

# SUPPLEMENTAL



## Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Joseph Horwedel

**SUBJECT:** SEE BELOW

**DATE:** October 23, 2008

Approved

Date

10/24/08

**COUNCIL DISTRICT:** 3

**SNI AREA:** N/A

### SUPPLEMENTAL

**SUBJECT:** PDC08-050. Conforming Planned Development Rezoning from A(PD) Planned Development to A(PD) Planned Development to clarify development capacity, modify the building setbacks, revise vehicular and pedestrian circulation, and include other minor technical, clarifying or clerical revisions to the development standards of the existing Planned Development zoning district (PDC08-017) on an approximately 95 gross-acre site (former FMC site).

### REASON FOR SUPPLEMENTAL

After distribution of the staff report, the Arcadia Development Company and the City of Santa Clara requested minor unrelated modifications to the proposed conforming rezoning. Please find attached copies of the revised draft Development Standards and comments from the City of Santa Clara received on October 20, 2008.

### ANALYSIS

At the request of the Arcadia Development Company, property owner of Coleman Landing, the development standards were revised to keep "3,000,000 square feet of office/R&D" as a reference to the maximum allowable development capacity on the site to illustrate consistency with the development capacity approved under the original 2004 Planned Development zoning. Standard language referencing Council Policy 6-29 on Urban Runoff Management was also added to the development standards in this revision. These revisions provide additional clarity for future implementation of the zoning and are not substantive changes.

On October 20, 2008, the City of Santa Clara submitted a comment letter raising the following issues:

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1. The Land Use Plan should identify the future BART Right of Way on the site.
2. Future connections from the site to Brokaw Road should be identified.
3. Car rental facilities are inconsistent with transit oriented development (TOD) policies and such uses should be phased out over a period of time.
4. Existing language in the zoning that required all parking areas to be placed behind buildings should not be changed to the "majority of" parking areas.
5. Modifications to street setbacks should be mutually agreed upon by the cities of Santa Clara and San Jose.

Staff met with City of Santa Clara staff on October 21<sup>st</sup> to discuss these comments and consensus was reached on comments 1, 2, 4 and 5. To address comments 1 and 2, the applicant agreed to revise the conceptual site plan to show the future BART right of way and illustrate a potential street connection from the site to Brokaw Road in Santa Clara. The connection to Brokaw Road would be located within Santa Clara city limits, and it is not part of the Planned Development zoning for the site. Comments 4 and 5 do not require any revisions: 1) the revision to require the majority of parking areas rather than all parking areas to be placed behind buildings responds to the need for visibility of parking, which is an important component of viable commercial development, and 2) staff clarified that the setback changes are consistent with the Santa Clara Station Area Plan standards for establishing a tight urban fabric by allowing buildings closer to the street. Design details can be reviewed at the Planned Development Permit stage for consistency with adopted design guidelines for commercial development.

Regarding comment 3, the City of Santa Clara requests that the development standards include language to phase out car rental uses along Coleman Avenue upon the arrival of BART. Staff does not support this change because the development standards, as proposed, provide adequate control by requiring any new structures associated with car rental uses along Coleman Avenue to be subject to Planned Development Permit approval. The Planned Development Permit process provides the ability to impose time conditions on such uses and is the more appropriate tool to do so. Therefore, staff recommends approval of the rezoning with the development standards as stated in the attachment.

  
for JOSEPH HORWEDEL, DIRECTOR  
Planning, Building and Code Enforcement

For questions please contact Andrew Crabtree, Principal Planner at 408-535-7893.

Attachments:

Revised Draft Development Standards for PDC08-050

Letter from City of Santa Clara, received October 20, 2008

PLANNED DEVELOPMENT REZONING FILE NO. PDC08-050  
PROPOSED GENERAL DEVELOPMENT PLAN NOTES  
OCTOBER 28, 2008

**EXHIBIT C: LAND USE PLAN AND DEVELOPMENT STANDARDS**

**1. LAND USE**

**A. Industrial Park Uses (Areas 1 through 4)**

Permitted uses of the IP Industrial Park Zoning District of the City of San Jose Zoning Ordinance, including office, research and development or light manufacturing uses, are permitted in Areas 1 through 4. All activity connected with the uses allowed in the Industrial Park designated areas shall be conducted indoors within fully enclosed buildings. Conditional uses identified within the IP Zoning District, including those identified as requiring location within a Mixed-Use Overlay, may be permitted subject to a Planned Development Permit.

**B. Commercial Uses (Areas 1 through 4)**

Permitted uses of the CP Commercial Pedestrian Zoning District of the City of San Jose Zoning Ordinance, including full service hotels and restaurants, are permitted uses in Areas 1 through 4. The following additional commercial uses may be permitted:

1) **Car Rental Facilities (Areas 1 through 4)**

Car rental facilities are permitted, including, but not limited to, surface or structured parking areas, customer facilities, administrative facilities and vehicle maintenance facilities in Areas 1 through 4 except that construction of new structures associated with car rental facilities located within 400 feet of Coleman Avenue in Areas 1 through 3 shall be subject to a Planned Development Permit.

2) **Commercial Parking (Areas 1 through 4)**

Commercial parking facilities, utilizing either surface parking or parking structures, are permitted in Areas 1 through 4 except that such uses located within 400 feet of Coleman Avenue in Areas 1 through 3 shall be subject to a Planned Development Permit.

3) **Car Sales (Areas 3 through 4)**

The sale of new vehicles, and incidental activities including the sale of used-vehicles, is a permitted use in Area 3 and Area 4, but may not occupy more than 25% of the entire area covered by the Zoning.

4) **Drive-through Restaurants (Area 4)**

Drive-through restaurants, including those with 24-hour operation, are permitted in Area 4 subject to a Planned Development Permit.

5) **Conditional Uses (Areas 1 through 4)**

Conditional uses identified within the CP Commercial Pedestrian Zoning District may be permitted subject to a Planned Development Permit except that residential uses (including residential care/service and SRO facilities) are not permitted.

**C. 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 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.
- 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 (Areas 1 through 4):
- a) 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).
  - b) The development of the site shall not exceed the traffic volumes and distribution through each of the 24 specific intersections studied in the traffic analysis and listed on the zoning application.
  - c) 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.
  - d) 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).

## 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.

- 1) The project should include the placement of attractive buildings oriented toward Coleman Avenue and toward other adjacent public streets.
- 2) The majority of parking areas 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. 25<sup>th</sup>, 1992) and Commercial (dated May, 1988) Design Guidelines. 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 general intent of the Guidelines.

**C. Street Setbacks**

Minimum landscaped setback areas shall be provided as described below. No building or parking (surface parking or structured parking) shall be allowed within the setback area consistent with the application of setback areas within the City of San José Zoning Ordinance, unless otherwise stated:

- 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 Private Street** at 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 between Areas 1 and 2 (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. Land Reservation Setback**

The area along the southwest edge of the property, adjacent to the railroad tracks, shall not be developed with permanent structures until the adjacent BART/mass-transit rail line right-of-way needs have been resolved or the Santa Clara Valley Transportation Authority elects not to purchase this designated property. Surface parking, landscaping or other similar uses are appropriate in this area. This reservation is for site design purposes only, and not intended to reduce the overall intensity of development allowed on the site.

The exhibit entitled "Conceptual Master Site Plan" conceptually depicts the land reservation area for the BART Right of Way. Recognizing that the BART configuration in this vicinity is subject to change, the specific area affected shall be determined using the best information available at the time of review for Planned Development Permits.

**E. 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.

**F. 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 (Areas 1 through 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.

#### **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) Trees shall be provided within surface parking lot areas at a ratio of one tree per four surface parking spaces for parking required to meet 90% of the City of San Jose's minimum off-street parking requirements as set forth in the Zoning Ordinance.
- 3) Trees shall be provided within surface parking lot areas at a ratio of one tree per three surface parking spaces for parking provided in excess of 90% of the City of San Jose's minimum off-street parking requirements as set forth in the Zoning Ordinance.

#### **H. 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) The maximum amount of parking shall not exceed 3.2 stalls per 1000 square feet of gross building area.
- 3) 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.
- 4) 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.

#### **I. 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.

#### **J. 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:

**A. City of San Jose Intersections**

Prior to occupancy of new development on the site, developer shall implement the following improvements to the satisfaction of the Director of Public Works:

- 1) **Coleman Avenue/Taylor Street** – For the eastbound approach, construct an additional eastbound left-turn lane. For the westbound approach, construct a dedicated right-turn. Intersection reconfiguration, including signal modifications, median island, sidewalk, curb and pavement reconstruction will also be implemented. Acquisition of right of way is not required for these improvements.
- 2) **Coleman Avenue/Hedding Street** – For the eastbound approach, construct an additional eastbound left-turn lane. Intersection reconfiguration, including signal modifications, median island, sidewalk, curb and pavement reconstruction will also be implemented. Acquisition of right of way is not required for these improvements.
- 3) **Coleman Avenue/Aviation Way** – For the eastbound approach, construct one left-turn lane, one left-turn/through lane and two right-turn lanes. This will require an additional lane and a traffic signal modification. The developer of Areas 1 through 3 will be constructing these improvements as part of their frontage. Intersection reconfiguration, including signal modifications, median island, sidewalk, curb and pavement reconstruction will also be implemented. Dedication of approximately 10 feet along the Coleman Avenue frontage is required.
- 4) **Freeway Analysis.** The proposed project would add greater than one percent to the capacity to sixteen freeway segments already operating at LOS "F" which results in significant unavoidable impacts to the identified freeway segments. Mitigation for freeway impacts would require adding lanes to the freeways. This is not practical for one development to implement. However, consistent with the CMP Guidelines implementation of the "Immediate Actions" in Appendix D of the 1998 CMP Guidelines (2004 Revision) is required as described in Section 5 below.

**B. City of San Jose CMP Intersection**

- 1) **Central Expressway/De La Cruz Boulevard (CMP)** – For the eastbound approach, add one left turn lane. Signal modifications will also be implemented. The project design is currently underway by Santa Clara County Roads and Airports Department and implementation is funded by both the County and the City of San Jose.

**5. ENVIRONMENTAL MITIGATION**

**A. Traffic Mitigation Measures**

- 1) Section 10.6 of the 1998 CMP Guidelines (2004 Revision) requires implementation of the "Immediate Actions" identified in Appendix D of the guidelines. Implementation of selected items from the "Immediate Implementation Action List" (shown in Table 16 of the traffic report, Appendix B) shall be incorporated into the project. The selection of the final items from this list would be determined by the City of San José at the Planned Development Permit stage.

- 2) Developer shall designate approximately 2% of on-site parking spaces located near employee entrances for exclusive use by carpools or other high occupancy vehicles.
- 3) At the Planned Development Permit stage, Developer shall provide a Master Transportation Demand Management (TDM) program and will periodically inform the City of the status of the program that may include the following elements:
  - a) Designation of an on-site Transportation Demand Management (TDM) coordinator to implement and monitor utilization of public transportation measures to encourage HOV and other trip diversion programs.
  - b) Provision of physical improvements, such as sidewalks, landscaping, the installation of bus shelters, bicycle parking, and the operation of a shuttle to the nearby transit center that would act as incentives for pedestrian, bicycle and transit modes of travel.
  - c) Implement a vehicle-trip reduction program and provide employees with incentives to carpool and/or utilize transit. Transit subsidies through the ongoing VTA Ecompass program will be offered to all employees of the site.
  - d) Provision of emergency transportation for employees who use public transportation.

#### **B. Biotic Resource Mitigation Measures**

- 1) **Measures to Avoid Impacts to Individual Burrowing Owls**

In order to avoid disturbance of individual Burrowing Owls during nesting and breeding on the project site, and to preclude the destruction of individual birds, the following measures shall be implemented at the Planned Development Permit stage:

  - a) A preconstruction survey will be completed in conformance with appropriate protocols, by a qualified ornithologist, no more than 30 days prior to the start of construction in conformance with Federal and State regulations regarding the protection of raptors. If no Burrowing Owls are located during these surveys, then no additional action would be warranted.
  - b) If breeding or resident owls are located on or immediately adjacent to the site, the following mitigation measures will be implemented by a qualified ornithologist:
    - No Burrowing Owls will be evicted from burrows during the nesting season (February 1 through August 31). Eviction outside the nesting season may be permitted pending evaluation of eviction plans and receipt of formal written approval from the CDFG.
    - A 250-foot buffer, within which no new activity will be permissible, will be maintained between project activities and nesting Burrowing Owls. This protected area will remain in effect until August 31 or at the CDFG's discretion and based upon monitoring evidence, until the young owls are foraging independently.
    - If accidental take (disturbance, injury, or death) of owls occurs, the CDFG will be notified immediately.
- 2) **Preservation of Identified Mature Trees**

The developer shall maintain the five large coast live oaks currently located on the site either at their existing locations, or if the trees cannot be preserved in their present location, they may be transplanted to other locations on the subject property.

**C. Long-Term Impacts to Stormwater Quality**

The project shall comply with the City's NPDES Permit requirements for stormwater and other nonpoint source discharges. The proposed project would be required to design and implement stormwater treatment BMPs to reduce stormwater pollution to the maximum extent practicable. Numeric Sizing Criteria shall be used to size the stormwater quality control facilities in accordance with the provisions of the City's NPDES Permit.

Prior to the issuance of a Development Permit, the applicant must provide details of specific Best Management Practices (BMPs) that will be installed on the site to the maximum extent possible to treat stormwater runoff on the site. BMPs may include but are not limited to green roofs, reduction in the amount of impervious surface area, and inlets stenciled "No Dumping - Flows to Bay" to the satisfaction of the Director of Planning, Building and Code Enforcement.

The project shall comply with Provision C.3 of the City of San Jose's NPDES permit which provides enhanced performance standards for the management of stormwater of new development.

The project shall comply with applicable provisions of the Post-Construction Urban Runoff Management Policy (6-29) which establishes guidelines and minimum BMPs for all projects. The application fertilizers and pesticides should be kept to a minimum, with Integrated Pest Management (IPM) techniques implemented where feasible.

**D. Hazardous Materials**

At the Planned Development Permit stage, an Integrated Environmental Safety and Health Plan (IESHP) shall be prepared for the construction phase of the project. The IESHP shall include: 1) a means for monitoring of hazardous substances in soils and in buildings that are to be demolished; 2) assessment and prioritization of the risks associated with each potential hazard; 3) measures to minimize risk to workers and the public by controlling airborne emissions; 4) provision for coordination with the DTSC, BAAQMD, and other agencies as needed; and 5) control emission measures for ordinary particulate matter or airborne dirt that would not be classified as "hazardous".

**E. Cultural Resources**

At the Planned Development Permit stage, developer shall implement an archaeological monitoring program as identified in the cultural resources assessment prepared by Basin Research (May 1997).

**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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Planning Division

October 17, 2008

Allen Tai  
Department of Planning, Building and Code Enforcement  
200 East Santa Clara Street  
San Jose, CA 95113-1905

RECEIVED

OCT 22 2008

CITY OF SAN JOSE  
DEVELOPMENT SERVICES

RE: City File No. PDC08-050, APN: 230-46-055

Dr. Mr. Tai:

This letter is in response to the notice of an application (File No. PDC08-050) to modify the development standards of an existing A(PD) zoning district (File No. PDC08-017) for the FMC site to allow changes in building setbacks, vehicular and pedestrian circulation, and other minor technical, clarifying or clerical revisions to the development. City of Santa Clara Planning staff has reviewed the exhibits illustrating existing and proposed project conditions and has the following comments.

Land Use Plan-Exhibit "C" notes the existing UPRR right-of-way to the south of the project development area and does not illustrate the proposed BART alignment. The plans should illustrate the BART alignment and reserve the right-of-way in the proposed street plan. This alignment is identified as part of the BART project and Santa Clara Station Area Plan, currently underway.

In addition, extension of the north-south roadway alignments across the FMC site should be illustrated to show that a street connection to Brokaw Road is provided. Consideration of street connections to align intersections at Brokaw Road beyond San Jose city limits will be necessary to facilitate circulation for planned future growth in this area.

A number of changes in Exhibit C: Land Use Plan and Development Standards are inconsistent with the Santa Clara Station Area Plan and TOD policies. Specifically, the change in permitted commercial uses to allow construction of additional structures for car rental facilities, commercial surface parking and/or parking structures in the northern portions of Areas 1 through 3 serve the airport, but do not support TOD. Development of car rental facilities at these locations makes land fronting a major thoroughfare unavailable for more intensive development in proximity to transit access. It does not support the planning principles identified by both San Jose and Santa Clara in development of the Santa Clara Station Area Plan.

In section 2.A.2., the original language stating that parking areas should be placed behind buildings should be retained and not replaced by the words: "the majority of parking".

Street setbacks for the "New Private Street" and "New Public Streets (Section B-B)" should conform to the guidelines established in Table 4-1 Conceptual Urban Design Zone Guidelines in the Santa Clara Station Area Plan for station area streets. Through a joint

planning effort, the cities of Santa Clara and San Jose have worked together to develop the typologies and design guidelines for future streets in the planning area. Changes in design should be mutually agreed upon.

The City looks forward to working with San Jose toward a coordinated and integrated street network for future public and private development in this planning area.

Should you have any questions or require additional information, please contact me at 408-615-23457 or by email at [dfernandez@santaclaraca.gov](mailto:dfernandez@santaclaraca.gov).

Best regards

A handwritten signature in cursive script that reads "Debby Fernandez". The signature is written in black ink and is positioned above the printed name and title.

Debby Fernandez  
Associate Planner

cc: Kevin Riley, Director of Planning and Inspection  
Carol Anne Painter, City Planner