

DOCKETED

Docket Number:	21-SPPE-02
Project Title:	STACK Trade Zone Park
TN #:	245894
Document Title:	STACK TZP Responses to CEC Data Request Set 2 - Part III
Description:	N/A
Filer:	Scott Galati
Organization:	DayZenLLC
Submitter Role:	Applicant Representative
Submission Date:	9/7/2022 12:19:12 PM
Docketed Date:	9/7/2022

PLANT PALETTE

TREES



ARBUTUS X 'MARINA'
MARINA STRAWBERRY TREE



CERCIS OCCIDENTALIS
WESTERN REDBUD



CHILOPSIS LINEARIS
DESERT WILLOW



FRAXINUS VELUTINA 'MODESTO'
MODESTO VELVET ASH



MAGNOLIA GRANDIFLORA 'ALTA'
SOUTHERN MAGNOLIA



TILIA TOMENTOSA
SILVER LINDEN

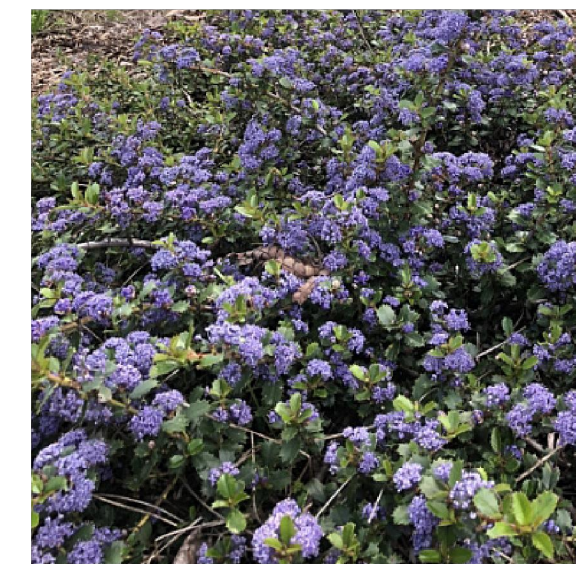
SHRUBS / PERENNIALS



AGAVE ATTENUATA
FOXTAIL AGAVE



ASCLEPIAS FASCICULARIS
NARROWLEAF MILKWEED



CEANOTHUS GLORIOSUS
POINT REYES CEANOTHUS



ERIOPHYLLUM CONFERTIFLORUM
GOLDEN YARROW



RHAMNUS CALIFORNICA
CALIFORNIA COFFEEBERRY

GRASSES / GROUNDCOVERS



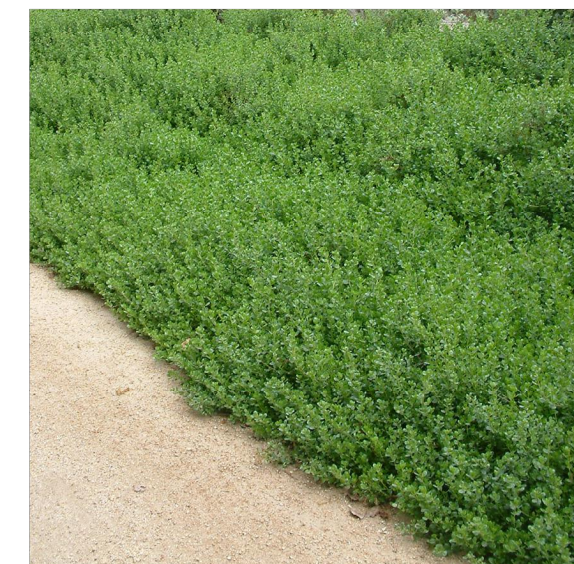
MUHLENBERGIA CAPILLARIS
DEER GRASS



MUHLENBERGIA RIGENS
DEER GRASS



ARCTOSTAPHYLOS X
EMERALD CARPET MANZANITA



BACCHARIS PILARIS 'PIGEON POINT'
PIGEON POINT COYOTE BRUSH



CEANOTHUS X 'CENTENNIAL'
CENTENNIAL WILD LILAC



MYOPORUM PARVIFOLIUM
TRAILING MYOPORUM

BIORETENTION PLANTING



CAREX BARBARAE
SANTA BARBARA SEDGE



CAREX DIVULSA
EUROPEAN GREY SEDGE



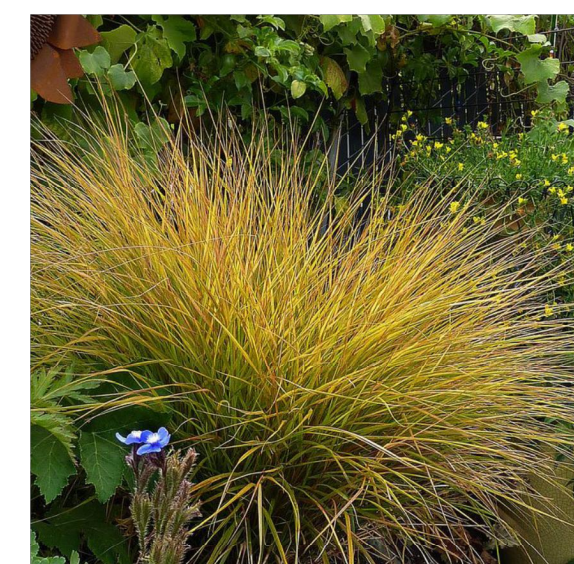
CHONDRPETALUM ELEPHANTIUM
LARGE CAPE RUSH



CHONDRPETALUM TECTORUM
'EL CAMPO' / CAPE RUSH

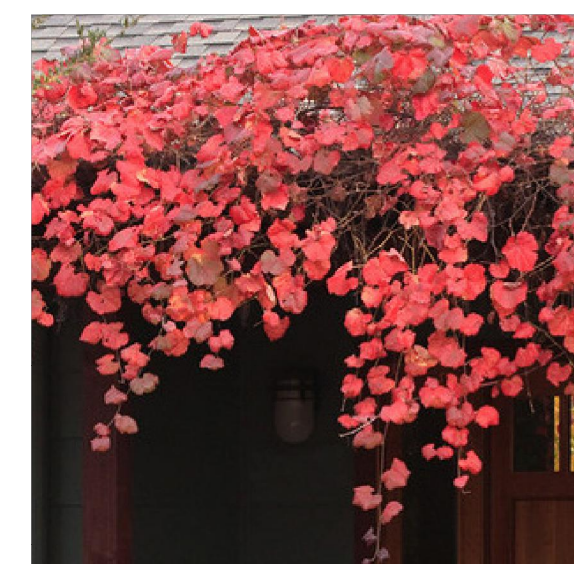


JUNCUS PATENS
CALIFORNIA GRAY RUSH



STIPA ARUNDINACEA
NEW ZEALAND WIND GRASS

VINE



VITIS CALIFORNICA X VENIFERA 'ROGERS RED'
ROGER'S RED GRAPE

FILE NUMBER: PD220-001

APPENDIX LU DR-75

City of San Jose Comments

Memorandum

To: Alec Atienza

From: Gordana Sabatelli
Fire Department

Subject: INITIAL RESPONSE TO
DEVELOPMENT APPLICATION

Date: 07/08/22

Re: Plan Review Comments

PLANNING #: PD22-001

DESCRIPTION: Planned Development Permit to allow the demolition of two existing buildings and the removal of 156 trees (101 ordinance-size, 55 non-ordinance-size) for the construction of two data centers total approximately 522,194 square feet, one approximately 136,573-square foot manufacturing building, an approximately 150,000-square foot 300-stall parking structure, and an electrical substation on an approximately 9.78-gross acre site.

LOCATION: <Description not found>

ADDRESS: 1849 FORTUNE DR

FOLDER #: 22 654749 DEV

The Fire Department's review was limited to verifying compliance per Chapter 5 of the 2019 California Fire Code (CFC) with City of San Jose Amendments (SJFC), related to site requirements:

- Fire Apparatus Access Roads (CFC Appendix D)
- Fire-Flow Requirements for Buildings (CFC Appendix B)
- Fire Hydrant Locations & Distribution (CFC Appendix C)

These comments are based on the following information from drawings dated 4/27/2022 by Stack Infrastructure/ Kimley Horn.

SVYAM – Advanced Manufacturing Core & Shell Building (Leasable)

- Area of Building(s): 136,573 SF
- Number of Level(s): 4
- Height of Building(s): 83' TOP
- Construction Type(s): II-A
- Occupancy Group(s): F-1

SVY05 – Data Center and Office (Leasable)

- Area of Building(s): 220,012 SF

- Number of Level(s): 3
- Height of Building(s): 80' TOP
- Construction Type(s): II-A
- Occupancy Group(s): S-2/ B

SVY06 – Data Center (Leasable)

- Area of Building(s): 302,182 SF
- Number of Level(s): 3
- Height of Building(s): 80' TOP (64' TOR)
- Construction Type(s): II-A
- Occupancy Group(s): S-2/ B

Parking Structure

- Area of Building(s): 166,182 SF
- Number of Level(s): 5
- Height of Building(s): 56'2" (Top of parking level 5)
- Construction Type(s): I-A
- Occupancy Group(s): S-2

Substation

- Area of Building(s): N/A
- Number of Level(s): 1
- Height of Building(s): 14'
- Construction Type(s): N/A
- Occupancy Group(s): F-1

These comments should be used as a checklist during design and development of the project. Projects change somewhat as the detailed design commences. Site requirements may be impacted by these changes and must be revisited with the Fire Department.

Section 1 - Actions / Revisions Required:

1. With plan resubmittal, provide written responses to the comments noted in Section 1. All comments shall include plan set page number. These comments shall be substantially complete prior to planning approval, but some comments may be deferred to Building Permit Phase, on a case by case basis.
2. The applicant has the option to apply for a Fire Department Variance to mitigate deficiencies noted in this Section. The Variance Application will be an additional/separate permit, and it shall be submitted through SJePlans.

- [More information can be found at our SJePlans & Fire Permits City web page at the following url: https://www.sanjoseca.gov/your-government/departments-offices/fire-department/bureaus/fire-prevention-permits/san-jose/-fsiteid-1](https://www.sanjoseca.gov/your-government/departments-offices/fire-department/bureaus/fire-prevention-permits/san-jose/-fsiteid-1)
 - The variance application can be obtained at the following url: <https://www.sanjoseca.gov/home/showpublisheddocument/82097/637800309112170000>
 - [Variance shall be added to building plan set.](#)
3. **Fire Department Development Review Fees.** When the initial Fire Review Fee is depleted, an additional fee will be required. Meeting requests and/or any additional time spent for review are charged extra at hourly project review rate.
 4. **Building Features.** Confirm/provide building area, number of levels, height, construction type, and occupancy group information.
Please confirm/ provide all building features listed here.
SJFD: Information provided on sheet 1.0 Title Sheet
 5. **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: [637731948086200000 \(sanjoseca.gov\)](https://www.sanjoseca.gov/637731948086200000)
 - approved all weather surface;
 - minimum 20 feet wide;
 - minimum 13 feet 6 inch vertical clearance;
 - designed and maintained to support a load of at least 75,000 pounds;
 - minimum inside turning radius of 30 feet and an outside turning radius of 50 feet;
 - approved turnaround provided if dead ends exceed 150 feet;
 - 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)
 - 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
 - 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
 - Show on the plans that all exterior walls of the first story of the building(s) are within 150 feet from the access road as measured along the path of travel (CFC Section 503.1.1). Path of travel requires a minimum six (6) feet wide clear and unobstructed walkable surface. Path of travel is measure from building overhang to property line.

Building SVYAM and SVY05, and parking garage are built attached to each other, on or near the new property line. All three buildings are deficient for 150', and less than 6 ft clear unobstructed access around all exterior walls of the building.

SVY06 building does not comply with the 150 ft distance from the fire access road. You have an option to apply for fire variance to mitigate these deficiencies.

SJFD: Applicant will submit fire variance with mitigation proposal during building permitting stage.

6. **Aerial Apparatus Access Road (CFC Appendix D, Section D105).** Show location of aerial access road. This applies to 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). Aerial access roads shall have a minimum unobstructed width of 26 feet, be positioned parallel to one entire side of the building and be located within a minimum of 15 feet and a maximum of 30 feet from the building.

Building SVYAM and SVY05, and parking garage are deficient for aerial fire apparatus access.

SJFD: Applicant will submit fire variance with mitigation proposal during building permitting stage.

7. **Fire Hydrant Locations & Distribution.** Fire Hydrant Locations & Distribution shall meet the requirements of CFC Appendix C with City of San Jose Amendments.

- 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 [637599691933100000 \(sanjoseca.gov\)](http://sanjoseca.gov))
- 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 measured from a fire hydrant on a fire apparatus access road, along the path of travel around the exterior of the building (and not by drawing a 400 feet radius around the fire hydrant). Path of travel requires a minimum six (6) feet wide clear walkable path from building overhang to property line.

Provide type of construction and confirm gross area for the buildings to calculate fire hydrant and fire flow requirement. You need to provide separate calculation for each building.

Building SVYAM and SVY05, and parking garage that do not have access all the way around the buildings are already deficient for hydrant distribution.

Minimum required road width where hydrants are located is 26. Confirm that hydrants # 7 & #8 comply. Hydrant #13 cannot be used at the proposed location. SVY06 building is also deficient for hydrant distribution.

SJFD: Stamped Fire Hydrant and Access Plan for SJWC simulation.

8. **Fire Flow and Fire Hydrant Calculation and Layout:**

- a) Provide Fire Flow/Hydrant Calculations, including hydrant layout as part of the official drawing set, preferably on the Civil Utility Drawings.
- Refer to the San Jose Fire Flow and Hydrant Policy:

[637599691933100000 \(sanjoseca.gov\)](http://637599691933100000.sanjoseca.gov)

- For calculating the Fire Flow for buildings with mixed construction type, refer to: [637608338845370000 \(sanjoseca.gov\)](http://637608338845370000.sanjoseca.gov)

Provide type of construction and confirm gross area for the buildings to calculate fire flow requirement.

SJFD: Provided.

9. **Easements.** If any fire department related easements are required or if any easements already exist, provide a copy to SJFD and include a note about the Easement on the plans
Provide information of any existing or new easements.

SJFD: Road through the site is utility and EVA easement.

10. **Fire Department Connections.** The 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. The fire hydrant should be located so that hoses can be laid directly to the fire department connection without crossing a road or driveway.

To be determined after approval of hydrant locations.

SJFD: Will be provided.

11. **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.

Section 2 – For Information Only: The following comments are provided for general information. These requirements shall be satisfied prior to the issuance of Fire and Building permits. This is not an all-inclusive list.

1. **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. Fire sprinkler systems 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 following link:

[Fire Sprinkler Policy \(sanjoseca.gov\)](http://FireSprinklerPolicy.sanjoseca.gov)

2. **Fire Alarm System.** Building(s) shall be provided with a fire alarm system as required by CFC 907.2.
3. **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.

4. **Fire Apparatus Access Road Gates.** Fire apparatus access road gates shall comply with all the requirements of CFC Appendix D, Section D103.5.
[637655246329770000 \(sanjoseca.gov\)](#)

See link provided in Item #5 to CFC with SJFD policy for fire apparatus access road requirement. Check Section D103.5 and make sure you comply with required width for fire apparatus access road gates.

5. **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.
[637698245114530000 \(sanjoseca.gov\)](#)
6. **Elevator to Accommodate Ambulance Stretcher.** Where elevators are provided in buildings four or more stories above grade plane, or four or more stories below grade plane, at least one elevator shall be provided to accommodate an ambulance stretcher (24 inches by 85 inches). Refer 2019 CBC Section 3002.4 for requirements.
7. **Street Number Visibility.** Street numbers of the buildings shall be easily visible from the street at all times, day and night. [637662056235400000 \(sanjoseca.gov\)](#)
8. **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.
[637655246329770000 \(sanjoseca.gov\)](#)
9. **HAZMAT.** A Hazardous Materials Plan Review may be required to determine if the type and quantity of hazardous material is acceptable per code.
For projects requiring hazmat plan review see the following link:
[637807990990970000 \(sanjoseca.gov\)](#)
When submitting construction documents, please include the list of all hazardous materials on the BOCIF form. The form can be found at the following link:
[Building Occupancy Classification Inventory Form \(unidocs.org\)](#)

There are no additional comments. Resubmittal of plans to Fire Department is not required. At this point the only outstanding item is fire flow letter, which applicant can submit as soon as it becomes available. Variances will be submitted and reviewed during building permitting stage.

Gordana Sabatelli
SJFD - Bureau of Fire Prevention
Phone: 408-535-5686
E-mail: Gordana.sabatelli@sanjoseca.gov (best way to reach me)



Memorandum

TO: Alec Atienza
Planning and Building

FROM: Cristina Lindstrom
Public Works

SUBJECT: 2nd RESPONSE TO
DEVELOPMENT APPLICATION

DATE: 06/30/22

Approved

Date

06/30/22

PLANNING NO.: PD22-001 and PT22-002
DESCRIPTION: Planned Development Permit to allow the demolition of two existing buildings and the removal of 156 trees (101 ordinance-size, 55 non-ordinance-size) for the construction of two data centers totaling approximately 510,000 square feet, one approximately 130,000-square foot manufacturing building, one 300-stall parking structure, and an electrical substation on an approximately. Vesting Tentative Map to merge two lots into one lot and allow up to 15 commercial condominiums on an approximately 9.87-gross acre site.
LOCATION: 1849 Fortune Drive
P.W. NUMBER: 3-05566

Public Works received the subject project on 06/07/22 and submits the following comments and requirements. **Upon completion of the Action/Revisions Required items by the applicant, Public Works will forward a Final Memo to the Department of Planning prior to the preparation of the Staff Report for Public Hearing.**

Information Only:

1. **Municipal Regional Stormwater Update:** An update to the Municipal Stormwater permit is planned for July 1, 2023. If this Planned Development permit and Vesting Tentative Map are not approved before June 30, 2023 the project will need to comply with the updated MRP which would include appropriate stormwater treatment to the improvements in the right-of-way.

Actions / Revisions Required:

2. **Stormwater Runoff Pollution Control Measures:**
 - a) Revised Stormwater Evaluation Form (SEF) based on the comments below.
 - i) Section 3 - Revise 3.d to reflect the following:
 - a) Select all appropriate Source Control Measures (i.e., Treatment Systems – Biotreatment: Bioretention Area).

- b) Check “Covered Loading Docks and Maintenance Bays” as indicated on the plans.
 - ii) Section 4 - Update to reflect the Biotreatment implemented.
 - iii) Section 6 - Include the Responsible party in charge of Operation and Maintenance.
 - b) Revise the Storm Water Control Plan (SCP) Sheet 5.0 per the following:
 - i) Separate DMA 8 accordingly to ensure proper drainage. (i.e. DMA 8 at Trade Zone Blvd and DMA 11 at Ringwood Av). Currently, the plans indicate that DMA 8 collects the stormwater from both Trade Zone Blvd and Ringwood Ave.
 - ii) Add the latest notes and details for bioretention areas from the Public Works website under the C.3 Design and Submittal Resources section of the webpage located at the following:
<http://www.sanjoseca.gov/devresources>.
 - iii) Cover all repair/maintenance bays and fueling areas and grade the surroundings to prevent stormwater runoff from entering these areas.
 - iv) Project shall conform to the City’s Solid Waste Enclosure Guidelines (<http://www.sanjoseca.gov/Home/ShowDocument?id=46404>) This includes covering all trash enclosures and connecting all drains within trash enclosures to the sanitary sewer system.
 - c) Revise the Storm Water Control Notes (SCP) Sheet 5.1 per the following:
 - i) Revise the Site Design Measures Table and list all appropriate Site Design Measures shown in the Storm Evaluation Form.
 - ii) Add the Operations and Maintenance (O&M) Information Table that lists the party responsible for O&M.
- 3. **Landscape Plan:** Revise the landscaping plans to reflect the following:
 - a) Ringwood Avenue: Revise proposed street trees, Fraxinus ‘Modesto’ to Tilia tomentosa planted 40’ on center along project frontage.
 - b) Trade Zone Blvd: Revise proposed street trees, Platanus x acerifolia to Arbutus ‘Marina’ planted 35’ on center along project frontage.
- 4. **Transportation:** A Local Transportation Analysis was submitted to the City and is currently being reviewed. Additional public improvements may be required upon completion of the local transportation.
- 5. **Street Improvements:**
 - a) DOT will provide a planline for Trade Zone Blvd and the Trade Zone Blvd/Ringwood Ave intersection showing a complete streets protected intersection design and a Class IV protected bikeway design.
 - b) Implement a signal modification at the southeast corner of the Trade Zone Blvd/Ringwood Ave intersection (project frontage corner) and at the southwest intersection corner (VMT Mitigation) to remove the existing pork-chop islands.
 - c) Provide an updated conceptual plan showing the removal of the pork-chop islands along with existing signal components to determine possible signal modification requirements.

6. **Sanitary:** Provide expected flow rate to the existing surrounding sanitary mains to evaluate potential capacity constraints for this proposed project. If the provided flow rate for the project exceeds the current capacity, upsizing of the surrounding mains will be required.
7. **Other:** Revise the building use square footage shown on Sheet 2 of 5 of the Vesting Tentative Parcel Map to be consistent with the values shown on Sheet 3.1.

Project Conditions:

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

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

1. **Construction Agreement:** The public improvements conditioned as part of this permit require the execution of a Construction Agreement that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This agreement includes privately engineered plans, bonds, insurance, a completion deposit, and engineering and inspection fees.
2. **Grading/Geology:**
 - a) A grading permit is required prior to the issuance of a Public Works Clearance.
 - b) All on-site storm drainage conveyance facilities and earth retaining structures 4 foot in height or greater (top of wall to bottom of footing) or is being surcharged (slope of 3:1 or greater abutting the wall) shall be reviewed and approved under Public Works grading and drainage permit prior to the issuance of Public Works Clearance. The drainage plan should include all underground pipes, building drains, area drains and inlets. The project shall provide storm drainage calculations that adhere to the latest California Plumbing Code as adopted under the City of San Jose Municipal Code Section 24.04.100 or submit a stamped and signed engineered design alternative for Public Works discretionary approval and must be designed to convey a 10-year storm event.
 - c) If the project proposes to haul more than 10,000 cubic yards of cut/fill to or from the project site, a haul route permit is required. Prior to issuance of a grading permit, contact the Department of Transportation at (408) 535-3850 for more information concerning the requirements for obtaining this permit.
 - d) Because this project involves a land disturbance of one or more acres, the applicant is required to submit a Notice of Intent to the State Water Resources Control Board and to prepare a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity. Copies of these documents must be submitted to the City Project Engineer prior to issuance of a grading permit.

- e) The Project site is within the State of California Seismic Hazard Zone. A geotechnical investigation report addressing the potential hazard of liquefaction must be submitted to, reviewed and approved by the City Geologist prior to issuance of a grading permit or Public Works Clearance. The report should also include, but not limited to: foundation, earthwork, utility trenching, retaining and drainage recommendations. The investigation should be consistent with the guidelines published by the State of California (CGS Special Publication 117A) and the Southern California Earthquake Center (SCEC, 1999). A recommended depth of 50 feet should be explored and evaluated in the investigation.
3. **Stormwater Peak Flow Control Measures:** The project is located in a non-Hydromodification Management area and is not required to comply with the City's Post-Construction Hydromodification Management Policy (Council Policy 8-14).
 4. **Stormwater Runoff Pollution Control Measures:** This project must comply with the City's Post-Construction Urban Runoff Management Policy (Policy 6-29) which requires implementation of Best Management Practices (BMPs) which includes site design measures, source controls and numerically-sized Low Impact Development (LID) stormwater treatment measures to minimize stormwater pollutant discharges.
 - a) The project's Stormwater Control Plan and numeric sizing calculations have been reviewed and require revisions per the Action/Revision section.
 - b) Final inspection and maintenance information on the post-construction treatment control measures must be submitted prior to issuance of a Public Works Clearance.
 - c) A post construction Final Report is required by the Director of Public Works from a Civil Engineer retained by the owner to observe the installation of the BMPs and stating that all post construction storm water pollution control BMPs have been installed as indicated in the approved plans and all significant changes have been reviewed and approved in advance by the Department of Public Works.
 5. **Flood: Zone AO, Depth 1':**
 - a) Elevate the lowest floor to 1 foot or more above the existing highest adjacent grade to the proposed structure or floodproof to the same elevation. For insurance rating purposes, the building's floodproofed design elevation must be at least one foot above the base flood elevation to receive rating credit.
 - b) An Elevation Certificate (FEMA Form 086-0-33) for each proposed structure, based on construction drawings, is required prior to issuance of a building permit. Consequently, an Elevation Certificate for each built structure, based on finished construction is required prior to issuance of an occupancy permit.
 - c) If the structure is to be floodproofed, a Floodproofing Certificate (FEMA Form 086-0-34) for each structure, floodproofing details, and if applicable, a Flood Emergency Operation Plan and an Inspection & Maintenance Plan are required prior to the issuance of a Public Works Clearance.
 - d) Building support utility systems such as HVAC, electrical, plumbing, air conditioning equipment, including ductwork, and other service facilities must be elevated above the depth of flooding or protected from flood damage.

- e) Construction materials used below the depth of flooding must be resistant to flood damage.
6. **Sewage Fees:** In accordance with City Ordinance all storm sewer area fees, sanitary sewer connection fees, and sewage treatment plant connection fees, less previous credits, are due and payable.
7. **Undergrounding:** The In-Lieu Undergrounding Fee shall be paid to the City for all frontage(s) adjacent to Trade Zone Blvd prior to issuance of a Public Works Clearance. Percentage of the base fee in place at the time of payment will be due. Currently, the 2022 base fee is \$574 per linear foot of frontage and is subject to change every January 31st based on the Engineering News Record's City Average Cost Index for the previous year. The project will be required to pay the current rate in effect at the time the Public Works Clearance is issued.
8. **Environment Assessment of Easement Dedications:** A sidewalk easement dedication is required as part of this permit. An environmental assessment of the easement dedication area from an environmental consultant is required prior to recordation of the easement.
9. **Street Improvements:**
- a) Implement a signal modification at the southeast corner of the Trade Zone Blvd/Ringwood Ave intersection (project frontage corner) and at the southwest intersection corner (VMT Mitigation) to remove the existing pork-chop islands based on planline provided by DOT.
 - b) Provide an updated conceptual plan showing the removal of the pork-chop islands along with existing signal components to determine possible signal modification requirements
 - c) Trade Zone Blvd:
 - i) Construct a raised median island per CJS standards along the Trade Zone Blvd project frontage.
 - ii) Construct an on-street Class IV protected bikelane along the Trade Zone Blvd project frontage that includes a 5' wide raised concrete island and 7' wide bikelane.
 - iii) Construct 15' detached sidewalk with curb, gutter, 7' parkstrip, and 8' sidewalk along Trade Zone Blvd. frontage per CSJ standards.
 - iv) Combine the two easterly driveways along the Trade Zone Blvd frontage into one 32' wide driveway per CSJ standards located at the easternmost proposed driveway location.
 - a) Per the CSJ Standard Details, revise depiction of driveway widths to exclude flares.
 - v) Provide 3" communications conduit along the Trade Zone Blvd frontage.
 - d) Ringwood Ave:
 - i) Construct 10' detached sidewalk with parkstrip per CSJ standards along the Ringwood Avenue frontage.
 - ii) Provide 32' wide driveways per CSJ standards at the proposed ingress/egress locations along the Ringwood Ave.

- a) Per the CSJ Standard Details, revise depiction of driveway widths to exclude flares.
 - e) Provide contribution for future implementation of a Class IV protected bike lane along the Ringwood Avenue frontage per the CSJ Better Bike Plan 2025. Fair share contribution estimated at \$121 per LF of total project frontage.
 - f) Applicant shall be responsible to remove and replace curb, gutter, and sidewalk damaged during construction of the proposed project.
 - g) Repair, overlay, or reconstruction of asphalt pavement up to half street along Fortune Drive frontage may be required. The existing pavement will be evaluated with the street improvement plans and any necessary pavement restoration will be included as part of the final street improvement plans.
 - h) Close unused driveway cuts.
 - i) Street dedication required to cover the extent of all public improvements.
 - j) Dedication and improvements of the public streets shall be to the satisfaction of the Director of Public Works.
 - k) Coordination with Milpitas is needed for the signal modifications and raised median island implementation along Trade Zone Blvd.
 - l) Coordination with VTA is needed to determine public improvements needed at the existing bus stop on the Trade Zone Blvd frontage, including a bus stop shelter and concrete pad.
10. **Sanitary:** The project is required to submit the following:
 - a) Submit a conceptive sanitary sewer plan with pipe slopes, surface elevations, and invert elevations.
 - b) Provide expected flow rate to the existing surrounding sanitary mains to evaluate potential capacity constraints for this proposed project. If the provided flow rate for the project exceeds the current capacity, upsizing of the surrounding mains will be required.
11. **Electrical:** Existing electroliers along the project frontage will be evaluated at the public improvement stage and any street lighting requirements will be included on the public improvement plans.
12. **Street Trees:**
 - a) The locations of the street trees will be determined at the street improvement stage. Contact the City Arborist at (408) 794-1901 for the designated street tree. Install street trees within public right-of-way along entire project street frontage per City standards; refer to the current “Guidelines for Planning, Design, and Construction of City Streetscape Projects”. Obtain a DOT street tree planting permit for any proposed street tree plantings. Street trees shown on this permit are conceptual only.
 - b) Show all existing trees by species and diameter that are to be retained or removed. Obtain a street tree removal permit for any street trees that are over 6 feet in height that are proposed to be removed.

Planning and Building

06/30/22

Subject: PD22-001 and PT22-002

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Please contact me at cristina.lindstrom@sanjoseca.gov or (408) 793-5529 if you have any questions. You may also reach the Senior Engineer overseeing the project, Joe Provenzano at joe.provenzano@sanjoseca.gov or (408) 535-8466 if you have any questions.

Cristina Lindstrom

Cristina Lindstrom
Project Engineer
Development Services Division

June 28, 2022

Chris Kapper
Stack Infrastructure
ckapper@stackinfra.com

2nd Planning Comment Letter

LOCATION AND ADDRESS: Southeast corner of Ringwood Avenue and Trade Zone Boulevard (2400 Ringwood Avenue and 1849 Fortune Drive

RE. File Nos. PDC22-001, PD22-001 & PT22-002

- PDC22-001- Planned Development Zoning to rezone the site from the IP Industrial Park Zoning District to an IP(PD) Planned Development Zoning District.
- PD22-001 - Planned Development Permit to allow the demolition of – Planned Development Permit to allow the demolition of two existing buildings and the removal of 156 trees (101 ordinance-size, 55 non-ordinance-size) for the construction of two data centers total approximately 522,194 square feet, one approximately 136,573-square foot manufacturing building, an approximately 150,000-square foot 300-stall parking structure, and an electrical substation on an approximately 9.78-gross acre site.
- PT22-002 - Vesting Tentative Map to combine two lots into one lot and subdivide to allow up to 15 commercial condominiums.

Dear Chris,

Your application, referenced above, has undergone review for completeness and consistency with City policies and regulations. The purpose of this letter is to provide you with comments and revisions necessary for the project to meet City policies and ordinances. Additional comments may be made later when we receive revised plans and additional information.

Project Issues and Concerns

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

1. Provide a separate word document with draft proposed General Development Standards for the proposed Planned Development Zoning District. Do not add the draft development standards to the plan set until they are finalized. See the Plan Clarifications section below for more information.
2. Vehicle Parking Reduction

- a. The project proposes an approximately 31% reduction in the required number of vehicle parking spaces. Therefore, a Transportation Demand Management (TDM) Plan is required in accordance with Chapter 20.90 of the Zoning Code. See the Zoning Consistency section below for more information.
 - b. Alternatively, as the project includes the development of two data centers, the applicant has the option to apply for a Development Exception to reduce parking. If the applicant chooses to pursue a Development exception, a parking study is required to determine if the proposed number of spaces is adequate for all proposed uses on site.
3. See the Plan Clarifications section below for requested updates to the plan sets and tentative map.

Permit Streamlining Act

Pursuant to the Permit Streamlining Act (Government Code Chapter 4.5 of Title 7), your application has been deemed **complete**. Please note that determining a project to be complete means that the minimum application requirements have been provided. Additional information is required prior to preparing the project for hearing.

Project Review

1. Project Description

The proposed project consists of the following three applications:

- PDC22-001- Planned Development Zoning to rezone the site from the IP Industrial Park Zoning District to an IP(PD) Planned Development Zoning District.
- PD22-001 - Planned Development Permit to allow the demolition of – Planned Development Permit to allow the demolition of two existing buildings and the removal of 156 trees (101 ordinance-size, 55 non-ordinance-size) for the construction of two data centers total approximately 522,194 square feet, one approximately 136,573-square foot manufacturing building, an approximately 150,000-square foot 300-stall parking structure, and an electrical substation on an approximately 9.78-gross acre site.
- PT22-002 - Vesting Tentative Map to combine two lots into one lot and subdivide to allow up to 15 commercial condominiums.

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

2. Zoning Consistency

General Development Plan Requirements

See the Plan Clarifications section below for requested updates to the General Development Plan of the proposed PD Zoning in the

Parking

Parking Type	Required	Provided
Vehicle Parking	497 spaces	339 spaces
Bicycle Parking	28 spaces	38 spaces
Motorcycle Parking	50 spaces	TBD

Staff Comments: If utilizing alternative parking ratios (sheet 3.1), then those ratios must be incorporated into the Draft Development Standards of the Planned Development Zoning. As the project proposes a parking reduction of approximately 31%, the alternative parking ratios must be supported by a Transportation Demand Management (TDM) plan. See the following section below regarding a TDM Plan.

Reduction in Required Parking

Pursuant to [Section 20.90.220](#) of the Zoning Code, a reduction in the required off-street vehicle parking spaces of up to fifty percent may be authorized with a development permit or a development exception if no development permit is required, for structures or uses that conform to all of the following and implement a total of at least three transportation demand management (TDM) measures as specified in the following provisions:

- a. The structure or use is located within two thousand (2,000) feet of a proposed or an existing rail station or bus rapid transit station, or an area designated as a neighborhood business district, or as an urban village, or as an area subject to an area development policy in the city's general plan or the use is listed in [Section 20.90.220](#) G.; and
- b. The structure or use provides bicycle parking spaces in conformance with the requirements of Table 20-90.
- c. For any reduction in the required off-street parking spaces that is more than twenty percent, the project shall be required to implement a transportation demand management (TDM) program that contains but is not limited to at least one of the following measures:
 - a. Implement a carpool/vanpool or car-share program, e.g., carpool ride-matching for employees, assistance with vanpool formation, provision of vanpool or car-share vehicles, etc., and assign carpool, vanpool and car-share parking at the most desirable on-site locations at the ratio set forth in the development permit or development exception considering type of use; or
 - b. Develop a transit use incentive program for employees and tenants, such as on-site distribution of passes or subsidized transit passes for local transit system (participation in the regionwide Clipper Card or VTA SmartPass system will satisfy this requirement).

- d. In addition to the requirements above in [Section 20.90.220](#) A.1.c for any reduction in the required off-street parking spaces that is more than twenty percent, the project shall be required to implement a transportation demand management (TDM) program that contains but is not limited to at least two of the following measures:
- a. Implement a carpool/vanpool or car-share program, e.g., carpool ride-matching for employees, assistance with vanpool formation, provision of vanpool or car-share vehicles, etc., and assign carpool, vanpool and car-share parking at the most desirable on-site locations; or
 - b. Develop a transit use incentive program for employees, such as on-site distribution of passes or subsidized transit passes for local transit system (participation in the regionwide Clipper Card or VTA SmartPass system will satisfy this requirement); or
 - c. Provide preferential parking with charging station for electric or alternatively-fueled vehicles; or
 - d. Provide a guaranteed ride home program; or
 - e. Implement telecommuting and flexible work schedules; or
 - f. Implement parking cash-out program for employees (non-driving employees receive transportation allowance equivalent to the value of subsidized parking); or
 - g. Implement public information elements such as designation of an on-site TDM manager and education of employees regarding alternative transportation options; or
 - h. Make available transportation during the day for emergency use by employees who commute on alternate transportation (this service may be provided by access to company vehicles for private errands during the workday and/or combined with contractual or pre-paid use of taxicabs, shuttles, or other privately provided transportation); or
 - i. Provide shuttle access to Caltrain stations; or
 - j. Provide or contract for on-site or nearby child-care services; or
 - k. Incorporate on-site support services (food service, ATM, drycleaner, gymnasium, etc. where permitted in zoning districts); or
 - l. Provide on-site showers and lockers; or
 - m. Provide a bicycle-share program or free use of bicycles on-site that is available to all tenants of the site; or
 - n. Unbundled parking; and

Staff Comments: The subject site is located in the Lundy/Milpitas BART Employment Area and would provide the required number of bicycle parking

spaces. Based on the plans provided, the project would propose an approximately 31% vehicle parking reduction. As the project proposes a greater than 20% parking reduction, a Transportation Demand Management (TDM) plan would be required to be implemented to achieve the proposed parking reduction. Upon resubmittal, please confirm the parking ratios used and the percentage for the proposed parking reduction. Include any proposed parking ratios that differ from the requirements of the Zoning Code in the Draft Development Standards of the Planned Development Zoning District.

Alternatively, the applicant may apply for a Development Exception to reduce the overall number of required parking spaces. See the following subsection below for more information.

Development Exception

Pursuant to [Section 20.100.1300](#) of the Zoning Code, the applicant may apply for a development exception for the following:

- a. Exceptions to the off-street parking and loading requirements and regulations of this title ([Chapter 20.90](#))

Staff Comments: The applicant may pursue a Development Exception to reduce the overall number of required parking spaces. As the project includes the construction of two data centers, which would not require a large number of employees to operate the facilities, a Development Exception may be considered. If the applicant chooses to pursue a Development Exception, a parking study must be provided to support the proposed reduction in required spaces. Additional fees would be applicable for the review of the exception/parking study.

Tree Removals

The project proposes the removal of 156 trees. Of the 156 trees to be removed, 101 are ordinance-size and 65 are non-ordinance-size. The removal of 156 trees requires the replacement of 515 (15-gallon) or 258 (24-inch box) trees. The applicant is proposing planting 84 24-inch box trees. Therefore, the project must mitigate the planting of 174 24-inch box trees. If the remaining trees cannot be planted on-site, an in-lieu fee must be paid. Based on the current Planning Fee Schedule, the in-lieu fee is \$775 per tree. **Therefore, the applicant would be required to pay approximately \$134,850.** Please note, if the landscape plan is adjusted, the in-lieu fee may change.

3. Plan Clarifications and Required Additional Information

Planned Development Zoning Plan Set (PDC22-001)

- All Sheets – Add “Conceptual” before the title of each sheet (ie. “Conceptual Site Plan”)
- Add sheet – General Development Plan
 - Provide the outline of the proposed Planned Development Zoning District Boundary

- Staff suggests that the base Zoning District be TEC Transit Employment Center
- Refer to previously provided examples or reach out to staff with any questions.
- Sheet 2A - Development Standards
 - Leave blank until development standards are finalized
 - Provide draft development standards as a word document
 - Allowable Uses
 - Consider utilizing the Permitted, Special, Conditional, and Administrative uses of the IP Industrial Park Zoning District.
 - Parking Space Requirements
 - If parking ratios differ than those required by Chapter 20.90 of the Zoning Code, then those ratios must be included in the Development Standards.

Planned Development Permit Plan Set (PD22-001)

- Add File Number PD220-001 to all sheets
- Add New Sheet: General Development Plan (same as PD Zoning. See above)
- Sheet 3.1 – Comprehensive Site Plan
 - Under Proposed Property Information
 - Add General Plan Designation: Transit Employment Center

4. Comments from Other Departments/Divisions and Agencies

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

- a. Building – See attached.
- b. Fire – To be sent at a later time when made available.
- c. Public Works – To be sent at a later time when made available.

5. Community Outreach

Based on the scale and scope of the project, a community meeting will be required prior to any public hearings for this project. The City will provide public notice of this meeting to property owners and tenants within 1,000 feet of the proposed site, and will coordinate with you and the City Council District Office on an appropriate date, time and location for the meeting. Mondays and Thursdays are preferred as they do not conflict with dates that hearings take place.

6. Next Steps

Please be advised that this summary does not constitute a final review. Additional comments may be provided upon review of any additional information and plan revisions submitted in response to this letter. In order to facilitate the development review process, please include a detailed response letter with your resubmittal that addresses all items contained in this letter and attached memos. When ready, please submit all updated plans and documents to ProjectDox using the [Planning File Naming Conventions](#). See additional information below regarding the naming conventions. Please anticipate at least three weeks for departmental staff to review your responses and revisions.

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

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

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

The decision to approve, deny, or conditionally approve or defer this proposal will occur at a **Planning Commission and City Council Hearing**. Planning Commission will make a recommendation and City Council will be the final hearing body.

Should you have any questions, you may contact me at alec.atienza@sanjoseca.gov or (408) 535-7688. You may also contact the Supervising Planner overseeing this project, John Tu, at john.tu@sanjoseca.gov.

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

Sincerely,



Alec Atienza
Project Manager
City of San José
(408) 535-7688

July 2, 2021

Matt Bourne
Stack Infrastructure
mbourne@stackinfra.com

LOCATION AND ADDRESS: Southeast corner of Ringwood Avenue and Trade Zone Boulevard (2400 Ringwood Avenue and 1849 Fortune Drive)

RE. File No. PRE21-064: Preliminary Review to explore the possibility of demolishing two existing buildings totaling 135,000 square feet and constructing a four-story approximately 135,000-square foot manufacturing building, two three-story data center buildings totaling 504,221 square feet, one approximately 166,384-square foot parking garage with 355-spaces, and an electrical substation on an approximately 9.78-gross acre site.

Dear Matt,

Thank you for submitting a Preliminary Review for the proposal above. Our goal with the Preliminary Review process is to work with you to arrive at a successful outcome that furthers the development of San Jose as envisioned in the General Plan.

Below are our comments and analysis of your prospective project regarding consistency with the City of San Jose Envision 2040 General Plan and other applicable City regulations and policies:

Proposal Issues and Concerns

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

1. Should the applicant choose to formally submit the proposed project, staff suggests the applicant apply for a Planned Development Rezoning and Planned Development Permit. See the Zoning section below.
2. Should the applicant submit a Planned Development Rezoning and Planned Development Permit, the Planned Development Zoning District should demonstrate consistency with the General Plan Land Use Designation of Transit Employment Center and applicable General Plan policies. See the General Plan and Zoning sections below.
3. The project would require design updates to conform with the Citywide Design Standards and Guidelines. Please see the Design Guidelines section below for comments related to site and building design.

Preliminary Review

1. Project Description

Based on the conceptual plans and information you provided, we understand the project to include the demolition of two existing buildings totaling 135,000 square feet for the construction of a four-story approximately 135,000-square foot manufacturing building, two three-story data center buildings totaling 550,000 square feet, one approximately 170,000-square foot parking garage with 355-spaces, and an electrical substation on an approximately 9.78-gross acre site.

The approximately 135,000-square foot manufacturing building, the 216,930-square foot data center, and 166,384-square foot parking garage would be located at the northwest corner of the site at the intersection of Ringwood Avenue and Trade Zone Boulevard. The second, approximately 287,291-square foot data center would be located at the southern portion of the site with frontage along Fortune Drive. The two data center buildings would be separated by a generator yard. An electrical substation serving the site would be located at the northeastern portion of the property along Trade Zone Boulevard.

2. General Plan Consistency

The subject site is designated **Transit Employment Center** on the Land Use/Transportation Diagram of the Envision San José 2040 General Plan.

Density: FAR Up to 12.0 (4 to 25 stories)

This designation is applied to areas planned for intensive job growth because of their importance as employment districts to the City and high degree of access to transit and other facilities and services. To support San Jose's growth as a Regional Employment Center, it is useful to designate such key Employment Centers along the light rail corridor in North San José, in proximity to the BART and light rail facilities in the Berryessa/Milpitas area, and in proximity to light rail in the Old Edenvale area. All of these areas fall within identified Growth Areas and have access to transit and other important infrastructure to support their intensification. Uses allowed in the Industrial Park designation are appropriate in the Transit Employment Center designation, as are supportive commercial uses. The North San José Transit Employment Center also allows limited residential uses, while other Employment Centers should only be developed with industrial and commercial uses.

An important difference between this designation and the Industrial Park designation is that the development intensity and site design elements in Transit Employment Center areas should reflect a more intense, transit-oriented land use pattern than that typically found in Industrial Park areas. This designation permits development with retail and service commercial uses on the first two floors; with office, research and development or industrial use on upper floors; as well as wholly office, research and development, or industrial projects. Additional flexibility may be provided for retail and service commercial uses within the North San José Development Policy area through the City's discretionary review and permitting process. The development of large hotels of at least 200 rooms and four or more stories in height is also supported within Transit Employment Centers. New development should orient buildings toward public streets and transit facilities and include features to provide an enhanced pedestrian environment.

The proposed project should be **consistent** with the following General Plan policies:

Business Growth and Retention Policy - IE-2.8: Encourage business and property development that will provide jobs and generate revenue to support city services and infrastructure.

Broad Economic Prosperity Policy – IE-6.2: Attract and retain a diverse mix of businesses and industries that can provide jobs for the residents of all skill and education levels to support a thriving community.

Fiscal Sustainability Policy – FS-4.6: Consider conversion from one employment land use to another except for Light Industrial or Heavy Industrial land uses, where the conversion would retain or expand employment capacity and revenue generation, particularly for intensification on-site if the proposed conversion would result in a net increase in revenue generation.

Land Use Policy LU-2.2: Include within the Envision General Plan Land Use/Transportation Diagram significant job and housing growth capacity within the following identified Growth Areas:

Employment Lands – The Plan supports significant intensification of employment activity within each of the City’s major employment districts (North San José, Monterey Corridor, Edenvale, Berryessa/International Business Park, Mabury, East Gish and Senter Road and North Coyote Valley). Within the North San José, Berryessa/International Business Park and Old Edenvale areas, a centralized sub-area with strong transit access has been designated as an Employment Center to support mid-rise or high-rise employment development. The Employment Center in the northeast corner of the Berryessa/International Business Park area (Lundy/Milpitas BART Employment area) is also classified as a BART station area due to its proximity to the planned Milpitas BART station and existing Capitol Avenue Light Rail stations.

Implementation Policy IP-1.3: Ensure that proposals for redevelopment or significant intensification of existing land uses on a property conform to the Land Use/Transportation Diagram. Because the Diagram designation identifies the City’s long-term planned land uses for a property, non-conforming uses should transition to the planned use over the timeframe of the Envision General Plan. Allow improvements or minor expansions of existing, non-conforming land uses providing that such development will contribute to San José’s employment growth goals or advance a significant number of other *Envision General Plan* goals.

Analysis: Due to the site’s location within the Transit Employment Center it is imperative that the employment-focused manufacturing building remain a focal use of the site. It is recognized that the 135,000 square feet of manufacturing space replaces the existing square footage of the site, and it will be important that this amount of space dedicated to an employment use is not diminished; where possible it is also encouraged to be expanded. This manufacturing space must also be designed to facilitate employment uses to the highest extent feasible. To demonstrate a high level of employment use at the site, future application materials should include a narrative outlining the incorporated design measures that will facilitate a viable advanced manufacturing building. These measures should be incorporated as development standards to the PD Zoning to the extent possible. Additionally, because the advanced manufacturing building is a cornerstone of the General Plan conformance, staff

will need to specify in the zoning that the site cannot be built without the advanced manufacturing building proceeding at the forefront of construction. With these measures in place, staff may be able to find conformance with the General Plan designation of TEC and we look forward to further collaboration demonstrating how the project is proposed to meet the General Plan policies on Business and Growth Retention, and Broad Economic Prosperity.

3. Zoning Consistency

The subject site is located in the **IP Industrial Park** Zoning District. However, staff recommends that the applicant apply for a Planned Development Rezoning from the IP Zoning District to the IP(PD) Planned Development Zoning District. The applicant would also be required to apply for a Planned Development Permit to construct the project.

Proposed Uses

Pursuant to Section 20.60.030 of the Zoning Code, the use regulations situated in a Planned Development District shall be as follows:

- A. Unless and until a planned development permit has been issued and been effectuated, property in such territory may be used only as if it were in its base district alone.
- B. If a planned development permit is effective, any use or combination of uses provided for in said permit is allowed in accordance with and in strict compliance with all terms, provisions and conditions of said permit. Each permitted use shall be confined and limited to the particular location designated therefore in said permit. No use, other than the particular uses specified in the permit, shall be permitted, except as set forth elsewhere in this [Title 20](#).
- C. If a planned development permit permits a residential use, incidental transient occupancy in compliance with Part 2.5 of [Chapter 20.80](#) is a permitted use of the permitted dwelling.
- D. If a planned development permit has been issued, the planned development district may nevertheless be disregarded and property in such territory used as if it were in its base district alone if such use is confined to part of the subject territory not covered by the permit and a requirement to make such use of such part is not a condition of such permit.

Analysis: As part of the formal application, the applicant should provide a plan set for the proposed Rezoning of the property. The plans should include draft development standards outlining the proposed allowed uses in the Planned Development Zoning District (ie light or heavy manufacturing, data center, substation, etc.). Please note that the applicant should demonstrate that the allowed uses should be consistent with the Transit Employment Center General Plan Land Use Designation and any applicable City Council policies. The proposed 135,000 square feet of manufacturing space should be identified as a minimum square footage in the development standards, and any square footage that is potentially adaptive to manufacturing (such as within proposed parking, data center,

or in an additional building) should be analyzed and identified as the maximum in a range of allowed manufacturing space on the site.

Planned Development Zoning District Development Standards

- A. Except where a planned development permit has been implemented, the regulations for development, signs, off-street parking and off-street loading applicable to its base district zoning shall apply to all property located in territory in the planned development district.
- B. When a PD permit has been implemented, the provisions of such permit shall prevail over the regulations applicable to the base district zoning of the property. No structure, facility, improvement or sign of any kind shall be constructed upon such property except in strict compliance with all provisions of such PD permit. In particular:
- C. No structure, facility, improvement or sign shall be constructed upon such property except the particular structures, facilities, improvements, and signs specified in such permit.
- D. Each structure, facility, improvement or sign shall have the exact height, floor area, and dimensions specified for it in such permit.
- E. Each structure or facility used for off-street parking and off-street loading shall have the exact number of off-street parking and off-street loading spaces, and other areas, specified for it in such permit.
- F. Each structure, facility, improvement or sign shall be constructed at the particular location and cover the exact surface area designated for it in such permit.
- G. Each structure, facility, improvement and sign shall be constructed and maintained in strict compliance with all conditions of the PD permit.

Analysis: In addition to the allowed uses, the proposed Planned Development Rezoning should include draft development standards. Development standards should include setbacks, heights, parking requirements, and any other applicable development standards which would further the General Plan Land Use Designation of Transit Employment Center and any applicable General Plan goals and policies.

Table 20-190 Parking Requirements

Use:	Vehicle Parking Required	Bicycle Parking Required
Data Center	1 per 250 sq. ft. of office/meeting/technician space, plus 1 for each 5,000 sq. ft. of floor area, or fraction thereof, devoted to computer equipment space	1 per 5,000 sq. ft. of office/meeting/technician work space, plus 1 for each 50,000 sq. ft. of floor area, or fraction thereof devoted to computer equipment space
Manufacturing	1 per 350 sq. ft. of floor area plus 1 per company vehicle	1 per 5,000 sq. ft. of floor area

Total	TBD	TBD
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Analysis: Based on the plans and information provided it is unclear how many parking spaces would be required. For staff to calculate parking, the applicant would need to provide the square footage of office/meeting/technician space, space devoted to computer equipment space, and the number of anticipated company vehicles for the manufacturing use. Should the applicant choose to formally submit, the applicant should provide a detailed parking analysis based on the above ratios. The applicant may also propose their own parking ratios and requirements as part of the Planned Development Zoning District. If specifically tailored parking ratios are included, the applicant should provide them in the draft development standards upon formal submittal. Please note that the City is in the process of updating ratios. See the [Parking and Transportation Demand Management \(TDM\) Standards Update](#) for more information.

4. Citywide Design Standards and Guidelines Review

The project is subject to the [Citywide Design Standards and Guidelines](#). Please review the following information with regards to the design review:

- Standards are objective requirements that are quantifiable and verifiable. Development projects must comply with Standards identified within this document (unless other adopted plans or policies prevail). Standards that are specific to residential, commercial, or industrial land uses (as defined in the General Plan) are listed under "Additional Standards for General Plan Residential, Commercial, or Industrial Land Use Designations."
- Guidelines describe best practices and serve as overarching design guidance. Proposed commercial and industrial projects subject to the Design Standards and Guidelines must be in substantial conformance with the guidelines contained in the document. Guidelines provide a framework of design principles that supplement the mandatory design rules. Guidelines that are specific to residential, commercial, or industrial land uses as defined in General Plan are listed under "Additional Guidelines for General Plan Residential, Commercial, or Industrial Land Use Designations."

A project applicant may request an exception or exception to the design standards contained in the Design Standards and Guidelines. The decision-maker (Planning Director, Planning Commission, or City Council, as applicable) will consider the request and information provided and make findings to approve or deny the request. The decision-maker shall only grant an exception if all the following findings are made:

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

Project Review:

- **Building and Site Design**

- Section 2.3.1 Building Placement

- Standard 1 - To create a continuous streetwall, place at least 75 percent of the ground floor primary street-, paseo-, or public open space- facing (except riparian corridor) façades of buildings with the primary commercial or residential use within five feet of the setback or easement line (whichever is more restrictive) (see Fig. 2.15 and 2.16). When there are multiple buildings on the site, 75 percent of the sum of all primary street-, paseo-, and public open space-facing ground floor building façades must be considered in the calculation above. This standard does not apply when the width of sidewalk is equal to or less than 10 feet.
- Standard 2 - To create a continuous streetwall, place building façades with the primary commercial or residential use within five feet of the setback or easement line (whichever is more restrictive) for at least 60 percent of the site frontage along secondary streets (see Fig. 2.15 and 2.16). When there are multiple buildings on the site, 60 percent of the sum of all secondary street-facing ground floor building façades must be considered in the calculation above. This standard does not apply when the width of sidewalk is equal to or less than 10 feet.

Analysis: Trade Zone Boulevard is considered a primary street.

Therefore, a streetwall would be required for at least 75% percent of the frontage along Trade Zone Boulevard. For a portion of the façade to count as a streetwall, it must lie within ten feet of the property line or setback line, from ground level to the top of the highest occupied floor of that portion of the building.

A streewall would also be required for at least 60% of the frontage along Fortune Drive. Should the applicant choose to formally submit, please provide these calculations showing how the project meets this standard.

Note that a Planned Development Rezoning would allow the applicant to set specifically tailored development standards. However, the project must still comply with the Citywide Design Standards and Guidelines.

- Section 3.1.2 Form, Proportion, and Scale

- Standard 1 - Buildings at street intersections with traffic signals, terminus points, and open spaces must include at least two of the following architectural features for a minimum of 20 percent of each building frontage along the street (see Fig. 3.7):
 - Corner plaza.
 - Articulated corner with vertical or horizontal projections.

- Taller massing or exaggerated roof elements.
 - Building entrances with a minimum recess of three feet.
 - Different façade treatments such as variations in materials and color.
- Standard 3 - For streetwalls more than 200 feet in length, provide at least one recess or projection in the façade that is at least:
 - 15 feet wide and 10 feet deep for residential, commercial, and mixed-use developments (see Fig. 3.8).
 - 10 feet wide and 5 feet deep for industrial developments.

Analysis: The subject site is located at the intersection of Trade Zone Boulevard and Ringwood Avenue. Therefore, the project is required to incorporate at least two of the above elements of Standard 1 for a minimum of 20 percent of both the data center and manufacturing building frontage.
- Section 3.1.1 Building Massing Relationship to Context
 - Standard 2 – Within General Plan growth areas, provide building stepbacks from rear shared property lines and public rights-of-way within a stepback plane of 75 degrees from horizontal (see Fig. 3.4, 3.5, and 3.6).
 - Standard 3 – Intrusion into the stepback plane up to the allowable maximum allowed height is allowed for up to 25 percent of the building massing (see Fig. 3.2).
 - Section 3.3.1 Façade Design and Articulation
 - Standard 1 - Articulate all building façades facing a street or public open space for at least 80 percent of each façade length. Articulate all other building façades for at least 60 percent of each façade length. Façade articulation can be achieved by providing material and plane changes or by providing a rhythmic pattern of bays, columns, balconies, and other architectural elements to break up the building mass (see Fig. 3.22 to 3.29).
 - Guidelines 1 - Design the façade as base, middle, and top, using a combination of the following design elements (see Fig. 3.28 and 3.29):
 - Base - Create a rhythm of columns, windows, entry stoops, and porches.
 - Middle - Employ bays, decks, balconies, plane and material changes, window patterns, and sunshades.
 - Top - Articulate top floor(s) using different materials, patterns, roof forms, and parapet heights.
 - Guideline 3- Incorporate special corner treatments, such as changes in façade treatments, material, or articulation, for buildings at street intersections or adjacent to public open spaces.

- Guideline 4 - Articulate building façades with material changes or art, such as murals, to create patterns of visual interest when a side of a building is built to property line and is visible from public realm.

Analysis: The buildings with frontage along all public streets (Trade Zone Boulevard, Ringwood Avenue, and Fortune Drive) should be articulated for at least 80% of the façade length. Based on the plans provided, there are currently long blank walls along all sides of the buildings. The project could meet this standard through changes in materials or plane changes to break up the massing of the building on all sides.

- Section 3.3.2 Roofs and Parapets

- Standard 4 - Parapets and other screening elements at the roof level must screen rooftop equipment from public view.
- Guideline 4 - Enclose or screen all large rooftop equipment, storage areas, and exterior maintenance system equipment from public view using enclosures, parapets, setbacks, landscaping, or other architectural features with materials and detailing similar to the rest of the building (see Fig. 3.31 and 3.32)

Analysis: Should the application choose to formally submit, more detailed drawings should be provided showing any proposed screening of rooftop equipment and rooftop storage areas.

- Section 3.3.7 – Materials and Color

- Standard 2 - Material transitions along any façade must only occur on the inside corner of plane change. When material changes need to happen in the same plane, use trims, cornices, or other architectural elements to create a corner for material transition (see Fig 3.49).
- Guideline 1 - Use durable high-quality materials, such as tile, wood, masonry, brick, stones, terracotta, or metal.
- Guideline 2 - Use heavier materials such as masonry, concrete, and stucco with darker colors at the base and middle of building façades and progressively lighter materials and colors such as wood, panels, etc. on the middle and top of façades at upper levels.

- Section 4.1.3 – Mitigating Blank Walls

- Standard 1 - Limit continuous blank walls on the ground floor to less than 30 feet along primary street façades and 50 feet along secondary street façades (see Fig. 4.13).
- Standard 2 - Do not create a blank wall longer than 15 feet in the 50 feet closest to a building corner fronting a primary street or public open space (see Fig. 4.13).
- Please refer to Section 5.2.6 of the Design Standards and Guidelines for visual information regarding data centers.

Analysis: As stated in the Façade Design and Articulation section above, the applicant should do more to break up the long, blank uninterrupted walls on all sides of the building.

- **Site Access and Circulation**

- Section 2.2.2 Driveways and Vehicle Drop-Offs

- Standard 1 - Locate curb cuts at least 20 feet away from publicly-accessible open spaces and 50 feet away from pedestrian and bicycle entrances, except within porte-cochères and for sites with less than 60 feet of street frontage.
- Standard 2 - Entrance/exit driveways must be limited to a maximum of two per 200 feet on all mid-block parcels. For mid-block parcels with less than 200 feet of street frontage, provide only one entrance/exit driveway. Provide a maximum of one driveway on each street for corner parcels with over 200 feet of total street frontage.
- Standard 3 - For corner parcels or properties with two intersecting streets, provide the vehicular and driveway access on the secondary street or the street with lesser pedestrian, bicycle, and vehicular circulation (see Fig. 2.7 and 2.9).

- Section 2.2.1 Pedestrian and Bicycle Access Location

- Standard 1 – When developments have multiple entrances, locate them based on the following priority
 - Public transit
 - Primary Streets
 - Secondary Streets
 - Publicly-accessible open spaces
 - Alleys or internal site circulation
- Standard 5 - Place the primary building entrance such that it can be accessed from a street, public open space, semi-private open space, or POPOS
- Guideline 1 – Provide frequent entrances and openings in building facades to connect buildings to the public realm

Analysis: Based on the plans provided, there would be only one entrance to the advanced manufacturing building located at the street frontage along Trade Zone Boulevard. Staff recommends that the primary entrance be located at the corner of the intersection, with secondary entrances also located along the street frontage. All entrances should be easily accessible for pedestrians and bicyclists from the public right-of-way. Secondary entrances may be located internal to the site.

- Section 2.3.5 Bicycle Parking Placement

- Standard 1 - Locate at least 40 percent of the required bicycle parking on the ground floor with direct physical access to an elevator or building exit.
- Standard 2 - Place bicycle parking so that bicyclists do not have to cross vehicular parking or drive aisles to enter the building.
- Standard 3 - When provided outside the building, long-term bicycle parking must be within 50 feet of at least one building entrance for small sites and within 100 feet of at least one building entrance for medium and large sites.
- When located outside the building, connect bicycle parking to the pedestrian network by providing a minimum five-foot-wide pathway or walkway between them.

Analysis: Upon formal submittal, please provide the number and location of bicycle parking spaces. Please also refer to the Zoning section above.

○ Section 2.3.6 Vehicular Parking Placement and Surface Parking Design

- Standard 1 - For medium and large sites, place the first parking stall at least 30 feet away from the driveway when accessing a parking lot from a primary street to allow cars to stack on site rather than in the street.
- Standard 2 - Place the first parking stall at least 20 feet away from the driveway when accessing a parking lot from a secondary street, alley, or private street (see Fig. 2.32).
- Standard 3 - Screen at least 75 percent of surface parking from primary streets, secondary streets, public open spaces, and adjacent sites with Mixed-Use and Residential General Plan land use designations using landscaping or three-foot-tall architectural elements that (at least one of the following):
 - Utilize the same materials, colors, and lighting fixtures as the site or building façades on the property for at least 75 percent of the area.
 - Are covered with landscaping or public art for at least 75 percent of the total length along public open spaces, primary streets, and secondary streets.
- Standard 4 - Provide a five-foot-wide pedestrian walkway, at minimum, to connect buildings and parking or other walkways for at least every 200 feet (see Fig. 2.32).

○ Section 3.2.2 Vehicular Entrances and Driveways

- Standard 1 - Driveways must be less than 25 percent of street frontage for sites that are more than 100 feet wide at the street and not more than 25 feet for sites that are less than 100 feet wide at the street (see Fig. 3.18).
- Standard 2 - Driveways for parking facilities must be a maximum width of 52 feet cumulatively for each street frontage (see Fig. 3.18).

- Standard 3 - When multiple driveways are provided on a street frontage, they must be at least 50 feet apart measured between the internal edges of the driveways (see Fig. 3.18).
 - Standard 4 - Recess parking garage entrances at least two feet and not more five feet when the building façade is at the street-facing property line (see Fig. 3.17).
 - Standard 5 - Build City-standard driveways at all vehicular entrances between public rights-of-way and private driveways (see Fig. 3.18).
 - Standard 6 - Individual residence garages must be set back from the building façade by at least four feet when placed along secondary streets and at least two feet when placed along alleys or internal circulation.
 - Section 3.3.5 Parking Garage Design
 - Standard 4 - Locate openings and exhaust vents on the top of buildings or on second levels to direct air away from the public realm and adjacent structures
 - Standard 5 - Design flare-out openings at garage entrances with a minimum width of 26 feet for two-way traffic and 20 feet for one-way traffic to provide line-of-sight between vehicles and pedestrians (see Fig. 3.41).
 - Guideline 2 - Design parking structures using building massing, articulation, window patterns, and other façade treatments that are consistent with neighboring buildings (see Fig. 3.40 and 3.43).

Analysis: Additional information would be required to determine if the parking garage meets the standards per Section 2.3.6 of the Design Standards.
- **Landscaping**
 - Section 2.3.8 Landscaping and Stormwater Management
 - Standard 1 - Select trees which at maturity create a tree canopy cover that shades a minimum of 50 percent of each on-site surface parking area, common open space at the ground floor, and Privately-owned (and maintained) Public Open Space (see Fig. 2.37)
 - Standard 2 - Tree wells must be at least four feet larger than the tree trunk diameter at maturity.
 - Guideline 1 - Provide native trees, shrubs, and ground cover for site landscaping and surface parking areas.

Analysis: Consider planting native species of trees and ground cover. As shown on the proposed landscape plan, the only native species of tree is the Western redbud.
- **Services and Utilities**
 - Section 2.2.3 Services and Utilities Access and Location
 - Standard 2 - Provide a covered area for solid waste collection when it is

- located outside the building envelope (see Fig. 2.10).
- Standard 3 - Screen all services and utilities located outside the building envelope that are within 30 feet of a public right-of-way (see Fig. 2.10).
 - Guideline 4 - Establish a service and utility area for each building on a medium or large site with multiple buildings located away from the public realm.
- Section 3.2.2 Services and Utilities Entrances and Design
- Standard 1 - Screen solid waste, utilities, and service areas from residential and commercial uses, and on-site and off-site views to limit visual impact on the public realm using fences, walls, or landscaping that (see Fig. 3.21):
 - Use durable and weather-resistant materials.
 - Are four to five feet tall.
 - Do not interrupt the line-of-sight of drivers entering or exiting the site.
 - Standard 2 - Install roofs on exterior solid waste enclosures to prevent rain from getting inside and carrying contaminants into the stormwater system.
 - Standard 4 - Use five- to seven-foot-tall fences or walls with at least 50 percent of their surface area covered with public art or landscaping to screen commercial service areas, corporation yards, and exterior operations from the street and adjacent non-industrial or noncommercial uses.

Analysis: More details would be required to determine if the substation area meets the standards for screening and design for service and utility areas. As shown currently, it is unclear if the location of the substation would allow the building on Trade Zone Boulevard to create the minimum required 75% streetwall along the public right-of-way. The substation should be fully screened with landscaping, fencing, or walls.

Additionally, should the applicant choose to formally submit, the project should provide details on proposed trash pickup operations. Would trash be located in an outside enclosure or interior to the building?

5. Comments from Other Departments/Divisions and Agencies

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

- a. Building – See attached.
- b. Fire – To be forwarded upon receipt.

- c. Environmental Planning – See attached.
- d. Public Works – See attached

6. Application Questions

- Application type:
 - i. Should the applicant choose to formally submit, a Planned Development Rezoning and Planned Development Permit is recommended. The following applications should be applied for:
 1. Rezoning – [Zoning Application](#)
 2. Planned Development Permit – [Development/Use Permit Application](#)
- Confirm site layout, building locations, massing, setbacks
 - i. See the Zoning and Citywide Design Standards and Guidelines sections above.
- Fire Access Requirements
 - i. See the forthcoming Fire Department Memo
- Building Addressing for Trade Zone Boulevard
 - i. See the forthcoming Building Department Memo

7. Next Steps

Please be advised that this summary does not constitute a final review. Additional comments will be provided upon submittal of a complete Planning entitlement application.

Your preliminary review application includes a meeting to discuss this project. Please let me know if you would like to meet and your availability.

Should you have any questions, you may contact me at alec.atienza@sanjoseca.gov or (408) 535-7688. You may also contact the Supervising Planner overseeing this project, John Tu, at john.tu@sanjoseca.gov.

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

Sincerely,



Alec Atienza
Project Manager
City of San José

Attachments:
Environmental Memo

Public Works Memo
Building Memo