

From: [Hill, Shannon](#)
To: [Elliott Schwimmer](#); [Hillary Gitelman](#); [Karl Heisler](#); [Linda S. Peters](#); [Meryka Dirks](#)
Cc: [Downtown West Project](#); [Keyon, David](#)
Subject: FW: Plant 51 HOA - Downtown West Mixed Use Plan Draft EIR - COMMENT PERIOD EXTENDED TO 12/8/20
Date: Wednesday, December 9, 2020 8:22:03 AM
Attachments: [DEIR Comment Letter.pdf](#)

Please refer to the attached comments on the DEIR from Elizabeth Fama, sent on behalf of the Plant 51 Homeowner's Association. The comments are regarding, construction-related noise and air quality impacts, light and glare, and LOS degradation.

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: Elizabeth Fama [REDACTED]
Sent: Tuesday, December 8, 2020 8:20 PM
To: Hill, Shannon <Shannon.Hill@sanjoseca.gov>
Subject: Re: Downtown West Mixed Use Plan Draft EIR - COMMENT PERIOD EXTENDED TO 12/8/20

[External Email]

Hi Shannon,

Attached please find Plant 51's comments in relation to the Downtown West Mixed Use Plan Draft EIR.

Thank you,

-Elizabeth Fama

Plant 51 HOA Board President

From: Hill, Shannon <Shannon.Hill@sanjoseca.gov>
Sent: Saturday, November 7, 2020 4:01 PM
To: Hill, Shannon <Shannon.Hill@sanjoseca.gov>
Subject: Downtown West Mixed Use Plan Draft EIR - COMMENT PERIOD EXTENDED TO 12/8/20

To Whom it May Concern:

In response to requests received to extend the public comment period for the Downtown West Mixed

Use Plan Draft EIR, the City is extending the public comment period from Monday, November 23, 2020 to **Tuesday, December 8, 2020 at 5:00 p.m.**

**NOTICE OF AVAILABILITY (NOA) OF
A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE
DOWNTOWN WEST MIXED USE PLAN (GOOGLE PROJECT)**

***COMMENT PERIOD EXTENDED TO TUESDAY, DECEMBER 8, 2020 at 5:00
P.M.***

Project Description: General Plan Amendment, Planned Development Rezoning, Planned Development Permit, Vesting Tentative Map, Development Agreement and other land use related approvals for the development of up to 5,900 residential units; up to 7,300,000 gross square feet (GSF) of office space; up to 500,000 GSF of active uses such as retail, cultural, arts, etc.; up to 300 hotel rooms; up to 800 rooms of limited-term corporate accommodations; up to two event and conference centers totaling up to 100,000 GSF; up to two central utility plants totaling approximately 130,000 GSF; logistics/warehouse(s) totaling approximately 100,000 GSF; and approximately 15 acres of open space, all on approximately 81 acres. The project also proposes infrastructure, transportation, and public realm improvements. For more information on the project, please see www.sanjoseca.gov/googleproject.

Location: The Project site is generally bounded by Lenzen Avenue and the Union Pacific Railroad tracks to the north; North Montgomery Street, Los Gatos Creek, the Guadalupe River, South Autumn Street, and Royal Avenue to the east; Auzerais Avenue to the south; and Diridon Station and the Caltrain rail line to the west. The project also includes the area bounded by Los Gatos Creek to the west, West San Fernando Street to the south, the Guadalupe River to the east, and West Santa Clara Street to the north.

Council Districts: 3 and 6

File Nos.: GP19-009, PDC19-039, and PD19-029

The proposed project will have potentially significant environmental effects on or related to air quality, biological resources, cultural and tribal cultural resources, geologic hazards, paleontological resources, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use, noise and vibration, population and housing, recreation, transportation, and utilities and service systems. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed toxic sites are present at the project location. The project site includes properties on lists enumerated under Section 65962.5 of the California Government Code pertaining to sites with hazardous waste.

Document Availability: Links to the Draft EIR and documents referenced in the Draft EIR are available for review online at the City of San José's website for the project at www.sanjoseca.gov/googleproject.

Due to the County of Santa Clara's continuing Shelter-in-Place order to prevent the spread of COVID-19, City Hall and San José Public Library Branches remain closed to the public. Therefore, hard copies of the document are not available for public review at these locations. However, if you wish to receive a hard copy of the Draft EIR, please contact the Environmental Project Manager, Shannon Hill, at shannon.hill@sanjoseca.gov. Please allow time for printing and delivery.

Public Review Period and How to Submit Comments: The public review period for this Public Review Draft EIR begins on **Wednesday, October 7, 2020 and ends on Monday, November 23, 2020 Tuesday, December 8, 2020, at 5:00 p.m.** Written comments must be received at the

Planning Department by **5:00 p.m. on Monday, November 23, 2020** **Tuesday, December 8, 2020** to be addressed as part of the formal EIR review process. Please submit all comments in one of the following ways:

1. E-mail: Please send e-mails to Shannon Hill, the Environmental Project Manager, at:

shannon.hill@sanjoseca.gov

2. Via U.S. Postal Service: Please send letters to the following address:

Shannon Hill, Planner III

Department of Planning, Building, and Code Enforcement

200 E. Santa Clara Street, T-3

San Jose, CA. 95113

For the official record, please include your written comment letter and reference **Downtown West**.

Disclaimer - All comments and questions submitted through email or mail will be posted at <https://downtownwestadminrecord.com>. The City cannot guarantee that any personal identifying information will be removed from public records.

Following the close of the public review period, the Director of Planning, Building, and Code Enforcement will prepare a Final EIR that will include responses to comments received during the review period. In compliance with CEQA Guidelines, Section 15088(b), the City's responses to comments received during the public review period will be available for review online at the City of San José's website for the project at www.sanjoseca.gov/googleproject at least ten days prior to certification of the EIR.

Upcoming Community Meetings and Public Hearings for the Project: The following are upcoming community meetings and public hearings for the project.

Station Area Advisory Group (SAAG)

Purpose: A regular meeting with the City's SAAG to discuss an update on the Downtown West Development Agreement and Diridon Station Area Plan documents.

Monday, November 9, 2020

6:00 - 8:00 p.m.

Agenda and Zoom Meeting Information: <https://www.diridonsj.org/general-events/saag-nov-9>

City Council Study Session

Purpose: Opportunity for City Council to become familiar with the Downtown West project and proposed Diridon Station Area Plan Amendment.

Monday, November 16, 2020

1:00 - 4:00 p.m.

Agenda and Zoom Meeting Information: <https://www.diridonsj.org/general-events/city-council-nov2020>

Parks and Recreation Commission

Purpose: A presentation by Google to provide information on the Draft Open Space Plan for the Downtown West Mixed-Use Development Project

Wednesday, November 18, 2020

6:00 - 8:00 p.m.

Agenda and Zoom Meeting Information: <https://www.diridonsj.org/general-events/prc-nov2020>

Planning Commission Study Session

Purpose: A study session on Diridon Station Area Plan Update and Downtown West Mixed Use Project

Wednesday, December 2, 2020

4:30 - 5:30 p.m.

Agenda and Zoom Meeting Information: <https://www.diridonsj.org/general-events/pc-dec2020>

Airport Land Use Commission (ALUC)

Purpose: County of Santa Clara ALUC will host this referral hearing for a Determination of Consistency with the adopted Comprehensive Land-Use Plan (CLUP) for the San José International Airport

Wednesday, December 16, 2020

6:00 - 7:30 p.m.

Agenda and Meeting Information: <https://www.diridonsj.org/general-events/aluc-dec2020>

No other meetings or public hearings are scheduled for the Downtown West project at this time. Information on future meetings, including Planning Commission and City Council hearings, will be posted to the project website at the following link: www.sanjoseca.gov/googleproject. Upcoming meetings on changes to the Diridon Station Area in Fall 2020 can be found at <https://www.diridonsj.org/fall2020>

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

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PLANT 51 HOMEOWNERS ASSOCIATION
San Jose, California

via electronic mail

December 7, 2020

City of San José
Department of Planning, Building and Code Enforcement
Attn: Shannon Hill, Planner III
200 East Santa Clara Street, 3rd Floor Tower
San Jose CA 95113-1905

Re: Downtown West Project
Draft Environmental Impact Report (DEIR) Comments

Dear Ms. Hill,

On behalf of the Plant 51 Homeowners Association (Plant 51 HOA), please accept this letter as our formal comments on the DEIR for the Downtown West Project. Plant 51 is a 265-unit residential condominium community located immediately to the west of the Project Site, behind Diridon Station along Bush Street. As such, our community is positioned to be especially impacted by construction and operation of the Downtown West Project. The HOA provided a scoping letter on this project this time last year, which is enclosed for reference. We have reviewed the DEIR and have the following comments:

- **Construction-Related Noise:** The DEIR correctly recognizes the environmental impact of construction- and demolition-related noise to nearby residences. In this regard, we concur that preparation of a Master Construction Noise Reduction Plan (*Mitigation Measure NO-1c*) is warranted. However, this plan should be prepared now and be included as part of the DEIR so that its effectiveness and enforceability as a mitigation measure can be adequately evaluated. Moreover, the Master Construction Noise Reduction Plan should also address the following concerns so that it sufficiently mitigates potential noise impacts to our community:
- The Master Construction Noise Reduction Plan should regulate noise generated by construction of the Project's new public and private infrastructure, such as new roadways and subsurface utilities. As currently worded, the Plan would only address noise generated by construction of new buildings.
 - Noise monitoring station locations should be identified now. Given our proximity to the Project Site, we believe that a monitoring station should be installed on our building so that noise that can be adequately monitored during the 10-year construction period.

- The term "extreme noise-generating activities" is undefined. Absent this term being defined in the DEIR, the enforceability of the Master Construction Noise Reduction Plan is suspect since the basis for enforcement is not established.
 - The Master Construction Noise Reduction Plan indicates that the "contractor(s) shall consider means to reduce the use of heavy impact tools, such as pile driving..." There is no question that pile driving will result in excessive noise levels for Plant 51 residents since the Project's tallest buildings—those requiring pile driving—will be constructed on the parcels nearest our community. As such, instead of requiring the Applicant to "consider" alternative methods of pile installation, the DEIR should *require* alternative methods be implemented (i.e., pre-drilling of piles and use of wood blocks to reduce metal-to-metal contact noise).
 - The applicant's selected noise complaint liaison/community liaison should be accessible by email and texting, in addition to telephone, so that a written record of complaints can be maintained and audited if not acted upon in a reasonable period.
- **Construction-Related Air Quality:** The DEIR identifies a significant and unavoidable impact with regard to the Project exposing sensitive receptors to substantial pollutant concentrations, including residents within 1,000 feet of the Project Site, such as the Plant 51 community. As it pertains to construction emissions, it is imperative that the efficacy of the proposed construction-related mitigation measures be continually monitored over the 10-year construction period as to minimize the impact to our community. To this end, we request placement of air quality monitoring station(s) on our building to gauge air pollutants during construction.
- **Light and Glare:** The DEIR does not appear to analyze whether the project would result in new sources of substantial light or glare which would adversely affect day or nighttime views in the area. Specifically, as we have previously noted in our scoping letter, since it can be anticipated that many of the new structures will incorporate glass curtain wall sheathing, the potential impact of solar reflectivity to our easterly-facing condominium units should be analyzed since such an impact could adversely affect daytime views of these residents and peaceful enjoyment of their homes (by forcing them to close window blinds to avoid glare).

It is noted that the *Downtown West Design Standards and Guidelines* incorporate guidance regarding glare reduction in new Project buildings. However, the DEIR should review adequacy of these guidelines to determine if they are sufficiently enforceable and effective to limit the impact of new sources of light and glare that may be incurred by the Project.

- **Transportation/Circulation:** We understand that level-of-service (LOS) degradation, in and of itself, is no longer an environmental consideration under CEQA. However, a substantial reduction in operational efficiency of an intersection can have second-order effects beyond mere vehicular congestion. The DEIR's Local Transportation Analysis, indicates that The Alameda/Stockton intersection will fall to a LOS 'F' with implementation of the Project.

Existing traffic volumes presently result in unacceptable waiting periods for pedestrian crossings at this intersection. Moreover, this intersection already contributes to excessive queuing on The Alameda (eastbound) that obstructs a mid-block pedestrian crossing at Bush Street. By worsening this current condition, the Project would conflict with various State, regional, and local policies described in the "regional framework" pertaining to safe and convenient pedestrian mobility.

While *Mitigation Measure AQ-2h*, requiring preparation of an "Enhanced Transportation Demand Management Program" is appreciated as a means to reducing vehicular trips generated by the Project, physical mitigation is also required to address our concerns. Specifically, the DEIR should incorporate a mitigation measure requiring the Applicant to reconfigure The Alameda/Stockton intersection to eliminate signal control to White Street and reconstruct the White Street entrance to a single-lane driveway (solely to service Grand Prix Glass and railway operations).

White Street is no longer a public street, having been vacated to adjacent owners by the City in 2001 (see enclosed documents). Eliminating signal control and reconfiguring the entrance as a driveway will allow a more seamless pedestrian crossing and improve overall operation of the intersection. This will allow for reduced waiting times for pedestrian crossings in all directions, in furtherance of State, regional, and local policies.

Lastly, to prevent excess vehicular queuing on The Alameda from obstructing the mid-block pedestrian crossing at Bush Street, we also request that "KEEP CLEAR" markings be installed on The Alameda (eastbound) at the intersection with Bush Street.

We thank you for your consideration of these comments. If you have any questions, I may be contacted at (408) 368-0013 or by email at elizabeth.fama@gmail.com

Sincerely,



Elizabeth Fama
Plant 51 HOA President

Encl: Plant 51 EIR Scoping Letter
White Street Vacation Documents

Cc: Devora Davis, District 6 City Council Member
Plant 51 HOA Board Members
Dan Oscarson, Plant 51 Community Manager



PLANT 51 HOMEOWNERS ASSOCIATION
San Jose, California

via electronic mail

November 20, 2019

City of San José
Department of Planning, Building and Code Enforcement
Attn: Shannon Hill, Environmental, Project Manager
200 East Santa Clara Street, 3rd Floor Tower
San Jose CA 95113-1905

**Re: Notice of Preparation (NOP) of Draft Environmental Impact Report (DEIR)
Downtown West (Google) Mixed-Use Project**

Dear Ms. Hill,

On behalf of the Plant 51 Homeowners Association (Plant 51 HOA), please accept this letter as “scoping comments” in response to the NOP for the Downtown West Mixed-Use Project.

The Plant 51 community is located immediately to the west of the Project Site, behind Diridon Station along Bush Street. As such, our community is positioned to be especially impacted by construction and operation of the Project. The Plant 51 HOA, therefore, wishes to ensure that the DEIR thoroughly evaluates the potential environmental impacts of the Project to our community. Specifically, the following:

- **Transportation/Circulation:** Please evaluate the addition of project-generated vehicular trips to the queuing capacities of the Alameda/Stockton intersection. Existing traffic volumes already result in unacceptable waiting periods for pedestrian crossings at this intersection, which will only worsen with completion of several approved projects along Stockton Avenue. Moreover, this intersection already contributes to excessive queuing on The Alameda (eastbound) that obstructs a mid-block pedestrian crossing at Bush Street. Ultimately, it is critical that pedestrian and bicycle movement not be further impaired by vehicular congestion associated with the Project.

In this regard, the DEIR should analyze all known mechanisms to discourage new vehicular trips and encourage public transportation usage by employees and residents. For example, the DEIR should evaluate requiring employer/landlord-paid transportation passes (e.g., VTA SmartPass) for all employees and residents; severely restricting the creation of new parking facilities (and/or ensuring that such parking is appropriately priced) in order to minimize the “latent-demand” effect of providing free parking; and limiting the number of inbound vehicular trips into the Project Site tied to an ongoing trip monitoring mechanism.

- **Construction-Related Vibration and Noise:** Due to our community's proximity to the Project Site, construction-related vibration and noise could obstruct the free use of property, particularly those residences with outdoor recreational spaces. The DEIR should evaluate the incorporation of the highest-degree of sound attenuation measures that will limit noise impacts. Of particular concern is pile-driving activity occurring during weekends, which would unreasonably interfere with the comfortable enjoyment of our homes. Lastly, we would also recommend placement of noise monitoring station(s) within our community to ensure ongoing compliance with noise-related mitigation measures.
- **Construction-Related Air Quality Risk:** Construction of the scale proposed by the Project will result in significant generation of dust, exhaust, and particulate matter. Our community houses many families with young children, elderly, and disabled individuals who are especially vulnerable to such contaminants. As with construction-related noise, we also ask that air-quality monitoring station(s) be placed within our community to ensure ongoing compliance with air quality-related mitigation measures.
- **Light and Glare:** Since it can be anticipated that many of the new structures will incorporate glass curtain wall sheathing, please ensure that the DEIR looks at the potential impact of solar reflectivity to our easterly-facing condominium units.

The Plant 51 HOA also hereby requests that the City send by electronic mail, if possible or U.S. Mail to the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the City, including, but not limited to the following:

- Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091.
- Any and all notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA"), including, but not limited to:
 - Notices of any public hearing held pursuant to CEQA.
 - Notices of determination that an Environmental Impact Report ("EIR") is required for a project, prepared pursuant to Public Resources Code Section 21080.4.
 - Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
 - Notices of preparation of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21092.
 - Notices of availability of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.
 - Notices of approval and/or determination to carry out a project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
 - Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.

- Notices of determination that a project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law.
- Notice of any Final EIR prepared pursuant to CEQA.
- Notice of determination, prepared pursuant to Public Resources Code Section 21108 or Section 21152.

Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. This request is filed pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092, which requires agencies to mail such notices to any person or organization who has filed a written request for them with the clerk of the agency's governing body.

Please send notice by electronic mail, if possible, to DOscarson@gocompass.com and elizabeth.fama@gmail.com. If notice must be provided by US mail, please address to :

Compass Management Group, Inc.
ATTN: Daniel Oscarson
77 Las Colinas Lane,
San Jose, CA 95119510

We thank you for your consideration of these comments. If you have any questions, I may be contacted at (408) 368-0013 or by email at elizabeth.fama@gmail.com

Sincerely,



Elizabeth Fama
Plant 51 HOA President

Cc: Dan Oscarson, Plant 51 Community Manager

RC:GF
06/26/01

RESOLUTION NO. 70521

**RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
JOSE VACATING A PORTION OF WHITE STREET AND
RESERVE A PUBLIC SERVICE EASEMENT (PSE)**

WHEREAS, the vacation of the portion of White Street described in Section 3 of this Resolution is being conducted pursuant to and in accordance with the provisions of Chapter 3 or Part 3 of Division 9 of the Streets and Highways Code of the State of California; and

WHEREAS, on June 5, 2001, the City Council adopted Resolution No. 70388 ("Resolution of Intention") declaring its intention to vacate the portion of White Street described in Section 3 of this Resolution and to reserve a public service easement over the area vacated; and

WHEREAS, the Resolution of Intention gave notice that on Tuesday, the 26th day of June 2001 at 1:30 p.m., in the Council Chambers of the City Council, in the City Hall of the City of San Jose, the Council would hear any and all persons interested in or objecting to the vacation of said portion of White Street; and

WHEREAS, the Resolution of Intention giving notice of the date, time and place of the public hearing was published in the manner prescribed by law; and

WHEREAS, notices of the proposed street vacation, stating the purpose of the Resolution of Intention and the time and place set for the public hearing, were posted in the manner prescribed by law; and

WHEREAS, prior to the public hearing the plat map approved by the Director of Public Works on May 14, 2001, entitled "Plat To Accompany Description For Street Vacation Of A Portion Of White Street" and showing the portion of White Street proposed for vacation and the public service easement proposed for reservation ("Plat Map"), was filed in the Office of the City Clerk and made available for examination by any persons desiring to do so; and

WHEREAS, on June 26, 2001, at 1:30 p.m. in the City Council chambers, the City Council heard any and all persons interested in or objecting to the proposed vacation of the portion of White Street, and received and considered evidence submitted; and

WHEREAS, at the public hearing on the vacation of the portion of White Street described in Section 3 of this Resolution, the City Council had before it a report from the Director of Public Works to the City Council, dated June 5, 2001, identified as "EXHIBIT A" and incorporated herein, and the Plat Map, identified as "EXHIBIT B" and incorporated herein.

RC:GF
06/26/01

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. The City Council hereby adopts the Report and, based upon the Report and all other evidence submitted at the public hearing, makes the following findings of relevant fact:

- A. The portion of White Street proposed for vacation has not been used and is in a blighted condition. In addition, in conjunction with the Cahill Station Redevelopment project, White Street has been incorporated into the project for a private parking facility. Therefore the portion of White Street described in Section 3 of this Resolution is not necessary for use as a public street presently or in the future; and
- B. The Planning Commission considered the request to vacate White Street as a condition of approval for the Planned Development zoning for the residential development of the site and found the proposed street vacation to be consistent with the City's General Plan and recommended approval of the proposed vacation, as reported in the report from the Planning Commission to the City Council dated March 13, 2001, attached hereto as "EXHIBIT C" and incorporated herein; and
- C. There are a number of public facilities on the portion of White Street described in Section 3 of this Resolution; and
- D. All affected public utilities have been contacted and have no objections to the proposed vacation so long as a public service easement is reserved; and

SECTION 2. The City Council makes the following conclusions and finding based upon an analysis of the above facts:

- A. The portions of White Street described in Section 3 of this Resolution and depicted in the Plat Map are not necessary for present or prospective public street purposes; and
- B. Pursuant to the provisions of Section 892 of the Streets and Highways Code of the State of California, the portion of White Street proposed for vacation is not useful as a nonmotorized transportation facility; and
- C. The public convenience and necessity requires the reservation of a public service easement over the entire area of the street proposed for vacation; and

RC:GF
06/26/01

D. The proposed vacation is consistent with the City's General Plan.

SECTION 3. Based on the above stated facts, conclusions and findings, the City Council hereby vacates the following portion of White Street subject to the reservation of a public service easement over and beneath the subject area, as hereinafter described, for the purposes of constructing, maintaining, operating, replacing, removing or renewing the existing, or any future, public facilities located thereon:

The portion of the street proposed to be vacated and the public service easement reserved over and beneath the area are all that property situated in the City of San Jose described as follows:

Beginning at the most northwesterly corner of Lot 2 as described in that certain deed recorded in Document No. 2545187, Santa Clara County Records, said corner also being on the southerly line of The Alameda; thence along said southerly line North 86°46'35" East 60.00 feet to the most northwesterly corner of Lot 18 as shown on that certain map of the J.A. White Subdivision recorded in Book "A" of Maps at Page 6, said corner being on the easterly line of White Street South 3°34'29" East 455.00 feet to the most southwesterly corner of Lot 10 as shown on said map of the J.A. White Subdivision; thence South 86°46'35" West 60.00 feet to a point on the westerly line of White Street; thence along said westerly line of White Street north 3°34'29" West 455.00 feet to the point of beginning.

SECTION 4. The City Clerk is directed to record a certified copy of this Resolution in the Santa Clara County Recorder's Office.

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RC:GF
06/26/01

SECTION 5. From and after the date this Resolution is recorded, the portion of White Street vacated will no longer constitute a public street.

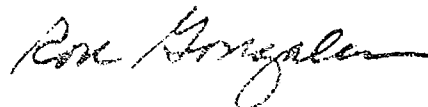
ADOPTED this 26th day of June, 2001, by the following vote:

AYES: CAMPOS, CHAVEZ, CORTESE, DANDO, DIQUISTO, LeZOTTE,
REED, SHIRAKAWA, WILLIAMS, YEAGER; GONZALES

NOES: NONE

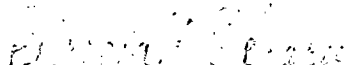
ABSENT: NONE

DISQUALIFIED: NONE



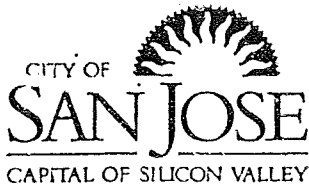
RON GONZALES
Mayor

ATTEST:



PATRICIA L. O' HEARN
City Clerk

EXHIBIT "A"



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Rajeev Batra

SUBJECT: WHITE STREET VACATION

DATE: 05-29-01

Approved

Date

COUNCIL DISTRICT: 6

REASON FOR ADDENDUM

City Council is requested to approve this resolution on this agenda to allow for a public hearing to be held after expiration of the 15-day noticing period on June 26, 2001.

RECOMMENDATION

Adoption of a resolution of intention to vacate a portion of White Street and reserve a public service easement (PSE) and setting a public hearing on June 26, 2001 at 1:30 p.m. CEQA: Resolution No. 69355.

BACKGROUND

Cahill South, LLC has submitted an application for the vacation of a portion of White Street. This vacation is a condition of approval for the Planned Development zoning for the residential development of the site.

According to the title reports submitted, the City has an easement for street purposes over the portion of White Street proposed for vacation.

ANALYSIS

Staff has determined that this portion of White Street is not needed as a public street due to non-use and blighted conditions, and must be vacated to be consistent with the street pattern of the approved zoning. All concerned utility companies have consented to the street vacation with the reservation of a PSE. Accordingly, the area proposed for vacation is also proposed to be reserved as a PSE.

The actions required for the vacation of the subject right-of-way are:

HONORABLE MAYOR AND CITY COUNCIL
05-29-01
Subject: White Street Vacat
Page 2

June 5, 2001 at 7:00 p.m.: Council considers the adoption of a resolution of intention which:

1. Declares its intention to vacate the subject portion of White Street and reserve a public service easement;
2. Sets a public hearing June 26, 2001 at 1:30 p.m.;
3. Directs the City Clerk to file the vacation map and advertisement proposed vacation and public hearing; and
4. Directs the Director of Public Works to post the area with Notices of the Proposed Vacation and Public Hearing.

June 26, 2001 at 1:30 p.m.: Council conducts a public hearing and considers a resolution of vacation, which vacates the subject portion of White Street and reserves a public service easement.

PUBLIC OUTREACH

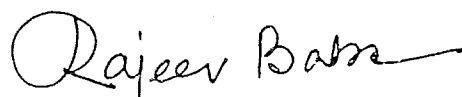
The public was afforded the opportunity to comment on the proposed development during the planning process. In addition, the Planning Commission considered and approved this vacation proposal which has given the public another opportunity to provide input and comments.

COORDINATION

The required resolution has been reviewed by the City Attorney's Office. The vacation has been coordinated with the appropriate public utility companies and the Planning Commission has approved the vacation.

CEQA

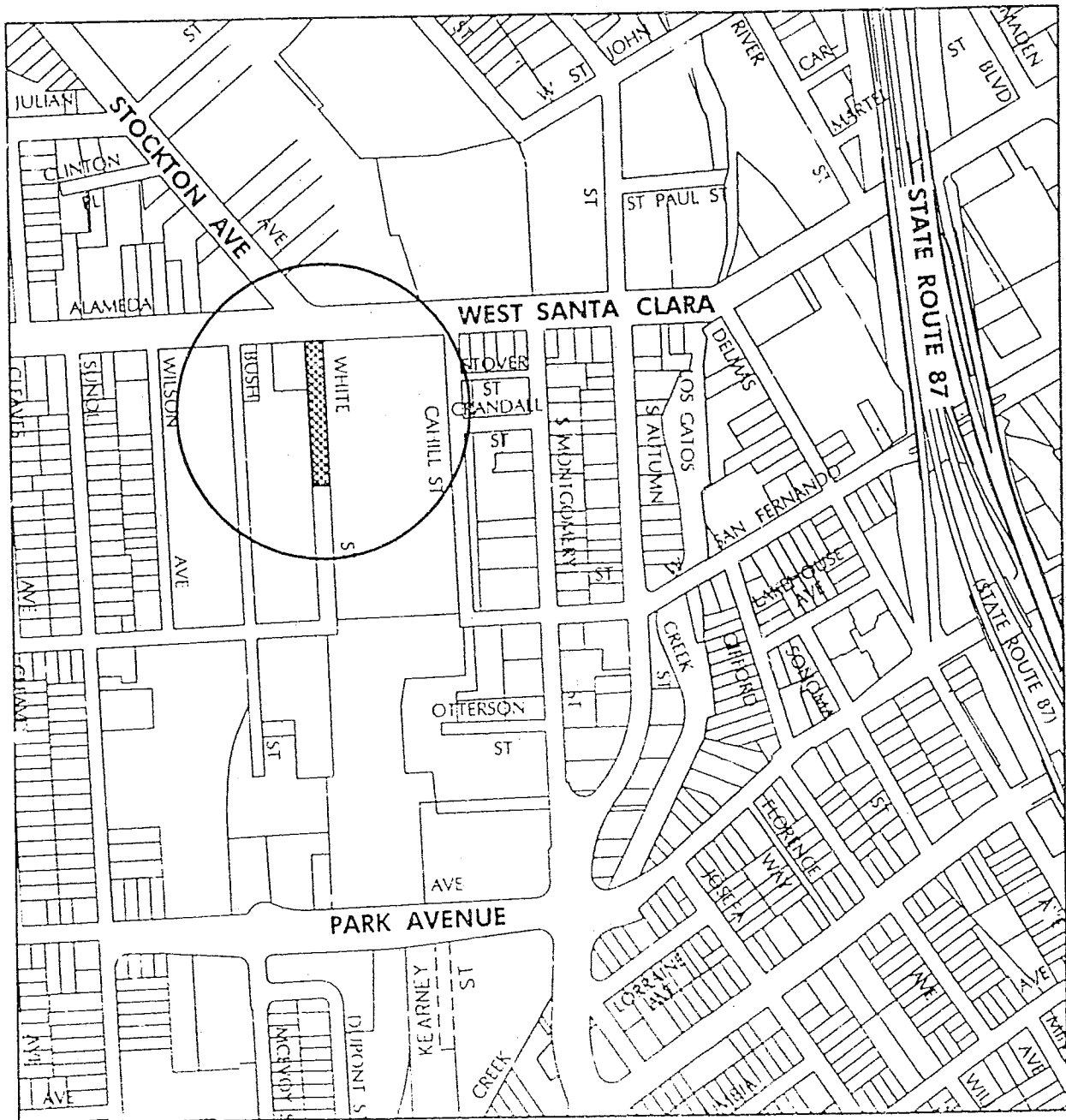
Resolution No. 69355.



RAJEEV BATRA
Acting Director, Public Works Department

LOCATION MAP

SHOWING THAT PORTION OF WHITE STREET
TO BE VACATED (WITH RESERVATION OF A
PUBLIC SERVICE EASEMENT)

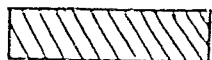


AREA TO BE VACATED



PLAT MAP

SHOWING THAT PORTION OF WHITE STREET TO BE VACATED
(WITH RESERVATION OF A PUBLIC SERVICE EASEMENT)



AREA TO BE VACATED

FILED WITH THE CITY COUNCIL OF THE CITY OF SAN JOSE THIS 5th DAY OF
June, 2001, AND APPROVED BY SAID CITY COUNCIL THIS 5th DAY OF
June, 2001 BY RESOLUTION NUMBER 70388

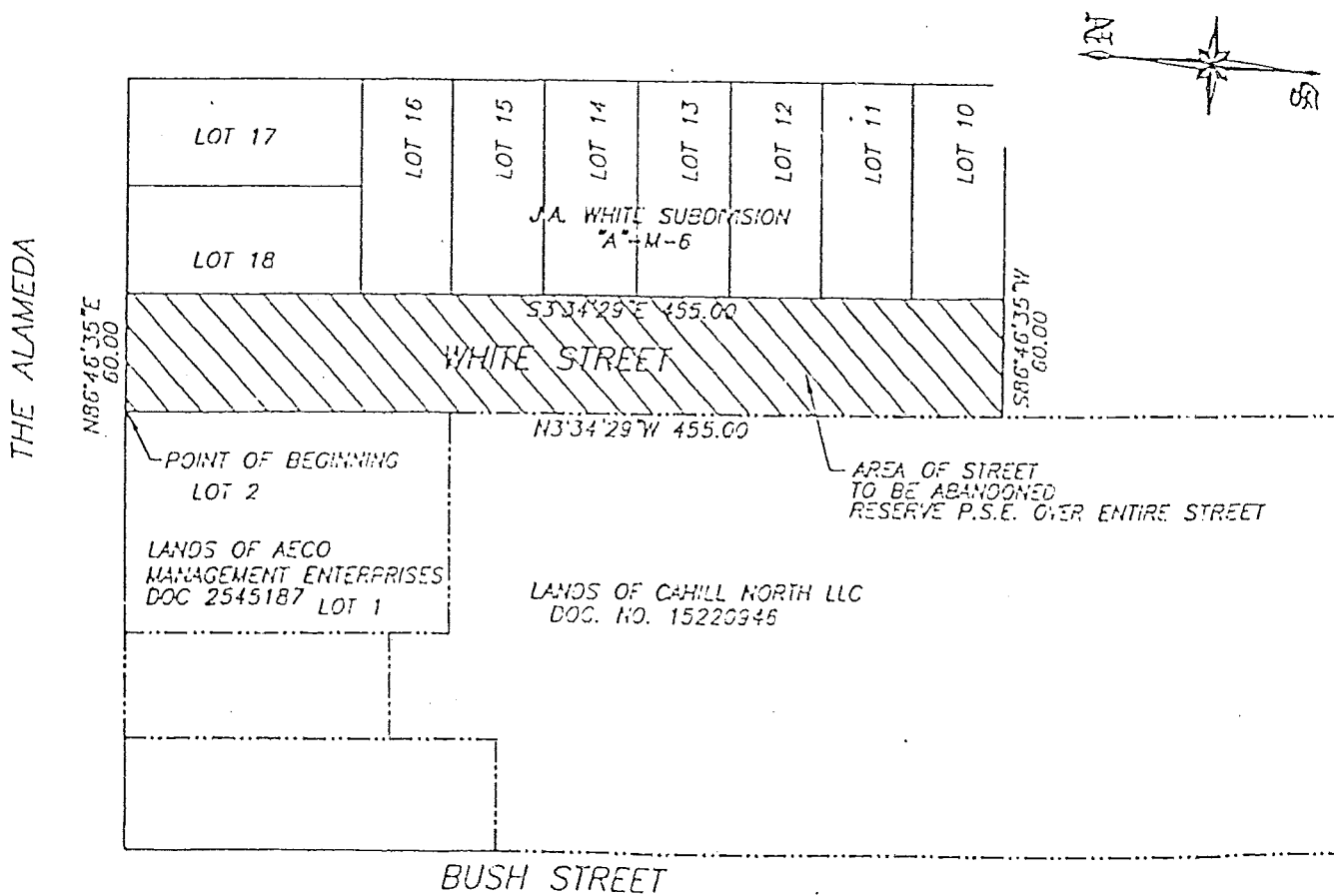
Barbara D. Lyndon, Deputy
CITY CLERK, CITY OF SAN JOSE

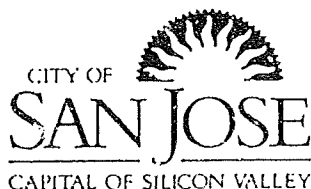
Rm Batra

RAJEEV BATRA

APPROVED THIS 14th DAY OF May, 2001

ACTING DIRECTOR OF PUBLIC WORKS, CITY OF SAN JOSE





PC AGENDA: 3-28-01

ITEM: 3.g.

Memorandum

TO: PLANNING COMMISSION

FROM: James R. Derryberry

SUBJECT: SEE BELOW

DATE: March 13, 2001

COUNCIL DISTRICT: 6

SUBJECT: VACATION OF WHITE STREET SOUTHERLY OF THE ALAMEDA

BACKGROUND

This is a request to vacate White Street, southerly of The Alameda. The request to vacate the street is in conjunction with an adjoining residential development (File No. PDC98-03-027). The right-of-way is no longer necessary as the developer is constructing private parking for the residential development. Jim Pollart, the project owner, submitted the request.

The Department of Public Works has no objections to the proposed vacation and recommends that it be approved. All concerned utility companies have been contacted and have no objections to the proposed vacation, provided that a public service easement is reserved.

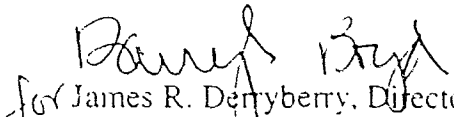
This vacation is in conformance with the adopted San José 2020 General Plan Land Use/Transportation Diagram. The proposed vacation is also in substantial conformance with the adopted Midtown Specific Plan, which allows for flexibility in use to facilitate the preservation of historic resources. The vacation allows required parking for a proposed residential project to be constructed without affecting the historic Del Monte Warehouse building, which is directly adjacent to the portion of White Street to be vacated.

CEQA

This project was found to be adequately considered by a Final EIR entitled, "Cahill Station Residential Redevelopment," and findings were adopted by City Council Resolution No. 69355, on February 1, 2001.

RECOMMENDATION

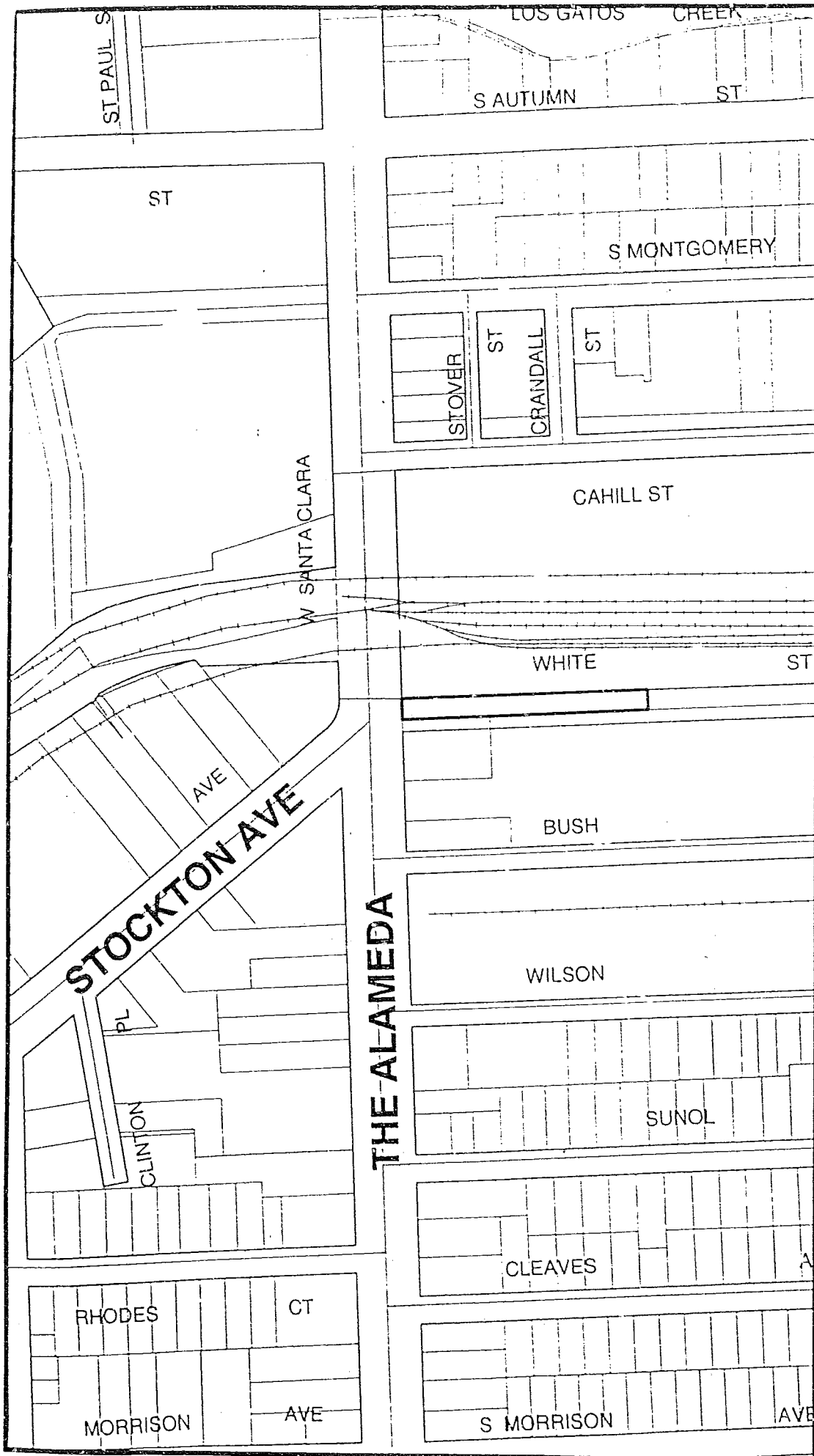
Planning Staff recommends approval of the vacation to the satisfaction of the Director of Public Works.


for James R. Derryberry, Director
Planning, Building and Code Enforcement

Attachment

c: Winnie Pagan, Public Works

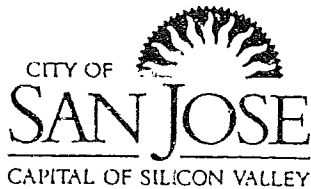
Jim Pollart, 424 Kent Drive, Mountain View, CA 94043



File No: White Street Vacation

District: 06

Quad No: 33



Memorandum

TO: Akoni Danielson
Planning and Building

FROM: Barry Ng
Public Works

SUBJECT: SEE BELOW

DATE: 01-31-01

SUBJECT: THE VACATION OF WHITE STREET

The Public Works Department is currently processing an application to vacate White Street. This vacation is a condition of approval for the zoning of Cahill Station Plant 51 (PDC98-03-027).

Public Works has reviewed the application and has determined that this area is no longer needed for public street purposes, however, public utilities remain within the proposed right-of-way to be vacated. All concerned utility company letters are currently being processed and will be forthcoming before the Planning Commission Hearing date. A public service easement will be reserved over the entire portion of the right-of-way proposed to be vacated.

Attached is a copy of the application. Please conduct the appropriate environmental review, review for General Plan conformance, and agendaize this item for a Planning Commission hearing at the earliest possible date. If you have any questions, please contact me or Gerry Fabella at extension 5161.

BARRY NG
Project Engineer
Development Services Division

BN:gf
3-13092
attachments
PCM(11/29/2000)



THE ALAMEDA

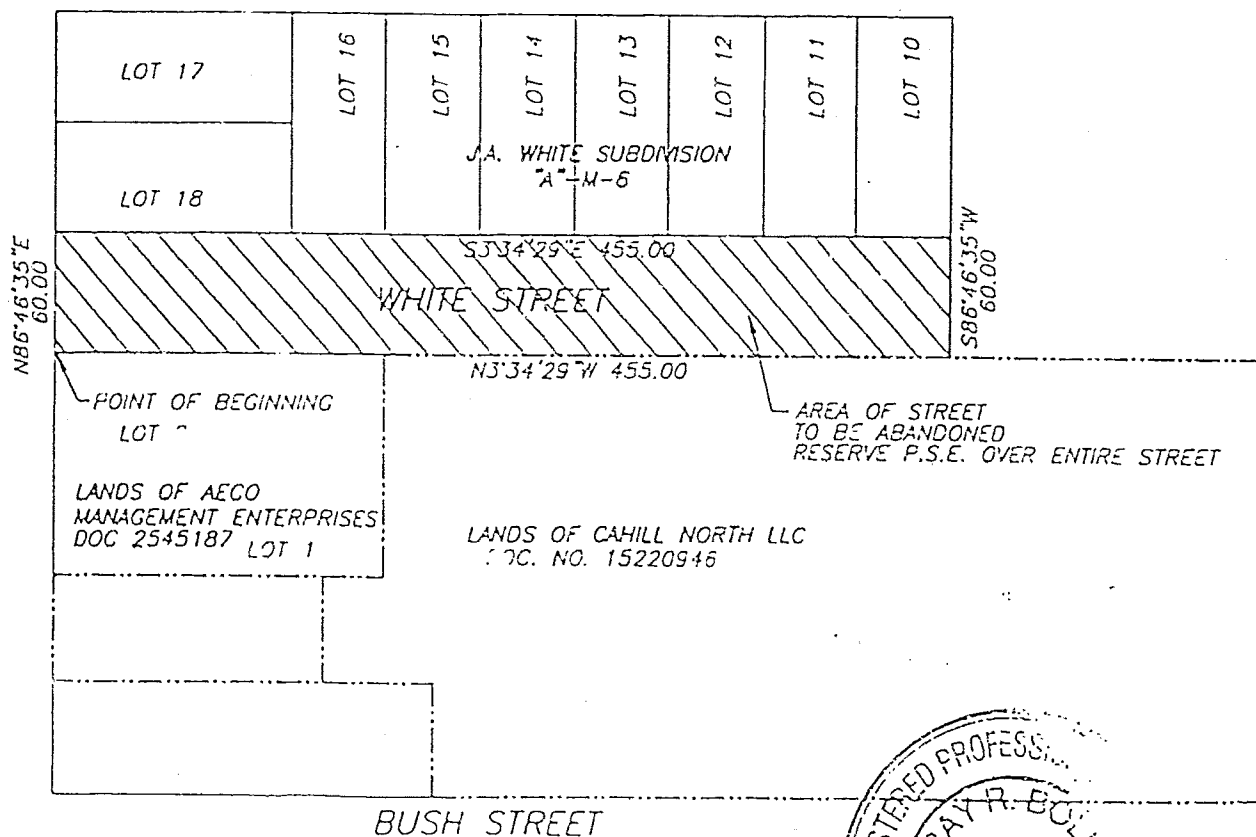


EXHIBIT "A"

PLAT SHOWING
WHITE STREET VACATION

DATE: 1/15/01
SCALE: 1"=100'
DRAWN BY B BEAMAN
CHECKED BY P L

Charles W. Davidson Co.
A CALIFORNIA CORPORATION
CONSULTING CIVIL ENGINEERS
255 W JULIAN ST. #200, SAN JOSE,
CA 95128 (408) 295-9162

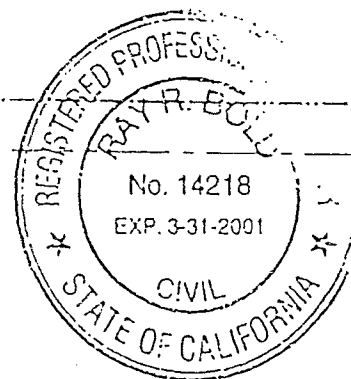


Exhibit "A"

Description of White Street
Right of Way to be Vacated

Beginning at the most northwesterly corner of Lot 2 as described in that certain deed recorded in Document No. 2545187, Santa Clara County Records, said corner also being on the southerly line of The Alameda; thence along said southerly line North $86^{\circ}46'35''$ East 60.00 feet to the most northwesterly corner of Lot 18 as shown on a certain map of the J.A. White Subdivision recorded in Book "A" of Maps at Page [redacted] said corner being on the easterly line of White Street; thence along said easterly line of White Street South $3^{\circ}34'29''$ East 455.00 feet to the most southwesterly corner of Lot 10 as shown on said map of the J.A. White Subdivision; thence South $86^{\circ}46'35''$ West 60.00 feet to a point on the westerly line of White Street; thence along said westerly line of White Street North $3^{\circ}34'29''$ West 455.00 feet to the point of beginning.

Charles W. Davidson Co.
Ray R. Bold



R.C.E. 14218
License Exp. 3-31-01

