

STAFF REPORT
PLANNING COMMISSION

FILE NO.: PDC09-004

Submitted: January 21, 2009

PROJECT DESCRIPTION: Planned Development Rezoning from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District to allow a professional sports stadium with up to 18,000 seats, in addition to the already allowed uses, on an approximately 94.8 gross-acre site.

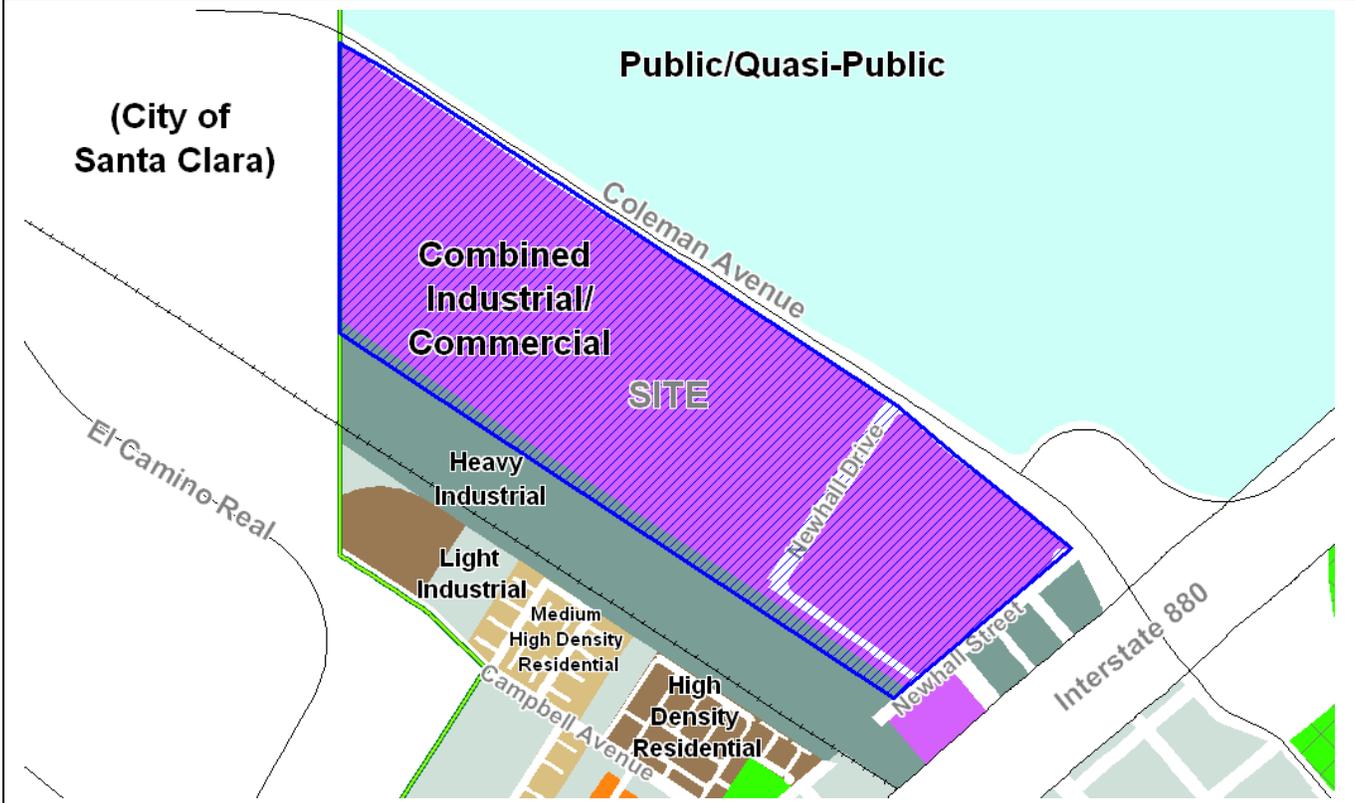
LOCATION: Northwest and southwest corners of Coleman Avenue and Newhall Drive (former FMC site).

Existing Zoning	A(PD) Planned Development
Proposed Zoning	A(PD) Planned Development
General Plan	CIC
Council District	3
Annexation Date	December 8, 1925
SNI	No
Historic Resource	No
Redevelopment Area	No
Specific Plan	No

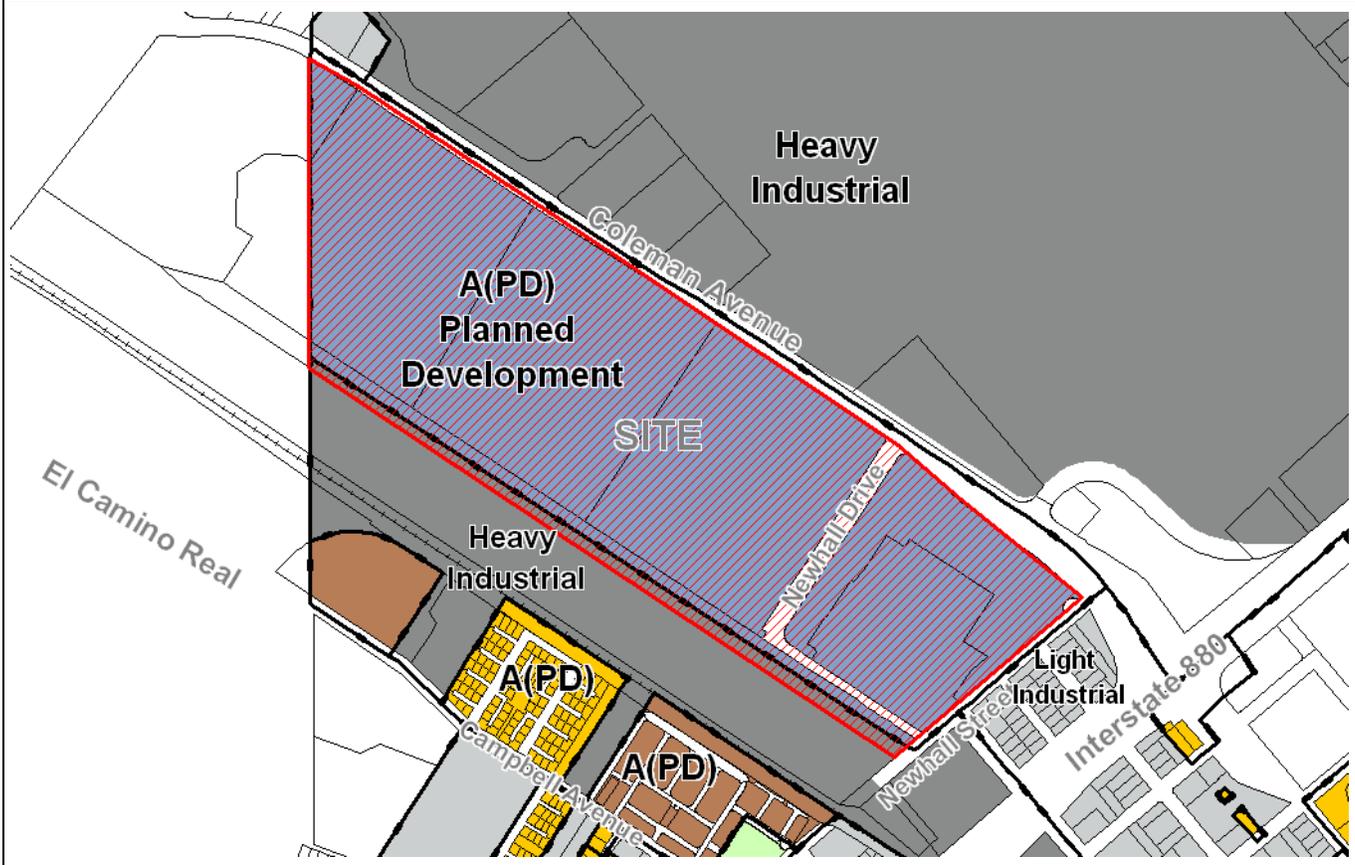
Aerial Map



GENERAL PLAN



ZONING



RECOMMENDATION

Planning staff recommends approval of the proposed Conforming Planned Development Rezoning for the following reasons:

1. The proposed project conforms to the City Concept Goals and Policies of the General Plan, in that it would create a new cultural attraction in the City of San Jose.
2. The proposed project conforms to the Economic Development Strategy of the General Plan, because it would be increasing the overall development capacity and potential amount of jobs on the subject property.
3. The proposed project conforms to the Urban Design Goals and Policies of the General Plan in that it creates development standards to meet the intent of the Design Guidelines.
4. The proposed zoning conforms to the General Plan Designation of Combined Industrial/Commercial in that it will maintain the flexibility for a mixture of industrial R&D, office and commercial uses while also allowing a new land use that is a combination of assembly, outdoor recreation and other supportive commercial uses.

BACKGROUND & DESCRIPTION

On January 21, 2009, Wolff Urban Development submitted an application for a Planned Development Rezoning of the approximately 94.8-acre former FMC property, comprised of the 74.8-acre property owned by the City of San Jose (Airport West) and the adjacent 20-acre property owned by the Arcadia Development Company (Coleman Landing). The existing zoning on the site, File No. PDC08-050, allows up to 1.5 million square feet of commercial office, 300 hotel rooms, and up to 75,000 square feet of retail development on the Airport West property. The remaining 20 acre sites of the site is currently being developed with approximately 274,000 square feet of commercial space, which includes a Lowe's Home Improvement store. The proposed rezoning is intended to allow a professional sports stadium with up to 18,000 seats as a permitted use, in addition to all of the currently existing uses, on the 94.8 gross acre site.

The 193,500 square-foot stadium is proposed to be a private development intended for use by the San Jose Earthquakes of Major League Soccer. Since the return of the Earthquakes to San Jose, they have primarily been using Buck Shaw Stadium at Santa Clara University and occasionally using the Oakland Coliseum for games with larger attendance. The proposed rezoning would allow the development of a soccer-specific sports stadium to provide a permanent location for the San Jose Earthquakes. Along with the playing field, the stadium would provide locker rooms and administrative offices for the team, press and media facilities, and stadium support services. Staff has worked with the applicant to determine that the proposed project also includes other incidental uses such as assembly, eating and drinking establishments, outdoor vending, outdoor recreation, outdoor dining, and emergency electrical power generation.

ANALYSIS

As this is an application for a Planned Development Rezoning to allow stadium uses, project analysis included evaluation of conformance with the San Jose 2020 General Plan, the requirements of the California Environmental Quality Act (CEQA), applicable design guidelines, and the promotion of the City's Green Vision.

General Plan Conformance

City Concept

The City Concept goals and policies collectively express a concern with the quality of life and the livability of San José. They direct to make San José a recognizable and distinct place which is complete in terms of providing a wide variety of opportunities for living and working, as well as enjoying cultural and recreational pastimes. The proposed stadium will be a cultural attraction in the City of San Jose, in that it will provide more opportunities for the people of San Jose, as well as the larger region, to gather for events and share in common experiences. This will enhance the City of San Jose's identity as a vibrant community.

Economic Development

The City's Economic Development Strategy strives to make San José a more "balanced community" by encouraging more commercial and industrial growth to balance existing residential development, by creating an equitable distribution of job centers and residential areas, and by controlling the timing of development. The proposed project is consistent with this goal by increasing the amount of overall development that would be allowed on subject property and would provide employment opportunities within the City helping to balance the commercial and residential relationship, and would contribute to the financial base of the City.

Economic Development Policy #1 seeks to reduce the City's job/housing imbalance. San Jose continues to be a housing rich community, providing and producing much of the housing growth in the County. While the City continues its effort to facilitate housing for all segments of the population, it must also be able to foster economic development that helps generate employment opportunities for its residents. The proposed project would result in the creation of new commercial jobs and additional sales tax revenue.

Urban Design

The City's Urban Design Goal requires the highest standards of architectural and site design, and encourages the use of "Green Building" techniques for all development projects. Since the design of sport stadiums is not specifically addressed in the Commercial Design Guidelines, staff worked to create development standards to meet the intent of the Guidelines for this specific zoning, in order to conform to this goal. Additionally, any subsequent Planned Development Permit will be required to conform to the City's Green Building Ordinance.

Combined Industrial/Commercial

The site is designated Combined Industrial/Commercial on the San Jose 2020 General Plan Land Use/Transportation Diagram. This land use category is intended for commercial, office, or industrial developments or a compatible mixture of these uses that are arranged to be compatible with surrounding industrial uses. The proposed rezoning is consistent with this designation because it will maintain the flexibility for a mixture of industrial R&D, office and commercial uses while also allowing a new land use that is a combination of assembly, outdoor recreation and other supportive commercial uses, consistent with the General Plan land use designation.

Environmental Review

The environmental impacts of the land uses currently allowed were addressed by a Final EIR entitled, "FMC/Coleman Avenue Planned Development Rezoning (PDC98-104)." The current zoning, and subsequent addendum was approved on October 10, 2008, to change the maximum development capacity from 3,000,000 square feet of office/R&D and industrial and/or commercial development to specifically allow up to 1.5 million square feet of commercial office, 300 hotel rooms, and up to 75,000 square feet of retail development on the 75-acre Airport West property.

The environmental impacts of the proposed project have been address by a Final EIR to be adopted entitled, "Airport West Stadium and Great Oaks Place Project." The EIR evaluated both the impacts from this proposed rezoning and from a General Plan Amendment and Planned Development Rezoning (GP07-02-01 and PDC07-098, respectively) on a 76-acre site in south San Jose that would allow an employment land conversion for 914 to 1,905 residential units. It is the intent of the project proponent to obtain approval of the proposed General Plan Amendment and Rezoning of the Great Oaks Place site, monetize the Great Oaks Place site to residential developer(s), and use a portion of the funds from the sale to fund or reimburse the construction of the sports stadium that is part of this proposed Planned Development Rezoning. Currently, there is no anticipated hearing date for either the General Plan Amendment or the Planned Development Rezoning for the Great Oaks Place site.

Project Design

The previously entitled development on the south side of Newhall Drive is not proposed to be modified or redesigned as part of this proposed Planned Development Rezoning. The conceptual design of the stadium portion of the rezoning includes the site plan and elevations, as well as the phasing of the parking.

Site

The site is ideal for locating a major stadium facility, as it is an area well-served by circulation via freeway and major arterials, infrastructure systems and in a commercial area where there is minimal impact on sensitive uses. This proximity to a freeway and locating the proposed stadium as close as possible to Coleman Avenue will allow for good visibility than that of other soccer-specific stadiums that are surrounded by a sea of parking. This is because, unlike most other major league soccer stadiums, this site has the benefit of being part of a larger development that will have structured parking upon development of the rest of the project site, which will be shared with the future office, R&D and other commercial uses. The development of the proposed stadium is anticipated to precede the development of the rest of the site, so surface parking is proposed to be an allowed use until the structured parking is built.

Setbacks and Height

The adjacent uses are industrial and commercial in nature, so standard commercial setbacks are appropriate and the proposed zoning does not include any changes to the previously approved setbacks. A portion of the site for the proposed stadium is within the San Jose International Airport Safety Zone, and much of the site is underneath an aviation easement which dictates allowed heights for any future structures.

Architecture

The prominent visibility of the proposed stadium will allow it to become a regional landmark in San Jose, similar to the HP Pavilion. As such, staff recommends strong language in the development standards to

ensure that the project incorporates high quality design and architecture. The conceptual design lacks a solid exterior wall to the stadium. Instead, advertising banners are shown covering the top half of the stadium with nothing to screen the view of the underside of the bleachers on the lower half. Staff recommends development standards that state the stadium shall be built with contiguous substantial base elements or building wall to prevent a design dependent on temporary or superficial elements (such as banners) to screen the underside of the bleachers.

The proposed stadium has been conceptually designed to have a horse-shoe shaped roof over the fan seating area, with the open end facing towards Coleman Avenue. The stadium lights would be mounted on the underside of the stadium's partial roof/canopy, which would minimize any glare from the stadium lights from impacting the residential area on the opposite side of the heavy rail tracks as well as the pilots landing at San Jose International Airport. The Coleman Avenue side of the stadium is conceptually proposed to be relatively open and transparent, in order to allow a less expensive standing-room-only area for fans to watch the game. Additionally, the open end of the stadium is proposed to have a contained family picnic area that would be utilized for pre- and post-game activities.

Green Vision

The City's Green Vision promotes cutting-edge sustainable practices, and demonstrates that the goals of economic growth, environmental stewardship and fiscal responsibility are inextricably linked. It is intended to advance greenhouse gas reduction and other sustainability strategies outlined in the city's Green Vision. Green building reduces per capita energy use, provides energy from renewable sources, diverts waste from landfills, uses less water and encourages the use of recycled wastewater.

The approval of the proposed project would enable the applicant to apply for a subsequent Planned Development Permit to develop any portion of the subject property. For any commercial project that is 25,000 square feet or more, it would be conditioned as part of a Planned Development Permit that it must receive the minimum green building certification of LEED Silver, in order to conform to Title 17.

CONCLUSION

The addition of the sports and entertainment venue proposed in this Planned Development Rezoning will bring additional diversity and intensity to the existing entitlements for a mixed use, R&D, and commercial development. This site presents a unique opportunity to further the goals and objectives of the General Plan by providing a new cultural landmark in addition to a wide range of new employment opportunities. The site itself is an ideal location for the proposed development as it is well-served by the freeway and major arterial roads, supported by sufficient infrastructure systems and is in an emerging commercial area where it will create minimal impact on surrounding uses. In conclusion, staff recommends approval of the proposed Planned Development Rezoning due to its conformance with City Goals, Policies and Ordinances and that it will create a new cultural destination in the City of San Jose, enabling future economic and civic development.

PUBLIC OUTREACH/INTEREST

The property owners and occupants within a 500-foot radius were sent public hearing notices for the City Council hearing. This staff report has been posted on the City's web site. Signage has been posted at the site to inform the public about the proposed change. Staff has been available to discuss the proposal with interested members of the public.



Criterion 1: Requires Council action on the use of public funds equal to \$1 million or greater.

- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although this item does not meet any of the above criteria, staff followed Council Policy 6-30: Public Outreach Policy. A community scoping meeting was held on June 1, 2009, which was attended by two members of the public. A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website. The rezoning was also published in a local newspaper, the Post Record. This staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

Project Manager: Avril Baty **Approved by:**  **Date:** 2/3/10

Applicant: Keith Wolff % Wolff Urban Development 11828 La Grange Avenue Los Angeles, CA 90025	Attachments: Draft Development Standards Public Work Memo Reduced Plan Set
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DRAFT GENERAL DEVELOPMENT PLAN NOTES

Where these development standards and the diagram contained in the Land Use Plan are in conflict, these written development standards shall control and take precedent.

EXHIBIT C: LAND USE PLAN AND DEVELOPMENT STANDARDS

1. LAND USE

A. Industrial Uses

Permitted uses of the IP – Industrial Park Zoning District, as amended

Conditional and Special uses of the IP – Industrial Park Zoning District, as amended shall require a Planned Development Permit or Planned Development Permit Amendment as designated by Title 20 of the San Jose Municipal Code, including uses which may be approved only on property designated on the Land Use/Transportation Diagram of the San Jose 2020 General Plan, as amended, with the Mixed Industrial Overlay or Combined Industrial/Commercial.

B. Commercial Uses

Permitted uses of the CP – Commercial Pedestrian Zoning District, as amended

Conditional and Special uses of the CP – Commercial Pedestrian Zoning District, as amended shall require a Planned Development Permit or Planned Development Permit Amendment, as designated by Title 20 of the San Jose Municipal Code.

Additional Conditional uses include:

- Leasing passenger vehicles, pick-up trucks not exceeding twenty-five (25) feet in length, and motorcycles (including, but not limited to, on-site storage of vehicles, customer facilities, administrative facilities and vehicle maintenance)
- Off-street parking establishments
- Short term (less than 24 hours) parking lot for uses or events other than those occurring on-site

Additional Conditional use for Area 3 and Area 4 includes:

- The sale of passenger vehicles, pick-up trucks not exceeding twenty-five (25) feet in length, and motorcycles, but shall not occupy more than 25% of the entire area covered by the Zoning.

Additional Conditional use for Area 4 includes:

- Drive-through in conjunction with a public eating establishment, including those with 24-hour operation

Additional Conditional uses for Area 3A include:

- Sporting events, assembly venues, concerts, and other such entertainment events. Incidental support uses include, but are not limited to, offices, locker rooms, retail, public eating establishments, drinking establishments, and outdoor

vending facilities. A limited number of firework displays are permitted in conjunction with these events.

C. Prohibited Uses

Prohibited uses also include residential uses, elementary and secondary schools, and child day care centers.

D. Development Intensity

- 1) The mix of uses and maximum intensity of Development shall be limited to 3,000,000 square feet of building area for Office/Research and Development uses, or alternatively the following uses and intensities; but in no case shall development exceed the traffic performance criteria identified below.
 - a) **Areas 1 through 3.** The mix of uses and maximum intensity of development in Areas 1 through 3 shall be up to 1,514,000 square feet of building area of office uses, 75,000 square feet of retail uses, and 300 hotel rooms (the "Planned Development"). Any development scenario that exceeds the Planned Development in any category shall require a traffic analysis to confirm that the traffic volumes and distribution are within the parameters of the traffic performance criteria described in Section 1-C.2 below.
 - b) **Area 3A.** The mix of uses and maximum intensity of development in Area 3A shall be a stadium with up to 18,000 seats, which includes aforementioned incidental, support uses. Any development scenario that exceeds the Planned Development shall require a traffic analysis to confirm that the traffic volumes and distribution are within the parameters of the traffic performance criteria described in Section 1-C.2 below.
 - c) **Area 4.** An undetermined amount of office, research and development, hotel, commercial, and retail uses is also allowed in Area 4. As specific development is considered for approval in Area 4, a traffic analysis will be required with the issuance of each Planned Development Permit, confirming that traffic volumes and distribution are within the parameters of the traffic performance criteria described in Section 1-C.2 below.
 - d) **Area 5.** Any development of this site will require additional traffic analysis.
- 2) **Traffic Performance Criteria.** If a traffic analysis is required pursuant to Section 1-C.1 above, such analysis shall confirm that the proposed development does not exceed the parameters of the following traffic performance criteria for the site
 - a) **Areas 1 through 3, and Area 4:**
 - i) The intensity of development on the site shall not exceed the maximum project trip generation of 3,534 AM Peak Hour trips (2,957 inbound and 578 outbound) and the maximum of 3,441 PM Peak Hour trips (467 inbound and 2,973 outbound).

- ii) The apportionment of trip capacity across the entire site shall be in accordance with the terms of the Memorandum of Allocation of Traffic Capacity, entered into by FMC Corporation and Arcadia Development on July 29, 2004, which is hereby incorporated by reference.
 - iii) In addition to the trips described in Section 1-C.2(a) and the Memorandum of Allocation of Traffic Capacity, Area 4 shall have 68 PM Peak Hour trips (based on a trip generation of 880 Average Daily Trips for 23,500 square feet of commercial/retail and drive-through uses). This does not affect the AM Peak Hour trips described in Section 1-C.2(a).
- b) **Area 3A:** The intensity of development on this site shall not exceed 1,781 PM peak trips.

2. DEVELOPMENT STANDARDS

A. Architectural Treatment & Site Design Goals

The design of the project should establish an appropriate urban character, establish an important gateway to the City of San José, support activities of the San José International Airport and utilize site design and building architecture consistent with transit-oriented development principles, as noted below.

- 1) The project should include the placement of attractive buildings oriented toward Coleman Avenue and toward other adjacent public streets.
- 2) The majority of Phase II (as described in the Section 2.F) should be placed behind buildings and landscape areas so as to minimize their visibility from public streets, including Coleman Avenue.
- 3) Special architectural treatments and articulation at street level should be incorporated into the project's architecture.
- 4) The development of Office or Research and Development uses should incorporate supporting commercial uses in vertical mixed-use configurations as practical and appropriate.
- 5) Car sales areas should make use of multi-level parking structures for the storage of sales inventory.
- 6) The project should include well-designed open spaces and internal pedestrian circulation elements that provide an amenity rich environment.
- 7) Within the development, the building design should create a sequence of lively and intimately scaled office entry plazas and pedestrian spaces.

B. Design Guidelines

Development of the site shall conform to the City of San Jose Industrial (dated Aug. 25th, 1992) and Commercial (dated May, 1988) Design Guidelines, as amended. All development shall meet the standards in the adopted Design Guidelines to the

satisfaction of the Director of Planning. Any deviation from the Design Guidelines will be subject to review and may be approved by the Director of Planning at the Planned Development Permit stage provided they meet the intent of the Guidelines. In addition, any stadium use shall include: plaza spaces to allow for patrons to gather; clearly designated entry points, contiguous substantial base elements, and consolidation of program uses.

C. Setbacks

Minimum setback areas shall be provided as described below:

1. **Coleman Avenue** (Section D-D) – A 40-foot setback area shall be provided from the face of curb on Coleman Avenue. This 40-foot setback shall consist of a 10-foot landscaped ‘park strip’, a 10-foot sidewalk and a 20-foot landscaped ‘front yard’ area. The minimum setback may be reduced to a 25-foot setback from face of curb for the building located at the southwest corner of Aviation Avenue and Coleman Avenue so that it shall align with the adjacent buildings facing Coleman Avenue. This 25-foot setback shall consist of a 10-foot landscaped ‘park strip’, a 10-foot sidewalk, and a 5-foot landscaped ‘front yard’.
2. **880 On-Ramp Area** – The minimum landscaped setback for the portion of “Area 4” fronting on to the 880 On-ramp shall be 10 feet from the property line. The ALUC Safety Zone for Runway 11-29 serves as the building setback line for the Coleman Avenue frontage.
3. **Newhall Street** (Section A-A) – A 30-foot setback area shall be provided from the face of curb on Newhall Street. This 30-foot setback shall consist of a 10-foot attached sidewalk with trees provided in tree wells at the back of curb and a 20-foot landscaped ‘front yard’ area. This setback may be reduced to 15 feet within 120 feet of the intersection of the new public street adjacent to Railroad (Newhall Drive Section C-C) and Newhall Street.
4. **New Public Street** (Area 4 - Newhall Drive) adjacent to Railroad (Section C-C) – A 20-foot setback area shall be provided from the face of curb on this street. This 20-foot setback shall consist of a 10-foot attached sidewalk with trees provided in tree wells at the back of curb and a 10-foot landscaped ‘front yard’ area.
5. **New Public Street** at approximate center of project (Section E-E) – A minimum 30-foot setback area shall be provided from the face of curb of the vehicular travel lanes. This 30-foot setback shall consist of a 12-foot attached sidewalk with tree wells at the back of curb, a 5-foot landscaped area, and a 13-foot zone of surface parking or landscaping. The design of the setback area shall be subject to the satisfaction of the Planning Director at the Planned Development Permit stage.
6. **New Public Street between Areas 3 and 4** (Newhall Drive, Section B-B) – A 30-foot setback area shall be provided from the face of curb on this street. This 30-foot setback shall consist of a 10-foot attached sidewalk with trees provided in tree wells at the back of curb and a 20-foot landscaped ‘front yard’ area.
7. **New Public Street aligned with Aviation Avenue** (Section F-F) – A minimum 20-foot setback area shall be provided from the face of curb on this street. This 20-foot setback shall consist of a standard 12-foot sidewalk with tree wells at the back of curb and a 8-foot landscaped ‘front yard’. The design of the setback area shall be

subject to the satisfaction of the Planning Director at the Planned Development Permit stage.

8. **New East-West Connector** (Section G-G) – A minimum 15-foot landscaped setback area shall be provided from face of curb along the southern boundary of the site (along UPRR tracks). A minimum 40-foot setback area shall be provided from the face of curb of the vehicular travel lanes on the northern side. This 40-foot setback shall consist of a 5-foot landscape zone, a minimum 20-foot pedestrian sidewalk, a 5-foot landscaped zone and a 10-foot zone of surface parking or landscaping, provided that the sidewalk width may be reduced subject to approval of the Planning Director at the Planned Development Permit stage. The design of the setback area shall be subject to the satisfaction of the Planning Director.

D. Coleman Avenue Frontage Phasing Requirement

The project shall provide a strong street frontage along Coleman Avenue as development takes place. Consistent with the requirements of **Item F**, applicable building height requirements must be met at each phase of development. Any Planned Development Permit issued for structures facing on to Coleman Avenue shall incorporate the entire frontage for the “Area” (e.g. Area 1, Area 2, Area 3 or Area 4) in which the proposed structure is located and demonstrate how development of that Area will be consistent with the Coleman Avenue frontage requirement.

E. Height and Building Presence

- 1) **Maximum Height Limitation** The maximum height of buildings should not negatively impact the airspace requirements of the San Jose International Airport as established by the Federal Aviation Administration.
- 2) **Minimum Height Fronting Coleman Avenue (Area 1 through Area 3)** As discussed above, development of the site shall orient towards Coleman Avenue by placement of buildings along the Coleman Avenue frontage. At least 75% of the aggregate building frontage along Coleman Avenue in Areas 1 through 3 shall be at least three stories in height (as measured by a straight line drawn through the longest axis of the building parallel to Coleman Avenue).
- 3) **Building presence along Coleman Avenue (Area 4)** The above (Section 2-F.2) notwithstanding, in order to facilitate a strong building presence along Coleman Avenue, there shall be a minimum of 500 linear feet of commercial building frontage located within 200 feet along the ALUC Safety Zone for Runway 11-29 No Build Line.
- 4) **Minimum Height Fronting Newhall Drive (Area 4, Section B-B)** Buildings located within 300 ft of the intersection of Newhall Drive and Coleman Avenue shall be a minimum of 24 feet in height.

F. Off-Street Parking and Loading Standards

- 1) A 25% reduction of the City of San Jose’s minimum off-street parking requirements as set forth in the zoning ordinance will be permitted because of the project’s transit orientation.

- 2) **Areas 1 through 3 and Area 4.** The maximum amount of parking shall not exceed 3.2 stalls per 1,000 square feet of gross building area, on condition that the minimum parking as required for Area 3A is provided.
- 3) **Area 3A.** The minimum amount of parking shall be 1 per 4 seats. A shared system for cars, bicycles and motorcycles, utilizing on-site inventory, shall be allowed to accommodate the required parking.
- 4) Retail, restaurants, commercial stores and shops are not required to provide parking spaces when intended to be commercial support uses for Commercial Office or R&D uses.
- 5) Trash and loading areas shall be screened from public view and shall comply with the City of San Jose's requirements for off-street loading.
- 6) Parking is allowed to be phased. Phase I shall include surface parking for the stadium prior to the development of buildings for office/R&D uses. Phase II shall include structure parking for the office/R&D uses, the stadium, and all other uses.

G. Landscaping

- 1) Minimum landscaping required for each individual site is 10% of the site area, in addition to the designated Landscape / Open Areas.
- 2) Phase II of required parking shall require trees to be provided within surface parking lot areas at a ratio of one tree per four surface parking spaces for parking required to meet the City of San Jose's minimum off-street parking requirements as set forth in the Zoning Ordinance.

H. Shuttle Bus Requirement

The project developer(s) shall begin operation of a shuttle bus connection to the nearest Caltrain Station concurrent with the occupancy of 1.5 million square feet of Office/R&D development on the project site. Details including scheduling and cost sharing provisions between all property owners/developers shall be resolved during the issuance of Planned Development Permits.

I. Minimum Lot Area & Sub-division

The minimum lot area for future sub-division shall be 10,000 square feet. Any sub-divided lots shall either be provided direct access from a public street or access by means of a shared ingress/egress easement. Required parking may be provided on a separate parcel through the issuance of a Planned Development Permit.

3. PERFORMANCE STANDARDS

All on-site development and activities shall conform to the Performance Standards of the IP Industrial Park Zoning District or CP Commercial Pedestrian Zoning District.

4. OFF-SITE IMPROVEMENTS

The developer shall construct, i.e., secure approved plans, execute a contract, and bond for, the following off-site improvements the following off-site improvements to the satisfaction of the

Director of Public Works prior to the issuance of Public Works Clearance for any development phase:

(to be updated per Final PW Memo)

5. ENVIRONMENTAL MITIGATION

(shall be in accordance with the Final EIR to be adopted titled “Airport West Stadium and Great Oaks Place Project”)

6. WATER POLLUTION CONTROL PLANT

Pursuant to Part 2.75 of Chapter 15.12 of the San José Municipal Code, no vested right to a building permit shall accrue as the result of the granting of any land development approvals and applications when and if the City Manager make a determination that the cumulative sewage treatment demand on the San José-Santa Clara Water Pollution Control Plant represented by approved land uses in the area served by said plant will cause the total sewage treatment demand to meet or exceed the capacity of the San José-Santa Clara Water Pollution Control to treat such sewage adequately and within the discharge standards imposed on the City by the State of California Regional Water Quality Control Board for the San Francisco Bay Region. Substantial conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approving authority.



Memorandum

TO: Avril Baty
Planning and Building

FROM: Ebrahim Sohrabi
Public Works

**SUBJECT: FINAL RESPONSE TO
DEVELOPMENT APPLICATION**

DATE: 02/02/10

PLANNING NO.: PDC09-004
DESCRIPTION: Planned Development Rezoning from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District to allow an 18,000-seat professional sports stadium as a permitted use on an approximately 94.8 gross-acre site.
LOCATION: northwest and southwest corners of Coleman Avenue and Newhall Drive (former FMC site) 1105, 1115, 1125 COLEMAN AVE.
P.W. NUMBER: 3-18493

Public Works received additional information on the subject project on 01/25/10 and submits the following comments and requirements.

Project Conditions:

Public Works Clearance for Building Permit(s) or Map Approval: Prior to the approval of the Tract or Parcel Map (if applicable) by the Director of Public Works, or the issuance of Building permits, whichever occurs first, the applicant will be required to have satisfied all of the following Public Works conditions. The applicant is strongly advised to apply for any necessary Public Works permits prior to applying for Building permits.

1. **Construction Agreement:** The public improvements conditioned as part of this permit require the execution of a Construction Agreement that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This agreement includes privately engineered plans, bonds, insurance, a completion deposit, and engineering and inspection fees.
2. **Grading/Geology:**
 - a) A grading permit is required prior to the issuance of a Public Works Clearance.
 - b) If the project proposes to haul more than 10,000 cubic yards of cut/fill to or from the project site, a haul route permit is required. Prior to issuance of a grading permit, contact the Department of Transportation at (408) 535-3850 for more information concerning the requirements for obtaining this permit.
 - c) Because this project involves a land disturbance of one or more acres, the applicant is required to submit a Notice of Intent to the State Water Resources

Control Board and to prepare a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity. Copies of these documents must be submitted to the City Project Engineer prior to issuance of a grading permit.

- d) The Project site is within the State of California Seismic Hazard Zone. A geotechnical investigation report addressing the potential hazard of liquefaction must be submitted to, reviewed and approved by the City Geologist prior to issuance of a grading permit or Public Works Clearance. The investigation should be consistent with the guidelines published by the State of California (CGS Special Publication 117A) and the Southern California Earthquake Center (SCEC, 1999). A recommended depth of 50 feet should be explored and evaluated in the investigation.
3. **Sanitary:** At PD Permit stage, provide a sanitary sewer analysis to determine lateral connection point(s) for the project. Upgrades to the existing 10" – 12" sewer system within San Jose Airport site may be required. The report should include flow monitoring data at the following two locations:
 - a) 8" to 12" main located within the existing San Jose Airport site, north of the proposed project.
 - b) 21" main located in Newhall Street, near Chestnut Street, east of the proposed project.
 4. **Stormwater Runoff Pollution Control Measures:** This project must comply with the City's Post-Construction Urban Runoff Management Policy (Policy 6-29) which requires implementation of Best Management Practices (BMPs) that include site design measures, source controls, and stormwater treatment controls to minimize stormwater pollutant discharges. Post-construction treatment control measures, shown on the project's Stormwater Control Plan, shall meet the numeric sizing design criteria specified in City Policy 6-29.
 - a) The project's preliminary Stormwater Control Plan and numeric sizing calculations have been reviewed. At PD stage, submit the final Stormwater Control Plan and numeric sizing calculations.
 - b) Final inspection and maintenance information on the post-construction treatment control measures must be submitted prior to issuance of a Public Works Clearance.
 - c) A post construction Final Report is required by the Director of Public Works from a Civil Engineer retained by the owner to observe the installation of the BMPs and stating the all post construction storm water pollution control BMPs have been installed as indicated in the approved plans and all significant changes have been reviewed and approved in advance by the Department of Public Works.
 5. **Flood: Portion in Zone AO, Depth 1 ft**

If any proposed structure is located within the above stated flood zone, the following requirements will apply:

 - a) Elevate the lowest finished floor of the structure to one foot above the highest existing adjacent grade to the proposed structure or floodproof to the same elevation.

- b) If the proposed structure is elevated, an Elevation Certificate based on construction drawings is required prior to the issuance of a building permit. Consequently, an Elevation Certificate based on finished construction is required prior to issuance of an occupancy permit.
 - c) If the proposed structure is floodproofed, a Floodproofing Certificate (FEMA Form 81-65), a Flood Emergency Operation Plan, and an Inspection & Maintenance Plan are required prior to the issuance of a Public Works Clearance.
 - d) Building support utility systems such as HVAC, electrical, and plumbing systems must be elevated above the base flood elevation or protected from flood damage.
6. **Sewage Fees:** In accordance with City Ordinance all storm sewer area fees, sanitary sewer connection fees, and sewage treatment plant connection fees, less previous credits, are due and payable.
7. **Transportation:**
- a) Coleman Avenue / Borkaw Road: Construct a second westbound left-turn lane on Borkaw Road. This includes traffic signal modifications within the existing public right-of-way. This intersection is within City of Santa Clara and will require an encroachment permit from the City of Santa Clara.
 - b) SR87 / Taylor Street: This signalized intersection is currently under Clatrans jurisdiction but is planned to be transferred to the City of San Jose. To mitigate the impact at this intersection, this project shall be responsible to provide new traffic signal controller and interconnect conduits in order to modify signal timing to support the project.
 - c) The project will be required to prepare a Traffic and Parking Management Plan (TPMP) to address traffic that would occur prior to a stadium event. At PD Permit stage, submit a draft TPMP for review. The final TPMP shall be developed by the project applicant in coordination with the City of San Jose and other relevant agencies and be completed prior to issuance of a building permit. Refer to the Public Works traffic memo for details of the TPMP requirements.
8. **Street Improvements:**
- a) Applicant shall be responsible to remove and replace curb, gutter, and sidewalk damaged during construction of the proposed project.
 - b) Construct a new traffic signal at Coleman Avenue and southerly project entrance, approximately 950' north of Newhall Drive. The new signalized intersection should include two northbound left turn lanes. Extension and modification to the existing median island along Coleman Avenue is required.
 - c) Coleman Avenue is a 130' General Plan Street. Dedicate and improve Coleman Avenue frontage between Newhall Drive and approximately 300' north of the new signalized intersection to conform to the City's plan line. The new street section should include a 12' wide sidewalk and 43' for the three southbound travel lanes.
 - d) Construct necessary transition from new curb alignment to the existing curb alignment north of the new signalized intersection.
 - e) Relocate existing bus stop along Coleman Avenue project frontage to the satisfaction of Director of Public Works.

9. **Electrical:** Existing electroliers along the project frontage will be evaluated at the public improvement stage and any street lighting requirements will be included on the public improvement plans.

10. **Street Trees:**
 - a) The locations of the street trees will be determined at the street improvement stage. Street trees shown on this permit are conceptual only.
 - b) Contact the City Arborist at (408) 277-2756 for the designated street tree.
 - c) Install street trees within public right-of-way along entire project street frontage per City standards; refer to the current "Guidelines for Planning, Design, and Construction of City Streetscape Projects". Street trees shall be installed in cut-outs at the back of curb. Obtain a DOT street tree planting permit for any proposed street tree plantings.

Please contact the Project Engineer, Vivian Tom, at (408) 535-6819 if you have any questions.



Ebrahim Sohrabi
Senior Civil Engineer
Development Services Division



ES:vt

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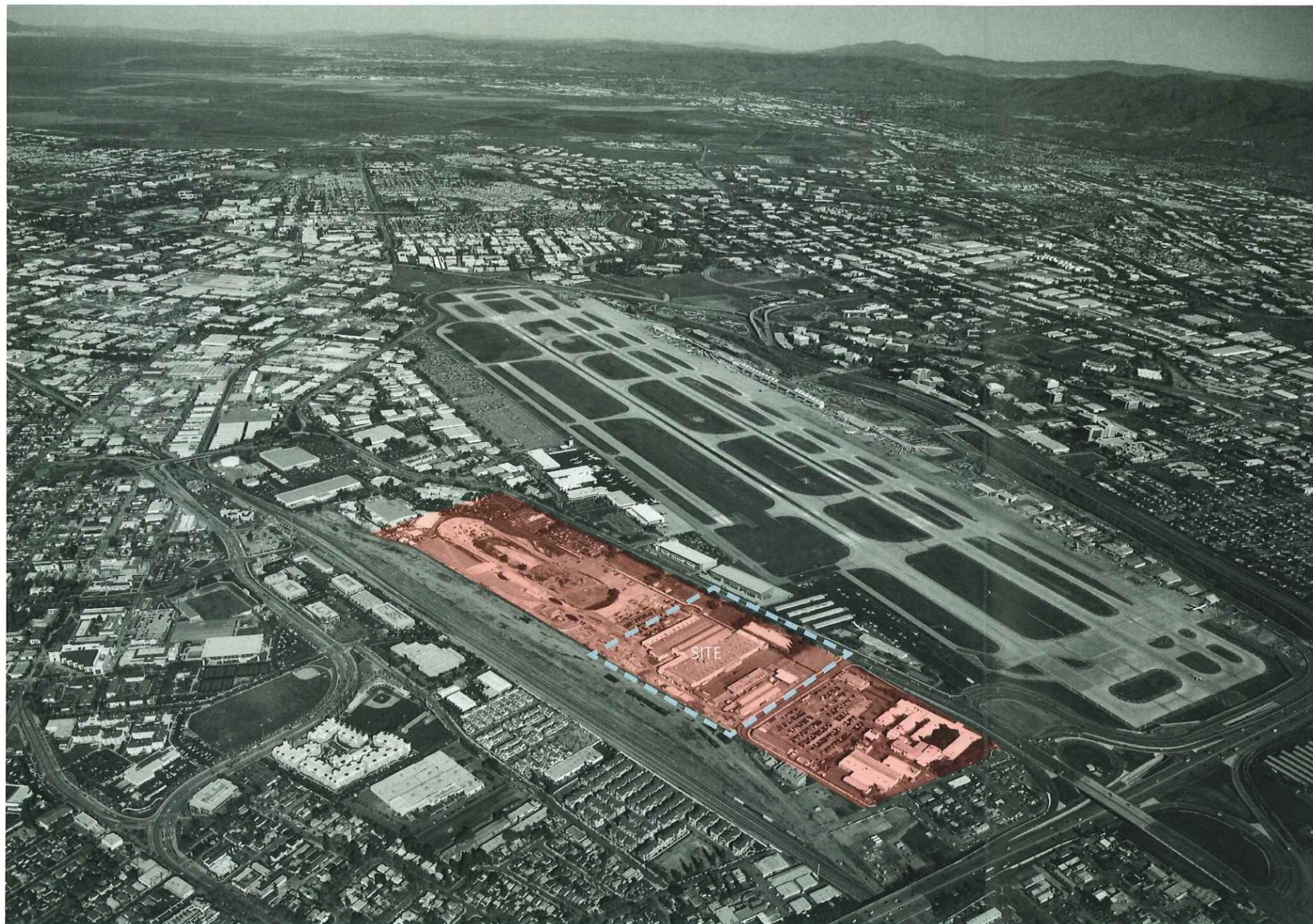


TABLE OF CONTENTS

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- 3 CONCEPTUAL SITE PLAN
- 4 CONCEPTUAL GRADING AND DRAINAGE PLAN
- 5 CONCEPTUAL STORMWATER MANAGEMENT PLAN
- 6 CONCEPTUAL BUILDING ELEVATIONS AND ILLUSTRATIVE VIEWS
- 7 ADDITIONAL ILLUSTRATIVE VIEWS
- 8 CONCEPTUAL LANDSCAPE PLAN
- 9 CONCEPTUAL BUILDING HEIGHT LIMIT PLAN
- 10 CONCEPTUAL STREET SECTIONS
- 11 EXISTING CONDITIONS PLAN

SITE AREA

ACREAGES	
Area 1	16.36 Acres
Area 2	15.16 Acres
Area 3	6.27 Acres
Area 3A	14.50 Acres (Net)
Area 4	22.10 Acres
Total	74.39 Acres (Gross)

PROJECT AREA DATA

PARKING:	5.89 Acres (40.6%)
BUILDING:	4.45 Acres (30.7%)
LANDSCAPE:	4.16 Acres (28.7%)

USES

- OFFICE
- RESEARCH & DEVELOPMENT
- RETAIL
- OFFICE FLEX SPACE
- RENTAL CAR
- AIRPORT PARKING
- HOTEL
- STADIUM

GENERAL

CLIENT
 Coleman Airport Partners LLC
 10121 Miller Avenue, Suite 200
 Cupertino, CA 95014-3469
 Contact: Ed Storm
 Main: (408) 287-8402
 Fax: (408) 996-8301

OWNER
 Arcadia Development Company
 1115 Coleman Avenue
 San Jose, CA 95110-1104
 Contact: Eli Reinhard
 Direct: (408) 286-4440

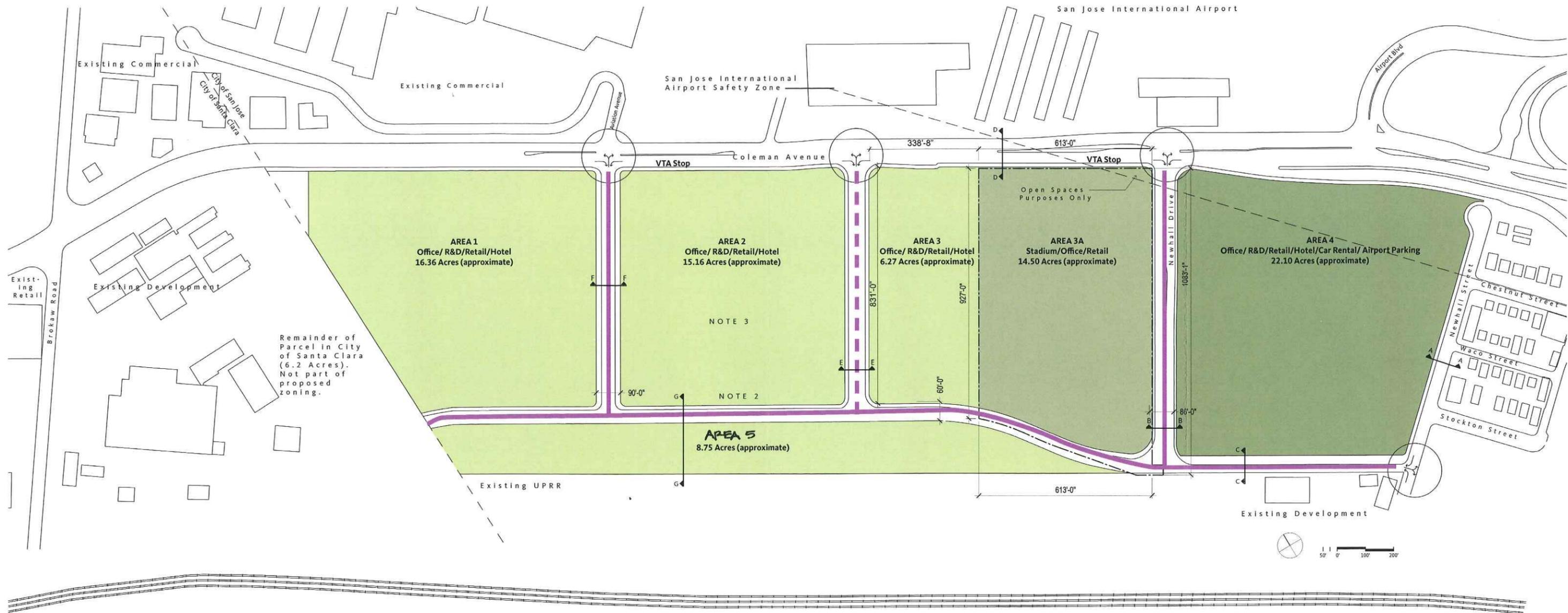
ARCHITECT
 Gensler
 Two Harrison Street, Suite 400
 San Francisco, CA 94105
 Contact: Steve Weindel
 Direct: (415) 836-4234
 Fax: (415) 836-4599

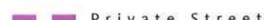
CIVIL ENGINEER
 Kier & Wright
 3350 Scott Boulevard, Building 22
 Santa Clara, Ca 95054
 Contact: Eugene Golobic
 Direct: (408) 727-6665
 Fax: (408) 727-5641

LANDSCAPE ARCHITECT
 The Guzzardo Partnership Inc.
 836 Montgomery Street
 San Francisco, CA 94133
 Contact: Paul T. Lettieri
 Direct: (415) 433-4672x14
 Fax: (415) 433-5003

STADIUM ARCHITECT
 Rossetti Architecture
 999 Sepulveda, Suite 100
 El Segundo, CA 90245
 Contact: Tom Ahn
 Direct: (310) 416-9660
 Fax: (310) 416-9650

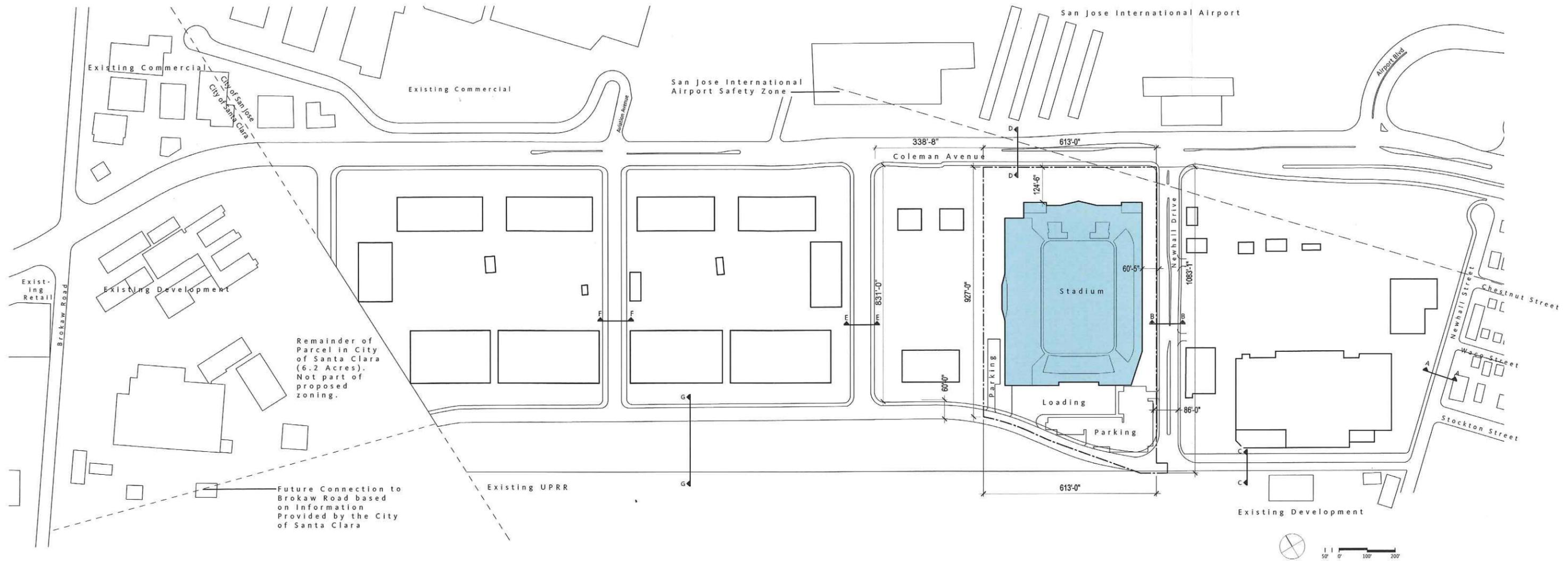
Rev. #	Description	Date
	Issued	01.15.2009
1	Resubmittal	04.24.2009
2	Final Zoning Drawings	02.10.2010



-  Private Street
-  Public Street
-  Full Movement Signalized Intersection
-  Street Cross Section (See Sheet 9)
-  Office/ R&D/ Retail/ Hotel
-  Stadium/ Office/ Retail
-  Office/ R&D/ Retail/ Hotel/ Car Rental/ Airport Parking

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Land Use Plan

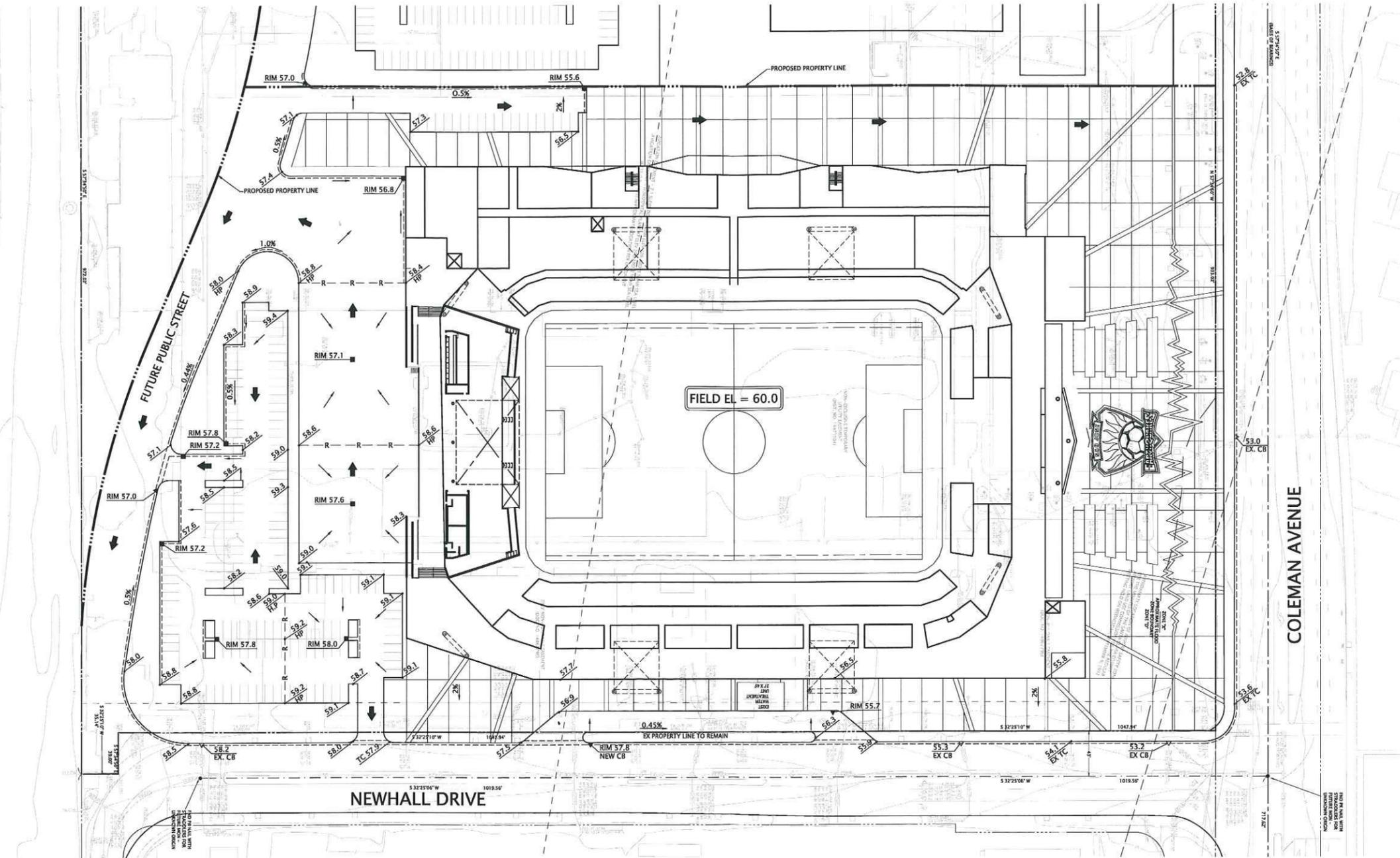


X X Street Cross Section (See Sheet 9)

BUILDING LOCATIONS AND SIZES ARE SUBJECT TO CHANGE. THIS PLAN IS INTENDED TO BE A MASSING DIAGRAM ONLY. BUILDINGS SHALL BE PLACED ON PUBLIC STREETS WITH SURFACE OR GARAGE PARKING LOCATED TO THE REAR.

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Conceptual Site Plan



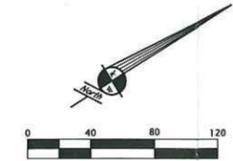
LEGEND

DESCRIPTION

PROPERTY LINE	—————
ADJACENT PROPERTY LINE	—————
CENTERLINE	—————
CATCH BASIN	■ ▲
DIRECTION OF FLOW	→
OVERLAND RELEASE DIRECTION	→
SPOT ELEVATION	100.00
RIDGE	——R——
CURB	——C——
CURB & GUTTER	——CG——

ABBREVIATIONS

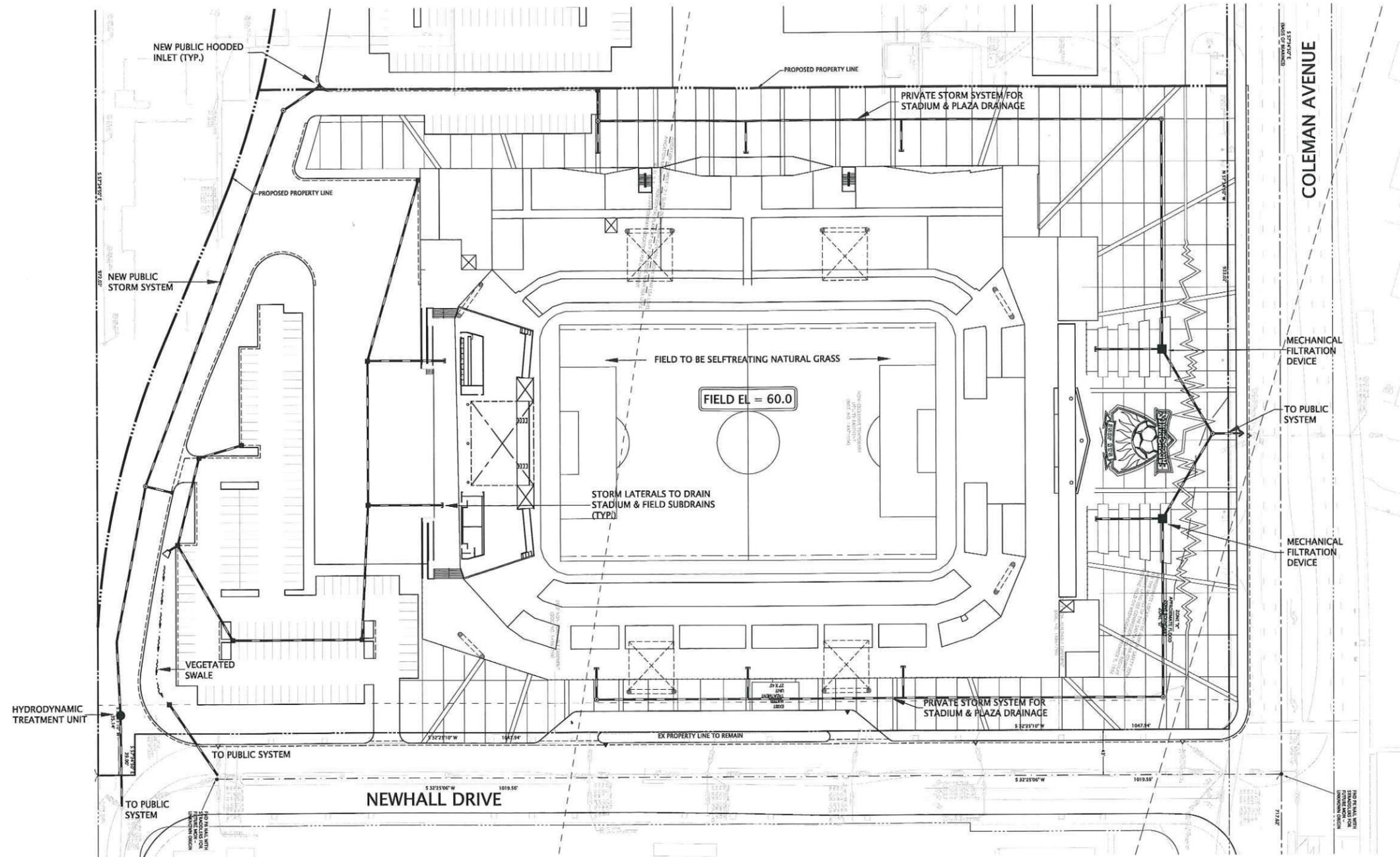
CB	CATCH BASIN
EX	EXISTING
HP	HIGH POINT
RIM	RIM ELEVATION
TC	TOP OF CURB



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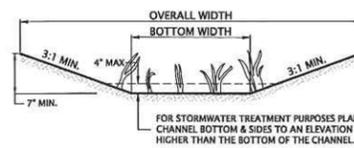
Conceptual Grading and Drainage Plan

General Development Plan Exhibit "C" City File Number: PDC09-004

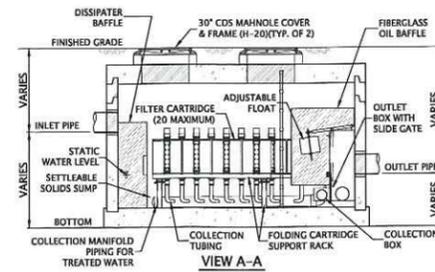


NOTES

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS INTENDED TO PORTRAY POSSIBLE TREATMENT MEASURE ONLY. FINAL DESIGN WILL BE DETERMINED AT A FUTURE STAGE.
2. TREATMENT MEASURES NOT SHOWN MAY ALSO BE UTILIZED SUCH AS PERMEABLE PAVEMENT, DETENTION SYSTEM, TREE CREDITS, FILTERRA SYSTEMS, ETC.



TYPICAL VEGETATED SWALE
N.T.S.



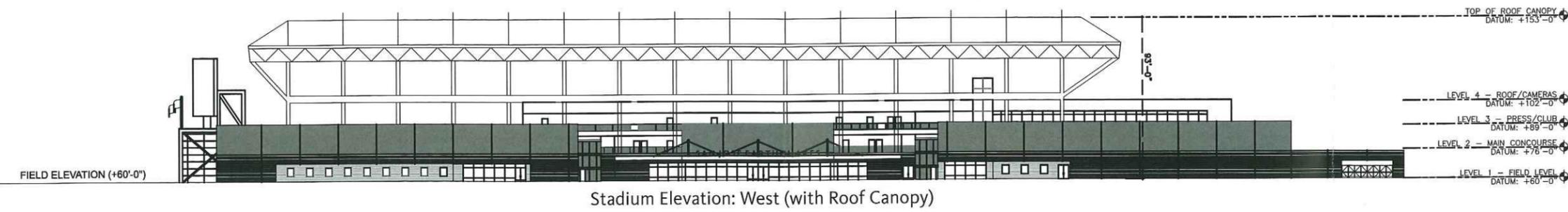
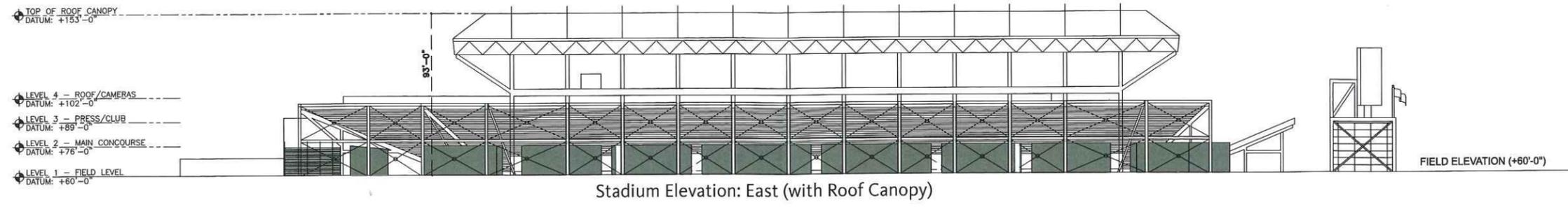
MEDIA FILTRATION UNIT
N.T.S.

LEGEND

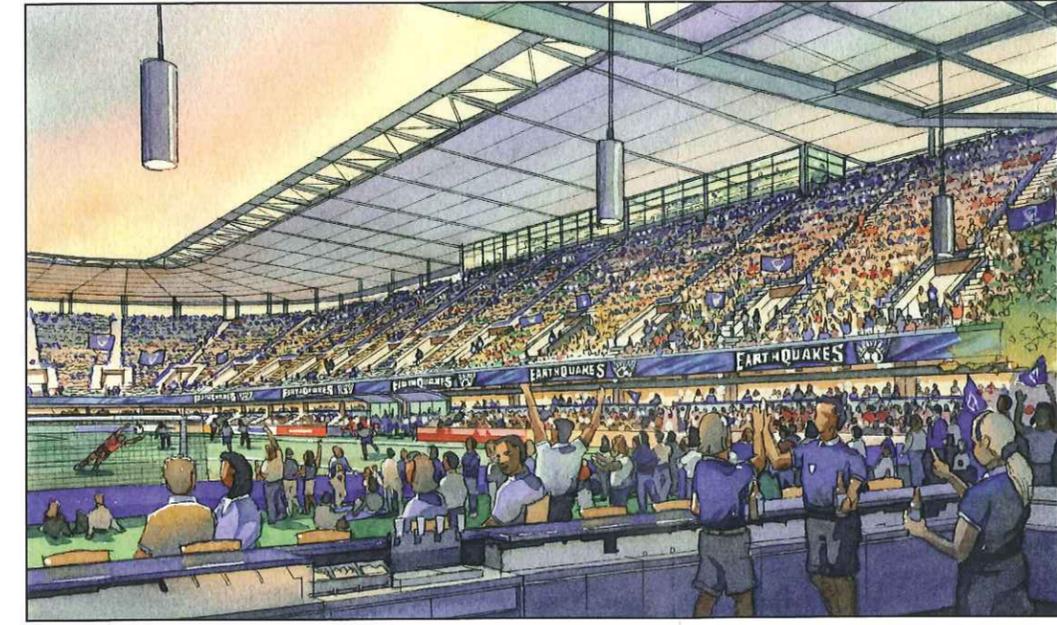
- DESCRIPTION
- PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - CENTERLINE
 - CATCH BASIN
 - STORM DRAIN MANHOLE
 - TREATMENT UNIT
 - CURB
 - CURB & CUTTER
 - STORM DRAIN

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Conceptual Stormwater Management Plan



Illustrative View 1



Illustrative View 2

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Conceptual Building Elevations & Illustrative Views

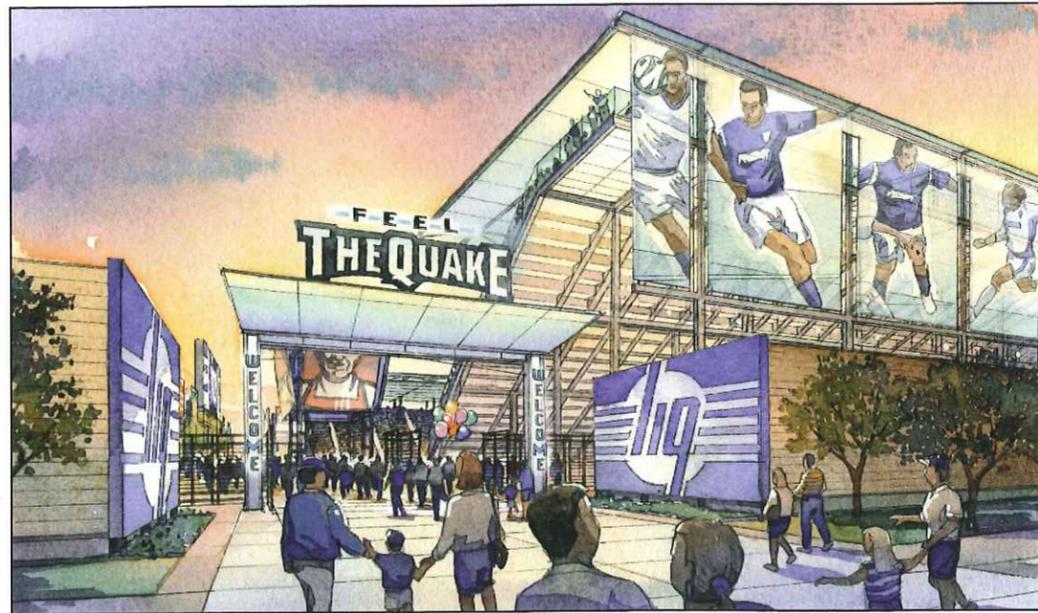
General Development Plan Exhibit "C" City File Number: PDC09-004



Illustrative View 3



Illustrative View 4



Illustrative View 5

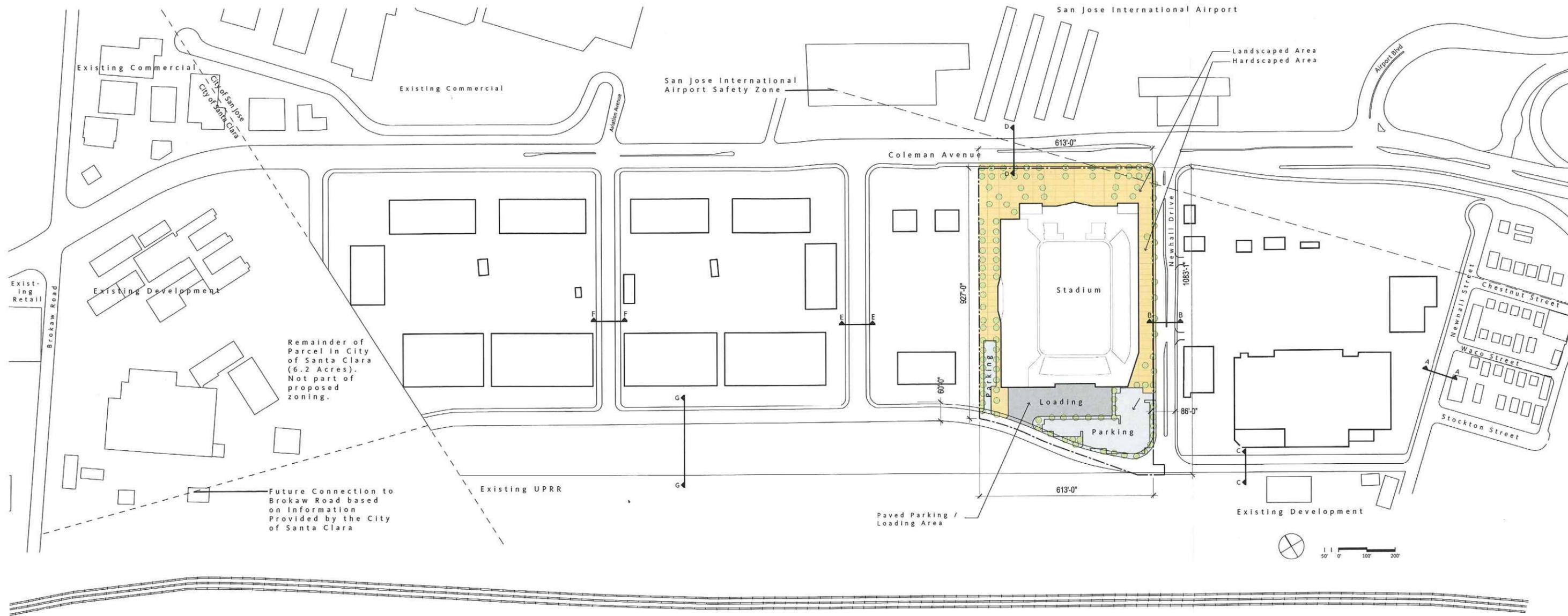


Illustrative View 6

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Additional Illustrative Views

General Development Plan Exhibit "C" City File Number: PDC09-004



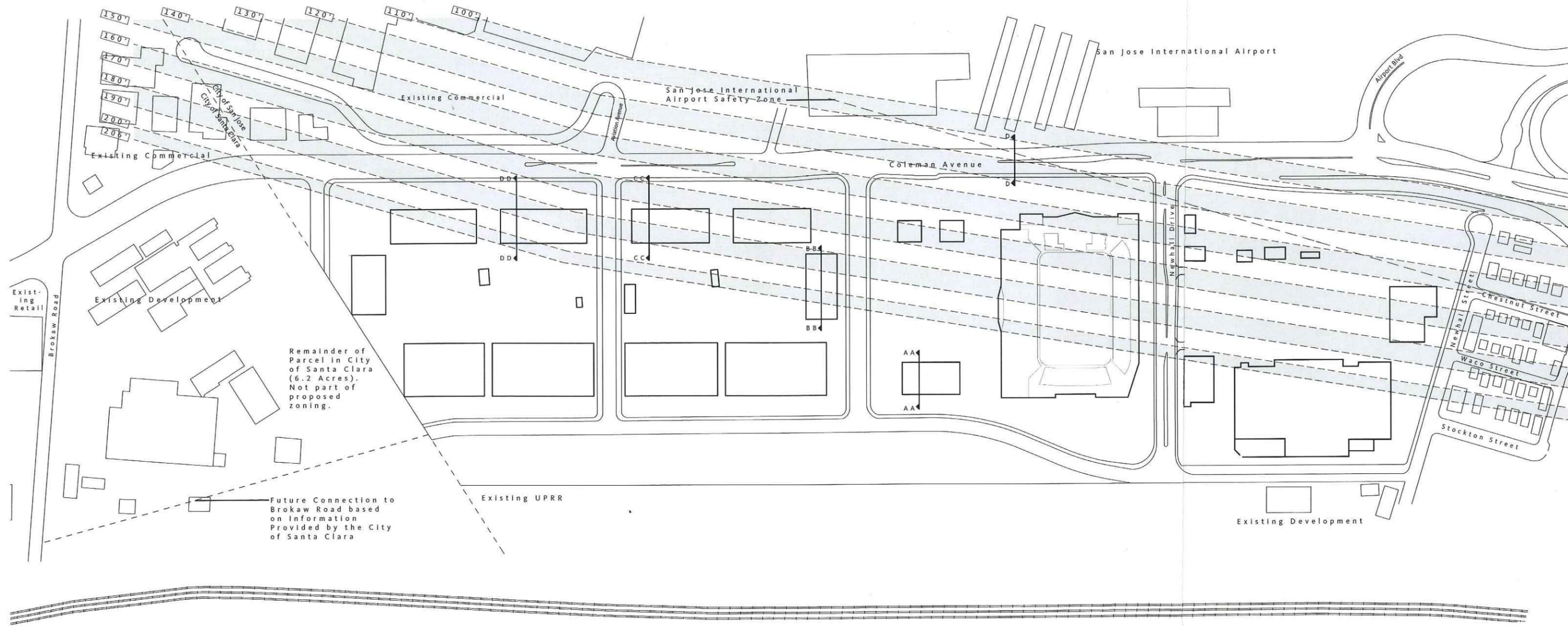
X X Street Cross Section (See Sheet 9)

LANDSCAPE DESIGN IS CONCEPTUAL AND WILL BE DEVELOPED DURING FINAL DESIGN.

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Conceptual Landscape Plan

General Development Plan Exhibit "C" City File Number: PDC09-004



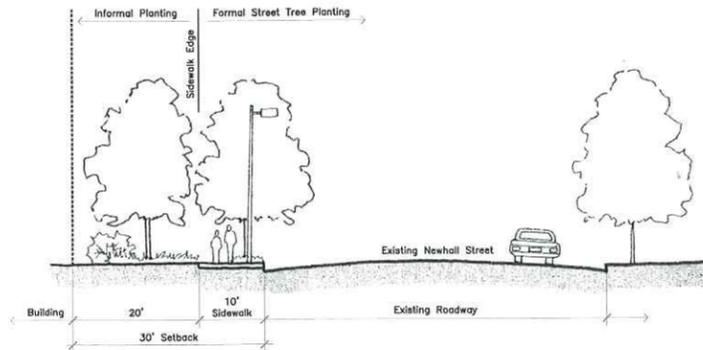
X X Building Height Sections (See Sheet 8)

BUILDING HEIGHTS AS LIMITED BY THE AVIGATION EASEMENT GRANTED TO THE CITY OF SAN JOSE
 BUILDING HEIGHT LIMIT = AVIGATION EASEMENT ELEVATION — EXISTING TOPOGRAPHY

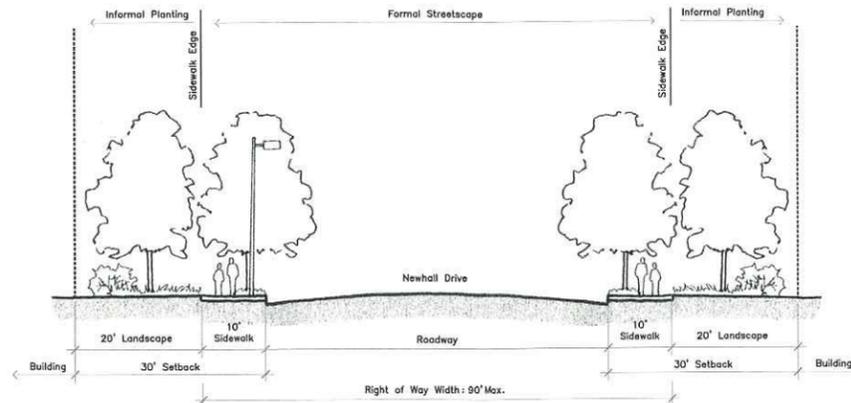
Rev. #	Description	Date
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Conceptual Building Height Limit Plan

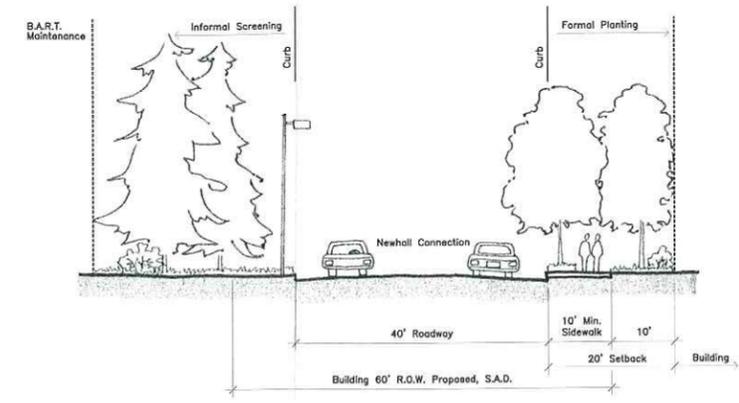
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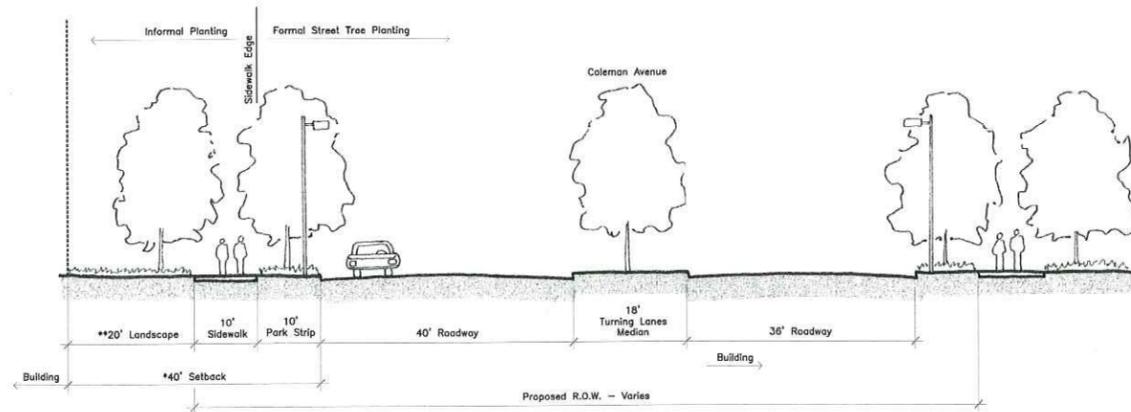
Section A-A
Scale: 1" = 10'-0"



Section B-B
Scale: 1" = 10'-0"

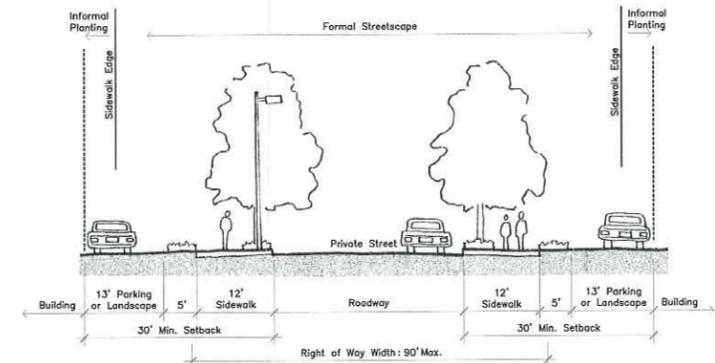


Section C-C
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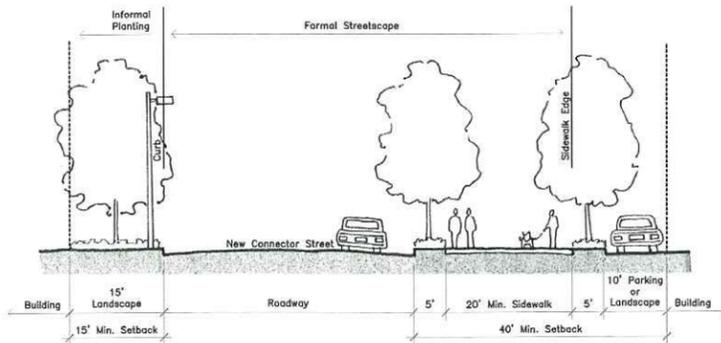


Notes:
 * A 25' Minimum Setback occurs at the Southwest corner of Aviation Avenue and Coleman Avenue
 ** A 5' Minimum Landscaped 'Front Yard' occurs at all instances of the 25' minimum setback

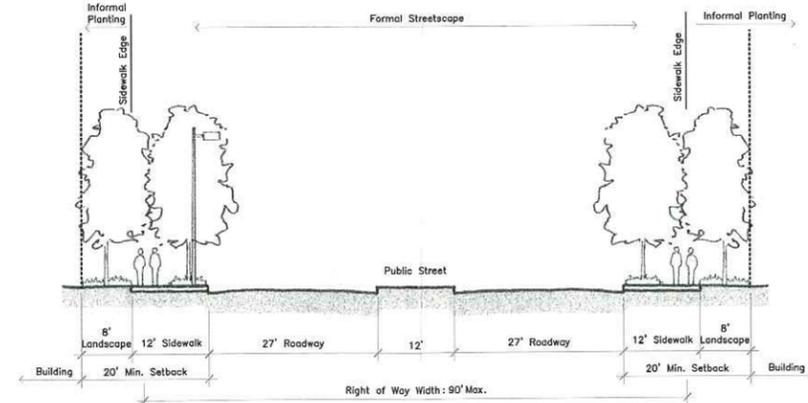
Section D-D
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Section E-E
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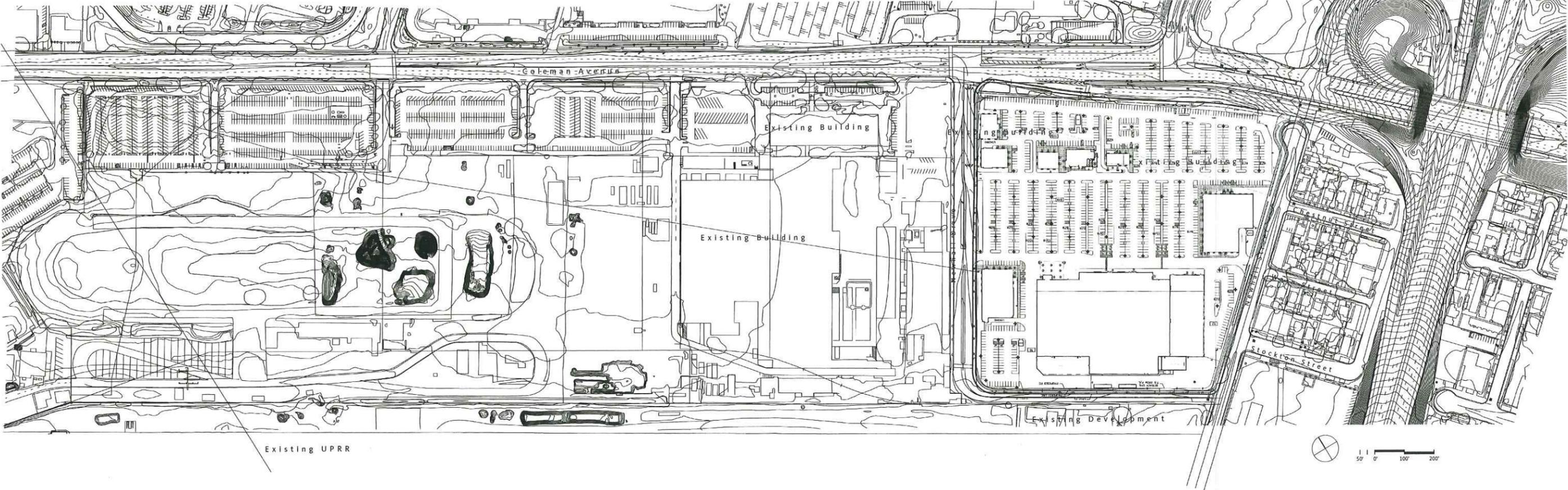
Section G-G
Scale: 1" = 10'-0"



Section F-F
Scale: 1" = 10'-0"

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Conceptual Street Sections



NOTE: ALL EXISTING BUILDINGS TO BE DEMOLISHED AS CONSTRUCTION OCCURS.

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Existing Conditions Plan