design Review process.

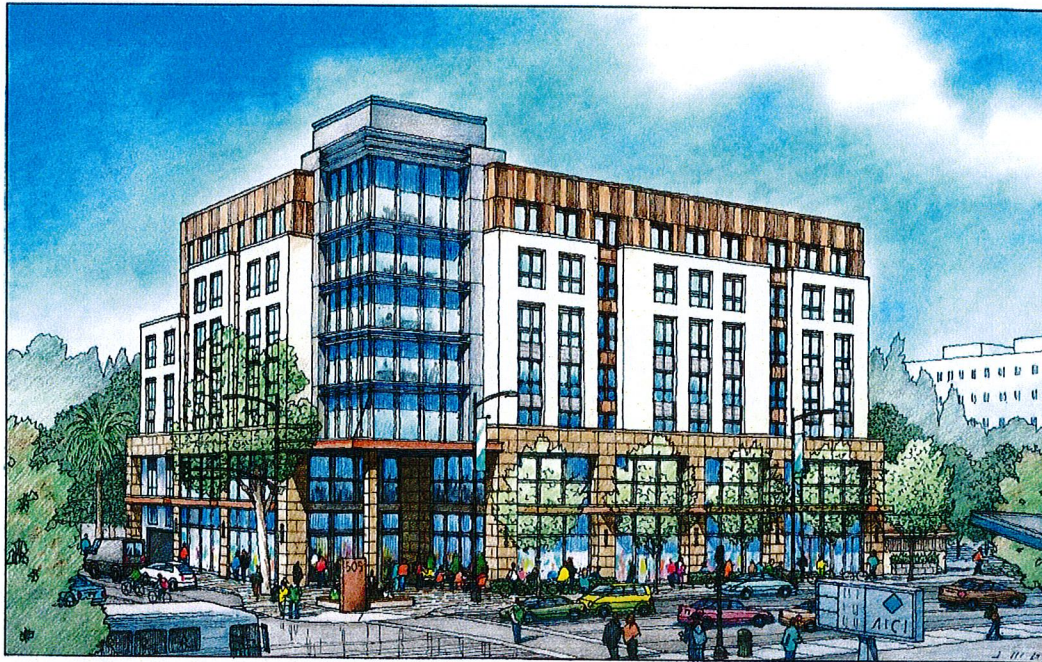


Figure 5. Elevation rendering of the proposed building as viewed at the corner of East Santa Clara Street and N. 11th Street looking north.

City of San José Residential Design Guidelines Consistency

The proposed Development Standards (see attached) for building massing, design, transitional height and landscape screening are consistent with the Residential Design Guidelines for mixed-use/mid-rise development. The Standards also promote a design that is contextually sensitive to the existing adjacent neighborhood. The following sections provide an analysis of how the proposed project and development standards are consistent with the residential design guidelines and Title 20, Zoning Ordinance.

The Guidelines state that mixed-use/mid-rise residential development should include the following:

- The scale of mixed-use buildings should reflect the scale of existing or planned surroundings. Larger mixed-use buildings or projects may reflect their relatively smaller scaled surroundings through greater building articulation, borrowing of architectural themes and the judicious use of multiple materials.
- Commercial uses within mixed use projects should promote pedestrian traffic or public transit.
- Setbacks from streets should reflect the urban setting and should be no greater than 15 feet. Smaller setbacks are encouraged.
- Buildings should be oriented parallel to the street particularly at corners.
- Buildings taller than 75 feet must have at least two vertical breaks or reveals greater than 2 feet in depth to divide the bulkiness of the mass.

- Avoid continuous massing longer than 100 feet that is not articulated with shadow relief, projections, and recesses.
- The ground level should include a minimum of the first 18 to 20 feet of the building above street level, measured from the highest elevation of street level to the first finished floor above the street. The clear height for the ground floor uses should not be less than 18 feet.
- Building height, mass, and site setbacks should be compatible to the existing neighborhoods. To the extent possible, new residential projects should be integrated with the existing neighborhoods adjacent to them. Transitions between existing and new projects of differing densities should be gradual. The height and mass of new projects should not create abrupt changes from those of existing buildings. Site setbacks of new projects from public streets should continue the prevailing setback patterns of adjacent buildings.

Analysis: Building Massing, Design, and Height

The proposed Development Standards (see attached) provide setback, height, landscape, and overall building massing and design requirements that are consistent with the intent of the above mentioned guidelines, as well as the policies in the General Plan. The Development Standards require step backs for the building adjacent to the existing single-family detached residence and one-story multi-family residences to the north.

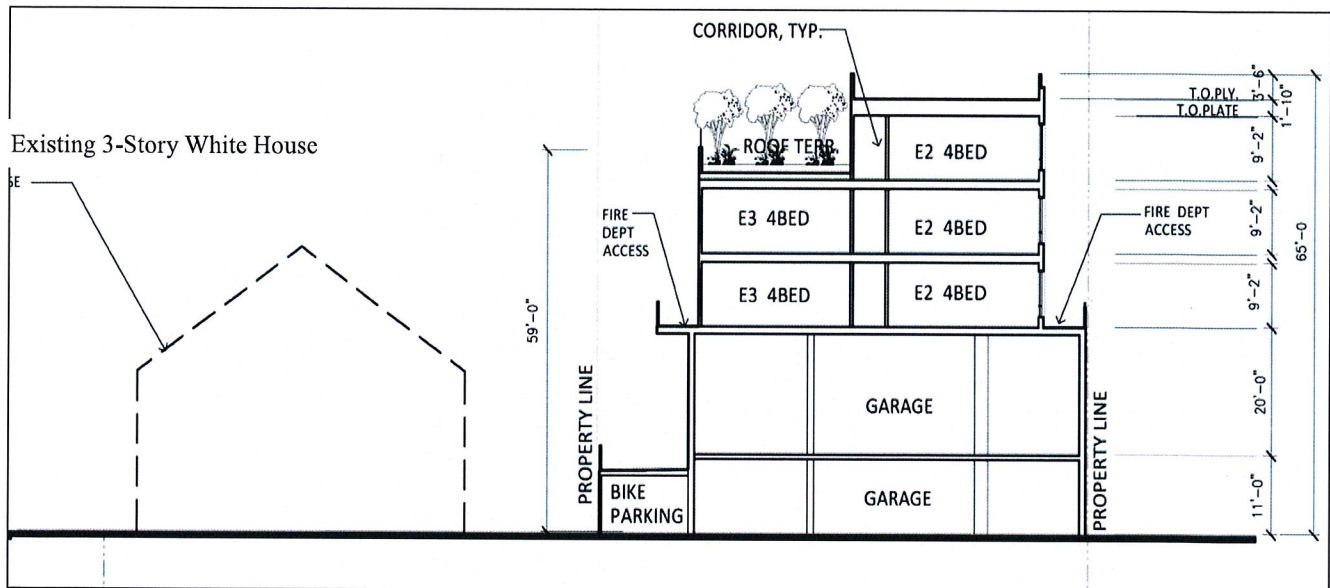


Figure 6. Building Section as viewed from North 11th Street.

The Development Standards require the project to use a variety of techniques to minimize scale down the building massing, including: (1) incorporating a base, middle and top for the building, (2) providing building articulation by façade recession and projection, (3) enhancing the building corners to provide defining corner elements, (4) avoiding long blank walls more than 40% of the length, and (5) restricting continuous massing by requiring variety in the façade materials. The ground floor commercial space is also required to provide a minimum floor to ceiling height of 17 feet in order to create an urban and pedestrian-friendly street edge.

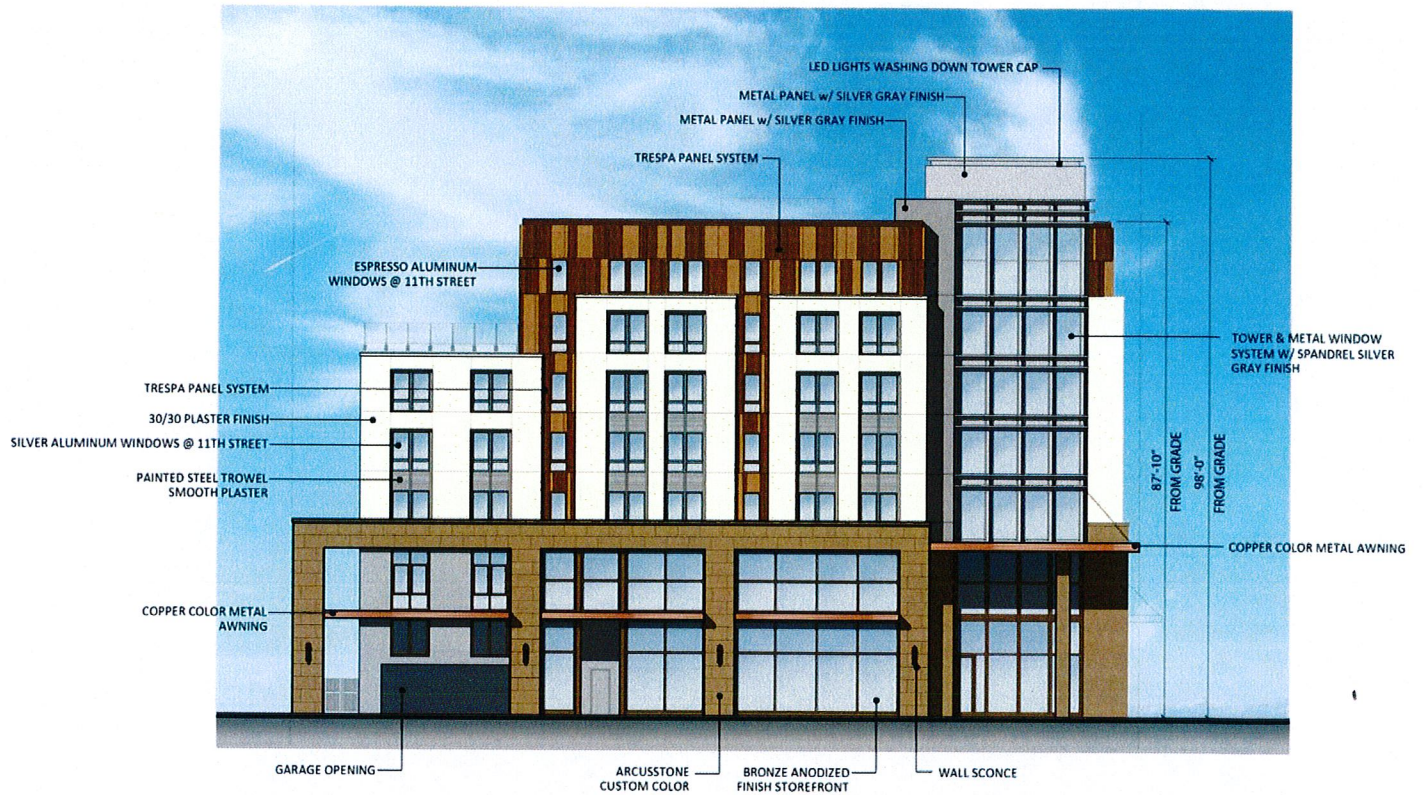


Figure 7. 11th Street Elevation

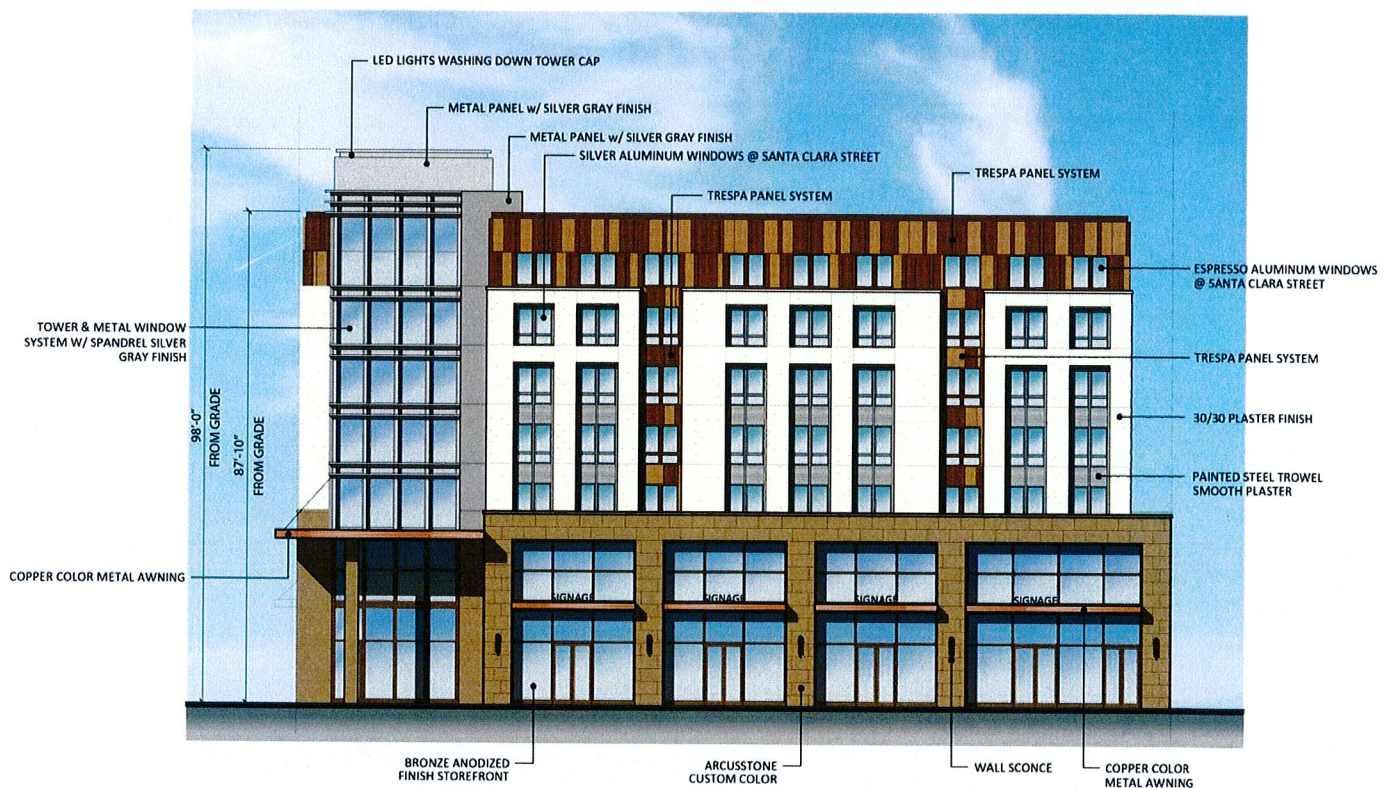


Figure 8. East Santa Clara Street Elevation

Parking

Proposed Vehicle parking is more than 50% reduced from what is required in the Zoning Ordinance pursuant to Section 20.90.220 (Reduction in Required Off-Street Parking Spaces). To compensate for the reduced parking requirement, the Development Standards require six Transportation Demand Management (TDM) strategies to be implemented for the life of the project. Under the Zoning Ordinance, a 50 % reduction only requires three TDM strategies. The TDM strategies that this project has proposed to provide include free passes transit passes for all residents and employees for the local transit system, cash-out program for non-driving employees, a visible location(s) for a car share space, unbundling parking, free bike share program, carpool/vanpool program, TDM Manager on site and preferential parking with charging facility for electric or alternatively-fueled vehicles.

Common Open Space

The Development Standards require a minimum of 95 square feet of common open space per unit, which is similar to the City of San Jose's Residential Design Guidelines that suggest providing a minimum of 100 square feet per unit. The project provides common open space in multiple outdoor courtyard areas located on three different levels of the building, as well as a 556 square foot common room located on each residential floor. The project also provides a publicly-accessible ground floor, urban plaza at the corner of East Santa Clara and 11th Streets. The Development Standards do not require any private open space. The location of the site adjacent to Downtown, with its many outdoor spaces and parks, as well as its location 0.5 miles from Roosevelt Park, which is an 11-acre park with a community center, skate park, basketball court, softball field, handball courts, and youth playground, its close proximity to San Jose State University, the variety of on-site common open space, and the on-site publicly accessible plaza, compensates for the project not providing any private open space and providing slightly less than the suggested amount of common open space per unit.

Community Engagement

A community meeting was held on February 24, 2016 at Roosevelt Community Center near the project site. Approximately 15 community members attended the meeting. The community meeting notice was sent to a 1,000-foot radius around the site. Those attending the meeting expressed concerns about increased traffic, lack of on-site parking in relation to existing lack of on-street parking, privacy, building height, infrastructure capacity, safety, and density and being out of character for the existing neighborhood. Additionally, three letters were received and are attached to this report. The following is a bullet summary of all the comments received:

- East Santa Clara area needs new development activity.
- Lack of parking can cause spillover of automobiles into adjacent neighborhoods.
- On the draft East Santa Clara Urban Village height diagram, this area was identified at 6 stories while this plan shows 7 stories. This height can set a bad precedent for adjacent corners at East Santa Clara such as 10th and 11th streets.
- The outdoor spaces on the 5th and 6th floors of this project can create noise for the adjacent neighborhood. There will be a lot of students (271) in this development. Students make a lot of noise, which can impact the adjacent neighborhood. This building should have 24-hour monitoring on site to abate any noise.

- The existing Noodle Dude restaurant should be retained on the site.
- The project is dormitory like student housing. These units will only be rented 10 months out of the year to students suggesting none of these units will alleviate the housing crunch for families who are looking to rent all year.
 - If the 10-month rental restriction or student status is required for rental, why is this not either important or required to be stated on the Development Plan? This is not necessarily negative, as it might free up homes around SJSU for families to rent, but it seems like an important piece of information that is not printed on the development sign, nor is it well known.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

An Initial Study (IS) and Mitigated Negative Declaration (MND) entitled “N. 11th Street & E. Santa Clara Street Student Housing Project” was prepared by the Director of Planning, Building, and Code Enforcement for the subject Planned Development Rezoning and Planned Development Permit. The IS/MND was completed in compliance with the California Environmental Quality Act (CEQA) to reflect an independent judgment and analysis of the project.

The document was circulated for public review between June 20, 2016 and July 11, 2016, a 21-day period. One public comment was received during the public circulation period. The comment was from the Santa Clara Valley Transportation Authority (VTA) regarding land use, pedestrian and bicycle accommodations, and transportation demand management and trip reduction. Responses to comments can be found on the City’s website as listed below.

An Errata was prepared for this document that discussed numerical and administrative revisions for clarification purposes. The revisions made did not change the material analysis or environmental conclusions identified in the circulated IS/MND. Therefore, in accordance to the California Environmental Quality Act Statute and Guidelines Section 15073.5(c), recirculation of the IS/MND is not required.

The final IS/MND identified potentially significant environmental impacts and determined that the proposed project would not have a significant effect on the environment with the incorporation of certain mitigations. The primary environmental issues addressed in the IS/MND were the potential impacts to air quality, biological resources, cultural resources, hazards and hazardous materials, and noise from the project. The MND includes mitigation measures for the previously stated resource areas that would reduce any potentially significant project impacts to a less-than-significant level. The mitigation measures are included in the Mitigation Monitoring and Reporting Program (MMRP) and in the associated permit as a part of the project.


The entire IS/MND, associated appendices, Errata, response to comments, and other related environmental documents are available on the Planning web site at:

<http://www.sanjoseca.gov/index.aspx?nid=5135>.

PUBLIC HEARING NOTIFICATION

Staff followed Council Policy 6-30: Public Outreach Policy in order to inform the public of the proposed project. A notice of the public hearing was distributed to the owners and tenants of all properties located within 1,000 feet of the project site and posted on the City website. The staff report is posted on the City's website. Staff has been available to respond to questions from the public.

Project Manager: Leila Hakimizadeh

Approved by:  , Planning Official for Harry Freitas, Planning Director

Date: 8/3/16

Attachments:

- General Plan and Zoning Maps
- Development Standards
- Draft Ordinance
- Draft Planned Development Permit Resolution
- Mitigation Monitoring and Report Program (MMRP) Exhibit
- Neighbor Correspondence
- Plan Set

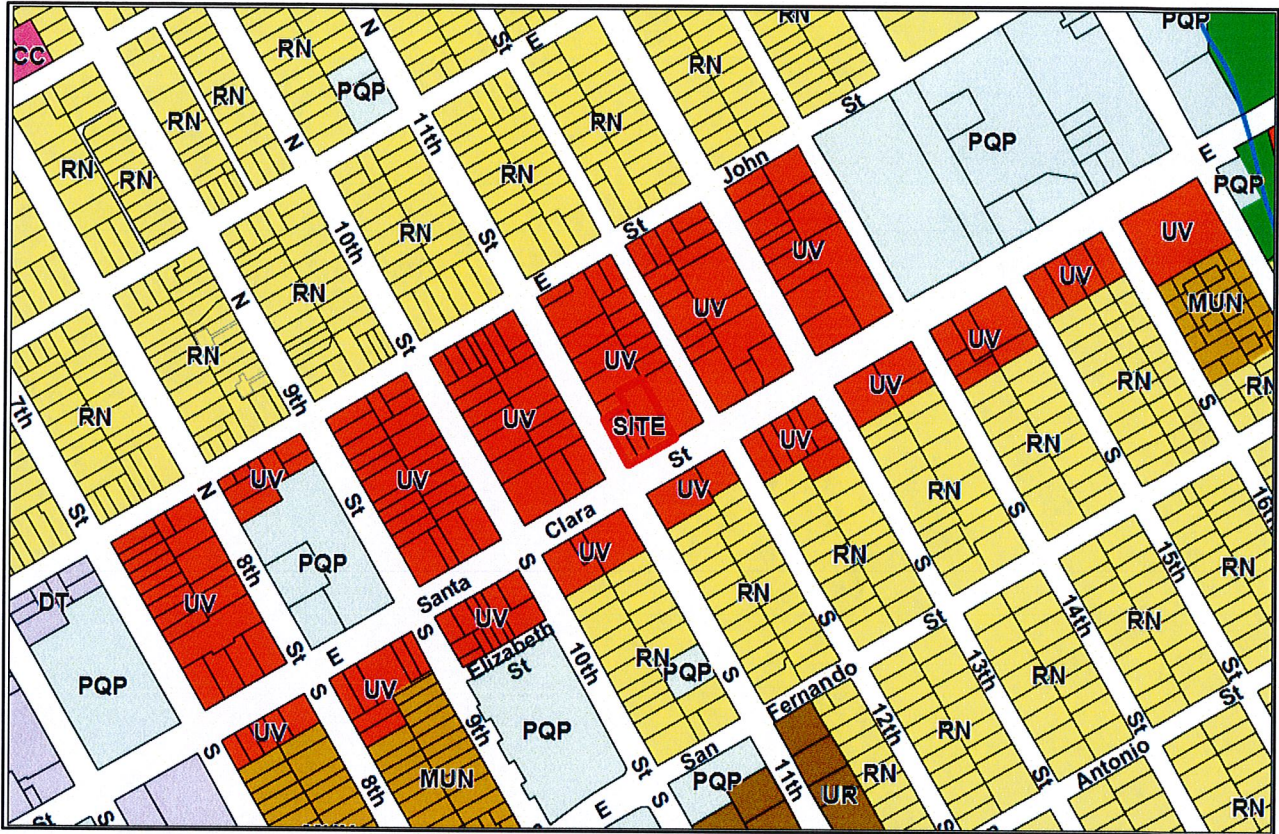
Owner:

Horizon Real Properties Holdings, LLC
Shurong Nui
235 E. 3rd Avenue
San Mateo, CA 94401

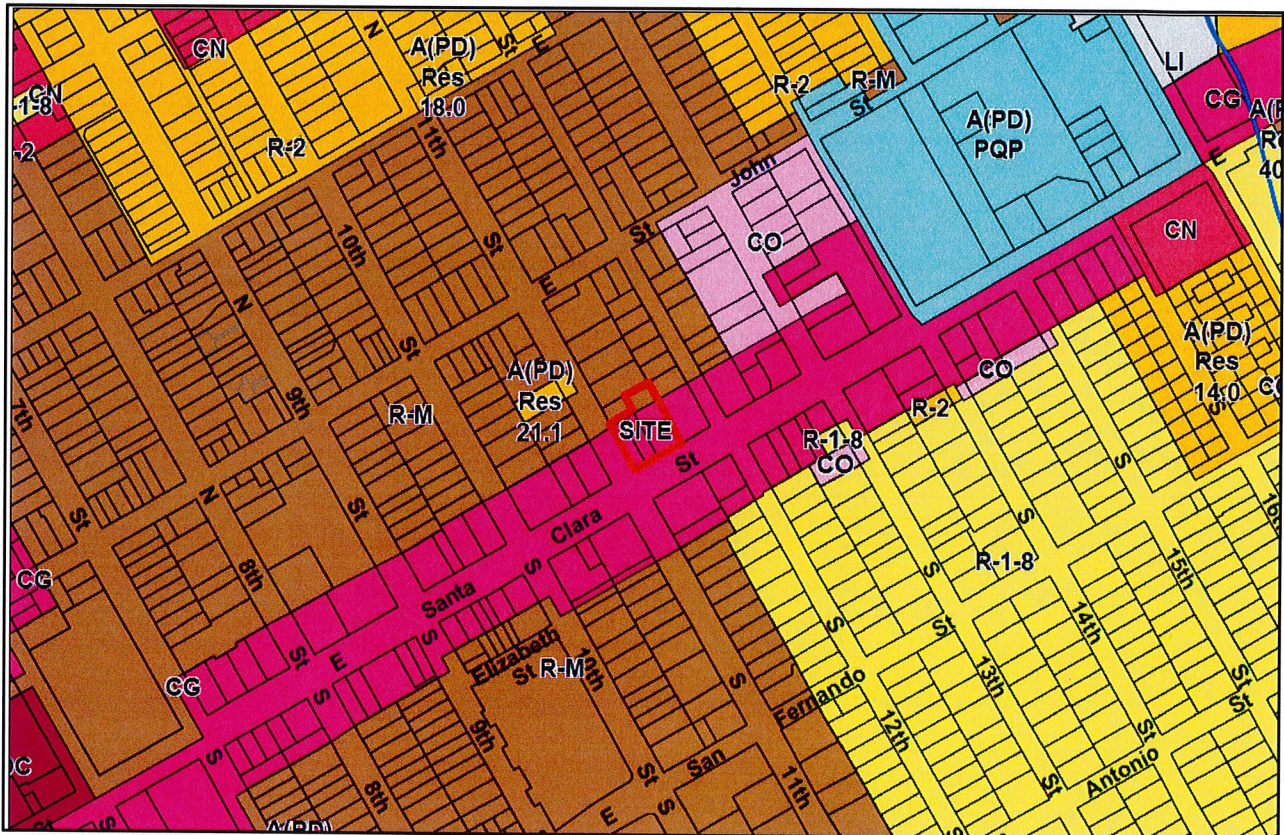
Applicant:

Mark Hirth
14597 Big Basin Way
Saratoga, CA 95070

General Plan Map



Zoning Map





DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT

City Planning Commission

Date: March 9, 2017
Time: after 8:30 A.M.
Place: Los Angeles City Hall
John Ferraro Council Chamber
200 North Spring Street
Los Angeles, CA 90012

Public Hearing: December 7, 2016
Appeal Status: Zone Change is appealable only by the applicant to City Council if disapproved in whole or in part. Conditional Uses and Site Plan Review are appealable to the City Council by any party.

Expiration Date: May 2, 2017
Multiple Approval: Yes

PROJECT LOCATION: 679-687 South Harvard Boulevard

PROPOSED PROJECT: The project is the construction, use and maintenance of a seven-story, 110-room hotel with a 1,840 square-foot ground floor restaurant. The project includes 80 automobile parking spaces within one (1) at-grade and two (2) subterranean parking levels.

REQUESTED ACTIONS: In accordance with Section 12.36 of the Los Angeles Municipal Code (Multiple Approval Ordinance), the following are requested:

1. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, adoption of the Mitigated Negative Declaration (Case No. ENV-2016-3065-MND) for the above referenced project;
2. Pursuant to Section 21081.6 of the California Public Resources Code and CEQA Guidelines Section 15097, adoption of the Mitigation Monitoring Program for ENV-2016-3065-MND;
3. Pursuant to Section 12.32-F of the Los Angeles Municipal Code (L.A.M.C.), a Zone Change from R3P-2 to RAS4-2;
4. Pursuant to Section 12.24-W,1 of the L.A.M.C., a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption within the 1,840 square-foot ground floor restaurant;
5. Pursuant to Section 12.24-W,24 of the L.A.M.C., a Conditional Use Permit to allow the construction, use and maintenance of a 110-room hotel within 500 feet of a R zoned property, and

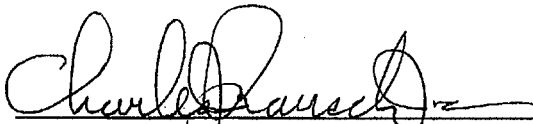
Case No.: CPC-2016-3064-ZC-CUB-CU-SPR
CEQA No.: ENV-2016-3065-MND
Council No.: 10 - Wesson
Plan Area: Wilshire
Specific Plan: None
Certified NC: Wilshire Center - Koreatown
General Plan: Regional Center
Current Zone: R3P-2
Proposed Zone: RAS4-2
Applicant: Kwang Kyu Pak
Representative: Bill Robinson


6. Pursuant to Section 16.05 of the L.A.M.C., a Site Plan Review for a development project which creates or results in an increase of 50 or more rooms.

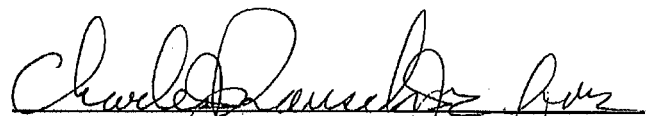
RECOMMENDED ACTIONS:


1. **Adopt** the findings;
2. **Adopt** the Mitigated Negative Declaration (Case No. ENV-2016-3065-MND) for the above referenced project;
3. **Adopt** the Mitigation Monitoring Program for ENV-2016-3065-MND;
4. **Recommend** that the City Council **approve** a Zone Change from R3P-2 to (T)(Q)RAS4-2 for the entire site;
5. **Approve** a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption within the 1,840 ground floor square-foot restaurant;
6. **Approve** a Conditional Use Permit to allow the construction, use and maintenance of a 110-room hotel within 500 feet of a R zoned property;
7. **Approve** a Site Plan Review for a development project which creates or results in an increase of 50 or more rooms;
8. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring; and
9. **Advise** the applicant that pursuant to State Fish and Game Code Section 711.4, Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) Filing.

VINCENT P. BERTONI, AICP
Director of Planning


Charles J. Rausch, Jr.
Associate Zoning Administrator


Heather Bleemers
City Planner


Nicholas Hendricks
Senior City Planner


Oliver Netburn
City Planning Associate

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 525, City Hall, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendaized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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PROJECT ANALYSIS

Project Summary

The proposed project is the construction, use and maintenance of a seven-story, 110-room hotel with a 1,840 square-foot ground floor restaurant. The project consists of a total of 64,763 square feet of floor area with a maximum height of 84 feet, six (6) inches (84'-6"). The project includes 80 automobile parking spaces within one (1) at-grade and two (2) subterranean parking levels. The site is currently improved with a surface parking lot which will be removed as part of the project.

In addition to the 1,840 square-foot ground floor restaurant, the project provides approximately 11,000 square feet of common area on the second floor, including meeting rooms, a business center, a guest library, guest lounge and outdoor terrace. On the third floor the project includes a fitness room and a courtyard garden area.

The guest rooms primarily range in size between 291 and 392 square feet and include one (1) or two (2) beds. Five (5) guest rooms are 540 square feet and one (1) guest room is 1,096 square feet and includes two (2) bedrooms and a full kitchen.

The proposed project is required to provide a total of 65 automobile parking spaces. The project provides 80 automobile parking spaces within one (1) at-grade and on two (2) subterranean levels. The at-grade parking level includes the pick-up and drop-off area for guests and a total of eight (8) parking spaces - three (3) electric vehicle and five (5) handicap accessible spaces. The two (2) subterranean levels are fully automated. Access to the parking area is via a two-way driveway along Harvard Boulevard.

The proposed project will provide the required 10 bicycle parking spaces, including five (5) short-term and five (5) long-term spaces. A separate bicycle room is located on the at-grade parking level for long-term bicycle parking. Short-term bicycle parking is located toward entrance of the lobby area.

The applicant has requested:

- 1) Adoption the Mitigated Negative Declaration (Case No. ENV-2016-3065-MND) for the proposed project;
- 2) A recommendation that the City Council approve a Zone Change from R3P-2 to (T)(Q)RAS4-2 for the entire site;
- 3) An approval of a Conditional Use Permit to allow a full line of alcoholic beverages for on-site consumption within the ground floor restaurant;
- 4) An approval of a Conditional Use Permit to allow the development of a hotel within 500 feet of a R zoned property, and
- 5) An approval of a Site Plan Review for a project that results in 50 or more guests rooms.

Background

The subject property is a flat, rectangular, 14,877 square-foot interior lot with a 110-foot frontage along Harvard Boulevard and a depth of 135 feet. The property is currently improved with a surface parking lot which will be removed as part of the project.

The property is located within the Wilshire Community Plan and is approximately 380 feet south of Wilshire Boulevard. The Metro Purple Line subway station and Metro Rapid 720 bus stop at Wilshire Boulevard and Normandie Avenue are approximately one-quarter mile to the east of the project site.

The property is located within 0.59 kilometers of the nearest fault (Puente Hills Blind Thrust).

General Plan Land Use Designation

The Wilshire Community Plan designates the subject property for Regional Center Commercial land uses with corresponding zones of CR, C1.5, C2, C4, P, PB, RAS3, RAS4, R3, R4 and R5. The subject property is zoned R3P-2. The applicant has requested a Zone Change to RAS4-2 for the entire property, which is consistent with the range of zones corresponding to the site's land use designation.

Surrounding Properties

Properties surrounding the subject site are designated for High Medium Residential and Regional Center Commercial land uses, and are zoned R3P, PB, R3, R4, (T)(Q)C2, C2, (T)(Q)C4, (Q)C4 and C4, and are primarily developed with multi-story, multi-family dwellings and commercial buildings, surface parking lots and parking structures.

Other notable developments in the surrounding area include the following:

Address	No. of Stories	FAR
679-687 South Harvard Boulevard (proposed project)	7	4.4:1
3600-3624 Wilshire Boulevard	21	8.1:1
3650-3660 Wilshire Boulevard	12	7.4:1
3576-3580 Wilshire Boulevard	18	19:1
3550-3564 Wilshire Boulevard	18	17:1
3640-42 Wilshire Boulevard (667-75 Harvard Boulevard)*	7	3.7:1
699 Harvard Boulevard, 694 Hobart Boulevard, 3531 -3533 7 th Street**	16 and 21	8.5:1

* currently under construction

** approved in 2011

Street and Circulation

Harvard Boulevard, abutting the property to the east, is a Collector street, dedicated to a variable width of between 60 and 62 feet and improved with asphalt roadway and curb, gutter and sidewalk.

Site Related Cases and Permits

Case No. ZA-2008-4763-CUB - On December 17, 2009, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with an existing restaurant on a lot in the C4-2 Zone.

Surrounding Related Cases

Case No. ZA 2011-0319-ZV-ZAA-SPR - On June 1, 2011, the Zoning Administrator approved a Site Plan Review in conjunction with the expansion of a synagogue from the existing 123,890 square feet to approximately 244,950 square feet, located at 3663 West Wilshire Boulevard.

Case No. ZA 95-0718-CUB - On December 8, 1995, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of alcoholic beverages for on-site consumption, located at 3580 Wilshire Boulevard.

Public Hearing and Issues

Public Hearing

A public hearing was conducted by the Hearing Officer on December 7, 2016, at 3:15 p.m., at City Hall in downtown Los Angeles. The hearing was attended by approximately five (5) people, including the applicant, the applicant's representatives and one (1) member of the public, a representative of UNITE HERE. No one spoke in opposition of the project and no letters of opposition were received.

RAS4 Zone

The project originally included an 880 square-foot ground floor retail space and a 1,992 square-foot second floor restaurant, however, pursuant to L.A.M.C. Section 12.11.5 (the RAS4 Zone), commercial uses are not permitted above the ground floor. Therefore, the applicant agreed to revise the project to replace the ground floor retail component with the restaurant and to provide additional hotel amenities on the second floor, including meeting rooms, a business center, a guest library, guest lounge and outdoor terrace, consistent with the requirements of the requested RAS4 Zone.

Traffic Analysis

As discussed above, project originally included an 880 square-foot ground floor retail space and a 1,992 square-foot second floor restaurant which the requested RAS4 Zone would not permit. It was the applicant's intention to make the restaurant space only accessible to guests of the hotel, however it was determined that such a configuration would not be enforceable and would not be consistent with the requested alcohol license. By the time this inconsistency with the zone came to light, LADOT had already approved the traffic study based on the originally proposed project. The analysis from LADOT found that the project would not result in any significant impacts to the surrounding roadways or intersections.

Subsequent to LADOT initial review and approval, and following the changes to the project that are now before the City Planning Commission, the applicant provided LADOT with a revised traffic study based on the revised project. The revised traffic study came to the same conclusion as the initial traffic study that no significant impacts would occur as a result of removing the second floor restaurant and replacing the originally proposed ground floor commercial with a 1,840 square-foot ground floor restaurant.

As of the preparation of this Staff Report, LADOT has not provided the Department of City Planning with a letter indicating their concurrence with the updated traffic study. Nevertheless, Planning Staff has consulted with LADOT regarding the changes to the project and has received confirmation that project would continue not to have any significant impacts to the surrounding roadways or intersections. Furthermore, prior to any action made by the City Planning

Commission on March 9, 2017, LADOT will provide Planning Staff with a letter confirming their position of no significant impacts and that letter will be given to the City Planning Commissioners for their review and consideration.

Measure JJJ

Case No. CPC-2016-3064-ZC-CUB-CU-SPR was filed on August 18, 2016 and was scheduled for a December 7, 2016 public hearing. On February 9, 2017, Case No. ENV-2016-3065-MND was published for public review and comment.

Furthermore, Case No. CPC-2016-3064-ZC-CUB-CU-SPR does not involve the construction of any residential dwelling units.

Therefore, in light of the type of development associated with Case No. CPC-2016-3064-ZC-CUB-CU-SPR, the proposed hotel and ground floor restaurant is exempt from the provisions of Measure JJJ.

Professional Volunteer Program

The proposed project was reviewed by the Department of City Planning's Urban Design Studio - Professional Volunteer Program (PVP) on January 24, 2017. The following issues, concerns, and recommendations were discussed:

- Show landscaping at ground level and within the courtyard area.
- Indicate the proposed materials on the elevations
- Provide additional detail and treatment at the first and second floor levels, especially on the northern and western elevations.
- Maintain one (1) main entrance to the restaurant with direct access to the sidewalk.

The applicant has submitted revised plans which satisfy the recommendation of the PVP with the exception that the restaurant does not have main entrance along the building frontage, adjacent to the sidewalk. Therefore, Staff has included a condition that would require the maintenance one (1) main entrance to the restaurant with direct access to the sidewalk.

Conclusion

Based on the Public Hearing and information submitted to the record, Staff is recommending that the City Planning Commission adopt the Mitigated Negative Declaration (Case No. ENV-2016-3065-MND) and the Mitigation Monitoring Program.

Staff also recommends that the City Planning Commission recommend that the City Council adopt the Zone Change from R3P-2 to RAS4-2; approve the Conditional Use Permit to allow a full line of alcoholic beverages for on-site consumption within the ground floor restaurant; approve the Conditional Use Permit to allow the development of a hotel within 500 feet of a R zoned property, and approve the Site Plan Review.