

General Planning Application

City of Cupertino

**Project Site Address: 10145 N DeAnza Blvd., &
10118-10122 Bandlely Drive, Cupertino CA 95014**

Project Name: Marina Plaza (“Project”)

City Document Community Development Department April 29, 2022

DeAnza Venture LLC Checklist Item

Original Application

Item 17. Density Bonus, revised 7/22/22

See the attached letter dated March 23, 2022 along with an Addendum dated July 18, 2022 from Erik Ramakrishnan, Berliner Cohen, 10 Almaden Boulevard, 11th Floor San Jose CA 95113 (the Letter”), responding **to Item 17. Density Bonus.**

Attached to this Letter are reduced copies of the following Sheets which are referenced in the Letter.

The reduced sheets are:

- **A3.2 1st Floor (Courtyard) Affordable Unit Plan**
- **A3.3 2nd Floor Affordable Unit Plan**
- **A3.4 3rd Floor Affordable Unit Plan**
- **A3.5 4th Floor Affordable Unit Plan**
- **A1.0A Setback Encroachment Plan**
- **A1.0D 45’ Height Affected Area – Plans/Sections**

These same sheets are included in the full-size version of the building plans submitted as part of the Project application.



ANDREW L. FABER
 PEGGY L. SPRINGGAY
 SAMUEL L. FARB
 JAMES P. CASHMAN
 STEVEN J. CASAD
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 BRUCE J. HENDRICKS
 STUART B. SPENCER

July 18, 2022

Jeffrey Tsumura
 Associate Planner
 City of Cupertino
 10300 Torre Avenue
 Cupertino, CA 95014

Re: Marina Plaza Housing Development Project Application
Addendum to Affordable Housing Plan and Density Bonus Report,
 Checklist Item Nos. 11 & 17 10118-10122 Bradley Dr. & 10145 De Anza Blvd.
 (APN 326-34-043 & -066)

Dear Mr. Tsumura:

This letter is on behalf of Larry Wang (the “Applicant”), the applicant for the above referenced housing development project (the “Project”). The letter supplements the March 23, 2022 Affordable Housing Plan and Density Bonus Report for the Project attached hereto as **Exhibit A**.¹ The primary purpose of this letter is to respond to Comment No. 18 in the City’s April 29, 2022 incomplete letter for the Project, which states: “It appears that some areas designated as common open space includes areas and portions of hallways for circulation (see screenshots of two areas below). Please address and revise as necessary.” This letter also amends certain information identified on page 5 of the March 23, 2022 letter regarding parking for the Project.

¹ Page 5 of **Exhibit A** is not an identical copy to that provided with the original March 23, 2022 letter. As indicated in greater detail below, the original page 5 contained minor errors in describing parking ratios for the Project, which have been corrected. No other changes were made to the March 23, 2022 letter in **Exhibit A**.

Jeffrey Tsumura
July 18, 2022

Comment No. 18

The applicable objective standard referenced in Comment No. 18 appears to be the common open space standard for residential projects found at Section 1.01.040.C.2 of the Heart of the City Specific Plan, which requires a minimum of 150 square feet of common open space per unit. Nothing in the standard expressly indicates that courtyard areas needed for circulation cannot be included in this area. As explained in a separate letter from this firm included in the Applicant's resubmission, and as stated in Government Code Section 65589.5(f)(4), the City is required to find that the Project is consistent with the City's standards "if there is substantial evidence that would allow a reasonable person to conclude" that the Project is consistent. Because the specific plan does not preclude use of circulation areas in the calculation of common open space, a reasonable person could conclude that the Project is consistent with the City's open space standards, and the City should therefore find that the Project meets the standard.

Even if the Specific Plan specified that circulation areas cannot count toward common open space, the Applicant is entitled to a waiver from the open space standard. As explained in **Exhibit A**, citing Government Code Section 65915(e) and *Bankers Hill 150 v. City of San Diego* (2022) 74 Cal.App.4th 755, 774, once an applicant proposes a project at the allowed density that qualifies for a density bonus, the City is required to waive any standard that physically precludes the project. Here, if circulation areas are excluded, additional square footage is required as common open space. As explained in the memorandum from the Applicant attached to this letter as **Exhibit B**, providing that additional square footage would require the removal of five units from the Project.

Therefore, enforcing the common open space requirement as the City construes it would physically preclude construction of the Project at the proposed density, and a waiver must be granted. Such a waiver is hereby requested, in addition to the two waivers from height and setback requirements that were previously requested in the Density Bonus Report attached as **Exhibit A**.

Parking

Information about parking ratios contained in the March 23, 2022 letter is hereby amended as follows, strikethrough indicating deletions and underlined text indicating additions:

The Project also incorporates the parking ratios set forth in Government Code Section 65915(p), as follows:

- The Project is required to provide one parking space per one-bedroom unit and 1.5 parking spaces per two- or three-bedroom unit.
- The Project proposes ~~10~~ nine one-bedroom units, requiring ~~10~~ nine parking spaces.
- The Project proposes ~~196~~ 197 two- and three- bedroom units, requiring ~~294~~ 296 parking spaces, for a total of ~~304~~ 305 spaces to serve the residential component of the Project.

Jeffrey Tsumura
July 18, 2022

- The Project exceeds this requirement by proposing ~~367~~ 338 residential parking spaces.

For ease of reference, this information has been edited in **Exhibit A**. Please let me know if you have any questions about these edits.

Very Truly Yours,

BERLINER COHEN, LLP

A handwritten signature in black ink, appearing to read 'ERIK RAMAKRISHNAN', with a period at the end.

ERIK RAMAKRISHNAN
erik.ramakrishnan@berliner.com

Exhibit A

**March 23, 2022 Affordable Housing Plan
and Density Bonus Report**



ANDREW L. FABER
 PEGGY L. SPRINGGAY
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March 23, 2022

Community Development Department
 City of Cupertino
 10300 Torre Avenue
 Cupertino, CA 95104

Re: Marina Plaza Housing Development Project Application
 Affordable Housing Plan and Density Bonus Report, Checklist Item Nos. 11 & 17
 10118-10122 Bradley Dr. & 10145 De Anza Blvd. (APN 326-34-043 & -066)

To Whom It May Concern:

This letter is on behalf of applicant Larry Wang (the “Applicant”)¹ in support of its entitlement application for a housing development project at the Marina Plaza shopping center (the “Project”). This letter is responsive to Item Nos. 11 (Affordable Housing Plan) and 17 (Density Bonus Report) in the City’s housing development project application checklist (the “Checklist”).

Project Overview

In addition to proposing commercial uses approximately equal in size to existing commercial floor space, the Project proposes 206 residential units, with a base density of 179 units calculated based upon a base density of 35 du/ac at 5.11 gross acres.² Of the total 206 units, the

¹ Larry Wang is an architect with Tectonic Builders Corporation. He is the project architect and is also the project applicant on behalf of De Anza Venture, LLC; Cupertino 10145, LLC; and Marina Plaza, LLC. Marina Plaza, LLC and Cupertino 10145, LLC are the owners of the project site, and De Anza Venture, LLC was formed as a joint venture among the property owners for the purpose of cooperating in seeking project entitlements.

² Density for purposes of a density bonus is calculated based upon dwelling units per gross acre. See Gov. Code, § 65915(f); see also HCD Technical Assistance Letter to Encinitas, dated March 25, 2021, available here:

(Continued)

Project will provide 36 Below Market Rate (“BMR”) units, or 20% of base density (35.8 units), rounded up to the nearest whole number. Of these 36 BMR units, 18 BMR units will be available to moderate-income households at a moderate-income sales price (the “Moderate Units”), and 18 BMR units will be available to median-income households at a median-income sales price, in both cases as calculated by the City (the “Median Units”).

Providing 20% of base units as Moderate Units (including Median Units) in a for-sale development entitles the project to a 15% density bonus, pursuant to Government Code Section 65915(f)(4). Fifteen percent of the base density of 179 units is 26.85 units. Pursuant to Government Code Section 65915(f)(5), this number should round up to 27 bonus units, to yield a total of 206 units in the Project.

The location of the BMR units has been chosen with two goals in mind: (1) to spread the units throughout the Project, and (2) to ensure comparability of size and unit type between the BMR units and market rate units. With respect to distribution throughout the Project, please refer to **Sheets A3.2 to A3.5** in the plan set, which may be summarized as follows:

- First Floor:
 - Building A: One Median Unit.
 - Building B: Four Median Units, Two Moderate Units.
 - Building C: One Median Unit, One Moderate Unit.
- Second Floor:
 - Building A: Two Median Units, One Moderate Unit.
 - Building B: One Median Unit, Three Moderate Units.
 - Building C: Two Median Units, One Moderate Unit.
- Third Floor:
 - Building A: One Median Unit, One Moderate Unit.
 - Building B: Three Median Units, Two Moderate Units.
 - Building C: Two Median Units, Two Moderate Units.

<https://www.hcd.ca.gov/community-development/housing-element/docs/sdiencinitas-nov-densitybonus-03252021.pdf>.

- Fourth Floor:
 - Building A: One Median Unit, Two Moderate Units.
 - Building B: Not applicable. Building B has only three floors.
 - Building C: Three Moderate Units.

With respect to comparability of unit size, please refer to the following table:

	Average Bedroom Count	Average Gross Area
Overall	2.4 Bedrooms	1,304 SF
Moderate Units	2.4 Bedrooms	1,307 SF
Median Units	2.4 Bedrooms	1,301 SF

The Project is eligible for two concessions/incentives, pursuant to Government Code Section 65915(d)(2)(B). At this time, the Project does not propose any concession/incentive, but the Applicant reserves the right to modify the project to take advantage of concessions/incentives, if necessary or appropriate. As explained in further detail below, the Project proposes to take advantage of the parking ratios set forth in Government Code Section 65915(p). Finally, the Project requires two waivers, including the following:

- An exception to the 45-foot height requirement per Section 1.01.030 of the Heart of the City Specific Plan (the “Height Requirement”), as illustrated in **Sheet A1.0D** of the plan set. **Sheet A1.01D** depicts the 30 units that would be lost if the Height Requirement were enforced, which includes the entire fourth floors of Buildings A and C.
- An exception in three locations, as shown in **Sheet A1.0A** of the plan set, to the side setback requirement at Section 1.01.030.C of the Heart of the City Specific Plan (the “Side Setback Requirement”). If the Side Setback Requirement were enforced, the Project would lose a combined total of approximately eight units per floor in Buildings A and C, for an overall total of at least 30 units.

Checklist Item No. 11: Affordable Housing Plan

The Checklist states that the Affordable Housing Plan shall describe how the Project “will comply with the City’s Below Market Rate (BMR) Program requirements set forth in the BMR Housing Mitigation Program Procedural Manual.”³ The following is a discussion of how the Project complies with each of the chapters in the City’s BMR Manual:

³ The BMR Housing Mitigation Program Procedural Manual is referred in this letter to the “BMR Manual.”

- Chapter 1 (Introduction): Not applicable.
- Chapter 2 (Housing Mitigation Program):
 - Section 2.3.1 requires that for-sale projects shall provide 50% of required BMR units as Moderate Units and 50% as Median Units. The Project meets this requirement by proposing 18 Moderate Units and 18 Median Units, as set forth above.
 - Section 2.3.2.A requires that where the number of BMR units required by a project results in a fractional unit between 0.5 and 0.99, then the number of BMR units shall be rounded up. As indicated above and under the discussion below regarding Chapter 4 of the BMR Manual, the Project's BMR obligation is 20% of base density, which equals 35.8 units. Therefore, per Section 2.3.2.A, the Project proposes 36 BMR units.
 - Section 2.3.3 requires the Applicant to submit an affordable housing plan. This letter, together with the pages of the plan set identified in it, which are hereby incorporated into this letter by reference, sets forth the Project's affordable housing plan.
 - The BMR units will comply with Section 2.3.4 pursuant to conditions of approval and an Affordable Housing Agreement with the City. The BMR units will be dispersed throughout the Project and of comparable size and bedroom count with the market rate units, as discussed in the Project Overview above.
 - The Applicant understands its obligations pursuant to Sections 2.3.5, 2.3.6, and 2.3.7 to price the BMR units at an affordable sales price and to guaranty their long-term affordability pursuant to an Affordable Housing Agreement with the City and resale agreements governing individual units for the required term of 99 years.
- Chapter 3 (Mitigation Requirements for Non-Residential Developments): This chapter requires payment of a commercial linkage fee for non-residential space within the Project. The Project proposes commercial space roughly equal in size to the existing shopping center, so that the Applicant does not anticipate owing commercial linkage fees. If fees are due, they will be paid at the appropriate time pursuant to conditions of project approval.
- Chapter 4 (Mitigation Requirements of Ownership Residential Developments): This chapter requires 20% of base density in ownership projects to be provided as BMR units, as indicated above in the discussion regarding Chapter 2. Twenty percent of 179 units is 35.8 units. The Project proposes 36 BMR units to meet this requirement, half of which will be Moderate Units and half of which will be Median Units. Therefore, the inclusionary requirement will be met.
- Chapter 5 (Mitigation Requirements of Rental Residential Developments): Not applicable. The housing units in the development will be ownership units.
- Chapter 6 (Mitigation Requirements for Mixed-Use Projects): Because the Project is a mixed-use project, the Applicant acknowledges that Chapter 6 requires the Project to comply

with the requirements of both Chapters 3 (Non-Residential Developments) and 4 (Ownership Residential Developments).

- Chapter 7 (Alternatives to BMR Requirements): Not applicable. The Project does not propose any alternative to meeting the City's BMR requirements.
- Chapter 8 (City Incentives): The Project requests a density bonus, and the Applicant welcomes any additional incentives the City may be willing to provide.

Checklist Item No. 17: Density Bonus Report

The Project proposes an increase of 27 bonus units pursuant to Government Code Section 65915, as outlined above in the Project Overview. Note that this Project site does not include any existing or former housing units, so that no replacement housing requirements apply to the Project.

The Project also incorporates the parking ratios set forth in Government Code Section 65915(p), as follows:

- The Project is required to provide one parking space per one-bedroom unit and 1.5 parking spaces per two- or three-bedroom unit.
- The Project proposes nine one-bedroom units, requiring nine parking spaces.
- The Project proposes 197 two- and three-bedroom units, requiring 296 parking spaces, for a total of 305 parking spaces total to serve the residential component of the project.
- The Project exceeds this requirement by proposing 338 residential parking spaces.

The following discussion addresses Item Nos. 17.a to 17.d of the Checklist:

Item No. 17.a (location and square footage of units that qualify the project for a density bonus): Please see the discussion in the Project Overview above as well as **Sheets A3.2 to A3.5** in the plan set.

Item No. 17.b (location and square footage of the density bonus units): Nothing in Government Code Section 65915 requires applicants to identify or distinguish between base units and those units being granted pursuant to the density bonus. Moreover, the statutory scheme does not lend itself well to making such a distinction because it is the actual Project proposed that is under review and not a hypothetical project that does not qualify for a density bonus. Nonetheless, in an attempt to satisfy this application requirement, the Applicant hereby identifies as bonus units the market rate units on the fourth floors of Buildings A and C since those floors could not be constructed without a density bonus. The fourth floors of Buildings A and C are proposed to include a total of 24 market rate units, which are labeled with square footage indicated in **Sheet A3.5** of the plan set. To arrive at a total of 27 density bonus units, the Applicant also identifies Units A-305, A-306, and A-307, which are market rate units on the third floor of Building A that

could not be constructed without a density bonus because of the Side Setback Requirement. These units are labeled with square footage indicated in Sheet A3.4 of the plan set.

Item No. 17.c (concessions/incentives): None requested at this time.

Item No. 17.d (justification of requested waivers): Government Code Section 65915(e) states that the local agency shall waive any applicable development standard that would have the effect of physically precluding the Project unless the City finds that the waiver would violate state or federal law or would have a significant and unmitigable impact on public health or safety, as defined in Government Code Section 65589.5(d)(2).

Recently, the standard for considering waiver requests was interpreted by the court in *Bankers Hill 150 v. City of San Diego* (2022) 74 Cal.App.5th 755 (“*Bankers Hill*”). In *Bankers Hill*, the applicant for a housing development project that was approved by the City of San Diego sought various concessions/incentives and waivers for a project that qualified for a density bonus. Neighborhood groups challenged the approval, including on the ground that a height waiver for the project should have been denied because the project could have been redesigned with a smaller courtyard to avoid the need for the waiver.

According to the court, the city lacked discretion to deny the waiver because once the applicant “established its eligibility for the density bonus ..., it was entitled to a waiver of any development standards that would preclude construction” of the proposed project unless the city could make findings of a specific, adverse impact on public health or safety, or unless granting the waiver would violate state or federal law. (*Bankers Hill*, p. 774.) Citing earlier caselaw, the court explained that: “Standards may be waived that physically preclude construction of a housing development meeting the requirements for a density bonus, period. [Citation.] The statute does not say that what must be precluded is a project with no amenities, **or that amenities may not be the reason a waiver is needed.**” (*Id.* at p. 775, emphasis added.)

Stated differently, the applicant’s burden to justify a waiver is to show that under Government Code Section 65915, the project qualifies for the density proposed, and that the project cannot be constructed as proposed unless a waiver is granted. If the applicant meets this burden, the burden shifts to the local agency to identify a significant, adverse impact on public health or safety or a violation of state or federal law. The applicant is not required to consider or propose alternative projects that attempt to achieve the same density without the waivers sought.

As indicated above in the Project Overview, the Project requires waivers of the Height Requirement and the Side Setback Requirement. The Height Requirement affects the Project’s ability to provide approximately 30 of the proposed units, and the Side Setback Requirement also affects the Project’s ability to provide approximately 30 of the proposed units. The Project qualifies for a density bonus with a maximum density of 206 units. The Applicant has designed a project with 206 units. The development standards from which waivers are sought would physically preclude construction of the Project. Thus, the Project is entitled to be granted waivers from those standards unless the City makes the findings for denial articulated above. The Applicant is unaware of any circumstance that would justify findings for denial.

Community Development Department
March 23, 2022

For the foregoing reasons, the Project complies with the requirements of the City's BMR Manual, and it qualifies for a density bonus and associated parking reductions and waivers. Please let me know if I can assist you further in understanding the Project.

Very truly yours,

BERLINER COHEN, LLP

A handwritten signature in black ink, appearing to read 'ERIK RAMAKRISHNAN', with a small flourish at the end.

ERIK RAMAKRISHNAN

E-Mail: erik.ramakrishnan@berliner.com

Exhibit B

Applicant's Memorandum Dated June 16, 2022

MEMORANDUM

TO: Erik Ramakrishnan, Esq.
FROM: Larry Wang, AIA
Architect, Tectonic Builders Corp.
RE: Marina Plaza Shopping Center – Impact on Project of
Providing Additional Open Space
CC: Greg Endom
DATE: June 16, 2022

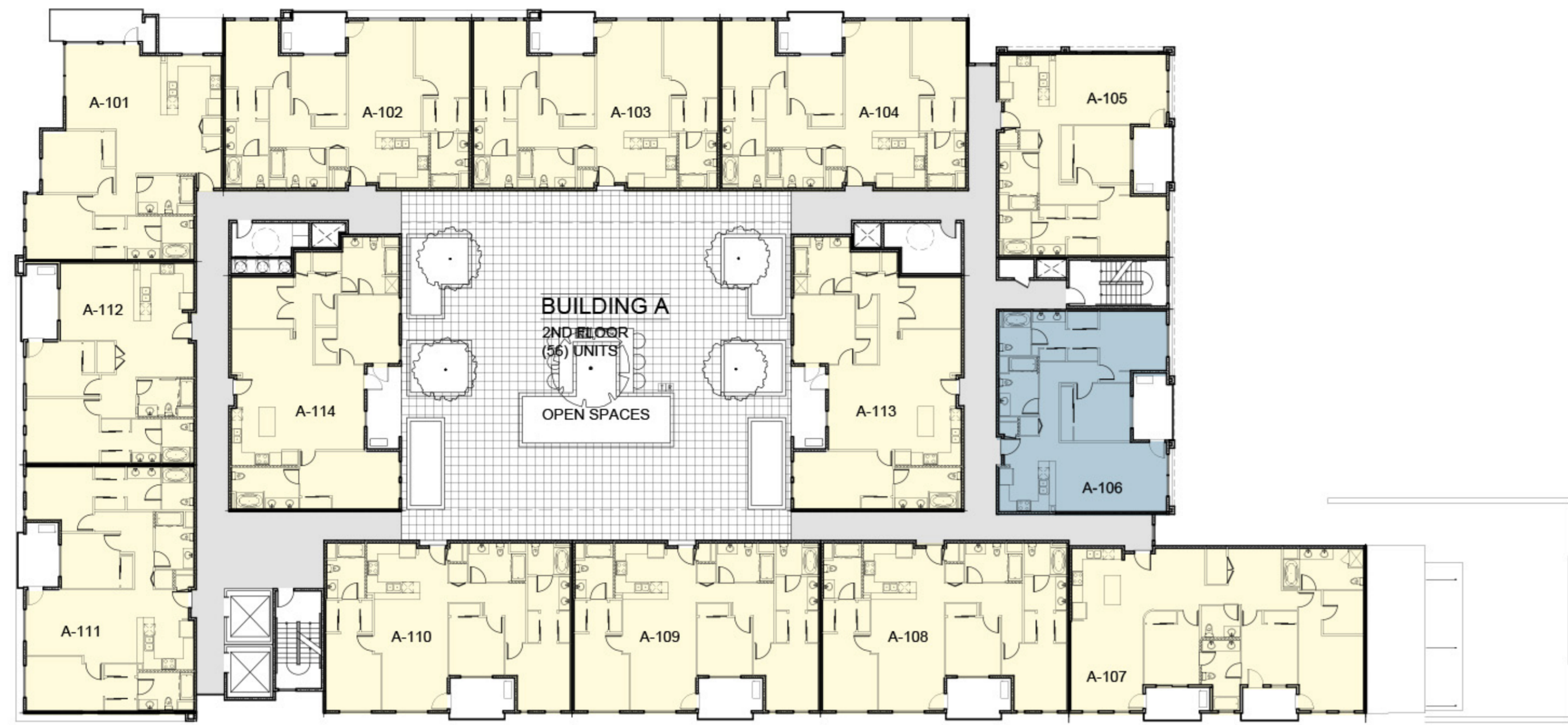
The City of Cupertino construes the term “common open space” in the Heart of the City Specific Plan to exclude outdoor areas that provide space for ingress and egress. Under this interpretation, as currently designed the project does not provide adequate common open space. You requested an architectural opinion of the effect of providing additional common open space on the unit count in the absence of concessions and waivers.

Regarding the Common Open Space, our current design is **634 sf** short on what is required by the city. The City requires 150sf per 1 dwelling unit hence it requires **30,900 SF** for the total of **206** units. Our current plans provide **30,266 SF**.

The **634 SF** shortage is distributed as such, **319 sf** on building A, **217 sf** on building B and **98 sf** on building C (see chart below)

	UNIT #	FACTOR	COMMON OPEN SPACE REQUIRED	COMMON OPEN SPACE PROVIDED	SURPLUS
BUILDING A	56	150sf/1	8,400 sf	8,081 sf	-319 sf
BUILDING B	86	150sf/1	12,900 sf	12,683 sf	-217 sf
BUILDING C	64	150sf/1	9,600 sf	9,502 sf	-98 sf
SUM	206		30,900	30,266 sf	-634 sf

This shortfall in open space will require us to remove a total of five (5) units from the project (Bldg. A– 3 units, Bldg. B- 2 units, and Bldg. C- 1 unit)



LEGEND

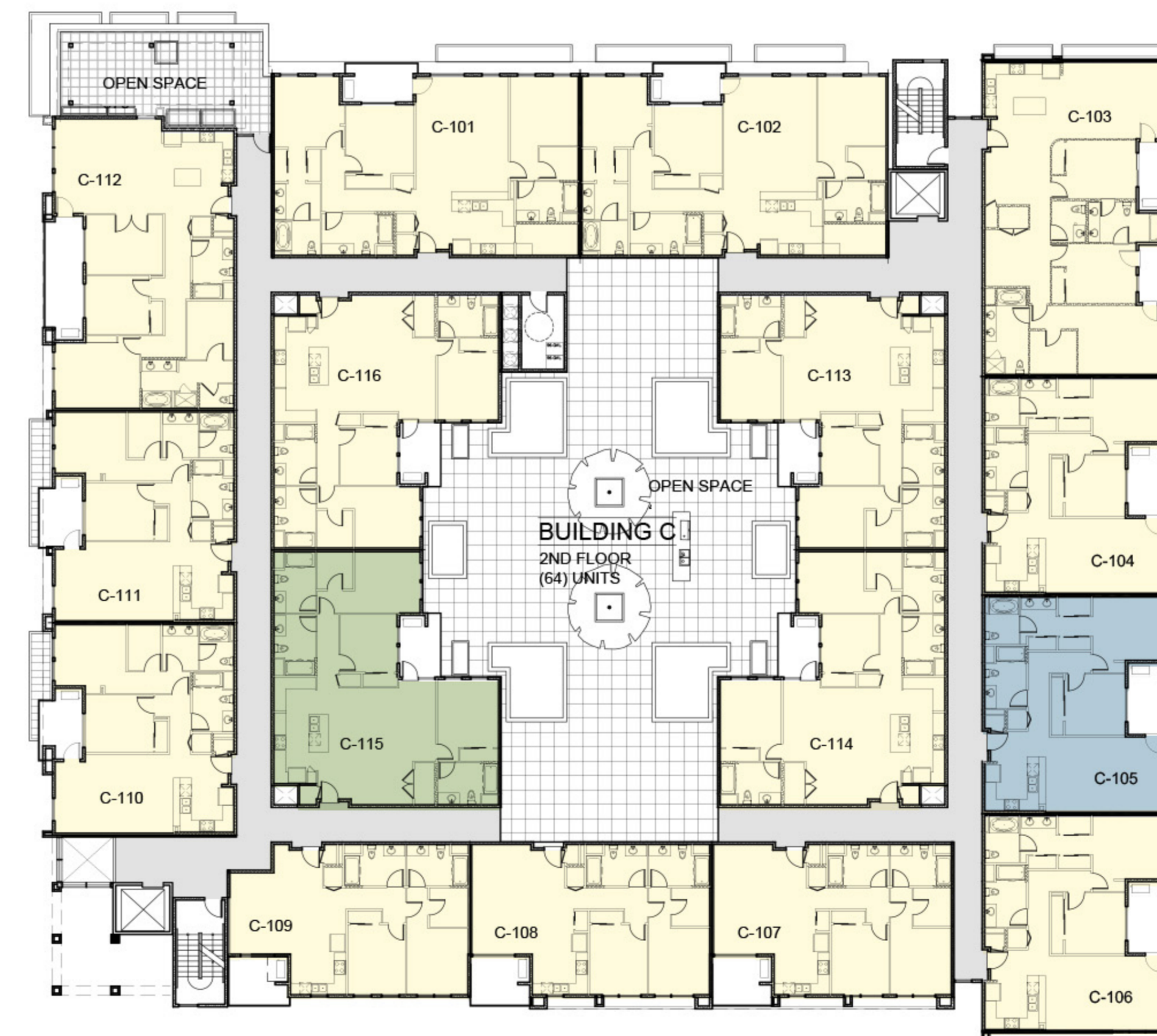
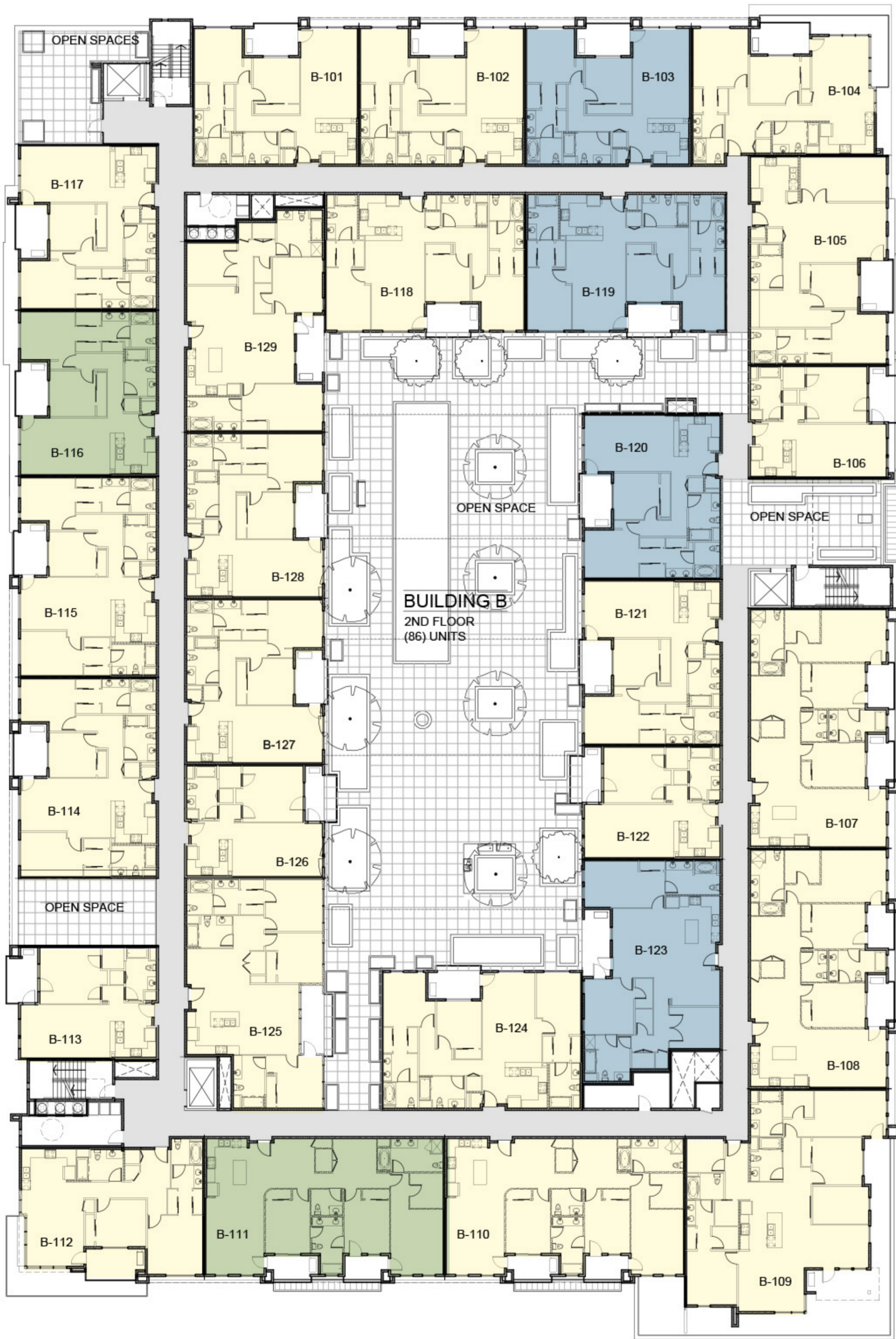
- MARKET RATE
- BMR MODERATE
- BMR MEDIAN

1ST FLOOR AFFORDABLE UNITS SUMMARY

	Market	Moderate	Median	Sum
Number	50	3	6	59
Ratio	85%	5%	10%	

TOTAL AFFORDABLE UNITS SUMMARY

Unit Type	Market	Moderate	Median	Sum	Ratio
1BD	7	1	1	9	4%
2BD	69	7	7	83	41%
2BD+DEN	17	2	2	21	10%
3BD	58	6	6	70	34%
3BD+DEN	19	2	2	23	11%
Total	170	18	18	206	
Ratio	82%	9%	9%		



AFFORDABLE UNITS SUMMARY PER FLOOR

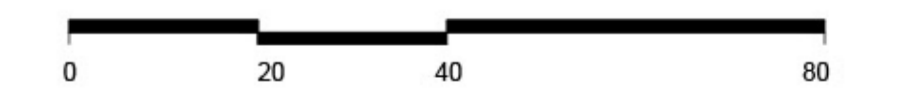
BLDG A		AREA	UNIT #			
First Floor		18,786	14			
ID #	Model	SF	Bedroom	Den	Market / Mod.	
A-101	O3	1,256	2	N	Market	
A-102	C1	1,389	3	N	Market	
A-103	C1	1,389	3	N	Market	
A-104	C1	1,389	3	N	Market	
A-105	G1	1,128	2	N	Market	
A-106	G1	1,128	2	N	Median	
A-107	T3	1,594	3	Y	Market	
A-108	C1	1,389	3	N	Market	
A-109	C1	1,389	3	N	Market	
A-110	C1	1,389	3	N	Market	
A-111	C1	1,389	3	N	Market	
A-112	M2	1,111	2	N	Market	
A-113	B1	1,423	2	Y	Market	
A-114	B1	1,423	2	Y	Market	

BLDG B		AREA	UNIT #			
First Floor		36,761	29			
ID #	Model	SF	Bedroom	Den	Market / Mod.	
B-101	G1	1,128	2	N	Market	
B-102	G1	1,128	2	N	Market	
B-103	G1	1,128	2	N	Median	
B-104	Q1	1,141	2	N	Market	
B-105	P1	1,454	2	Y	Market	
B-106	A4	780	1	N	Market	
B-107	T1	1,649	3	Y	Market	
B-108	T1	1,649	3	Y	Market	
B-109	S1	1,886	3	Y	Market	
B-110	T1	1,649	3	Y	Market	
B-111	T1	1,649	3	Y	Moderate	
B-112	Q1	1,141	2	N	Market	
B-113	A4	780	1	N	Market	
B-114	C1	1,389	3	N	Market	
B-115	C1	1,389	3	N	Market	
B-116	G1	1,128	2	N	Moderate	
B-117	G1	1,128	2	N	Market	
B-118	C1	1,389	3	N	Market	
B-119	C1	1,389	3	N	Median	
B-120	G1	1,128	2	N	Median	
B-121	G1	1,128	2	N	Market	
B-122	A4	780	1	N	Market	
B-123	B1	1,423	2	Y	Median	
B-124	C1	1,389	3	N	Market	
B-125	X1	1,480	3	N	Market	
B-126	A4	780	1	N	Market	
B-127	G1	1,128	2	N	Market	
B-128	G1	1,128	2	N	Market	
B-129	B1	1,423	2	Y	Market	

BLDG C		AREA	UNIT #			
First Floor		20,841	16			
ID #	Model	SF	Bedroom	Den	Market / Mod.	
C-101	R1	1,646	3	N	Market	
C-102	R1	1,646	3	N	Market	
C-103	T1	1,649	3	Y	Market	
C-104	G1	1,128	2	N	Market	
C-105	G1	1,128	2	N	Median	
C-106	G1	1,128	2	N	Market	
C-107	K1	1,055	2	N	Market	
C-108	K1	1,055	2	N	Market	
C-109	K2	1,018	2	N	Market	
C-110	G4	1,112	2	N	Market	
C-111	G4	1,112	2	N	Market	
C-112	N1	1,488	2	Y	Market	
C-113	J2	1,419	3	N	Market	
C-114	J2	1,419	3	N	Market	
C-115	J2	1,419	3	N	Moderate	
C-116	J2	1,419	3	N	Market	

1ST FLOOR (COURTYARD) AFFORDABLE UNIT PLAN

SCALE: 1" = 20'



MARINA PLAZA

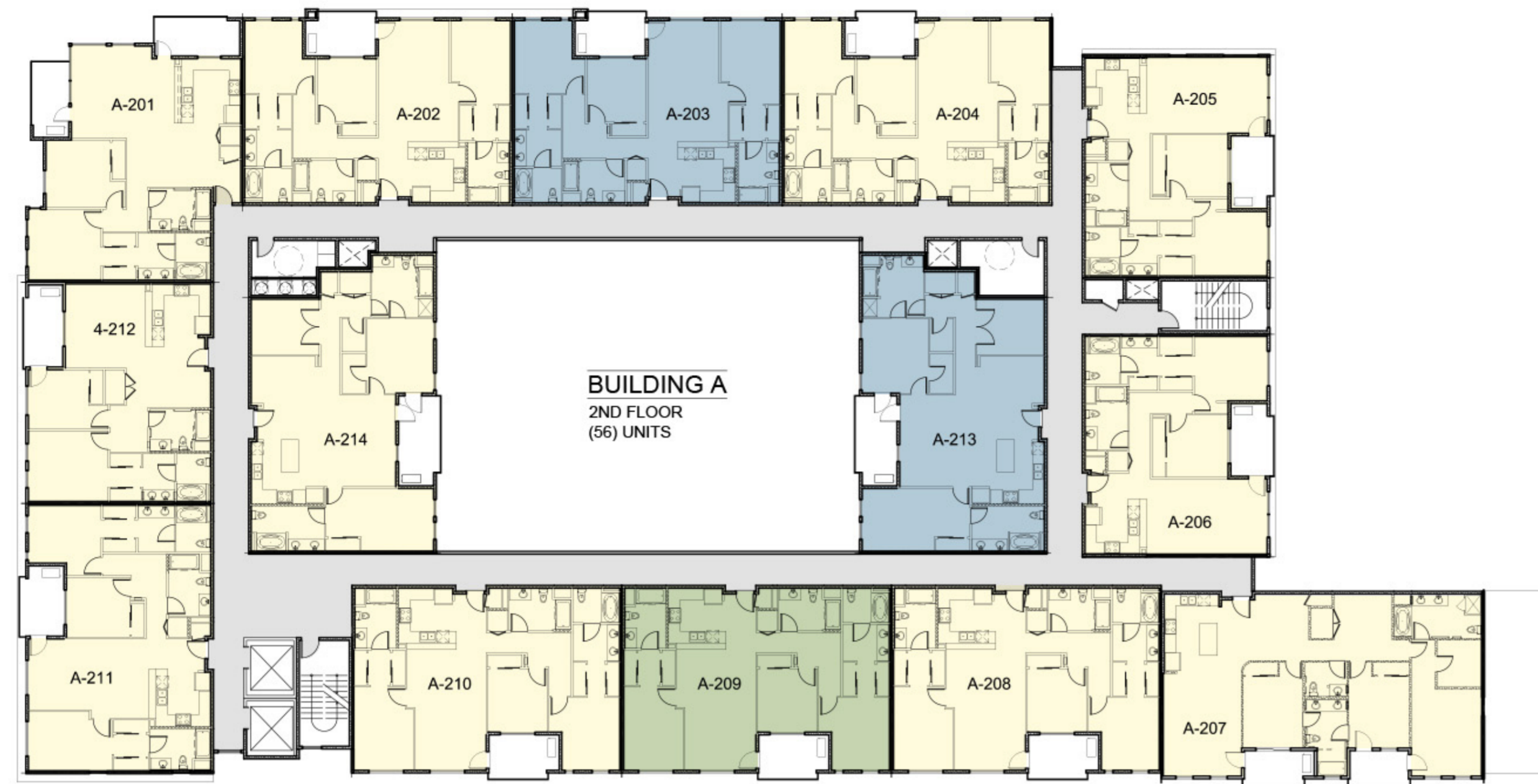
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A3.2



LEGEND

- MARKET RATE
- BMR MODERATE
- BMR MEDIAN

2ND FLOOR AFFORDABLE UNITS SUMMARY

	Market	Moderate	Median	Sum
Number	49	5	5	59
Ratio	83%	8.5%	8.5%	



AFFORDABLE UNITS SUMMARY PER FLOOR

BLDG A		AREA	UNIT #		
Second Floor		18,841	14		
ID #	Model	SF	Bedroom	Den	Market / Mod. Median
A-201	O1	1,256	2	N	Market
A-202	C1	1,389	3	N	Market
A-203	C1	1,389	3	N	Median
A-204	C1	1,389	3	N	Market
A-205	G1	1,128	2	N	Market
A-206	G1	1,128	2	N	Market
A-207	T1	1,649	3	Y	Market
A-208	C1	1,389	3	N	Market
A-209	C1	1,389	3	N	Moderate
A-210	C1	1,389	3	N	Market
A-211	C1	1,389	3	N	Market
A-212	M2	1,111	2	N	Market
A-213	B1	1,423	2	Y	Median
A-214	B1	1,423	2	Y	Market

BLDG B		AREA	UNIT #		
Second Floor		37,203	29		
ID #	Model	SF	Bedroom	Den	Market / Mod. Median
B-201	G1	1,128	2	N	Market
B-202	G1	1,128	2	N	Market
B-203	G1	1,128	2	N	Market
B-204	Q1	1,141	2	N	Market
B-205	P1	1,454	2	Y	Market
B-206	A4	780	1	N	Median
B-207	T1	1,649	3	Y	Market
B-208	T1	1,649	3	Y	Market
B-209	S1	1,886	3	Y	Market
B-210	T1	1,649	3	Y	Market
B-211	T1	1,649	3	Y	Market
B-212	Q1	1,141	2	N	Market
B-213	D3	1,222	2	N	Moderate
B-214	C1	1,389	3	N	Market
B-215	C1	1,389	3	N	Market
B-216	G1	1,128	2	N	Market
B-217	G1	1,128	2	N	Market
B-218	B1	1,423	2	Y	Market
B-219	C1	1,389	3	N	Market
B-220	C1	1,389	3	N	Market
B-221	G1	1,128	2	N	Market
B-222	G1	1,128	2	N	Market
B-223	A4	780	1	N	Moderate
B-224	B1	1,423	2	Y	Market
B-225	C1	1,389	3	N	Market
B-226	X1	1,480	3	N	Moderate
B-227	A4	780	1	N	Market
B-228	G1	1,128	2	N	Market
B-229	G1	1,128	2	N	Market

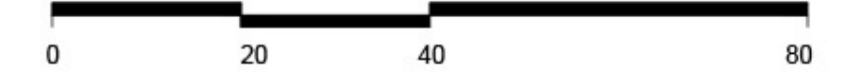
BLDG C		AREA	UNIT #		
Second Floor		20,841	16		
ID #	Model	SF	Bedroom	Den	Market / Mod. Median
C-201	R1	1,646	3	N	Median
C-202	R1	1,646	3	N	Market
C-203	T1	1,649	3	Y	Market
C-204	G1	1,128	2	N	Moderate
C-205	G1	1,128	2	N	Market
C-206	G1	1,128	2	N	Market
C-207	K1	1,055	2	N	Market
C-208	K1	1,055	2	N	Market
C-209	K2	1,018	2	N	Market
C-210	G4	1,112	2	N	Median
C-211	G4	1,112	2	N	Market
C-212	N1	1,488	2	Y	Market
C-213	J2	1,419	3	N	Market
C-214	J2	1,419	3	N	Market
C-215	J2	1,419	3	N	Market
C-216	J2	1,419	3	N	Market

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2ND FLOOR AFFORDABLE UNIT PLAN

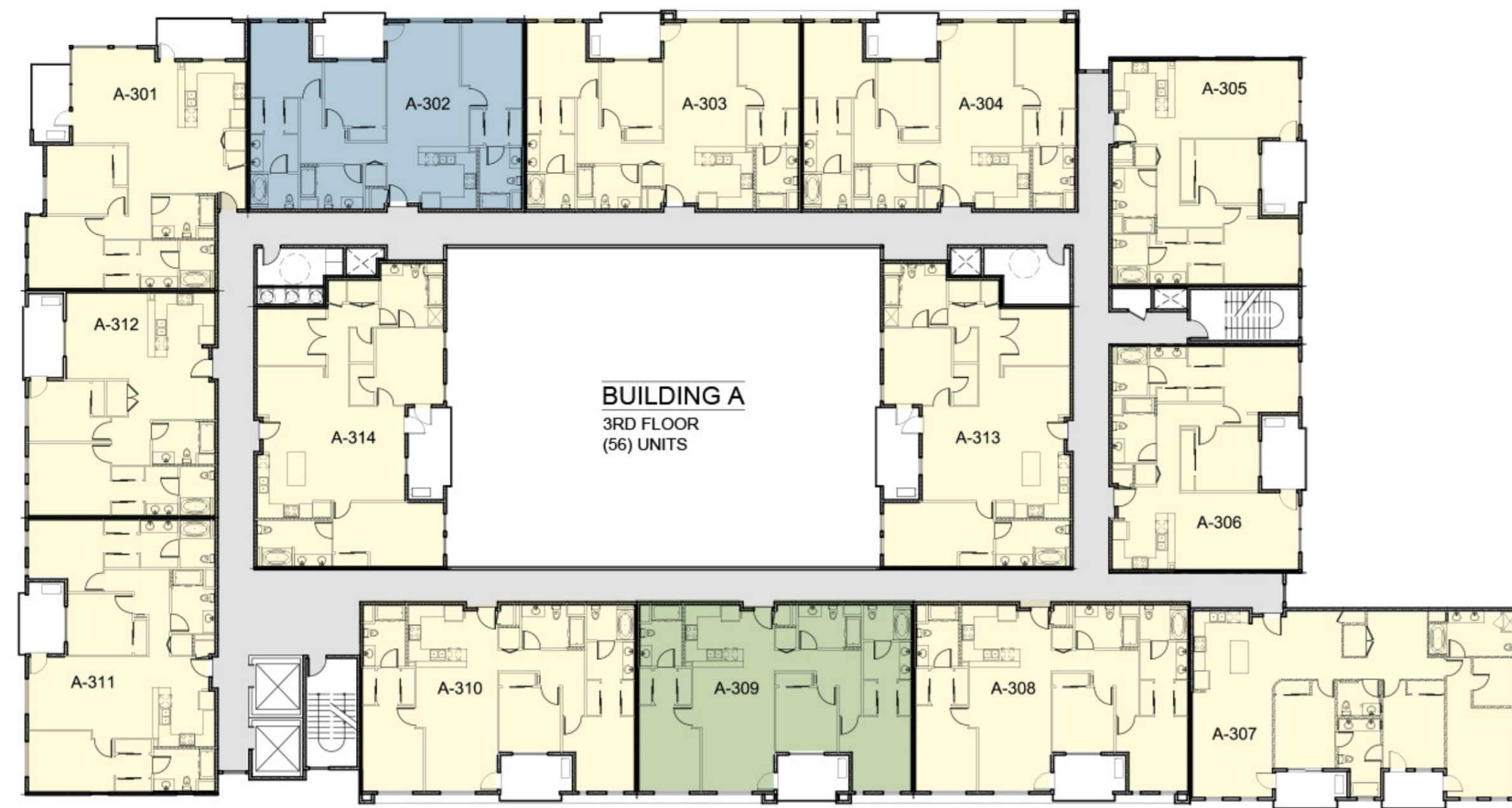
SCALE: 1" = 20'



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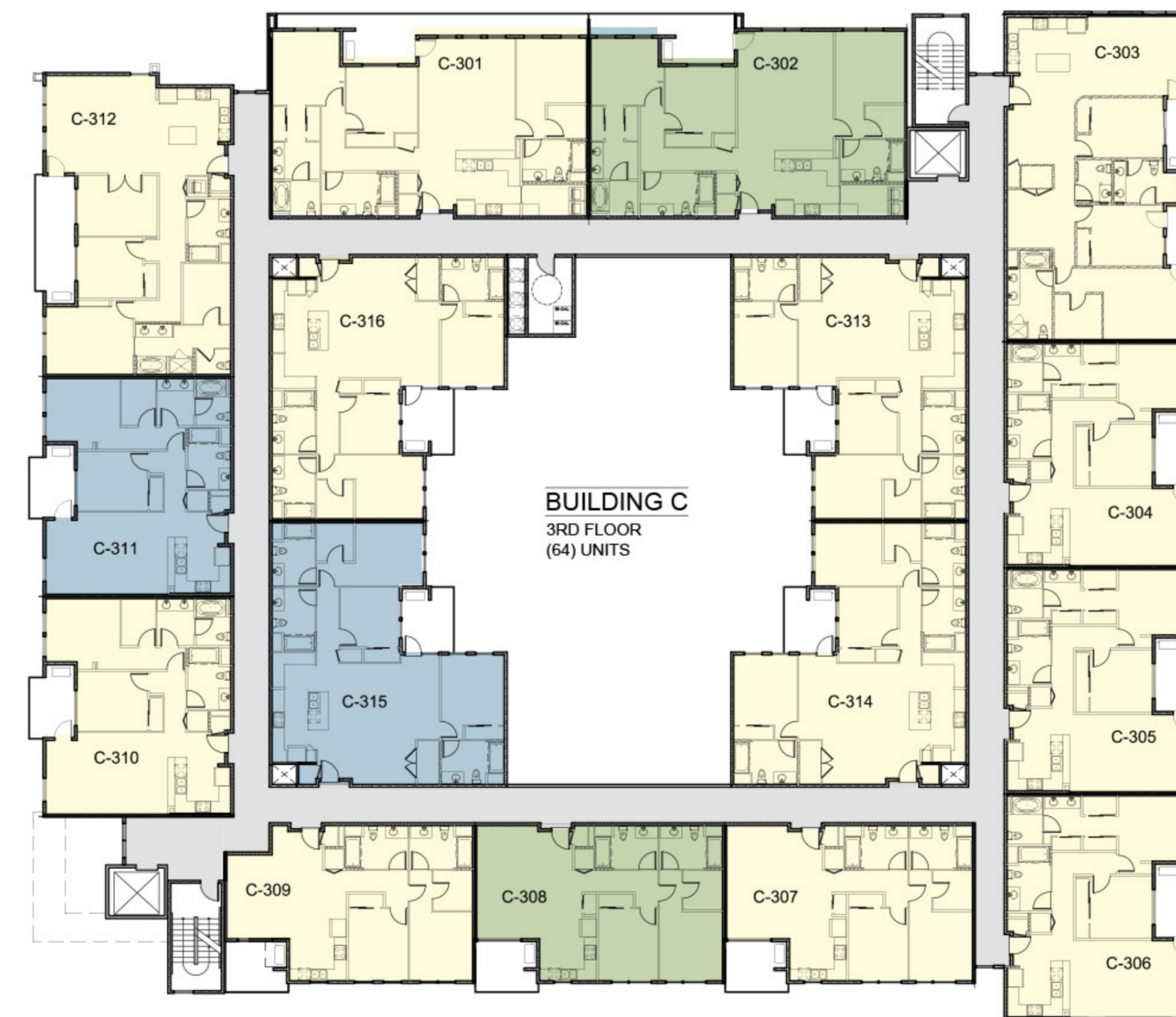
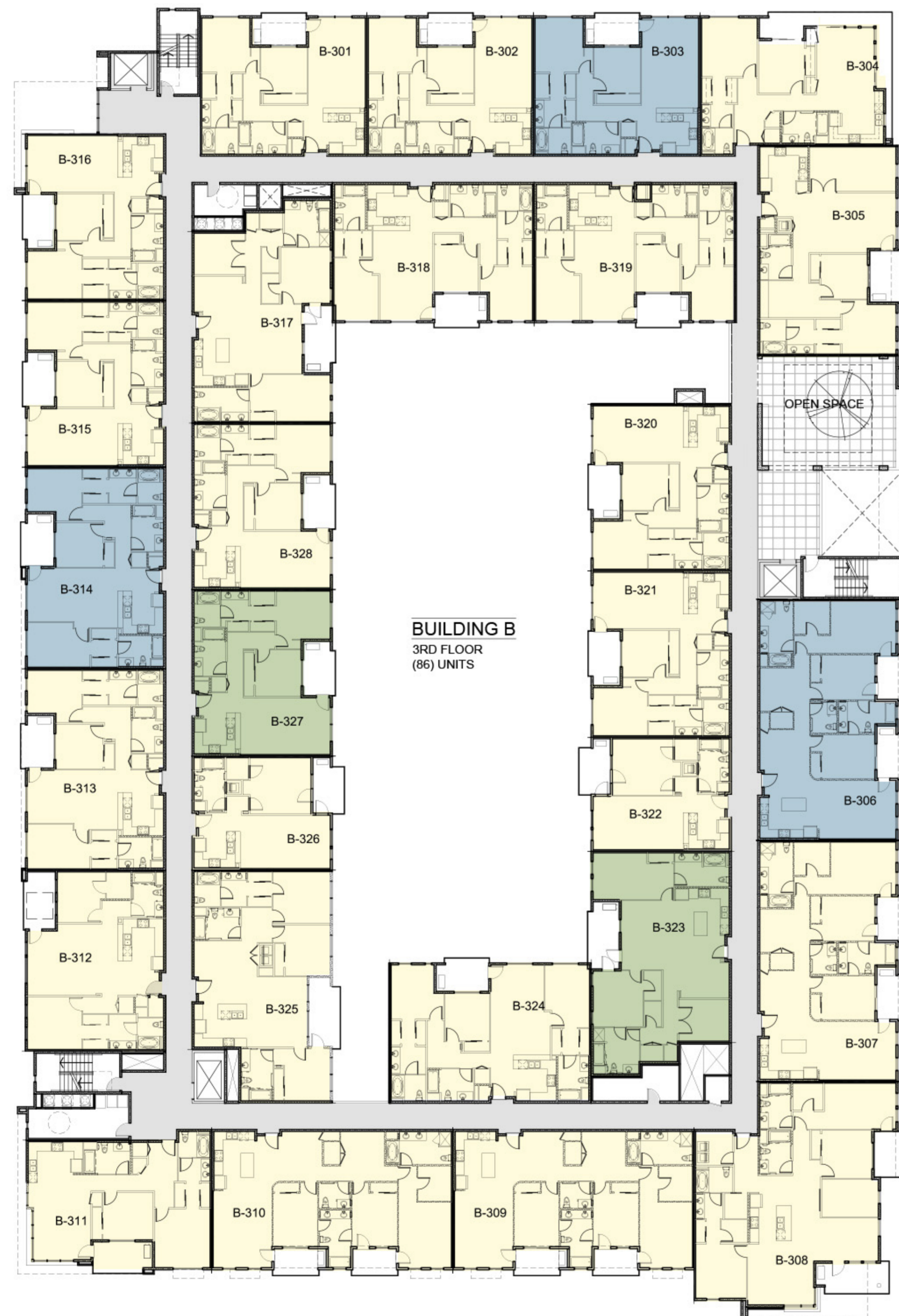


LEGEND

- MARKET RATE
- BMR MODERATE
- BMR MEDIAN

3RD FLOOR AFFORDABLE UNITS SUMMARY

	Market	Moderate	Median	Sum
Number	47	5	6	58
Ratio	81%	9%	10%	



AFFORDABLE UNITS SUMMARY PER FLOOR

BLDG A		AREA	UNIT #		
Third Floor		18,841	14		
ID #	Model	SF	Bedroom	Den	Market / Mod.
A-301	O1	1,256	2	N	Market
A-302	C1	1,389	3	N	Median
A-303	C1	1,389	3	N	Market
A-304	C1	1,389	3	N	Market
A-305	G1	1,128	2	N	Market
A-306	G1	1,128	2	N	Market
A-307	T1	1,649	3	Y	Market
A-308	C1	1,389	3	N	Market
A-309	C1	1,389	3	N	Moderate
A-310	C1	1,389	3	N	Market
A-311	C1	1,389	3	N	Market
A-312	M2	1,111	2	N	Market
A-313	B1	1,423	2	Y	Market
A-314	B1	1,423	2	Y	Market

BLDG B		AREA	UNIT #		
Third Floor		36,423	28		
ID #	Model	SF	Bedroom	Den	Market / Mod.
B-301	G1	1,128	2	N	Market
B-302	G1	1,128	2	N	Market
B-303	G1	1,128	2	N	Median
B-304	Q2	1,141	2	N	Market
B-305	P1	1,454	2	Y	Market
B-306	T1	1,649	3	Y	Median
B-307	T1	1,649	3	Y	Market
B-308	S1	1,886	3	Y	Market
B-309	T1	1,649	3	Y	Market
B-310	T1	1,649	3	Y	Market
B-311	Q1	1,141	2	N	Market
B-312	D3	1,222	2	N	Market
B-313	C1	1,389	3	N	Market
B-314	C1	1,389	3	N	Median
B-315	G1	1,128	2	N	Market
B-316	G1	1,128	2	N	Market
B-317	B1	1,423	2	Y	Market
B-318	C1	1,389	3	N	Market
B-319	C1	1,389	3	N	Market
B-320	G1	1,128	2	N	Market
B-321	G1	1,128	2	N	Market
B-322	A4	780	1	N	Market
B-323	B1	1,423	2	Y	Moderate
B-324	C1	1,389	3	N	Market
B-325	X1	1,480	3	N	Market
B-326	A4	780	1	N	Market
B-327	G1	1,128	2	N	Moderate
B-328	G1	1,128	2	N	Market

BLDG C		AREA	UNIT #		
Third Floor		20,768	16		
ID #	Model	SF	Bedroom	Den	Market / Mod.
C-301	R2	1,600	3	N	Market
C-302	R3	1,619	3	N	Moderate
C-303	T1	1,649	3	Y	Market
C-304	G1	1,128	2	N	Market
C-305	G1	1,128	2	N	Market
C-306	G1	1,128	2	N	Market
C-307	K1	1,055	2	N	Market
C-308	K1	1,055	2	N	Moderate
C-309	K2	1,018	2	N	Market
C-310	G4	1,112	2	N	Market
C-311	G4	1,112	2	N	Median
C-312	N1	1,488	2	Y	Market
C-313	J2	1,419	3	N	Market
C-314	J2	1,419	3	N	Market
C-315	J2	1,419	3	N	Median
C-316	J2	1,419	3	N	Market

3RD FLOOR AFFORDABLE UNIT PLAN

SCALE: 1" = 20'



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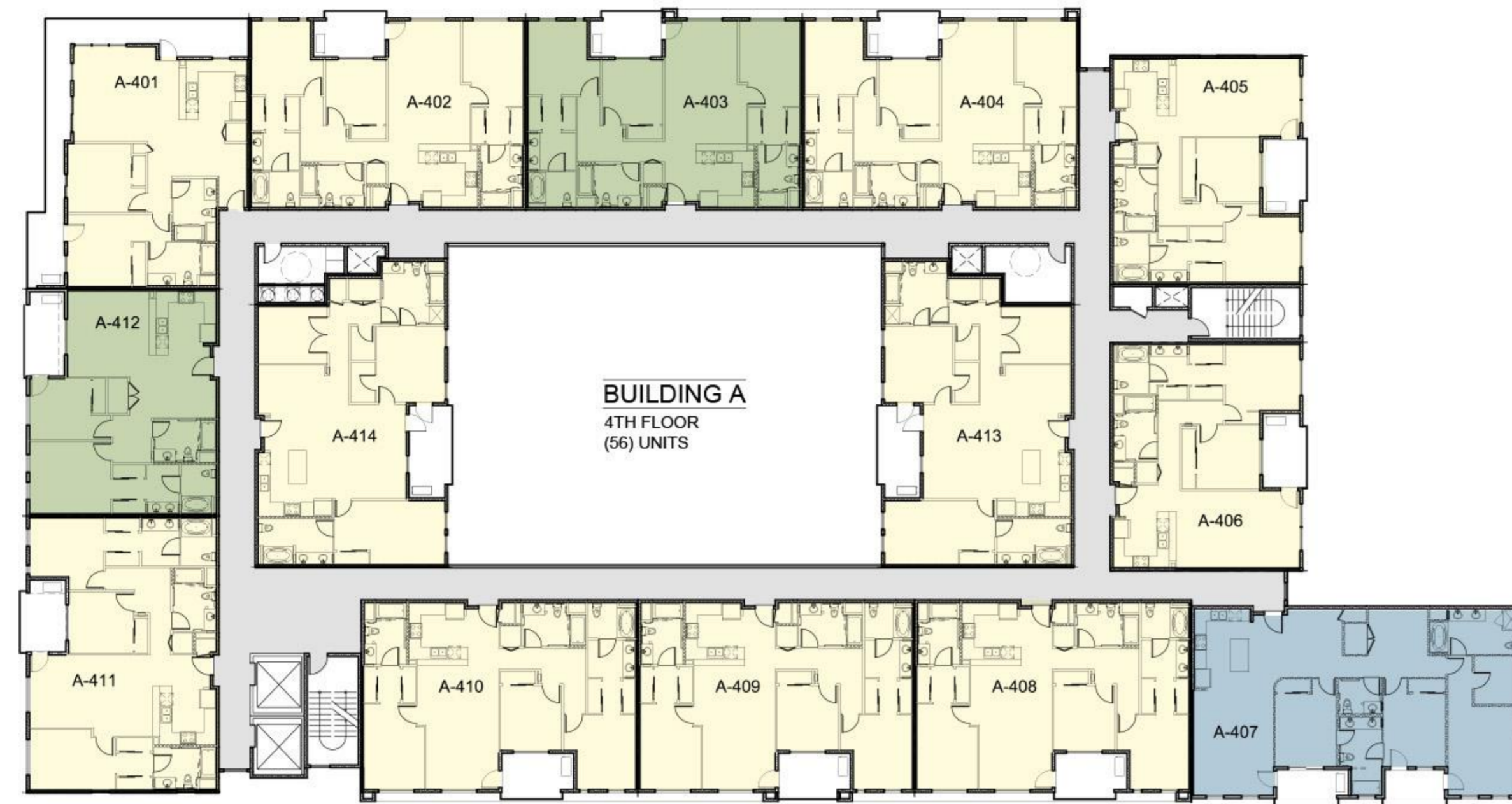
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LEGEND

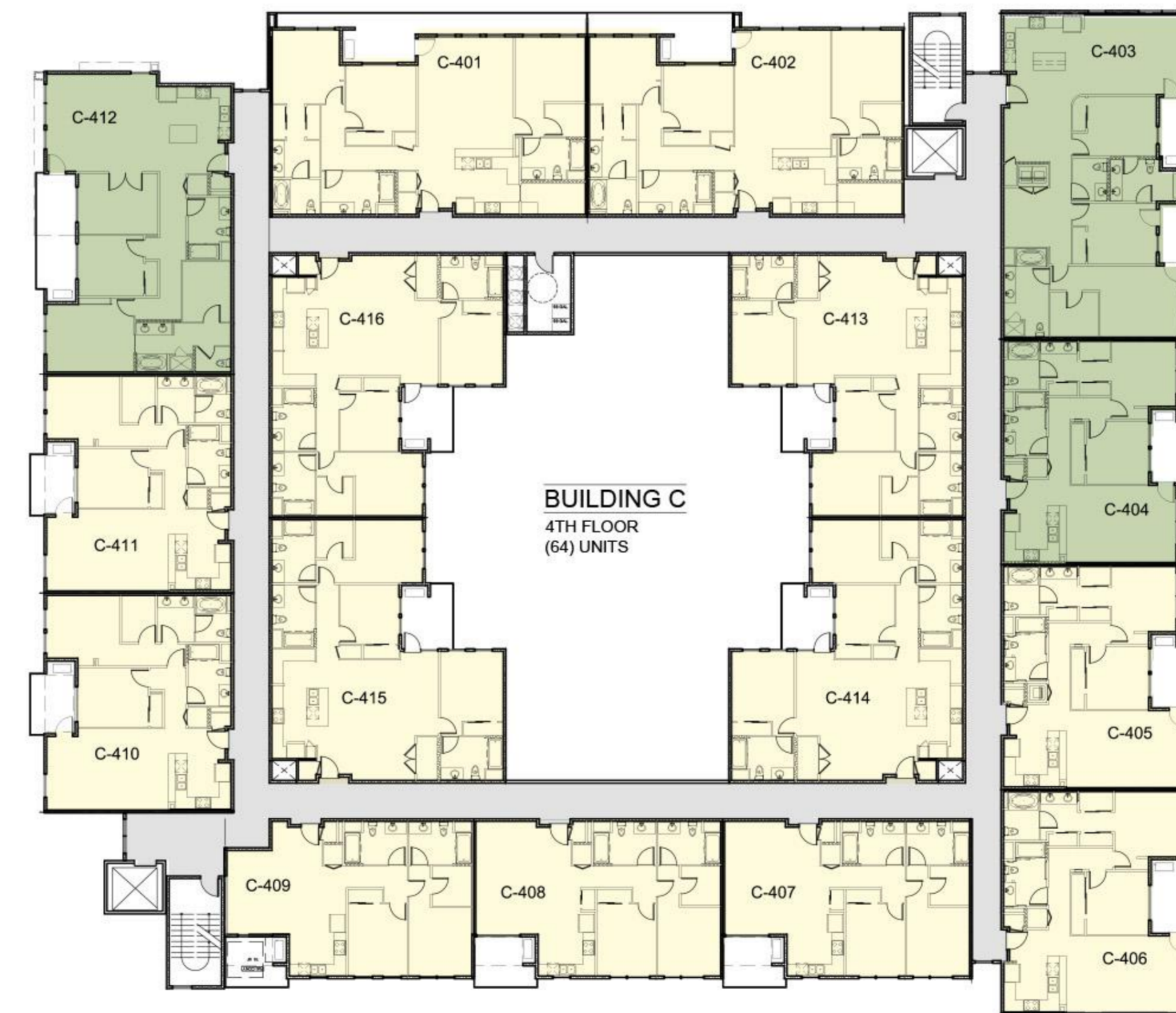
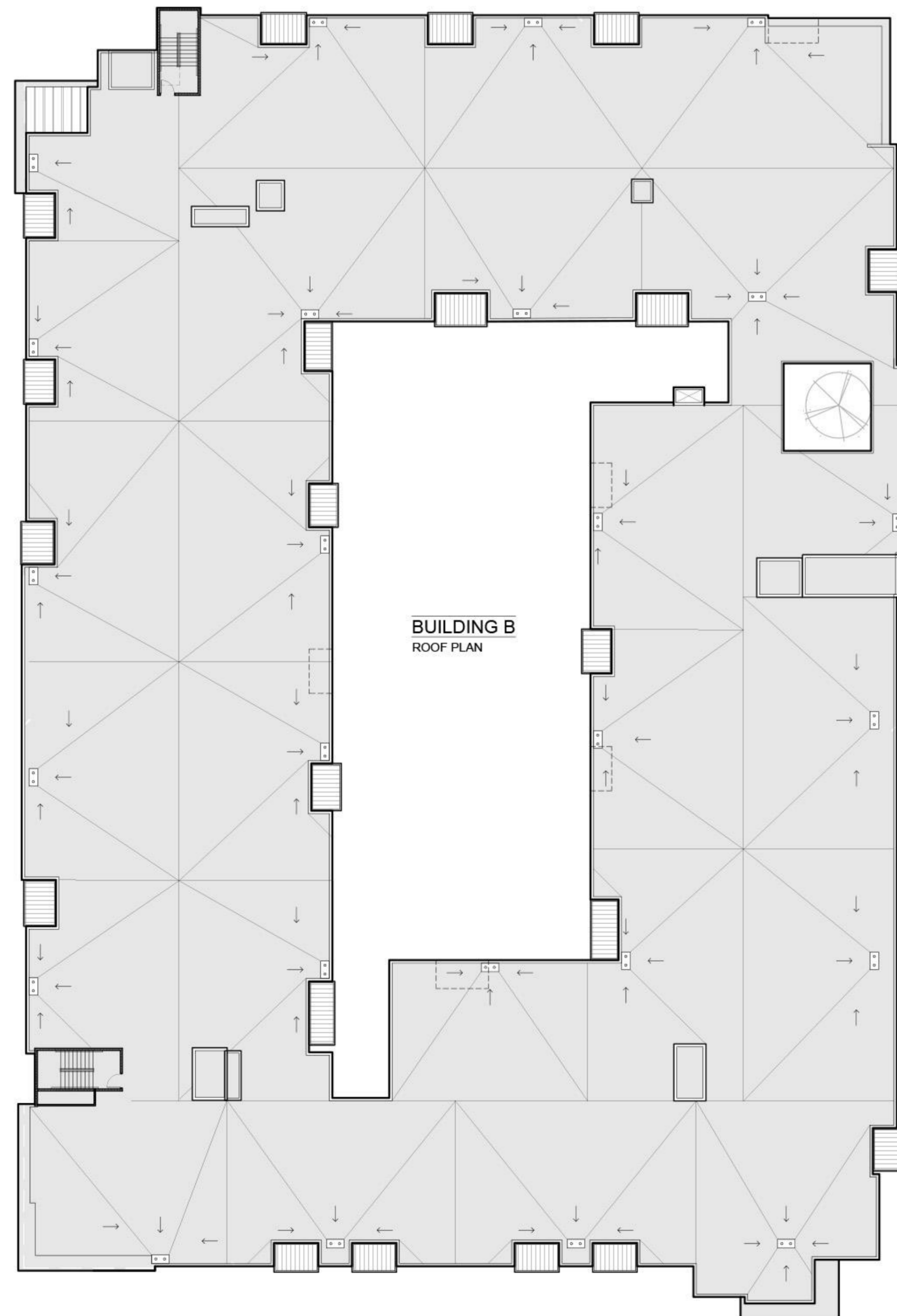
- MARKET RATE
- BMR MODERATE
- BMR MEDIAN

4TH FLOOR AFFORDABLE UNITS SUMMARY

	Market	Moderate	Median	Sum
Number	24	5	1	30
Ratio	80%	17%	3%	

AFFORDABLE UNITS SUMMARY PER FLOOR

BLDG A		AREA	UNIT #			
Fourth Floor		18,725	14			
ID #	Model	SF	Bedroom	Den	Market / Mod.	
A-401	O2	1,140	2	N	Market	
A-402	C1	1,389	3	N	Market	
A-403	C1	1,389	3	N	Moderate	
A-404	C1	1,389	3	N	Market	
A-405	G1	1,128	2	N	Market	
A-406	G1	1,128	2	N	Market	
A-407	T1	1,649	3	Y	Median	
A-408	C1	1,389	3	N	Market	
A-409	C1	1,389	3	N	Market	
A-410	C1	1,389	3	N	Market	
A-411	C1	1,389	3	N	Market	
A-412	M2	1,111	2	N	Moderate	
A-413	B1	1,423	2	Y	Market	
A-414	B1	1,423	2	Y	Market	



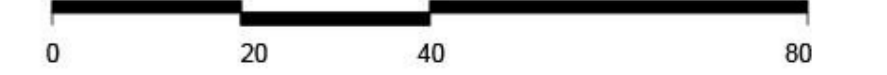
BLDG C		AREA	UNIT #			
Fourth Floor		20,693	16			
ID #	Model	SF	Bedroom	Den	Market / Mod.	
C-401	R2	1,600	3	N	Market	
C-402	R3	1,619	3	N	Market	
C-403	T1	1,649	3	Y	Moderate	
C-404	G5	1,077	2	N	Moderate	
C-405	G6	1,104	2	N	Market	
C-406	G1	1,128	2	N	Market	
C-407	K1	1,055	2	N	Market	
C-408	K1	1,055	2	N	Market	
C-409	K2	1,018	2	N	Market	
C-410	G4	1,112	2	N	Market	
C-411	G4	1,112	2	N	Market	
C-412	N1	1,488	2	Y	Moderate	
C-413	J2	1,419	3	N	Market	
C-414	J2	1,419	3	N	Market	
C-415	J2	1,419	3	N	Market	
C-416	J2	1,419	3	N	Market	

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4TH FLOOR AFFORDABLE UNIT PLAN

SCALE: 1" = 20'



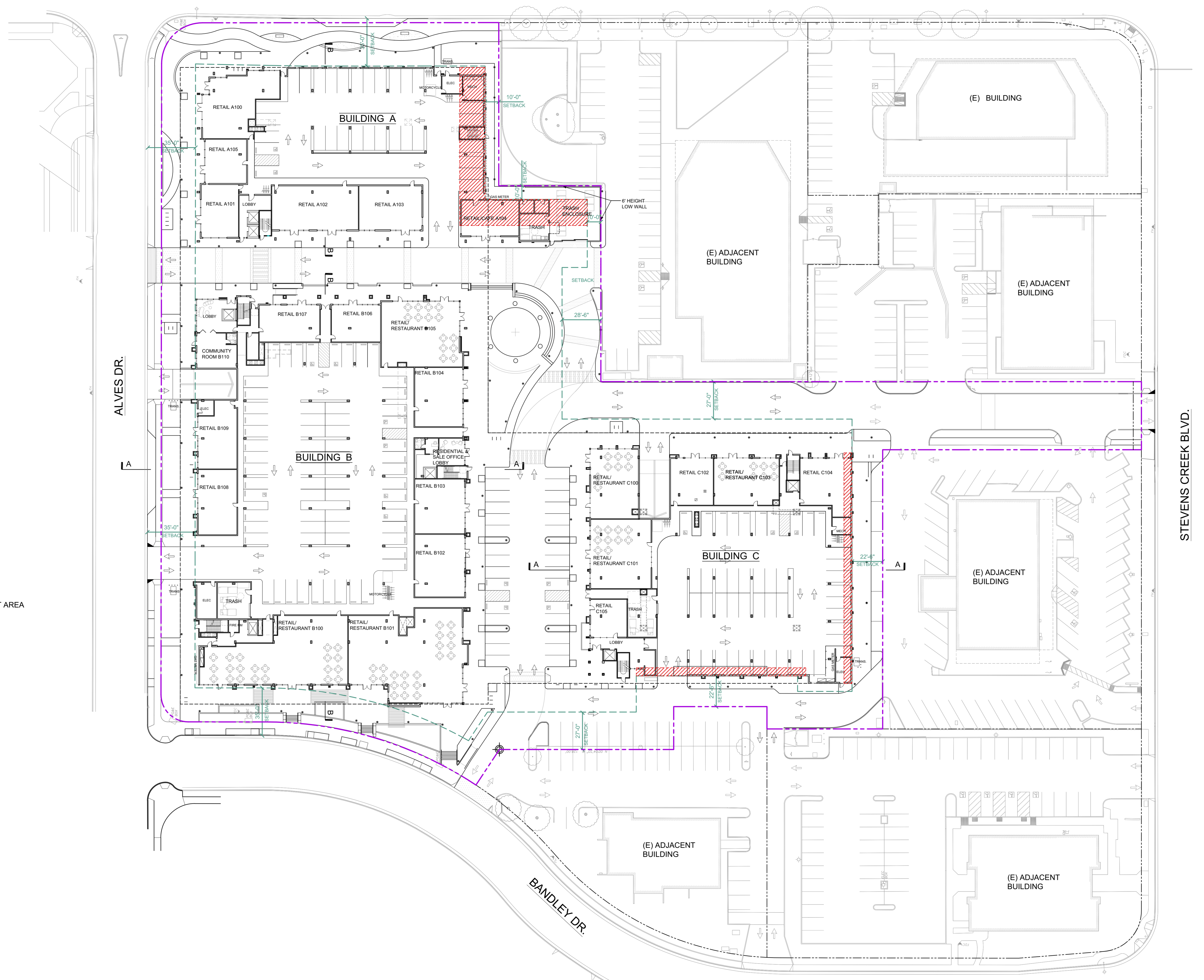
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N. DE ANZA BLVD

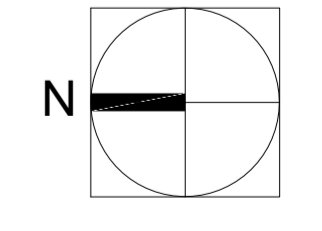


- LEGEND**
-  PROPERTY LINE
 -  SETBACK
 -  ENCROACHMENT AREA

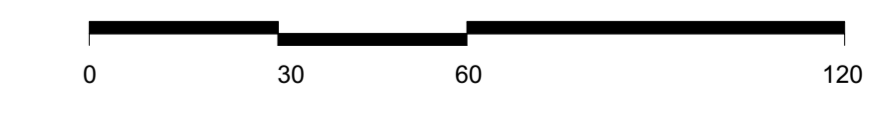
STEVENS CREEK BLVD.

BANDLEY DR.

ALVES DR.



SETBACK
ENCROACHMENT PLAN
SCALE: 1" = 30'



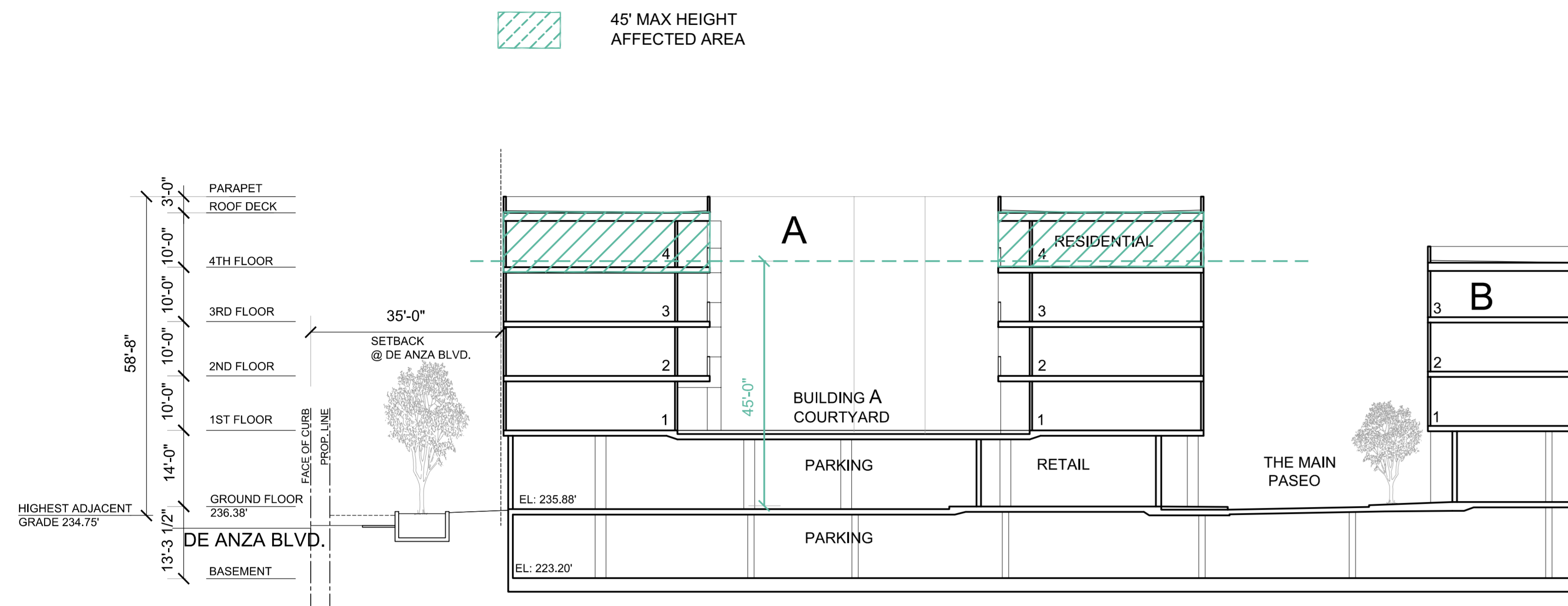
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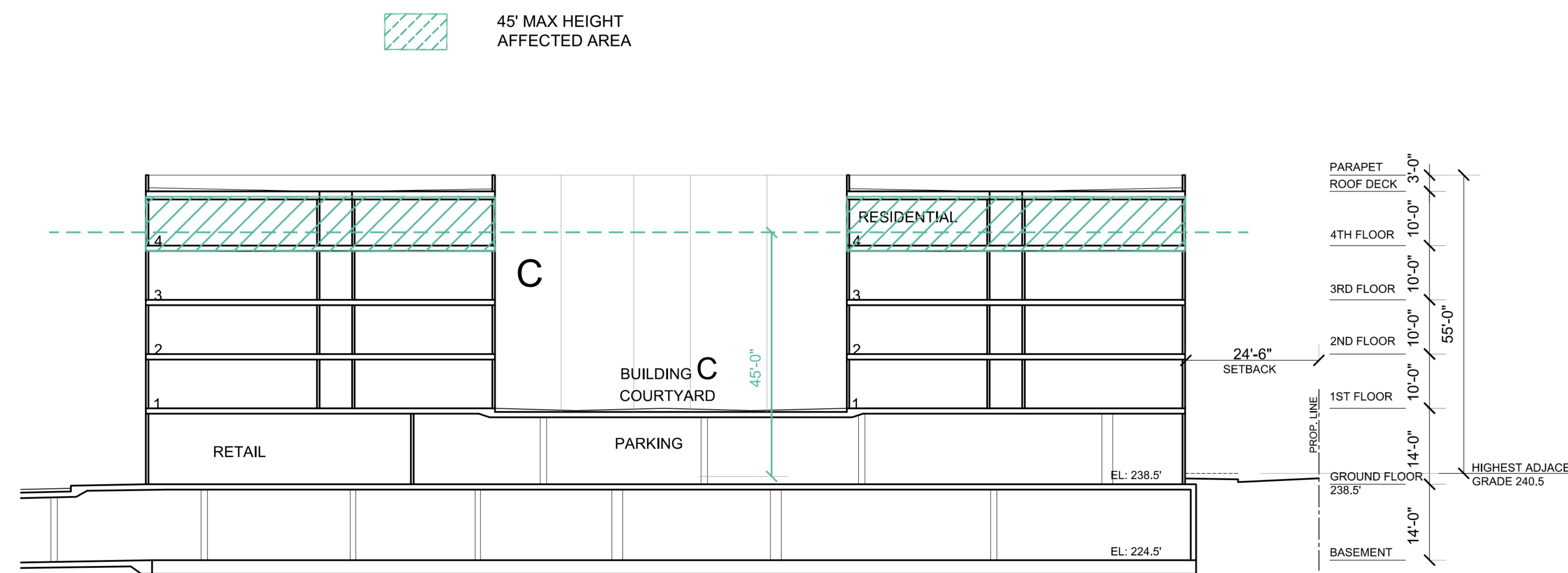
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MARINA PLAZA

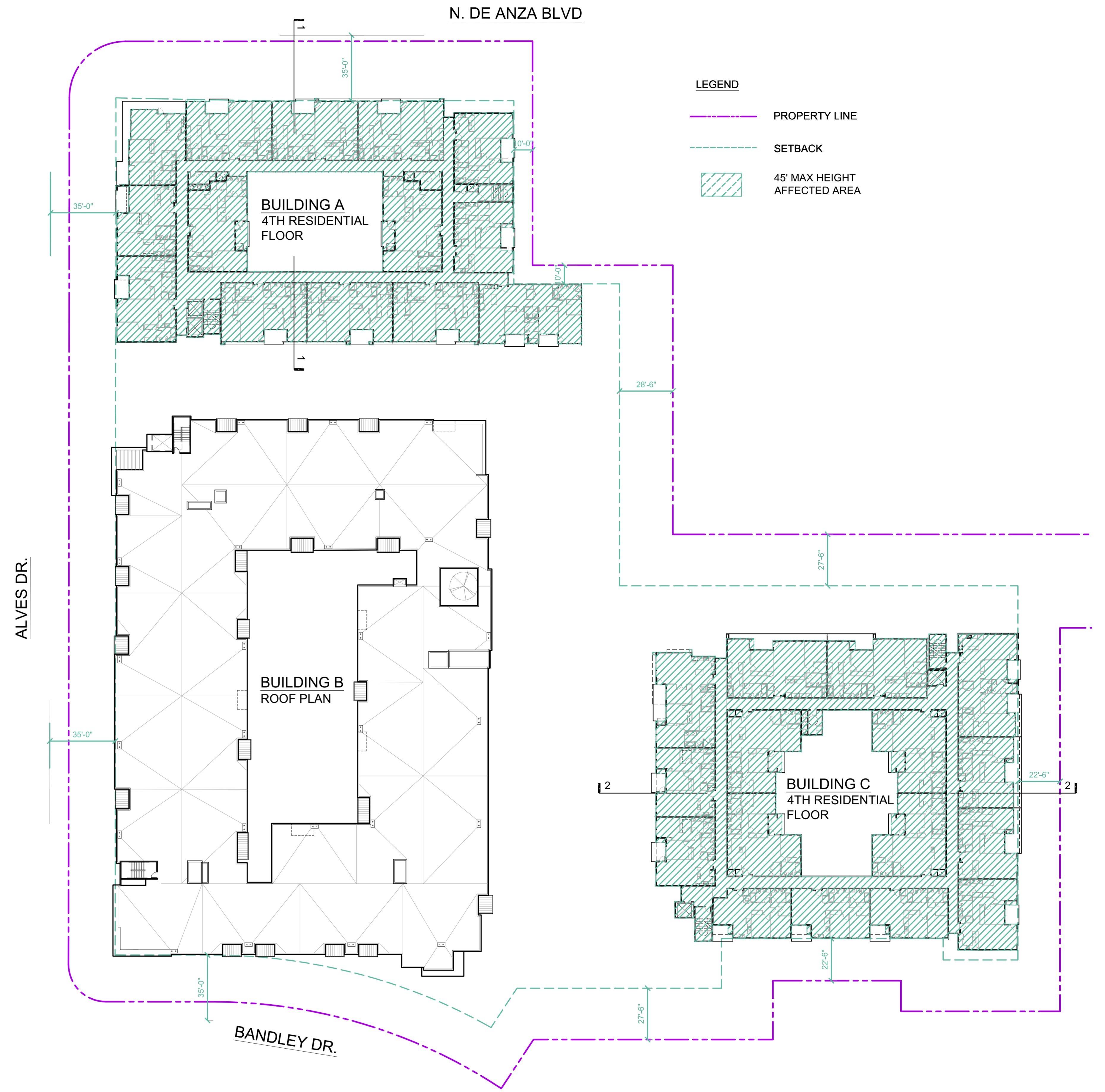
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2 BUILDING A 45' MAX HEIGHT AFFECTED AREA SECTION 1-1
1/16" = 1'-0"



3 BUILDING C 45' MAX HEIGHT AFFECTED AREA SECTION 2-2
1/16" = 1'-0"



1 BUILDING A & B 4TH FLOOR PLAN 45' MAX HEIGHT AFFECTED AREA

45' MAX HEIGHT AFFECTED AREA PLANS / SECTIONS

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