

From: [Hillary Gitelman](#)
To: [Hill, Shannon](#); [Karl Heisler](#); [Pete Choi](#)
Cc: [Keyon, David](#)
Subject: RE: Contamination and land use on Arena A/B/C lots
Date: Monday, November 25, 2019 2:47:17 PM
Attachments: [image002.png](#)

[External Email]

Thank you. This information is reflected in the draft Hazards section included in ADEIR 1.

Hillary Gitelman

ESA | [Environmental Science Associates](#)
Celebrating 50 Years of Work that Matters!

550 Kearny Street, Suite 800
San Francisco, CA 94108
415.896.5900 main
415.262.2309 direct
415.716.9280 mobile
hgitelman@esassoc.com | esassoc.com

Follow us on [LinkedIn](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [Vimeo](#)

From: Hill, Shannon <Shannon.Hill@sanjoseca.gov>
Sent: Monday, November 25, 2019 10:31 AM
To: Hillary Gitelman <HGitelman@esassoc.com>; Karl Heisler <KHeisler@esassoc.com>; Pete Choi <PChoi@esassoc.com>
Cc: Keyon, David <david.keyon@sanjoseca.gov>
Subject: FW: Contamination and land use on Arena A/B/C lots

FYI, see Tim's clarification below.

Shannon Hill, Planner

Planning, Building & Code Enforcement | Environmental Review Section
City of San José | 200 East Santa Clara Street
Shannon.Hill@sanjoseca.gov | (408) 535 - 7872

From: Rood, Timothy
Sent: Monday, November 25, 2019 9:46 AM
To: Hill, Shannon <Shannon.Hill@sanjoseca.gov>; Han, James <James.Han@sanjoseca.gov>; Tu, John <john.tu@sanjoseca.gov>; Keyon, David <david.keyon@sanjoseca.gov>
Cc: Ruano, Jose <Jose.Ruano@sanjoseca.gov>; Manford, Robert <Robert.Manford@sanjoseca.gov>; Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>; Klein, Nanci <Nanci.Klein@sanjoseca.gov>; Ekern, Bill <Bill.Ekern@sanjoseca.gov>
Subject: RE: Contamination and land use on Arena A/B/C lots

SOM is Skidmore, Owings and Merrill, the consultant for the DSAP amendments.

From: Hill, Shannon
Sent: Monday, November 25, 2019 9:27 AM
To: Rood, Timothy <timothy.rood@sanjoseca.gov>; Han, James <James.Han@sanjoseca.gov>; Tu, John <john.tu@sanjoseca.gov>; Keyon, David <david.keyon@sanjoseca.gov>
Cc: Ruano, Jose <Jose.Ruano@sanjoseca.gov>; Manford, Robert <Robert.Manford@sanjoseca.gov>; Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>; Klein, Nanci <Nanci.Klein@sanjoseca.gov>; Ekern, Bill <Bill.Ekern@sanjoseca.gov>
Subject: RE: Contamination and land use on Arena A/B/C lots

Hi Tim,

Thanks for forwarding this information. What does SOM stand for?

Thanks,

Shannon Hill, Planner

Planning, Building & Code Enforcement | Environmental Review Section

City of San José | 200 East Santa Clara Street

Shannon.Hill@sanjoseca.gov | (408) 535 - 7872

From: Rood, Timothy

Sent: Friday, November 22, 2019 2:46 PM

To: Han, James <James.Han@sanjoseca.gov>; Tu, John <john.tu@sanjoseca.gov>; Hill, Shannon

<Shannon.Hill@sanjoseca.gov>; Keyon, David <david.keyon@sanjoseca.gov>

Cc: Ruano, Jose <Jose.Ruano@sanjoseca.gov>; Manford, Robert <Robert.Manford@sanjoseca.gov>; Hughey, Rosalynn

<Rosalynn.Hughey@sanjoseca.gov>; Klein, Nanci <Nanci.Klein@sanjoseca.gov>; Ekern, Bill <Bill.Ekern@sanjoseca.gov>

Subject: Contamination and land use on Arena A/B/C lots

Hi, FYI – in response to a question from SOM, Jose looked up the restrictions on uses of the A/B/C lots at the state Department of Toxic Substance Control's Envirostor website.

The covenant is here:

https://www.envirostor.dtsc.ca.gov/public/deliverable_documents/7185956656/SanJoseSportsArena_DEED_43730007.pdf.

It includes the following:

“Based on the PEA, the Department concluded that **use of the Property as a residence**, hospital, school for persons under the age of 21, or day care center **would entail an unacceptable health risk**. The Department further concluded that the Property, as remediated, and subject to the restrictions of this Covenant, does not present an unacceptable threat to human safety or the environment, if limited to commercial and industrial, parks, and/or open space use.”

“Residential” is defined as “A residence, including any mobile home or factory built housing, constructed or installed for use as residential human habitation.”

The Google project's proposed residential land use alternative for this area would therefore appear not to be consistent with the covenant, which runs with the land.

Tim





2.09.1 Illustrative Framework Plan

2.09.2 Alternative Illustrative Framework Plan

- Legend**
- Residential
 - Office
 - Parks
 - Other
 - Area Cultural Arts, Recreation, Other Public Use

- Notes:**
- 1. Location, dimensions and arrangement of open spaces, streets and pedestrian walk blocks throughout are approximate and may change as vertical building are developed. Minimum standards will be defined in the Design Standards and Guidelines.
 - 2. Retail, cultural, and other active uses as well as event centers should seek compact accommodations, district centers and other activity office uses are permitted as accessory uses within primary land use designations and underlying zoning. Their land use designation.
 - 3. Project boundaries and building building footprints are subject to change as part of iterative alignment process.
 - 4. This represents an illustrative depiction of potential building footprints. However footprints and timing will be refined by design guidelines and standards documents and actual design may differ. See Land Use Sheet 2.09 for land use options allowed.

2.09

Illustrative Framework
Downtown West Mixed-Use Plan
 10/10/2019

This message is from outside the City email system. Do not open links or attachments from untrusted sources.