

June 10, 2026

Daniel Dang
DVDANG & associates

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Site Address: 2681 Senter Road (APN: 497-35-126)

RE: PRE25-103: Focused Preliminary Review for the demolition of the existing single-family house and the construction of the following four options on an approximately 0.59-gross-acre site:

1. Option #1: Rezoning: Rezone the property and construct eight townhomes (2,014 square feet each with four bedrooms, 3 bathrooms, and an attached two-car garage).
2. Option #2: Subdivision: Subdivide the property into two lots (Lot 1 = 11,766 square feet & Lot 2 = 14,007). Each lot would include one single-family house.
3. Option #3: Subdivision: Subdivide the property into four separate lots. (Lot 1 = 9,834 square feet, Lot 2 = 7,095 square feet, Lot 3 = 7,740 square feet, and Lot 4 (Driveway Easement) ~1,100 square feet.
4. Option #4: Subdivide the property into two lots and then split each lot into 10 units per SB 1123.
5. Option #5: For the 0.59-gross-acre site at a density of 16 DU/AC, the site can have up to nine townhomes and 15 units with a double density bonus or 16 units with a stacked density bonus.

Dear Daniel:

The application referenced above has undergone a revised preliminary review for consistency with City policies and regulations. The purpose of this letter is to provide comments on the preliminary submittal documents to address where the project does not meet City policies and ordinances. The comments below are based on the plans and information currently on file.

Preliminary Issues and Concerns

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

1. The project requires a Site Development Permit and a Tentative Map. Please submit a [Site Development Permit](#) application and a [Tentative Map Application](#) with your formal submittal for the 8-townhome development.
2. A completed [Replacement Unit Determination](#) (RUD) application shall be included with your formal submittal.
3. Please submit a [Transportation Demand Management \(TDM\) Checklist](#) with your formal

submittal.

Preliminary Review

1. Project Description

Based on the plans and information you provided, we understand the project to include the following scope of work: Focused Preliminary Review for the demolition of the existing single-family house, with three options (discussion under Zoning Section below) on an approximately 0.59-gross-acre site.

2. General Plan Consistency

The subject site is designated **Residential Neighborhood** on the Land Use/Transportation Diagram of the [Envision San José 2040 General Plan](#).

Density: typically, 8 dwelling units per acre (DU/AC) to 16 dwelling units per acre (DU/AC); FAR up to 0.7 (1 to 2.5 stories)

This designation is applied broadly throughout the city to encompass most of the established, single-family residential neighborhoods, including both the suburban and traditional residential neighborhood areas.

Only in cases where new development is completely separated from existing neighborhoods by freeways, major expressways, or a riparian corridor or other similar barrier, will it be permissible for the new development to establish a unique character as defined by density, lot size and shape. Similarly, for infill projects where 50% or more of the development on the same block (both sides of the street) is developed at a density greater than 8 DU/AC, new development can match the prevailing density. For any new project to exceed 8 DU/AC, it is necessary that: (1) other policies in this Plan are met, (2) applicable design guidelines are met, and (3) development does not exceed 16 DU/AC. For example, on a site bordered by development with a prevailing average density of 12 DU/AC, new development should include the number of units that would most closely match this density, provided that it would also meet the applicable design guidelines and other Envision General Plan policies.

Staff Comments: Staff conducted research of the adjacent properties on the site, and based on the research, the site can be developed at a maximum of 16 DU/AC.

3. Zoning Consistency

The subject site is located in the R-1-8 Single-Family Residence Zoning District. The Development Standards, pursuant to [Section 20.30.200](#), are as follows:

- a. The minimum lot size in R-1-8 Single Family Residence Zoning District is **5,445** square feet.
- b. The setback requirements for single-family residences are 20 feet from the front, 5 feet from the sides, and 20 feet from the rear property lines. Corner lots shall have a street-side setback of 12.5 feet.
- c. The maximum height in the R-1-8 Zoning District is 35 feet or 2.5 stories.

Staff Comments: The site has a single-family house on the lot, which will be demolished or preserved with the following three options and discussion below:

- a) Option #1: Rezoning: Rezone the property and construct eight townhomes (2,014 square

feet each with four bedrooms, 3 bathrooms, and an attached two-car garage).

Response: Rezoning will not be required for the site as the 0.59-gross-acre site at a density of 16 DU/AC can have up to nine townhomes on one lot. Each townhome unit can be converted to a condominium with a shared common area. For the proposed 8 townhome units, a [Tentative Map](#) is required that shows one lot with eight condominium units and a shared common area. To develop the townhomes, a Site Development Permit is required. Please see the Entitlement Section below for links to the applications and process.

- b) Option #2: Subdivision: Subdivide the property into two lots (Lot 1 = 11,766 square feet & Lot 2 = 14,007). Each lot would include one single-family house.

Response: The subdivision of one lot into two lots will require an SB 9 Parcel Map process through the Public Works Department, which is linked below:

<https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/start-a-new-project-or-use/sb-9-duplex-project-or-subdivision#!/>

To subdivide a single-family lot to construct either a single-family or duplex home on each lot resulting from the subdivision, please follow the process here: the [SB 9 Subdivision Checklist](#).

- c) Option #3: Subdivision: Subdivide the property into four separate lots. (Lot 1 = 9,834 square feet, Lot 2 = 7,095 square feet, Lot 3 = 7,740 square feet, and Lot 4 (Driveway Easement) ~1,100 square feet.

Response: The subdivision of one lot into three lots, per the proposed site plan diagram submitted, will require a Tentative Map process with the Planning Division, which is linked below:

<https://www.sanjoseca.gov/home/showpublisheddocument/15387/638572478832970000>

A Tentative Map Process is required because the proposal does not satisfy the following design requirements per [Title 19 – Subdivisions](#) of the Municipal Code. These requirements could be waived through the Tentative Parcel Map process to facilitate the allowed density on the site.

Pursuant to Section [19.36.200.f](#) for Lot frontage requirements – Exceptions permitted when:

- Lots which may have frontage on an approved street by means of a corridor not less than 20 feet wide and not more than 300 feet long, if the director shall, in the exercise of reasonable judgment, determine such frontage is advisable in view of the size, shape, use or physical or other conditions of the property proposed to be subdivided. Each such lot, exclusive of said corridor, shall be required to meet the minimum square footage required by the applicable zoning district. Not more than two such lots shall be so provided access by any one corridor. When such a corridor provides such access to one lot, such corridor shall be contained within the bounds of, and be a part of, such lot. When such a corridor provides such access to more than one lot, one-half of such corridor shall be a part of and contained within the

bounds of one of the lots, and one-half of such corridor shall be part of and contained within the bounds of the other lot.

Response: Per the Preliminary Site Plan Exhibit provided, the proposed reconfiguration into three lots does not meet the minimum 55-foot street frontage requirement, and the rear two lots will be accessed via a corridor less than 300 feet in length. A Tentative Map is required to document the corridor access easement to the three lots.

d) **Option #4:** Subdivide the property into two lots and then split each lot into 10 units per SB 1123.

i. Lot split from one into two lots with a Parcel Map subdivision. This is a Public Works Review Process.

ii. For SB 1123 following regulations linked below are applicable:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240SB1123

iii. Please also review the San Jose Municipal Code Section linked below:

https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT2_OZO_CH20.195MIAP_PT3LOSTMIAP

Under this section, if you are going to demolish one unit, then you would have to build one unit before subdividing the lot into 10 parcels on each subdivided lot.

iv. A Ministerial Tentative Map process is required to process subdivision via SB 1123.

e) **Option #5:** For the 0.59-gross-acre site at a density of 16 DU/AC, the site can have up to nine townhomes and 15 units with a double density bonus or 16 units with a stacked density bonus.

i. *The 0.59-gross-acre site at a density of 16 DU/AC can have up to nine townhome units by right.*

The State Density Bonus Law (Section 65915) is linked here:

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=65915&lawCode=GOV

ii. **Double Density Bonus:**

If using the State Density Bonus per Section 65915 linked below, the units are rounded to 10 units, and then you have to provide 24% of the base units to low-income households to get 5 additional units. 24% of 10 is 2.4, which is rounded to three affordable units for low-income households. So out of 15 units, three are affordable to low-income households.

iii. **Stacked Density Bonus:**

To get a 16th unit, you would have to do a stacked density bonus where you

provide 5% of the base density bonus units to moderate-income households, which will give your 20% additional density bonus or two units. You can just choose to add one more unit.

So out of 16 total units, you have to provide four affordable units- three to low-income and one to moderate-income households.

- iv. *If you don't want to use the stacked density bonus code section, then you may construct one ADU, which does not get counted towards density, and you will just have 15 units, of which five are density bonus units, and three are affordable to low-income households.*
- v. *Each townhome unit can be converted to a condominium with a shared common area. For the proposed townhome units, a [Tentative Map](#) is required that shows one lot with eight condominium units and a shared common area. To develop the townhomes, a Site Development Permit is required. Please see the Entitlement Section below for links to the applications and process.*

4. **Vehicle Parking:** There is no minimum automobile parking requirement. *The project does not provide any on-site vehicle parking.*

While the project is exempt from Transportation Demand Management Requirements, a checklist is still required to be submitted. Please submit a [Transportation Demand Management \(TDM\) Checklist](#) with a formal submittal.

5. **Bicycle Parking:** For residential use, the project is required to provide one bicycle space per four residential units. With 8 residential townhome units, this calculates to 2 bicycle parking spaces. *Please provide the location and the total count of bike spaces provided with a formal submittal.*

6. **Citywide Design Guidelines Consistency**

The project is required to be consistent with the [Citywide Design Guidelines](#). The application of the Design Guidelines ensures that the relationships of structures to each other and other on-site uses are both functional and attractive.

Section 2.3.8 – Landscaping and Stormwater Management

- Standard 3 - Designate 700 cubic feet of noncompacted soil for small trees, 1400 cubic feet of non-compacted soil for medium trees, and 2100 cubic feet of noncompacted soil for large trees to allow trees to reach their maturity. Structural soil systems, soil cells, or continuous trenches are examples of ways to reach the above soil volumes.
- Standard 5 - Provide the following minimum distances from the center of trees to the edges of buildings for all trees to reach maturity and to prevent unnecessary tree removal:
 - Five feet for small trees
 - 12 feet for medium trees
 - 20 feet for large trees
- Standard 6 - Provide a maximum distance of 20 feet on center for small trees, 25 feet for medium trees, and 35 feet for large trees, or 75 percent of the mature canopy size distance for each tree type measured from the center. Locate new street trees and new on-site trees in relation

to existing street trees and on-site trees to be retained to meet these maximum spacing dimensions.

Staff Comments: Upon a formal submittal, provide storm water management and landscaping details demonstrating compliance with Standard 3 and provide the measurements demonstrating compliance with Standards 5 and 6.

- Standard 8 - Utilize at least 50 percent of the total landscaped area on a development site for LID site design measures, source controls, and green stormwater infrastructure, including but not limited to bioretention, rain gardens, LID planters, and permeable pavers.

Staff Comments: Upon a formal submittal, provide civil sheets to demonstrate compliance with Standard 8 above.

Section 3.3.1- Façade Design and Articulation

- Standard 1 - Articulate all building façades facing a street or public open space for at least 80 percent of each façade length. Articulate all other building façades for at least 60 percent of each façade length. Façade articulation can be achieved by providing material and plane changes or by providing a rhythmic pattern of bays, columns, balconies, and other architectural elements to break up the building mass.

- Standard 2 - Building elements such as bays, windows, and balconies that project from façades must have at least two feet of plane change.

Staff Comments: Upon a formal submittal, provide a separate sheet or detail with elevations demonstrating the required percentages of façade articulation on all building facades. Also, demonstrate that any projections have at least two feet of plane change.

Section 3.3.3 - Decks and Balconies

- Standard 2 - Occupied decks and balconies must be at least six feet wide and four feet deep to encourage outdoor seating.
- Standard 3 - Façade elements and unoccupied spaces such as Juliet balconies must be a minimum of three feet wide and 12 inches deep to provide relief or articulation in the façade.

Staff Comments: Upon a formal submittal, provide dimensions for private balconies.

Section 3.3.7 – Materials and Color

- Standard 1 - In General Plan growth areas, ground floor elevation fronting primary streets must have high-quality materials and texture for at least 50 percent of the non-glass areas. High-quality materials include (but are not limited to) stone, marble, granite, brick, tile, wood, terracotta, and steel.
- Standard 3 - For buildings taller than four stories, limit the use of stucco to a maximum of 60% of any façade that faces a street, open space, or paseo in General Plan growth areas.

Staff Comments: Upon a formal submittal, provide details showing the calculation of the percentage of stucco on the street-facing facade. Also, provide details on high-quality materials being used in the design.

7. Tree Removal Policy

A request for a tree removal permit may be included as part of an application for a development

permit per [Section 13.32.080](#) of the Municipal Code. Please find the guidelines below on providing replacement trees. The tree information shall be incorporated in a separate Landscape Plan sheet supported by an Arborist Report:

- Location of all trees proposed to be removed and all replacement trees on site.
- Species (label as native or non-native).
- Size (height and circumference of trunk at 4.5 feet above grade).

Tree Replacement Ratios				
Circumference of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Each Replacement Tree
	Native	Non-Native	Orchard	
38 inches or more	5:1	4:1	3:1	15-gallon
19 up to 38 inches	3:1	2:1	none	15-gallon
Less than 19 inches	1:1	1:1	none	15-gallon

x:x = tree replacement to tree loss ratio

For Multi-Family Residential, Commercial, and Industrial properties, a permit is required for the removal of trees of any size.

A 38-inch tree equals 12.1 inches in diameter.

A 24-inch box tree = two 15-gallon trees

If the project site does not have sufficient area to accommodate the required tree mitigation, the Applicant is required to provide in-lieu fees as follows:

- Pay the Off-Site Tree Replacement Fee to the City, before the issuance of Public Works grading permit(s), per the approved City Council Fee Schedule. The city will use the off-site tree replacement fee to plant trees at alternative sites. The current in-lieu fee is \$775 per tree.

8. Environmental Review - California Environmental Quality Act (CEQA)

The project will be subject to CEQA Review, but Initial Environmental Scoping was not included with the Preliminary Review Request. This will be required to be submitted with a formal Planning submittal. For more information, you may contact the Principal Planner at David.Keyon@sanjoseca.gov or the Supervising Planner at Tina.Garg@sanjoseca.gov.

A list of approved Environmental consultants is available here: <https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/environmental-review/city-list-of-approved-environmental-consultants>.

Historic Resources: The site contains a building that is 45 years or older. To determine whether the proposed demolition of the commercial building on the property would impact any potential historic resources under the California Environmental Quality Act, please retain a qualified historic resources consultant to prepare DPR 523 series forms to evaluate the property for potential historic significance against the criteria for listing in the California Historical Resources

and as a City Landmark.

The City's list of qualified historic consultants is available at the following link:
<https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/historic-resources/consultants-historic-resources>.

9. Required Entitlements

A [Site Development Permit](#) application is required to be submitted to pursue the Townhome project. A [Tentative Map](#) is also required for the condominium units on one lot. Both applications can be submitted and will be reviewed concurrently.

Both applications require review by City staff and a Public Hearing by the Planning Director held on Wednesdays at 9:00 a.m., currently via Zoom.

Also, please submit the following applications (concurrently):

- [Transportation Demand Management Checklist](#)
- [Replacement Unit Determination Form \(Rud\)](#)
- [Stormwater Evaluation Form.](#)
- [Tree Removal Application](#)
- [SB 9 Subdivision Checklist](#)
- Please visit the Public Works Development Services [Applications & Resources webpage](#) for SB 9 subdivision submittal package requirements and forms.

To schedule an online intake appointment and to submit the applications, please visit:
<https://planningdepartment2.fullslate.com/services/34>.

10. Next Steps

Please be advised that this summary does not constitute a final review. Additional comments will be provided upon submission of a complete application. Please contact me at rina.shah@sanjoseca.gov if you would like to schedule a meeting time or to answer any questions. You can also contact the Supervising Planner overseeing this project, Alec Atienza, at Alec.Atienza@sanjoseca.gov.

Sincerely,

RShah
Rina Shah
Project Manager
City of San Jose