

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Transcription of Video File

APR 28, 2021 _ Planning Commission-QQy_lEBTKWw-Job

2560

Video Segment 06:00 to 4:10:06

1 (Beginning at 06:00)

2 CHAIR CABALLERO: My name is Mariel Caballero
3 and I am the Chair of the Planning Commission. At
4 this time, I'd like to ask staff to show the video in
5 multiple languages, explaining how to participate in
6 the meeting with translation.

7 FEMALE VOICE: All right, Chair Caballero. It
8 looks we're like having technical difficulties playing
9 the video. But just give us one second.

10 CHAIR CABALLERO: Sure.

11 (FOREIGN LANGUAGE)

12 CHAIR CABALLERO: Welcome to the Planning
13 Commission meeting. This meeting is being held via a
14 Zoom conference call due to the COVID-19 crisis.
15 Members of the public may participate by following the
16 instruction -- instructions listed on the agenda. You
17 may also view and listen to the meeting on Livestream
18 Cable TV, Granicus, and YouTube. If you would like to
19 provide public comment, you have two methods to
20 identify yourself to provide comment -- public
21 comment.

22 All members of the public will remain on mute
23 until the individual identifies they would like to
24 speak and you are unmuted by staff. Following roll
25 call during the summary of hearing procedure, we will

1 review how the public may provide comments during
2 today's session. At this time, I'd like to do the
3 roll call for the Commissioners. Vice-Chair Bonilla?
4 Not present. Commissioner Casey.

5 COMMISSIONER CASEY: Here.

6 CHAIR CABALLERO: Commissioner Garcia. Not
7 present. Commissioner Lardinois?

8 COMMISSIONER LARDINOIS: Here.

9 CHAIR CABALLERO: Commissioner Oliverio?

10 COMMISSIONER OLIVERIO: Here.

11 CHAIR CABALLERO: Commissioner Torrens.

12 COMMISSIONER TORRENS: Here.

13 CHAIR CABALLERO: The proceeding -- procedure
14 for this hearing is as follows. After the staff
15 reports, Applicants and appellants may make
16 presentations. City Staff will call up the names of
17 the public who identified the items that they want to
18 speak on. You may identify yourself by using the
19 raise hand feature in Zoom, clicking star 9 on your
20 phone, or you may call 408-535-3505, or email
21 planningsupportstaff@sanjosea.gov to identify your
22 name, phone number, and what item or items you would
23 like to speak on. As your name is called, City Staff
24 will unmute you to speak.

25 After we confirm your audio is working, your

1 allotted time will begin. Each speaker will have two
2 minutes. Speakers using a translator will have four
3 minutes. After the public testimony, the Applicant
4 and appellants may make closing remarks for an
5 additional five minutes. Planning Commissioners may
6 ask questions of the speakers. Response to
7 Commissioners' questions will not reduce the speaker's
8 time allowance. Staff will unmute the speaker to
9 respond to the Commissioner.

10 The public hearing will then be closed, and the
11 Planning Commission will take action on the item. The
12 Planning Commission may request staff to respond to
13 public testimony, ask staff questions, and discuss
14 (inaudible). To challenge these land-use decisions in
15 court, you may be limited to raising only those issues
16 you or someone else raised at this public hearing, or
17 in written correspondence delivered to the City at or
18 prior to the public hearing.

19 The Planning Commission's actions on re-
20 zonings, pre-zonings, General Plan Amendments, and
21 code amendments is only advisory to the City Council.
22 The City Council will hold public hearings on these
23 items. Section 20.120.400 of the Municipal Code
24 provides the procedure for the protest to the City
25 Council on re-zonings and pre-zonings. The Planning

1 Commission's action on conditional use permits is
2 appealable to City Council in accordance with Section
3 20.100.220 of the Municipal Code.

4 At this time, I'd like to ask any of the
5 panelists if you are not speaking, please keep your
6 microphone on mute; that way, we don't get any
7 feedback or additional noise during the meeting. And
8 unmute yourself when you're called upon to speak.

9 So at this time, we're calling the meeting to
10 order. Our first item on the agenda is public
11 comment. This is a time for speakers wishing to make
12 comments to the Planning Commission on items that are
13 not on today's agenda. If you start speaking on an
14 item that isn't on the agenda, you will be muted and
15 asked to speak later. I'll go ahead and recognize
16 Commissioner Oliverio.

17 COMMISSIONER OLIVERIO: Thank you, Chair. I
18 was curious on orders of the day as we have a large
19 item coming forward this evening, and I believe based
20 on the study session that it'll be presented by
21 different speakers on different topics. May I make a
22 suggestion to the Chair that after each presenter has
23 finished their area of -- of expertise, that the
24 Commissioners be allowed to ask questions and then
25 move on to the next so that our questions are focused

1 on specific content areas of the large items. So the
2 questions are more like I -- too, I mentioned, focused
3 rather than very broad at the end of maybe five
4 presenters.

5 CHAIR CABALLERO: That seems like a great idea.
6 That is not actually -- Rosalynn if you could come on
7 screen and that's --

8 MS. HUGHEY: Yes. Thank you, Chair.

9 CHAIR CABALLERO: Would that be amenable for
10 staff?

11 MS. HUGHEY: Thank you so much. You know, we -
12 - staff has done quite a bit of work in designing the
13 presentation for the Planning Commission this evening.
14 I would say there are some segments of the
15 presentation that are quite short, and others have
16 more content. So for example, there is an
17 introductory part and some information about community
18 engagement. I -- I think staff is willing to take
19 questions from the Commission. At the end of the day,
20 we want to make sure that you have the information you
21 need to take your action this evening.

22 CHAIR CABALLERO: Okay. Thank you.

23 MS. HUGHEY: So I would also just remind you
24 that, you know, because we have several speakers,
25 staff presentation is more lengthy than usual, and

1 because of the complexity of the project that the
2 Applicant presentation is longer than usual as well.

3 CHAIR CABALLERO: Yes. Thank you. Okay. So
4 given that description, we will go ahead and pause
5 after each City Staff makes their presentation and
6 then ask questions of the staff from Commissioners.
7 And then when the Applicant presents, we will take
8 questions from Commissioners immediately after the
9 Applicant.

10 At that point, we will move to public comment.
11 We can have additional questions after responses to
12 public comments, and then we will close, and we will
13 vote on the item. So is that amenable to Commissioner
14 Oliverio?

15 COMMISSIONER OLIVERIO: Oh, I'm gracious.
16 Thank you, Chair.

17 CHAIR CABALLERO: Okay. Great. So at this
18 time, we're going to take public comment on items that
19 are not on the agenda. So I see several hands that
20 are up. We will actually also be -- we recognize and
21 we're told ahead of time that there are several public
22 speakers who do not speak English or may speak
23 languages more fluently other than English. And so
24 we're actually going to ask anyone raised their hand
25 to lower their hand at this time and for public

1 speakers needing Spanish translation during public
2 comment to please raise their hands at this time.

3 COMMISSIONER CASEY: Chair, sorry. Should we
4 make that announcement in Spanish?

5 CHAIR CABALLERO: It is being provided in --

6 COMMISSIONER CASEY: Okay.

7 CHAIR CABALLERO: -- the translation.

8 COMMISSIONER CASEY: Thank you. All right.
9 Okay.

10 CHAIR CABALLERO: Interpretations. Thank you,
11 Commissioner Casey. Yes. So -- okay. So I see no
12 hands raised for Spanish-speaking interpretation
13 during public comment. Thank you very much. At this
14 time, we'll ask speakers who need Vietnamese
15 translation to raise your hand for public comment.
16 I'm going to pause for a few seconds.

17 I'm seeing no hands raised from Vietnamese
18 translation. Anyone else at this time who would like
19 to make a public comment on items that are not on the
20 agenda, please raise your hand. And again a reminder,
21 if you start to speak on an item that isn't on the
22 agenda you will be muted, and we will ask you to speak
23 later. Okay. Staff, I see two raised hands. I will
24 kick it over to you to get us started.

25 FEMALE VOICE: Okay. Tessa, you are unmuted.

1 Go ahead and unmute yourself.

2 FEMALE VOICE: Thank you so much. I guess I
3 don't have a clock so, I guess we have two -- oh there
4 it is. I see it. Thank you, sweetie.

5 Okay. So I guess I was commenting on my
6 neighborhood, the Garden Alameda, and we're talking
7 about 615 Stockton Avenue as a contentious development
8 that is happening in our neighborhood. And we are
9 outside the scope of the downtown, the Diridon Station
10 area plan, but we're definitely in the -- the Stockton
11 Avenue. I call it the -- it could be the Royal Road
12 to the Google Village but it really needs -- the
13 comment is, is that, you know, to break Stockton
14 Avenue up into, you know, just the section that starts
15 at Lenson and have that be part of downtown stationary
16 plan when -- when we have the whole street that needs
17 to be improved. And so that's one of the comments is
18 that we need to fix Stockton Avenue to make it a -- a
19 more livable street because it is become a freeway
20 like so many of our streets in San Jose. So the whole
21 street needs to be looked at to create traffic
22 calming. So that's one issue.

23 And then the other issue is specifically about
24 615 and how our General Plan changes even prior
25 Council Member Pierluigi has said -- Councilman, you

1 know, prior Councilman Oliverio that, you know, we
2 shouldn't have any changes to our single-family home
3 without, you know, really -- that that that's built
4 into the system that shouldn't change.

5 Well, I don't have any problems with that, but
6 I'm having trouble is that we changed our neighborhood
7 to commercial, and that's where it really becomes a
8 problem, and that, too, happened without notification
9 of our community. And those impacts are so much
10 greater than even in intensifying our residential that
11 when you add commercial is where you really have --
12 you know, because they don't -- they're not -- they
13 don't -- they're not a human being. They don't sleep.
14 They don't have a nervous system. And so you have
15 noise and air pollution problems that are critical.

16 So as this neighborhood is a community at risk
17 from air pollution, we are requesting that it become -
18 - that the Garden Alameda, this lot become a garden
19 again, a food garden. That's what we need it to
20 become, a fossil-fuel-free area.

21 CHAIR CABALLERO: Okay. Thank you, Tessa.
22 Next, we have Roland. Roland, you are unmuted. Go
23 ahead and unmute yourself.

24 ROLAND: Hey Commissioner. I'm going to rant
25 very briefly. Every agency that receives the federal

1 funding, and I believe that includes the City of San
2 Jose, is required by the Federal Government to provide
3 closed captioning to assist members of the public with
4 hearing deficiencies during video conferencing. And I
5 would really appreciate if somebody could provide the
6 outcome at the bottom of my desktop. Thank you very
7 much.

8 CHAIR CABALLERO: Great.

9 ROLAND: I'm done.

10 CHAIR CABALLERO: Thank you, Roland. And our
11 staff, I'll ask if you could look into how we could
12 provide closed captioning at the bottom of the screens
13 moving forward, and if we can figure out how to do it
14 for this meeting. I know that in other Zoom meetings
15 I've had, it has to -- it's a setting that has to be
16 turned on before the meeting usually. But if you can
17 figure out how to do it, it'd be great. I think it'd
18 be appreciated by our community if we could have that
19 available.

20 So at this time, seeing no other hands, we will
21 go ahead and move on to Item Number 3, which is
22 deferrals and removals from the calendar, and there
23 are no items under this agenda.

24 So we'll move on Item Number 4A, and if
25 Commissioner Garcia has joined us, I believe -- I

1 don't see him. Okay. So we'll go ahead --

2 MR. MANFORD: I think he's not, Madam Chair.
3 He's not in the meeting.

4 CHAIR CABALLERO: He's not here. Okay. Great.
5 I just scrolled through the -- I understood that he
6 needed to recuse himself, but I think he's planning on
7 joining us after this item. So we will move on to
8 Item Number Fourth Avenue, which is a consent calendar
9 item. C20-014 and CP20-12, which is a conforming re-
10 zoning from the A Agricultural Zoning District to the
11 PQP, Public Quasi Public Zoning District, allowing the
12 re-permitting of an existing 63-foot high monopole
13 with nine-panel antennas, nine radios, and equipment
14 enclosure, and the associated equipment and
15 continuation of the assembly on an approximately 3.5
16 gross acre site located in east -- on the east side of
17 Center Road approximately 415 feet southerly of East
18 Capital Expressway at 3195 Center Road.

19 So if we could have a -- do we have any
20 speakers on this item? Okay. Seeing none, I'll go
21 ahead and call on Commissioner Oliverio.

22 COMMISSIONER OLIVERIO: Thank you, Chair. If
23 there's no speakers, I'd simply make a motion to
24 approve the staff recommendation.

25 COMMISSIONER LARDINOIS: I'll second that.

1 CHAIR CABALLERO: Thank you, Commissioner
2 Lardinois. We have a motion and a second by
3 Commissioner Oliverio and Commissioner Lardinois --
4 (break in audio) like to speak to their motion?

5 COMMISSIONER OLIVERIO: No. Thank you.

6 COMMISSIONER LARDINOIS: No.

7 CHAIR CABALLERO: Okay. So go ahead and take
8 off, is there any (break in audio) on the item?
9 Seeing no hands from the Commissioners, we'll go ahead
10 and take a roll call vote on Item 4A. Commissioner
11 Casey.

12 COMMISSIONER CASEY: Aye.

13 CHAIR CABALLERO: Commissioner Garcia. Not
14 present. Commissioner Lardinois.

15 COMMISSIONER LARDINOIS: Aye.

16 CHAIR CABALLERO: Commissioner Oliverio.

17 COMMISSIONER OLIVERIO: Aye.

18 CHAIR CABALLERO: Commissioner Torrens.
19 Commissioner Torrens?

20 COMMISSIONER TORRENS: Aye, aye, aye.

21 CHAIR CABALLERO: It's okay. Oh, I just
22 thought you were on mute for a sec. And then
23 Commissioner Bonilla is not present, and Commissioner
24 Caballero is an aye. So that item passes, and we'll
25 pause just to have the staff show the screen. Thank

1 you.

2 And I've been notified that closed captioning
3 is available, and if you need a live transcript, you
4 can press the CC live transcript button at the bottom
5 of your Zoom screen. At this time, we will go ahead,
6 and move on to Item Number 5, which is a public
7 hearing. There are no items under this.

8 So we'll move on to Item Number 6, which is a
9 Continuance of The General Planned Hearing Cycle 1 in
10 2021. So we are opening the public hearing. Item
11 Number 7 is a General Plan Consent Calendar and we
12 have no items. And before we move on to Item Number
13 8A, which I know there's quite a lot of interest in,
14 we're going to play the videos one more time about how
15 folks can use translation services in case -- I see
16 that the numbers have actually grown quite extensively
17 since our -- we first played it. So we'll go ahead
18 and play that one more time.

19 (FOREIGN LANGUAGE)

20 CHAIR CABALLERO: Okay. Thank you. And at
21 this time, I'd like to recognize Commissioner
22 Lardinois.

23 COMMISSIONER LARDINOIS: Thank you, Chair. So
24 I discussed this with staff already, but -- because I
25 used to be an engineer at Google Cloud, I'm going to

1 recuse myself from this discussion and -- so I'll be
2 leaving for the remainder of the meeting. So have a
3 good night everyone.

4 CHAIR CABALLERO: Thank you.

5 JENNIFER: Hi Chair. This is Jennifer. I also
6 wanted to let you know that Commissioner Garcia will
7 be joining us in about a second or so.

8 CHAIR CABALLERO: Okay. So I'm going to kick
9 this off to our Deputy City Manager, Rosalynn Hughey,
10 to go ahead and start our staff presentations on Item
11 8A GP19-009, PDC19-039, PD19-029, and HP20-002 and
12 PT20-027, also known as Downtown Google West. And I'm
13 not going to read the whole thing because it's quite
14 lengthy. But we'll go ahead and get started with
15 staff presentations.

16 MS. TODORAV: Chair, if I may interrupt for a
17 moment. This is Vera Todorav. When Commissioner
18 Garcia arrives -- and I think that he is on the
19 meeting right now -- he will need to state his
20 abstention, his disqualification from the previous
21 Item 4A on the record.

22 CHAIR CABALLERO: Okay. So I do see
23 Commissioner --has joined, and before we start the
24 notations on Item 8A, Commissioner Garcia, if you
25 could turn your camera on and also share with us your

1 abstention and disqualification for Item 4A. It looks
2 like we're -- maybe he's having technical
3 difficulties. Commissioner Garcia? There you are.

4 COMMISSIONER GARCIA: I'm unmuted right now.

5 CHAIR CABALLERO: We can hear you now.

6 COMMISSIONER GARCIA: Okay. Excuse that. So
7 the reason that I had to recuse myself from the
8 beginning of the meeting of the consent calendar was
9 because on Item 4A, I had a conflict of interest with
10 the ownership of real estate property near the --
11 within 500 feet of that location.

12 CHAIR CABALLERO: Thank you very much. Is that
13 (break in audio) and fair.

14 MS. TODORAV: Yes, it is. Thank you.

15 CHAIR CABALLERO: Okay. Great. Thank you so
16 much, Commissioner Garcia. Okay. Rosalynn --

17 MS. TODORAV: Thank you.

18 CHAIR CABALLERO: Let's get started.

19 MS. HUGHEY: Thank you, Chair, and good
20 evening, Planning Commissioners. Rosalynn Hughey,
21 Deputy City Manager, and we're going to bring up the
22 presentation now. Great.

23 So staff is very excited to be with you this
24 evening to present staff analysis and recommendations
25 for the Downtown West mixed-use plan, and this work

1 has evolved over the last two-plus years. And I
2 really have to acknowledge the work for many, many
3 members of our community.

4 They have volunteered their time and shared
5 their knowledge, and lived experiences. I also want
6 to thank the members of the station area advisory
7 group who met about 20 times. And, of course, we want
8 to thank the Google team and their consultants. And
9 this slide before you lists the many staff who have
10 been involved in this work. They have conducted the
11 analysis and crafted a host of documents that has
12 required many, many hours of staff time, and enormous
13 -- enormous coordination among our city departments.

14 And of course, during this last year, we had to
15 do all this work and interact via Zoom, and emails,
16 and phone calls. So if you would just bear with me
17 for a moment, I do want to take the time to call out
18 their names, as you will be hearing from many of them
19 this evening. Nanci Klein, Director of Economic
20 Development; Jacky Morales-Ferrand, Director of
21 Housing; Rachel VanderVeen, Deputy Director of
22 Housing; Robert Manford, Deputy Director of Planning
23 Building and Code Enforcement; Tim Rood, Planning
24 Division Manager; Jose Ruano, Planner II, David
25 Keyon, Principal Planner; Shannon Hill, Environmental

1 Planner III; John Tu, Supervising Planner; James Han,
2 Planner II; Lori Severino, Diridon Program Manager;
3 Vivian Tom, Senior Transportation Specialist with
4 Public Works; Jessica Zenk, Deputy Director of the
5 Department of Transportation; Nicole Burnham, Deputy
6 Director of Parks Recreation and Neighborhood
7 Services; and Zak Mendez, Parks Planner.

8 I also want to acknowledge Johnny Phan, Chief
9 Deputy City Attorney, who has provided legal counsel
10 and review for the project. And I also do want to
11 acknowledge Jennifer Provador and her mighty team for
12 providing outstanding support services to the entire
13 City Staff. And lastly, I do have to give a big
14 shout-out to former Deputy City Manager Kim Walesh,
15 who provided steady leadership to the entire City
16 team. Next Slide.

17 So through this process together with the
18 community and the Google team, we have learned that we
19 can agree on shared values and outcomes, what kind of
20 place we want to create, and that it's more than about
21 land uses and building heights. It's about enhancing
22 people's lives, providing new opportunities for people
23 who haven't always had them, and providing better
24 access to a variety of services with the outcome of
25 really lifting up everyone in their community. This

1 encourages us to see each other as neighbors, and this
2 is what equitable city building is really about. This
3 is complicated work, and it can be taxing and trying,
4 but it results in good fruit and in good outcomes.

5 Next slide.

6 We acknowledge that so much of the work that
7 has been done in the past, in fact, over probably two
8 decades of work for many members in our community,
9 including that of the Good Neighbor Committee. What
10 we have accomplished in presenting the Downtown West
11 project to you this evening builds from the collective
12 vision from the Diridon Station Area.

13 This vision calls for an area that is vibrant,
14 transit-oriented district of downtown and a place for
15 San Jose residents to use and enjoy. It's a place
16 that's integrated into the surrounding area, a place
17 with homes, affordable homes for folks with a variety
18 of income levels, a place with offices and job
19 opportunities, a place that offers arts and culture
20 and entertainment, parks, trails, retail offerings,
21 and services, and of course lots of fun places for
22 people to eat, gather, people watch, and enjoy nature.

23 I want to point out that achieving this vision
24 requires a private sector partner to implement it.
25 And the City Staff is excited to share with you

1 information on the various components of Google's
2 Downtown West project. Next slide.

3 Building from the vision, the shared goals from
4 this project are central to the Memorandum of
5 Understanding that was executed by the City and Google
6 in late 2018, and they include creating a balanced,
7 mixed-use development with both market rate and
8 Affordable Housing, making sure that we support
9 transit by optimizing density in the area, as well as
10 effectively managing parking and improving the
11 transportation network, and pursuing equitable
12 development to maximize the benefits and minimize the
13 impacts to our residents, especially to those in
14 disadvantaged communities.

15 Next Lori Severino, Diridon Program Manager,
16 will continue the presentation with an overview of our
17 community engagement. Lori.

18 MS. SEVERINO: Thank you, Rosalynn. So as
19 Rosalynn mentioned, I'm the Diridon Program Manager,
20 and I've managed the Community Engagement Process for
21 the last few years for the Diridon area.

22 So this slide summarizes the evolution of the
23 Downtown West project and the rounds of engagement
24 that have informed it. Each round has focused on key
25 milestones in the process and has covered the other

1 separate but related planning efforts affecting the
2 Diridon area, in addition to Downtown West, given the
3 importance of coordination between all of these
4 projects.

5 So the project visioning began over three years
6 ago. The City established the Stationary Advisory
7 Group and conducted a broad public engagement process
8 in 2018. This ended with a set of desired outcomes
9 for the Diridon Station Area and informed the MOU with
10 Google, including the shared goals from the previous
11 slide.

12 Google and the City -- Google and the City
13 continued with public outreach in 2019 before and
14 after submittal of the Downtown West application in
15 the fall.

16 In Spring 2020, outreach and engagement shifted
17 to the virtual format that we are in now and included
18 an online format on -- so online survey on community
19 benefit, priorities, and other topics. And last fall
20 we conducted a round to gather feedback on draft
21 documents, including the Downtown West Draft Design
22 Standards and Guidelines. Earlier this month we
23 released the staff recommended Draft Development
24 Agreement and have collected public comments through
25 meetings and an online comment form. Next slide,

1 please.

2 So this slide shows all of the engagement
3 activities the City team has led over the last three-
4 plus years on the Diridon Program of Projects. It
5 does not include meetings with the Planning Commission
6 or City Council or other commissions that included a
7 Diridon item nor all of the outreach and engagement
8 that Google led. So the Stationery Advisory group has
9 been central to this engagement process, but we've
10 also used a wide variety of methods and best practices
11 for inclusive engagement with the intent of reaching
12 all segments of the population.

13 So for example, we started a mini-grant program
14 to partner with seven different community-based
15 organizations on outreach and engagement in order to
16 reach new voices and increased participation. We've
17 also managed a website and an email list to share
18 information and report back to the community. So
19 we've learned a lot from this overall experience and
20 are working to apply these lessons citywide.

21 So to all the partners and community members
22 that are listening and have participated over the
23 years, we want to reiterate our appreciation for your
24 time, energy, and input. It has made a big difference
25 on the process and the outcomes for the Downtown West

1 project, and our -- the related efforts in the Diridon
2 area.

3 So with that, I will turn it over to John Tu, I
4 believe.

5 CHAIR CABALLERO: Before we move on, actually,
6 if we could -- if any Commissioners have questions on
7 the public engagement process, now would be the time
8 to raise your hands. Okay. Seeing no hands raised at
9 this point, we'll go ahead and move on.

10 MR. TU: Good evening, Madam Chair. John Tu,
11 Supervising Planner with the Planning Division of PBC.
12 What we have on the slide is a list of recommendations
13 from the Planning Commission to City Council to
14 facilitate the down west -- Downtown West project.
15 The project is proposing up to 7.3 million square feet
16 of commercial office, up to 5,900 residential units,
17 up to half a million square feet active uses,
18 including but not limited to uses such as commercial
19 retail, restaurants, arts, cultural, live
20 entertainment, community spaces, and institutional
21 child care and education maker spaces, nonprofit uses,
22 and small format office space, up to 300 hotel rooms,
23 up to 800 limited-term corporate accommodations, up to
24 100,000 square feet of event and conference space, a
25 district system approach to deliver onsite resources,

1 including designated infrastructure zones with up to
2 two onsite central utility plans.

3 One or more onsite logistic centers as part of
4 the commercial uses onsite, approximately 15 acres of
5 parks, plaza, and open space, including 4.8 acres of
6 public parkland and 10.2 acres of private open space
7 that include areas for outdoor seating and commercial
8 activity, green spaces, landscaping, mid-walk
9 passages, (inaudible) setback and trails, as well as
10 various other improvements to the public realm to
11 improve transit accents, pedestrian and bicycle
12 circulation, and facilitate connectivity with the site
13 to and from surrounding neighborhoods. Next slide,
14 please.

15 The project entitlement spans approximately 80
16 acres for an urban mixed-use development. Through
17 specific outreach, committee meetings, study sessions,
18 and referrals to other commissions such as the
19 Historic Landmarks Commission, Airport Land Use
20 Commission, Parks and Recreation Commission, in
21 addition to the Planning Commission may be more
22 familiar to seeing individual applications for our
23 building or a block of developments, or reviewing
24 city-specific plans. What we have before the
25 Commission is a hybrid of both -- a development and

1 vision to take years to develop but incorporates
2 highly detailed documents and exhibits that you don't
3 normally see in specific plans or with smaller
4 projects.

5 As the City has evolved our blueprint documents
6 such as the vision (inaudible) A24 General Plan and
7 the Diridon Station Plan needs to occasionally
8 updated. So as part of this application, the project
9 includes amendments of the land use, expansion of
10 growth boundaries, re-designation of streets, updates
11 and (inaudible) of various General Plan and DSAP
12 policies. These changes are meant to complement the
13 City's overall goals and work in conjunction with the
14 proposed update to the City's DSAP amendment, which is
15 also agendized for hearing tonight.

16 With a project of this size it necessitates the
17 development agreement to allow for negotiations
18 between the City and the Applicant to provide
19 certainty about the rules, regulations, and
20 responsibility that governs both parties over the
21 length of the project. Development agreements pose
22 opportunities for the City to provide public benefits
23 beyond city requirements.

24 Along with that development agreement, the
25 project includes a rezoning to a Plan Development

1 Zoning District which governs the heart of the
2 planning (inaudible) as it lays out the basic
3 framework of the project. This is where the allowed
4 uses, general development standards, parking, interim
5 uses, and general layout of open space, heights,
6 infrastructure, grading, parking, and future
7 performance review is codified for the entire site.

8 Building upon the Plan Development Zone
9 Districts are associated with approval documents that
10 further refines the requirements that will build up
11 the project. This approach maintains the flexibility
12 for both the City and the Applicant to adjust to the
13 market and surrounding developments, which provides --
14 - while providing assurances that sufficient
15 infrastructure, any relationships between the site,
16 adjacent uses, and considerate -- and are considered
17 and planned accordingly, and incorporated as part of
18 the entitlement.

19 The plan development permits includes an
20 extensive plan called the Downtown West Design
21 Standards and Guidelines, which was the focal point of
22 the previous Planning Commission study session. The
23 DWDSG goes into heavy details of the requirements,
24 standards, and guidelines, how each site may be
25 developed from the land use, open space, building

1 designs, mobility, lighting, signage, and how that it
2 will be designed to be considered the historic and
3 ecological resources of the area.

4 The DWDSG builds upon the recently approved
5 downtown design guidelines, includes input from
6 stakeholders to nearby community members to ensure
7 high quality urban space and building design. The DWG
8 outlines the performance review process established
9 through the planned development and zoning.

10 The DWE (phonetic) includes conformance review
11 checklists to be used during the performance review
12 process to facilitate the review and subsequential
13 design of vertical and horizontal improvements and
14 open space.

15 Of course, all the site needs to be -- all the
16 site needs to be developed with proper infrastructure
17 and within the PD Permit as the Downtown West
18 improvement standards, and conceptual infrastructure
19 plan sheets. These establish the standards and
20 specifications to evaluate horizontal improvements and
21 provides a conceptual level of design that describes
22 the anticipated flood plains, grading improvements,
23 layouts, utility, stormwater within the public right
24 of way.

25 Downtown West conformance review implementation

1 guide combined with the General Plan Development Plan
2 explains -- explains a detailed process for approval
3 for subsequential permits, including checklists,
4 requirements for community meetings, and additional
5 City coordination. Next slide, please.

6 Additionally, before the Commission today are a
7 vested tenant map that facilitates development with
8 the subdivision of 136 existing lots to allow up to
9 178 lots, up to 5,900 residential condos, and 20
10 commercial condos, and various street abandonments. A
11 master encroachment diagram, a master encroachment
12 agreement, an authorization for approval of associated
13 major encroachment permits enables the proposed
14 district system approach to deliver resources through
15 onsite infrastructure for electricity, energy such as
16 thermal and cooling, thermal heating and cooling,
17 wastewater, and recycled water.

18 Under the district system approach, the product
19 sponsor will design, construct, maintain, repair of
20 occupied privately owned subsurface facilities that
21 would encroach on the public right of way.

22 A Construction Impact Mitigation Plan, also
23 known as a CIMP, is to help residents --

24 CHAIR CABALLERO: John.

25 MR. TU: Yup.

1 CHAIR CABALLERO: Sorry, if you could speak
2 just a bit slower for our translators.

3 MR. TU: Sorry.

4 CHAIR CABALLERO: And this is a reminder to all
5 the staff and Applicants who are presenting. If you
6 could slow down, it's -- it's difficult to translate
7 when everyone's speaking that quickly. Thank you so
8 much.

9 MR. TU: Sorry about that. A Construction
10 Impact Mitigation Plan is to help residents and
11 business through the temporary disruption of major
12 construction projects by requiring the owners of the
13 project to communicate with the surrounding
14 neighborhoods prior to and throughout the construction
15 period and to modify their approach to the project by
16 implementing appropriate mitigation measures in an
17 attempt to avoid or lessen potential impacts that
18 arise from the construction.

19 There is one City-designated landmark site
20 within the project boundary, the San Jose Waterworks
21 Building. Therefore, an historic preservation permit
22 amendment was required to update the permit to be
23 consistent with the project's PD zoning and permit.

24 The project includes a Title 20 amendment to
25 ensure the standards and requirements set forth in the

1 Planned Development Zoning District are consistent
2 with the San Jose municipality code.

3 The project was taken before the land --
4 Airport And Land-Use Commission, also known as ALUC,
5 to determine if the General Plan Amendment and zoning
6 are consistent with the Comprehensive Land-Use Plan
7 for the San Jose International Airport also known as
8 the CLUP. The ALUC found the project to be
9 inconsistent with the CLUP's height and noise policy
10 as it relates to building height and proposed outdoor
11 private open space for the residential uses.

12 Section 21670 of the California Public Utility
13 Code allows the City to overrule the determination
14 with a two-third vote of the City Council. The City
15 has considered ALUC's determination and comment
16 letters from both the Commission as well as the
17 Caltrans Division of Aeronautics. It is the City
18 position that we're able to make the findings that the
19 proposed action is consistent with the proposed
20 purpose set forth in Section 21670 of the California
21 Public Utility code that the height will not present a
22 safety concern, as the project would require buildings
23 subject to the FAA heights to obtain determinations
24 and no hazard.

25 Additionally, it is the City's position that

1 providing residential residents with private, outdoor,
2 open space would not create new noise problem in an
3 urban environment such as Downtown San Jose. Next
4 slide, please.

5 I believe David Keyon unless -- I'm also open
6 to any questions as well.

7 CHAIR CABALLERO: Before we move on David, I --
8 I would like to recognize Commissioner Oliverio to any
9 questions he might have of John on this section and
10 encourage any of my other Commissioners to go ahead
11 and raise their hands at this time if they have
12 questions for John.

13 COMMISSIONER OLIVERIO: Thank you chair.
14 Question probably for the City Attorney, the
15 supermajority vote is -- is that just -- will that be
16 3 out of 5, or 4 out of 5 tonight?

17 CITY ATTORNEY: That will be at the City
18 Council, Commissioner Oliverio. Tonight it's just
19 that you're an advisory body to the City Council, so
20 it would be two-thirds vote of the council.

21 COMMISSIONER OLIVERIO: Not the Commission.
22 Thank you.

23 MS. TODORAV: Mr. Oliverio, to add, excuse me.
24 This is Vera. To add to that, the General Plan
25 Amendment requires four votes of the Planning

1 Commission. The other items require three.

2 COMMISSIONER OLIVERIO: Okay. Thank you, Vera.
3 And then going to the map that was shown -- and
4 there's one right there with a variety of colors. And
5 I asked this during the study session. I'm curious
6 how many acres of land on that map changed from
7 commercial to residential.

8 MR. TU: I actually do not have that
9 information off the top of my head. I will try to get
10 you that information, and get it to you later,
11 Commissioner.

12 COMMISSIONER OLIVERIO: Okay. Yeah, That'd be
13 great. As you -- just following up from our study
14 session. And then on the Construction Mitigation
15 Plan, this area is going to have a significant
16 construction with multiple projects at the same time.
17 The Construction Mitigation Plan, as proposed, is it
18 allowed to be changed or it's 100 percent concrete in
19 what's proposed tonight?

20 MR. TU: So I'm actually going to defer -- I
21 gave an overview of a bunch of different entitlements.
22 I would actually defer that --

23 COMMISSIONER OLIVERIO: I could wait until --
24 if that's better at a different section. That's not a
25 problem.

1 MS. KLEIN: I -- I can jump in on that. This
2 is Nanci Klein, Director of Economic Development. The
3 work on the CMP, the Construction Mitigation Plan, is
4 important work that we have begun, but it is far from
5 over, and we'll be including VTA, Google, and all the
6 other projects that are in and around the area.

7 COMMISSIONER OLIVERIO: And Nanci, that
8 approval of that Construction Mitigation Plan will
9 just be at the staff level? It won't return to any
10 commission or council?

11 MS. KLEIN: I will also ask Vivian and Public
12 Works. I believe that is true. Ryan, oh, I see Ryan.
13 Go ahead, Ryan.

14 MR. DO: Hi, Commissioner, Ryan Do, Public
15 Works Department. So currently, we just have a
16 framework for the CMP. Yes. That approval will be at
17 the staff level, a part of the recommendation is the
18 delegation to the Director for approval of subsequent
19 CMP.

20 COMMISSIONER OLIVERIO: Thank you. And Ryan,
21 is there a worst-case scenario in the CMP, meaning
22 projects that are not anticipated to be built at the
23 same time are built at the same time, and does that
24 enroll -- result unforeseen street closures, for
25 example?

1 MR. DO: Well, first of all, this project is
2 several phases, right, and built through a decade. So
3 that's why part of the detail the CMP will be
4 analyzing when we know more as far as what phase is
5 moving forward, and at that time we will evaluate what
6 project is currently occurring at the same time. So
7 that's where we customize -- we would customize the
8 CMP according to the conditions that we have at that
9 time.

10 COMMISSIONER OLIVERIO: And Ryan, one follow-
11 up, would the -- if the construction schedule changed,
12 would the CMP potentially hold back construction on a
13 project, or you feel it would allow it with different
14 conditions?

15 MR. DO: I feel like it would allow it
16 different conditions. Yes.

17 COMMISSIONER OLIVERIO: Thank you.

18 MR. TU: Chair, going -- I mean, Commissioner,
19 going back to your question about the overall
20 calculation. So there really are only two land uses
21 designated in the General Plan Amendment until they're
22 going to go to downtown commercial, which doesn't
23 allow residential at all, or downtown, which allows
24 both commercial and residential.

25 So what you previously had was a bunch of

1 designations and transit employment, public quasi-
2 public open space, and other uses, and combined
3 industrial commercial. So it's really hard to make
4 that because of the flexibility and the different
5 places it can go. But I will still try to research if
6 I can give you a specific number based on their
7 illustrative conceptually what places they might have
8 residential. But overall, But I think there's a net
9 benefit of getting commercial land.

10 COMMISSIONER OLIVERIO: Thank you, John. Yeah.
11 Yeah. I suspect based on the diagram you have
12 presented right now the map at the yellow at the
13 bottom was not zoned residential, and I -- and so I'm
14 curious what -- and I know that there's square footage
15 on one parcel could make up for it another. But I am
16 still curious what the net loss of -- of commercial
17 land is in this proposal.

18 MR. TU: I believe the bottom was combined
19 industrial commercial, and it went over to downtown.
20 But I can try to give you those calculations.

21 COMMISSIONER OLIVERIO: Thank you.

22 MS. KLEIN: Commissioner, if I may, I just want
23 to also point out that there's far more office than we
24 had originally envisioned in the Diridon specific plan
25 that was approved in 2014.

1 COMMISSIONER OLIVERIO: Thank you. I mean, I
2 can do a follow-up question now if you don't mind,
3 Nanci. This plan, though, as -- as put forward, the
4 Applicant does not necessarily have to build all the
5 commercial as anticipated any time in the near future.
6 But I'm assuming all the housing can go forward
7 without any stage gate.

8 MS. KLEIN: Rosalynn, would you prefer to
9 respond or John? The -- yes, the project can go
10 forward as the market demands, but Rosalynn or John
11 may prefer to answer.

12 MS. HUGHEY: Thank you. So what I would just
13 add, Commissioner, is that as the building designs
14 come through for conformance review, then obviously
15 staff will be evaluating those projects. At this
16 time, we don't know what type of building will be
17 coming through, residential versus commercial, or
18 perhaps mixed-use, or other uses at this time. And
19 perhaps when we do get to the housing portion of the
20 presentation, I know housing staff has more
21 information about phasing of Affordable Housing. That
22 might be helpful for you.

23 COMMISSIONER OLIVERIO: Thank you, Rosalynn.
24 One question if I may, again, the plan is approved.
25 There's designated colors on the map of what can go

1 there with specific projects to follow. Am I -- would
2 I -- would it be fair to say that if the Applicant
3 chose, all of the housing could go immediately,
4 meaning go forward with an application for
5 construction.

6 MS. KLEIN: Commissioner, if I may just in a
7 second. You'll see in a few slides that in the
8 development agreement there is a requirement to
9 construct 2 million square feet of office within 10
10 years, or 4 within 20, and if they don't construct,
11 then they have the option of paying the relevant
12 community benefits. But there -- there are mechanisms
13 to move forward the office, the commercial, and
14 certainly every intention to do so.

15 COMMISSIONER OLIVERIO: So Nanci, if I may and
16 I appreciate that, and I appreciate that -- that in
17 the plan. But again, I'm just curious if it becomes a
18 math equation right, at year 10, or year 20, if they
19 don't want to build any -- if they don't want to build
20 any more commercial development, they just pay that
21 fee. So my question is though, could all of the
22 housing go forward, you know, immediately? And you
23 get to ten years where all the housing is built out,
24 and you get up to that threshold of ten years where
25 the commercial may or may not have met that ten-year

1 requirement, but all the housing is built. Is that
2 legally possible?

3 MS. KLEIN: Commissioner, if they paid the
4 funds as you suggested, paying the required community
5 benefits at the trigger time, it is feasible. It is
6 possible, I should say, but it is not at all feasible.
7 That's not what staff would envision that the housing
8 would go forward without office.

9 CHAIR CABALLERO: So Commissioner Oliverio, I
10 think at this time I'm going to request that we go
11 ahead and move on with the presentation, and then we
12 can come back to further questions related to housing
13 --

14 COMMISSIONER OLIVERIO: Okay.

15 CHAIR CABALLERO: -- after the housing section.
16 So I'm not seeing any other hands from other
17 Commissioners so if we can go ahead and move on. I
18 think that would be helpful. Thank you.

19 MR. TU: Okay. Next slide.

20 MR. KEYON: I believe let's go to the next
21 slide.

22 MR. TU: Yeah.

23 MR. KEYON: Yeah. Good evening, Madam Chair
24 and members of the Planning Commission. This is David
25 Keyon, principal planner with the planning --

1 Department of Planning Building Code Enforcement. I'm
2 going to present a few slides on the Environmental
3 Impact Report prepared for the Downtown West project.

4 So the Environmental Impact Report was prepared
5 in compliance with the California Environmental
6 Quality Act otherwise known as CEQA. Now, the purpose
7 of the Environmental Impact Report, EIR, is to --
8 information document to disclose the potential
9 environmental impacts of a project, mitigation
10 measures that would reduce those impacts, and
11 alternatives that would also reduce those impacts.
12 The EIR does not have to promote or offer opinions on
13 the merits of the project. This is a project-level
14 EIR, meaning it analyzes the proposed project in
15 sufficient detail to allow the City to adequately rely
16 on the EIR for decision making on project actions.

17 Now as required by CEQA, the EIR was posted for
18 public review and circulation on October 7th, 2020.
19 It was circulated for a period of 62 days. This was
20 longer than the required 45-day circulation period
21 because the comment period is extended for an
22 additional 17 days at the request of the public. In
23 response to this circulation, the City received 34
24 comment letters from different state, regional, and
25 local government agencies, different organizations,

1 and individuals.

2 The City has prepared a response to all these
3 comments in what is known as the First Amendment. The
4 First Amendment also contains revisions to responses,
5 excuse me, responses to all the comments and minor
6 revisions to the text edits of the EIR and figures.
7 This First Amendment was published on the City's
8 website on April 16. Next slide, please.

9 Since publication of the draft EIR in October,
10 there has been some minor modifications to the
11 project. One is that the project was reduced in size
12 from 81 acres to 80 acres. Significantly since
13 publication and in response to public comments on the
14 draft EIR, there has been some minor modifications to
15 the project in response. This includes increased
16 riparian setbacks from the portions of the Los Gatos
17 Creek and the Guadalupe River, fewer historical
18 resources and structures of merit that would be
19 demolished or impacted.

20 As part of this, this includes the proposal by
21 the Applicant to relocate three residences along West
22 Julian Street and one residence along -- at 35 Barack
23 Obama Boulevard, which is formerly Autumn Street, to
24 be relocated to another location on the project site
25 on what is now going to be Barack Obama Boulevard. In

1 addition, the Applicant has -- has put forth to
2 provide funding to relocate another structure, the
3 Poor House Bistro to Little Italy, and has also
4 offered to salvage part of the sunlight bakery
5 building facade, and the retention of the Kearney --
6 Kearney Pattern Works hopper tower.

7 Other minor modifications include a minimum
8 parking of 2,850 public and common parking spaces.
9 This is no change to the maximum. Childcare
10 facilities would be relocated -- excuse me, not be
11 relocated but would actually be prohibited from being
12 located closer than 500 feet from I-280, and
13 entertainment facilities, we had -- include additional
14 locations, and amplified sound requires special permit
15 approval when noise exceeds 60 decibels. Next slide,
16 please.

17 Actually I do want to bring up that -- because
18 and actually, I'd bring it up now that the
19 Environmental Impact Report has to identify
20 significant impacts. And of the impacts, impacts that
21 are identified as significant and unavoidable means
22 that these are impacts that even with mitigation
23 measures would not be able to reduce to less than
24 significant.

25 EIR evaluated and determined that significant

1 impacts would occur to air quality, including criteria
2 air pollutants, health risk from construction, and
3 cumulative criteria air pollutants, and health risk
4 from construction.

5 In addition, it did -- it identified cultural
6 resources impacts. This includes the demolition of
7 several historic resources including candidate city
8 landmarks and modifications to the Howard -- Hellwig
9 Iron Works, which is a candidate city landmark.

10 In addition, there was a significant
11 unavoidable impact identified to land use, and this is
12 due to conflict with the San Jose's Airport
13 Comprehensive Land-Use Plan for exposure to
14 residential outdoor delays. And another -- other
15 noise impacts identified as significant, unavoidable
16 included increase in traffic noise, construction
17 noise, and cumulative impacts of construction noise.

18 Finally, a significant unavoidable impact was
19 identified to population housing to the -- to
20 contribute to the city's cumulative jobs/housing
21 imbalance. All the significant, unavoidable impacts
22 require what is known as a statement of overriding
23 considerations to be adopted by City Council. This is
24 a statement that the benefits of the project outweigh
25 any negative environmental impacts. This is included

1 as part of the EIR resolution that has been included
2 in your packet. Next slide, please.

3 In addition to the impacts that are significant
4 and unavoidable, the EIR identified impacts that could
5 be reduced with the implementation of mitigation
6 measures. These included impacts to air quality,
7 biology, cultural resources, geology, greenhouse gas
8 emissions, hazardous materials, hydrology, noise,
9 public services, transportation, and utilities. And
10 next slide, please.

11 Finally, an EIR's required to identify
12 alternatives to the project and reduce any of the
13 identified significant, unavoidable impacts.
14 Alternatives evaluated include the No Project/DSAP
15 Development Alternative. This would be built out of
16 the project site in accordance to what was originally
17 allowed under the 2014 approved DSAP.

18 In addition, there is an historic preservation
19 alternative that avoid all impacts to the nine
20 historic resources identified in the project's site.
21 Again, these are nine properties that have been
22 identified as candidate city landmarks.

23 In addition, there is another Historic
24 Preservation Alternative, CLUP Noise Compliance
25 Alternative, that would preserve eight of the nine

1 historic resources on the site while avoiding most
2 residential development within the 65 CNEL noise
3 contour to comply at the CLUP.

4 There is also an alternative that would
5 evaluate preservation of the 150 South Montgomery
6 Street building without any alterations to that that
7 would -- that would not comply with the Secretary of
8 Interior standards. This is the Hellwig Ironworks
9 Building, also known as the Tyco building.

10 Another alternative would be a reduced office
11 alternative to reduce the -- contribution to the
12 jobs/housing imbalance impact for population housing.

13 Finally, there's a reduced intensity
14 alternative that reduced the total development of the
15 project by 55 percent.

16 I do want -- before we go on to the development
17 agreement, I do want to mention that the City did
18 receive a comment letter in response to the First
19 Amendment this afternoon from the Sharks. This letter
20 has been provided to the Planning Commission as part
21 of their packet. This letter does not write -- raise
22 any new substantive issues that were not raised
23 previously in the comment letters from the Sharks and
24 addressed in the First Amendment. It does

25 raise concerns about parking and construction

1 management, and the Department of Transportation,
2 Jessica Zenk, she will discuss these in her
3 presentation. Thank you.

4 CHAIR CABALLERO: Before we move on to the
5 development agreement, I would like to recognize
6 Commissioner Torrens, who I believe probably has a
7 question related to the environmental impact.

8 COMMISSIONER TORRENS: I do. Thank you very
9 much, Chair. So, David, my question about the EIR is
10 stated in there as a -- you know, unavoidable impact,
11 a negative impact -- is the cumulative jobs/housing
12 imbalance. So my understanding was that this is going
13 to help with our imbalance. Can you explain a little
14 bit why it adds to the imbalance, if it does?

15 MR. KEYON: So the issue is that -- that the
16 jobs/housing imbalance -- let me bring that up. Okay.
17 Sorry. Just have to bring up that section. And this,
18 just as a -- just as a side one looking this up, I do
19 want to mention this impact to population and housing
20 comes from the General Plan, EIR, and also comes with
21 the downtown strategy EIR. So it's not a unique
22 impact. It is -- it has actually been part of the
23 overall development of the city and a lot of it comes
24 from the goals of the city.

25 Yeah. So the impact is proposed project will

1 not reduce substantial unplanned growth. And the
2 proposed project will not result in a cumulative
3 considerable contribution to the citywide significant
4 unavoidable cumulative impact identified on the
5 jobs/housing imbalance, identified as a General Plan
6 EIR.

7 So even though it is providing additional --
8 additional jobs, it's still contributing to that
9 significant unavoidable cumulative impact identified
10 under General Plan.

11 MR. MANFORD: And Commissioner Torrens, if I
12 may ask, it has to do with overall growth in the area
13 as identified in the General Plan, EIR. So this
14 project will be providing cumulative impacts as part
15 of it. It will be contributing to the cumulative
16 impact. But I don't necessarily (inaudible)
17 contribute to it.

18 COMMISSIONER TORRENS: Okay. Thank you very
19 much.

20 CHAIR CABALLERO: Great. At this time I'll
21 call Commissioner Oliverio.

22 COMMISSIONER OLIVERIO: Thank you, Chair. Is
23 that cumulative impact because this is allowing for
24 4,000 housing units versus 625 before?

25 MR. KEYON: Commissioner Oliverio, no. It is -

1 - let me look here.

2 MR. HEISLER: David, do you -- this is --

3 MR. KEYON: Yeah. Hey.

4 MR. HEISLER: Do you -- do you want me -- do
5 you want me to speak to this?

6 MR. KEYON: Sure. Yes. Thank you. I'm going
7 to -- yeah, Karl, I'm going through the -- the copy
8 issue.

9 MR. HEISLER: This is Karl Heisler from
10 Environmental Science Associates, the EIR Consultant.
11 Sorry. Let me turn my camera on.

12 The -- as described in the draft EIR on page 3,
13 1127, the City's policy is to since, you know, San
14 Jose has long been a so-called bedroom community with
15 much more housing than employment. The City's policy
16 is to try to change that so that there's relatively
17 more employment to housing than there is today.

18 What the -- the draft EIR says, which is
19 essentially what the General Plan EIR said, if that
20 desired jobs-housing ratio were to be reached, in
21 other words by increasing housing -- pardon me,
22 employment substantially in San Jose, there could be a
23 secondary effect of causing population growth outside
24 the city because if there's a ton more jobs created
25 within the city, it is certainly conceivable. In

1 fact, that not everybody who worked in those jobs
2 would live in the city and those folks might have to
3 commute from elsewhere. You know, we see that in the
4 Bay Area already.

5 So this is really, as David said and Dr.
6 Manford said, it's really a continuation of a
7 conclusion that was reached at the time that the
8 convention San Jose 2040 General Plan was approved,
9 acknowledging that if the City is no longer a bedroom
10 community that there may be housing required to be
11 provided elsewhere. We -- obviously, we don't know
12 exactly where that would be. This is really a
13 conservative conclusion, but that's what it's based
14 on.

15 COMMISSIONER OLIVERIO: Thanks, Karl.
16 Especially in a work-from-home environment, people
17 maybe work -- living elsewhere in perpetuity. The
18 other question this project qualifies for AB900. I'm
19 curious what's the maximum delay that AB900 allows
20 for?

21 MR. KEYON: Maximum, you mean for -- is this
22 related to the -- if there's a lawsuit challenging the
23 EIR.

24 COMMISSIONER OLIVERIO: Correct.

25 MR. KEYON: It'd be nine months, and that's if

1 it's -- if the subsequent bills to extend AB900 are
2 approved by the city.

3 COMMISSIONER OLIVERIO: Oh, so that hasn't
4 passed yet the legislature?

5 MS. KLEIN: Today, it passed through,
6 Commissioner, the Natural Resources Committee. And
7 so, it's -- it's on its way.

8 COMMISSIONER OLIVERIO: Got it. Thank you.

9 CHAIR CABALLERO: Seeing no other hands from
10 our Commissioners, we'll go ahead and move on to, I
11 believe Nanci is next with the development agreement.

12 MS. KLEIN: Yes. Thank you very much, Chair.
13 Appreciate and I'm excited to talk about the
14 development agreement, including the community
15 benefits investment. I am the Director of Economic
16 Development and want to tell you about the -- the
17 investment as you'll see here is 200 million and is
18 intended to be completely focused on equity efforts,
19 programs, and services, which is very unique to other
20 development agreements. Many development agreements
21 with community benefit expenditures allocate
22 substantial dollars to open space, sustainability, and
23 workforce expenditures like local hire.

24 This DA does all of that. We have all of that
25 for the City of San Jose, and the community benefits

1 amount of \$200 is an addition to all of that.

2 This slide, and bear with me it is a little
3 busy, we consider to be the Spark Notes or Cliff Notes
4 for the DA. The first portion that you see here is
5 discussing the 25 percent Affordable Housing goal
6 which Rachel VanderVeen will go over in more detail in
7 a little bit. But this focus on Affordable Housing
8 has been incredibly important. Sometimes we joke that
9 of the top ten things that were desired by the
10 community, Affordable Housing, Affordable Housing,
11 Affordable Housing, Affordable Housing, and if you
12 said Affordable Housing a few more times, you'd still
13 be right.

14 And this project gets it right. This meets the
15 goal that Council set out for the full of the DSAP at
16 25 percent Affordable Housing. So there will be 1,000
17 units out of the 4,000 units to be constructed which
18 are affordable. And this will be accomplished in a
19 pretty unusual way.

20 Through the development agreement and the
21 project, the City will take title to four housing
22 sites. That is very uncommon and not done here in San
23 Jose to this point. But getting the land, especially
24 in this location, is vitally important. And in fact,
25 one of the sites will come to us 180 days after final

1 approval of the project, and that does mean the end of
2 any lawsuits that may come as a result of the project.

3 It's important to note that on the four sites
4 that will come to the city, staff anticipates that 40
5 percent of the units generated on the four sites will
6 construct 30 percent or less AMI, which again is
7 extraordinary. So that not only where they'll be
8 deep, affordability. There will be a breadth and
9 depth of affordability levels throughout the project.
10 So the intention is to live up to the passionate input
11 that we've got throughout the discussion about making
12 sure everybody can call Diridon and Downtown West
13 home.

14 The community benefits also very importantly
15 includes a -- a hugely unique program of an equity-
16 driven fund, \$155 million that the fund will focus on
17 community stabilization and on opportunity pathways.
18 So under community stabilization, there'll be anti-
19 displacement efforts of a number of sorts and
20 preservation of existing homes as well as opportunity
21 pathways, meaning jobs, training, and education. And
22 these benefits will be strictly focused on those most
23 in need in specific areas throughout San Jose that
24 we're -- we're walking the talk about targeting those
25 in most need who can make great strides through these

1 types of programs.

2 The fund is also incredibly unique because the
3 final decision will be made not by the City Council,
4 and not by City Staff. Decisions will be made by
5 people with lived experience, who've either been
6 homeless or have had experience with displacement and
7 those who have worked unrelated services, education,
8 or programs.

9 There will be a slide, I'll go into a little
10 bit more detail. But -- but you'll find that the City
11 does not have a vote on the committee. There are City
12 Staff that will participate or City people but they
13 will be non-voting members.

14 This again as -- is comes as a partnership of
15 truly listening, the combination and partnership from
16 Google, the community, and the City that have been
17 really listening hard over the last three years.

18 In addition, as you know as the last point on
19 the -- on the second column, there will be a payment
20 of 7.5 million for job readiness and -- and efforts
21 around community stabilization early in the project.
22 In fact, 120 days after final approval, Council will
23 consider options and make the allocation of funding
24 for the early payment of \$7.5 million.

25 As mentioned earlier in addition to the

1 community benefits, this project is a leader in
2 sustainability, resilience, and ecology. There'll be
3 15 acres of parks and open space, and it's important
4 to note that many in the community said it's important
5 to have open space activation and connection. That
6 was very important and this project will achieve all
7 of those goals.

8 There's an innovative district systems approach
9 to utilities. The project is geared to have a net-
10 zero greenhouse emissions, even though the project is
11 quite large. As you see, there'll be \$30 million for
12 transportation, and there'll be ecological
13 enhancements, and the historic preservation efforts
14 you just heard a little bit about.

15 As noted, the \$200-million amount is
16 appropriate through several points of analyses to
17 evaluate what those dollars should be, and in addition
18 to that of the other features of the project, Google
19 will spend over a billion dollars to bring those
20 voluntary features to this area in high-quality
21 building and open space and design. Next slide,
22 please.

23 We wanted to share with you a bit more
24 information about the composition of the advisory
25 committee. The goal is to bring a mix of perspectives

1 and experience and subject areas with 13 voting
2 members -- 5 as mentioned will have lived experience,
3 and 8 will have technical expertise. All must live in
4 San Jose or own a business in San Jose or have a long-
5 held working relationship with San Jose in these
6 areas.

7 The committee will include non-voting members
8 as mentioned, three City representatives, one from
9 Google, and potentially one from other funders that
10 are also non-voting. The goal here is to do this
11 right and attract other philanthropy, to further
12 extend the programs that are in conceptualized in the
13 fund. Next slide, please.

14 Before mentioning that, I just want to tell you
15 a little bit more about how we'll accomplish the work
16 of the fund. The City Council will adopt an ordinance
17 creating the advisory committee and based on the
18 criteria we just went over, the Council will appoint
19 the members. With the committee, the -- the City will
20 select a third-party fund manager. There will be an
21 RFP with the committee participating so that that
22 third-party fund manager gets in place.

23 And then the fund manager, with the committee,
24 prepares a five-year strategic plan that is approved
25 by the City Council, and that sets out the broad goals

1 for the program. From there, the fund manager will
2 work with the committee to prepare requests for
3 proposals, for grants, and the fund manager will
4 administer the grant application and evaluation
5 process. This is, if you're familiar with the transit
6 occupancy tax TOT arts grants, this is very similar to
7 the process the City already uses.

8 The fund manager will then recommend the grant
9 recipients to the committee based on the strategic
10 plan, and the committee makes the final funding
11 decisions. There are high goal -- high plans, high
12 steps for transparency, including an annual review
13 that will come to the Planning Commission along with
14 the development agreement review -- annual review.
15 And the City Auditor will from time to time review for
16 transparency and adherence to required rules.

17 Finally, the development agreement is legally
18 binding and enforceable. As mentioned just -- we will
19 have an annual review for the performance and
20 compliance by the director and a report to the
21 Planning Commission. While the City cannot force
22 Google to build, there are still performance measures
23 to maintain development agreement rights.

24 And just to touch base on these a little bit,
25 there'll be milestones to -- to refer again to what

1 we're talking about just a little bit ago. After 10
2 years, completion of 2 million square feet and 4
3 million square feet collectively built after 20 years.
4 The option is to pay community benefits in order to
5 retain rights.

6 And again, given the location and the shift in
7 thinking to work close and not have to be in a car,
8 the anticipation is -- the hope and anticipation is
9 that this will go more quickly than is specified here.

10 In addition, Google is limited to transferring
11 office development rights through assignment to no
12 more than 40 percent of what's constructed in office
13 square footage. And with that, we've concluded this
14 portion of the development agreement.

15 CHAIR CABALLERO: So if Commissioners have
16 questions for Nanci on the development agreement, I
17 suggest you raise your hands now, and I will call on
18 Commissioner Oliverio.

19 COMMISSIONER OLIVERIO: Thank you, Chair. Hi,
20 Nanci. The 40 percent transfer limit matches pretty
21 much the milestone in year 20. Would you say those
22 are related?

23 MS. KLEIN: Actually, it wasn't constructed to
24 be per se that councilman -- former council member,
25 Commissioner. It was an intention that we want to

1 work with Google as much as possible. We did this
2 project envisioning Google, and we want to -- to make
3 sure that we have the opportunity to work with Google
4 as much as possible.

5 COMMISSIONER OLIVERIO: Thanks. And then if
6 this is the appropriate time that question I asked
7 prior, we have milestones for the commercial. But is
8 there any milestone or stage-gate limit for the
9 housing?

10 MS. KLEIN: When you say stage-gate limit,
11 Commissioner, there -- there -- there isn't a
12 requirement that Google completes a certain amount of
13 housing within a specific time.

14 COMMISSIONER OLIVERIO: I guess, Nanci, mine is
15 different, and from our history of knowing San Jose,
16 whenever something like this gets proposed, we get all
17 the housing, but we don't necessarily get the jobs.
18 So that's why I'm thinking, let's say year 10, they
19 get to 2 million square feet, could I see a scenario
20 where they get to 2 million square feet only and all
21 the housing is built?

22 MS. KLEIN: It's highly unlikely, Commissioner.
23 In this area, jobs by transit is highly desirable, and
24 being able to work on high-rise housing as -- as you
25 know, is somewhat challenging. So the more likely

1 scenario is that there will be office and a certain
2 amount of housing that gets built in association with
3 that and in addition to the Affordable Housing that
4 will be built in association with the city.

5 COMMISSIONER OLIVERIO: Thank you. And I know
6 when you say unrealistic and I -- but at the end of
7 the day there is no limit. And I don't mean to be
8 terse or rude in any manner. I just -- it seems to me
9 though that a small amount of commercial could be
10 built, but all the housing could be also built without
11 necessarily building out the full entitlement of the
12 commercial.

13 MS. KLEIN: Well, let me just reiterate,
14 Commissioner, that high-rise housing is very
15 challenging to build, but we are seeing, even through
16 the pandemic, moving forward on office. And so that
17 is the nature of the market that we believe we'll
18 pursue and go forward.

19 COMMISSIONER OLIVERIO: I note again the word
20 challenging doesn't mean it's not possible, and I
21 think I'm answering my own question through not -- by
22 not receiving what I would call it a straight, direct
23 answer. No offense. I'm just trying to get to the
24 point. So Nanci, continuing on, the park delivery,
25 what would be the schedule for the park delivery?

1 MS. KLEIN: Nicole Burnham is -- is on the
2 phone and -- on the Zoom and we'll review that during
3 her presentation. But they is --

4 COMMISSIONER OLIVERIO: I'll hold that.

5 MS. KLEIN: Yeah.

6 COMMISSIONER OLIVERIO: No problem. And then
7 when Cisco had 20,000 plus jobs in north San Jose, did
8 they have a development agreement to provide anything
9 to the City?

10 MS. KLEIN: Nothing like this. There was a
11 development agreement but basically, the City
12 contributed as opposed to -- we were -- the City --
13 the company in all fairness contributed the jobs,
14 which were essential.

15 COMMISSIONER OLIVERIO: Right.

16 MS. KLEIN: But there were no other community
17 benefits provided by the project.

18 COMMISSIONER OLIVERIO: In actuality, the city
19 through the redevelopment agency paid for
20 transportation infrastructure, water pumping stations
21 to augment that creation of jobs in San Jose.

22 MS. KLEIN: That's correct.

23 COMMISSIONER OLIVERIO: Okay. I just want to
24 point that out for historical reference. This is
25 certainly the first time. And then on the oversight

1 board, the Council will decide the first \$7.5 million,
2 and then that board will form and the fund manager, is
3 that a private entity or someone from the City?

4 MS. KLEIN: Not -- not from the City. It -- we
5 don't know. It could be a number of different
6 entities who are fund managers like the community fund
7 or others that would apply to be the third-party fund
8 manager.

9 COMMISSIONER OLIVERIO: And final question on
10 that. Is there a foreseeable budget of how much this
11 private entity is going to get to be the fund manager
12 and how much that'll eat up of the fund?

13 MS. KLEIN: There -- that will be very
14 transparent. There are general guidelines for what
15 percentage is appropriate. And certainly, all of the
16 research as we move forward will point to best
17 practice and reasonable funding.

18 COMMISSIONER OLIVERIO: Thank you very much.

19 MS. KLEIN: Thank you.

20 CHAIR CABALLERO: Nanci, I have a couple of
21 questions myself. So during the presentation, you
22 talked about the land dedication or land transfer of
23 the four sites from Google to the City, and you
24 mentioned 180 days after approval or sort of -- I
25 thought originally it was 120. Can you --

1 MS. KLEIN: The -- and certainly, Thomas Jansen
2 from HRA could -- could -- correct me if I'm wrong.
3 But there are two different timeframes. One is for
4 the land to come over and that's the -- the 180 and
5 then the other is for the 7.5 to come over, and that's
6 120.

7 CHAIR CABALLERO: Okay. Thank you for the
8 clarification. I just wasn't -- I thought they were
9 the same timeframe but obviously a slightly different
10 timeframe.

11 MS. KLEIN: Right.

12 CHAIR CABALLERO: For the 7.5 million and just
13 in general that the community benefits fund related to
14 anti-displacement and economic opportunity, could you
15 provide just a -- and I don't know if maybe someone
16 else is going to be presenting on this topic -- but
17 like just some examples of what type of strategies
18 could potentially be funded.

19 MS. KLEIN: Yes, there was a -- there was a
20 tremendous number of different types of ideas and in
21 anti-displacement, there -- and also the preservation
22 of housing in and around the area as well as
23 exploration of a land trust, which is something that
24 the community has expressed a deep interest in. There
25 could be funding for homeless services and/or legal

1 support for those fighting eviction. So there are
2 quite a number of -- of different opportunities under
3 the anti-displacement pathway.

4 And in the opportunities pathway, we're really
5 focusing on education, training, and jobs, looking for
6 economic mobility, and giving the opportunity for
7 those who have not had resources.

8 CHAIR CABALLERO: Okay. And then in a similar
9 vein to what question Commissioner Oliverio just asked
10 is, have there -- has there ever been a community
11 benefits agreement or development agreement that
12 included community benefits to this level before in
13 the City of San Jose?

14 MS. KLEIN: There has not.

15 CHAIR CABALLERO: Okay. So we're in uncharted
16 territory.

17 MS. KLEIN: In a good way.

18 CHAIR CABALLERO: In a very good way. Okay.
19 So let's go ahead and -- I think -- I don't see any
20 other hands for my fellow Commissioners, so let's move
21 on. Thank you very much, Nanci.

22 MS. KLEIN: Thank you.

23 MS. TOM: Good evening, Madam Chair, and
24 members of the Planning Commission. My name is Vivian
25 Tom with Public Works Development Services. I'll be

1 covering the utilities and major infrastructure
2 improvements proposed by the Downtown West Project.

3 The Downtown West Project plans to utilize a
4 district system approach for the conveyance of the
5 private utilities to serve the entire project area.
6 The district system will serve the project via
7 underground utility -- utility corridors, which is
8 also known as you Utilidors, to deliver the project's
9 onsite utility services such as sanitary sewer,
10 recycled water, thermal systems electrical, and may
11 also include automated waste collection.

12 These Utilidors would be constructed within
13 private parcels to the maximum extent feasible but
14 will also cross public rights of way at some locations
15 to provide distribution continuity.

16 The underground Utilidor structure will provide
17 direct access for future maintenance needs and
18 minimize disturbance to the city streets. All
19 proposed public crossings will be privately owned and
20 maintained by the developer and will be covered under
21 city encroachment agreement and public works permits.

22 In regard to public infrastructure
23 improvements, some of the major improvements by the
24 project will include upsizing of an existing public
25 storm and sanitary sewer system to provide capacity

1 within the Diridon Station plan area, reconstruction
2 of West San Fernando Street Bridge, and restoration of
3 Los Gatos Creek to improve channel hydraulics and
4 reduce over bank flooding during 100-year flood
5 events.

6 So that concludes the public works part of
7 presentation. I'm going to hand over to Jessica Zenk
8 in Department of Transportation. Jessica will be
9 covering the transportation network changes and other
10 traffic improvements for the project.

11 MS. ZENK: Commissioner, would you like me to
12 pause?

13 CHAIR CABALLERO: Yes, please.

14 MS. ZENK: Absolutely.

15 CHAIR CABALLERO: Thank you. So if we have any
16 questions for Vivian related to district utilities and
17 infrastructure, and I'll recognize Commissioner
18 Oliverio.

19 COMMISSIONER OLIVERIO: Thank you, Chair. I
20 know that recycled water will be part of this. I'm
21 curious if the potable water will also be part of
22 this, potable recycled water.

23 MR. DO: Commissioner, this is Ryan Do.
24 Potable is not part of the district system.

25 COMMISSIONER OLIVERIO: Thank you.

1 CHAIR CABALLERO: Okay. We can go ahead and
2 move on to Jessica. Thank you.

3 MS. ZENK: Great. Next slide, please. And
4 good evening, Madam Chair and members of the Planning
5 Commission. My name is Jessica Zenk, Deputy Director
6 for the Department Of Transportation.

7 The transportation proposed by the Downtown
8 West project is really a people-first network, and
9 there's been a huge and very much appropriate emphasis
10 on access given the proximity of the project to
11 Diridon Station and the SAP Center. The network
12 proposed is really focused on increasing both the
13 number and the safety of people moving around into the
14 area including through roughly five miles of new and
15 reconstructed roadways designed with enhanced
16 sidewalks and protected bikeways, proven methods
17 recommended by the National Transportation Safety
18 Board and others to improve pedestrian and bicyclist
19 safety.

20 Other improvements include enhanced access to
21 public transit including through mobility hubs,
22 designs that embrace flexibility through shared
23 streets, and dynamic lanes that can be used for
24 diverse things over the course of a day, or over time
25 as transportation needs, options, and technologies

1 shift, and as we'll get into more depth, publicly
2 accessible or shared parking. Next slide.

3 The project also completed extensive analysis
4 of transportation needs, including through a Local
5 Transportation Analysis, or LTA, that helped identify
6 3 -- \$30 million worth of improvement in addition to
7 those within the project itself. Those improvements
8 include complete streets improvements along Barack
9 Obama Boulevard including that crossing where Bird
10 crosses 280 connecting the Diridon area to the Gardner
11 neighborhood, support for transit projects recommended
12 in the Diridon Station Area plan, multimodal
13 improvements to (inaudible) Avenue, sidewalk and
14 bikeway gap closures, improvements at key
15 intersections that also address the VTA and state
16 congestion management program requirements.

17 We've also reserved 10 million of that 30
18 million for local needs that are identified in future
19 analysis as buildings come forward through the
20 process. Next slide.

21 Specific to parking requirements, the parking
22 program has been designed to efficiently support the
23 various needs of the area. It will be open for
24 transit users, other visitors, alongside area
25 employees, and it will be prioritized for SAP Center

1 patrons on event evenings and weekends. The minimum
2 required parking at full build-out of the office
3 program is 4,000 publicly accessible spaces. And the
4 project at its discretion could build up to 4,800
5 publicly accessible spaces.

6 We appreciate the concerns about what will
7 happen to parking and access during construction. And
8 for this reason we are also requiring that at least
9 2,850 parking spaces remain available to SAP Center
10 patrons at any phase of construction. This is the
11 same number of spaces that's available within the 80-
12 acre project today.

13 The project may choose to build up to 2,360
14 residential parking spaces. While there is no minimum
15 requirement for parking for these homes, any
16 residential parking that is built will be sold or
17 rented separately from the housing cost so as to lower
18 the cost of housing for those who choose to live
19 without a car.

20 Finally, the City recognizes that it's
21 extremely important to monitor and address any
22 negative traffic or parking issues that arise due to
23 the project in surrounding neighborhoods and have
24 established a neighborhood parking and traffic
25 monitoring plan to do just that. Next slide.

1 This is just a visual that helps people
2 understand the proposed parking in dark blue provided
3 underneath in structured parking underground, the
4 Downtown West project, and at a minimum with -- with
5 this new parking at full build-out and the other
6 parking that's available within the area, an
7 additional 350 parking spaces will be available for
8 SAP Center event use within a third of a mile. That's
9 350 beyond what's required within the arena management
10 agreement between the City and the Sharks. Next
11 slide.

12 Transportation demand management is also a huge
13 part of this project. It has a strict transportation
14 demand management requirement that ultimately limits
15 solo occupancy vehicle trips to a maximum of 35
16 percent. These requirements are a critical part of
17 the way in which the City and the project will
18 minimize traffic congestion, greatly reducing
19 potential automobile trips that otherwise, a project
20 of this magnitude might produce. Also to lower
21 greenhouse gas emissions and air pollution in line
22 with the city's climate-smart commitments.
23 Noncompliance with these TDM requirements carry
24 penalties of up to \$5 million per year. Next Slide.

25 As David Keyon mentioned earlier, we're

1 certainly aware that a number of questions and
2 concerns have arisen from the SAP Center. We want to
3 assure the Planning Commission and the community that
4 the City values the Sharks greatly. They bring us
5 tremendous pride, and they bring great vibrancy to the
6 City. With that in mind, the City and Applicant had
7 multiple consultants undertake supplementary analysis
8 to understand how efficiently people who drive to and
9 from the SAP Center will be able to do so once the
10 project is in place.

11 In summary, the findings of the first bit, the
12 egress analysis or the exiting analysis, found that
13 after an SAP Center event roughly 4,000 vehicles will
14 be able to exit the area within the first 30 minutes
15 after a game. And then the ingress analysis or people
16 traveling to the project, to the area for an event,
17 found that during weekdays with evening events, people
18 driving to parking proximate to the arena will
19 experience somewhere between less than a minute of
20 additional travel time as compared to non-event days
21 and up to 7 minutes of additional travel time compared
22 to nonevent days.

23 Now, that range really depends on which
24 freeway, and/or parking, or other gateway that they
25 use, which route they take. These findings are

1 exceedingly reasonable for an urban context and
2 demonstrate that the network as proposed will work
3 efficiently for both daily use and event-related use.
4 Next slide.

5 In listening to the concerns from Sharks Sports
6 and Entertainment, the City and Downtown West have
7 adjusted numerous elements of the project as well as
8 numerous elements of the amended Diridon Station Area
9 plan, including the following -- maintaining critical
10 highway access that we've heard that northbound 87
11 exit to Santa Clara Street, as well as improving
12 access at 87 and Julian as part of the amended Diridon
13 Station Area Plan, including an option for the autumn
14 extension to continue straight from Julian southward
15 to St. John in the amended Diridon Station Area Plan.

16 We also requested and -- and increased the
17 width of Barack Obama Boulevard between Santa Clara
18 and San Fernando Street to take it from a two-lane
19 roadway that originally had flexible curb space to
20 three fully drivable lanes. Next.

21 Driveways that take you directly to the
22 underground parking at what's today called the Delma
23 Site along Santa Clara Street to facilitate egress as
24 well as ingress, required striping on Delmas South of
25 San Fernando to two southbound lanes again to

1 facilitate egress, and an increase in the planned
2 publicly accessible parking spaces up to that 4,800
3 number. And again, this is at least 350 more spaces
4 than are required under the AMA.

5 We also as was discussed earlier by -- by Nanci
6 and by Ryan Do, we're working towards with our
7 Department of Public Works in the lead, a
8 comprehensive construction management plan. This
9 project has a framework for the construction
10 management program already. It will have subsequent
11 construction management plans but we also, we agree
12 with the Sharks that that needs to be thought of
13 really comprehensively in conjunction with other major
14 improvements like the BART Extensions to Silicon
15 Valley, and other new development in transit projects.

16 In summary, the City and Google absolutely hear
17 the Sharks' critical need for efficient access, and
18 we've worked to incorporate many of the Sharks'
19 concerns. In addition, we will continue to coordinate
20 and collaborate with Sharks Sports and Entertainment.
21 We firmly believe that the Sharks Sports and
22 Entertainment organization will be able to succeed,
23 and in fact, thrive with the proposed project as its
24 neighbor, particularly given all of the new people and
25 access brought to life by the project.

1 That concludes my portion of the presentation,
2 if there are questions.

3 CHAIR CABALLERO: Commissioner Oliverio.

4 COMMISSIONER OLIVERIO: I was pausing to see if
5 anyone else would go first, and I apologize for all
6 the questions because I have not been part of probably
7 the 100 closed session meetings that have dealt with
8 this topic of all -- of all -- of sorts of them on
9 this topic.

10 So thanks for the map that shows Obama
11 Boulevard open, and because some people are under the
12 theory that that was going away, and in fact the three
13 lanes is -- is a -- I think that's quite a different.
14 The AMA promises or commits 2,850 parking spaces
15 within a radius. But does it require a specific
16 geographic location?

17 MS. ZENK: Yeah. Great -- great question. So
18 the AMA does have -- right now it has parking that is
19 considered onsite, and that's 1,650 primarily lots A,
20 B, and C although some of parking is on what's
21 referred to as lot D.

22 Then in addition, it has a third of a mile
23 geography with another 3,175 parking spaces in
24 addition to that onsite parking. It also requires
25 within that same geography 300 employee spaces. All

1 of that amounts to 5,125 spaces within a third of the
2 mile of the SAP Center.

3 You asked a question about geography. There's
4 another -- another 3,175 spaces between a third and a
5 half a mile that's also part of the AMA.

6 COMMISSIONER OLIVERIO: Jessica, in prior
7 discussions, I recall a discussion of building a
8 parking garage for the Sharks, and it was always where
9 we are we going to get the money. It was cost-
10 prohibitive and I believe the Sharks owned a piece of
11 land and then there was some family from Cupertino
12 that owned land around it. And then I understand an
13 announcement came out of, you know, yesterday, and I
14 would call it a mystery garage at this point because
15 I'm really curious how that garage would actually be
16 funded. And so if you could shed any light on that,
17 that would be great.

18 MS. ZENK: Sure, absolutely, and we can get
19 into this more in the Diridon Station Area Plan, as
20 amended this evening, because you can see that plan
21 for the proposed parking garage, it's generally
22 referred to as lot E and it's directly north of the
23 SAP Center. And so one of the -- one of the reasons
24 that we're taking really a district approach to
25 parking here is because of the efficiency of shared

1 parking in that way but also because all of these
2 assets including that -- that garage which is, you
3 know, not the responsibility of Sharks Sports and
4 Entertainment to construct. All of those assets can
5 be really considered holistically. And so the City
6 has undertaken work.

7 And we - it's part of the Diridon Station Area
8 plans. So I don't know from the kind of proper order
9 of -- of operations whether we talk about it now. But
10 that is part of the district approach that's included
11 in the Diridon Station Area plan as amended.

12 COMMISSIONER OLIVERIO: Well, since the Sharks
13 are bringing this up as an issue, I think it's -- and
14 it's tied to this development, I think it's pertinent
15 for this discussion.

16 MS. ZENK: Sure.

17 COMMISSIONER OLIVERIO: And I apologize if I
18 missed it. But was there a funding source designated
19 that the City has come up with? Are they going to
20 issue commercial paper? Is this something I'm going
21 to see in a ballot measure? Is this draining the
22 parking fund from downtown? I'm just curious where
23 the funding is coming from?

24 MS. KLEIN: Jessica, if you'll allow me.

25 MS. ZENK: Sure.

1 MS. KLEIN: There are -- Commissioner there are
2 multiple avenues to get the funding done, and there
3 isn't one set scenario as of yet. That is work that
4 we will continue to do to deliver the 11 to 1,200-
5 space garage on the lot E location.

6 COMMISSIONER OLIVERIO: And Nanci, may I -- can
7 I assume that there may be some relevant -- revelation
8 prior to this going to Council?

9 MS. KLEIN: I don't believe so. I think this
10 is work that -- that this team will do as we move
11 forward.

12 COMMISSIONER OLIVERIO: Got it. So it'll -- to
13 be determined. Okay. And then Jessica on the
14 neighborhood monitoring of traffic, is there -- is
15 there a funding source for that? I'm thinking of
16 future budget years. The Department of Transportation
17 hasn't allocated the resources.

18 MR. ZENK: Yeah. That's a great -- great
19 question, Commissioner. This is actually a
20 requirement of the Downtown West project to undertake
21 this ongoing monitoring and to address the effects of
22 any parking or traffic issues that are found that are
23 related to the project.

24 COMMISSIONER OLIVERIO: So the project will --
25 will put money into a fund to facilitate staff time,

1 or a consultant the City hires to do traffic studies,
2 or monitor traffic -- vehicle traffic?

3 MS. ZENK: The project carries that
4 responsibility forward, and yes, not the City.

5 COMMISSIONER OLIVERIO: Okay. Thank you very
6 much -- thank you very much, Jessica.

7 CHAIR CABALLERO: This question is either for
8 Jessica or Nanci. What's the cumulative value of the
9 transportation and the street and bikeways, et cetera,
10 improvements related to this proposed agreement?

11 MS. ZENK: What a great question. So if you --
12 you know we didn't separate out all the components of
13 the street, but that -- that -- that billion dollars
14 of investment includes a lot of voluntary enhancements
15 to the quality of the streets being rebuilt, that 5
16 miles of project interior.

17 So that is all, I don't know if anybody wants
18 from the -- the project team might want to speak
19 during their presentation about that exact value. But
20 it is -- it's -- it's very significant, and it is not
21 capturing that \$30 million worth of investment that
22 were also identified.

23 CHAIR CABALLERO: And given the fact that a
24 majority of this land is now sort of industrial
25 commercial, kind of unused, blighted area, and my

1 understanding is that 40 percent currently parking
2 lots, what's the increased kind of net of pedestrian
3 and bikeways sort of to the City?

4 MS. ZENK: Well, I think, you know, every
5 street within the Downtown West project, and the
6 Diridon Station Area plan because of their proximity
7 to these major draws like the SAP Center and the
8 Diridon Station, every street is really planned with
9 those enhanced sidewalks and/or enhanced bikeways,
10 generally and not and/or.

11 And so that net effect of that five miles plus
12 the continuation contributions to the outside of the
13 project itself, those are all a great leap in quality
14 of the network and of the experience, the pedestrian
15 experience, not only because of the infrastructure but
16 also because, you know, you'll have just a very
17 different experience walking through the area when
18 it's no longer open and uninhabited parking. And it
19 is instead filled with -- with buildings, things to
20 do, people, and eyes on the street.

21 CHAIR CABALLERO: Okay. Thank you so much.
22 And then just not to put too fine a point on it. But
23 there's a -- based on everything you've told us so
24 far, there's a potential net gain of 350 parking
25 spaces within the one-third mile of Sharks when at --

1 and is that at any given time, or is that at the end
2 of sort of construction of this lot here? Kind of
3 what's the phasing of -- of that parking?

4 MS. ZENK: Great question. So that at least
5 350 space increase is at full build-out. But there
6 are a couple of caveats. So that's a full build-out
7 of the Downtown West project.

8 However, part of the reason we're saying at
9 least is because that only accounts for the minimum
10 required parking, which is the 4,000 amount. The
11 Downtown West project, Google could choose to go up to
12 that 4,800, which would, of course, increase the
13 parking count in the immediate area even further.

14 It is important to know and not obvious from
15 the maps, also, that some of the garages in the area
16 are -- are not included specifically in that -- in
17 that count. We are not including the Adobe garage
18 that is under construction today, and that is really
19 because in our conversations with -- with the Sharks,
20 they have a lot of concerns about the functional
21 capacity and the design of that. So that increase to
22 5,475 available spaces, does not include parking at
23 the Adobe site.

24 CHAIR CABALLERO: Okay. Thank you so much,
25 Jessica.

1 MS. ZENK: Yeah.

2 CHAIR CABALLERO: So I think we can move on. I
3 don't see any other hands from the other
4 Commissioners, so.

5 MR. MENDEZ: Thank you so much, Madam Chair,
6 and good evening, Commissioners, and members of
7 public. Zak Mendez, Project Planning, the Department
8 of Parks Recreation and Neighborhood Services. The
9 parkland agreement for this project is embedded in the
10 development agreement as Exhibit E and with subsequent
11 exhibits providing more information on various aspects
12 of the park-made agreement including the delivery of
13 city of open space, design and construction
14 requirements, and rules regarding public access for
15 project sponsored open spaces.

16 This has been mentioned, the Downtown West
17 project proposes a total of 15 acres of open space
18 throughout the project site which can be seen on the
19 graphic on the screen now. Of the 15 acres of open
20 space, 4.8 acres is proposed to be improved and
21 dedicated to the City to satisfy the project's
22 parkland allocation, and roughly a half-acre of the
23 4.8 acres will dedicated for the improvement of Los
24 Gatos Creek Trail explicitly.

25 The remaining 10 acres or 10.2 acres will

1 feature project-sponsored open space designed,
2 delivered, managed, and maintained as privately open,
3 publicly accessible open space. Of the 10.2 acres, 7
4 acres will be subject to restrictive covenants,
5 maintaining public access as described in the
6 development agreement, and the remaining 3 acres will
7 be made up of semi-public open spaces, and mid-block
8 passages.

9 All of these spaces will be open to the public
10 and some will offer community rentals and reservations
11 with limits on the area, its hours, and frequency of
12 temporary closer closure -- closures, which I'll
13 discuss in the parkland exhibit -- agreement exhibit.
14 In addition to the parkland allocation, the project
15 has proposed to contribute a set amount per each
16 limited-term corporate accommodation developed to the
17 City's Park Trust Fund, which is also outlined in
18 development agreement.

19 And speaking to the Commissioner's earlier
20 question regarding delivery of parkland -- parkland
21 dedicated to the City and improvements, the triggers
22 live as part of the exhibit 3.1 -- E3.1 of the
23 parkland agreement. And to summarize quickly,
24 generally the delivery is tied to a combination of
25 residential and commercial building triggers,

1 depending on the location being dedicated. So for
2 some of them it's tied to a residential development,
3 or in some situations, it's tied to a commercial
4 building, and in relationship to the parks where the
5 project's open space.

6 We have contemplated, you know, a future where
7 some of the commercial spaces where parkland open
8 spaces are tied to, not coming forward, and in that
9 case, we've created methodologies in order to help
10 satisfy the parkland agreement and ensure they'll
11 agree with the parkland existence. That's a general
12 review. I can pause for any questions.

13 CHAIR CABALLERO: Commissioner Oliverio.

14 COMMISSIONER OLIVERIO: Thank you, Chair.
15 Thanks, Zak, really appreciate that. So again, each
16 of these park parcels are tied to a certain
17 development within the radius. Can you tell me from
18 your perspective, and I won't hold you to it, but what
19 are the park areas you think will get developed first,
20 and which ones are going to be at the end of this
21 process?

22 MR. MENDEZ: So based on the phasing schedule,
23 my understanding of the project's phasing schedule,
24 the project's open space in the southern portion and
25 the lands dedicated in the southern portion of the

1 project will come first, and the trail development in
2 that area, and then the larger park spaces in the
3 north end will come later in the process will probably
4 go north or -- south to north.

5 COMMISSIONER OLIVERIO: Thank you. And because
6 the fire training center, which was speculated at one
7 point in time as a park and is now no longer the case,
8 can you or someone else tell me, did the City buy land
9 for a new training center?

10 MS. KLEIN: Yes, we did, Commissioner.

11 COMMISSIONER OLIVERIO: Where is that?

12 MS. KLEIN: It's land adjacent to the existing
13 facility, the main yard on Center Road and the fire
14 training facility is under construction.

15 COMMISSIONER OLIVERIO: Thank you. And I
16 assume that's with that -- that last bond that got
17 passed a couple of years ago?

18 MS. KLEIN: That's correct.

19 COMMISSIONER OLIVERIO: Right. Thank you very
20 much.

21 CHAIR CABALLERO: Okay. We can move on. Thank
22 you, Zack.

23 MS. VANDERVEEN: Thank you, Commissioners and
24 Chair. My name is Rachel VanderVeen. And I'm the
25 Deputy Director of the Housing Department. I will be

1 taking time tonight to provide you an overview of the
2 Affordable Housing Implementation Plan which is
3 actually a part of the Diridon Station Area Plan and
4 provide an overview of the housing aspects of the
5 development agreement for the proposed Google
6 development.

7 A clear priority as stated by Nanci early in
8 the presentation is the need for Affordable Housing as
9 a part of the plan for the Downtown West project. For
10 the first time in our city's history an Affordable
11 Housing Implementation Plan was developed alongside
12 the DSAP plan providing research, measurable goals,
13 and strategies the community will use to meet the
14 Affordable Housing goals for the DSAP area.

15 The Affordable Housing Implementation Plan
16 utilizes the three Ps approach to providing a
17 comprehensive Affordable Housing Plan for this area
18 including production, preservation, and protection
19 strategies.

20 The primary goal related to the production of
21 housing in the Diridon Station Area is to ensure that
22 25 percent of the housing in the area be affordable to
23 residents, ranging from extremely low to moderate-
24 income households.

25 Additionally, the plan states a goal of 30

1 percent of the affordable homes be affordable to
2 extremely low-income residents. In an effort to
3 preserve existing housing, the plan includes a goal of
4 ensuring affordability of existing housing beyond 2040
5 and a goal to acquire and rehabilitate existing
6 housing to ensure long-term affordability.

7 Finally, the plan includes strategies to
8 protect residents from displacement from and around
9 this area. The goals for this section include
10 maintaining the number of existing low-income
11 residents in the DSAP and to decrease the portion of
12 renters cost-burdened in this area. Next slide,
13 please.

14 The proposed development -- the -- sorry, the
15 proposed development -- the Google proposed
16 development includes 4,000 new housing units and 7.3
17 million square feet of office space. In order to meet
18 the City's requirements under the inclusionary housing
19 ordinance and the commercial linkage fee, Google will
20 be dedicating three sites to the City for Affordable
21 Housing development. They will build 170 moderate-
22 income housing units dispersed within the market-rate
23 housing and will be paying \$83 million in commercial
24 linkage fees.

25 Additionally, Google will dedicate a fourth

1 site for Affordable Housing development in the
2 beginning of the development process. Google will
3 also be providing an additional 30 moderate-income
4 units, bringing the total number of moderate units to
5 200 units across the development.

6 The value of the four sites for Affordable
7 Housing development, the 200 moderate-income units,
8 and the commercial linkage fee payments total \$183
9 million in Affordable Housing contributions and pave
10 the way for 1,000 affordable units to be built across
11 the entire development. Next slide, please.

12 This image shows the proposed development with
13 housing colored tan across the site. The 200
14 moderate-income units will be incorporated into the
15 housing development as it is built. The four sites
16 dedicated for Affordable Housing are indicated with a
17 darker shade of tan, and the Autumn Street site is
18 called out to the right side of the image. The early
19 dedication of the Autumn Street site will allow the
20 City to put shovels into the ground and get started
21 building Affordable Housing as soon as possible.

22 I will now open up for any questions related to
23 housing, if that's how you'd like to manage this
24 section, Chair.

25 CHAIR CABALLERO: Yes. Commissioners, do you

1 have any questions related to Affordable Housing here?

2 Okay. I guess not. All right. Thank you very much,
3 Rachel.

4 MS. VANDERVEEN: You're welcome.

5 MR. TU: Thank you. So we're near the end of
6 staff's presentation so staff would like to provide
7 some minor clarifications to the staff report. On
8 page 16, paragraph 3, the report states that the
9 required amount of overall project improvement is
10 253.7 million. Instead, it should state to -- instead
11 it should state 265.8 million. And on page 17 of the
12 table, column one, for parks and open space --
13 requirement, the number should be 55.8 million instead
14 67.9 million, both were calculation errors that were
15 not updated, and they will be reflected in changes
16 when it comes to City Council.

17 Also page 16 of the staff report in the second
18 paragraph, first section the sentence should be stated
19 -- should state as summarized in the housing section
20 of the staff report instead of just the underscore.
21 On page 20, third paragraph, second sentence, exhibit
22 underscore should actually be referencing attachment
23 J1 to referencing the encroachment draft resolution.

24 So in conclusion, as the project furthers the
25 goal of the City's General Plan, the staff has found

1 the project to be consistent with the General Plan,
2 (inaudible) code, City Council policy is analyzing the
3 project EIR, and in further detail in the associate
4 staff report, resolution, ordinances, and attachment.
5 We're recommending that the Planning Commission would
6 recommend City Council the approval of the Downtown
7 West mixed-use plan. This now concludes this
8 presentation. I open it up to questions.

9 CHAIR CABALLERO: Great. Before we move to
10 Google's presentation and to just Commissioner
11 questions, I just want to make a quick comment related
12 to public comment and how we're going to manage that
13 as we move forward after Commissioners finish their
14 questions from the app -- to the Applicant.

15 So as I mentioned earlier, we have translators
16 with us and that requires us to -- currently, they're
17 in the translation room. So everything they're
18 saying, they're translating for folks in those rooms.
19 In order for them to translate for the commission and
20 staff, what the public is saying, we have to move them
21 into this room, the main room and they translate for
22 us what a -- what the public commenters are saying.
23 That's a technical piece that takes a little bit of
24 time.

25 So what we're trying to do is group the folks

1 who need translation. So right now I see that there
2 are eight hands up for folks who'd like to make public
3 comment. I'm assuming on this item 8A, we have
4 written down all of those names and you will be called
5 on in the order. Please don't raise your hand at the
6 moment. I see that number going up. I'm actually
7 going to ask anyone who needs Spanish translation to
8 go ahead and raise their hand first.

9 We'll call -- we suspect that the number is
10 relatively small so we'll call Spanish first, then
11 Vietnamese, then we'll move on to everybody else.
12 Anyone who had their hand up already, so those eight
13 people that have had their hand up since the very
14 beginning of meeting, we'll call on you first. Staff
15 has written down those names in the order that they
16 put their hands up and so -- so you will not lose your
17 place in line for those folks.

18 And we would appreciate it if anyone who needs
19 Spanish translation would start raising their hands
20 now so that we can prepare for that. We'll take them
21 first then we'll take Vietnamese -- folks needing
22 Vietnamese translation, and then we'll move on to
23 everyone else.

24 So we really appreciate everybody's patience as
25 we manage this. But it is a technical piece within

1 Zoom. And so we have to move the translator out into
2 our room, put them back so that they continue
3 translating the rest of the meeting, and then do the
4 same thing again for the Vietnamese translation.

5 So I probably said that way too fast for the
6 translator, so my apologies. But thank you very much.

7 So at this point, I see that we have
8 Commissioner Oliverio's hand up, and then I wanted to
9 see if we have any other Commissioners who would like
10 to just make general questions of the staff at this
11 time before we move to Google's trans -- Google's
12 presentation. So Commissioner Oliverio.

13 COMMISSIONER OLIVERIO: Great facilitation,
14 Chair. So John, would you -- will you still be
15 researching to see that question I asked you about
16 acreage?

17 MR. TU: So, yeah, so about approximately 18
18 acres that will be going from either CIC public/quasi-
19 public that we're not previously downtown. So once
20 again, that's the only designation in the GP that
21 would have allowed residential. But just a caveat
22 because I know your concern is, you know, those are
23 now allowed to go to residential, and the rest of
24 commercial, by that comment is that at the same time,
25 we are up GP'ing a lot of the other sites from lower

1 commercial to much higher density commercial in the
2 same time.

3 COMMISSIONER OLIVERIO: Fair, John. But the
4 City could have done that regardless.

5 MR. TU: Potentially.

6 COMMISSIONER OLIVERIO: It could adopt zone
7 commercial any day of the week.

8 MR. TU: Potentially, yes.

9 COMMISSIONER OLIVERIO: Okay. And that like
10 when I think about the Orchard Supply Hardware site,
11 which is a commercial area, that's now going to be
12 designated housing, correct?

13 MR. TU: No. It's going to be designated
14 downtown. But yes, in their project conceptually,
15 they're showing that it could be a residential site
16 but yeah, downtown.

17 COMMISSIONER OLIVERIO: Fair enough. Well,
18 maybe the question needs to be rephrased I guess, and
19 don't have to have it now but of the -- of the
20 properties that are being proposed as housing that
21 weren't housing before, I guess that's the number I'm
22 looking for.

23 MR. TU: Yes.

24 COMMISSIONER OLIVERIO: I realize a lot of that
25 18 acres is probably a lot of the fire station center.

1 But there's -- there's that other area, so that's what
2 I'm looking at. I think that might be a little bit
3 larger than 18.

4 MR. TU: That's 18 in its totality. Like --
5 and once again, it's about -- there were currently I
6 think about 5 acres that was downtown previously, and
7 it's about 23 now. So if we just stick to sublimation
8 it's about 18 acres, that is the difference that is
9 now have potential to be residential. But -- so we've
10 been talking that most of those sites are conceptually
11 shown in the plan as residential, so around that
12 acreage is what I think the number is going to be.

13 COMMISSIONER OLIVERIO: Great. And then just
14 finishing out here on that topic of the Sharks. We
15 discussed parking. We discussed this potential
16 garage. The street grid is going to change, I
17 believe, in Santa Clara Street to have a bus lane, bus
18 only lane; is that correct Jessica?

19 MS. ZENK: So the -- the street grid for Santa
20 Clara Street is not changing per the Downtown West
21 Project. Later this evening in the amended Diridon
22 Station area plan, you are correct that the City is
23 proposing to enhance transit access through dedicated
24 public service lanes that allow for a bus rapid
25 transit.

1 COMMISSIONER OLIVERIO: Got it. And --

2 MS. KLEIN: Jessica, just to chime in. We're
3 not anticipating those lanes would come in for at
4 least another ten years?

5 MS. ZENK: That is correct and also a fine
6 point perhaps, but the -- the project has also not
7 been designed. So it's not necessarily true that that
8 would reduce vehicular capacity.

9 COMMISSIONER OLIVERIO: And then the agreement
10 that we have with the Sharks on parking, does -- well,
11 it sounds like this -- so Jessica and Nanci, that the
12 parking spaces -- oh, you got to -- get all the --

13 MS. ZENK: My lights went out, yeah.

14 COMMISSIONER OLIVERIO: Yeah, I agree with you.
15 It can get dark sometimes, right? You -- does the
16 staff feel then that the AMA has -- has not breached
17 by zoning, doing the zoning, doing this plan
18 development?

19 MS. KLEIN: That is correct. And Johnny, as
20 the attorney, may want to speak to that.

21 COMMISSIONER OLIVERIO: Your door is open,
22 Nanci.

23 MR. PHAN: Correct, Commissioner Oliverio.
24 Yeah. Our position is there's no impact on the Sharks
25 existing rights under the AMA. So nothing we're doing

1 here is going to impact their existing rights. There
2 is no breach of the AMA.

3 COMMISSIONER OLIVERIO: Thank you. And at this
4 point in time, after the staff presentation, I just
5 want to say thank you very much for all the work
6 you've done day in and day out, and the variety of
7 positions you fill. I know this is not your only land
8 use application that's being processed and all the
9 other projects you work on as staff. But I really
10 appreciate it and thank you very much, and I look
11 forward to the Applicant's presentation.

12 MR. TU: Sorry. Just one more clarification, I
13 might have misspoken on my clarification on page 16.
14 The number should state 253.7 million instead of 265.8
15 million.

16 CHAIR CABALLERO: Okay. Thank you, John. So
17 do we have any other questions from our Commissioners
18 of the staff at this time, and you will have other
19 opportunities to just ask general questions later?
20 Seeing no hands, I will go ahead and call on the
21 Applicant, and I don't know who is presenting. So, if
22 you can let me know.

23 MS. ARENA: Great. So I am presenting. So
24 just give me one minute to get the screen up. And
25 thank you so much for having us here and for allowing

1 us to present. I'm Alexa Arena. I am the District
2 Director for Google on Downtown West so really
3 thrilled to be here.

4 We know it's been a long night and we still
5 have a long way to go. So we'll do our best to both
6 go briskly and likewise to make sure that we're
7 speaking at the right pace for the translators. But
8 please, do so time if necessary.

9 Much like the City outlined, we clearly came
10 into this after you all had did quite some work. So
11 the DSAP overall is a decade in the making. It was a
12 plan and an opportunity that we thought really aligned
13 with Google's objectives and goals. And so that
14 process clearly kicked off in December of 2018. But
15 we respect the fact that we're a piece of that overall
16 implementation and that it's required hours and hours
17 of community time, of city time to get to where we are
18 today.

19 We also have really enjoyed it and embraced
20 what has been a very in-depth process of co-creation
21 with the community. And that happened on two
22 different trajectories of all the way through from
23 kicking off from the MOU of really establishing what
24 those shared goals were. I've heard a lot tonight
25 about the idea of equity being the focus of our

1 community benefits but still having those foundational
2 shared elements that we know Google benefits with,
3 alongside the community, and utilizing those actions
4 towards climate change, and climate resilience, open
5 space, et cetera, to just do those project features
6 that are a foundation of what we're all trying to do
7 together.

8 So over the course, we've had many, many
9 different processes and hundreds of touchpoints. We
10 also had a really unique process that I want to call
11 out a lot of those who are working within the equity
12 community locally. We rolled up our sleeves over the
13 course of COVID and really dove deep and collectively
14 hired a consultant to help us with, you know, we -- we
15 hired a consultant, we found equity community to help
16 us figure out how to steer towards a different way
17 forward. So that's been an extremely impactful
18 process that's gotten us to both the physical plan and
19 a social infrastructure plan which is really
20 memorialized in the development agreement.

21 As already referenced, we've been having a host
22 of meetings and touchpoints alongside the City. This
23 is some of the representation of that of well over 100
24 community meetings on our side. We released a video
25 that got 14,000 views around the framework plan which

1 ended up being a really actually effective medium to
2 then start to get a lot of community data points and
3 touchpoints along the journey.

4 As we've all talked about, this has been a
5 transformational vision that's iterated several times.
6 So when we stepped in, I think the fundamental shift
7 was to say how can Google deliver as we spoke to the
8 community and to the city, something that's about the
9 next generation of how our downtowns want to function.
10 And the idea that that is not an all-office corporate
11 campus that is something around a much more integrated
12 neighborhood. And that requires, of course, mixed-
13 use.

14 And so that's the foundation of what we've,
15 therefore, shifted that framework plan to. It is true
16 that with that came an extensive amount more of
17 housing and so too with more office, but it resulted
18 in about half of the developable sign area being for
19 uses like open space, residential, retail, and
20 creating that social heart.

21 What I do want to stress is that's just as
22 important to Google as it is to the community. We
23 share in that vision for the way that we move from a
24 campus model to move -- moving towards a city model as
25 part of that community. I think it's the right way to

1 go. So we're really excited about it.

2 Likewise, as we referenced in the plan, 25
3 percent of the housing units being affordable within
4 the DSAP was really important across the board,
5 including to us, of having more inclusive
6 neighborhoods as we go forward. And likewise,
7 unprecedented levels of thinking about ecology and how
8 that fits in as well as zero net new in CO2 emissions.

9 So this has really been about that
10 transformation and iteration, I should say, from the
11 General Plan objectives. So it both includes a center
12 of regional employment, and that includes what we're
13 kind of thinking through with the community and the
14 community's really expressed to us of how can we
15 create at the doorstep of transit and at the nexus of
16 many of our neighborhoods a central social district
17 for San Jose.

18 We've also committed and we've always said we
19 are here for the long haul. It's a little bit
20 different than -- than being a developer because we
21 will be in this project and then part of the
22 neighborhood with you all. And that gave us many
23 opportunities to look at things differently and
24 allowed us to be really additive and to embrace this
25 idea of finding a new social and ecological paradigm

1 shift to how we approach our cities.

2 And I think that is amplified under COVID,
3 under the accelerated societal framework that we find
4 ourselves in. And we're really excited to lean into
5 that and to say, okay, how can this project both
6 create this very authentic representation of who San
7 Jose is through co-creation and how can also hold an
8 unprecedented level ecology for a sort of such a
9 central transit site?

10 There's a great data point that 20 percent tree
11 canopy in neighborhoods reduces depression rates by 50
12 percent. So we know this has an impact on people. We
13 know also things like finding a smarter and greener
14 way forward, it is critical for all of us including
15 this project, and so our -- our objectives will reduce
16 -- be the equivalent of reducing roughly 4,100 cars
17 off the road through how much we're investing and
18 thinking through a greener way forward.

19 We also very much embraced a lot of the dialogs
20 we've had with the community. That was around in
21 essence the 15-minute city of asking for a planning
22 process that we've worked on with them around how this
23 could, you know, making sure the site isn't insular
24 but it's knitted into the fabric and thinking about
25 walk times and the 15-minute city versus the site

1 itself in order to map how this site can stitch within
2 a broader context.

3 As we've referenced, there is a first of its
4 kind fund up to \$150 million over the course of the
5 project that is dedicated towards housing, education,
6 and job access. It's very intentionally nonspecific.
7 And so in other words, it really defines those goals,
8 but it doesn't say, you know, this amount to this,
9 this amount to this because the whole premise of it is
10 that as we create a structure where the community is
11 at, and those communities and the people who work
12 within neighborhoods that need these types of
13 resources the most, as we put the decision making into
14 the hands of people who really understand it, that
15 we're going to have a much better impact, and then
16 some of that opinion might change over time.

17 And so we learned a tremendous amount from the
18 community and from the city to learn how best to do
19 that. And we think this structure is really exciting
20 as a partnership and a way forward together.

21 We also acknowledge and know that design is
22 really a function of what we're trying to hold as a
23 vision of the program and partnerships we have. And
24 then really this is about a holistic vision, and that
25 vision isn't really to build necessarily an endpoint

1 but really build an ecosystem for success over the
2 long haul.

3 So for instance in the fund, we too as Google
4 have a position where we're on the board but not as a
5 voting member. But that gives us an opportunity to
6 continue to collaborate in the long term. Those are
7 the types of stewardship, partnerships, and sustained
8 funding models that we're looking for in order to make
9 this the start, not the end.

10 So with that, we do -- I do want to transition
11 it over to Sitelab who has really helped us take what
12 we've heard from the community around housing, around
13 strengthening community, around accelerating local job
14 opportunities, creating an inclusive place, et cetera.
15 And thinking about how that can manifest in the
16 physical objectives of the site.

17 So with that, I'll turn it over to Laura
18 Crescimano who leads Sitelab.

19 MS. CRESCIMANO: I think you have to stop
20 sharing for me to start, Alexa.

21 MS. ARENA: You've got it.

22 MS. CRESCIMANO: Great. Thank you.

23 MS. ARENA: Enough of that.

24 MS. CRESCIMANO: Right. Here we go. So thank
25 you, Alexa. So I will share now a little bit more on

1 the process and the plan itself, and how the design
2 standards work to support the vision that you've just
3 heard Alexa describe.

4 As you well know, this is a project of scale,
5 and so for the process, we want to make sure, as John
6 described, we're accommodating something that can
7 really integrate all these pieces. So it's not a
8 single building project kind of a process. So we
9 worked closely with the City to develop a process that
10 will support the development amendment integrated
11 place and that can respond to new innovation
12 priorities over a 10 to 30 year build-out.

13 This is important because it avoids a one size
14 fits all design or a design it all in one go
15 situation, and it puts forward a holistic set of
16 standards and guidelines. And in this process, the
17 Downtown West documents that you have before you layer
18 on top of the City's work and they do this in a way
19 that is then tailored specifically to this location
20 and context.

21 That vision and intent starts with the plan.
22 We've endeavored to create a framework that you've
23 heard described through these different presentations
24 that can hold the many values and ambitions of the
25 City and the community. The design of the plan is

1 fundamentally about connectivity. First, it's -- as
2 Alexa mentioned, this really was designed to -- to not
3 be a corporate campus. It provides safe walking and
4 bicycle paths to and from nearby neighborhoods in the
5 station. It adds a network of open spaces, expands
6 space for habitat and native ecology, and anchors
7 places for public life with active uses, art, culture,
8 and opportunities for partnerships and learning.

9 And, of course, in -- as Alexa was driving this
10 mix of use as the plan altogether brings a meaningful
11 amount of jobs as well as housing to the station area.

12 So the Downtown West Design Standards and
13 Guidelines or DWDSG built on the foundation of this
14 plan in addition to the significant work the City has
15 already done over the last decade with the DSAP, the
16 Downtown Design Guidelines, and complete streets.

17 The DWDSG was guided by what we heard from the
18 community and what we learned from what this -- the
19 work that the City had done. And then even more so
20 since we've last met with you, the Planning
21 Commission, we further strengthened this vision
22 through the input that we've received. David
23 mentioned some of these through that presentation on
24 the EIR but I wanted to highlight some as well.

25 We heard the importance of preserving and

1 celebrating San Jose's Architectural History. So
2 while we started the project with the retention of a
3 number of iconic historic assets, in conversation with
4 the community, we worked hard to further incorporate
5 even more with historic buildings that now span the
6 19th and 20th century.

7 And we heard the importance of reflecting the
8 culture and history of San Jose and the DWDSG has
9 requirements around sitewide commemoration and
10 interpretive programming in the buildings beyond
11 public realm. We heard the importance of quality open
12 space and a network of diverse experiences. So the
13 plan includes those 10 publicly accessible open spaces
14 so that you had described that connect with nearby
15 neighborhoods and existing larger parks.

16 We worked with environmental groups to further
17 support the riparian corridor, strengthening controls
18 for the bird safe design, as well as increasing the
19 setback along riparian corridor in alignment with the
20 Santa Clara Valley habitat plan. Form a more walkable
21 connected city and a multi-modal future, the project
22 includes over five miles of new walkways, bikeways,
23 and trail extensions and will commit to limiting
24 drive-alone trips to 65 -- sorry. limiting drive-
25 alone trips so that 65 percent of trips are walking,

1 biking, carpooling, or transit.

2 And finally, we establish massing and
3 architectural requirements to relate to and respond to
4 adjacent contexts. We had quite a few conversations
5 with different neighborhood groups and so controls
6 that whether it's for historic buildings, low rise
7 residential neighborhoods, or low sky must create an
8 open space. There are fireworks going on outside so.
9 Apologies.

10 One example specifically responding to that
11 last point about in context-specific are the
12 requirements for the buildings along San Fernando
13 between the river and the creek, and across from Lake
14 House Historic District. Here you can see the
15 layering of walls, responding to those primaries that
16 we heard, and to the context whether it'd be setting
17 back from the creek or stepping height away from the
18 lake house historic district. Each rule here comes
19 together to shape the possible building forms so that
20 it meets our shared goals for the urban environment.
21 Apologize.

22 And so you see here are the results that create
23 the red outline, which is available -- a buildable
24 envelope. And as we shared this last time, the red
25 envelope doesn't represent actual buildings. It's an

1 outer limit of what would be allowed. And it sets
2 that control to ensure that any design that would be
3 proposed would perform in those key ways to respond to
4 context.

5 And here you see an illustration of how those
6 might come together with a sense of materiality, and
7 not stepping to the street and the neighborhood.

8 This is the kind of attention that applies
9 across the board in the -- in the design guidelines,
10 apply to open space mobility, lighting, signage, and
11 sustainability. And as Alexa has described, at the
12 end of the day, it's really about how all these pieces
13 come together, and how this design can enable this
14 place to come to life in its next phase. And I'd like
15 to share for a moment in the plan just briefly of how
16 that -- how that could come to be.

17 So first the Gateway Plaza is a new open space
18 envisioned, just as it sounds, a gateway to a new part
19 of downtown and also a gateway to learning
20 opportunities. And you can see here the opportunities
21 for interactive installations and open spaces and
22 programming through partnerships with local
23 organizations.

24 Next, only steps away, we see the area along
25 Los Gatos Creek that is currently paved with asphalt.

1 And the project would transform it into four and a
2 quarter acres of enhanced riparian habitat, creating
3 an immersive place for access to nature right in the
4 heart of downtown supporting the goals for health that
5 Alexa described.

6 Here where South Montgomery is today just a
7 little south of the station, we see how the office
8 buildings and residential buildings come together in
9 one area with active ground floor spaces to support
10 public life.

11 And finally, climate action is something that
12 we've designed into the project with intention,
13 building on the City's ambitious climate action goals.

14 Altogether, the design is really a platform to
15 enable all of these ambitious goals, and I should say
16 that while I'm the one presenting, I'm really speaking
17 for so many people that contributed to help us shape
18 this vision and to set this project up to come to
19 life. And now, I will hand it back to Alexa for a few
20 concluding slides.

21 MS. ARENA: Yes. So we've talked a lot about
22 different components of the overall project and in a
23 similar way, we wanted to -- to the Cliff Notes that
24 Nanci had presented, we wanted to just clearly state
25 those different buckets and what's a part of them,

1 which helps answer some previous questions that the
2 Commission had.

3 So there's the City requirements, which we
4 really concentrated on localizing, on finding ways not
5 to -- to -- to really figure out things like land
6 dedication, to assure that we have the ability, even
7 as land prices accelerate to -- that for Affordable
8 Housing to exist on-site.

9 Similarly with parks and open spaces, making
10 sure that we're actually materializing a lot of those
11 goals and the transportation improvements localized.
12 Then there's the bucket of community benefits, which
13 we've certainly covered of -- the primary part of
14 which is focused on equity and the community
15 stabilization opportunity fund to start to address
16 impacts beyond just the project geographical area,
17 which help get to some citywide objectives that we
18 heard in such an articulate manner throughout this
19 process.

20 And the last pieces around the voluntary
21 project features and what makes this a bit different
22 than maybe other projects, at least that I've worked
23 on elsewhere, is you usually see things IFD's, which
24 are tax increment financing districts, or different
25 subsidies from the city in order to build out your

1 infrastructure, to build out things like district
2 systems, or just community benefit credit for things
3 like additional open space that you're providing about
4 the base.

5 And I think what's different about this project
6 has -- has been referenced is we are investing in
7 those because we know it is a mutual benefit. That
8 it's -- it's good for us, it's good for the community,
9 and that's part of the partnership. We always said in
10 the MOU days and from the beginning that we're here
11 for the long haul, and that's how we're going to think
12 about this project.

13 So that gives you a sense of all those
14 different categories, and the next slide which is just
15 a furtherance of because of that presence in the long
16 haul. Sorry. One more slide, Laura.

17 We really -- we think of this as a path towards
18 the future step. So we know we're here for a decision
19 today and appreciate your consideration deeply, and we
20 hope that's the first step of many. And this is about
21 the start of a project, of course, not the end of it.
22 And so we really are excited to take that next step
23 forward. And thank you for your consideration.
24 That's it.

25 CHAIR CABALLERO: Thank you, Laura. Thank you,

1 Alexa. At this time, we'll go ahead and take
2 Commissioner questions. But before we do that, I just
3 want to make that announcement again that when we move
4 to public comment, we'll be taking folks who need
5 Spanish translation first, then folks who need
6 Vietnamese translation, and then we'll be moving on to
7 everyone else.

8 So if you have your hand raised up now, I hope
9 that's because you need Spanish translation. And if
10 you don't need Spanish translation, please lower your
11 hand, and we'll make sure to call on you during the
12 regular public comment. We very much appreciate it.

13 Okay. Commissioners, do we have any questions
14 for our Applicants? All right. Well seeing no hands
15 raised, really appreciate the presentation. And I
16 would just say that last slide that had the three
17 bubbles was really hard to read. So maybe we can make
18 it bigger the next time you -- both Commissioner
19 Oliverio and I were kind of likely to try to see that
20 already so via Zoom, it's really hard to see when you
21 know it's not the giant screen of Planning Commission
22 Meetings.

23 MS. ARENA: Thank you. That's very good
24 advice.

25 CHAIR CABALLERO: I'm just going to end there

1 and Commissioner Oliverio, go ahead and recognize you.

2 COMMISSIONER OLIVERIO: No, I had the same
3 thought but I didn't say anything. I thought I was
4 going to levels of age discrimination comment on me.
5 But I couldn't -- the font was so -- but clearly, you
6 can talk to all the points and thank you very much.
7 Maybe Chair, one question for the Applicant.

8 You're -- the company itself, Alphabet/Google
9 is headquartered in Mountain View. You have a huge
10 presence in Mountain View. In Sunnyvale, you have
11 facilities all over the country and all over the
12 world. What's the -- I guess the project that you
13 have currently under construction in Mountain View, is
14 that near completion, the one with the unusual
15 roofline that is sort of a bubble looking structure --

16 MS. ARENA: Charleston East. Charleston East
17 is near completion, so we're really excited about
18 that. Obviously, as you know, Northern California and
19 Silicon Valley, and this area in general, this region
20 is -- kind of our home, our headquarters, and so we
21 expect continued growth in it.

22 And so I think that also San Jose holds a
23 really great opportunity to think about diversifying
24 that growth to places that are near transit, and then
25 to act in more of this urban fashion which is really

1 social home to come -- come back to work to. And so
2 it provides a lot of opportunity as we look forward
3 and we're very excited about that.

4 COMMISSIONER OLIVERIO: Thank You.

5 CHAIR CABALLERO: Great. So we'll go ahead and
6 move to public comment, and if we could move our
7 Spanish translator into the room so that we could get
8 them to translate that to folks who have their hands
9 raised, and then, staff, let me know when you're
10 ready.

11 THE INTERPRETER: Chair, this is Rich, the
12 interpreter. I'm ready for whoever you need.

13 CHAIR CABALLERO: Okay. Calling ending in 140,
14 you are unmuted.

15 (FOREIGN LANGUAGE)

16 MALE VOICE: Hello. I mean yes, will all these
17 new developments --

18 FEMALE VOICE: Hi. Sorry. This is for Spanish
19 only. You will be -- raise your hand during the
20 English portion. I'm going to move on to Meredith.
21 Meredith, you are unmuted. Go ahead and unmute
22 yourself and begin to speak.

23 FEMALE VOICE: I'm sorry. I've also done the
24 wrong thing. I speak English. I don't need an
25 interpreter. I'll raise my hand again later.

1 CHAIR CABALLERO: Okay. Thank you.

2 FEMALE VOICE: Okay, Jean. You're unmuted. Do
3 you need a Spanish interpreter?

4 FEMALE VOICE: No. I'm also trying to lower my
5 hand.

6 CHAIR CABALLERO: Okay. Danielle, it looks
7 like we don't have anyone needing Spanish
8 interpretation at this point. So we'll go ahead and
9 move on to the Vietnamese interpretation. If anyone
10 who needs Vietnamese interpretation could please raise
11 their hand, that would be great at this time. Okay.
12 Not seeing any new hands raised, so at this --

13 FEMALE VOICE: Hi, Alex. Sorry. Please --

14 FEMALE VOICE: I'm sorry.

15 FEMALE VOICE: Okay. It looks like Victor has
16 raised his hand. Victor, do you need a Vietnamese
17 translation?

18 VICTOR: No, I'm sorry. I -- I don't need it.

19 FEMALE VOICE: Okay.

20 VICTOR: My apologies.

21 CHAIR CABALLERO: Okay, so it's looking like we
22 don't need any interpretation at this point. So what
23 I'd like to do now is to didn't have anyone who'd like
24 to speak on this item, go ahead and raise your hand
25 but just know that we did write down the names of the

1 eight folks who've had their hands raised since the
2 beginning. Danielle, I'd like to call them in the
3 order that they had raised their hands originally and
4 give those folks an opportunity to speak first since
5 they have been with us since the very beginning and
6 had their hands raised first.

7 We will -- it is almost 9:00 p.m. We will take
8 public comment on this item. Everyone will get their
9 two minutes. Once public comment is completed, we'll
10 do one round of ability to respond to -- by staff and
11 by the Applicant to public comment. Before -- I think
12 before we move -- then we'll vote. And then before we
13 move to item 8, I'd like to take a quick break just to
14 give everyone a bio break so just kind of letting
15 folks know kind of the order that we're going to move
16 in next.

17 So I see several hands raised. We've got about
18 30 hands raised right now. And staff if we could go
19 ahead and call them from that previous list, that
20 would be great.

21 FEMALE VOICE: Okay. First, we have Karen, and
22 please be mindful of the timer. I want everyone to be
23 able to say what they want to say and not get cut off
24 or muted. So Karen, you are unmuted. Just wait a
25 second I'm having trouble unmuting you. Karen, are

1 you? Karen --

2 MS. PHILBRICK: Yes.

3 CHAIR CABALLERO: Okay. Go ahead. Sorry about
4 that.

5 MS. PHILBRICK: Excellent. Thank you. Good
6 evening. my name is Dr. Karen Philbrick, and I'm a
7 downtown resident, and a transportation professional
8 with almost 20 years of experience. As a downtown
9 resident and mother to a precious little girl, I want
10 to see a vibrant community full of energy, enthusiasm,
11 activity, and life. We want more neighbors. We want
12 nearby jobs and retail, and importantly, public spaces
13 that are comfortable, accessible, and safe for all to
14 use equally. It's those type of amenities that foster
15 a sense of community and promote social activities and
16 well-being.

17 The other hat I wear as a transportation
18 professional, I'd like to highlight that multiple
19 research studies clearly reveal that more parking
20 means more congestion, air pollution, and greenhouse
21 gas emissions. Importantly, we also have
22 scientifically based, evolving understanding that
23 urban lifestyles are changing, traditional parking
24 ratios are outdated, and too much supply can be as
25 harmful as too little. We do not want more parking.

1 It promotes the use of single-occupancy vehicles.

2 Notably, transportation preferences are also
3 shifting, a variety of converging trends point to the
4 possibility of fewer cars in the future. Increased
5 transport options continue to be developed, and
6 transportation alternatives are proliferating, from
7 passenger services such Uber and Lyft to car-sharing
8 services such as Zip -- Zipcar and expanded public
9 transport access. And one must not forget the advent
10 of autonomous vehicles.

11 We must build what the future will bring, not
12 what is here today. We have a chance to see this area
13 realize its full potential as one of the premier west
14 coast train stations, which is so fitting for the
15 Silicon Valley and that absolutely requires focusing
16 on low impact, space-efficient, people-first travel.
17 Thank you.

18 FEMALE VOICE: Okay, Jean, you are unmuted,
19 Jean Cohen.

20 MS. COHEN: Thank you, Chair Caballero and
21 Commissioners. This is Jean Cohen, Executive Officer
22 of the South Bay Labor Council. I'd like to offer our
23 support for the Downtown West development agreement
24 before you tonight. The labor movement and our
25 community partners have worked collaboratively with

1 Google to make sure this project includes the things
2 that working people need, a pathway to good union jobs
3 for thousands of workers building and operating the
4 campus, thousands of affordable homes to help -- help
5 offset tech's role in our housing crisis, and a
6 community fund that gives San Jose's diverse
7 neighborhoods facing displacement real power to shape
8 solutions to our most pressing needs.

9 Because of years of advocacy by residents,
10 labor, faith, and social justice organizations, Google
11 has raised the bar for how the tech sector can be a
12 responsible member of our community, and also be held
13 accountable for their impacts.

14 This project will help to ensure more equitable
15 development allowing existing residents throughout the
16 entire city to benefit from new opportunities in
17 neighborhoods threatened by gentrification and
18 displacement. We hope that the Planning Commission
19 will support this proposal from the framework for
20 community benefits to the commitments to good jobs,
21 the City can learn from this process what we should do
22 to demand from corporations and developers what we
23 want from businesses in San Jose. Thank You.

24 FEMALE VOICE: Okay. Tessa, you are unmuted.

25 FEMALE VOICE: Okay. Thank you so much.

1 Basically, I guess my husband, the biologist, says the
2 most important things in regards to climate change is
3 that we reduce the car traffic, and that -- that is
4 very important. So where the City is looking at, you
5 know, reducing their requirements for parking, and we
6 need to do that for Google Village to be exemplary,
7 there should be no car -- car infrastructure built in
8 the housing, or in the commercial buildings.

9 The commercial buildings, I think, is foolhardy
10 going forward as we really need to be building housing
11 only, especially as we are moving towards the model of
12 working remotely that -- that the design that both the
13 downtown stationary plan and the Google Village with
14 so many high rises just for commercial is outdated as
15 we move forward in COVID-19 that we work at home.

16 And so I think that's essential and that we can
17 build eco -- eco-village -- eco -- they call ark
18 ecologies to really integrate the growing of food
19 within all our buildings, and on rooftops, on floors,
20 things like that, so, you know, just everything to be
21 about housing versus having so much office space. And
22 in addition that we really need more open space.
23 Really appreciate what Alexa was saying from Google
24 about the climate crisis, and the -- the relief we get
25 from nature. And we -- we really need to be really

1 supporting open space, and that's why I've been -- you
2 know, the science shows that any undeveloped lots
3 should become food-producing, that -- that that's
4 really the comfort we're going to need is the food
5 production.

6 And that's why I've been talking about 6 -- 615
7 Stockton Avenue to become a demonstration project
8 where we grow food, you know, learn to live without
9 fossil fuels.

10 FEMALE VOICE: Okay, Nathan. You are unmuted.
11 Go ahead and unmute yourself.

12 MR. ULSH: Good afternoon -- good evening
13 rather, Chairman Caballero, Vice Chair Bonilla, and
14 the Planning Commission members. My name is Nathan
15 Ulsh, the Director of Policy and Operations at the San
16 Jose Downtown Association. I'm here to express our
17 profound work for the Downtown West development
18 project plan as we have been involved in this process
19 for many years and very content with the final product
20 before us tonight.

21 This plan is a community-created a vision for
22 transforming 80 acres into a transit village and
23 central social district on the west side of downtown
24 ultimately connecting to downtown. The General Plan
25 Amendments, rezoning, and environmental documents

1 before you here tonight represent a vast improvement
2 over our area's previous plan.

3 I think Rosalynn Hughey captured this
4 development project precisely on our opening slide
5 that this project is creating a place for people, and
6 that we are building up creating density much
7 warranted in our city.

8 This 15-minute city is also a paradigm shift
9 that has profound benefits, adding a much-needed
10 square office, housing, parks, and open spaces.
11 Moreover, we appreciate that Google is creating a
12 greener San Jose with net-zero emission goals,
13 investing in ecological improvements in infrastructure
14 throughout.

15 Lastly, we are very pleased with the extensive
16 planning and outreach both by Google and City Staff
17 that they have done to ensure that that the diverse
18 voices of San Jose have been heard, that ultimately
19 has led to a successful development agreement with a
20 \$200 million community benefit as testified and
21 indicated earlier.

22 We'd commend the efforts of all parties
23 involved and the San Jose Downtown Association urges
24 your approval of item tonight. Thank you very much.

25 FEMALE VOICE: Okay, Fred. You are unmuted.

1 MR BUZO: Hello. My name is Fred Buzo. Good
2 evening, Chair Caballero and fellow Commissioners. I
3 am the San Jose Director for SPUR. Thank you for the
4 opportunity to provide input on this decision which is
5 so important to the future of our city. SPUR supports
6 the partnership between the City of San Jose and
7 Google as the critical step in bringing to fruition
8 the City's vision of a large, world-class, fully
9 integrated, and transit-oriented mixed-use development
10 in our city center.

11 The commitment to bringing thousands of homes
12 and tens of thousands of jobs along with a firm
13 commitment to provide Affordable Housing, protect
14 against displacement, and provide new public spaces
15 recognize the special importance of this place in our
16 city, and in the region, and represents a leading
17 commitment to equitable and sustainable growth.

18 While parking is often a point of contention,
19 San Jose is already one of the most over-parked cities
20 in California. In our view, the Diridon Station Area
21 must maximize access for people, not cars.

22 Additionally, we have to do everything we can to
23 ensure the success of these transit investments in
24 downtown and not undercut them.

25 Building on precedents like L.A. Live,

1 Sacramento's Golden One center, and Brooklyn's
2 Barclays Center, the home of the Sharks could embrace
3 this urban context as a value proposition, emphasizing
4 public transit and its location next to Diridon
5 Station. It is absolutely possible for a mixed-use
6 downtown environment and the SAP center to coexist,
7 not just coexist really but -- but thrive.

8 So other Bay Area stadiums have embraced their
9 local context and have leverage public transit, and
10 mobility options urban areas offer. We've seen that
11 with the Chase Center in San Francisco. We've seen
12 how the Warriors moved from a place that had plenty of
13 parking to a place that didn't have so much parking,
14 but yet it works. And so we asked that this
15 development -- this proposed development also be
16 embraced. Thank you.

17 FEMALE VOICE: Okay, Carolyn. You are unmuted.

18 MS. KNIGHT: All right. Good evening, Chair
19 Caballero and Commissioners. My name is Carolyn
20 Knight. I grew up in San Jose, and I'm a resident of
21 the downtown area. I'm also the education and
22 outreach specialist for the Santa Clara Valley Audubon
23 Society.

24 Audubon together with the Sierra Club, Green
25 Foothills, and the Native Plant Society, Santa Clara

1 Valley Chapter, has sent you a letter of support for
2 the Google Downtown West plan and its associated
3 development agreement between Google and the City of
4 San Jose.

5 For decades, our organizations have advocated
6 for the preservation of the open spaces and wildlife
7 habitats of Santa Clara County and our native ecology
8 found there. At the same time, we've promoted good
9 urban planning. This is density in the urban core
10 prevents displacement, protects riparian ecosystems,
11 integrates our native plants into urban design, and
12 promotes sustainability.

13 More recently, environmental organizations have
14 also been advocating for things like climate action,
15 and resilience, transit-focused mixed-use development,
16 bird safety, and environmentally friendly lighting.
17 Google -- Google's Downtown West plan includes and
18 prioritizes these elements.

19 The Google team has reached out to our groups
20 early on in the design process and has been responsive
21 to many of our suggestions and requests regarding
22 riparian setbacks, protecting and enhancing nature and
23 habitat along the creeks, using a California native
24 plant palette that includes locally native trees such
25 as oaks and sycamores, incorporating bird safety

1 measures, avoiding light pollution, and minimizing the
2 impacts of artificial light at night.

3 As a result of this, Downtown West incorporates
4 better environmental design standards than the
5 remainder of downtown San Jose. And it sets a great
6 example for others to follow. And we hope you support
7 the Downtown West project and consider it a model for
8 implementing the City's future developments. Thank
9 you.

10 FEMALE VOICE: Thank you. Caller ending in 140
11 you are unmuted, if you like to state your name for
12 the record.

13 MALE VOICE: While development -- while the
14 development sounds great, it's going to be a -- sorry
15 about that. Is there going to be enough electricity
16 for everybody? You're going to cram everybody in
17 these areas and a light rail. I want to know if
18 they've thought about the water, the electricity, and
19 the pollution that it can cause when you start to do
20 the demolition of things and you start digging in the
21 dirt. It creates silica dirt in the air, and you're
22 going to be having two projects, Google West,
23 Cambriano Plaza, and who knows where else you're going
24 to build (inaudible).

25 Do -- do you really think that -- that there's

1 going to be enough water, electricity and I want to
2 know what the environmental impact is for when you do
3 the construction. There's going to be traffic because
4 we're still driving cars, right? We're still driving
5 cars and they're not going to disappear overnight like
6 you want them to. So it's going to be causing
7 traffic.

8 I'd like the panel to answer me what type of
9 environmental impact studies that they have on
10 construction, and if there's going to be enough water
11 and electricity because you guys got rid of natural
12 gas. That's evil now.

13 So you guys tell me is everybody going to be
14 able to ride bikes there? I want to know. How --
15 how's everybody going to get around? Where are you
16 going to park, right? I mean, you can't just get rid
17 of parking and then that's going to be the solution.
18 Nobody takes the mass transit before COVID. They're
19 not taking it during COVID. So you tell me -- I mean,
20 how are you going to force people onto mass transit if
21 it doesn't work very well, or it's expensive.

22 And in the case of San Francisco, well, it's a
23 little bit different where -- where that is. But I
24 can tell you one thing, I'm never going to Warriors
25 game again, that's for sure.

1 Anyway, I'd let you guys answer some of those
2 questions, especially when it goes you guys start
3 digging in the construction. Thanks. Hello.

4 MR. TU: I believe are all still here, right?

5 CHAIR CABALLERO: Yeah, I think we're having
6 some technical difficulties.

7 MR. TU: Okay.

8 CHAIR CABALLERO: With the timer. Do we want
9 to move forward without the timer and staff can just -
10 -

11 MALE VOICE: Can you hear me now?

12 CHAIR CABALLERO: We heard you, sir. Your time
13 is up.

14 FEMALE VOICE: Okay. We have next speaker
15 David Meyer. David, you can go ahead and unmute your
16 device.

17 MR. MEYER: Oops. Thank you very much, Chair
18 Caballero, members of the San Jose Planning
19 Commission. My name is David Meyer. I represent
20 Silicon Valley at Home. We're an Affordable Housing
21 advocacy organization. We work all across Santa Clara
22 County. We're also members of the SCAGs so have been
23 a participant in all of the community outreach and
24 meetings that happen at the SCAGs purview.

25 On behalf of Silicon Valley at Home, we

1 requirements want to express our strong support for
2 the housing pieces of Google's Downtown West
3 development, really want to commend City Staff and
4 Google for all their hard work and on this draft DA.
5 We believe the 4,000 new homes are going to jumpstart
6 other housing development in the station area and are
7 key to getting, really creating the mixed-use, vibrant
8 neighborhood we think everybody wants to see.

9 Most important however is that Google has
10 worked with the city to figure how to meet the
11 established 25 percent affordability goal with this
12 proposal. So we will see 1,000 new deed-restricted
13 affordable homes.

14 We support Google's approach of combined some
15 onsite units with dedicated parcels so the city can
16 reach deeper levels affordability and bring new homes
17 online as soon as possible. We're excited the first
18 parcel to be dedicated will be ready shortly after
19 project approval, and we think there is an opportunity
20 here to use measure A funds to ensure we kick off
21 Affordable Housing development with homes targeted at
22 the deepest levels of affordability, and we strongly
23 urge the City to pursue this with the County.

24 Concurrently, the \$154.8 million community
25 benefits package is going to be a tremendous resource

1 to respond the needs of tenants and support community
2 protections and housing preservation and to help
3 counter displacement pressures throughout San Jose.
4 We're confident that through this process we can
5 create and maintain critical Affordable Housing
6 resources, even beyond Google's footprint.

7 So overall, we really see this as the beginning
8 and are committed to continued engagement as we move
9 from planning to implementation. Google is going to
10 be a partner for the long haul here and I think this
11 is a great beginning for housing and Affordable
12 Housing, so thank you.

13 FEMALE VOICE: Okay. Next we have Salvador
14 Bustamante. Salvador, go ahead and unmute your
15 device. I'm not seeing Salvador --

16 MR. BUSTAMANTE: Hello. Can you hear me?

17 FEMALE VOICE: Yes. Yes. We can hear you.

18 MR. BUSTAMANTE: Yeah. Chairman Caballero,
19 Commissioners, good evening. My name is Salvador
20 Bustamante. I affiliated with Latinos United for New
21 America also known as LUNA. I'm here tonight to
22 pledge LUNA's support for this project and to ask the
23 Planning Commission to approve the plans presented to
24 you tonight. The community fund portion of the
25 community benefits agreement is particularly important

1 to the members of LUNA for it puts 150 million and
2 real decision-making power in the hands of grassroots
3 leaders. And this is something I'm very real excited
4 for.

5 This project sets a new model for tech
6 developments can keep families housed, and lift the
7 quality of blue-collar jobs. I am aware that there is
8 an allocated 20 million in the benefits package longer
9 term. Our suggestion is that these resources enter
10 the community fund where the community will be able to
11 decide where and how those funds will be spent. Once
12 again, I'm glad to see how this community benefits
13 package has turned out. It has been years in the
14 making, and we look forward to continuing to work
15 together. Thank you.

16 FEMALE VOICE: Okay. Next, we have -- I'm
17 sorry. Jennifer, could you promote me?

18 FEMALE VOICE: Yeah.

19 FEMALE VOICE: Sorry. We're having some
20 technical difficulties here. Okay. Here we go.
21 (Inaudible), I think is how you pronounce it? You are
22 unmuted. Go ahead and unmute yourself and begin to
23 speak.

24 MS. CLUM: Good evening. My name is Janica
25 Clum. I'm a San Jose native and resident, and housing

1 advocate, and I am just glad to hear the support that
2 is coming out for this project. It has been years in
3 the making and it is so admirable the way that the
4 community has been involved in this process. So I
5 just wanted to as an individual resident lift the
6 voices and say how excited we are to have the Planning
7 Commission approve this development agreement. So
8 thank you very much for your time and I appreciate all
9 your work on this. Thank you.

10 FEMALE VOICE: Thank you. Eugene, you are
11 unmuted. Go ahead and unmute yourself and begin to
12 speak.

13 MR. BRADLEY: Good evening. Can everybody hear
14 me?

15 FEMALE VOICE: Yes, so we can.

16 MR. BRADLEY: Hi. My name Eugene Bradley.
17 When I'm not running a public transit advocacy
18 watchdog but I'm also a Sharks fan. I've always been
19 one since I moved here back in 2000. And yes, I take
20 the bus. I'm proud to take the bus. I'll keep taking
21 the bus where possible until I'm dead.

22 Now that that's out of the way, one of the
23 things I like it seems the more I see this west --
24 this Google west project, West Downtown, I believe
25 that we need to -- it is past time for San Jose to

1 move its downtown area more into the 21st century
2 where everybody is included. Not just people who have
3 a car, and basically feel they have to drive
4 everywhere even two feet to their neighbor's lawn --
5 to their neighbor's house, which that just makes no
6 sense at all.

7 And most important, where they can actually
8 walk or even take a bicycle to a nearby corner store
9 like I used to do in New Jersey. We can just walk to
10 a corner store or walk to a shop and not have to get
11 in a car and go sit in traffic, and then whine about
12 how bad traffic is while doing nothing about it.

13 Anyway, this Google West Downtown Project and
14 around Diridon Station when done properly really needs
15 to best address the need to move a person and not a
16 private automobile. If places like even Dallas, Texas
17 can do stuff like this, even Dallas, Texas has built
18 housing, and even a nice light rail station right by
19 where the Dallas Stars and Mavericks play.

20 I have lived in New Jersey where we've just
21 done something like this to Newark, New Jersey, where
22 we built a nice hockey arena as well as decent
23 shopping right around the old farmer's market on
24 Mulberry Street right near Penn Station. We can all
25 get all kinds of buses and transit to take you

1 everywhere. You don't even have to have a car.

2 So let's get downtown San Jose more to the 21st
3 century and not keep it in 1951. Let's make Google
4 Downtown West happen, preferably with solar power and
5 recycled water. Thank you.

6 FEMALE VOICE: Thank you. Next, we have Kathy.
7 Kathy, you are unmuted.

8 MS. SUTHERLAND: Thank you all. Thank you,
9 Commissioners. My name is Kathy Sutherland and I live
10 in the Delmas Park Neighborhood and I'm a member of
11 the DANG which Diridon Area Neighborhood Group. I'd
12 like to thank Google and City Staff for bringing this
13 plan forward. the Google project is transformational
14 and the biggest development project in San Jose. A
15 project of this size is not easy and it takes time,
16 lots of time, volunteer time from neighborhood
17 leaders.

18 Google has listened to the concerns of the
19 Diridon area neighborhood group, the DANG, and
20 includes -- which includes the leaders from seven
21 different neighborhoods. Collectively, we are
22 supportive of this proposal. We are thankful that
23 there is a master developer for this project. Google
24 has had an open door with us, has had an open door
25 with our neighborhoods. They don't just listen to our

1 concerns. They listened, and they took action. We
2 know that there are years of development and change
3 ahead.

4 As neighborhood leaders, we know that we will
5 continue to be engaged, and we look forward to working
6 with Google and the City. Thank you.

7 FEMALE VOICE: Thank you. Bill, you are
8 unmuted. Go ahead and unmute yourself and begin to
9 speak.

10 MR. SANDERS: Hi. This is Bill Sanders. And
11 I, too, am a resident representative on the SAG and I
12 live about a quarter a mile from Diridon. So this is
13 ground zero for me. I've been sharing my concerns
14 from the beginning. And for me, this is not about the
15 long-term vision at all. It's about our overall
16 readiness to manage this incredible complexity. I've
17 been advocating for construction mitigation, interim
18 activation, and a commitment to the quality of life
19 for the thousands of us that live in high-density
20 housing already in the downtown core, and the
21 thousands more that are going to be moving in.

22 This is one project that is intrinsically
23 linked to decades of construction, fired -- governed
24 by other complex projects namely DSAP, DISC, Downtown
25 Wide Transit Planning, et cetera. So you've got BART

1 high-speed rail, extensive track realignment, 4,000
2 new residential units that are all going to be trying
3 to find their own parking, hundreds of new hotels with
4 no onsite parking, the new urban confluence icon, the
5 list goes on. This is not about parking, and this is
6 not a Google challenge. This is a City challenge.

7 We need to move forward with this project.

8 Yes. But we need to do so with a tangible path
9 forward. I'm very concerned that the City has not
10 funded, organized, nor prepared to manage the decades
11 of unpredictable disruption in this area. It is vital
12 to the functioning of our downtown core. All I ask is
13 for more attention paid to analysis and modeling to
14 give us the ability to forecast and plan for this
15 inescapable shock to our residents. We are definitely
16 in uncharted territory. Thank you very much.

17 FEMALE VOICE: Jason, you are unmuted. Go
18 ahead and unmute yourself.

19 MR. SU: Good evening, Commissioners. My name
20 is Jason Su and I'm the Executive Director of the
21 Guadalupe River Park Conservancy. First, I would like
22 to thank staff for all the work in this presentation.
23 It was very impressive. I'm voicing support for the
24 Downtown West Project and applaud the Affordable
25 Housing equity and ecology investments, particularly

1 on Los Gatos Creek. We have a wonderful existing
2 natural resource, the Guadalupe River Park connecting
3 many diverse communities in our city together, and we
4 see this project as a way to fill the middle link of
5 the park. We look forward to seeing new residents and
6 workers enjoy our parks, open spaces, and city.

7 While there's still elements of the project
8 that give us pause, specifically how it connects with
9 its surrounding neighbors including the park, we
10 appreciate the ongoing dialogue with Google and look
11 forward to reaching a shared vision where an urban
12 core and natural waterways can coexist. Thank you
13 very much.

14 FEMALE VOICE: Adina, you have been unmuted.
15 Go ahead and unmute yourself and begin to speak.

16 MS. LEVIN: Hello. Good evening, Chair
17 Caballero, Planning Commissioners, and staff. My name
18 is Adina Levin. We're friends of Caltrain which is a
19 nonprofit with a footprint from San Francisco through
20 San Jose, and South Santa Clara County, supporting
21 successful modernization of Caltrain in the context of
22 a regionally integrated public transportation system
23 that is accessible to all.

24 And we have about 600 people on our list who've
25 been over time supporting the transformation of the

1 Diridon Station area into a place that people can live
2 and work and enjoy with significantly less need to
3 drive, and the Downtown West Project is really taking
4 major strides towards fulfilling the goals of that
5 plan.

6 With the -- the offices, and homes, and public
7 spaces provided by the Downtown West Project,
8 complemented by the priority -- by the policies and
9 the -- the transportation implementation of the city
10 complemented by major regional transportation
11 investments, those things are looking to come together
12 nicely to provide opportunities for people to enjoy
13 the place, benefit the place, with significantly less
14 need to drive.

15 I wanted to support what Mr. Busa from SPUR
16 said regarding the opportunity for successful
17 entertainment in this urban context. We have an
18 example of here at home in the Bay Area where the
19 Giants had a 90 percent driving rate when they were at
20 Candlestick, and that plummeted to under 50 percent
21 when they moved up to Downtown San Francisco. It is
22 certainly possible to go through that change and we'll
23 like to speak in support of this project and plan.

24 Thank you.

25 CHAIR CABALLERO: Jennifer and Danielle, before

1 we move to the next speaker, I just want to make an
2 announcement that we'll be concluding public comment
3 on this item at 10:30. That should get us through our
4 26 speakers who have their hands up now. And I have
5 Sarah McDermott as the last speaker.

6 FEMALE VOICE: Okay. Thank you. Let's go to
7 Shiloh -- oh, hello Shiloh. You are unmuted. Go
8 ahead and unmute yourself.

9 MS. BALLARD: Hello. Thank you. My name is
10 Shiloh Ballard, and I'm speaking on behalf of the
11 Silicon Valley Bicycle Coalition. We support the plan
12 and we're thrilled that Google heard and responded to
13 the community. And unfortunately, some are opposed
14 because they want more parking and street capacity for
15 cars. This despite what you've heard tonight, and
16 you've seen the data that shows that the proposal is
17 way over parked. And you have that data. Those are
18 facts.

19 But what I wanted to focus on is yet another
20 invitation to those who want more parking to explore
21 some super easy solutions that don't require taxpayer
22 dollars.

23 So for example, if you've ever gone to an event
24 at Levi Stadium, you likely have noticed that valet
25 bike parking is provided. In essence, you can pedal

1 up and check your bike with someone who will watch it
2 for the entire game for free. And this is really
3 important because data shows that one of the biggest
4 barriers to riding a bike is fear of bike theft. So
5 at any given Niners game, 150 to 250 bikes are parked,
6 taking the equivalent amount of cars and traffic off
7 the road. Oracle Park, the Chase Center, they all
8 offer the same service to park bikes. We could do
9 this kind of thing at SAP Arena to further reducing
10 driving and the need for parking.

11 This is just one example of a very easy
12 affordable solution that other event centers used to
13 reduce the need for to -- to drive. It provides more
14 transportation choices that don't force folks to drive
15 and pay for parking and there are plenty of other easy
16 and affordable ways to reduce driving that we invite
17 the Sharks to adopt instead of insisting that we spend
18 taxpayer dollars in ways that are ineffective,
19 unneeded, and put us in reverse. You know, just in
20 sum, we are building for the future, a future that
21 centers people and untethers us from a car-centric
22 mentality. So please support this plan without
23 capitulating to short-sighted demands for more
24 parking. Thank you so much.

25 FEMALE VOICE: Thank you. Jeffrey, you are

1 unmuted. Go ahead and unmute yourself and begin to
2 speak. Hi, Jeffrey.

3 MR. BUCHANAN: Sorry, Commissioners. I didn't
4 realize I had a hand up. But Jeffrey Buchanan with
5 the Working Partnerships USA wanted to share my
6 support, strong support for the development in front
7 of you. Certainly, over these last four years since
8 this project was first announced, our organization has
9 engaged with hundreds of community members, you know,
10 in the very beginning of the process. We heard the
11 greatest concerns were really around what -- how will
12 this project address displacement, how will this
13 project address good jobs, and how will the community
14 really have a voice in how decisions are made?

15 And I can say, you know, as someone who
16 throughout this process has raised a lot of questions
17 about -- about this particular project that the Google
18 team and the City team have really risen to the
19 occasion and worked collectively with the community to
20 address the biggest questions put before them and
21 delivered on a project that I think really is an
22 example for the rest of the city in -- in terms of how
23 to address displacement. And how to do it not just by
24 writing a check and walking away but by creating an
25 institution in this community fund that I think really

1 will give a footing for those who are most impacted by
2 displacement to have a say and how do they address the
3 stability of their neighborhoods, how can we fund the
4 kinds of things that we haven't seen the city or
5 philanthropy fund its scale to prevent evictions of
6 our neighbors to be able to help communities of color,
7 to be able to own their homes, to be able to ensure
8 that the people that make this city great today are
9 still living here tomorrow. And so really want to
10 encourage the commission to support the development
11 agreement and thank you to Google and the staff for
12 their engagement.

13 FEMALE VOICE: Okay. Jocelyn, you are unmuted.
14 Go ahead and unmute yourself and begin to speak.

15 FEMALE VOICE: Hello, everyone. My name is
16 Jocelyn. I grew up in San Jose, and I am a part of
17 the South Bay Community Land Trust. Yes, San Jose
18 does have a community land trust already. And we
19 actually formed because of our continued opposition to
20 the Google project.

21 I am here to express that even though I'm
22 hearing a lot of thank yous and a lot like great
23 numbers, and like, you know, pretty words being thrown
24 around, at the end of the day like we're being thrown
25 like crumbs. And the fact is that like there's more

1 than 7,000 people on the streets. This project hasn't
2 -- has failed to like take a moment to reflect on what
3 it could even transform into as we face COVID. At the
4 end of the day, as much as there has been discussion
5 about community engagement, there also hasn't been any
6 discussion about how much folks that oppose Google
7 were criminalized and even arrested on December 4th
8 when San Jose sold its parcels over to Google.

9 And so although we speak about this as a done
10 deal and for many folks that is, I really hope that we
11 can challenge ourselves because, at the end of the
12 day, it is not -- not until that first shovel goes
13 into the ground. And I hope that we can continue to
14 organize and challenge ourselves and be courageous to
15 actually seek a transformative decomp -- decomodified
16 development, something that is not tied to the housing
17 market, something that is truly affordable and that
18 can only happen when we actually give community
19 complete control. And so I am here to advocate this
20 Google project, again, we are in opposition and we
21 hope that these lands are turned over to community and
22 community land trusts. Thank you.

23 FEMALE VOICE: Thank you. Isabelle, you are
24 unmuted. Please unmute yourself and begin to speak.

25 MS. SHAPUI: Hello. My name is Isabelle

1 Shapui. I live in North San Jose just a bike ride
2 away from downtown. I am a supporter of Mothers Out
3 Front Silicon Valley. I'm the parent of two kids, and
4 I'm an educator of dozens of children whose future is
5 in jeopardy due to the climate crisis. I am strongly
6 in favor of the DSAP plan. In order to achieve the
7 city's mode shift goals for 40 percent single
8 occupancy vehicle and at least 15 percent walking and
9 biking, we must put this kind of plan in place that
10 provides choices other than single-occupancy vehicles.
11 This is especially true in what will be a world-class
12 transit center with an awesome bike trail.

13 I urge you to reject the Sharks proposal to
14 build -- to build even more parking than the minimum
15 4,000 places already set aside. Too much parking and
16 street space for cars means the city will be stuck in
17 a car-centric mentality. Sharks fans, too, will be
18 caught in heavy traffic at the end of games. Other
19 cities have embraced transit near their arenas like
20 Seattle's climate pledge arena.

21 Surely, San Jose as the capital of Silicon
22 Valley can lead the way to a new vision of urban
23 livability by prioritizing public transit, walking,
24 and biking, and letting go of the old car-centric
25 mindset. Therefore, I urge you to not water down the

1 plan with more parking and street space for cars. Put
2 people first and be climate-smart. Our children's
3 futures depend on our making climate-smart choices
4 today. Thank you.

5 FEMALE VOICE: Thank you. Brian, you are
6 unmuted. Go ahead and unmute yourself. You can
7 speak.

8 MR. PRESCOTT: All right. Hi. For the record,
9 my name is Brian Prescott. I'm a member of Silicon
10 Valley Bicycle Coalition in South Bay YIMBY. I live
11 in downtown San Jose so this project is right in my
12 backyard, and I'm speaking to respectfully ask the
13 Planning Commission to vote yes and accept staff's
14 recommendation on the Downtown West Project.

15 So I think there are a lot of obvious ways in
16 which this project steps towards the vision we've
17 declared in our General Plan. As people have said,
18 there's just nothing better we can do for climate
19 leadership than to put a bunch of jobs and a bunch of
20 houses on top of a train station, that's as good as it
21 gets. I also really love the way that community has
22 come together on this. Orgs representing all types of
23 people from all over the city are on board with it and
24 that's really cool.

25 And I'd like to add that this plan also means a

1 lot for the people who are going to use this space,
2 for the people who are going to live here and for the
3 people who are going to work here. This is
4 irreplaceable. We don't want to tell these thousands
5 of new neighbors to go away. We want to bring them
6 in. And so I want you to imagine those people asking
7 for you to let them have their homes here.

8 So I love my neighborhood downtown. I love
9 going to Diridon to catch the Caltrain. But this
10 project makes it on a destination. It's not where
11 people are going to go to leave San Jose. It's going
12 to be where people go to come to San Jose. I'm really
13 looking forward to showing this off to my friends and
14 my family. And if I have to rent a car to show my
15 family how cool San Jose is, I'm going to be upset.

16 So I want to extend my gratitude really just a
17 huge thank you to the City Staff and to all of the
18 community members who have made this happen. I
19 joyfully ask for you to vote yes, to accept staff's
20 recommendation, and advance the Downtown West Project.
21 Thank you.

22 FEMALE VOICE: Elizabeth, you are unmuted. Go
23 ahead and unmute yourself.

24 MS. STAMP: Thank you and good evening,
25 Commissioners. I'm Elizabeth Stamp with NRDC, the

1 Natural Resources Defense Council, and I'm here to
2 urge you specifically not to increase parking in this
3 plan. Leading cities across the nation are moving
4 away from requiring a lot of parking for private cars.
5 This enables land to be put to better use such as
6 Affordable Housing. And it prioritizes more
7 sustainable ways to get around that are accessible to
8 more people. As others have mentioned, mobility is
9 changing and the options are expanding.

10 I've seen the comments from the Sharks in the
11 media about wanting more parking. There is already
12 significant parking, arguably too much, in this plan
13 that will accommodate audiences at Shark games.
14 Building more parking increases driving and it
15 increases traffic congestion and air pollution.

16 More driving also increase increases climate
17 pollution; already almost two-thirds of San Jose's
18 greenhouse gas emissions come from transportation.
19 Adding more parking runs totally counter to San Jose's
20 climate-smart plan and the city's sustainability
21 goals.

22 In cities that we work with across the country,
23 stadiums and large venues are reducing parking and
24 prioritizing more sustainable transportation. Urban
25 areas and arenas work best with a variety of

1 transportation options. The SAP center is less than
2 five minutes' walking distance from Diridon Station
3 and light rail. It's remarkably well suited for
4 public transit. That should and can be the focus for
5 game attendees.

6 As we've heard from stadium planners elsewhere,
7 it's more comfortable and fun for customers and safer
8 and more pleasant for everyone else as well. This
9 decision will shape San Jose's downtown for the next
10 50 years. I encourage you to stay committed to
11 reducing parking, keeping downtown free of car-clogged
12 streets, and keeping San Jose --

13 FEMALE VOICE: Okay. So your time is up. Ben,
14 you are unmuted. Go ahead and unmute yourself and
15 begin to speak.

16 MR. LEECH: Thank you, Chair Caballero, and
17 Commissioners. My name is Ben Leech. I'm the
18 Executive Director of the Preservation Action Council
19 of San Jose. PACSJ wants to commend both the Google
20 project team and planning division staff for their
21 commendable attention to PACSJ's concerns and the
22 public's concerns related to potential impacts of not
23 only to historic resources but to cultural resources,
24 natural resources in the project's site.

25 The -- we want to highlight that the project as

1 proposed, in our view, has been much improved since
2 the original EIR, and we attribute that directly to
3 Google's good faith commitment to an open dialog with
4 us and other stakeholders. We went into this with the
5 concern that obviously this is a transformational
6 project. A transformational project does not have to
7 be a blank slate development, and our concern was that
8 the inherited resources, both historic, cultural,
9 natural that already existed on the site would not be
10 recognized as an asset.

11 We are thrilled that that's not the case and we
12 can say with certainty that Google has recognized that
13 integrating historic preservation into their overall
14 vision enhances their project and enhances the overall
15 viability, vibrancy, livability, equity of -- of the
16 entire development.

17 And so while we have to admit, not all of our
18 comments or recommendations have been incorporated, we
19 are generally satisfied that our -- our input was
20 given fair consideration, and we strongly encourage
21 the proposal to move forward as -- as proposed. Thank
22 you.

23 CHAIR CABALLERO: Hi. This is Chair Caballero.
24 I just want to make a quick announcement. So if we
25 could just encourage our public speakers to be as

1 brief as possible in letting us know your concerns,
2 and we do have one more item that needs to be voted on
3 tonight, and we are approaching 9:45. Public comment
4 will go until 10:30. But just, if possible, please be
5 as brief as you can and concise when you're describing
6 your concerns and support or opposition. Thank you so
7 much.

8 FEMALE VOICE: Okay. Ed, you are unmuted.
9 Edward.

10 MR. SAUM: Good evening, Chair Caballero and
11 Commissioners. My name is Edward Saum. I'm the
12 Planning and Land Use Director for the Shasta and
13 Hanchett Park Neighborhood Association. The
14 neighborhood SCAG representative, the outgoing chair
15 of the City's Historic Landmarks Commission, and a
16 member of the DANG.

17 The Downtown West designs, standards,
18 infrastructure fees, and community outreach that we've
19 heard about tonight should set the standard for all
20 development in the Diridon Station Area and beyond.
21 To not hold the remaining 160 acres to the same high
22 bar would be a mistake of generational proportions.
23 DANG appreciate Google's clear willingness to work
24 with neighbors up to this point and I believe that
25 we've laid the groundwork to create a long-term,

1 positive working relationship with all area
2 stakeholders. I'm thankful for Google's contribution
3 to new and existing parks and the programs that will
4 clearly benefit the diversity of the broader
5 community.

6 To be clear, broader community needs to
7 substantially include the adjacent neighborhoods
8 within the Diridon Area, not just Council members'
9 wish lists. The proposal the creation of additional
10 parks but much of that area is riparian corridor, bike
11 path, or private property under the control of Google.
12 The maintenance of a handful of public parks being
13 created will fall PRNS with no commitment from Google
14 to support maintenance. Other development agreements
15 the City has gone entered into north San Jose and
16 Newhall have included agreements for maintenance. Not
17 to be indelicate but the City's track record when it
18 comes to park maintenance is terrible. We're setting
19 up a system that will inevitably lead to well-
20 maintained, privately controlled spaces and the
21 neglected public areas. This is far from the gold
22 standard that the development agreement is being
23 touted.

24 Residents living in the desperately needed
25 Affordable Housing deserve well-maintained public open

1 spaces for healthy living not just privately owned
2 plazas and walkways that Google reserved the right to
3 close for corporate events than they see fit. Thank
4 you.

5 FEMALE VOICE: Okay. Maria, you are unmuted.
6 Go ahead and unmute yourself.

7 MS. FERNANDEZ: Thank you, Chair Caballero and
8 Commissioners. I'm Maria Noel Fernandez with Silicon
9 Valley Rising and I'm here today to express our
10 support of the proposed development agreement. When
11 talks started about Google and San Jose, Silicon
12 Valley Rising hit the streets. We held community
13 meetings with hundreds of workers and neighbors. We
14 surveyed. We door knocked. We phone banked. We
15 participated in SCAG. We held actions. We rallied.
16 We acted.

17 And we did all of that because what we heard
18 loud and clear it was desire for this project to
19 address critical concerns around displacement,
20 housing, and jobs. What we have here is an agreement
21 that reflects the priorities across the board. The
22 investment, the governance structure of the community
23 fund, a fund led by community leaders with lived
24 experience, all of that. All of this has been years
25 in the making. We look forward to continuing to work

1 with Google and the City of San Jose and encourage you
2 to support the partnership that we have all worked so
3 hard to cultivate.

4 It is potentially a model for development
5 locally and across the country. Thank you.

6 FEMALE VOICE: Okay. Thank you. Veronica, you
7 are unmuted. Please unmute yourself.

8 MS. DUANE: Hi. Hello. Can you hear me?

9 FEMALE VOICE: Yes, we can.

10 MS. DUANE: Okay. My apologies. I -- my name
11 is Veronica Duane. I'm a lifelong San Jose resident.
12 I actually live in the Gardner neighborhood. It's
13 about a 10 to 15-minute walk, depending how briskly,
14 from my home to the Diridon Station. I'm also an
15 attorney and I have my business in the St. Leo's
16 neighborhood. I mean specifically when we -- my
17 husband and I purchased our home and when -- when I
18 set up my business in that neighborhood, it was to be
19 able to walk into Diridon and be able to utilize the
20 transportation as I'm often in San Francisco.

21 And so if -- if I can currently under the
22 situation walk in to a concert to SAP Center, I think
23 the Sharks fans can do the same. I don't think any
24 more parking should be allocated. The plan seems to
25 have brought a lot of different community members

1 together, a lot of the concerns regarding housing,
2 regarding climate change, and being able to build for
3 the future. All of these things seem to be addressed
4 in this plan.

5 And so just as an individual and as a business
6 owner in the neighborhood, I believe that I would love
7 to support this. I think that the commission should -
8 - should move forward with this, and no additional
9 parking should be allocated. I think, you know, as
10 many people as pointed out, lots of other bay area and
11 nationwide teams have moved forward and moved to do
12 more public transportation and fewer private cars
13 driving in, and I think that would be fantastic for
14 the neighborhood in general to see fewer cars, less
15 traffic, especially on those concert nights and on
16 those game nights. There is a way for more people to
17 walk into downtown or to use public transportation,
18 and it's all there. Light rail is there. Diridon is
19 there. If other cities can do it, we can definitely
20 do it. Thank you.

21 FEMALE VOICE: Alex, you are unmuted.

22 MR. LOHRY: Hi. Actually, this is Gavin Lohry.
23 The real Alex Shore is a queue and I think will stand
24 up soon. Good evening, Planning Commission members
25 and City Staff. My name is Gavin Lohry from Catalyze

1 SV. Our members are really excited to see the
2 realization of Downtown West and its vibrant mixed-use
3 development. I'm going to spend time in the
4 development. Our remembers reviewed Downtown West in
5 October of last year. It was the second highest-
6 scoring project of the year that we reviewed. And
7 although we are now reviewing the development
8 agreement, we do believe it provides significant
9 funding for Affordable Housing, community
10 stabilization, and different (inaudible) pathways. We
11 will be reviewing this with our members on Monday and
12 kind of have more on this. But I want to provide some
13 of the feedback from our members on the overall plan.

14 In general, we are really impressed with the
15 community outreach and the continuing effort that we
16 see from Google on this to reach out new ways and to
17 different groups. We believe this is a vibrant
18 neighborhood celebrating art, local culture, and the
19 city's rivers and really glad that Google is
20 considering adding maker space. We really appreciate
21 the design for a transit walking and biking. But our
22 members believe that the parking is just way too much,
23 it's way too many parking spaces, and that a goal of
24 35 percent single occupancy vehicle motor share is way
25 too high for a kind of a central transit hub.

1 It's great. Great on sustainability. We're
2 really excited that there's 4,000 homes, although we
3 hope there's even more built in the end. And we're
4 really glad that there's a goal of 25 percent
5 Affordable Housing, and we hope that the City is able
6 to kind of follow-through to actually see these
7 thousand units. But in general, our members really
8 appreciate this project, and we will continue to
9 review this on Monday and the development agreement.
10 But we're excited to see it move forward. Thank you.

11 FEMALE VOICE: Naomi, you are unmuted. Go
12 ahead and unmute yourself and begin to speak.

13 MS. YAMAMOTO: Hi. Kiyomi Yamamoto. I'm the
14 Lead Housing Policy Attorney with the Law Foundation
15 of Silicon Valley, and also a member of the SCAG.
16 We're excited to support the proposed development
17 agreement. The community stabilization fund as
18 proposed will ensure that as Google builds properties
19 and hires new employees to live and work in San Jose,
20 those most acutely at risk of displacement will
21 benefit particularly people of color. Our housing
22 program serves low-income tenants, and we have seen a
23 30 percent increase in people of color served
24 particularly from east San Jose and downtown. And
25 that's why we're enthusiastic supporters of the fund

1 being governed by community members including those
2 with lived experience from San Jose and downtown. The
3 community is in the best position to prioritize the
4 fund's needs and also to assess the impact and adjust
5 priorities and actions to maximize that impact.

6 We hope other companies will look to this
7 agreement as the bar for responsible corporate
8 citizenship. And we thank the City and Google for
9 meaningfully including responding to our people. I
10 look forward to seeing this finalized as the minimum
11 standard for future development agreements. Thank
12 you.

13 FEMALE VOICE: Okay. For -- sorry. Farsa Mae,
14 you are unmuted. Go ahead and unmute yourself. Sorry
15 if I pronounced that wrong.

16 MS. MAE: Can you hear me?

17 FEMALE VOICE: Yes. There you are.

18 MS. MAE: Hi. Okay. Thank you. Yes, you
19 pronounced it correctly. Good evening. Thank you for
20 everyone that presented tonight and actually really
21 enjoying with everyone's comments. I grew up in San
22 Jose and I'd been living in downtown. I'm an owner at
23 a complex between Santa Clara and San Fernando on 3rd
24 and I just wanted to base -- I mean, I'm -- a lot of
25 people spoke tonight are very eloquent and know a lot

1 about this but I just listening in tonight. And from
2 everything I've learned over the last few months, I
3 just really support those project. And I just wanted
4 to show up tonight to learn more and also put that out
5 there because I think as someone who's living down
6 here, seeing so much potential in downtown San Jose,
7 and I've been here for three years, it's really
8 exciting to see this move forward. Thank you.

9 FEMALE VOICE: Thank you. Vince, you are
10 unmuted.

11 MR. ROCHA: Hey, good evening, Planning
12 Commissioners. My name is Vince Rocha, the Senior
13 Director of Housing and Community Development with the
14 Silicon Valley Leadership Group, and we'd like to
15 express our support for the Downtown West mixed-use
16 plan, this transformative Google project that will
17 bring good-paying jobs and live in our downtown core
18 near transit, bring affordable homes for our residents
19 and parks, and open space for all to enjoy.

20 The plan before you is a successful outcome of
21 the years of community engagement including
22 neighborhood historical walks and community workshops
23 that I participated in with other residents. This
24 resulted in a collaborative planning process that will
25 bring benefits to San Jose residents. It also

1 considers the need for housing, which as we know is
2 where jobs sleep at night. You can't have one without
3 the other. 4,000 homes planned, 1,000 of them
4 affordable, addresses the need for people to live near
5 transit and jobs.

6 In fact, Diridon will become a nearly
7 unparalleled multi-modal transit hub with this
8 development next door, a grand central station of the
9 west that will service countering GTA and high-speed
10 rail on BART in the future. This will allow us to
11 work and live Downtown West access to the entire bay
12 area and beyond.

13 Additionally, this project brings an
14 unprecedented community benefits package to San Jose
15 that will benefit the community early and well into
16 the future, including a one of its kind community
17 stabilization and opportunity pathways fund being led
18 by the community. The care put into this plan
19 enhances community power to define and drive outcomes
20 beneficial to all. Thank you.

21 FEMALE VOICE: Hello? I can't hear. I think
22 there is --

23 FEMALE VOICE: Meredith --

24 FEMALE VOICE: Hello? Hello?

25 MR. TU: Meredith, we can hear you.

1 FEMALE VOICE: Okay. Hello. I'm a lifelong
2 neighbor to the proposed project and I have three
3 process points upfront. Please make all slides
4 available to the public before the meeting to aid our
5 ability to understand. Please open the one-
6 directional input only no visibility to other
7 participant's chat feature available in Zoom so that
8 city officiates can read and perhaps choose to bring
9 up questions from their constituents and their non-
10 time limited question period. And thirdly, please
11 introduce speakers with an on deck's protocol so that
12 we will know we will be speaking momentarily.

13 I have four points for the project itself.
14 Firstly, the EIR comes off as anthropocentric in terms
15 of primarily presenting environmental impacts to human
16 endeavor. What are the environmental impacts to soil,
17 plant, and nonhuman and non-human life on which our
18 sustainability as a species rests? Notably, there is
19 no mentioned tonight to edify us on the allowable
20 light pollution impacts of this project although we
21 heard about this from the Audubon society comments.

22 As for the noise pollution impacts, how will
23 the 60-decibel hour really limit be measured? There
24 is no infrastructure for noise pollution monitoring
25 except during active construction and so excessive

1 noise pollution monitoring and reporting would have to
2 come from individual effort to keep data on this and
3 there's currently very limited reporting mechanisms
4 for enforcement for noise pollution in San Jose. I
5 would ask Google to please build an integrated
6 automatic monitoring and enforcement network for noise
7 pollution concerns as we have to a limited extent for
8 air pollution monitoring and to consider adding
9 registered FAA monitoring stations for air pollution
10 within the project.

11 Secondly, what is -- why is the low-income and
12 extremely low-income Affordable Housing segregated
13 from market-rate properties in this project? It seems
14 that amenities like pools, gyms, roof decks would not
15 be available to low-income housing. The separate but
16 equal approach does not work and will further entrench
17 differences in the quality of life accessible for low
18 socioeconomic status people. This is nimbi of a
19 different sort. Not in my building.

20 Thirdly, I wish the presenters spoke more about
21 the agreements with Google to ensure public access to
22 their private parks. Well, we have the right to
23 protest Google in these spaces.

24 Lastly, please consider amending the
25 transportation map to open lanes and to pedestrian-

1 only traffic.

2 FEMALE VOICE: Thank you. Ryan, you are
3 unmuted. Go ahead and unmute yourself and begin to
4 speak.

5 FEMALE VOICE: Hello. Can you hear me?

6 FEMALE VOICE: Yes, we can.

7 FEMALE VOICE: Great. Okay. My name is Ryan
8 Tram with Mothers Out Front. I live in downtown San
9 Jose. There is a 30-year lag between the time that
10 greenhouse gases are emitted and when the effects are
11 felt. The catastrophic wildfires and drought we are
12 experiencing today are largely due from emissions from
13 30 years ago. All the more reason to act swiftly on
14 the climate crisis. We know we are not moving nearly
15 fast enough. We must get people out of cars and build
16 a world-class public transit system.

17 I'm strongly in favor of the Diridon plan as
18 is. I urge you to reject the Sharks' proposal to
19 build even more parking and to reject the proposal to
20 widen Barack Obama Boulevard.

21 Too much parking and street space for cars is
22 entirely the wrong direction. It will increase
23 traffic, and we'll assess for -- exacerbate the
24 climate crisis. Sharks fins will be mired in heavy
25 traffic at the end of games. It's bad enough already.

1 San Jose, the capital of -- of Silicon Valley
2 must lead the way by prioritizing public transit
3 walking, and biking, and letting go of the long-
4 outdated car-centric mindset. Oakland is extremely
5 successful at getting sports fans to and from the
6 coliseum by optimal use of BART and Caltrain and other
7 public transit. We need world-class transit downtown.
8 We hope the Sharks get not what they want but what
9 they need, a variety of ways for fans to get to games.
10 Approving the plan as is, is a win-win for all
11 especially for our future generations. Thank you.

12 FEMALE VOICE: Thank you. Roland, you are
13 unmuted.

14 MALE VOICE: Hello again, Madam Chair and
15 Commissioners. Thank you for the closed captioning,
16 and putting up with us this evening. I'd like to
17 start by echoing Rosalynn's opening remarks and big
18 kudos for Nanci Klein and the team for the
19 extraordinary crafting of the amended DSAP. Moving on
20 to Downtown West, I would like to thank Google for
21 their flexibility preserving, or relocating historical
22 resources. And I'd also like to thank the City of San
23 Jose and Google for engaging every side of the aisle
24 and crafting a win-win development agreement for all
25 parties concerned and that includes our beloved Sharks

1 -- Sharks.

2 The only dark cloud I'm seeing in the -- in the
3 development agreement is the infamous Diridon
4 Integrated Station counterplan known as DISC and the
5 potential negative community impacts that may result
6 from the DISC expanding beyond its buffer zone. In
7 closing, I would like us to stop -- to start a new
8 conversation about investing some of the \$23 million
9 in unallocated community benefits to create
10 exponentially additional community benefits by
11 shrinking the DISC buffer zone and protecting
12 historical landmark depot in the process.

13 And one last quick remark is that Alex's
14 presentation coincided with should space that launch
15 from Cape -- Road and I'm pleased to report that the
16 league -- that the eagle landed successfully for the
17 79th time. And I hope this bodes well for your
18 deliberations later on. Thank you.

19 FEMALE VOICE: Okay. Catherine, you are
20 unmuted. Please unmute yourself and begin to speak.

21 FEMALE VOICE: Good evening, Planning
22 Commission. Thank you for the opportunity to speak.
23 I'm going to find my notes here. I'm a member both --
24 SP and packed and both of these groups have had a lot
25 of input into the project, and we've heard many

1 speakers tonight talk on how this project can bring
2 downtown San Jose into the 21st century. And I've got
3 back on my notes.

4 It will create a vibrant transitory community
5 in Silicon Valley's inter-modal transit and access to
6 the future. The Downtown West and Diridon stationery
7 plans involving Google in a record-setting benefits
8 plan carefully considered the neighborhood needs in
9 the future. And framing, it might not be quite
10 forward-thinking enough (inaudible) had some really
11 good ideas. You know, community companies may not be
12 having all these big offices, and having more housing
13 but, you know, we may be all reconsider this.

14 But the last thing we need to do is support
15 more wasteful travel by automobile by expanding
16 parking as requested by the San Jose Sharks. There is
17 plenty of parking in this plan.

18 We have heard from so many people about how the
19 trend with sports arenas is to get away from the giant
20 parking lots and have people go by transit. I've been
21 on the Caltrain with the Giants fans going up to AT&T
22 Park, and the party train is as much of a Giants
23 tradition as tailgating is for some team fans.

24 And this plan has taken years. It's a
25 culmination of collective negotiations, so much

1 creativity, and we cannot throw this much housing and
2 claim Affordable Housing just make things convenient
3 for the Sharks fans and the concert-goers at SAP
4 Center. Thank you very much.

5 FEMALE VOICE: William, you are unmuted.
6 Please unmute yourself and begin to speak.

7 MR. LAUGHING: Hello. I'm William Laughing, a
8 San Jose renter living on Communications Hill. I'm
9 here to support Downtown West. I'd seen many of my
10 friends leave the San Jose area as a result of rising
11 rents and housing prices. This project will not only
12 make downtown San Jose more vibrant, will help reduce
13 the astronomical price of housing. Furthermore, as a
14 Sharks fan who doesn't own a car, I'm excited about
15 the possibility of being able to live so close to the
16 tank, and the greater downtown area. Thank you and
17 thank you to staff.

18 FEMALE VOICE: David, you are unmuted. Go
19 ahead and unmute yourself.

20 MR. LOWES: Good evening, Commissioners. David
21 Lowes speaking on behalf of Destination Home, and
22 wanted to log our support for both the Google
23 Development Plan and the updated Diridon Station area
24 plan, which together will provide a concrete path for
25 delivering that Affordable Housing we desperately

1 need. In addition to the thousand deed-restricted
2 affordable apartments, the structure of these
3 agreements will let us get those extremely low-income
4 units that we also really need to address homelessness
5 in our community and ensure that Downtown West
6 includes homes for our lowest income and most
7 vulnerable folks.

8 So we really appreciate all the work that went
9 into crafting this well-thought-out plan and maximize
10 Affordable Housing that community desperately needs.
11 And we hope you will all recommend its approval to the
12 City Council tonight. Thank you.

13 FEMALE VOICE: Victor, you are unmuted. Go
14 ahead and unmute yourself and begin to speak.

15 MR. VASQUEZ: Good evening, members of the San
16 Jose Planning Commission. My name is Victor Vasquez.
17 I'm Director of Community Organizing the policy at
18 Somos Mayfair and a member of C supply the collective.
19 East San Jose has always had to organize to build
20 power because we've been left out of decision-making
21 power. Our people build the wealth in Silicon Valley
22 but we've been left out of the economic benefits but
23 feeling the impact of the housing crisis. But in
24 response to community organizing companies like Google
25 work with our coalition of housing advocates,

1 community organizations, labor groups. And we're here
2 today to support the community benefit packet
3 connected to the Google development agreement.

4 The community fund portion of the community
5 benefits agreement is important to us. It puts 150
6 million in real decision-making power in the hands of
7 experienced grassroots leaders. This is the biggest
8 community benefits fund in the U.S. with community
9 power to direct these millions towards economic and
10 housing solutions.

11 In terms of housing solutions, Somos Mayfair
12 would like to emphasize our enthused -- enthusiasm for
13 alternative community housing models. Alternative
14 community housing models represent a long-term
15 strategy to combat displacement with successful
16 examples in San Francisco, Oakland, and throughout the
17 Bay Area. A significant portion of the unallocated
18 community benefits and those funds must be invested in
19 this kind of community ownership project model. East
20 San Jose will benefit from alternative housing models
21 like housing on a -- on a community land trust to curb
22 generations of housing discrimination.

23 We thank you for your time and consideration
24 and looking forward to working with you on other
25 projects. And let's work together to put those

1 community ownership housing models in East San Jose.

2 Thank you.

3 FEMALE VOICE: Thank you. Corey, you are
4 unmuted. Go ahead and unmute yourself.

5 MR. SMITH: Good evening, Commissioners. Corey
6 Smith with the Housing Action Coalition. We're a
7 regional nonprofit that advocates for more homes at
8 all income levels. We sent in our letter of support,
9 so I'm not going to reiterate the comments we made
10 there. But I did want to call attention to the 55
11 people that put their hands up in support in a
12 petition that we shared, cohosted with The Bay Area
13 Council, San Jose Downtown Association, and the
14 Silicon Valley Leadership Group. That number has now
15 grown to 70. So please consider those people in
16 making your decision tonight. Thank you.

17 FEMALE VOICE: Ann, you are unmuted. Go ahead
18 and unmute yourself and began to speak.

19 MS. PAULSON: Good evening. I'm Ann Paulson
20 speaking in strong support of the Downtown West plan.
21 I've been a Sharks fan for 27 years. I've been
22 missing going to the games during the pandemic, but
23 I'd be even more excited to return to the tank if
24 there was a vibrant, walkable area around Diridon than
25 in the tank. I live in Los Altos, and I ride my bike

1 to the games. It'll be great when I can get a
2 recovery snack like some ice cream in the active use
3 area right across from the tank before the game, or
4 just take a rest and do some people watching before I
5 go in to watch the Sharks.

6 The Sharks don't need more parking. They'll be
7 fine. Please recommend this for City Council approval.
8 Thank you.

9 FEMALE VOICE: Sarah. Sarah, you are unmuted.
10 Go ahead and unmute yourself and begin to speak.

11 MS. MCDERMOTT: Hi, good evening. My name is
12 Sarah McDermott. I'm the Political Director of Unite
13 Here Local 19. We are the hospitality workers union
14 in the South Bay and that includes about 4,000
15 cafeteria workers on tech campuses.

16 I just want to say we're in support of this
17 project and this has been a journey. We expressed a
18 lot of concerns at the beginning, and we expressed
19 those concerns to Google, to the City, and in public.
20 And I'm happy to see that our concerns have been
21 addressed. We were very concerned that service
22 workers on this campus, it's going to add a lot of
23 service jobs would not be able to afford to continue
24 to live in San Jose. And that has been addressed on
25 multiple fronts.

1 It's been addressed in Google making guarantees
2 around quality jobs on their campus. It's been
3 addressed through Affordable Housing, and it's been
4 addressed through the community fund. So we are very
5 eager to see this move forward. And I'd like to thank
6 Google for opening their ears and not just hearing but
7 really listening, and reacting to what the community
8 has brought forward as their concerns. Thank You.

9 FEMALE VOICE: Thank you. Alex, you are
10 unmuted. Is this Alex Shoor?

11 MR. SHOOR: This is, the real. Thank you so
12 much. Hey, Alex Shoor, Executive Director, Catalyze
13 SV. I just want to -- I know you guys got a bunch of
14 e-mails, you Commissioners about this, just wanted to
15 re-emphasize something I mentioned in my e-mail
16 yesterday.

17 On the issue of transportation, this for me is
18 the story of two movies, Groundhog Day versus Field of
19 Dreams. And in Groundhog Day we choose to build our
20 community just like we have for decades in San Jose
21 and Silicon Valley, built around cars for people
22 driving them. And we get the same sad outcome all the
23 time. We get more pollution and more cars, and more
24 congestion.

25 And the other movie is a Field of Dreams where

1 we build a neighborhood that is totally different, a
2 vision that we haven't seen in our city that some
3 might not even believe, and yet when we get parking
4 for bikes, when we get folks walking, when we get
5 public transit put first, lo and behold, if we build
6 those things people will come.

7 And I hope that the City will look toward this
8 vision which as we said earlier we already think there
9 could be even less parking with this project and it
10 would be better. So we certainly do not need more.

11 Also, I want to just praise the community
12 engagement aspect of this, and the community
13 empowerment of it, the fact that the community will
14 get to decide how money will be spent in order to
15 serve the community's needs. This may be one of its
16 kind in San Jose but it's not one of its kind across
17 the country, and it need not be.

18 Forgive me for saying so, but we need not look
19 any further than the Planning Commission on May 12th
20 when the flea market, another giant project is coming
21 before you so this can in fact be the norm if San Jose
22 wills it so. And today you are the first line in that
23 will. Thank you so much.

24 FEMALE VOICE: Shannon, you are unmuted. Go
25 ahead and unmute yourself.

1 MS NAPPER: Hi. My name is Shannon Napper, and
2 I live Downtown in District 3. I'm a mom. I bike all
3 around Downtown San Jose, and I'm a member of BPAC,
4 the Bicycle, and Pedestrian Advisory Committee, and
5 I'm a hockey fan. My 82-year-old dad takes public
6 transit to support the Portland Timbers at Providence
7 Park in Portland, Oregon. It's seamless, easy, and fun
8 to get to the games, and I want that for San Jose.

9 It's time we take a stand against car-centric
10 development, and besides, a human-centered city is
11 much more fun for everyone to enjoy even if you're 82.
12 So please vote yes to accept the staff's
13 recommendations on the Downtown West project. Thanks
14 so much.

15 FEMALE VOICE: Thank you. Indo, you are
16 unmuted. Go ahead and unmute yourself and begin to
17 speak.

18 FEMALE VOICE: Good evening. Thank you for
19 allowing me to speak. I would like to congratulate
20 everyone that has so thoughtfully put this plan
21 together, and encourage the commission to vote yes.

22 The only thing I would like to say is that
23 while there is great support even from my end for
24 multi-modal transit, and bike, and pedestrian
25 facilities which are so thoughtfully presented as part

1 of this plan, the people who have an opposition mostly
2 have it because they have not had the opportunity to
3 incorporate these methods into their daily routines.

4 This project has -- has been a landmark in
5 terms of its public engagement, and I would highly
6 encourage it to consider public engagement in terms of
7 educating the public on how they can incorporate
8 cycling, public transportation, and -- and pedestrian
9 methods to achieve their daily transportation goals.

10 Thank you.

11 FEMALE VOICE: Alan, you are unmuted.

12 MR LOU: Hi. Yes. My name is Alan Lou, and I
13 am a San Jose native although a resident of Santa
14 Clara right now. I just wanted to voice my support
15 for this project and to really cement San Jose as the
16 leader, as the biggest city in the San Jose Bay Area.
17 And I just want to say the -- the impact of this is
18 about opportunity, right? From well the reason we're
19 building this next station is so we can have lots of
20 people be able to have access to opportunity, and
21 access money, and access to Silicon Valley, which is
22 the innovation capital of literally the world.

23 And this is incredibly important for just San
24 Jose as a city and for even just the state, and as a
25 country just to be able to have places where people

1 can -- can work and not have to pay an arm and a leg
2 just to be able to get a good-paying job, which would
3 have been offset. So just over a resounding support
4 from a resident of the South Bay.

5 FEMALE VOICE: Thank you. Oscar, you are
6 unmuted. Go ahead and unmute yourself and begin to
7 speak. Oscar, you are unmuted.

8 MR. MORALES: Sorry. The button did not want
9 to play along. Hi. I'm Oscar Morales, neighbor of
10 Downtown San Jose of 10 years. As someone who grew up
11 in highly urban areas in Europe, I'm glad that we're
12 finally taking steps to increase density and remove --
13 and kind of not be so car-centric around here. I
14 think it's the only way forward for the area, and from
15 everything I've been following along, this is probably
16 the best we're going to get. So I certainly would
17 advise the -- the City Council to vote for this.

18 And the only thing I might suggest is that the
19 -- that the Sharks may come to lament asking for so
20 much parking, so maybe we should make sure that we
21 could eventually convert some of that parking back
22 into not parking. But thanks for all the work you've
23 done, and hopefully we'll see this coming to exist in
24 a few years. Thank you.

25 FEMALE VOICE: Okay, Molly. You are unmuted.

1 Go ahead and unmute yourself.

2 MS. MACLEOD: Hello. My name is Molly Macleod.
3 I'm speaking in favor. I also want to put it in the
4 context however of being an accessible city, and in
5 this case accessibility having to do with people with
6 disabilities. And I am pleased that the community
7 benefits package with Google is robust and has a
8 community accountability, and engagement part of it.

9 One of the things that Google is doing this
10 week is being part of a -- a worldwide imagining
11 process for being an accessible city and San Jose is
12 well-positioned for that having some more tasks
13 certified than many, many other cities certainly more
14 in California than anywhere else. But where we don't
15 see is that actually having representation, awareness,
16 training, not just for the minimums required by the
17 Americans with Disability Act but actually for true,
18 welcoming, inclusive cities.

19 And so when I hear of bikes and public transit,
20 one of the things that needs to also be included is
21 people who are using wheelchairs, and scooters, and
22 walkers. And I hope to see much more awareness about
23 that as this process moves forward, and I am still in
24 favor of taking this with -- to the Council for a yes.
25 Thank you.

1 FEMALE VOICE: Okay. That concludes our
2 speakers.

3 CHAIR CABALLERO: Thank you so much, everyone.
4 I'm going to recognize Commissioner Torrens who has
5 her hand up.

6 COMMISSIONER TORRENS: Hello. Thank you to
7 everybody who spoke, and I'm jumping the gun here
8 possibly. But I just want to borrow the word of
9 Brian, speaker number 20, and I want to joyfully move
10 to approve all staff recommendations and I know Chair,
11 you're probably going to have them respond. But I
12 just want to be the first one to put that out there.

13 CHAIR CABALLERO: Okay. Well, go ahead and
14 hold that thought because we have to close the public
15 hearing first. So as soon as we do that, although we
16 have a few more steps before that, I'll make sure to
17 call on you first so that you can make that motion,
18 Commissioner Torrens.

19 So at this point, I'd like to go to the
20 Applicant to provide a quick response to the public
21 comment, and then also ask Rosalynn if City Staff
22 wants to respond to any items that were made during
23 public comment. So we'll go to Alexa and Laura first
24 for a five-minute response.

25 MS. ARENA: Okay. We -- we really respect that

1 it is -- it is quite late and we want to just thank
2 everyone for continuing -- tonight is yet another
3 milestone of people showing up and contributing to
4 their community so we can create a great place
5 together. So we're very much looking forward to the
6 continuation of that and just are very grateful for
7 everyone's time.

8 CHAIR CABALLERO: Thank you, Alexa. Rosalynn.

9 MS. HUGHEY: Thank you, Chair. Thank you,
10 Chair. Yes, we were tracking the public comments. I
11 -- I think perhaps only one public comment that we
12 might want to have additional information or just
13 clarity because I think staff, you know, shared the
14 information, and the presentation around environmental
15 impacts. And I'll look to John and to David Keyon to
16 see if there was anything else we had to add to that.

17 MR. KEYON: Good evening, David Keyon. I do
18 not have anything to add. The Environmental Impact
19 Report did evaluate all the impacts, including to
20 plants and animal -- plants, animals, in addition to
21 humans. It's very comprehensive. So I do not have
22 anything more to add.

23 MR. TU: I don't have anything else to add
24 other than I did relook at the EIR they did consider
25 light pollution, and all the other things that the --

1 some of the speakers did mention. It is a very
2 comprehensive EIR statement.

3 MR. KEYON: So does the DWDSG.

4 CHAIR CABALLERO: Great. Thank you so much. I
5 am going to give Commissioners one more opportunity to
6 ask questions. Raise your hand now if you'd like to
7 ask a question before we close the public hearing of
8 staff or the Applicant.

9 Okay. Seeing no -- no rush of hands, I'm going
10 to go ahead and close the public hearing. Thank you
11 so much to all of our attendees, all of our public
12 commenters, really appreciate your thoughts, also the
13 hundreds and hundreds of letters that we received.
14 Many of us read them all.

15 So we understand there's a lot of interest in
16 this project and folks are very concerned but
17 everybody will also have another opportunity to make
18 public comment at the City Council Meeting when it
19 moves forward there as well. So we listened to your
20 concerns. We acknowledge them, and I think at this
21 time we're ready to move forward. So I've closed the
22 public hearing. Commissioner Torrens now is your
23 opportunity.

24 COMMISSONER TORRENS: Thank you so much. I
25 joyfully move to approve all of the staff

1 recommendations.

2 CHAIR CABALLERO: Thank you. Do we have a
3 second?

4 COMMISSIONER OLIVERIO: Second.

5 CHAIR CABALLERO: Second from Commissioner
6 Oliverio? Would either of the Commissioners like to
7 speak to the motion?

8 COMMISSIONER TORRENS: I would, briefly. Okay.
9 Here we go.

10 I just have been so impressed. I saw protests
11 of this project way, way at the beginning, probably in
12 2018. I was at a completely unrelated meeting and
13 people were outside the rotunda. I think probably
14 some of the speakers tonight were there protesting in
15 the Google Village.

16 And so to see it go from that to this amount of
17 community support is absolutely impressive. I am
18 blown away by that. And I love that Google says, and
19 I believe them when they say they're here for the long
20 haul. That's the kind of community partners, the
21 private partnerships that we need. And I just want to
22 thank Google for all the investment that they have
23 made up to this point in making this come forward, and
24 for choosing my hometown as the place to -- to build
25 this. So I yield the floor.

1 CHAIR CABALLERO: Thank you, Commissioner
2 Torrens. Commissioner Oliverio, would you like to
3 speak to the motion?

4 COMMISSIONER OLIVERIO: Sure. Yeah, I just
5 like to reiterate our compliments to the staff for all
6 the work in processing this land use application, and
7 its level of complexity. I thank the Applicant for
8 them choosing San Jose and all we offer as -- as we
9 learn through the questioning there is no guarantee
10 that the seven-point plus million square feet of
11 commercial will come to fruition. And we also know
12 that this will not happen in the near future.

13 This is really a project that will be built out
14 over not 10 years but 20 to 30. Even Santana Row
15 which is much smaller than this is being built out
16 over already over 20 years. These projects take time.

17 But when you look at what's before us, it's a
18 great opportunity for San Jose and we'll just hope
19 that it all goes together, and as planned. Inevitably
20 things happen, things change, change of circumstances.
21 But we'll hope it continues in a positive direction.

22 The alternative prior to this land area was
23 focused on professional sports with a baseball
24 stadium. I was the only council member at the time to
25 vote against that because the fact of the matter what

1 was being provided to us was not guaranteed, and in
2 fact, the City Council made some other land-use
3 decisions trying to satisfy professional sports by
4 converting industrial land, or commercial land to
5 housing that was completely unnecessary with the hope
6 that we could get professional sports here.

7 So at least this one is a little bit different.
8 We're not being asked to do those type of maneuvers of
9 land use throughout it and in other places, parts of
10 the city.

11 I think for staff, if -- when applicants are
12 processing applications and they have to do everything
13 that they need to do if development agreements are
14 something that are going to be what's desired, then
15 it's really up for the City Council to make that part
16 of the entitlement process rather moving the goalposts
17 away from an applicant that's trying to process an
18 application.

19 A \$1.6 trillion market cap company can
20 certainly offer this and still afford to do business.
21 But every other applicant may not be able to do so.
22 So I'm excited about the opportunity. I'm pensive of
23 what -- how it may be. But I'm -- certainly look
24 forward to the road ahead. And I appreciate all the
25 work that's gone into this, and thank you, Chair.

1 CHAIR CABALLERO: Thank you. Any of the other
2 Commissioners like to comment or discuss the item?
3 Okay. Seeing no other hand, I'm -- I just want to say
4 a couple of things.

5 First of, kudos to the staff, to Alexa, Laura,
6 the team at Sitelab and Google. I -- I did attend one
7 of the public gatherings, and I just thought it was a
8 really, really well engaged. I didn't vote on
9 anything. I just kind of walked around and looked at
10 what was happening. But I was so excited to see
11 hundreds of people there, kind of talking about what
12 this would look like, imagining what a future for San
13 Jose could be.

14 I'm really excited about this. I was born and
15 raised here in San Jose like many of our Commissioners
16 were -- are and, you know, this is what I want to see
17 for our city. And I know that no project and no -- no
18 development plan is ever perfect. But the thing that
19 I keep thinking both personally and professionally,
20 and in this realm is we can't let the perfect be the
21 enemy of the good.

22 You know, I think we heard today that this is
23 un -- this community benefits plan is unprecedented in
24 the city and in our community, and it has such a great
25 -- this is an opportunity for our residents to stay

1 here, to benefit from this, to have more open space,
2 to have better parks, to have better transportation,
3 and streets, and bicycles and pedestrian walkways, and
4 just really make downtown the vibrant place that we've
5 always wanted it to be.

6 So I'm super excited about this. I'm going to
7 be voting in support of it. And I can't wait to see
8 this. I'm also really, really happy that we were able
9 to stick to the 25 percent Affordable Housing goal,
10 really looking forward to seeing the City get that
11 land and start to develop that housing.

12 I know that we have a jobs/housing imbalance.
13 I know that that creates a huge issue for our city
14 services. You know, I think that -- I'm -- I'm really
15 hopeful that Google will get the occupants for all of
16 that square footage so that we can start to get to --
17 to at least come somewhat more into balance,
18 recognizing that the General Plan, in general, doesn't
19 get us to where we need to be anyway.

20 So I think this is a step in the right
21 direction both for the longevity of our city, the
22 vibrancy, and the sustainability, and kudos to you
23 also on the sustainability plan for all the building,
24 and I think knowing the impacts of climate change are
25 hitting us much more drastically year over year. This

1 is the direction that we want to see folks moving in
2 as -- as we build. So thank you all. I know it's
3 been a long night.

4 We're going to call a vote. So with that
5 Commissioners Bonilla and Lardinois are absent. So
6 Commissioner Casey?

7 COMMISSIONER CASEY: Aye.

8 CHAIR CABALLERO: Commissioner Garcia.

9 COMMISSIONER GARCIA: Aye.

10 CHAIR CABALLERO: Commissioner Oliverio.

11 COMMISSIONER OLIVERIO: Aye.

12 CHAIR CABALLERO: Commissioner Torrens.

13 COMMISSIONER TORRENS: Aye.

14 CHAIR CABALLERO: And Commissioner Caballero is
15 also an aye. Yeah.

16 So while the staff and I keep throwing my pen
17 around. While the staff is putting that up on the
18 screen, I know we -- I said we'd take a 10-minute
19 break. Well, I feel like we're close to the end. If
20 I could just have a raise of hands from the
21 Commissioners if you want to take a break, happy to
22 maybe do a five-minute. But are we just really
23 wanting to power through and -- and move on?

24 COMMISSIONER OLIVERIO: I'd take a five-minute
25 break.

1 CHAIR CABALLERO: Five-minute break? Okay.

2 COMMISSIONER OLIVERIO: About four minutes, or
3 three, or something.

4 CHAIR CABALLERO: Okay. So let's just take a
5 quick bathroom break, get some water, and we will come
6 back at -- so seven minutes, 10:40. And then we will
7 finish up the rest of this meeting. Thank you so much
8 for sticking with us and we'll see you back at 10:40.

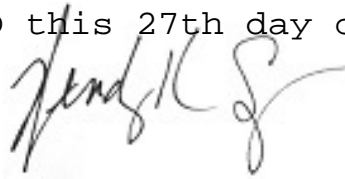
9 (End at 04:10:06)

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE

1
2 I, Wendy Sawyer, do hereby certify that I was
3 authorized to and transcribed the foregoing recorded
4 proceedings and that the transcript is a true record, to
5 the best of my ability.
6

7
8 DATED this 27th day of May, 2021.

9
10 

11 _____
12 WENDY SAWYER, CDLT
13
14
15
16
17
18
19
20
21
22
23
24
25