

CORD ASSOCIATES

*Real Estate Services/
California Broker*



City of San Jose
Mayor and City Council
200 E. Sant Clara Street
San Jose, CA 95113

January 5, 2022

Re: City Council Agenda Jan. 11, 2022. Item 10.d
C19 and SP20-016. 1212-1224 S. Winchester Blvd. Hotel Project

Dear Mayor and City Council Members:

I am the applicant as the Land Use Consultant on behalf of the owners of this project and recommending your support and approval.

After review of the development opportunities presented by the Council adopted Winchester Boulevard Urban Village Plan, the owners proceeded with acquisition of subject parcels as the Urban Village Plan would permit the proposed project. On September 09, 2019 the Development Application and initial plans were submitted.

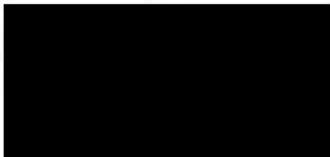
Over the following 25 months and after thorough City review, including requested revisions and the Initial Study for environmental clearance, City Planning issued their Staff Report on October 26, 2021 recommending approval of the project. Please note:

- The Urban Village Plan is now part of the City's General Land Use Plan, and as a result requires City Council approval of the requested rezoning per SB 1333.
- Every element of the hotel plan is consistent with the Adopted Urban Village Plan.
- City Planning's Report to Council overwhelmingly recommends approval of the hotel project.
- All public comments, including those of the neighbors, were satisfactorily addressed in the environmental study.
- Owner has met with neighbors numerous times offering enhanced landscaping and additional building setback, but those revisions have been rejected.
- Hotel is a permitted use, as well as the six story height.

In conclusion, the question is why would the City Council not approve a Project that meets the vision, guidelines and criteria that itself approved when it adopted the Winchester Boulevard Urban Village Plan, which the Council now includes in the City 2040 General Plan. Not adhering to Urban Village Plans may well result in less investments in Urban Village areas.

Respectfully,

Henry Cord



C. Kelly Kline
Robert Manford
John Tu
Adam Askari

January 11, 2022 Agenda Item 10.3 -1212 Winchester Blvd Hotel Project

Shehana <[REDACTED]>

Mon 1/10/2022 9:31 PM

To: City Clerk <city.clerk@sanjoseca.gov>

[External Email]

[REDACTED]

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones and council members,

I urge you to reject the following three items on agenda item 10.3, the Winchester Hotel Project.

- a) A resolution adopting the Mitigated Negative Declaration
- b) The rezoning of 1212-1224 S Winchester to CP (Commercial Pedestrian Rezoning District)
- c) Special Use Permit allowing the hotel

Sincerely

Shehana Marikar

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City Council Agenda Item 10.3

Tom Morman [REDACTED]

Mon 1/10/2022 9:46 PM

To: City Clerk <city.clerk@sanjoseca.gov>
[REDACTED]

[External Email]

[External Email]

January 11, 2022
City of San Jose

Honorable Mayor Liccardo and Council Persons,

SUBJECT: Agenda Item 10.3 _ C19-031 & SP20-016 - Conforming Rezoning and Special Use Permit for Property Located at 1212 South Winchester Boulevard.

We are Gail and Tom Morman, longtime residents of the Hamann Park neighborhood. We live on Redoaks Dr. across the street from the homes that back to 1212 S Winchester. Our two daughters graduated from Castlemont Elementary, Monroe Middle and Del Mar High. We love our neighbors and our home. Along with many of our neighbors, we participated in the City's urban village community workshops to provide feedback and to learn about the development of the Winchester Urban Village Plan. Everyone warmed to the idea of making our neighborhood more urban while preserving diverse inclusive housing, small businesses, pedestrian friendly walkways and a green, sustainable environment. We were very happy when our two-block section of Winchester Blvd was specifically designated as Neighborhood/Community Commercial in the Village Plan, where it states "This designation is applied to smaller, shallow parcels fronting Winchester Blvd. and abutting single family residences...These properties are appropriate for the location of smaller commercial businesses." Smaller, shallow lots developed with smaller retail provides a strong connection to our neighborhood, where we could support their business and they could provide us with services. We looked forward to having sidewalks and bike paths that would encourage walking and public interaction.

So it came as quite a shock to learn that not only was a six story hotel proposed, but would have a reduced rear setback of only 20 feet from the residential properties in back and a mere 6 feet from the residential property next door on Winchester. It proposed fire hose paths instead of fire lanes; no security guard on staff despite having a bar and being around the corner from Castlemont Elementary; a 43 ft wide driveway span with

visible and/or audible warning signs recommended; approximate 49% on-site parking reduction. The neighborhood has numerous concerns and these are spelled in the attached supplement. We would like to note SJMC section 20.40.010 under which the purposes of the CP Commercial Pedestrian District are stated: "This district is intended to support pedestrian-oriented retail activity at a scale compatible with surrounding residential neighborhoods".

For all the reasons noted here and in the attached detailed list, we formally request that the City Council deny approval of the Mitigated Negative Declaration, the Conforming Rezoning and the Special Use Permit. We and our neighbors and strong supporters of the Winchester Blvd. Village Plan and its land use diagram in the General Plan which allows numerous and more appropriate opportunities for this type of development. This hotel proposal, however, is totally at odds with the promises and protections that were set out in this Urban Village Plan that this neighborhood worked on with the City and to which we all trusted would honor our neighborhood viability.

If the City Council rejects the hotel proposal and approves the rezoning portion of this agenda item, the neighborhood strongly urges the Council to include, as part of their approval, language that recognizes the negative impact of building height on the residential and expresses a strong direction to staff to work with any proposed development to obtain significant reductions in allowable height.

Thank you for your consideration. We all would like to also thank Vice Mayor Jones and his staff for their availability to us over the past months and for setting up meetings with the applicant and principal.

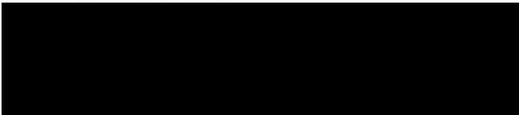
Gail and Tom Morman

p.s. It was often stated that the rezoning action was mandated by State Law and the City had no other choice than to approve the rezoning. The neighborhood has never understood this and requests that the City Attorney make clear in the official agenda record the basis for this determination. We are only aware of some State laws related to residential development, but a hotel is a commercial use under the SJMC.

Attached is a summary of our main concerns with the hotel project

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Tom Morman



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January 11, 2022

Agenda Item 10.3

Summary of concerns regarding the Winchester Hotel proposal

Dear Honorable Mayor and City Councilmembers:

1. **Hotel Plan inappropriate for NEIGHBORHOOD/COMMUNITY COMMERCIAL LAND USE**

“This designation is applied to smaller, shallow parcels fronting Winchester Boulevard and abutting single-family residences. Given the size of the parcels, parking requirements in the zoning code and the urban design step down policies, these properties are appropriate for the location of smaller commercial businesses. Neighborhood/Community Commercial uses should have a strong connection to, and provide services and amenities for, the community. These uses should be designed to promote this connection with an appropriate form that supports walking, transit use and public interaction. Also, this designation supports the neighborhood servicing retail and small businesses along Winchester Boulevard.” (Winchester Blvd Urban Village Plan p.19)

2. **Hotels were designated as appropriate in the Urban Village Plan in the URBAN VILLAGE COMMERCIAL LAND USE DESIGNATION**

“The Urban Village Commercial land use designation is applied to properties on Winchester and Moorpark adjacent to, and on the south side of Interstate 280. This area was identified as an opportunity for new commercial development that could build off the success and vibrancy of the commercial development in the adjacent Santana Row/Valley Fair Urban Village. This designation supports commercial activity that is more intensive than that of the Neighborhood Urban/Community Commercial land use designation. Appropriate uses in this designation include a variety of commercial uses, mid-rise office buildings and hotels...”

(Winchester Blvd Urban Village Plan p.19)

3. **SAFETY AND SECURITY – No security guard on Employee Staff List**

The hotel with bar around the corner from Castlemont School and adjacent to single family homes and a subacute and skilled care facility lacks a SECURITY guard on staff. **Instead “Cameras plus security guard (s) as needed”.**

(Project Documents, “Response to Comment”, last 2 pages labeled Attachment B)

4. **FIRE SAFETY - Questionable measures for such a large structure so close to neighborhood homes, offering hose paths instead of fire lanes.**

In 2002, as ashes dropped onto the Hamann Park Neighborhood, Santana Row suffered a fire that resulted in over \$100 million in damages. **According to OSHA, “The options available for attacking a fire increase when a building’s perimeter becomes more accessible to fire apparatus...ideally the full perimeter would be accessible; however, this is not always feasible.”** While other properties along Winchester have clearly marked fire lanes (A Grace Subacute, 1250 S. Winchester; Lynhaven Apartments, 919 S. Winchester; Villa Cortina, 801 S. Winchester), they are not feasible with this hotel plan designed on “smaller, shallow parcels”.

(Mercury News article on Santana Row fire; OSHA manual p14; Winchester Hotel Plan, Fire Layout, p.C5.0)

5. **PEDESTRIAN RISK – A 43 ft wide span for adjacent driveways pose potential risk for pedestrians and bicyclists; visible and/or audible warning signals recommended.**

The Winchester Urban Village Plan envisioned this:

“Parking structures should not be visible from Winchester Boulevard.”

“Reduce pedestrian and vehicle conflicts by minimizing driveways along the Primary Pedestrian Routes.” (Winchester Blvd Urban Village, DG-56 & DG-62)

“Vehicular access to the subterranean garage would be provided from a right in/right out 27-foot-wide driveway on South Winchester Boulevard. **The driveway would be located at the southern end of the building, adjacent to the loading and delivery area to the south.**”

(Memorandum attached to January 11 City Council Agenda, p.3)

The Winchester Hotel Plan shows adjacent driveway dimensions as 43 ft.

(Winchester Hotel Plan, Revised 2/1/21, A.08)

“There may be brief moments when vehicles exiting and entering the parking garage would block the sidewalk. However, it is anticipated that delays to pedestrians on the sidewalk would be relatively brief and it would not impact traffic operations on Winchester Boulevard... **Recommendation: Appropriate visible and/or audible warning signals should be provided at the garage entrance to alert pedestrians and bicyclists of vehicles exiting the parking garage.**”

(Project Documents, Appendix H, Transportation Analysis, p.46)

6. **24 VEHICLE STACKERS LIKELY TO CAUSE DELAYS AND BACKUPS ON THE SIDEWALK DURING PEAK HOURS.**

Transportation Analysis recommended a minimum of 2 to 3 valet staff during peak hours, Hotel Staffing list shows only 1 valet per shift with maintenance staff covering between shifts.

“...Twenty-four two car mechanical parking lifts will be provided within the basement parking level. The parking lifts would extend outward onto the drive aisle while parking or retrieving a vehicle from the upper level of the lift. Parking and retrieving vehicles from the **mechanical parking lifts would momentarily interfere with vehicular circulation as most of the drive aisle would be blocked by the extended lift.** However, all parking operations will be operated by **valets who will be familiar with the operations of stacker parking lifts.**”

“...it is recommended that a minimum of two to three valet staff be present during the peak arrival/departure periods for the hotel.”

(Project Documents, Appendix H, Transportation Analysis, p.46)

The Winchester Hotel Employee Staff List: 1 parking valet per shift. And between shifts: “Maintenance staff will cover hours of 2:30-3:00pm, 11:30-12:00am, 5:30-6:00am”.

(Project Documents, Responses to Public Comments, Attachment B, Winchester Hotel Employee Staff list& Operations Plan is on the last 2 pages.)

7. **TRAFFIC AND ADDED CONGESTION ON WINCHESTER –The Transportation Analysis estimate is 1266 daily vehicle trips and describes the necessary U-turns.**

“Based on the ITE (Intersectional Operations Analysis) rates with trip reductions, the proposed hotel development would **generate a total of 1,266 daily vehicle trips, with 64 trips (37 inbound and 27 outbound) occurring during the AM peak hour and 75 trips (37 inbound and 38 outbound) occurring during the PM peak hour.** (Transportation Analysis, p. 26)

“Vehicular access to the project site at its proposed driveway would be restricted to right-in/right-out turn movements only due to the existing median along Winchester Boulevard. Therefore, inbound project traffic from southbound Winchester Boulevard would be **required to proceed past the project site and make a U-turn at the Payne Avenue intersection.** Similarly, outbound project traffic that is bound for southbound Winchester Boulevard would be required to exit the project driveway and **proceed north along Winchester Boulevard to make a U-turn at the Fireside Drive intersection.** It is anticipated that this driveway would serve approximately 64 AM peak hour trips (37

inbound and 27 outbound) and 75 PM peak hour trips (37 inbound and 38 outbound)...” (Transportation Analysis, p 46)

Contrast the hotel traffic with the Urban Village Pedestrian Vision of a “Potential Multimodal Connection” at the location of the hotel – (Urban Village Figure 4-1, p.35)

8. PARKING REDUCTION LIMITS EMPLOYEE PARKING TO 10: So the employee staff list is spread across 3 shifts. Was this vetted?

The Hotel Plan is requesting a parking reduction, providing 66 parking spaces out of the 129 (119 rooms plus maximum 10 employees per shift). We question whether the employee staff list was vetted. Staffing is spread across 3 shifts due to limited parking requirements for the parking reduction. **Is this a workable plan?**

(Project Documents, Responses to Public Comments, Winchester Hotel Employee Staff list is on the last page.)

9. TRANSPORTATION DEMAND MANAGEMENT PLAN (TDM) – was this requirement fulfilled?

“The decision maker for the project application also shall first find that the project applicant will provide replacement parking either on-site or off-site within reasonable walking distance for the parking required if the project fails to maintain a TDM program.” How has this been addressed? Where is the replacement parking if needed?

(Project Documents, Appendix I, Transportation Demand Management Plan p.12)

10. MINIMAL SETBACKS NEXT TO SINGLE FAMILY HOMES AFFECTING HOMES

a) 65 ft maximum height requires a 40ft setback. The Winchester Hotel Plan designed the height 5 inches below the maximum to qualify for half the setback, now only 20 ft to the rear property line, abutting residential homes.

b) Urban Village Plan changed the land use designation to Neighborhood/Community Commercial, allowing the hotel plan to apply for a 6 ft setback from the north property line, abutting a home which the family has owned for 30 yrs.

On-Line Sources

1. Winchester Boulevard Urban Village Plan: <https://www.sanjoseca.gov/your-government/departments/planning-building-code-enforcement/planning-division/citywide-planning/urban-villages/approved-urban-village-plans>
2. Winchester Hotel Plan in Project Documents, Appendix A-Project Plans: <https://www.sanjoseca.gov/home/showpublisheddocument/73283/637571929710070000>
3. Initial Study labeled “1212 S Winchester Blvd Hotel Project IS MND” in Project Documents

4. Project Documents: <https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/negative-declaration-initial-studies/1212-1224-south-winchester-boulevard-hotel-project>
5. Mercury News article “Santana Row fire facts” : <https://www.mercurynews.com/2012/08/18/santana-row-fire-facts>
6. OSHA, Fire Service of Buildings and Fire Protection Systems, p14
<https://www.osha.gov/sites/default/files/publications/OSHA3256.pdf>

SUBJECT: Agenda Item 10.3 _Winchester Blvd. Hotel Proposal _January 11, 2022

Juma, Monica Paige

Mon 1/10/2022 6:22 PM

To: City Clerk <city.clerk@sanjoseca.gov>

[External Email]

January 11, 2022

City of San Jose

Honorable Mayor Liccardo and Council Persons,

SUBJECT: Agenda Item 10.3 _Winchester Blvd. Hotel Proposal _January 11, 2022

We are Monica and Stephen Juma, daughter and son-in-law to Tom and Gail Morman, residents of the Hamann Park neighborhood. I (Monica) grew up on and my parents currently live on Redoaks Dr. across the street from the homes that back to 1212 S Winchester. My sister and I graduated from Castlemont Elementary, Monroe Middle and Del Mar High. We love our neighbors and our home. Along with many of our neighbors, our parents participated in the City's urban village community workshops to provide feedback and to learn about the development of the Winchester Urban Village Plan. Everyone warmed to the idea of making our neighborhood more urban while preserving diverse inclusive housing, small businesses, pedestrian friendly walkways and a green, sustainable environment. We were very happy when our two-block section of Winchester Blvd was specifically designated as Neighborhood/Community Commercial in the Village Plan, where it states "This designation is applied to smaller, shallow parcels fronting Winchester Blvd. and abutting single family residences...These properties are appropriate for the location of smaller commercial businesses." Smaller, shallow lots developed with smaller retail provides a strong connection to our neighborhood, where we could support their business and they could provide us with services. We looked forward to having sidewalks and bike paths that would encourage walking and public interaction.

So, it came as quite a shock to learn that on page 68 of the Winchester Urban Plan does it allow for 5-6 story buildings adjacent to our neighbors' single-family homes. Not only was a six story hotel proposed, but would have a reduced rear setback of only 20 feet from the residential properties in back and a mere 6 feet from the residential property next door on Winchester. It proposed fire hose paths instead of fire lanes; no security guard on staff despite having a bar and being around the corner from Castlemont Elementary; a 43 ft wide driveway span with visible and/or audible warning signs recommended; approximate 49% on-site parking reduction. The neighborhood has numerous concerns and these are spelled in the attached supplement. We would like to note SJMC section 20.40.010 under which the purposes of the CP Commercial Pedestrian District are stated: "This district is intended to support pedestrian-oriented retail activity at a scale compatible with surrounding residential neighborhoods".

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Thank you for your consideration. We all would like to also thank Vice Mayor Jones and his staff for their availability to us over the past months and for setting up meetings with the applicant and principal.

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January 11, 2022

Agenda Item 10.3

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5. Mercury News article “Santana Row fire facts” : <https://www.mercurynews.com/2012/08/18/santana-row-fire-facts>
6. OSHA, Fire Service of Buildings and Fire Protection Systems, p14
<https://www.osha.gov/sites/default/files/publications/OSHA3256.pdf>

1/11 meeting: Agenda Item Number 10.3

John Griswold < >

Tue 1/11/2022 9:05 AM

To: City Clerk <city.clerk@sanjoseca.gov>

[External Email]

[External Email]

Comments on MND:

Several relevant comments were not addressed in the MND because they were not specifically pertinent to CEQA. These comments should be directly and completely addressed by the appropriate city agencies responsible for their oversight. The canned response cited several times that "This comment does not address the adequacy of the Draft MND. No further CEQA analysis is required." is inadequate. It is frankly insulting that the city considers this to be a sufficient response to the valid concerns of the neighbors directly impacted by the proposal. Topics include: building height, setbacks, neighborhood fit, community demand for a hotel in this location, PG&E impact, border vegetation and privacy, historic/cultural impact, flood hazard, parking, trash collection, sunlight and view blockage, crane access for repairs, and pedestrian/student safety.

Traffic analysis conducted during the pandemic is not representative of normal patterns, and should not be considered valid justification. As pandemic restrictions ease, the city will find that traffic congestion exceeds the analysis. However, at that point it will be too late to make a correction. Locals and those transiting the area will pay the price for this error for years to come.

Insufficient parking, underground drop-off & loading zones for guests and service vehicles, and the ride share plan are clearly incompatible with the choke point of a narrow ramp to an underground garage, which is filled with car stacking machines and lacks a separate street exit. The city is ill-advised to assume that this will not (1) pose a risk to pedestrians along Winchester, (2) cause intractable congestion, or (3) impede access for emergency vehicles.

Comments on rezoning to CP:

The Winchester Urban Village Plan states the following regarding the land use designation Neighborhood/Community Commercial.

"Neighborhood/Community Commercial uses should have a strong connection to, and provide services and amenities for, the community. These uses should be designed to promote this connection with an appropriate urban form that supports walking, transit use and public interaction. Also, this designation supports the neighborhood servicing retail and small businesses along Winchester Boulevard." The city should adhere to this verbage when considering approval for a hotel that does

not serve the community, does not support the neighborhood, and in many ways diminishes the quality of life of nearby residents and those transiting the area.

Comments on special use permit:

IS/MND stated that consultation with, and approval of, fire department variances would be addressed at a later time, prior to building permit. This would seem to be an important aspect of the permitting process for the hotel, and indications are that (1) fire department consultation has not taken place, and (2) the outcome of that consultation may materially impact the design and layout of the proposed hotel, with potential to negatively impact its commercial viability. We recommend that relevant discussions such as these be brought forward, and any resulting actions sufficiently addressed prior to approving the special use permit.

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Agenda Item Number 10.3 - City Council meeting 1/11/2021

Brian Matsumoto [REDACTED]

Tue 1/11/2022 9:57 AM

To: City Clerk <city.clerk@sanjoseca.gov>

[External Email]

[REDACTED]

[External Email]

Submittal for Public Comment section concerning the Agenda 10.3 of the City Council meeting on 1/11/2022.

Brian - Helen Matsumoto

[REDACTED]

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We oppose the following:

- 1) Oppose adoption of the Mitigated Negative Declaration
- 2) Oppose the approval of an ordinance rezoning
- 3) Oppose a resolution adopting a Special Use Permit and Site Development Permit to allow the construction of the hotel

We support the following:

- 1) Support the rezoning and permits only when both conform to the approved language in the Winchester Urban Village Plan for the land use designation assigned to these parcels: "Neighborhood/Community Commercial", Winchester Blvd Urban Village Plan, p.19,

Fire safety and mitigation is of utmost importance to the community with regards to any proposed project at the 1212-1224 S Winchester Blvd address.

The community has numerous times raised concerns with fire safety with the proposed six story Hotel project. In 2002, the Santana Row fire resulted in over \$100 million in damages. According to OSHA, "The options available for attacking a fire increase when a building's perimeter becomes more accessible to fire apparatus...ideally the full perimeter would be accessible; however, this is not always feasible." Developments on appropriately sized lots along Winchester have clearly marked fire lanes for fire truck access: A Grace Subacute, 1250 S. Winchester; Lynhaven Apartments, 919 S. Winchester; Villa Cortina, 801 S. Winchester.

The North and South access of this project is 5'6" and 6' 0" respectively. Fire fighting with the aid of a truck is limited to frontal aerial coverage. A fire at the mid to lower levels in the rear of the building will not be accessible with only frontal aerial coverage.

Fire safety should and needs to be incorporated into the initial design of the project and not towards the end of the project.

In the document dated October 2021, Responses to Public Comments and Text Changes, on page 28, Response 17 there is the following statement. "During the Planning Review, the Fire Department noted that a Fire Variance will be required for the project. The Fire Variance application will be deferred to the Building Permit stage. Approval of the Fire Variance is required prior to issuance of the Building Permit."

Why is the fire safety plan only considered at during final permit approval?

As fire safety is a concern not only for the occupants but also for the general public, any Fire Variance should be addressed and made public as part of the initial design. This would allow for corrections to address any building design deficiencies related to the project.

I am not opposed to future development. A project that fits the heights of surrounding buildings, provides residential housing and commercial stores on the ground level is welcomed.

The developer has on multiple occasions commented that this proposed hotel is for 'business' patrons only.

However, the shallow lots at this location is not conducive to a six story hotel. Many of the concerns raised by the community, address the 'day to day operations' of the proposed hotel. These deficiencies (fire, parking, staffing, etc.) demonstrates a low feasibility of the hotel project to succeed.

The use of stack parking in an underground area with 1 valet person immediately has challenges of timely access to one's vehicle. As this is a 'business' hotel, there will be multiple times in which patrons will be needing to leave or park within a short time window. There really isn't a holding area underground in which to have a temporary space for cars during the manipulation process.

The number staffing/employees is very minimal and will not be sufficient to provide a high quality of service that is proposed. During actual operation, the number may increase to handle the service. However this will be in direct violation of the TDM, in particular parking. The parking reduction is based on the number of rooms and also employees. The reduction will be more than 50%, which will be in violation.

The community wishes to avoid the construction of a six story hotel that becomes a failure and blight in the neighborhood.

Request to City Council to **vote “NO”** on both Winchester Hotel Project and Rezoning

The validity of the Rezone is in question because the “Planning Department”, failed to abide by required CEQA Laws

Required action by the community

Summary

- Residents (party) first raises objections before the lead-agency(city of San Jose) that approves the project violating CEQA laws.

Reference document File Numbers: SP20-016, C19-031

<https://www.sanjoseca.gov/home/showpublisheddocument?id=73434>

Items in the Project that have either been ignored by the Planning Department that is trying to push this through the City council

See standard Answer given by Planning Department thereby ignoring the Public ***“The project would not have a significant impact on this resource, therefore no mitigation is required”***

K. LAND USE AND PLANNING – The project would not have a significant impact on this resource, therefore no mitigation is required. ***** Several CEQA violations***

O. PUBLIC SERVICES – The project would not have a significant impact on this resource, therefore no mitigation is required. ***** Public transport impacted (bus stop at corner of Winchester and Payne), Fire and emergency services not consulted. Impact on Acute care facility, immediately south of the Winchester Hotel project.***

N. POPULATION AND HOUSING – The project would not have a significant impact on this resource, therefore no mitigation is required. ***** Public transport impacted (bus stop at corner of Winchester and Payne), Fire and emergency services not consulted. Impact on Acute care facility. children walking to school, Elderly in wheel chairs from Acute care, Transients guests from hotel a concern(danger) neighborhood to children***

P. RECREATION – The project would not have a significant impact on this resource, therefore no mitigation is required. ***- proposed bike lane on Winchester blvd will be affected by hotel traffic***

Q. TRANSPORTATION / TRAFFIC – The project would not have a significant impact on this resource, therefore no mitigation is required. *Traffic study conducted during Covid lockdown. CEQA violation totally ignored (public concern) Data used is inaccurate . Both Cities of Campbell and Santa Clara will join us in this (will contribute – Funding etc) CEQA: Studies should reflect current and accurate conditions.**

S. UTILITIES AND SERVICE SYSTEMS – The project would not have a significant impact on this resource, therefore no mitigation is required. ***** not been studied***

Neighbors have been experiencing low flow even without the hotel, Power Black & Brown outages.

U. MANDATORY FINDINGS OF SIGNIFICANCE

Cumulative impacts is significant violating CEQA laws that were mandated to protect the environment and public. As proposed project reports (EIR, Traffic etc) generated with Data that is questionable, without public input and identified issues brought up by the public were ignored. Therefore this project would cause changes in the surrounding environment that will have **potential to cause substantial adverse direct or indirect effects on residents, neighboring schools and cities.**

False imagery of proposed Winchester Hotel on Winchester Boulevard. Image courtesy of San Jose-see project file . Ariel view will reveal that the current 2 lanes on Winchester will have to be narrowed further and when Ambulance & Fire Engines arrive at the Acute care 3 or 4 times a day, traffic will be reduced to 1 lane. Hotel traffic will compound the traffic problem. **Cities of Campbell and Santa Clara are concerned impact on downstream & upstream traffic.**

Hotel Star Rate by International standard – 1-2 **Stars – determinations by service and staff indicated on Winchester-Project report. - This is **not going to attract Silicon Valley companies but Transients hotel guests.**

- **Winchester Urban Village Plan – Text Revisions**

All new development under this designation with frontage along Winchester Boulevard must include active ground floor uses along Winchester Boulevard.

NEW DEVELOPMENT ADJACENT TO **RESIDENTIAL NEIGHBORHOOD** LAND USE DESIGNATION

Buildings that are less than 65 feet high can use a 20-foot+ **rear/side** setback when located adjacent to Residential. **The 45-degree daylight rule applies. Winchester Hotel project (1212-1224) – is in violation. Lot size are shallow an cannot possible conform to LAND_USE Designation.**

This designation is used to identify portions of Urban Village areas where the density of new development should be **limited to a medium intensity**

- Requirement of City of San Jose (CEQA) government agency have to prepare, circulate for public comment, and approve an Environmental Impact Report (EIR) – Traffic Report etc which has to **reflect current and accurate conditions.**
- **Opposition to the Winchester Hotel project via emails/ Letters to “Attorney General's Comment Letters”** <https://oag.ca.gov/environment/sb1000>
- **SB 1000** in 2016, requiring local governments to identify environmental justice communities in their jurisdictions and address environmental justice in their general plans. This new law has several purposes, including to facilitate transparency and public engagement in local governments’ planning and decision making processes,

Regarding Agenda item # 10.3

Good Evening everyone, I am calling in support of the Winchester Hotel project.

We believe in compromise. let me tell you what we have done to compromise with neighborhood with no success.

- 1) We Offered to plant 15 feet tall Italian cypress trees that can grow up to 50 feet tall on our side of the property. The height can be adjusted upon neighbors wish. They will be planted 15 feet away from line so it does not create a shadow.
- 2) We also offer to plant massive amount of cypress trees one each balcony. It requires massive Reinforcement to accommodate these trees. These adds \$1.7 million to the cost of construction. The neighbors will look at the mountains of trees So which create both aesthetic and privacy.
- 3) We have moved all common areas such a gym to the front of the building facing Winchester Blvd so it does not disturb the Neighbors in the back.
- 4) We have closed off all access to the balconies facing the neighborhood.
- 5) We have eliminated swimming pool so it does not disrupt the neighbors.

This is a beautiful project for the neighborhood and will bring many other benefits with it to the City. There is no hotel on Winchester Blvd. This Hotel could be a very good much for the neighborhood and very beneficial for the City too creating job and bringing revenue.

When Fairmont Hotel relocated to downtown it acted as a Catalyst to update the neighborhood and a lot of other nice things happened around it too as a result.

Again, the neighbor's concerns is the concept of Urban Village not our project. Turning down this project will be like turning down Urban Village plan and vision.

It seems that the neighborhood pressure has altered the view and support of the City Council office. This is happening after going through 2 years of lengthy and costly process, numerous meetings with residents and many concessions which were offered and implemented to satisfy them.

Deviating their support after all this time against Urban Village and the Vision approved few years ago is not right for the City and sends the wrong message to all the investment and development community interested in San Jose.

This multimillion dollar investment project was done in reliance on the City approved and published plans which took many studies over few years, lot of community and experts meetings and workshops as well as millions of Tax dollars to put together.

It is not right to just abandoned the plan and disregard the money, effort and time invested to put this tremendous plan together which significantly elevates the status and role of City of San Jose.

Thank you

CORD ASSOCIATES MEMORANDUM



City of San Jose
Mayor and City Council
200 E. Sant Clara Street
San Jose, CA 95113

January 6, 2022

Re: City Council Agenda Jan. 11, 2022. Item 10.3
C19 and SP20-016. 1212-1224 S. Winchester Blvd. Hotel Project

Dear Mayor and City Council Members:

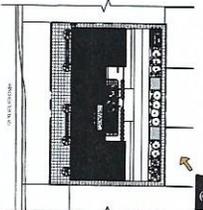
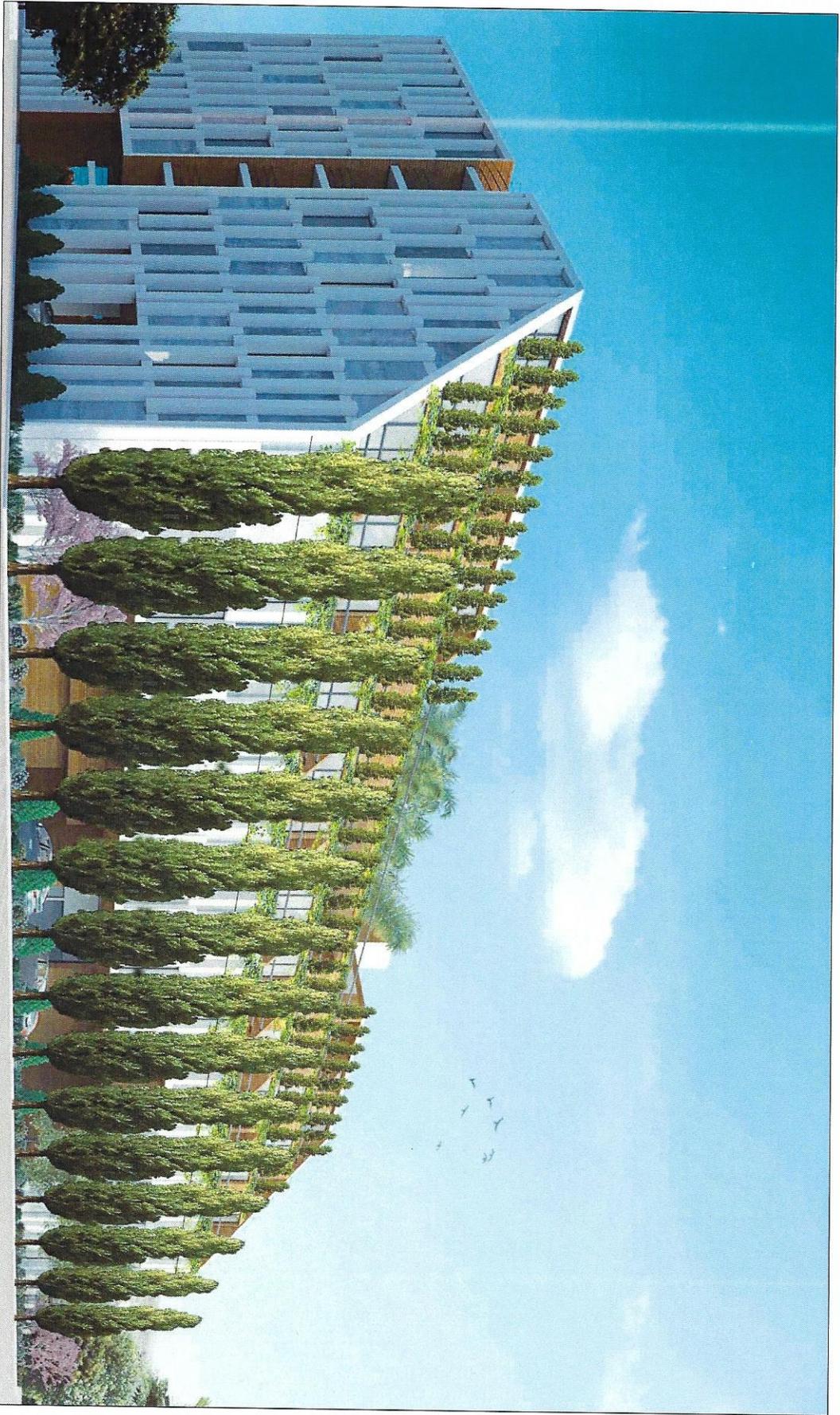
For reference, attached are renderings of over \$1M in enhanced landscaping offered to adjacent neighbors in an effort satisfy their concerns.

This offer was flatly rejected. In addition, all neighbors' public comments were satisfactory addressed in the environment study.

Respectfully submitted,



Henry Cord



CARRERA DESIGN GROUP
DESIGN GROUP COMPANY

CARRERA DESIGN GROUP
 SAN JOSE OFFICE
 2000 ALLEN PARKWAY
 SAN JOSE, CA 95128
 TEL: (408) 795-4699
 SJAM@CARRERADSG.COM

OWNER
 Adam Akahi
 2881 Menlo Park Ave. San Jose
 TEL: (408) 927-1812
 DAKAH@AMAKHI.COM

CIVIL ENGINEER
 JIM WESS, INC.
 1731 Technology Drive, Suite 880
 San Jose, CA 95110
 TEL: (408) 796-8882
 jimw@jimwess.com

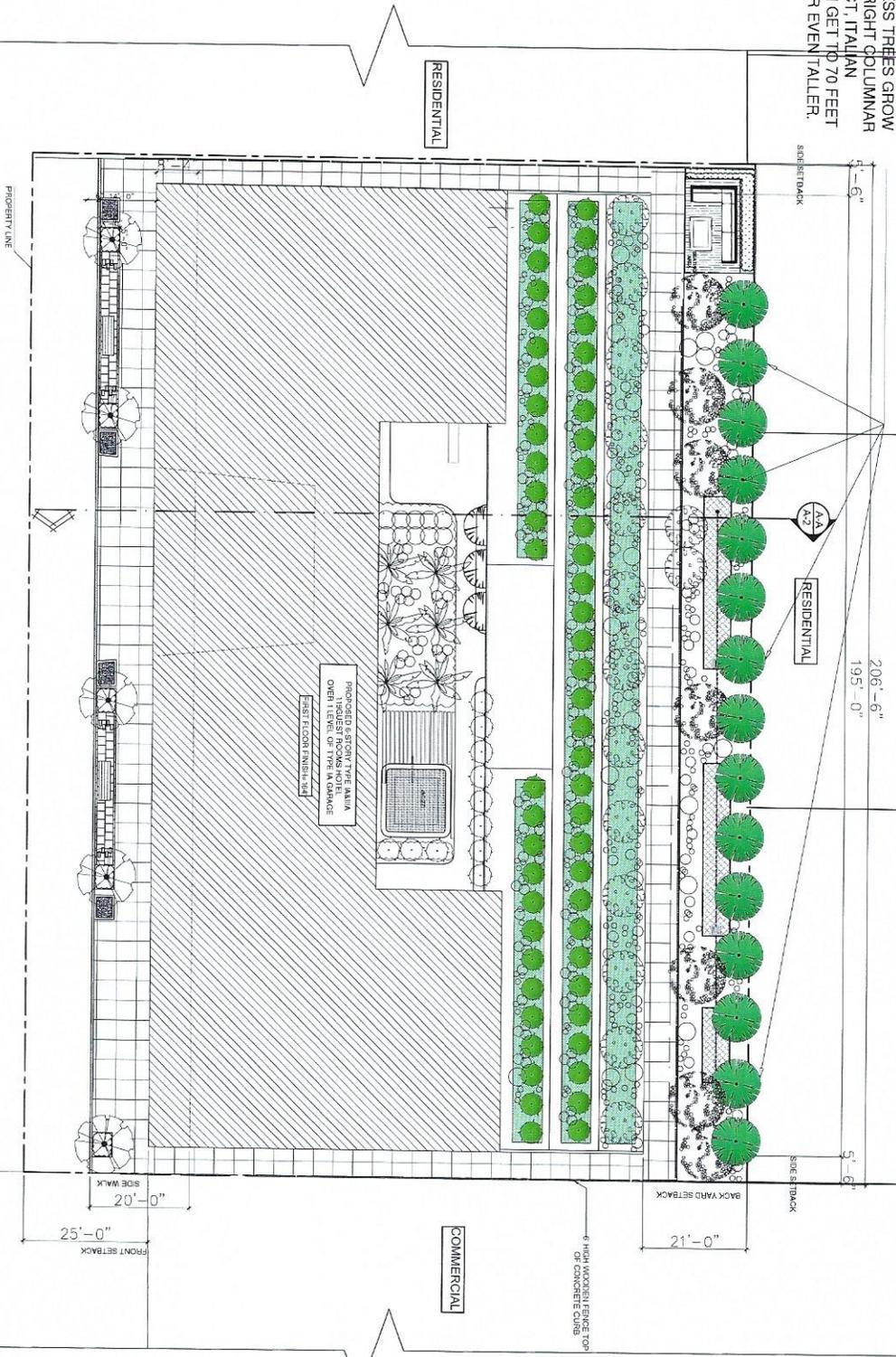
LANDSCAPE DESIGNER
 SHILPA YASKHIT
 628 N. MARPLE DR. REVERLY
 SAN JOSE, CA 95128
 TEL: (408) 945-5419
 shilpa@shilpayskhit@gmail.com

REVISIONS

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PROPOSED BUILDING RENDERING
A.3

THESE CYPRESS TREES GROW IN A VERY UPRIGHT COLUMNAR SHAPE. IN FACT, ITALIAN CYPRESS CAN GET TO 70 FEET (21 M.) TALL OR EVEN TALLER.



WINCHESTER BLVD

CARRERA DESIGN GROUP
LANDSCAPE ARCHITECTS
 3000 West 10th Street
 Suite 100
 Santa Ana, CA 92705
 TEL: 949.775.4009
 SANCARRERA@GMAIL.COM

OWNER
 Alan & Helen
 2881 Alhambra Street
 Tel: 949.971.3292
 Dreda@alansh.com

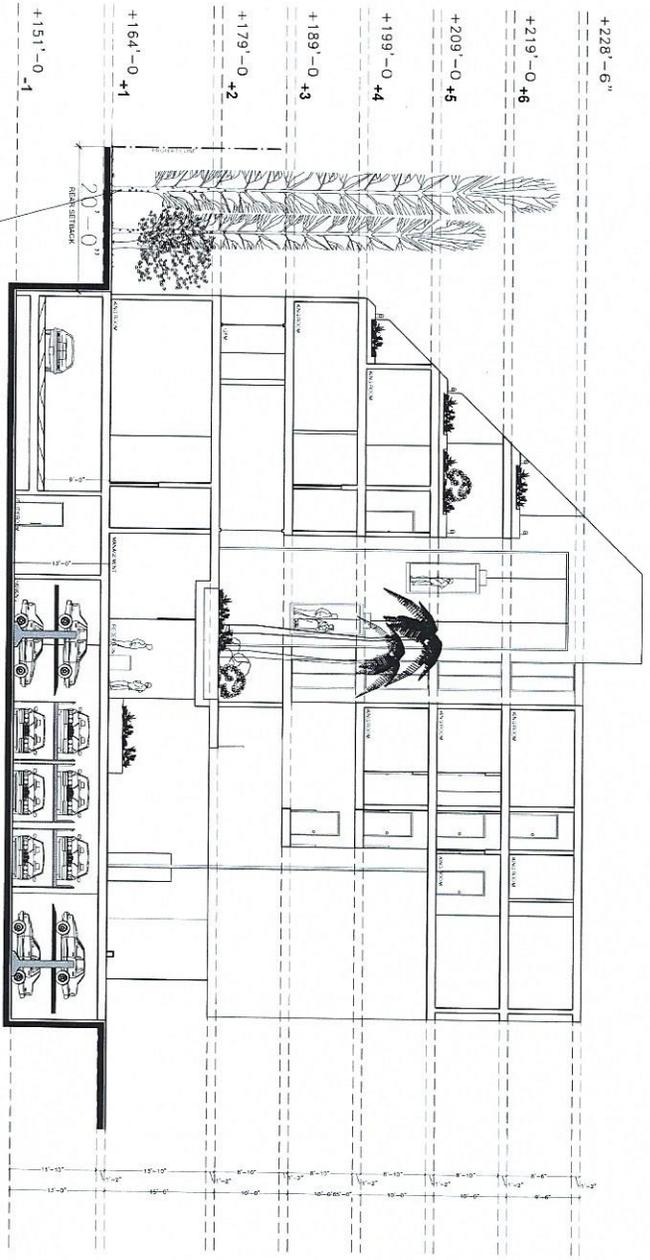
CIVIL ENGINEER
 JIM WEISS, INC.
 1737 Technology Drive, Suite 800
 Santa Ana, CA 92705
 TEL: 949.451.8800
 jim@jimweiss.com

LANDSCAPE DESIGNER
 SHILA VASHER
 629 N. MOORE ST. APT. 104
 SANTA ANA, CA 92705
 TEL: 949.452.2249
 shilavasher@gmail.com

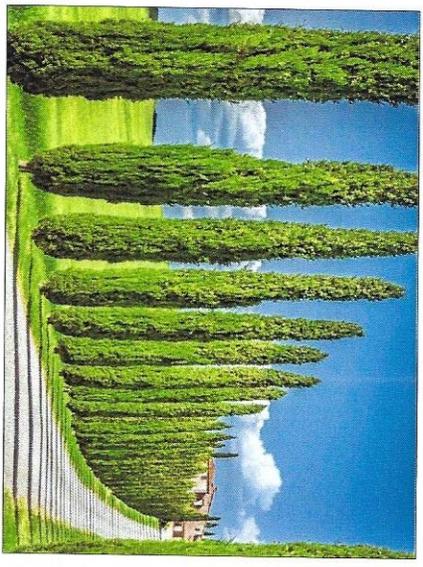
REVISIONS
 REV. 1 11/15/20
 REV. 2 05/10/20
 11/02/21

SCALE: 3/32" = 1'-0"
 PROPOSED SITE PLAN
A.1

SECTION A-A



THESE CYPRESS TREES GROW IN A VERY UPRIGHT COLUMNAR SHAPE. IN FACT, ITALIAN CYPRESS CAN GET TO 70 FEET (21 M.) TALL OR EVEN TALLER.



CARRERA DESIGN GROUP
DESIGN COMPANY

Sam Minkoff
Principal
Laguna Hills, CA 92653
TEL: (714) 795-4099
SMINKOFF@GMAIL.COM

OWNER

Adam Haber
2881 Riverside Ave. 5th floor
TEL: (408) 931-1892
Dhabermaster@GMAIL.COM

CIVIL ENGINEER

JONI WETZ, INC.
17781 Technology Drive, Suite 800
Folsom, CA 95630
TEL: (916) 931-1111
jdwetzer@jwinc.com

LANDSCAPE DESIGNER

SHILPA YASNER
628 N. MADISON BOULEVARD
SANTA ANA, CA 92705
TEL: (659) 492-2249
mailto:SHILPA.YASNER@GMAIL.COM

REVISIONS

NO.	DATE	DESCRIPTION
1	02/21/2011	ISSUE FOR PERMITS
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SC: 1/8" = 1'-0"

Section A-A

A.2

Dr. Adam Askari (Developer)



Hello ladies and gentlemen.

My name is Adam Askari. This is my 5th project in the city of San Jose. I work and practice in the City of San Jose for the past 30 years and I mainly invest in Urban Village only. I understand that some neighbors are not pleased with the circumstances around this project, but I would like to remind everyone that the Urban Village was unanimously approved by the same currently sitting council members in 2017. This Urban Village plan went through a massive study and discussion in the city for 7 years (2010-2017) before it was approved.

I attended most of the meetings and workshops in regard to Urban village . I remember vividly a few of the neighbors were very unhappy while shouting and expressing their disagreement with Urban Village. Yet, Urban Village was unanimously approved by the City Council. Very recently we got approval for an 11 story building that consists of 79 residential units in district 6. I would like to thank honorable council woman Mrs. Davis for her support.

My team and I worked with city council staff to create this hotel project. The City Staff did a wonderful job looking out for our neighborhoods best interest. Some council members or neighbors may not know, but the City made us give up 1/3 of our property to improve the neighborhood without any compensation. Again, I repeat the City made us dedicate 1/3 of our property to improve the neighborhood without any compensation. As a result of our dedication, Winchester Blvd will be widened from two lanes to three lanes. In addition, there will be a dedication of 206ft x 20ft for sidewalks which the neighbors do not have now. These are the benefits which Urban village will bring into the neighborhood.

Please keep in mind, we did not approve Urban Village, San Jose City Council did after tremendous amounts of studies. We are simply following the Urban Village handbook

which you approved and put together as a guidance to investors and developers. I am sure you are very familiar with the Urban Village plan. Every single property is color coded with specific designations

Urban Village plan for our property allows:

- 1) 6 story building (we followed that)
- 2) It dictates all the setbacks in the rear and sides which we follow everyone.
- 3) It also dictates an additional set back of 10ft for each additional floor which we did follow that as well. In other words, the 6th story has a set back of 50 feet .

We did not ask for any favoritism, exception or variances even though we gave up 1/3 of our property to improve the neighborhood.

If the honorable City Council turns down this project, which can be very beneficial for the City and neighborhood, it will scare a lot of developers and investors away. This alteration and deviation of the City Council from the approved Urban Village plan could significantly damage the vision intended and cast a shadow on all the properties and development possibilities along the urban village. No developers would be willing to take a chance and buy a property knowing they can not depend on the published Urban Village handbook which millions of dollars were spent on to create. Currently, there are several properties for sale on Winchester Blvd, Alum Rock, Almaden etc. that our investors may possibly be interested in purchasing but this resistance of the City Council in following the plan as intended introduces a shift in City Council priority makes it very difficult to be able to trust the plan and invest in San Jose in general.

The City Council office and I did a joint survey asking the neighbors which options they prefer.

- 1) 6 story hotel
- 2) 6 story condos

They rejected both of these options. The neighborhood doesn't have an issue with the hotel. They have an issue with Urban Village.

In an attempt to resolve the issues while trying to keep the neighbor's likes and dislikes in mind, we had set up eight meetings, when I listen to them, here are their concerns:

- 1) six story height
- 2) rear set back
- 3) side set back

4) building size

These are all dictated by the urban village criteria and guidelines set up after many years of expert studies and workshops.

Rejecting this project effects all districts. Investors don't know districts. They know the city of San Jose. None of my investors are from the Bay Area. Some of them have never been to San Jose. But they are bringing close to \$325 million dollars in investments to the city of San Jose. They don't know which project belongs to which district. They know the projects are Located in the city of San Jose. I have spoken highly about the city of San Jose, especially the potential of urban village.

I urge the City Council to honor their own decision, which they made about urban village few years ago. Please support the investors and developers to turn your own vision of urban village into a reality.

I sincerely thank all of the city staff, the City Council members, Vice Mayor Jones , and especially the mayor's office, for their continuous support of the urban village.

By voting yes, you will be reconfirming Your commitment for urban village vision.

Sincerely,

Dr. Adam Askari
(developer)
Thank you

Fw: 119-room hotel proposed to be built on a .69-acre parcel at 1212 S. Winchester Blvd.

Gregory, Barbara <Barbara.Gregory@sanjoseca.gov>

Tue 1/11/2022 4:29 PM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Thank You,

Barb Gregory  
Analyst II
Office of the City Clerk
200 E Santa Clara St FL T-14
San Jose, C-A 95112
408-535-1272 Fax: 408-292-6207
e-mail: barbara.gregory@sanjoseca.gov

How is our service? Please take our short survey.

From: David Patane [REDACTED]
Sent: Tuesday, January 11, 2022 4:23 PM
To: City Clerk <city.clerk@sanjoseca.gov>
Subject: 119-room hotel proposed to be built on a .69-acre parcel at 1212 S. Winchester Blvd.

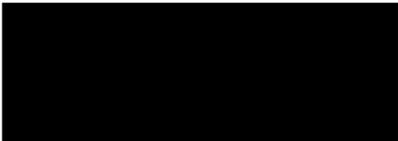


[External Email]

I oppose the 119-room hotel proposed to be built on a .69-acre parcel at 1212 S. Winchester Blvd.

I live off Fireside and my concern is the number of parking spaces. 66 parking spaces for 119 room hotel is inadequate. This is going to cause constant tension between the residents and hotel and make our neighborhood less desirable to live in.

Thank you
David Patane



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