

Legislation Text

File #: 21-1186, **Version:** 1

GP19-009, PDC19-039, PD19-029, PT20-027, HL20-004, HL20-005 & HP20-002 - Downtown West Mixed-Use Plan. - TO BE HEARD BEFORE ITEMS 8.1 & 10.3 AND NOT TO BE HEARD BEFORE 6:00

P.M.

(a) Adopt a resolution certifying the Downtown West Mixed-Use Plan Environmental Impact Report and make certain findings concerning significant impacts, mitigation measures and alternatives, and adopting a statement of overriding considerations and a mitigation monitoring and reporting program, all in accordance with the California Environmental Quality Act, as amended (CEQA).

(b) Adopt a resolution by two-thirds majority making certain findings required by California Public Utilities Code Section 21676 that Proposed General Plan Amendment File No. GP19-009 and Planned Development Rezoning File No. PDC19-039 are consistent with the purposes set forth in California Public Utilities Code Section 21670 and overruling the Santa Clara County Airport Land Use Commission's (ALUC) determination that the proposed project is inconsistent with the ALUC noise and height policies as defined by the Comprehensive Land Use Plan for the San José International Airport (CLUP).

PLEASE NOTE: APPROVAL OF THIS RESOLUTION REQUIRES AFFIRMATIVE VOTES BY 2/3 OF THE MEMBERS OF THE COUNCIL PRESENT AT THE MEETING. California Public Utilities Code Section 21676.

(c) Adopt a resolution amending the Envision San José 2040 General Plan to revise the land use designation of the project site, amend General Plan policies LU-6.1 and LU-1.9, and implement other text amendments and amendments to General Plan diagrams related to the Downtown West Mixed-Use Plan.

(d) Adopt a resolution amending the 2014 Diridon Station Area Plan, a component of the General Plan, to revise the land use designation for the project site, expand the Diridon Station Area Plan boundary, and implement other text amendments and amendments to diagrams related to the Downtown West Mixed-Use Plan.

(e) Approve an ordinance amending Title 20 to add Section 20.70.700 to clarify that project specific ordinances for the Downtown West Mixed-Use Plan shall govern development within the Downtown West Planned Development Zoning District and supersede any conflicting provisions in Title 20.

(f) Approve an ordinance rezoning an approximately 80-gross acre site on certain real properties extending approximately one mile from north to south, and generally bounded by: Lenzen Avenue and the Union Pacific Railroad tracks to the north; North Montgomery Street, Los Gatos Creek, the Guadalupe River, State Route 87, Barack Obama Boulevard, and Royal Avenue to the east; Auzerais Avenue to the south; and the Caltrain rail corridor and Cahill Street to the west from the HI Heavy Industrial, LI Light Industrial, A(PD) Planned Development, PQP Public/Quasi-Public, Commercial Neighborhood, DC Downtown Primarily Commercial, CG Commercial General, CIC Combined Industrial/Commercial to the DC(PD) Planned Development Zoning District, to allow developing up to 5,900 residential units; up to 7,300,000 gross square feet (GSF) of office space; up to 500,000 GSF of active uses such as retail, cultural, arts, civic etc.; up to 300 hotel rooms; up to 800 limited-term corporate accommodations; up to two event and conference centers totaling up to 100,000 GSF; up to two central utility plants totaling File Nos. GP19-009, PDC19-039, PD19-029, HP20-002, and PT20-027 Page 3 of 59 approximately 130,000 GSF; logistic/warehouse(s) totaling approximately 100,000 GSF and approximately 15 acres of open space.

(g) Adopt a resolution approving, subject to conditions, a Planned Development Permit, including the Downtown West Design Standards and Guidelines (DWDSG), the Downtown West Improvement Standards, the Conceptual Infrastructure Plan Sheets, and Conformance Review Implementation Guide, to allow up to 5,900 residential units; up to 7,300,000 gross square feet (gsf) of office space; up to 500,000 GSF of active uses such as retail, cultural, arts, civic etc.; up to 300 hotel rooms; up to 800 limited-term corporate accommodations; up to two event and conference centers totaling up to 100,000 GSF; up to two central utility plants totaling approximately 130,000 GSF; logistic/warehouse(s) totaling approximately 100,000 GSF and approximately 15 acres of open space on an approximately 78-gross acre site extending approximately one mile from north to south, and generally bounded by Lenzen Avenue and the union pacific railroad tracks to the north; North Montgomery street, Los Gatos Creek, the Guadalupe River, State Route 87, Barack Obama Boulevard, and Royal Avenue to the east; Auzeras Avenue to the south; and the Caltrain rail corridor and Cahill street to the west.

(h) Adopt a resolution approving, subject to conditions, the Vesting Tentative Map to subdivide 136 lots into no more than 178 lots and allow up to 5,900 residential condominiums and up to 20 commercial condominiums on an approximately 84-gross acre site.

(i) Approve an ordinance approving a Development Agreement between the City of San José and Google LLC for the Downtown West Mixed-Use Plan and delegating authority to the City Manager, or designee, to negotiate and execute (i) a Reimbursement Agreement and amendments thereto consistent with the term sheet attached to the Development Agreement; and (ii) Transfer Agreements related to the affordable sites to be transferred to the City or designated assignee under the Development Agreement.

(j) Adopt a resolution authorizing Major Encroachment Permits for District Systems at various locations within the Downtown West development area.

(k) Adopt a resolution authorizing Major Encroachment Permits for Streetscape improvements at various locations within the Downtown West development area.

(l) Adopt a resolution approving the Construction Impact Mitigation Plan.

(m) Adopt a resolution amending the Historic Preservation Permit HP16-002 (File No. HP20-002) to revise the terms of the Permit to be consistent with the Downtown West Mixed-Use Project, which includes the San José Water Works City Landmark at 374 West Santa Clara Street.

(n) Adopt a resolution approving a Landmark Designation Boundary Amendment for the Southern Pacific Depot (Diridon Station) (HL20-004) located at 65 Cahill Street, pursuant to the provisions of Chapter 13.48 of the San Jose Municipal Code.

(o) Adopt a resolution approving a Landmark Designation Boundary Amendment for the San Jose Water Works (HL20-005) located at 374 West Santa Clara Street, pursuant to the provisions of Chapter 13.48 of the San Jose Municipal Code.

(p) Adopt resolutions conditionally vacating portions of South Montgomery Street, Otterson Street, Park Avenue, Cinnabar Street with the reservation of public easements over the vacated area.

(q) Approve the staff-recommended allocation of Google's early payment of \$7.5 million and the allocation of up to \$22.3 million in Community Benefits funding that will be paid by Google as office buildings are built over time.

CEQA: Downtown West Mixed-Use Plan Environmental Impact Report. Planning Commission recommends approval (5-1-1) (Bonilla absent; Lardinois abstained). Council Districts 3 and 6. (Planning, Building and Code Enforcement)

TO BE HEARD BEFORE ITEMS 8.1 & 10.3 AND NOT TO BE HEARD BEFORE 6:00 P.M.