



Planning, Building and
Code Enforcement

PLANNING DIVISION 08/15/2022 SUBJECT TO CHANGE

FOR AFFORDABLE HOUSING PROJECTS

TRIBAL CONSULTATION PER AB 168 - NOTICE OF INTENT TO SUBMIT AN APPLICATION

ATTENTION: This Tribal Consultation process must be completed before submitting an application to the City for an affordable housing project under SB 35.

For questions: Please email SB35tribalconsult@sanjoseca.gov or to speak with a City Planner, call 408-535-3555; see phone service hours at www.sanjoseca.gov/Planning.

Para información en español, comuníquese con un Planificador de la ciudad al 408-793-4100

Để được hỗ trợ, nói chuyện với Người lập kế hoạch thành phố tại 408-793-4305.

WHAT IS A TRIBAL CONSULTATION PER AB 68?

Pursuant to AB 168 passed in 2020, this form serves as a Notice of Intent to submit an application for an affordable housing development project under the [SB 35 ministerial review process](#). After the applicant submits this Notice of Intent to the local agency (City of San José), the local agency has 30 days to provide formal notice to each California Native American tribe that is traditionally affiliated with the geographic area of the proposed development and to engage the tribe/s in a scoping consultation. For more information, please refer to the Governor's Office of Planning and Research publication, [AB 168: Tribal Scoping Requirements for Projects Seeking Review Under the Streamlined Ministerial Approval Process](#).

INSTRUCTIONS

As directed by a City Planner, complete this application form and submit it with all items outlined in the application package below.

FEES

A base fee of \$642 must be paid for two hours of planning time as outlined in the [Planning Application Fee Schedule](#). If more time is needed to meet with local tribes, additional fees will apply. For initial fees and methods of payment, visit www.sanjoseca.gov/PlanningApplications. Review of your submittal will not begin until initial fees are paid. Full fees must be paid within 14 days.

APPLICATION PACKAGE

HOW TO SUBMIT. Please email the application package to: SB35tribalconsult@sanjoseca.gov

WHAT TO SUBMIT. Please include the following in your application package:

- TRIBAL CONSULTATION PER AB 168** (this form, completed).
- LEGAL DESCRIPTION.** Provide a legal description of the property (Log, Block, Tract, etc.)
- SITE PLAN.** See an example Site Plan at our [Illustrative Diagrams webpage](#). Draw to scale and show building footprints/location of the proposed building/s and approximate square footage of each building that is to be occupied.
- ELEVATIONS.** For each building that is to be occupied, provides elevations showing design, color, material, and the massing and height of each building.

This is a computer-fillable PDF form and signatures, if required, must be a Digital ID Signature. See instructions for [Digital Forms & Signatures](#). All Planning forms may be downloaded from www.sanjoseca.gov/PlanningApplications.

Staff will assign FILE #

1. PROJECT LOCATION

APN/S SEE WWW.SCCASSESSOR.ORG USE A COMMA BETWEEN MULTIPLE NUMBERS:

Portions of: 467-14-001, 467-14-002, 467-14-003, 467-140-82, 467-140-87, and 467-14-052

PROPERTY ADDRESS:

675 E. Santa Clara Street; 93 N 17th Street; 70 N 15th Street; 79 N 17th Street; and 95 N 17th Street, San Jose, CA 95112

2. EXISTING USES

2.a. Briefly describe the existing uses on the site. Identify any planned major physical alterations to the site:

The property is currently occupied by a vacant 1 and 2 story commercial building. The majority of the site is used as surface parking for the adjacent County of Santa Clara medical office buildings. Upon development, it is anticipated that we will demolish the existing buildings, re-align and rebuild surface parking lots to accommodate the County's medical facilities, construct interior thoroughfare streets and pedestrian paseos and construct new residential buildings on a redefined site.

2.b. **EXISTING RESIDENTIAL UNITS.** Provide the number of existing residential units that will be demolished and the existing units that are occupied or unoccupied. Provide an attachment to further describe, if needed.

	# of Occupied Residential Units	# of Unoccupied Residential Units	# of Total Residential Units
Existing:	0	0	0
To be Demolished:	0	0	0

3. PROPOSED USES

3.a. **DESCRIPTION.** Indicate the square footage of all proposed residential and nonresidential land uses using the categories in the applicable zoning ordinance:

The Core Companies and Eden Housing, together with the County of Santa Clara are proposing to develop Phase II of the East Santa Clara Master Plan Site as a multi-phased residential community on a 2.78-acre (121,036 Sq.Ft.) site located at 675 E. Santa Clara in San Jose. The proposed development will consist of approximately 36 Affordable For Sale Townhomes, approximately 113 Large Family Affordable rental housing units, and approximately 64 Senior Affordable rental housing units, for approximately 213 total units.

Gross residential square footage for the project is approximately 241,614 square feet. This is broken down as 126,864 square feet for the Large Family Affordable rental project; 64,331 square feet for the Senior Affordable rental project; and 50,419 square feet for the Affordable For Sale Townhomes.

The gross square footage for residential parking is 79,334 square feet. This is broken down as 56,679 square feet for the Large Family Affordable project; 12,667 square feet for the Senior Affordable project; and 9,988 square feet for the Affordable For Sale Townhomes.

3.b. **PROPOSED DWELLING UNIT COUNT.** Indicate proposed number of dwelling units by levels by affordability:

	# of Units	Enter any notes about the units:
Market Rate		Out of the total approximately 213 units, 36 units are affordable home ownership units in the form of townhouse style condominiums.
Managers Unit/s - Market Rate	2	
Extremely Low Income	74	
Very Low Income	71	
Low Income	66	
Moderate Income		
Total Units	213	
Total Affordable Units	211	
Total Density Bonus Units	66	

3.c. **FLOOR AREA.** Indicate the square footage for the proposed floor area uses below. Attach any relevant information.

	Residential	Nonresidential	Total
Floor Area (Zoning):	283,791 SF	7,262 SF	291,053 SF
Square Footage of Construction:	313,686 SF	0 SF	313,686 SF

3.d. **PARKING.** Number of proposed parking spaces:

190

4. PROJECT QUESTIONS

- a. **AFFORDABLE HOUSING INCENTIVES, WAIVERS, CONCESSIONS and PARKING REDUCTIONS** - Yes No
Will the project proponent seek Density Bonus incentives, waivers, concessions, or parking reductions pursuant to California Government Code Section 65915?

If yes, please describe:

While our listing of incentive and waivers are not yet final, we anticipate using an incentive for the waiver of commercial area and for a reduction in parking requirements. Other incentives or waivers may include: height, County owned parking area, and impervious area to name a few.

- b. **SUBDIVISION** - Will the project proponent seek any approvals under the Subdivision Map Act, including, but not limited to, a parcel map, a vesting or tentative map, or a condominium map? Yes No

If yes, please describe:

We are anticipating the project will file a tentative map during planning/entitlement. We will file a final map to create new parcels for all three components of the master site plan. This includes large family apartments, senior apartments, and for-sale townhouse style condominiums. Additionally, in lieu of the affordable home ownership component, we will file a condominium plan with the Department of Real Estate.

- c. **POLLUTANTS** - Are there any proposed point sources of air or water pollutants? Yes No

If yes, please describe:

- d. **HISTORIC/CULTURAL RESOURCES** - Are there any historic and/or cultural resources at the site? Yes No

If yes, please describe:

- e. **SPECIES** - Does the project site contain any species of special concern? Yes No

If yes, please describe:

4. PROJECT QUESTIONS - CONTINUED

- f. **EASEMENTS** - Does the project site contain any recorded public easement, such as easements for storm drains, water lines, and other public rights of way? If yes, please describe: Yes No

Electric (PG&E) and communication (PacBell) easements are recorded within the site. We expect to re-align necessary easements based upon the site redesign and/or remove easements which are deemed obsolete. We also anticipate adding easements for storm drains and water lines as well as public rights of way based upon the same redesign plans.

- g. **STREAMS** - Does the project site contain a stream, creek or wetlands or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code? If yes, describe below and attach an aerial photograph showing existing conditions of environmental site features that would be subject to regulations by a public agency: Yes No

- h. **ADDITIONAL SITE CONDITIONS** - Please indicate whether a portion of the property is located within any of the following:

i. A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection, pursuant to Section 51178? Yes No

ii. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993)? Yes No

iii. A hazardous waste site that is listed pursuant to Section 65962.5, or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code? Yes No

iv. A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by any official maps published by the Federal Emergency Management Agency? Yes No

v. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2? Yes No

If "YES" to any, please describe:

5. CONTACT INFORMATION

Who is the primary project contact? Applicant Owner Agent/Representative Other

APPLICANT NAME: CoreEdenESC, LLC

TITLE IF APPLICABLE:

FIRM NAME IF APPLICABLE: The Core Companies

EMAIL: abarger@thecorecompanies.com

PHONE: 408-327-8790

MAILING ADDRESS: 470 S. Market Street, San Jose, CA 95113

Are you in escrow to purchase the property? Yes No

PROPERTY OWNER OF RECORD - NAME *only if different from applicant:* County of Santa Clara

EMAIL: [REDACTED]

PHONE: [REDACTED]

MAILING ADDRESS: [REDACTED]

OPTIONAL: AGENT/REPRESENTATIVE NAME [REDACTED]

EMAIL: [REDACTED]

PHONE: [REDACTED]

MAILING ADDRESS: [REDACTED]

OPTIONAL: OTHER - *Specify Architect, Engineer, CEQA Consultant, etc.:* [REDACTED]

NAME: [REDACTED]

MAIL: [REDACTED]

PHONE: [REDACTED]

MAILING ADDRESS: [REDACTED]

6. PROPERTY OWNER AFFIDAVIT

The owner of each property involved must provide a signature to verify the Preliminary Application is being filed with their knowledge. Staff will confirm ownership based on the records of the County Assessor. In the case of partnerships, corporations, LLCs or trusts, the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

- Ownership Disclosure. If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service or process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25 percent interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
Letter of Authorization (LOA). A LOA from a property owner granting someone else permission to sign the Preliminary Application form may be provided if the property is owned by a partnership, corporation, LLC or trust, or in rare circumstances when an individual property owner is unable to sign the Preliminary Application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized to file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items 1-3 below. In the case of partnerships, corporations, LLCs or trusts, the LOA must be signed by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
Grant Deed. Provide Copy of the Grant Deed if the ownership of the property does not match local records. The Deed must correspond exactly with the ownership listed on the application.
Multiple Owners. If the property is owned by more than one individual (e.g., John and Jane Doe, or Mary Smith and Mark Jones) signatures are required of all owners.

- I hereby certify that I am the owner of record of the herein previously described property located in THE CITY OF SAN JOSE which is involved in this Preliminary Application, or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC, or trust as evidenced by the documents attached hereto.
I hereby consent to the filing of this Preliminary Application on my property for processing by THE CITY OF SAN JOSE PLANNING DIVISION for the sole purpose of vesting the proposed housing project subject to the Planning and Zoning ordinances, policies, and standards adopted and in effect on the date that this Preliminary Application is deemed complete.
Further, I understand that this Preliminary Application will be terminated and vesting will be forfeited if the housing development project is revised such that the number of residential units or square footage of construction increases or decreases by 20 percent or more, exclusive of any increase resulting from the receipt of a density bonus, incentive, concession, waiver, or similar provision, and/or an application requesting approval of an entitlement is not filed with THE CITY OF SAN JOSE PLANNING DIVISION within 180 days of the date that the Preliminary Application is deemed complete.
By my signature below, I certify that the foregoing statements are true and correct.

DocuSigned by:
[Redacted Signature] 6/22/2023
7B3319C0D83D4AC...
PROPERTY OWNER SIGNATURE DATE [MM/DD/YYYY]

PRINT NAME
PROPERTY OWNER SIGNATURE DATE [MM/DD/YYYY]
PRINT NAME

For additional property owner signatures, use the Affidavit of Ownership form.

A Digital ID Signature is required of the property owner/s or legally authorized agent of the property owner/s. By signing this application, you are acknowledging that you are the property owner/s or the legally authorized agent of the property owner/s.