



David Bini  
 Executive Director  
 Robert Baldini  
 President

May 27, 2020

Planning Commission

**Re: Support for item H19-016, City View Plaza**

- Boilermakers 549
- Brick & Tile 3
- Carpenters 405
- Carpenters 2236
- Carpet & Linoleum 12
- Cement Masons 400
- Electricians 332
- Elevator Constructors 8
- Glaziers 1621
- Heat & Frost Insulators 16
- Iron Workers 377
- Laborers 270
- Laborers 67
- Lathers 9144
- Millwrights 102
- Operating Engineers 3
- Painters District Council 16
- Painters & Tapers 507
- Plasterers 300
- Plumbers & Steamfitters 393
- Roofers 95
- Sheet Metal Workers 104
- Sign, Display 510
- Sprinkler Fitters 483
- Teamsters 287
- UA Local 355

Dear Commissioners,

I'm writing to today on behalf of the Santa Clara & San Benito Counties Building and Construction Trades Council in support of the staff recommendations for item number H19-016, City View Project Tower.

The Building and Construction Trades Council consists of 27 Craft Unions representing over 30,000 workers and their families.

This major project is critical to core downtown development and will immediately provide significant safe construction employment during the current Covid-19 economic downturn.

The Building Trades Council supports the staff recommendation asking the Planning commission to recommend that the City Council:

1. Certify the Environmental Impact Report
2. Adopt a Resolution approving a Site Development Permit

Please keep this project moving forward without additional delay.

Sincerely,



David Bini  
 Executive Director



May 26, 2020

Mayor Liccardo, Councilmember Peralez, Members of the City Council and Planning Commission:

I would like to add my voice to the many who fervently believe that the Jay Paul project in the Downtown is a very important one for our City's improvement and the economic future of our citizens. These are no ordinary times; and this project builds on the critical decisions that San Jose has chosen over the recent decades to build a tax base and give our citizens the type of services and special places that they deserve and have not always enjoyed. Lew Wolff - as Mayor Reed recently pointed out - has put the single building of some contention, that in some people's minds might be worthy of preservation, in its proper perspective - it is not significant enough and should not interfere with this new and needed development.

In other distressing times for our City, Lew Wolff made major investments in the same location to move us ahead. It is fitting and a bit poignant, that his buildings will now be replaced by other ones, but that is the nature of progress, and of the evolution of cities. I believe this replacement is a wise decision. San Jose can be proud of the many buildings that have been preserved in the last fifty years - from the Peralta Adobe to the California Theatre to St. Joseph's Cathedral to the dozens of commercial and civic structures of great historic value that are abundant - it is a fine record, but one that involved a judgement of when and what to save and when to move forward into that new world. The Jay Paul project represents that future, just as the Wolff efforts, the Fairmont Hotel, the headquarters of Adobe Systems and SAP Arena did so in the past - we are all a part of that past and hopeful for that future that we are now reaching toward.

It comes very slowly at times but then it often arrives with a swiftness that is amazing - please take that leap.

Sincerely,

Tom McEnery

**From:** Andre Luthard <[REDACTED]>

**Date:** June 12, 2020 at 7:17:22 AM PDT

**To:** "Van Der Zweep, Cassandra" <[REDACTED]> "Arroyo, Juliet" <[REDACTED]> "Tran, David" <[REDACTED]> "Taber, Toni" <[REDACTED]>

**Cc:** Ben Leech <[REDACTED]>

**Subject: Bank of California Landmark hearing and City View Plaza SEIR Council Agenda request for Time Certain**

Dear all,

In light of the high public interest in these two items being heard at the June 16 City Council hearing, PAC\*sj respectfully requests that they be heard at time certain so that the interested public can participate in a reasonable manner.

These would be agenda items 10.2 and 10.3.

Holding these hearings after 5 or 6pm would allow the maximum of public participation.

Please let us know if this request should go to anyone else and what the hearing time will be.

Sincerely,

André Luthard  
Board President  
Preservation Action Council of San Jose

## RE: Follow Up

Janette D'Elia <[REDACTED]>

Mon 6/15/2020 10:32 AM

To: [REDACTED]  
Cc: Van Der Zweep, Cassandra <[REDACTED]>

[External Email]

Hi Shiloh,

It was a pleasure meeting with you this past week and we appreciate learning your perspective while wearing your "other hat" as Executive Director of the SVBC.

It's terrific to hear you are excited about our plans for City View. We believe the Valley's future lies in downtown San Jose and as you know we have made a major commitment to the city by acquiring over \$700 million in prime downtown real estate including City View, 200 Park, 50 West San Fernando and 1 West Santa Clara. Jay Paul Company sets a high bar for our developments and we believe City View embodies not only our vision, but the vision laid out by the City in both the Envision San Jose 2040 General Plan and the Downtown Vision.

As we discussed, City View is designed to adapt to a future where alternative modes of transportation become more efficient and dependence on single occupant vehicle trips is reduced. To that end, we have voluntarily reduced the project's parking capacity to 20% below current City code and we have worked closely with DOT and DPW staff to offer Council an exceptional project that fully complies with current policy for its consideration Tuesday night. Conditioning City View with triggers, caps and other measures would be extremely detrimental to our ability to attract major tenants downtown and bring City View to fruition as the project would be at a competitive disadvantage to other projects not similarly conditioned. These are policy issues that need to be carefully studied and initiated by the City for all of downtown and not just one project. To that end, I'd be happy to connect with you again in the coming weeks to continue the discussion and share our experiences and the best practices of our tenants.

Looking forward to working with you in the future.

Best,

Janette

---

Janette D'Elia | COO

Jay Paul Company | Four Embarcadero Center, Suite 3620, San Francisco, CA 94111 | 415.263.7400

---

**From:** Shiloh Ballard <[REDACTED]>  
**Sent:** June 12, 2020 7:39 AM  
**To:** Janette D'Elia <[REDACTED]>  
**Subject:** Follow Up

Hi Janette and Team,

Thanks for taking the time to chat this week about City View. It's definitely an exciting opportunity for San Jose.

I want to again acknowledge the thoughtfulness that is going in to designing something that will be an asset to San Jose. The paseo plaza and bike elements are impressive. I also want to acknowledge the challenges associated with making all of the priorities fit together.

I was also heartened to hear that the expectation is that tenants will naturally over time gravitate towards non SOV travel. I hope so and believe that is the case. I also believe that it is the role of policy makers to push the private sector in ways that work for the private sector to achieve a more sustainable future more quickly. So the question is, what are the ways, in addition to design, that we can nudge people to adopt transportation behavior change much more quickly. I'm happy to continue to help think about that and relay the experience we see at the Bike Coalition as that's what we do - try to get people to change their behavior in the face of huge barriers to doing so. And knowing what we know about WHEN people are more open to make behavior change, that it is at times of change in one's life, like a job transition, these types of projects and the role of tenants in pushing change more quickly are even more important.

I mentioned a few ideas:

- A TMA
- Connected to trip caps
- A TDM plan (I understand there isn't one?)
- And triggers for ratcheting back SOVs correlated to transit improvement milestones or other sensible time points.

Is that something that you all would be willing to consider? I know there's nothing currently in place with the City but as I understand it, these are concepts that the City would like to pursue and just hasn't fleshed them out yet. I don't know the specifics but I'm sure with DOT and others, something could be put into place that sets some goals over time for ratcheting back that ability of people to drive solo. And, as you noted, that might then free up garage space to be converted into revenue generating space. (Indoor soccer is my vote.)

I'll stop there and also apologize that this is not better fleshed out. But given that the clock is ticking, I wanted to send something your way.

--  
Shiloh Ballard  
Executive Director and President  
Silicon Valley Bicycle Coalition

<http://www.bikesiliconvalley.org/>

96 N. Third Street, #375, San Jose

Follow us on Twitter @bikeSV @ShilohBallard

[If you like bikes, become a supporter of SVBC!](#)



## **SAN JOSE DOWNTOWN ASSOCIATION**

The Honorable Mayor Sam Liccardo and City Council  
City of San José  
200 East Santa Clara Street  
San José, CA 95113

June 15, 2020

RE: CityView Plaza, Agenda Item #10.3, June 16, 2020 City Council meeting

Dear Honorable Mayor Liccardo and City Councilmembers,

The San Jose Downtown Association, representing more than 2000 member businesses, voices its support for Jay Paul's proposed redevelopment of Cityview Plaza (file number H19-016). Our Downtown Design Committee has reviewed the project and found that it meets or exceeds the criteria that we use to judge good urban design. We also commented on the project EIR. Our main concerns addressed the amount of retail and a desire to ensure the public would be able to access this key city block. We are pleased to see that Jay Paul and their design team at Gensler have added more retail space at the corner of Market and San Fernando Streets and that the City Planning Department conditioned public access from 7 a.m.-11 p.m. into the Site Development Permit approval.

As we have expressed in previous letters regarding the CityView project, there is much to like about the rebirth of one of San Jose's first redevelopment areas. This forward-looking project will be a centerpiece for the emergence of downtown San Jose as a major job center, as well as a new high bar for architecture in the center city.

The San Jose Downtown Association also supports the removal of the building at the corner of Park Avenue and Almaden Boulevard. We cannot allow for this odd and unadaptable building to stand in the way of a project that will bring so much benefit to San Jose.

We look forward to your approval with the intention that construction on this project begins as soon as possible.

Sincerely,



Scott Knies  
Executive Director



# TEAMSTERS LOCAL 853

AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS & TEAMSTERS' JOINT COUNCIL #7

7750 PARDEE LANE • OAKLAND, CALIFORNIA 94621-1497

TELEPHONE: (510) 895-8853 • (800) 400-1250 • FAX: (510) 895-6853

1452 N. Fourth Street • San Jose, CA 95112 • (408) 453-0287 • Fax: (408) 453-2034

email: [connections@teamsters853.org](mailto:connections@teamsters853.org)

**Rome A. Aloise**  
Principal Officer  
Secretary-Treasurer

June 16, 2020

**Dennis Hart**  
President

**Lou Valletta**  
Vice President

Honorable Mayor Sam Liccardo and City Council  
City of San Jose

**Stu Helfer**  
Recording Secretary

200 East Santa Clara Street  
San Jose, CA 95113

**Stacy Murphy**  
Trustee

**Joel Bellison**  
Trustee

**Re: CITY VIEW PLAZA, Agenda Item #10.3-June 16, 2020 City Council Meeting**

**Mike Fritz**  
Trustee

Honorable Mayor Liccardo and City Council Members:

Oakland Office

Jesse Casqueiro

Bo Morgan

Scott Gonsalves

John Arnolfo

Dan Harrington

Lon Schmidt

Efren Alarcon

Lennie Kuhls

Rodney Smith

Bob Galves

Steve Beck

Phil Ybarrolaza

Tracy Kelley

Steve Bender

Mike Henneberry

I am writing on behalf of the 15,000 Teamsters who are represented by Teamsters Local 853, many of whom live and work in San Jose. We are strongly in support of the Planning Commission recommendation of **CITY VIEW PROJECT TOWER**.

Our Local is affiliated with the Santa Clara County Building Trades Council and we represent hundreds of drivers who deliver concrete on a daily basis all through the city of San Jose and Santa Clara County. Our members are professional drivers, who take pride in making sure that they drive safely, deliver the product in a safe and timely manner, and do so in an environmentally friendly manner. These are good paying, well benefited jobs, which allow for our members to support their families, educate their children and be productive members of our society.

The City View Project Tower is critical to core downtown development and will immediately provide significant safe construction employment during the current pandemic economic downturn. Additionally, the jobs that will be created when this project is finished will benefit our members who deliver every other item that we use in our day to day lives!

Teamsters Local 853 supports the Planning Commission's recommendation to the City Council to certify the environmental impact report, and adopt a resolution approving a Site Development Permit.

Please keep this project moving forward without additional delay.

San Jose Office

Jerry Sweeney

Ray Torres

Pablo Barrera

Jerry Cordova

Johnny Gallegos

Eddie Venancio

Sincerely,

  
Rome A. Aloise  
Secretary-Treasurer  
Principal Officer

*Representing Members in Warehousing, Dairy, Liquor, Bakery, Construction, Building Materials, Newspaper, Concession, Retail Delivery, Automotive, Retail, Graphic Communications, Package Delivery, and Miscellaneous Industries*

June 16, 2020

San Jose City Council

**RE: Support City Council Item 10.3-20-176 in Support of H19-076 “City View Project”**

Dear Council Members,

On behalf of the International Union of Bricklayers & Allied Craftworkers I am writing to you in support of the “City View Project” H19-076 Item number 10.3-20-176.

Approval of this major downtown development project would give immediate relief through safe construction employment to thousands of trades women and men during this difficult economic downturn resulting from the COVID-19 Pandemic.

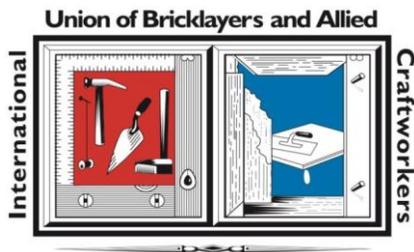
The International Union of Bricklayers & Allied Craftworkers asks that the San Jose City Council continue without delay moving forward with the “City View” construction project for the benefit of the working folks of the City of San Jose, and the benefit of the redevelopment of the San Jose downtown area.

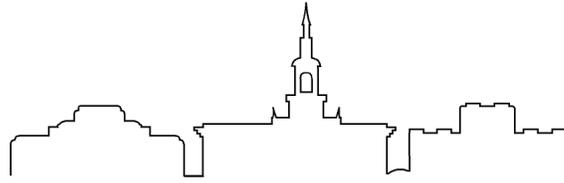
Sincerely,

**Darin Compton**

West Region Representative

International Union of Bricklayers & Allied Craftworkers





# PRESERVATION ACTION COUNCIL OF SAN JOSE

*Dedicated to Preserving San Jose's Architectural Heritage*

---

## **PAC\* SJ Field Observation Report 6/11/2020: Bank of California (H19-016)**

The following field observations were made after reviewing as-built drawings of the Bank of California provided to PAC\* SJ by Jay Paul Company and an independent site visit on 6/11/2020. The following points are in response to continued points of disagreement concerning the feasibility of retaining the building on site, as addressed in PAC\* SJ's comments on the project DSEIR and its 1<sup>st</sup> Amendment, as well as our response to supplemental information provided by Jay Paul and Gensler, as addressed below.

### **Building Type / Function:**

- A number of the Jay Paul provided reports allude to office building requirements that would need to be implemented for the Pelli (170 Park Avenue) building. PAC\* SJ does not see a transformation of this bank building into an office building as adding all the fenestration to a heavily reinforced concrete shear wall would entirely defeat the purpose of what the building was designed for. As a bank, the least number of possible openings that could be breached was optimum. A similar archetype, which requires the control of lighting and maximizes wall space is that of a museum or visitor's center where displays or artwork can be displayed to maximum advantage. A number of the reports given capture the retrofit cost of the building for use as office and retail. That is simply not in keeping with the original design intent/function. PAC\* SJ believes the retrofit of the structure can be done for substantially less cost than illustrated. Its use as a museum, or San Jose visitor's center, would give the building the place of honor it deserves in such a distinguished, city center, corner location.
- The Gensler letter (May 15, 2020) provided scenarios that are largely based on what it would take to produce an office building under current 2019 code and municipal standards. The building needs to be appreciated/valued for what it is, and analyzed through the Historical Building Code. Since it was constructed as a bank building, it would share features with bank design and construction....not with those of an office/retail building. As such, many of the assumptions for fenestration/daylighting, access, etc. are incorrect and should be studied/explored to a greater degree and through a different set of reuse parameters.

### **Foundation and lower level perimeter observations:**

- Response to Brierly Associates Letter (dated May 15, 2020) - PAC\* SJ challenges the engineering concept shown as the appropriate solution. The existing plaza level isolation joint around the 170 Park Avenue building shows a minimum of 30' (along two planes it is 34') of horizontal depth. From that perimeter, a

History Park, 1650 Senter Road, San Jose, CA. 95112

[www.preservation.org](http://www.preservation.org) • Tel: (408) 998-8105 • [REDACTED]

PAC\* SJ is a 501 (c) 3 non-profit organization. EIN: 77-0254542

retaining/slurry wall can be erected with shallower tie backs/helical anchors, and possibly well within that 30' distance before reaching the building foundation [we believe the diagram shown represents the absolute worst case scenario]. Also, the letter surmises that there is a high frequency of driven piles for the building's foundation. Our 150' x 120' structure is a total of 3 stories and piles were most likely driven at the grid intersection increments of 30'x30'....and, tied together with stout grade beams. Given that scenario, it is highly likely that a solution can be developed that would miss the driven pile locations altogether.

- Some of the documents allude to underground parking for the Pelli Building and that is just not the case. The original building was designed on a 4 foot elevated/landscaped podium and the balance of the building utility access was made accessible by dropping an approximate 6 feet. It is our position that this cast-in-place deck can be removed allowing the building to stand alone. The new slurry retaining wall can be treated in such a manner as to emulate the concrete Pelli building façade in order to be respectful and allow for continuity of its "Sense of Place."
- The Magnusson Klemencic letter (May 15, 2020) refers to the structure as two stories over a sub-grade parking area. That is not an accurate assessment of the building. The plaza's elevated level, creating the covered parking/driveway area beneath, is seismically isolated and not connected to the adjacent parking structure serving other buildings. The lowermost level of 170 Park Avenue is for mechanical/electrical utility access to the core of the building.
- From the same Magnusson Klemencic letter we have this quote: "The seismic retrofit from the early 1990s consisted primarily of improving the lateral connections between the floor and roof diaphragms to the cores by means of added steel "drag strut" elements and included added steel bracing at the penthouse level." This fact suggests that the building is currently able to meet/exceed life-safety thresholds for compliance with its use under the Historical Building Code.

#### Elevations/ Building Perimeter/ Accessibility:

- An alternate entrance (ramp/stairs/lift) can be developed for ADA accessibility along the plaza (back side) level of the building which would not be artistically detrimental and would be respectful of the building's brutalist architectural style. Under the Historical Code, it is permissible to retain the sculptural main building entrance as originally intended by the Architect...and provide an alternate means of ingress/egress.

#### Attendees Present:

José de la Cruz, Architect, C.M., NCARB, CPTED (PAC\*SJ Board)

John Frolli, AIA (PAC\*SJ Board)

André Luthard (PAC\*SJ Board President)

Ben Leech (PAC\*SJ Executive Director)

**From:** Janette D'Elia [REDACTED]  
**Subject:** Cityview 170 Park - PACSJ Clarifying questions  
**Date:** June 10, 2020 at 10:21 AM  
**To:** Andre Luthard [REDACTED] Ben Leech [REDACTED]  
**Cc:** Van Der Zweep, Cassandra [REDACTED] Benedict Tranel [REDACTED]  
Ru Weerakoon [REDACTED] Britt Lindberg [REDACTED]



Andre,

Please see the below responses to your email of 6/8 in red below. A number of your questions have already been responded to by the City as the lead agency, and our May 27 letter in response to your prior questions on May 26. Similar issues also were addressed in our submittal to the Planning Commission dated May 22<sup>nd</sup>. Please see below for more specific responses to several of your questions.

I've also cc'd Cassandra Van Der Zweep of the City in this transmittal.

Best,

Janette

---

Janette D'Elia | COO  
**Jay Paul Company** | Four Embarcadero Center, Suite 3620, San Francisco, CA 94111 | 415.263.7400

**From:** Andre Luthard <[mailto:\[REDACTED\]](mailto:[REDACTED])>  
**Sent:** Monday, June 8, 2020 10:26 AM  
**To:** Janette DElia <[mailto:\[REDACTED\]](mailto:[REDACTED])> Benedict Tranel  
<[mailto:\[REDACTED\]](mailto:[REDACTED])> Ru Weerakoon  
<[mailto:\[REDACTED\]](mailto:[REDACTED])> Britt Lindberg  
<[mailto:\[REDACTED\]](mailto:[REDACTED])>  
**Cc:** Ben Leech <[mailto:\[REDACTED\]](mailto:[REDACTED])>  
**Subject:** Clarifying questions

Dear Janette, Ben, Ru, Britt and your team.

As requested, we are providing the following list of questions and concerns about various statements made in the Draft SEIR and subsequent supporting documentation. It was our hope to have a constructive conversation about these points, not in order to refute them, but to better understand your position on them relative to your claims of infeasibility. In lieu of that open dialog, we submit these in writing and await your reply.

- 1) The claim that the Bank of California is built on top of an underground parking level continues to be a problematic one for us, given the number of times it is invoked as justification that the building's preservation is infeasible. We continue to believe that the building is structurally freestanding and not located on top of an underground parking level. We acknowledge that a portion of the existing raised podium and pedestrian ramp was constructed alongside the building in its original construction phase, and that a small area of the sub-grade parking area was

phrase, and that a small area of the sub-grade parking area wraps the building to the north and east. However, we do not think this condition supports the assertion that this parking area extends under or into the building itself, as has been claimed in numerous instances. If you can provide us with any plans or sections that refute our understanding, we would appreciate the clarification. We believe the plans and section details previously provided to us support our current understanding of the existing conditions but would welcome additional explanation.

Please refer to point 1 and point 2 of the May 27 MKA letter previously provided in response to your May 26 question.

2) The Magnusson Klemencic memo dated 5/27 includes the following statement: "Maintaining the corner of the podium and underground garage which is integral with the original 170 Park building [is] not necessary to maintain the structural stability of the existing building." Therefore we still do not understand the claims that the adjacency of the building and its surrounding podium pose a structural challenge to the preservation of the building itself. If this is instead a claim about architectural integrity as opposed to structural interdependence, which the MK memo suggests, we believe it should be reviewed by an independent preservation professional with the knowledge that the podium level surface treatments were substantially altered in 2006.

Please refer to point 1 and point 2 of the May 27 MKA letter previously provided in response to your May 26 question.

3) What are the depths of the existing piles under 170 Park? Are they precast or cast-in-place?

See previously provided structural drawings. MKA believes that the piles are precast and approximately 40' in depth.

3) Please clarify the reasons why "Preservation Alternative 6" necessitates the permanent retention of Heritage Bank (150 Almaden). If these reasons are primarily structural, please clarify why 170 Park Plaza can be demolished independently from 150. If instead these reasons are primarily programmatic, please clarify those issues (parking access? etc)

Please refer to May 27 Gensler letter, and to point 4 of the May 27 MKA letter, previously provided in response to your May 26 question.

4) We do not see any analysis of how a reduced parking alternative would affect the shoring requirements for Preservation Alternative 6 or any of its variants. Has that been explored?

This appears to be a question for the City, as lead agency.

5) Can you clarify for us the difference between the shoring requirements for 190 Park, which are obviously feasible, and the shoring requirements for 170 Park, which are claimed to be infeasible? Likewise, how is 150 Almaden being shored/underpinned during the first two proposed construction phases?

Please refer to point 8 of the May 27 MKA letter previously provided in response to your May 26 question. The 'straight line' mentioned is inclusive of the 150 Almaden building.

7) Does the desired north-south paseo through the site include portions of the 190 Park property, and if so, how are you accommodating public access over parcels you do not control?

The N-S paseo will achieve access across the site to the street through appropriate means. The SDP drawings are diagrammatic at this stage.

8) We understand the hazardous remediation figures included in Level 10's preservation cost estimates to be based on a remediation scope required for the building's demolition. Since many of these are fixed costs in any development scenario, we question why they are included here. Have you done analysis on the required remediation for the preservation alternative specifically? In other words, we believe the required remediation scope for preservation could be substantially lower than the scope required for demolition, since encapsulation is not an option for the latter. Please clarify.

Refer to May 15 Level 10 letter previously provided. While encapsulation may be a lower cost strategy in certain limited instances, in the case of adaptive reuse, the cost of selective abatement by trade can be more expensive than comprehensive abatement. When doing a complete system replacement and reprogramming of the space, a full abatement would best mitigate human exposure to the hazardous materials.

9) What exactly are the technical or programmatic reasons for including the demolition of 170 Park in Phase 1, as opposed to Phase 3 (concurrent with the adjacent 150 Almaden)?

Excavation of Phase 1 precludes using the footprint of Phase 1 as a staging area.

10) Has a preservation easement been considered as a possible way to reduce the net cost of the project to Jay Paul?

A preservation easement is not applicable here.

11) How are you proposing to plan and implement your documentation and commemoration program? Have you established a budget for this program? Are you proposing a public

process or a working group composed of multiple stakeholders, or are you imagining this to be an internal process?

The EIR outlines specific documentation measures that we will take, and any additional commemoration over and above the EIR requirements will be designed and paid for by the project developer.

While we realize Jay Paul is not the lead agency in the preparation of the SEIR, we believe answering the above questions is integral to a full and complete presentation of data needed by the community and decision makers.

Thank you again for taking the time to meet with us face to face on Friday.

André Luthard  
PAC\*SJ

**From:** Andre Luthard [REDACTED]  
**Subject:** Clarifying questions  
**Date:** June 8, 2020 at 10:26 AM  
**To:** Janette D'Elia [REDACTED] Benedict Tranel [REDACTED] Ru Weerakoon [REDACTED]  
Britt Lindberg [REDACTED]  
**Cc:** Ben Leech [REDACTED]



Dear Janette, Ben, Ru, Britt and your team.

As requested, we are providing the following list of questions and concerns about various statements made in the Draft SEIR and subsequent supporting documentation. It was our hope to have a constructive conversation about these points, not in order to refute them, but to better understand your position on them relative to your claims of infeasibility. In lieu of that open dialog, we submit these in writing and await your reply.

- 1) The claim that the Bank of California is built on top of an underground parking level continues to be a problematic one for us, given the number of times it is invoked as justification that the building's preservation is infeasible. We continue to believe that the building is structurally freestanding and not located on top of an underground parking level. We acknowledge that a portion of the existing raised podium and pedestrian ramp was constructed alongside the building in its original construction phase, and that a small area of the sub-grade parking area wraps the building to the north and east. However, we do not think this condition supports the assertion that this parking area extends under or into the building itself, as has been claimed in numerous instances. If you can provide us with any plans or sections that refute our understanding, we would appreciate the clarification. We believe the plans and section details previously provided to us support our current understanding of the existing conditions but would welcome additional explanation.
- 2) The Magnusson Klemencic memo dated 5/27 includes the following statement: "Maintaining the corner of the podium and underground garage which is integral with the original 170 Park building [is] not necessary to maintain the structural stability of the existing building." Therefore we still do not understand the claims that the adjacency of the building and its surrounding podium pose a structural challenge to the preservation of the building itself. If this is instead a claim about architectural integrity as opposed to structural interdependence, which the MK memo suggests, we believe it should be reviewed by an independent preservation professional with the knowledge that the podium level surface treatments were substantially altered in 2006.
- 3) What are the depths of the existing piles under 170 Park? Are they precast or cast-in-place?
- 4) Please clarify the reasons why "Preservation Alternative 6" necessitates the permanent retention of Heritage Bank (150 Almaden). If these reasons are primarily structural, please clarify why 170 Park Plaza can be demolished independently from 150. If instead these reasons are primarily programmatic, please clarify those issues (parking access? etc)
- 5) We do not see any analysis of how a reduced parking alternative would affect the shoring requirements for Preservation Alternative 6 or any of its variants. Has that been explored?
- 6) Can you clarify for us the difference between the shoring requirements for 190 Park, which are obviously feasible, and the shoring requirements for 170 Park, which are claimed to be infeasible? Likewise, how is 150 Almaden being shored/underpinned during the first two proposed construction phases?
- 7) Does the desired north-south paseo through the site include portions of the 190 Park property, and if so, how are you accommodating public access over parcels you do not control?
- 8) We understand the hazardous remediation figures included in Level 10's preservation cost estimates to be based on a remediation scope required for the building's demolition. Since many of these are fixed costs in any development scenario, we question why they are included here. Have you done analysis on the required remediation for the preservation alternative specifically? In other words, we believe the required remediation scope for preservation could be substantially lower than the scope required for demolition, since encapsulation is not an option for the latter. Please clarify.

9) What exactly are the technical or programmatic reasons for including the demolition of 170 Park in Phase 1, as opposed to Phase 3 (concurrent with the adjacent 150 Almaden)?

10) Has a preservation easement been considered as a possible way to reduce the net cost of the project to Jay Paul?

11) How are you proposing to plan and implement your documentation and commemoration program? Have you established a budget for this program? Are you proposing a public process or a working group composed of multiple stakeholders, or are you imagining this to be an internal process?

While we realize Jay Paul is not the lead agency in the preparation of the SEIR, we believe answering the above questions is integral to a full and complete presentation of data needed by the community and decision makers.

Thank you again for taking the time to meet with us face to face on Friday.

André Luthard  
PAC\*SJ

**From:** Ryan Jones <[REDACTED]>  
**Sent:** Tuesday, June 16, 2020 4:28 AM  
**To:** City Clerk <[REDACTED]>  
**Subject:** City View Plaza project



[External Email]

Dear Mayor and City Council:

Please vote to approve the City View Plaza project (Agenda Item 10.3). Now more than ever, workers need protections to fight against wage theft and to ensure safe jobsites. This development will create good union jobs with health care benefits for hundreds of construction workers in San Jose. I support the Jay Paul/Level 10 Construction project and request that you approve the proposal.

Sincerely,  
Ryan Jones

**From:** George Smyrniotis <[REDACTED]>  
**Sent:** Tuesday, June 16, 2020 9:30 AM  
**To:** City Clerk <[REDACTED]>  
**Subject:** Jay Paul's City View Project



[External Email]

Mayor Licardo, Members of the San Jose City Council, and Planning Commission,

I am a local San Jose resident in support of the Jay Paul's City View project. This project will transform downtown, create local jobs, and bring in tax revenue for the City of San Jose.

Downtown needs this project more than ever, not only to create jobs, keep local residence employed, but also to bring in revenue for the local businesses and restaurants.

The project will create many construction jobs and help support the local construction industry in general.

Please approve this project, it is time to bring businesses back into downtown San Jose, and support the local economy.

Thank you for your support,

George Smyrniotis

From: Tom Albanese <[REDACTED]>  
Sent: Tuesday, June 16, 2020 6:25 AM  
To: City Clerk <[REDACTED]>  
Subject: Re: H19 016

[External Email]

Mayor Licardo, Members of the San Jose City Council, and Planning Commission,

I am writing in support of Jay Paul's City View project for the following reasons. 1) Our company, Central Concrete Supply, was established in San Jose in 1946 and has over 80 % of our employees living in San Jose. It is very important to not only having a project like this in downtown San Jose but to have it worked on by our local residents which in turn support our local retail and related businesses. The project is coming along at the most needed time to keep our employees as well as other local contractors employees employed, especially in light of the recent slowdown due to Covid 19. In addition the contractor, Level 10 Construction, is a local union contractor that will be utilizing local subcontractors to facilitate the construction. 2) We don't want to miss the opportunity to support a local Developer that has the vision, fortitude, and financial ability to create a premier world class office environment that will enhance the downtown core for the next century.

Our company has seen the downtown core transform over the last 74 years. We have witnessed many landmark projects being built and have also witnessed the exodus of many businesses making the City look like a ghost town for years. This is our time to continue to foster the resurgence of our downtown core so as to secure it for future generations.

Thank you,

Sincerely, Tom Albanese

**From:** riverajr53

**Sent:** Tuesday, June 16, 2020 11:28 AM

**To:** City Clerk ; Liccardo, Sam ; Peralez, Raul

**Subject:** City View Plaza Project ( Agenda Item 10.3 )



[External Email]

Dear Mayor and City Council:

Please vote to approve the City View Plaza project (Agenda Item 10.3). Now more than ever, workers need protections to fight against wage theft and to ensure safe jobsites. This development will create good union jobs with health care benefits for hundreds of construction workers in San Jose. I support the Jay Paul/Level 10 Construction project and request that you approve the proposal.

Sincerely

Jason Rivera



# Silicon Valley MEPS

---

**President**

Steve Flores  
UA Local 393

**Treasurer**

Dominic Torreano  
SMW Local 104

**Trustees**

Dan Rodriguez  
IBEW Local 332

Stan Smith  
Fire Sprinkler Fitters  
Local 483

Rick Werner  
SMW Local 104

**Board of Directors**

Eric Haynes  
SMW Local 104

Jeff Salvotti  
SMW Local 104

Vince Sugrue  
SMW Local 104

Will Smith  
IBEW Local 332

Pete Seaberg  
IBEW Local 332

Jean Cohen  
UA Local 393

Al Gonzalez  
UA Local 393

Juan Gutierrez  
UA Local 393

Dylan Boldt  
Fire Sprinkler Fitters  
Local 483

June 16, 2020

Re: Support for City View Plaza

Dear Mayor Liccardo and City Council:

The Silicon Valley MEPS represent over 7,000 union construction members in Santa Clara County working in the mechanical craft trades. We work to strengthen and grow the middle-class by ensuring developers provide a family sustainable wage and benefit package to their employees.

The City View Plaza project will help transform downtown San Jose and provide significant safe construction employment during this economic downturn. By committing to building union, this Jay Paul development will provide pathways for apprentices and veterans to a career in the construction trades.

We support the City View Plaza project and request that you adopt the staff recommendations so construction can begin soon.

Sincerely,

**Steve Flores**  
President

**From:** Edmundo Escarcega [mailto:mundo@local393.org]  
**Sent:** Tuesday, June 16, 2020 10:48 AM  
**To:** City Clerk <[REDACTED]>  
**Subject:** City View Plaza project (agenda 10.3)



[External Email]

I support the Jay Paul Level 10 Construction project. Our community need these jobs more than ever to ensure safe job sites and to combat wage theft. This development will create good jobs with health care benefits for hundreds of construction workers in San Jose. Please approve the City View Plaza project (agenda 10.3)

Thank you  
Edmundo Escarcega

**From:** Jason Isenhower [mailto: [REDACTED]]

**Sent:** Tuesday, June 16, 2020 10:12 AM

**To:** City Clerk < [REDACTED] > Peralez, Raul < [REDACTED] > Liccardo, Sam

< [REDACTED] >

**Subject:** City view

?

[External Email]

Dear Mayor and City Council:

Please vote to approve the City View Plaza project (Agenda Item 10.3). Now more than ever, workers need protections to fight against wage theft and to ensure safe jobsites. This development will create good union jobs with health care benefits for hundreds of construction workers in San Jose. I support the Jay Paul/Level 10 Construction project and request that you approve the proposal.

Sincerely,

Jason L Isenhower

**From:** joey branzuela [mailto: [REDACTED]]  
**Sent:** Tuesday, June 16, 2020 10:04 AM  
**To:** City Clerk < [REDACTED] >  
**Subject:** New construction San Jose



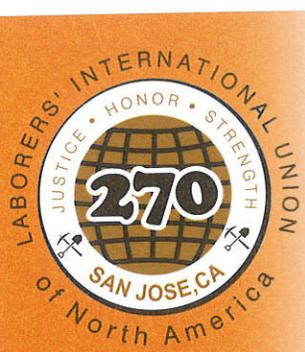
[External Email]

Dear Mayor and City Council:

Please vote to approve the City View Plaza project (Agenda Item 10.3). Now more than ever, workers need protections to fight against wage theft and to ensure safe jobsites. This development will create good union jobs with health care benefits for hundreds of construction workers in San Jose. I support the Jay Paul/Level 10 Construction project and request that you approve the proposal.

Sincerely,

Joey Branzuela



# LiUNA! LOCAL 270

*Feel the Power*

**ENRIQUE ARGUELLO**  
Business Manager  
Secretary-Treasurer

Tuesday, June 16, 2020

**LUIS ARGUELLO**  
Assistant Business Manager  
Executive Board

Attention: Planning Commission

**FERNANDO AMBRIZ**  
President

Agenda Item - City Council Item 10.3 – 20-176

**HECTOR HEREDIA**  
Vice-President

RE: Support of H19-016, City View Project

**JUAN SOTO**  
Recording Secretary

Dear Commissioners,

**RENE CAMACHO**  
Executive Board

I'm writing to you today on behalf of LiUNA Laborers Local 270 representing more than 6,000 members most that live and work in Santa Clara County and in particular the City of San Jose. LiUNA Laborers Local 270 are in support of the staff recommendations for item number H19-016, City View Project Tower.

**GILBERTO RIVERA**  
Executive Board

During this downturn in is imperative that we support developments like the City View Plaza. This downtown development will immediately provide safe construction employment during the current Covid-19 pandemic. Not only will it provide good jobs, it will stimulate our economy and provide peace of mind to many residents. Commissioners have the opportunity to show that we are San Jose Strong and that we must move forward and overcome this pandemic.

LiUNA Laborers Local 270 supports the staff recommendation asking the the Planning commission to recommend that the City Council:

1. Certify the Environmental Impact Report
2. Adopt a Resolution approving a Site Development Permit

2195 Fortune Drive  
San Jose, CA 95131  
(408) 297-2620 Office  
(408) 297-6374 Fax

We ask that you please vote in support staff recommendation and move the project forward without delay.

Respectfully,

Enrique Arguello

640 Eaton Street  
Santa Cruz, CA 95062  
(831) 475-7058 Office  
(831) 475-1767 Fax

117 Pajaro Street  
Salinas, CA 93901  
(831) 422-7077 Office  
(831) 422-5627 Fax

*Affiliated with the Laborers' International Union of North America serving  
Santa Clara, Santa Cruz, San Benito and Monterey Counties*

