

Response to Initial Comments received November 8, 2019

Department ID	Comment (paraphrased)	Response
Planning, Building and Code Enforcement (PBCE)		
PBCE 1	General Plan Consistency	Applicant has proposed privately-initiated, project-specific general plan amendments detailed in 1) Amendments to the Envision San José 2040 General Plan and 2) Amendments to the 2014 Diridon Station Area Plan (DSAP)
PBCE 2	<u>Applicable Plan Requirements</u> Plan should further guiding principles in DSAP	Noted. See DWDSG Document Overview and Project Vision Chapters
PBCE 3	<u>Zoning Consistency</u> Include development standards related to a. Land Use, b. Height and Massing, c. Setbacks, d. Landscaping, e. Historic Preservation, f. Architectural details, g. Parking, f. Tree Removal	See GDP and DWDSG for development standards relating to items a-f
PBCE 4	<u>Site Plan and Architectural Design</u> Downtown Design Guidelines and Standards (DDG) applies to this project, for alternative guidelines and standards, additional narrative will be required to justify exceptions to adopted comment	See DWDSG Appendix D: Summary of DDG Standards and Guidelines That Do Not Apply to Downtown West
PBCE 5	<u>Plan Set Clarifications and Exhibit</u> a. Clarify public and private park sites and provide calculation of the areas b. Label and clarify any building encroachments into existing or proposed public rights-of-way c. Separate the existing building footprint and parcel exhibit into two separate exhibits. d. Illustrate properties boundaries, mergers, and subdivisions (tentative map) e. Contextual Photos of Adjacent Area f. Building heights/proposal plan (design, massing, scale, setbacks, etc.)	a) see GDP, DWDSG, and Vesting Tentative Map (VTM) b) For changes in ROW see the VTM. For permitted encroachments above proposed ROW see DWDSG Standards S5.9.2, S5.10.2, S5.10.3 c) Noted, see GDP. For building demolition and retention, see DWDSG Land Use Chapter d) see VTM e) Not provided, adjacent conditions and context provided via Figures in DWDSG Buildings f) See DWDSG Buildings Chapter
PBCE 6	Environmental Review - California Environmental Quality Act (CEQA)	Noted
PBCE 7	Comments from Other Departments	Noted, see responses by department below
PBCE 8	Community Outreach	Noted, project has held Developer Hosted Community Meeting in December 2019, and will participate in other engagement opportunities Fall 2020 subject to noticing requirements
PBCE 9	On-Site Sign Posting	On-site signs were installed and the City notified November 2019
Public Works (PW)		
PW 1	Stormwater Runoff Pollution Control Measures: the plan to provide clarification to the following: a) All streets adjacent to Google development should be converted to green streets. This is consistent with the project foundations outlined on sheet 2.04 to provide high levels of sustainability and excellence in design. b) Include the "Comparison of Impervious and Pervious Areas" data table on Stormwater Control Plan. c) Include proposed bioretention area within public street sections for all streets requiring stormwater treatment. The treatment area should not conflict with other public amenities such as electroliers and street trees. d) Provide standard detail for each proposed LID treatment measure type.	Revise a) See the Mobility Chapter of the Downtown West Design Guidelines and Standards. b) The requested table is included in the Stormwater Control Plan in the Infrastructure Plan Sheets. c) Street section design will take all amenities into account. Stormwater will be managed consistent with GSI Plan requirements. Refer to Sheet C3.0 in the Infrastructure Plan Sheets for approximate treatment areas. d) Standard details are included in the Infrastructure Plan Sheets.
PW 2	Traffic Report: a) A Transportation Analysis (TA) is required prior to environmental clearance or zoning. The TA must conform to the City of San Jose's Transportation Analysis Policy, Council Policy 5-1. The Council Policy, Transportation Analysis Handbook and other transportation analysis resources can be found at the Development Services website: http://www.sanioseca.gov/index.aspx?NID=3162 b) A formal Traffic Workscope Memo will be provided separately to applicant's traffic consultant.	a - b) See Draft EIR for TA

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PW 3	<p>Transportation and Street Improvements:</p> <p>a) Diridon Intermodal Station Planning and Integration:</p> <p>i) Design development to integrate with key elements of DISC Partner Agency recommended Concept Layout, including the elevated station platforms and north/south track approaches. Continue to collaborate with City and DISC partners (Caltrain, VTA, HSR) on spatial layout and integration of station halls, adjacent plazas/public spaces, and the mixed-use development.</p> <p>ii) Public plazas/public spaces should be active and clearly connected to the station. The application places the Primary Public Plaza east of Montgomery, surrounded by the Google development and away from Diridon Station.</p> <p>iii) Orient buildings and ground floor active uses on Cahill toward the station. No driveways or back-of-house operations on Cahill between San Fernando and Santa Clara.</p> <p>iv) In your next submittal, more clearly indicate potential right of way required for additional rail service and track—both for construction periods only and as permanent dedications.</p> <p>b) Design Montgomery Street to be a curbside street.</p> <p>c) Street sections shall conform to City Municipal Code Title 13 and Complete Streets Design Standards and Guidelines. Revise to include the following for all street sections:</p> <p>i) Existing public right-of-way widths.</p> <p>ii) Typical sidewalk dimensions.</p> <p>iii) Typical curb-to-curb dimensions.</p> <p>iv) Dedication needed for public street and/or sidewalk purposes.</p> <p>d) Provide proposed truck and shuttle routes and identify loading/unloading areas.</p> <p>e) Revise plans to show proposed connection from Auzerais Avenue to Royal Avenue as a private street.</p> <p>f) Consider pedestrian connection between housing/office site at northern project to the San Jose Market Center.</p> <p>g) Other requirements, including Lenzen Avenue connection, will be informed through Transportation Analysis findings.</p> <p>h) The project, particularly the north portion of the development, will be subject to CPUC and Federal regulations if train crossing modification(s) is proposed. Additional rail improvements may be required to establish Quiet Zones per FRA Train Horn Rule for the proposed residential use.</p> <p>i) Utilities should be coordinated with future BART project underground tunnel and station proposal.</p> <p>j) Include public street improvements to Autumn Street from W. Santa Clara Street to W. St John Street per the Diridon Infrastructure Analysis.</p>	<p>a) i) [from DEIR PD] The project applicant would work with the City and the DISC partner agencies to address the final selected layout, while still meeting the objectives of the proposed project. Additionally see DWDSG Standards S4.8.2 (Relationship to DISC and rail corridor), S5.5.3 (Relationship to DISC and rail corridor), and S6.3.3 (Relationship to DISC).</p> <p>ii) The public plaza/public space proposed between S Montgomery Street and S Autumn Street is located along the existing primary connection between Diridon Station and downtown, which is on the north side of the existing light rail line. The project proposes to improve this connection for pedestrians and bicyclists. Development along existing Cahill Street between San Fernando Street and Santa Clara Street is not within the Project.</p> <p>iii) No longer applicable, Project boundary revised</p> <p>iv) See above response a)i.</p> <p>b) Noted.</p> <p>c) i-iv) Street section conformance to City Municipal Code Title 13 and Complete Streets Design Standards is addressed in the project's proposed DWDSG and Appendix E. Illustrative street sections are included in the DWDSG, and more detailed street sections are included in the VTM</p> <p>d) Standards S6.6.1 (Transit Access) and S6.6.2 (Shuttle Access) of the DWDSG identify streets permitting transit and shuttle use.</p> <p>e) Noted.</p> <p>f) A connection between office site at northern project to the San Jose Market Center for emergency vehicle use and potential pedestrian use is included as an option in the Draft EIR.</p> <p>g) Noted.</p> <p>h) Noted.</p> <p>i) Noted.</p> <p>j) Not applicable, outside Project boundary and not identified in the Local Transportation Analysis.</p>
PW 4	<p>Flood:</p> <p>a) The project boundary crosses multiple floodplain zones (zone X, D, AO and A). Provide a separate plan sheet overlay showing all FEMA flood zones.</p> <p>b) Underground parking and structure(s) shall not be allowed for residential use within 100 year floodplain. All residential units and related use must be elevated above the Base Flood Elevation (BFE) level. Non-residential or mixed use buildings may be either elevated or flood-proofed above the BFE.</p> <p>c) For properties located within Zone A, submit a detailed analysis to establish Base Flood Elevation.</p>	<p>a) See sheet C1.1 in the Infrastructure Plan Sheets for all existing FEMA floodplain zones.</p> <p>b) All buildings within the 100-year floodplain will be elevated or flood-proofed above the BFE per City standards. FFEs, based on the proposed Valley Water floodplain model, are shown on the grading sheets in the Infrastructure Plan Sheets. No structures are located in a FEMA mapped floodplain.</p> <p>c) A separate floodplain memo will be submitted during future detailed site design to provide the requested analysis for properties located within Zone A. Currently, no structures are located in FEMA Zone A. The proposed finished floor elevations are located at least 1-foot above the proposed Valley Water modeled BFE for buildings in the floodplain.</p>
PW 5	<p>Utilidor:</p> <p>a) Confirm the proposed Utilidors are within private properties, except at certain perpendicular street crossings as shown on the plans.</p> <p>b) Minimize Utilidor crossings to proposed project properties, such as one per block.</p> <p>c) Proposed private utilities crossing public right-of-way will require execution of a Major Encroachment Agreement and approval by City Council.</p> <p>d) Provide approximate height and depth of the proposed utilidors.</p> <p>e) Indicate where existing utilities need to be modified and/or relocated as a result of the proposed utilidor crossings</p>	<p>a - b) Utilidor alignments aim to minimize improvements within public streets and make crossings perpendicular to the maximum extent feasible. Refer to the Infrastructure Plan Sheets and the Downtown West Infrastructure Plan.</p> <p>c) Noted. See Master Encroachment Permit.</p> <p>d) See Master Encroachment Permit and Infrastructure Plan Sheets.</p> <p>e) See utility sheets in the Infrastructure Plan Sheets.</p>

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PW6	<p>Street Vacation:</p> <p>a) A street vacation is required in order to accomplish the land use plan as shown. The street vacation process requires further discretionary approval by the City Council and the project will be subject to this process prior to Public Works Clearance. Provide title report(s) for the streets proposed to be vacated.</p> <p>b) Indicate ingress/egress access at properties along Montgomery Street, north of W. St John Street, shown to be vacated.</p>	Proposed street vacationing will be submitted as part of the VTM for City approval, detailed ingress/egress on Montgomery and north of West St John Street will be submitted to City for review and approval at a later date (prior to Final Map).
PW 7	<p>Private Improvement Encroachments within Public Property:</p> <p>All encroachments shall be consistent with City of San Jose Municipal Code Title 13 and California Building Code (CBC) Chapter 32 Section 3202 entitled Encroachments into the Public Right-of Way. The proposed private bridge connections between office buildings may be allowed but will require a Major Encroachment Agreement approved by City Council.</p>	All encroachment permits will be carried through within a master encroachment agreement process. A master encroachment agreement will be submitted under separate cover
PW 8	<p>Sanitary Sewer:</p> <p>a) Construct sewer improvements in accordance to the Diridon Station Area Infrastructure Analysis. Particularly, the sewer improvements should include Julian Street (east and west of Montgomery Street) and Autumn Street (south of Santa Clara Street and south of St. John Street), and St. John (west of Pleasant Street).</p> <p>b) The Illustrative Framework Plan (sheet 2.09) shows office use adjacent to Park Avenue where an existing 36" City Sanitary Sewer line exists. Clarify if the project proposes to relocate this City line and the planned new location of the line. Planning and Building 11/07/19 Subject: PDC19-039 and PD19-029 Page 4 of 8</p> <p>c) Provide parcel level sewer discharge information.</p> <p>d) If onsite treatment water reuse system is proposed, provide additional detail on size and capacity.</p> <p>e) Construction of wastewater treatment plants, particularly in established neighborhoods, involve technical and community related challenges that must be evaluated in depth. The applicant must provide comprehensive studies/reports to address the following:</p> <p>i) Odor generation and control, and odor impact on surrounding community.</p> <p>ii) Noise impact outside of development area.</p> <p>iii) Biosolids trucking and disposal.</p> <p>iv) Amount of flow capacity required in the sanitary system.</p> <p>v) Potential hydraulic impact, especially siphons.</p> <p>vi) Sanitary system corrosion issues.</p> <p>vii) Operational issues in the event of emergency discharge with high volume of wastewater.</p> <p>viii) Impact of City revenue.</p>	<p>a - d) Please reference Infrastructure Plan Section 7.2 for latest summary of improvements</p> <p>e) Items i-vii have been addressed through the project's Draft EIR and Infrastructure Plan Section 9.2.4 (Item viii) Fees will be addressed in the Development Agreement</p>
PW 9	<p>Storm:</p> <p>a) The Illustrative Framework Plan (sheet 2.09) shows office use at the existing Park Avenue pump station site. Clarify if the project proposes to relocate this pump station and the planned new location for the station.</p> <p>b) Construct storm improvements in accordance to the Diridon Station Area Infrastructure Analysis. In addition to the segments shown on Grading & Drainage Plan (sheet 3.14), improvements should also include Santa Clara Street, west of Cahill Street.</p>	<p>a) The project proposes to relocate the City lines as required to avoid proposed buildings. See sheet C4.2 in the Infrastructure Plan Sheets.</p> <p>b) An updated analysis was completed by the City of San José which therefore outdates the Diridon Station Area Infrastructure Analysis. Refer to the Utility Sheets in the Infrastructure Plan Sheets and the Downtown West Infrastructure Plan for proposed pipe improvements.</p>

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PW 10	Private Streets: a) Revise plans to show preliminary/conceptual private street cross section including street dimensions, cross slopes, curb & gutters, and sidewalks. b) Final private street improvement plans may be required to the satisfaction of the Director of Public Works.	a) Private street cross sections are included in the Draft VTM b) Noted
PW 11	Recycled Water: The City has a considerable investment in a recycled water delivery system, and it is beneficial for Google to connect to already built infrastructure, rather than duplicating water treatment efforts. In addition to supporting existing investments, connecting to the recycled water system will expedite SWRCB approval and is negligible in cost compared to on-site treatment options.	Recycled water is not currently available within the DSAP area. Based on discussions with the City, there are currently no plans to extend the recycled water network into the Diridon Station Area and no technical feasibility studies have been conducted for the extension. The Diridon Station Area Infrastructure Analysis recommended expanding the City's recycled water system into the DSAP area from its current nearby terminus in Autumn Parkway on the north side of the UPRR tracks. However, the Infrastructure Analysis also notes that the City does not currently have any planned improvements programmed. Although recycled water is not currently provided to or planned for the DSAP area, the Project could be served in the future by municipal recycled water. To serve the Project through the SBWR system, the existing recycled water system would need to be expanded to the Project site. Options for connecting to the existing system include connecting at Coleman Avenue, Autumn Parkway and/or West Hedding Street. A hydraulic study conducted by SJWC would be required to confirm the alignment, pipe size and necessity for two parallel connections (i.e., new connection from West Hedding Street and a connection at Autumn Parkway). In addition, SBWR would need to confirm that adequate recycled water supply could be provided including storage and re-pressurization if needed. As an alternative, Google has included in the project an onsite district water reuse facility to produce a non-potable water supply for beneficial reuse from the wastewater generated by the project. Refer to the Infrastructure Plan, Sections Existing Recycled Water System and Future Recycled Water Service for further details on this topic.
Parks, Recreation, and Community Services (PRNS)		
PRNS 1	Provide clarification on the intended ownership and maintenance plan for the proposed open space network.	See Development Agreement and the exhibits thereto
PRNS 2	Revised plans should clearly differentiate between lands that might be publicly accessible (either through dedication to the City or public access easement) and public recreational areas (i.e. public parks, trails, community centers, etc.), from privately-owned inaccessible open space and non-recreational open space areas (i.e. riparian setbacks, mitigation areas, stormwater collection and treatment areas, building setback/landscape areas, private residential open space areas, etc.).	See VTM and DWDSG
PRNS 3	Clarify how lands to be dedicated to the City will meet the municipal code requirements	See DWDSG for standards and guidelines related to City-dedicated parks as well as the Development Agreement and the exhibits thereto
PRNS 4	Clarify how the proposed public recreational open spaces will be designed and be accessible to future residents, to the greater community, and to visitors.	See DWDSG for standards and guidelines related to City-dedicated parks and Los Gatos Creek Trail connections
PRNS 5	Provide exhibits that demonstrate that all public recreational amenities are designed with: a) Distinct and comprehensive goals that meet the goals and objectives of the General Plan. b) Clear indication that parks are in the public realm and are accessible to the public. c) Buildings oriented toward the parks and trails. d) Pedestrian and bicycle paths that terminate at public parks. e) Unique design, architecture, and placemaking.	See DWDSG for standards and guidelines related to City-dedicated parks
PRNS 6	Provide an exact proposed residential unit count, housing types, and anticipated building heights.	See DA and exhibits thereto, as well as DWDSG

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PRNS 7	Provide detailed sections of all proposed public trail improvements that meet City standards and meet conditions for a Class I Bikeway (off-street) trail as defined by the Caltrans Highway Design Manual Chapter 1000 and the City's Trail Design Toolkit. a) The trail must be developed within park/open space and generally aligned with the creek channel. b) Enhanced signalized intersections (per the Department of Transportation) will support pedestrian/bicycle movements as trail under-crossings are infeasible per the current roadway system. c) All trails must have appropriate under crossings, signalized crossings, and/or defined on-street routes to access the trail.	See DWDSG for design goals and specifications for the Los Gatos Creek Trail. Construction drawings will be submitted through the permitting and Conformance Review process.
PRNS 8	A revised Master Stormwater Control Plan and Grading Plans should indicate if any proposed public lands are in a floodplain and be revised to have separate Drainage Management Areas for lands to be dedicated to the City.	Floodplains and stormwater treatment DMAs are shown in the Infrastructure Plan Sheets which include grading plans and a Stormwater Control Plan. Stormwater runoff will be designed to not cross property lines.
PRNS 9	The Site Plan, Grading and Drainage, and subdivision plan sheets should show dimensioned details of any potential encumbrances on land proposed to be dedicated to the City such as (but not limited to): a) Emergency Vehicle Access b) Riparian Corridor and other Setbacks	The surveyed riparian corridor and setbacks will be shown on the VT. Emergency Vehicle Access will be shown at the Final Map stage and in the Street Improvement Plans. Grading and Drainage are included as exhibits of the Infrastructure Plan Sheets. The Major Encroachment Agreement with the associated exhibit will show / describe the encroachments throughout the site.
PRNS 10	Outside of the parkland obligation, please clarify how public art will be incorporated throughout the project development.	See DWDSG
Housing (H)		
H 1	Project is subject to City's IHO. Applicant shall, as part of the application for First Approval, submit to the Housing Department for approval an Affordable Housing Compliance Plan Application (Compliance Plan) and processing fee.	The Development Agreement will specify how the Project is meeting the City's IHO.
H2	The above listed permit(s) may seek demolition or remodeling of existing structures with residential dwelling units. If the existing structure is multi-family (triplexes or larger), the owner/developer is required to comply with the Tenant Protection Ordinance, and cannot evict tenants without good cause. If the project involves demolition or repurposing of existing multi-family residential units built before September 7, 1979 or otherwise subject to the Apartment Rent Ordinance (ARO), it is subject to the City's Ellis Act Ordinance	The Project proposes demolition of 11 existing residential structures, there is one structure with a tenant currently which is a single family home thus Tenant Protection Ordinance and Apartment Rent Ordinance are not applicable.
H3	Prior to the approval of any final or parcel map, or issuance of any building permit for a rental residential development, if the proposed development(s) contains 20 or more dwelling units, the developer must record an Inclusionary Housing Agreement on all parcels needed to implement the project's residential uses and affordable housing obligation including contiguous property under common ownership and control.	Noted, please provide Draft Inclusionary Housing Agreement for, if available. It is anticipated that the Agreement will be adopted in conjunction with the Development Agreement.
H4	No Final Inspection Approval, Temporary Certificate of Occupancy, Certificate of Occupancy, or Notice of Completion for any units will be issued until all requirements of the Inclusionary Housing Ordinance and Guidelines, or, if applicable, the AHIF Resolution and implementing regulations are met.	Noted
Community Energy Department (CED)		
CED 1	Provide "Infrastructure Narrative Section 13.1 - Existing Energy and Communication Systems" referenced on pg. 3.16 and "Infrastructure Narrative Section 13.2.2 - Proposed Electrical Systems" referenced on pg. 3.17	Please reference Infrastructure Plan section 8.1.4
CED 2	Provide details on proposed electrical infrastructure (pg. 3.17) including proposed transition stations, utility switching station, and customer substation. Information on how the electrical infrastructure will connect to the existing distribution and/or transmission grid should also be provided. Details on the expected distribution generation resources, including their location should also be provided.	Please reference Infrastructure Plan section 8.1.4 and 9.5
CED 3	Provide detail of electrical load required for the project, including during construction.	Information has been sent to CED

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CED 4	Community Energy Department staff is supportive of the large microgrid concept with substantial renewable energy generation resources that applicant has described verbally to staff. Staff may meet with applicant to discuss development of electrical microgrid plan and ensure that electrical infrastructure (both existing and planned) is sufficient to support project.	Noted
Airport (A)		
A 1	Generalized height information appears consistent, subject to structure-specific compliance	Noted
A 2	Applicant shall submit filings of "Notice of Proposed Construction or Alteration" (FAA Form 7460-1) for each corner of a specific proposed building and any additional higher structure point. Recommend filing multiple Form 7460-1.	Noted, see GDP and DWDSG Buildings chapter - Building Heights
A 3	Property owner dedication of an Avigation Easement to the City should be required as a condition of PD19-029 approval for all development within the ALUC-defined Airport Influence Area (AIA)	Noted
A 4	Continued coordination with Airport <ul style="list-style-type: none"> any revised or new project drawings depicting building heights, footprints, or roof-top features. a draft of the PD19-029 aviation-related conditions of approval prior to posting for public hearing 	Noted. Project drawings will be part of the Conformance Process. At this time project COA have not been drafted
Environmental Services Department (ESD)		
ESD 1	The current submittal does not address details for solid waste collection and management.	Please reference Infrastructure Plan section 9.7.
ESD 2	ESD IWM staff can meet with applicant to discuss adequate collection of solid waste and recycling and the development of a waste management plan. The solid waste management plan should include, but is not limited to, types of containers (i.e. roll-offs, compactors, front load bins) and types of service trucks, truck circulation patterns, estimated waste capacity, area(s) planned for storage and collection, proper height, widths of service areas to accommodate service trucks, and proper turning radius for trucks	Noted
ESD 3	How will site handle bulky items and yardwaste?	For bulky waste items, these will be temporarily stored within the centralized waste storage area present within each building, and hauled away via truck as needed. Yard waste will be collected and stored separately from other waste streams. Licensed landscape contractors will haul away yard waste produced during landscape maintenance.
ESD 4	Site must comply with City's Construction and Demolition Diversion Program.	Noted