



CITY COUNCIL STAFF REPORT

File No.	PDC19-007
Applicant:	Hunter Properties
Location	Property generally bounded by Coleman Avenue to the north; Union Pacific Right-of-Way to the south; Newhall Street to the east and the City of Santa Clara border, to the west
Existing Zoning	A(PD) Planned Development
Council District	3
Historic Resource	No
Annexation Date:	December 8, 1925
CEQA:	Determination of Consistency with the FMC/Coleman Avenue Environmental Impact Report (SCH# 1999122059), the Airport West Stadium and Great Oaks Place Project Environmental Impact Report (SCH# 2009052053), the Envision San Jose 2040 General Plan Final Environmental Impact Report (SCH# 2009072096), the Envision San Jose 2040 General Plan Final Supplemental Environmental Impact Report (SCH# 2009072096), and addenda thereto

APPLICATION SUMMARY:

Conforming Rezoning from the A(PD) Planned Development Zoning District to the A(PD) Planned Development Zoning District to modify the minimum building setback requirement on the north side of Champions Drive from 40 feet to 30 feet, on an approximately 94.8-gross acre site.

RECOMMENDATION:

Adopt an ordinance rezoning an approximately 94.8-gross acre site generally bounded by Coleman Avenue to the north; Union Pacific Right-of-Way to the south; Newhall Street to the east and the City of Santa Clara border, to the west, from the A(PD) Planned Development Zoning District to the A(PD) Planned Development Zoning District.

PROJECT DATA

GENERAL PLAN CONSISTENCY			
General Plan Designation		Combined Industrial/Commercial <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent	
Consistent Policies		IP-1.6, IP-8.5; CD-2.10, CD-4.1, CD-4.3	
SURROUNDING USES			
	General Plan Land Use	Zoning	Existing Use
North	Public/Quasi-Public	HI Heavy Industrial	Mineta-San Jose International Airport
South	Combined Industrial/Commercial	HI Heavy Industrial	Union Pacific Railroad Right-of-Way, with residential and commercial uses beyond
East	Heavy Industrial, Combined Industrial/Commercial	HI Heavy Industrial, LI Light Industrial	Offices and single- and multi-family residences
West	None (City of Santa Clara)	None (City of Santa Clara)	Vacant

PROJECT DESCRIPTION

On February 8, 2019, the applicant, Hunter Properties, applied for a Conforming Rezoning from the A(PD) Planned Development Zoning District to the A(PD) Planned Development Zoning District on the subject site. The purpose of the rezoning is to allow the building setback requirement from the north side of Champions Drive to be reduced from 40 feet to 30 feet, as measured from the face of curb, and to maintain all other previously approved development standards, including allowed uses and intensities consistent with the established development standards in the General Development Plan of the current Planned Development Zoning (File No. PDC09-004). The proposed 30-foot setback requirement, as well as all other previously approved development standards, including allowed uses and development intensities matching those of the existing Planned Development Zoning, are as stated in the attached proposed General Development Plan for the property.

Site Description and Surrounding Uses

The site is bordered by the Mineta-San José International Airport to the north (across Coleman Avenue); the Union Pacific Right of Way to the south; a mix of office, single and multi-family residences to the east; and vacant land to the west. The eastern portion of the site is currently developed with a retail shopping center and the Avaya Stadium. Across Earthquakes Way from the stadium, two office buildings are under construction and nearing completion; and site work has begun on two new office buildings and a parking garage immediately west of the aforementioned office buildings (Figure 1).



Figure 1: Aerial Image of the subject site

Background

Planned Development Zonings were approved for the site (formerly FMC property) in 2008 and 2009 to allow up to 1.5 million square feet of commercial office (along with 75,000 square feet of supportive retail development); 300 hotel rooms; 275,000 feet of commercial retail space; and a professional sports stadium (Avaya Stadium) with up to 18,000 seats. There has been a number of Planned Development Permits approved since 2008 to implement the Planned Development Zoning including for the shopping center (Coleman Landing), Avaya Stadium, and Phase I of the Coleman Highline office/R&D campus (currently under construction).

ANALYSIS

The proposed project was analyzed for conformance with the following:

- 1) Envision San José 2040 General Plan;
- 2) Zoning Ordinance; and
- 3) California Environmental Quality Act (CEQA).

Envision San José 2040 General Plan Conformance

The subject site has an Envision San José 2040 General Plan Land Use/Transportation Diagram designation of Combined Industrial/Commercial (Figure 2).

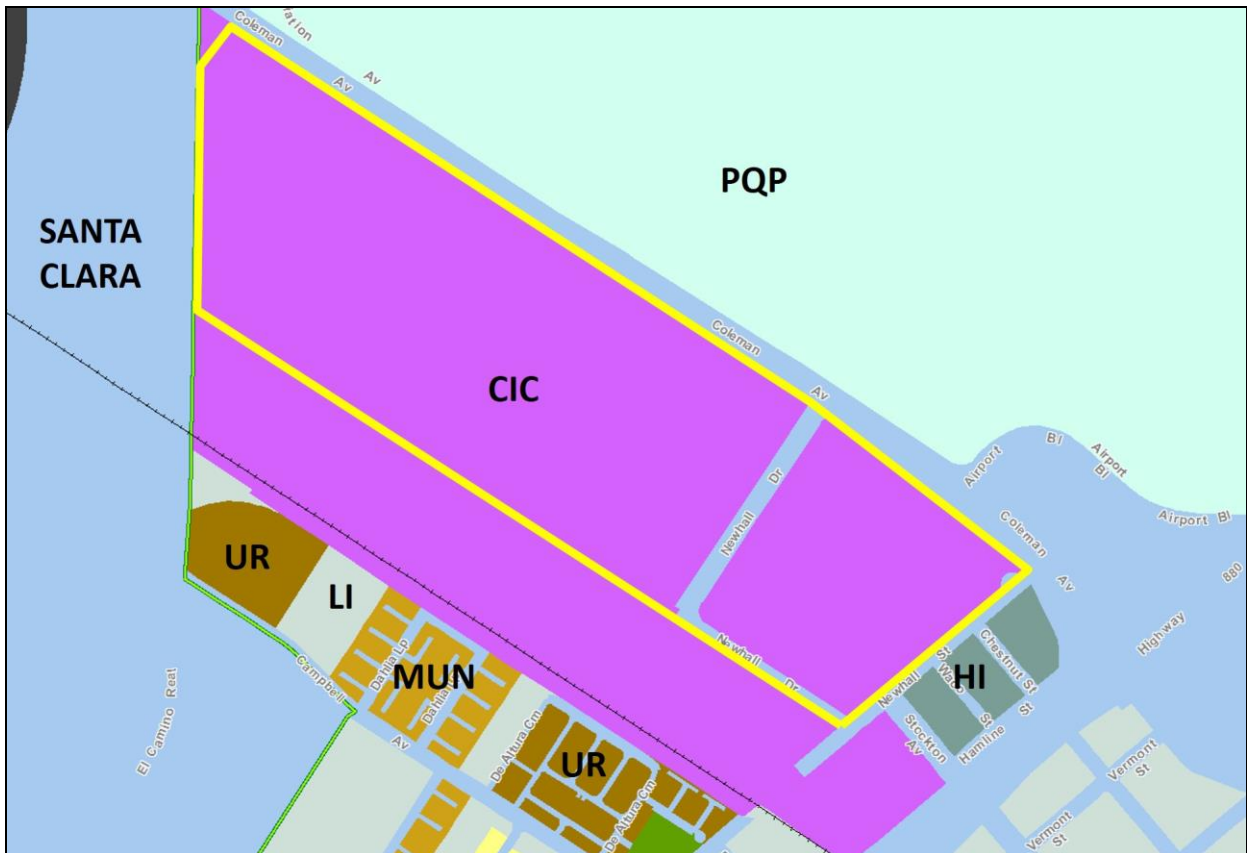


Figure 2: General Plan Land Use/Transportation Diagram

This category allows a significant amount of flexibility for the development of a varied mixture of compatible commercial and industrial uses, including hospitals and private community gathering facilities. Properties with this designation are intended for commercial, office, or industrial developments or a compatible mix of these uses. The proposed and current uses and intensities of R&D/office, retail and stadium are consistent with this designation.

The proposed rezoning is consistent with the following General Plan policies:

1. Implementation Policy IP-1.6 (Land Use/Transportation Diagram): Ensure that proposals to rezone and prezone properties conform to the Land Use/Transportation Diagram and advance Envision General Plan Vision, goals, and policies.
2. Implementation Policy 18.5 (Planned Development Zonings): Use the Planned Development zoning process to tailor such regulations as allowed uses, site intensities and development standards to a particular site for which, because of unique circumstances, a Planned Development zoning process will better conform to Envision General Plan goals and policies than may be practical through implementation of a conventional Zoning District. These development standards and other site design issues implement the design standards set forth in the *Envision General Plan* and design guidelines adopted by the City Council. The second phase of this process, the Planned Development permit, is a combined site/architectural permit and conditional use permit which implements the approved Planned Development zoning on the property.

3. Community Design Policy CD-2.10 (Efficient land use): Recognize that finite land area exists for development and that density supports retail vitality and transit ridership. Use land use regulations to require compact, low-impact development that efficiently uses land planned for growth, especially for residential development which tends to have a long life-span.
4. Community Design Policy CD-4.1 (Design guidelines): Maintain and update design guidelines adopted by the City and abide by them in the development of projects.
5. Community Design Policy CD-4.3 (Consistent development patterns): Promote consistent development patterns along streets, particularly in how buildings relate to the street, to promote a sense of visual order, and to provide attractive streetscapes.

Analysis: The request is to allow a 30-foot setback along the north side of Champions Drive only, and continue the currently allowed setbacks from all other streets surrounding and within the project site. Champions Drive is a secondary east-west connector street that provides “back of house” access along the rear portion of the Coleman Highline project, including parking garages and surface parking that serves development fronting onto Coleman Avenue and intersecting project site streets.

The 30-foot setback request uses the Planned Development Zoning process to better conform to Envision General Plan goals and policies. Specifically, the request will allow greater efficiency in the use of land for development projects, by allowing more land area to be used for development than is currently allowed (although, proposed uses and development intensities match those of the existing allowed uses and intensities; therefore, no increase in allowed square footage is proposed). At the same time, the Commercial Design Guidelines promote attractive streetscapes and a sense of visual order through the relationship of buildings to streets. While street setback areas can help reduce massing effects of projects along the street, the subject street is a secondary connector street with little public visibility. Through the Planned Development Permit process, the Commercial Design Guidelines will be applied to ensure the height and design of buildings or structures along this street is appropriate to the proposed 30-foot setback area. The proposed 30-foot setback requirement is therefore consistent with applicable General Plan policies. All other setbacks and development standards are proposed to match the existing approved development standards for the site, and allow for development consistent with General Plan policies, through the Planned Development Permit process.

Zoning Ordinance Conformance

The proposed rezoning conforms with Table 20-270, Section 20.120.110 of the San José Municipal Code, which identifies the A – Agricultural Zoning District as a Conforming District for all General Plan Land Use Designations. This table further states a Planned Development (PD) Combining District conforms to the General Plan designation where the uses permitted by the general development plan for such proposed district conform to the General Plan designation and where the base zone thereof conforms to said designation in accordance with this table. The proposed uses of the General Development Plan match those of the existing approved General

Development Plan and are allowed uses within the Combined Industrial/Commercial designation; therefore, the proposed A(PD) Planned Development Zoning is a Conforming Zoning District of the General Plan.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

A Determination of Consistency has been prepared for the project. Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that the project is pursuant to or in furtherance of the FMC/Coleman Avenue Environmental Impact Report (SCH# 1999122059), the Airport West Stadium and Great Oaks Place Project Environmental Impact Report (SCH# 2009052053), the Envision San Jose 2040 General Plan Final Environmental Impact Report (SCH# 2009072096), the Envision San Jose 2040 General Plan Final Supplemental Environmental Impact Report (SCH# 2009072096), and addenda thereto, and does not involve new significant effects beyond those analyzed in the Final EIRs.

The FMC/Coleman EIR analyzed development on the full 92.5 acre FMC site for a variety of uses. Subsequent approved permits and rezoning (PDC08-050 and PDC09-004) continue to be within the full capacity that was analyzed in the FMC/Coleman EIR. The Airport West Stadium/Great Oaks Place EIR analyzed and was approved for the construction of the stadium on 14.5-acre of the 92.5-acre site and the development of approximately 1.5 million square feet of office/R&D, 75,000 square feet of retail, and 300 rooms of hotel use on the Airport West site (which includes the Airport West Stadium site) did not exceed the traffic performance criteria of the approved three million square feet of office/R&D approved on the full 92.5-acre site.

The currently proposed Conforming Rezoning and possible subsequent Planned Development Permit Amendments would alter the minimum building setback on Champion Drive, add more parking spaces, a new parking garage, and a hotel on the existing site. Upon review of the currently proposed amendment, the addition of the new parking garage and space, and the new hotel would continue to be within the approved capacity of the approved EIRs and does not involve any new significant effects beyond those analyzed in the Final EIRs.

PUBLIC HEARING NOTIFICATION

Staff followed Council Policy 6-30: Public Outreach Policy. An on-site sign containing the file number and project description was posted on the subject property in accordance to City policy. In addition, a notice of the public hearing was distributed to the owners and tenants of all properties located within 1,000 feet of the project site and posted on the City website. The staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

/s/

Rosalynn Hughey, Director
Planning, Building and Code Enforcement

For questions, please contact Robert Manford, Deputy Director, at (408) 535-7900.

Attachment: General Development Plan



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- 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

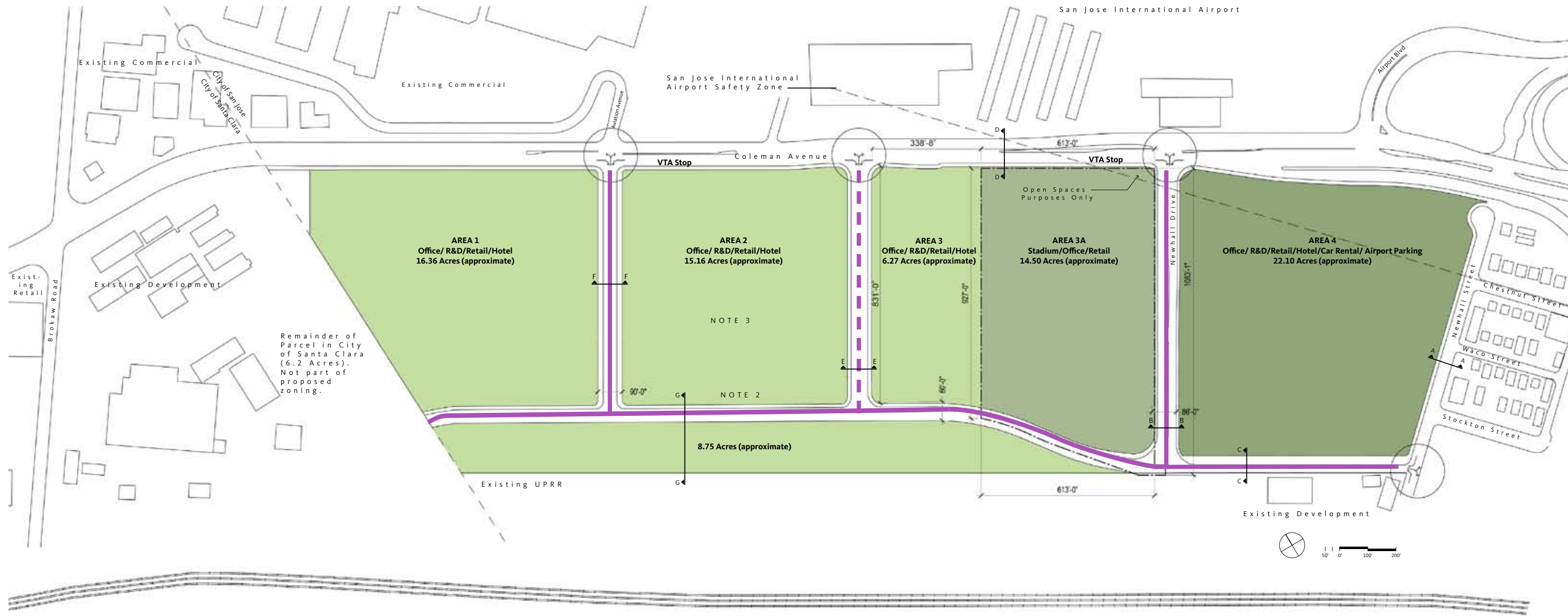
ARCHITECT
 Gensler
 Two Harrison Street, Suite 400
 San Francisco, CA 94105
 Contact: Steve Weindel
 Direct: (415) 836-4234
 Fax: (415) 836-4599

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
3	Final Zoning Drawings - Addendum 1	05.14.2010



- 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

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-D.2 below.
d) Area 5. Uses allowed are limited to those that do not generate PM Peak hour traffic trips.
2) Traffic Performance Criteria. If a traffic analysis is required pursuant to Section 1-D.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.
3) In addition to the trips described in Section 1-D.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-D.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 30-foot setback area shall be provided from the face of curb of the vehicular travel lanes on the northern side. This 30-foot setback shall consist of a 5-foot landscape zone, a minimum 20-foot pedestrian sidewalk, and a 5-foot landscaped zone, 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 subdivided 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. Events in Area 3A shall be limited to occur no later than 11:30 p.m.

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:
A. Construction Agreement. The public improvements conditions as part of this project 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.

B. Grading/Geology.
1) A grading permit is required prior to the issuance of a Public Works Clearance.
2) If the project proposed 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 the issuance of a grading permit, contact the Department of Transportation at 408-535-3850 for more information concerning the requirement for obtaining this permit.
3) Because the project involves a land disturbance of one or more acres, the application 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.
4) 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 the 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.

C. Sanitary.
At the Planned Development 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:
1) 8”-12” main located within the existing San Jose Airport site, north of the proposed project.
2) 21” main located in Newhall Street, near Chestnut Street, east of the proposed project.

D. 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.
1) The project’s preliminary Stormwater Control Plan and numeric sizing calculations

have been reviewed. At the Planned Development Permit stage, submit the final Stormwater Control Plan and numeric sizing calculations.
2) Final inspection and maintenance information on the post-construction treatment control measures must be submitted prior to issuance of a Public Works Clearance.
3) 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 that all post-construction stormwater 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.

E. Flood: Portion in Zone AO, Depth 1 Foot. If any proposed structure is located within the above stated flood zone, the following requirements will apply:
1) 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.
2) 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.
3) 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.
4) Building support utility systems such as HVAC, electrical, and plumbing systems must be elevated above the base flood elevation or protected from flood damage.

F. 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.

G. Transportation:
1) Coleman Avenue / Brokaw Road: Construct a second westbound left-turn lane on Brokaw Road. This includes traffic signal modifications within the existing public right-of-way. This intersection is within the City of Santa Clara and will require an encroachment permit from the City of Santa Clara.
2) SR87 / Taylor Street: This signalized intersection is currently under Caltrans 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.
3) 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. An agreement between the project applicant and the City of San Jose must be executed prior to the Planned Development Permit approval. This agreement must detail the terms of the TPMP, including financial obligations by the developer. The final TPMP shall be produced by the Department of Transportation in coordination with the project applicant and other relevant agencies. The final TPMP shall commence at Building Permit issuance and be finalized prior to the opening of the stadium.

H. Street Improvements:
1) Applicant shall be responsible to remove and replace curb, gutter, and sidewalk damaged during construction of the proposed project.
2) 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.
3) 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.
4) Construct necessary transition from new curb alignment to the existing curb alignment north of the new signalized intersection.
5) Relocate existing bus stop along Coleman Avenue project frontage to the satisfaction of Director of Public Works.

I. 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.

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J. Street Trees:

- 1) The location of the street trees will be determined at the street improvement stage. Street trees shown on this plan are conceptual only.
- 2) Contact the City Arborist at 408-277-2756 for the designated street trees.
- 3) 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 cutouts at the back of curb. Obtain a DOT street tree planting permit for any proposed street tree plantings.

5. ENVIRONMENTAL MITIGATION

A. Land Use Mitigation Measures

- 1) If firework displays are planned at the stadium, the stadium operator shall obtain the required City permit for firework displays. In addition, firework sponsors shall coordinate events in advance with the FAA (if requested by the FAA) to ensure that the activity (timing, height, and materials) does not pose a hazard to the safe operation of the Airport.
- 2) The stadium operator shall implement best management practices to deter nuisance species (such as gulls) including avoidance of open garbage bins/receptacles, timely stadium and parking lot clean-up, and/or other measures to be determined by the City at the time of development permit review.

B. Visual Mitigation Measures

- 1) At the Planned Development Permit stage when specific lighting features are designed, the Airport West Stadium component shall submit a photometric study of the proposed stadium lighting to the Director of PBCE. As part of the exception process, the Lick Observatory will be contacted.

C. Transportation Mitigation Measures

- 1) Dedicate and improve frontage along Coleman Ave. to the ultimate 130' width along the project frontage. This will include construction of a bus stop.
- 2) Install a new traffic signal at the new project access between Aviation Ave. and Newhall Drive and include double left-turns along Coleman Ave.
- 3) To mitigate the impact at Coleman Ave. and Brokaw Road, the project will be required to construct a second westbound left-turn lane on Brokaw Road. This improvement would require modifying the east leg of the intersection, including traffic signal modifications, and would not require any right-of-way acquisition. This intersection is within City of Santa Clara jurisdiction and will require an encroachment permit from the City of Santa Clara.
- 4) To mitigate the impact at the SR87 Ramps and Taylor, the project will implement a Traffic and Parking Management Plan (TPMP) which includes special signal timing at this intersection for soccer events. The traffic signal is currently under Caltrans jurisdiction but is planned to be transferred to the City of San Jose for maintenance and operation. The project shall be responsible for all costs associated with modifying the traffic signal timing, including the traffic signal controller upgrade and interconnection.
- 5) As part of the TPMP, implement temporary traffic control at the intersection of Aviation Ave. and Coleman Ave. for soccer events. This may include use of police, signage, etc. to manage ingress and egress.
- 6) The project will be required to prepare a Traffic and Parking Management Plan (TPMP) in conjunction with the construction of the stadium to address traffic that would occur prior to a stadium event. The purpose of the TPMP is to address the two intersection impacts, as well as establish detailed event traffic and parking management strategies for the stadium to accomplish the following objectives:
 - a) Provide efficient traffic flow to and from nearby freeways, including US 101, I-880, and SR 87;
 - b) Maximize efficient coordination of traffic flow on Coleman Avenue;
 - c) Provide a flexible traffic operations plan that can direct vehicles away from areas experiencing excessive traffic congestion using real-time traffic data and signage.
 - d) Promote efficient and effective vehicular traffic circulation at the stadium;
 - e) Coordinate emergency vehicle access to avoid interference from event traffic.
 - f) Encourage the use of public transit services for stadium events;
 - g) Provide convenient and easy vehicular access to and from

parking areas; and

- h) Provide safe pedestrian connections between the parking areas and the soccer stadium.

An agreement between the project applicant and the City of San Jose must be signed prior to Planned Development Permit approval. This agreement must detail the terms of the TPMP including financial obligations by the developer. The final TPMP shall be produced by DOT in coordination with the project applicant and other relevant agencies. The agreement shall be completed prior to approval of the Planned Development Permit and writing of the final TPMP shall commence when building permit are issued and be finalized prior to opening the stadium.

- 7) The TPMP shall be able to adjust as needs and opportunities arise in order to respond to potential future challenges. The TPMP shall be closely monitored and refined over time, in coordination with the City, to ensure its success. The following elements shall be addressed in detail as part of the TPMP for the proposed stadium:
 - a) Traffic and Parking Management Plans
 - b) Emergency Vehicle Coordination
 - c) Public Transit and Shuttle Service
 - d) Passenger Loading and Unloading Zones
 - e) Vehicular Circulation Plans
 - f) Street and Lane Closures
 - g) Manual Traffic Control (Police Officer/Traffic Control Personnel and Traffic Cones).
 - h) Directional Signage (Static and Changeable)
 - i) Traffic Signal Management Program (TSMP) on Coleman Ave.
 - j) Public Information and Outreach Program.
 - k) Development of a TPMP Committee and Monitoring Program.

- 8) The key elements of the TPMP for the soccer stadium are described in more detail below. The proposed Airport West Stadium component shall be required to implement traffic improvements to ensure that the surrounding roadway network adequately handles the high traffic volumes generated by stadium events during certain peak periods of the day. In addition to the above, the following improvements may need to be implemented as part of the TPMP:
 - a) Project Traffic Management
 - i) Coleman Avenue/Aviation Avenue Intersection – Construct the intersection to the ultimate improvement including construction of two northbound left-turns and three southbound thru lanes.
 - ii) Coleman Avenue/I-880 southbound ramps Intersection- Convert the middle lane on the I-880 southbound off-ramp from a left-turn movement to a rightturn movement beginning one hour prior to weekday and Saturday evening stadium events. Changeable message signs (CMS) would need to be installed at the off-ramp to notify drivers in real-time how the middle lane is operating. The Airport West Stadium component results in an off peak hour impact at this intersection and the above measure would lessen the effect. This improvement requires an encroachment permit from Caltrans. If Caltrans finds this mitigation unacceptable, then the Council could override this impact and adopt a statement of overriding considerations.

- b) Parking Management: After final design of the stadium, and prior to operation of the stadium, the project applicant shall develop an interim parking plan to address stadium event parking. Following the build out of the entire Airport West site, which ultimately includes additional develop of office, retail and hotel uses, a more defined parking plan shall be developed and finalized. The parking plan for the stadium shall address such things as parking demand, parking supply, pre-paid/pre-assigned parking, current parking occupancy (real-time displays), parking lot design and vehicle circulation and appropriate parking management strategies.

- c) Emergency Vehicle Coordination
 - i) During soccer games or major events, traffic flow shall be managed to permit emergency vehicles to avoid interference from event traffic. An emergency access plan that identifies emergency access routes to and from the stadium shall be developed and incorporated into the final TPMP.

- d) Public Transit and Shuttle Service: The final TPMP prepared for the proposed stadium shall include a description of the existing public transit service in the vicinity of the Airport West Stadium site, and shall identify ways to enhance transit service to and from the stadium. The TPMP shall identify multiple transit options that encourage the use of public transit services. Implementing the TPMP will require coordination with the VTA. Improvements to transit service could include but would not be limited to the following:
 - i) Provide frequent VTA bus service directly to the proposed stadium prior to and following events.
 - ii) Provide shuttle service between the proposed stadium and the Santa Clara transit station prior to and following events. This station is currently served by five local bus routes, the Rapid bus route, Caltrain and ACE. In addition a future BART station is planned adjacent to the Santa Clara transit station as part of the planned BART extension from Fremont, through San Jose, to Santa Clara.
 - iii) Provide shuttle service between the soccer stadium and the Civic Center and Gish LRT stations, both located approximately 1.5 miles from the

Airport West Stadium site.

- iv) Publish transit information on Earthquakes' program guides.
- v) Announce transit information on local traffic radio broadcasts and print in local newspapers.
- vi) Provide transit information via information desks during stadium events.
- vii) Encourage the use of public transit by implementing paid parking at the stadium lots. A flat fee upon parking entry or a prepaid parking pass would help to encourage wise mode choices.

- e) Temporary Traffic Control Strategies: Manual traffic control (police officer), traffic cones and/or signage (static and changeable) may be necessary at key intersections along Coleman Avenue. The purpose of the traffic control strategies would be to direct vehicles away from areas experiencing excessive traffic congestion, effectively manage vehicles ingress and egress at the stadium driveways, direct traffic to parking and passenger loading areas onsite, and guide pedestrians and bicyclists to safe routes to and from the stadium. As an example, access to the new public street and other parking areas onsite would not be permissible from Newhall Drive prior to stadium events. Following a stadium event, however, access to and from Newhall Drive would be unrestricted except on Saturday or Sunday afternoon events that may conflict with the adjacent retail (Lowe's) peak weekend traffic. The traffic control strategies that would be implemented in this instance would make drivers aware of the pre-game limited-access situation. The TPMP prepared for the soccer stadium shall describe all of the proposed traffic control strategies in detail.

- f) Signal coordination on Coleman Avenue: Currently, there are over 600 traffic signals within the City of San Jose that are connected to central operating system. Interconnection of traffic signals allows operators to remotely adjust the timing of traffic signals to optimize the flow of traffic as volumes fluctuate throughout the day. All of the intersections located along Coleman Avenue between Taylor Street and Aviation Avenue currently are interconnected. Therefore, the system of traffic signals along Coleman Avenue can be coordinated to effectively manage the high traffic volumes generated by stadium events.

- g) TPMP Committee and Monitoring Program: A TPMP committee shall be established, with ongoing responsibility to monitor, define, implement, and refine the TPMP measures and strategies. The TPMP committee shall consist of City of San Jose Staff, public safety officials (e.g., police and fire), and soccer stadium representatives. The TPMP committee shall plan ahead and tailor the TPMP to meet the demands and needs of each event held at the stadium. Any modifications to the formally adopted TPMP, as recommended by the TPMP committee, would need City approval.

- h) Implement Transportation Demand Management (TDM) measures on stadium event days to the satisfaction of the Director of Transportation. The TDM shall be incorporated into the TPMP Appropriate TDM measures could include, but are not limited to the following:
 - i) Provide incentives for carpools such as preferential parking;
 - ii) Charge for parking or increasing set parking rates if already charging for parking
 - iii) Provide on-site ticket sales for transit services (e.g. bus, LRT, Caltrain, etc.)

- iv) Make information readily available regarding ridesharing/carpooling programs and transit services, and designate an on-site TDM coordinator to assist with this task;

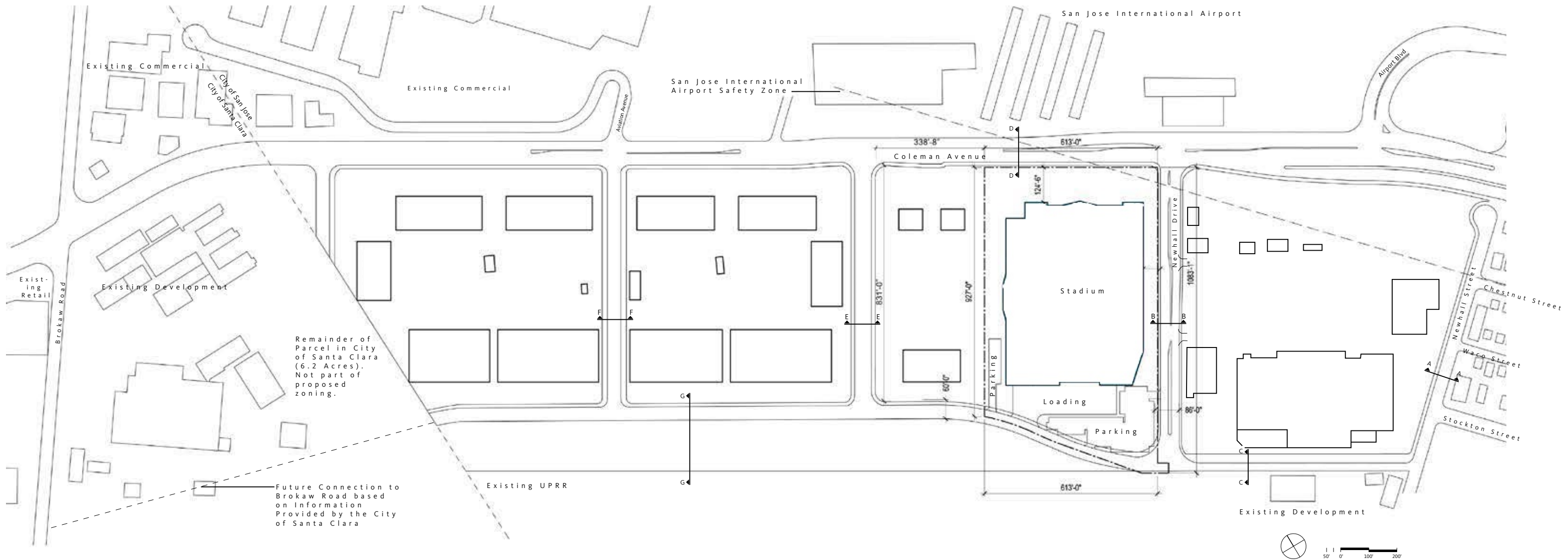
- v) Develop a stadium employee trip reduction program that includes the following for employees; shuttle service to transit, subsidized transit passes and Eco-passes, cash-out program for no-drivers, carpooling/ridesharing program, bike lockers, and on-site showers.

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.

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Development Standards



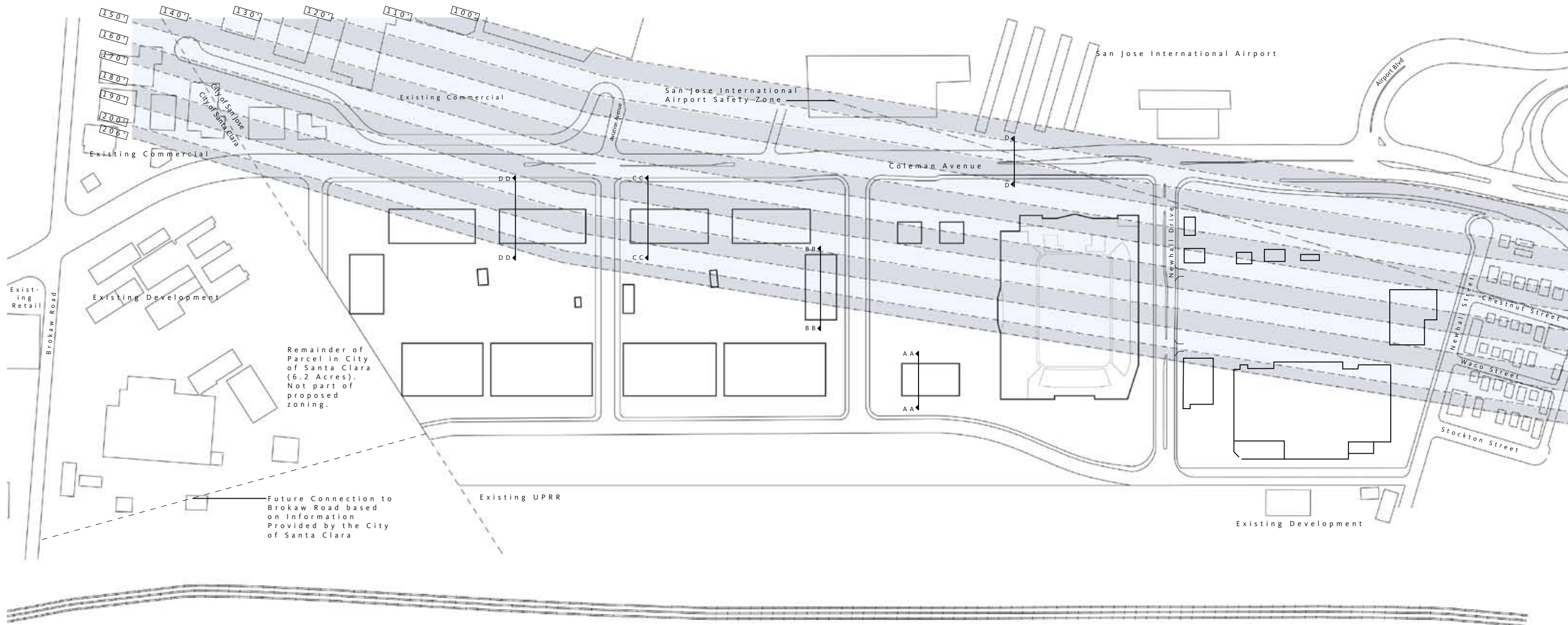
X X Street Cross Section (See Sheet 9)

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

General Development Plan Exhibit "C" City File Number: PDC19-007



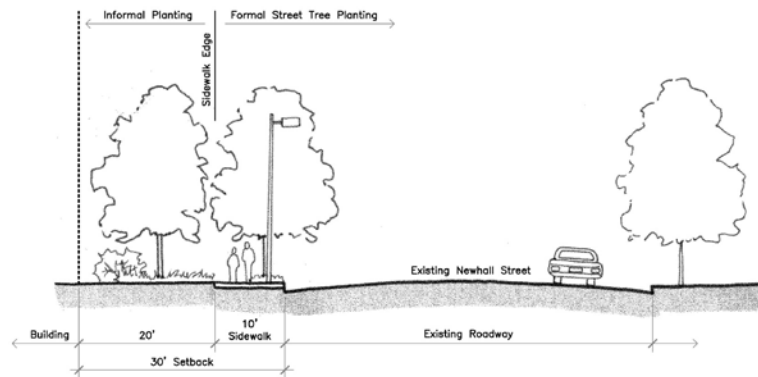
X X Building Height Sections (See Sheet 8)

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

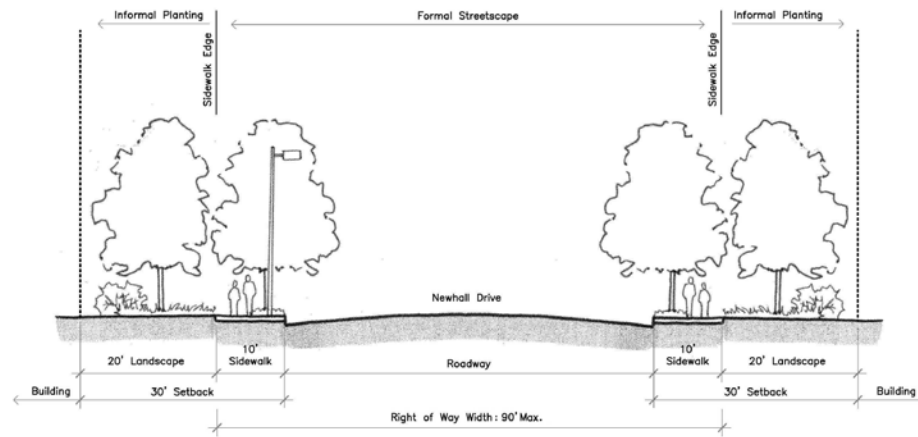
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Conceptual Building Height Limit Plan

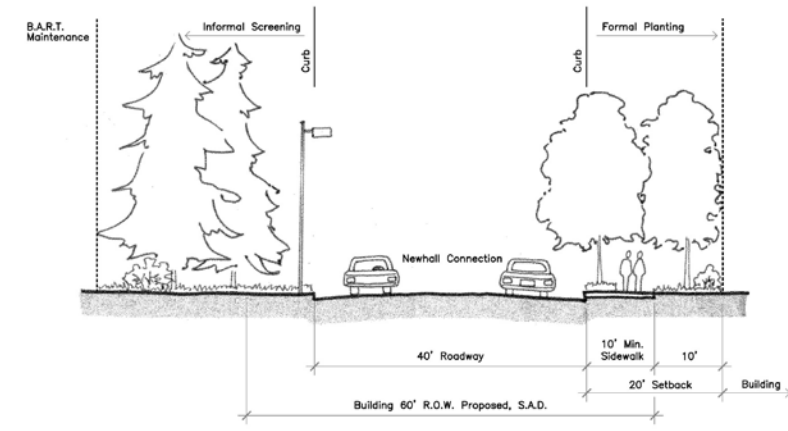
General Development Plan Exhibit "C" City File Number: PDC19-007



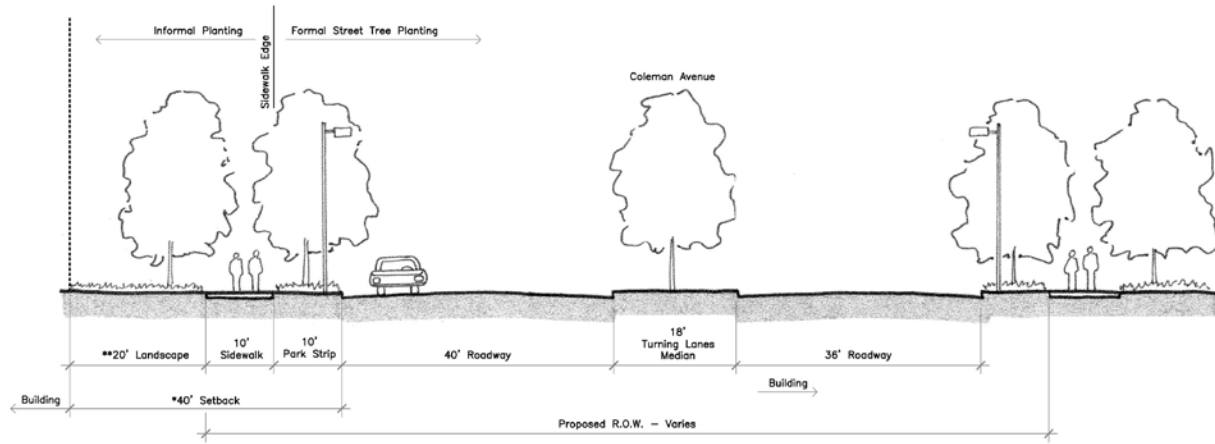
Section A-A
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Section B-B
Scale: 1" = 10'-0"

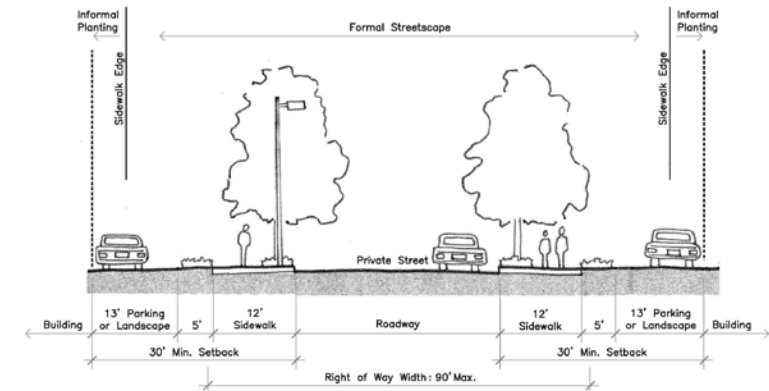


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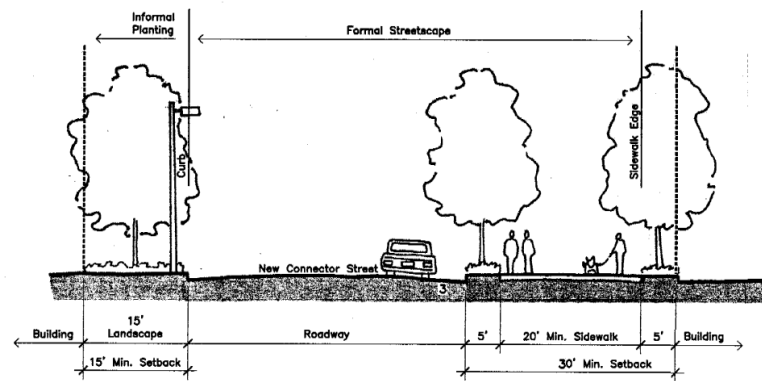


Notes:
 * A 25' Minimum Setback occurs at the Southwest corner of Aviation Avenue and Coleman Avenue
 ** A 5' Minimum Landscaped 'Front Yard' occurs at all instances of the 25' minimum setback

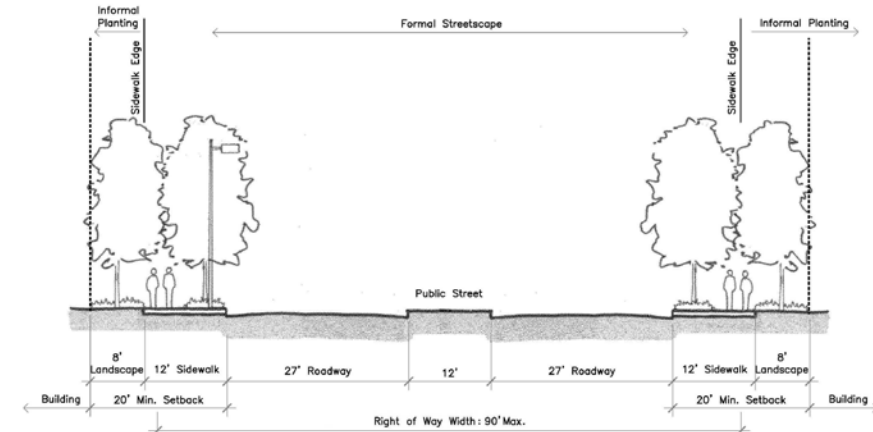
Section D-D
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Section E-E
Scale: 1" = 10'-0"



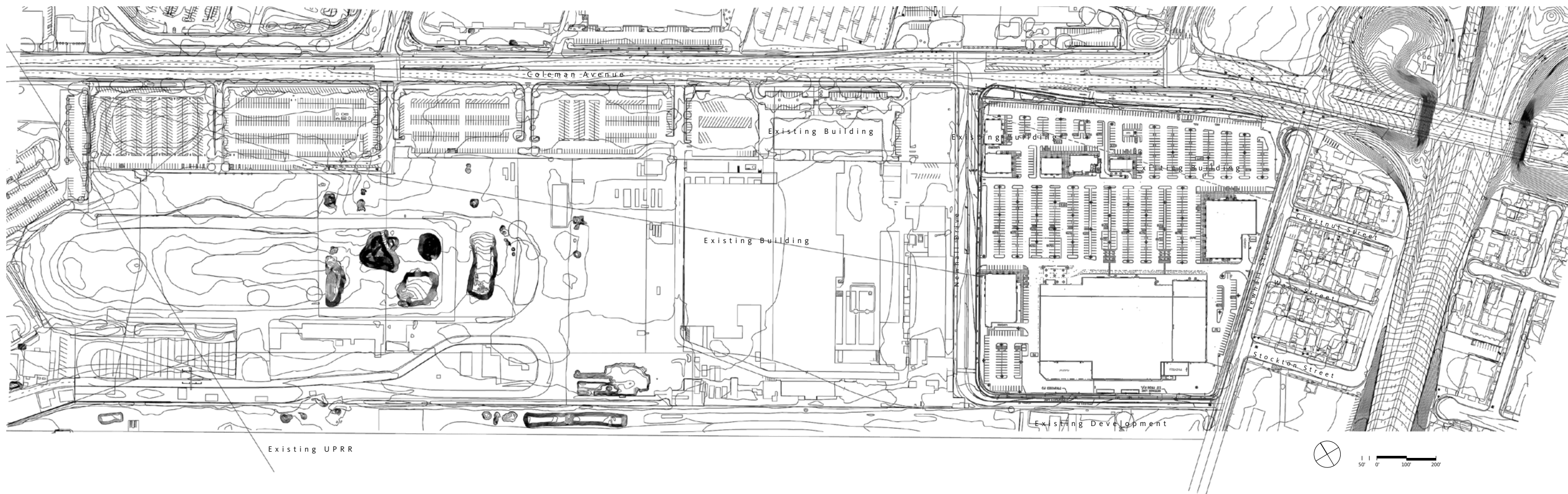
Section G-G
Scale: 1" = 10'-0"



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