

Curtner TOD Request for Qualifications

Questions & Answers

October 18, 2019

Question	Answer
Is the Curtner Station Development RFQ for a fee simple purchase of the property or a long term lease? If the latter, are there any lease term requirements?	VTA intends to have the site developed under a long-term ground lease. We offer a maximum term of 65 years. If the development team can show how a longer term is necessary, VTA is willing to extend beyond 65 years. During the RFP, proposals should include the desired lease term, including any extension options.
On a long term ground lease, how would property tax be handled?	Under the ground lease, property taxes will be the responsibly of the developer, or the Lessee, along with all other operating costs. The level of property taxes will be dependent on the product type (affordable housing or market rate, etc). We encourage you to reach out to the County Assessor, or your tax attorney, for specific tax assessment related questions.
Is VTA open to various uses? Hotel? Commercial? Residential?	Yes. VTA is open to all uses allowable under the CSJ General Plan.
Is structured parking required for the 100 transit parking stalls?	No, structured parking is not required. VTA seeks to maximize density, and it encourages development teams to think creatively about the 100 required transit stalls. Shared parking and other creative solutions are encouraged.
Could VTA go straight from RFQ to an ENA?	The RFQ gives VTA Staff the flexibility to enter directly into an ENA from the RFQ. In its discretion, it may elect to pursue negotiations directly with the most qualified respondent to the RFQ under an exclusive negotiating agreement (ENA) if there is standout response or if there are limited responses as stated in the RFQ.
Do teams need to form a business entity prior to submitting qualifications?	Any respondent operating within an entity that is not qualified to do business and in good standing with the California Secretary of State shall identify the basis on which the team proposes to ensure that all of the stated qualifications will be provided, and through what legal entity (in order to show the viability of delivering on the qualifications presented). That said, responding teams do not need to create a business entity merely to present their qualifications. Teams will have to form viable entities and demonstrate that they are in good standing prior entering into an ENA.
It appears there are easements on the property, can they be moved?	A title report and exceptions map have been provided in the RFQ appendix files. Any easement relocation would need to be coordinated with the easement holder.
What are the ridership numbers for Curtner?	Recent average weekday lightrail ridership at Curtner is 430.
Could you go above the City's minimum of 305 residential units?	Yes, VTA seeks proposals that maximize densities. City of San Jose Planning has also expressed a desire to maximize density at this site.

Curtner TOD Request for Qualifications

<p>VTA does not want more than 20% affordable units at this project, is that correct?</p>	<p>VTA has an Affordable Housing Policy that states that any residential project must have a minimum of 20% affordable units on site. Due to the high concentration of affordable housing in the Curtner area neighborhood, on this specific project VTA intends to maintain affordability at 20%. The 20% affordable could be provided as a standalone, 100% affordable project.</p>
<p>After selecting your preferred bidder, is the VTA going to request any type of security mechanism from the developer, such as deposit or bond, on the land?</p>	<p>There are no deposits due for the submission of the RFQ. A \$25,000 deposit check will be due with the submission of any RFP proposals. Once a development partner is selected by the VTA Board of Directors, VTA will deposit the check. If the bidder is not selected, VTA will return the \$25,000 deposit check. Once the developer and VTA have entered into an ENA, the developer will be required to deposit additional funds for third party predevelopment expenditures for the project.</p>
<p>What conditions need to be met before VTA can execute a ground lease agreement?</p>	<p>Once a development partner is selected, VTA staff will work with the developer to execute an ENA. Once the ENA is executed, the parties will work towards finalizing the project program and economics through negotiation, while seeking entitlements from the City of San Jose. Once negotiations are finalized, staff will take the final terms to the VTA Board of Directors for authorization to enter into a Lease Option Agreement (LOA). It is expected that the LOA will include milestones for achieving final entitlements, make option fee payments for the option term and extensions, and require the Developer to (i) meet the milestones along the entitlement process, and (ii) demonstrate financial capacity (including a completion guaranty for the proposed project). These would be conditions for exercising the option. The LOA would grant the developer sufficient site control to seek financing and complete construction documents. Once the LOA conditions are met, the developer would be able to exercise its option to enter into a ground lease(s).</p>
<p>What will be the expected level of Design the Developer must produce at submission of proposal for this project?</p>	<p>For the RFQ, respondents only need to submit a brief description of conceptual uses envisioned for the site, as well as any unique design features or characteristics. Additional site plans and design elements will be required for the RFP.</p>
<p>Will the VTA consider any Extension of Time (EOT) regarding the submission of this RFQ?</p>	<p>No.</p>
<p>Will VTA share previous RFP proposals from teams which were ultimately selected?</p>	<p>Board memos with the review panels evaluation summary from previous solicitations can be requested. From VTA staff perspective, previous submittals are not the best place to start in understanding how we evaluate proposals.</p>

Curtner TOD Request for Qualifications

<p>Should we target parking ratios per SJMC, or follow the modified ratios provided in the “Appendix 8. Sample CSJ Approved Signature Projects”?</p>	<p>Follow the SJMC; the modified ratios provided for in the "Appendix 8. Sample CSJ Approved Signature Projects" are examples of potential modified parking ratios. Due to the transit-oriented nature of the site, and to encourage transit ridership, VTA seeks to minimize parking for all uses. The selected developer will be encouraged to work with the City to minimize parking ratios.</p>
<p>Apart from LRT-proximity or TDM reductions in parking, will there be any additional parking reductions available, perhaps via the Urban Village VR8 plan?</p>	<p><i>Per CSJ Planning Staff:</i> No, the urban village plan will encourage parking reductions in line with the zoning code allowances, but the urban village plan does not control parking requirements or reductions.</p>
<p>How long does the ‘Signature Review’ process typically last? Do they typically allow for re-zoning to ‘share’ the Commercial and Residential split uses throughout the entire site?</p>	<p><i>Per CSJ Planning Staff:</i> The Signature Project process lasts around 1 to 2 years depending on the speed of resubmittals, environmental review timelines, and the community outreach process. Signature Projects take many forms which sometimes include a horizontal mix of uses with commercial uses in one building and residential uses in another building. Other projects have commercial and residential uses mixed in one building. Other projects do a combination of both.</p>
<p>Does ‘Curtner Light Rail/Caltrain Urban Village (VR8)’ have any additional requirements? VR8 seems to fall under the ‘Urban Village Horizon 2’, which has not been released.</p>	<p><i>Per CSJ Planning Staff:</i> No.</p>
<p>Height limitations: current SJMC limits R1 and CO to 35’, but also allows for 120’ in Urban Village areas. Please confirm VR8 allows for the 120’ height.</p>	<p><i>Per CSJ Planning Staff:</i> This area has a height maximum of 120 feet as the site is designated Neighborhood/Community Commercial and zoning code section 20.85.020. E allows the 120-foot height.</p>
<p>Set-Back requirements: current SJMC requires up to 20’ setbacks along certain borders for R1, CO, and PQP. Will the potential re-zoning and Signature Review process allow for modifications?</p>	<p><i>Per CSJ Planning Staff:</i> Yes, you will have to rezone to a district that allows a mix of uses.</p>
<p>For maximum density/capacity, are there any FAR restrictions or limits?</p>	<p><i>Per CSJ Planning Staff:</i> No, not for Signature Projects as they do not have to comply with the underlying General Plan designation.</p>
<p>Can the bus loop be relocated or reconfigured?</p>	<p>Yes. The bus loop can be relocated or reconfigured (at the developers expense), as long as transit services do not experience long-term disruption and the respondent demonstrates how these changes better serve the Project and VTA. Any changes would need to be coordinated with, and approved by, VTA Operations, Safety, and Planning teams.</p>

Curtner TOD Request for Qualifications

What is the bus utilization of the four bus bays in the Curtner Station Transit Center?	VTA's New Transit Service Plan is scheduled to begin in December 2019. Under this new service plan, VTA will only need two bus bays (or linear space for two buses concurrently). Curtner Station is served by one bus route (26), so the Project needs one bus bay for each direction of the route.
What is the utilization of the Park & Ride parking spaces?	There are currently 447 parking spaces at the Curtner Park and Ride. Daily utilization averages around 65-70 cars. VTA looked at future predictions for parking demand in its decision to require 100 transit parking stalls.
Is future ridership for LRT and bus routes expected to increase or decrease?	It is expected that both LRT and bus ridership at this location will increase. Being just south of downtown, Curtner Station is in a prime location and will have easy and direct connections to future BART stations.