

# Item 10.3

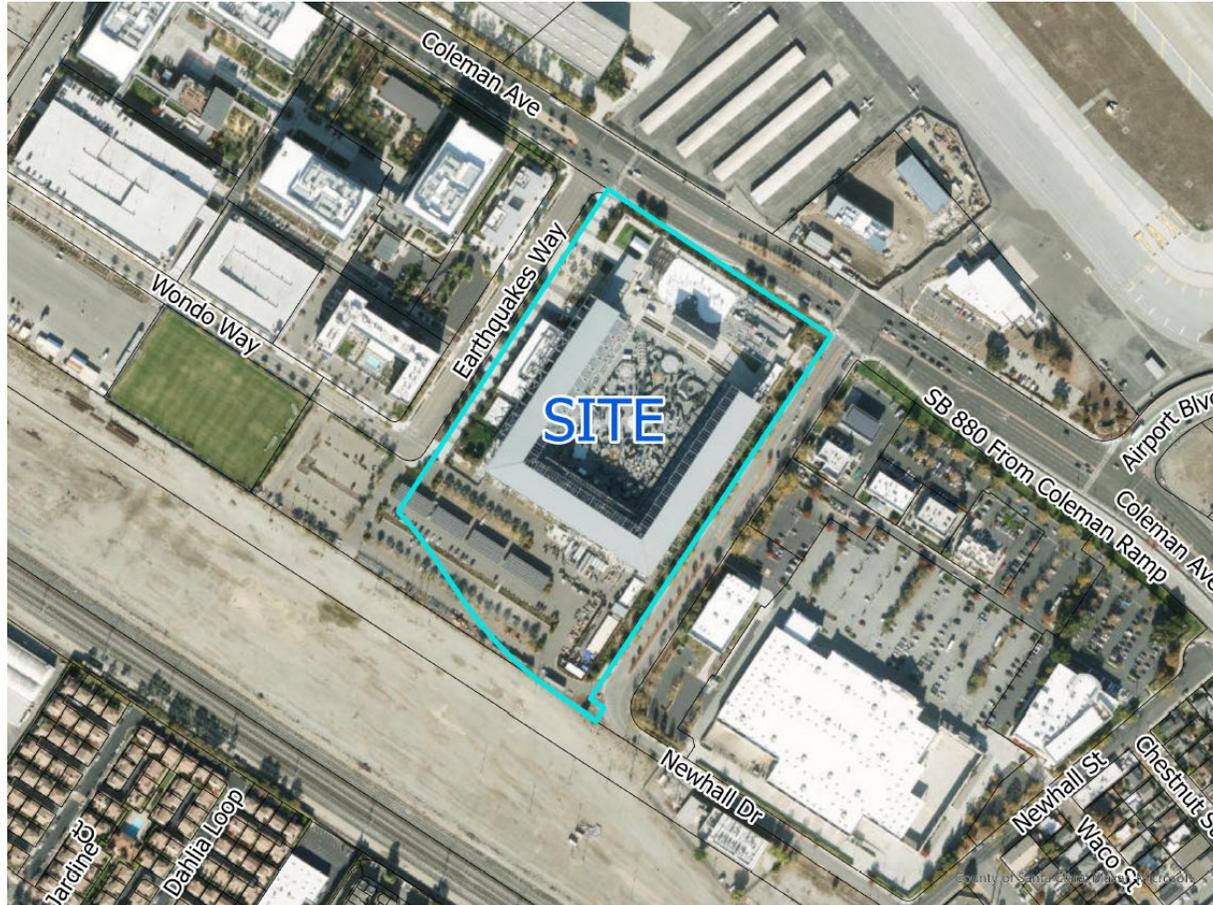
## **Environmental Appeal and Permit Appeal on the Director's Decision on the Addendum to the Airport West Stadium and Great Oaks Place Project EIR**

File Nos. PDA11-002-02 & ER25-039

February 24, 2026

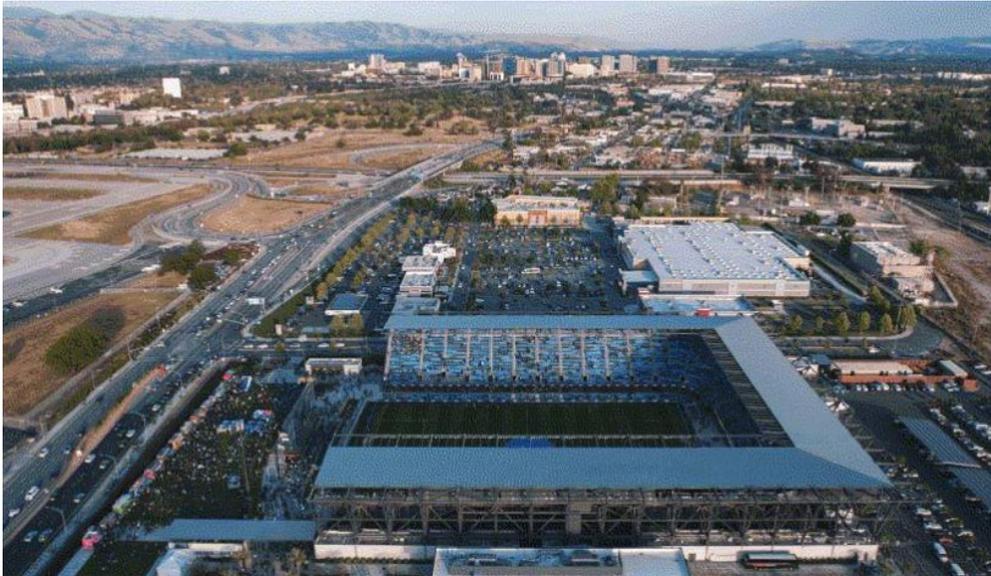
Presenters: Christopher Burton, Director, Planning, Building and Code Enforcement  
David Keyon, Principal Planner, Environmental Review

# Site Description



- **Site Address:** Southerly side of Coleman Avenue between Earthquakes Way and Newhall Drive (1123 Coleman Avenue)
- **Site Area:** 14.5 gross acres
- **Existing Use:** PayPal Park
- **General Plan Land Use Designation:** Combined Industrial/Commercial
- **Zoning District:** A(PD) Planned Development (File No. PDC19-007)

# Project Description



## Proposed concerts and changes to conditions:

- Up to 15 concerts per year
- Concerts can be held Monday-Sunday between 9:00 a.m. and 11:00 p.m.
- Amend condition of approval and mitigation measure to allow amplified sound to face south (away from the airport)
- All concerts conducted per San José Police and Fire Department requirements

## Reviewed for consistency with:

- Envision San José 2040 General Plan
- San José Municipal Code
- Planned Development Zoning
- Council Policy 6-30 - Public Outreach Policy
- California Environmental Quality Act (CEQA)

# Project Review

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Proposed concerts consistent with the General Plan and Planned Development Zoning

- The Planned Development Zoning allows up to 15 concerts per year
- Concerts will comply with approved standards and mitigation measures from the Airport West Stadium and Great Oaks Place Project EIR, except:
  - Change PD Permit Condition requiring speakers to be oriented north (toward the airport) to allow speakers to be oriented to the south (away from the airport)
  - Replace mitigation measure requiring speakers to be oriented to the north (toward the airport) with new measure including performance standards and monitoring to allow speakers to be oriented to the south (away from the airport)
- A project-specific noise study was prepared to evaluate actual concert noise impacts on residents in the neighborhood south of the stadium

# Adopted Environmental Review

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## **Airport West Stadium and Great Oaks Place Project Environmental Impact Report**

- Evaluated impacts of construction and operation of stadium, including concerts and other extraordinary noise events
- City Council certified the EIR in March 2010 with adoption of the Planned Development Zoning
- Council adopted a Statement of Overriding Considerations due to significant and unavoidable impacts, including noise from concerts
  - EIR included a mitigation measure requiring the stage and speakers to be oriented toward the Airport, away from the existing residences south of the site
  - This measure did not reduce noise impacts to a less than significant level

# Environmental Review for Concerts

Addendum to EIR and updated noise study evaluates:

- EIR found maximum concert noise at nearest residents 64 – 69 dBA Leq and 62 – 67 DNL
- New noise analysis of concert noise with speakers facing either north or south
- Analysis evaluated revised mitigation measure
- Concert noise for south facing concerts 64 dBA Leq and 61 DNL with mitigation, below concert noise levels in EIR

Based on new noise analysis, Addendum to EIR appropriate because

- No new significant impacts or increase of previously identified significant impacts would occur
- Concert noise impacts remain significant and unavoidable

FIGURE 7 SoundPLAN Noise Contours – Speakers Facing Southwest

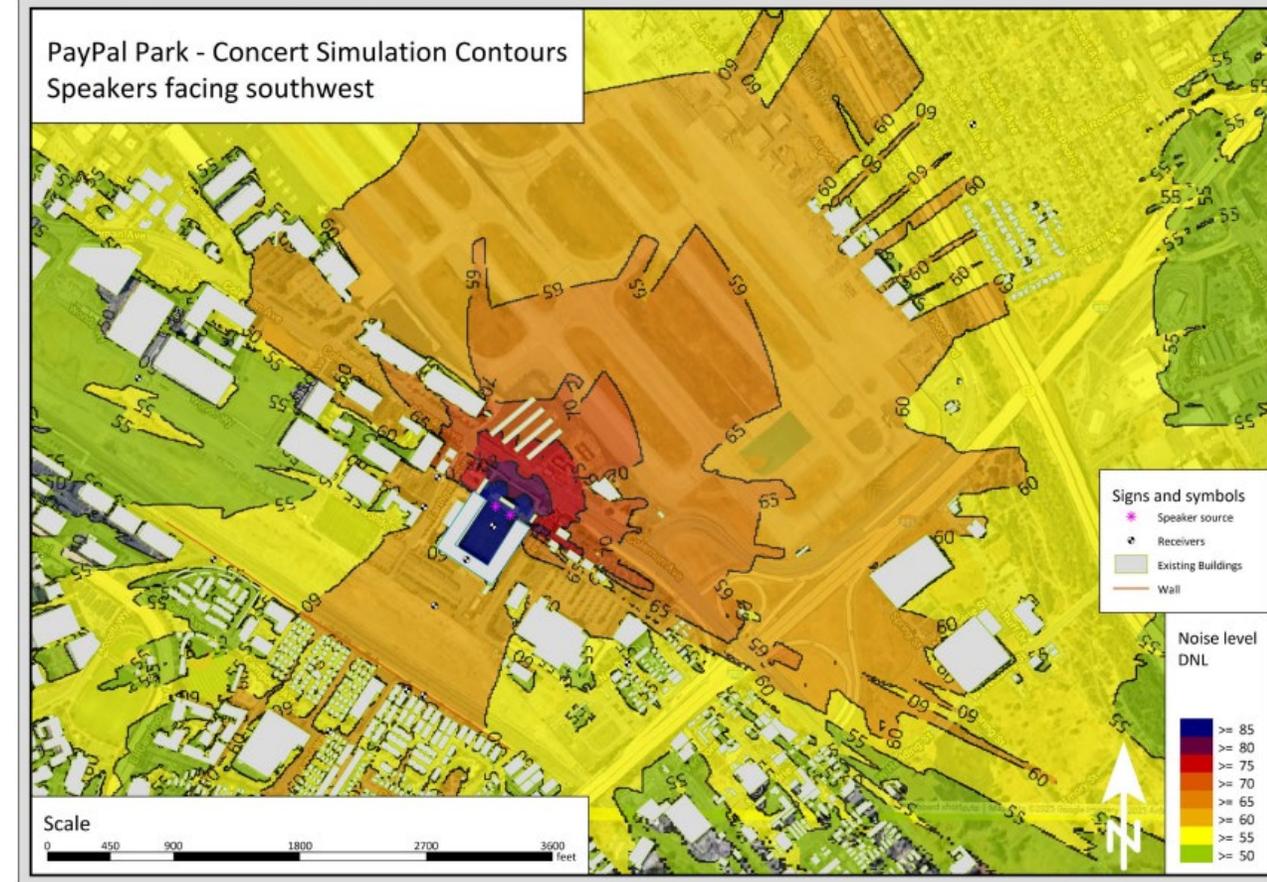


Figure: Noise contours for concerts with south-facing speakers (from Noise Assessment – Exhibit A to Council Memo)

# Director's Action and Appeals

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## Director's Hearing on November 19, 2025

Members of the public provided testimony for and against the project.

- Supporters cited economic benefits, ability to host major events, strengthening the city's position as a regional destination ahead of anticipated major events in the coming years.
- Opposition expressed concern about noise impacts to the adjacent neighborhoods, questioned the adequacy of the noise monitoring and mitigation, requested more frequent monitoring, and asked that the decision be delayed for more information.

The Director's designee approved the proposed Planned Development Permit and Addendum to the EIR to allow concert uses at PayPal Park.

# Environmental and Permit Appeals

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Neighbors south of the stadium filed an Environmental Appeal on November 24, 2025, and a Permit Appeal on December 1, 2025.

The Environmental Appeal raised the following issues:

- Proposed change to the mitigation requires a Supplemental EIR
  - The City's noise study is flawed
  - The replacement mitigation measure needs to be revised to implement measures such as real-time monitoring at Levi's Stadium
  - The proposed concerts conflict with economic development priorities of the City
- The Permit Appeal raised two main issues:
    - The permit relies on a defective environmental review
    - The permit does not link performance to concert noise levels and enforcement

# Staff Response to Appeals

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- An addendum is the appropriate level of CEQA review because none of the conditions described in Section 15162 of the CEQA Guidelines apply to the project; a supplemental EIR is not required.
- The concerts and replacement mitigation do not result in new significant impacts nor an increase in severity of previously identified significant impacts in the EIR.
- Additionally, in response to the concerns raised, staff proposed slight changes to the replacement mitigation measure as follows:
  - Identify a minimum noise threshold for the first two concerts to determine baseline noise levels
  - Require bi-annual noise reports during the first two years instead of annual reports
  - If hourly average or daily average noise levels at residential receptors are exceeded than noise consultant shall provide recommendations for subsequent concerts to reduce concert noise conditions to ambient noise levels

# Staff Recommendations

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- Staff recommends:
  - Adopt a resolution denying the environmental appeal and upholding the Planning Director's reliance on the Addendum under Section 15162 of the CEQA Guidelines for the Addendum to the Airport West Stadium and Great Oaks Place Environmental Impact Report
  - Adopt a resolution denying the permit appeal and approving, subject to conditions, a Planned Development Permit Amendment to allow the operation of up to 15 concerts per year at an existing stadium (PayPal Park)

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