

From: [Tu, John](#)
To: sanjooplan@google.com
Cc: [Amanda Wolf](#); [Downtown West Project](#)
Subject: Fw: Downtown West - Public Works Memo
Date: Monday, December 21, 2020 2:47:55 PM
Attachments: [Downtown West Draft PW Memo 122120.pdf](#)

Hello,

Find attached Public Work's Memo.

Best,
[Tong \(John\) Tu](#)

Planner IV (Supervising Planner) | Planning Division | PBCE
City of San José | 200 East Santa Clara Street
Email: john.tu@sanjoseca.gov | Phone: (408)-535-6818
For More Information Please Visit: <http://www.sanjoseca.gov/planning>

From: Tom, Vivian <Vivian.Tom@sanjoseca.gov>
Sent: Monday, December 21, 2020 2:39 PM
To: Tu, John <john.tu@sanjoseca.gov>
Cc: Do, Ryan <ryan.do@sanjoseca.gov>; Lapustea, Florin <Florin.Lapustea@sanjoseca.gov>
Subject: Downtown West - Public Works Memo

Hi John,

Attached is the PW draft memo for the 10/07/20 Downtown West re-submittal. Please let me know if you have any questions.

Thank you!

Vivian Tom
City of San Jose
Department of Public Works
Development Services Division
200 East Santa Clara Street, 3rd Floor
San Jose, CA 95113
(408) 535-6819

Memorandum

TO: John Tu
Planning and Building

FROM: Vivian Tom
Public Works

**SUBJECT: REVISED DRAFT RESPONSE TO
DEVELOPMENT APPLICATION**

DATE: 12/21/20

Approved

Date

PLANNING NO.: PDC19-039, PD19-029 AND PT20-027
DESCRIPTION: Planned Development Rezoning, Planned Development Permit, General Plan Amendments, Historic Landmark boundary Amendments, Historic Preservation Permit, and Vesting Tentative Map to facilitate a project that would be able to develop the construction of up to 7,300,000 gross square feet (GSF) of office space; up to 5,900 residential units; up to 500,000 GSF of active uses, which may include retail, cultural, arts, etc.; up to 100,000 GSF of event space; up to two central utility plants totaling approximately 130,000 GSF; up to 300 hotel rooms; up to 800 rooms of limited-term corporate accommodations; and approximately 15 acres of open space. The project also proposes infrastructure, transportation, and public area improvements.
LOCATION: an 81-gross acre site generally bounded by Lenzen Avenue to the north, Cahill Street and the Caltrain rail tracks to the west, Auzerais Avenue to the south, and Los Gatos Creek and Highway 87 to the east
P.W. NUMBER: 3-25635

Public Works received revised submittal for the subject project on 10/08/20 and submits the following comments and requirements. **Upon completion of the Action/Revisions Required items by the applicant, Public Works will forward a Final Memo to the Department of Planning prior to the preparation of the Staff Report for Public Hearing.**

Actions / Revisions Required:

1. **General Development Plan:**
 - a) Sheet 3.02 Development Standards, Maintenance Responsibility: Street trees and public landscaping will not require a major encroachment agreement, community facilities district, nor landscape and lighting district. Revise the language to update the statement or specify any enhanced public landscaping features that cannot be maintained by adjacent property owners.
 - b) Sheet 6.06 Infrastructure: Update proposed Utilidor Plan to match with Public Encroachment Permit Plans.

- c) Sheet 8.01 Zoning / Design Conformance Review Process: Horizontal Improvement Subsequent Review Process should include 65%, 95% and 100% plans.

2. Downtown West Design Standards and Guidelines:

- a) Page 19: Add Private Street Permits under additional review components.
- b) Page 283 Standards:
 - i) Structural soil should not be part of standards in public right-of-way.
 - ii) Contiguous tree wells should not be part of standards in public right-of-way.
- c) Planning Context (6.2): Remove the Diridon Area Parking Study from the list of parallel planning efforts
- d) Street Network (6.3):
 - i) Add the following language to the end of S.6.3.4 - Relationship to Disc and Rail Corridor: “Continued coordination on the rail corridor will be represented visually as part of the on-going collaboration between the DISC partner agencies and the applicant.”
 - ii) Include a new standard (Public Improvements at Rail Crossings) that states: Coordination and/or permits from VTA, CPUC, FRA, and other stakeholders (UPRR, Caltrain) are required for public improvements at rail crossing; the City will take the lead on coordination and reviewing the proposed improvements with Developer’s support.
 - iii) Further review and discussion is needed to address the Ring Rd/Montgomery St intersection design and Ring Rd alignment as applicable to all transportation modes.
 - iv) Include public access easement along the Ring Rd in the north end part of the project (Fig. 6.19).
 - v) Consider providing a cul-de-sac at the south leg of the Royal Ave/W San Carlos St intersection and lengthening the eastbound W San Carlos St left-turn pocket; further analysis will be included in subsequent focused LTAs.
 - vi) Further review and analysis is needed to study the feasibility of a full-access intersection at Cahill St/Park Ave.
- e) Streetscape Elements Cross-sections (6.10):
 - i) Include street trees in areas with ample room and provide consistency expressing street tree locations.
 - ii) Remove the Cahill Street (Core) cross-section shown as Figure 6.23.
- f) Dynamic Lanes (6.11):
 - i) Additional labeling of blue dynamic lanes north and south of Santa Clara St could be needed per further analysis in order to support transit and event traffic throughput.
 - ii) Include the following language in S6.11.1 (Dynamic lane width): “If used for **event traffic throughput**, transit stop or shuttle stop, dynamic lanes shall be permitted to be up to 10 feet wide.”

3. Infrastructure Plan:

- a) Page 8 Mapping & Permitted Encroachments: Revise paragraph to include improvement plan approval is required prior to street vacation.

- b) Page 19 Existing Gravity Collection: There should be two sewersheds in the Diridon area. Revise the paragraph accordingly.
- c) Page 20 Proposed Connections: Provide a table summarizing all proposed sanitary sewer upgrades and relocations.
- d) Page 21 Business-as-Usual Scenario:
 - i) Revise the statement “There are no impacts to the sanitary sewer siphons” to “There are no capacity impacts to the sanitary sewer siphons”.
 - ii) Add language to include the Phase VII Interceptor Project needs to be implemented prior to completion of the last phase of Downtown West Development to provide area wide capacity.
- e) Page 22 Water Reuse Facility(s) Scenario:
 - i) Revise the paragraph to include downstream segment of the WRF under scenarios #2 and #3 needs to be upsized to 42”.
 - ii) Revise the paragraph that states “.....backwater represents a Level “D”.....is acceptable”. This statement is incorrect. Level “D” is flowing full at peak flow and surcharging is not acceptable.
 - iii) Page 23 Figures 7.3, 7.4 and 7.5: Remove these figures as the multiple scenarios with and without Phase VII Interceptor may cause confusion. Replace with a table summarizing improvements required for the project under each discharge scenario.
- f) Page 26 Existing Collection System: Paragraph states Figure 7.7 shows existing outfall locations, but these are not shown in the figure. Revise the document to include outfall locations.
- g) Page 28 Proposed Storm Drain Pipe Upgrades: Revise the document to include additional upgrades below:
 - i) New 48” RCP on N. Autumn Street, from Cinnabar Street to Julian Street.
 - ii) New 66” RCP on Cinnabar Street, from N. Autumn Street to Stockton Avenue.
- h) Page 41 Conceptual Utilidor Layout:
 - i) Revise Figure 9.1 to match with Public Encroachment Permit Plan.
 - ii) Include an explanation demonstrating that the Utilidor structure and dimensions are necessary and why the proposed utilities cannot be direct buried.
 - iii) Design and approach are still under review and pending additional information.
- i) Page 43 Scope of Service District Wastewater Collection System: Provide more details on parcels that will not be served by the district system. Downstream capacity impact will need to be evaluated.
- j) Page 44 Facility Design Onsite Wastewater Treatment: The estimated total average flow from all Downtown West parcels is approximately 2.6 mgd. Provide clarification on how the 1-mgd WRF treats project flow. If excess flow will discharge to City system, provide frequency of the discharge.
- k) Page 45 Discharge Connection: Project proposes to discharge excess wastewater to City system when onsite demand is low. Provide discussion on how the flow will be monitored (such as a meter).

4. Infrastructure Plan Sheet:

- a) Sheet C4.1 Utility Plan: Sanitary sewer segment #282264 may be impacted by Utilidor. Review and identify relocation if necessary.
- b) Sheet C4.2 Utility Plan: Indicate sanitary sewer main along Montgomery Street to be abandoned and verify lateral connections.
- c) Sheet C4.4 Utility Plan: Indicate sanitary sewer main along Delmas Street to be abandoned and verify existing lateral connections.
- d) Sheet C4.7 Utility Plan: Indicate sanitary sewer main along Cinnabar Street to be abandoned and verify existing lateral connections.
- e) Provide public access easements over vacated areas along Delmas Ave, Montgomery St and Cinnabar Ave for existing public utilities needing maintenance unless relocated.

5. Improvement Standards:

- a) Page 5, Section 2.1.2 Sub-Grade Site Preparation: Revise paragraph that project will be required to submit soils and geotechnical reports for review, particularly for areas within liquefaction zone. Grading work should follow geotechnical report and City Geologist requirements.
- b) Page 6, Section 2.3 Retaining Walls: Revise paragraph that retaining walls are subject to City structural review.
- c) Page 9, Section 3 Right-of-Way
 - i) Modification for Surface and Pavement: Caltrans standards specifications are acceptable for Sections 37, 40, 41, and 42. Revise paragraph to use CSJ standard specifications for Section 39.
 - ii) Materials: Caltrans standard specifications are acceptable for Sections 89, 90-6 (light weight concrete only), 92, 93, and 94. Revise paragraph to use CSJ standard specifications for Section 90.
- d) Page 13, Section 4.6 City Storm Drainage: Revise paragraph to include on-site drainage facilities and retaining walls to be approved by Public Works.
- e) Page 13, Section 4.7 Stormwater Management in the Public ROW: Revise paragraph that detailed stormwater treatment measures in the public ROW will be reviewed and approved as part of the public improvement plans (not grading and drainage permit).
- f) Page 14, Section 5.3.1 Direct Bury Utilidor: Add to paragraph that other City Agreement(s) may be required for the proposed utilidor.
- g) Page 15, Section 5.3.3 Utilidor Tunnel Structure: Revise paragraph that geotechnical report and structural calculations will be required with public improvement plans.

6. District Utility System: Clarify the term “district utility system” or the word “district” in Infrastructure and project documents to avoid confusion with “special district” established under State law to own, maintain, and operate infrastructure system.

7. Vesting Tentative Map and Cross Sections:

- a) Street vacation along North Montgomery Street: Proposed vacation shall not land lock any adjacent properties. Verify access for parcels 259-29-002, 259-29-003 and 259-29-004.

- b) New Cahill Street adjacent to SAP Center: Verify that the proposed new street will not conflict with existing SAP Center improvements.
- c) Bird Avenue:
 - i) Provide intersection design and signal modification at the Bird Ave/W San Carlos intersection to accommodate raised bikeways and SU-40 truck turning templates that justify proposed curb radii.
 - ii) Analyze the need for minimum 24-foot corner radius dedication per muni code chapter 19 at the Bird Ave/ San Carlos St intersection.
 - iii) Revise all bike buffer/tree wells shown from 3.5-feet wide to a minimum 5-feet.
 - iv) Revise dynamic lane width to 12-feet wide minimum that includes the gutter pan.
 - v) Revise “active streetscape” dimension to minimum 21-feet wide.
 - vi) Revise curb lane width to 12-feet wide minimum that includes the gutter pan.
- d) Park Avenue:
 - i) Revise proposed 74-foot wide cross-section to accommodate 84-foot wide public right-of-way planline to be provided by the City.
 - ii) Analyze the need for minimum 24’ corner radius dedication per muni code chapter 19 at the Park Ave/Cahill St and Park Ave/Bird Ave intersection.
 - iii) Clarify the need for the proposed vacation along the southerly and northerly frontages (59-feet along the southerly, 76-feet along the northerly section).
 - iv) Revise all bike buffer/tree wells shown from 3.5-feet wide to a minimum 5-feet.
 - v) Clarify limits of “10-foot P.U.E.” shown along the southerly Park Ave frontage.
 - vi) Provide missing cross-section labeled “X”.
- e) W. San Carlos Street:
 - i) Maintain existing raised median island and curbline along the project frontage while providing a 15-foot sidewalk width obtained via project dedication.
 - ii) Show location of cross-section for “Royal to Bird-Alt 2” and assign new letter label.
 - iii) Maintain existing 108-foot right-of-way on the Lot C project-sponsored open space.
- f) Julian Street:
 - i) Revise sidewalks widths to 15-foot wide for Alt 1 in cross-section T2.
 - ii) Revise all bike buffer/tree wells shown from 3.5-feet wide to a minimum 5-feet.
 - iii) Remove the proposed 4-foot and 4.5-foot bike lanes shown to be implemented by the city in cross-section T1.
- g) Autumn Street:
 - i) Analyze the need for minimum 24’ corner radius dedication per muni code chapter 19 at the Autumn St/San Fernando St and Autumn St/W Santa Clara St intersections.

- ii) Revise all bike buffer/tree wells shown from 3.5-feet wide to a minimum 5-feet
 - iii) Revise dynamic lane width up to 10 feet wide that does not include the gutter pan.
 - iv) Revise “active streetscape” dimension to minimum 21-feet wide for Alt 1 in cross-sections “B” and “R”.
- h) Auzerais Avenue:
 - i) Revise all bike buffer/tree wells shown from 3.5-feet wide to a minimum 5-feet.
 - ii) Extend limits of Lot A “City-Dedicated Park” southerly to the new 65-foot right-of-way line along the Auzerais Ave frontage.
- i) Montgomery Street:
 - i) Revise the proposed “active streetscape” dimension to minimum 21-feet wide for Alt 2 in cross-section C
 - ii) Revise all bike buffer/tree wells shown from 3.5-feet wide to a minimum 5-feet
 - iii) Revise curb lane width to 12-feet wide minimum that includes the gutter pan.
- j) Cahill Street:
 - i) Revise all bike buffer/tree wells shown from 3.5-feet wide to a minimum 5-feet.
 - ii) Revise curb-to-curb width to 36-feet with implementation of 10-foot wide through lanes.
 - iii) Analyze the need for a minimum 26-foot proposed active streetscape along the westerly frontage shown in Alt 2 of cross-section D.
 - iv) Remove Alt 3 for cross-section D.
 - v) Show any potential conflict of proposed right-of-way with the SAP stairs along the easterly frontage.
- k) San Fernando Street:
 - i) Revise all bike buffer/tree wells shown from 3.5-feet to a minimum 5-feet.
 - ii) Revise curb-to-curb width to 36-feet with implementation of 10-foot wide through lanes.
 - iii) Show any potential conflict of proposed right-of-way with the SAP stairs along the easterly frontage.
 - iv) Show dedication needed along the southerly frontage to achieve active streetscape width.
 - v) Analyze the need for minimum 24’ corner radius dedication per muni code chapter 19 at the Cahill St St/San Fernando St southwest corner.
- l) St. John Street:
 - i) Revise all bike buffer/tree wells shown from 3.5-feet to a minimum 5-feet.
 - ii) Revise curb-to-curb width to 24-feet with implementation of 12-foot wide curb lanes.
 - iii) Revise “active streetscape” dimensions to minimum 12-feet wide
- m) Ring Road:
 - i) Revise all bike buffer/tree wells shown from 3.5-feet to a minimum 5-feet.
 - ii) Revise curb lane width to 12-feet wide minimum that includes the gutter pan.

8. **Construction Impact Mitigation Plan:** Prepare a framework of Construction Impact Mitigation Plan (CIMP) to comply with San Jose Municipal Code, Chapter 13.36. The CIMP provides measures to help residents and businesses located in San José through the temporary disruption of major construction projects by requiring, among other things, the owners of the such projects to communicate with the surrounding neighbors prior to and throughout the construction period and to implementing appropriate mitigation measures in an attempt to avoid or lessen potential impacts arising from the construction.
9. **Local Transportation Analysis Report:** Proposed bridge crossing Guadalupe Creek between San Fernando and Santa Clara should be labeled as a foot bridge rather than a bicycle/pedestrian bridge.
10. **Subsequent Review Term Sheet:** Revise/add the following:
 - a) Page 5: Add a new section to include Horizontal Improvement Conformance Review or revise term sheet to clearly show the 35% submittal as the Horizontal Improvement Conformance Review.
 - i) Add stormwater checklist and matrix requirements.
 - ii) Horizontal improvement conformance should align with Focused LTA recommendations.
 - b) Page 22 Section IV: Add Focused LTA to the referenced documents.
 - c) Page 22 Section IV A: Remove the word “Preliminary” and add “Improvement” to Horizontal Review Process.
 - d) Page 22 Section IV. A. 1: Remove “the heads of” any City department from Overview Paragraph.
 - e) Page 23 Section IV A: Remove the word and referenced to “tract” under Horizontal Improvement Review Process.
 - f) Page 23 Section 2b: Reference DPW’s Improvement Plan Submittal Checklist.
 - g) Page 23 Section 2d: Reference DPW’s Grading Plan Checklist.
 - h) Page 23 Section 2h: Private street submittal will be a separate process for layout and plan review. Private Street submittal should also follow DPW’s Private Street submittal checklist.
 - i) Page 23 Section 2h: Add “Signing and Striping Plans” to Street Layout Site Plan.
 - j) Page 24, Section 2i: Remove the word “Conceptual” in section heading and add “Drainage Management Areas and Proposed Treatment Control Measures to the submittal list.
 - k) Page 24: Remove the word “Preliminary” and add Traffic Signal Plan “at signalized intersections at part of the DPW/DOT traffic signal kickoff Meeting process for development project.
 - l) Page 24: Add “Street Light Plan” and “Construction Impact Mitigation Plan” under the Preliminary Review Submittal Requirements.
 - m) Page 26 City Review of Horizontal Preliminary Review: Add Infrastructure Plan Documents to the list of documents.
 - n) Page 26 Preliminary Improvement Plans: All review days should be business/working days. 35 days first (65%), 30 days second (95%), and 26 days third (100%) submittals.
 - o) Page 27 Final Map and Improvement Plan Submittal Requirements: Add Grading/Drainage Plan.
 - i) Item 1a: Add “Public” to Improvement Plans.

- ii) Item 1b: Add “residential” subdivision for Private Improvement Plans.
- p) Page 28 Section 1d: Final map submittal should include DPW’s Map Submittal Checklist.
- q) Page 28 Section 1g: Submit Maintenance Matrix for review.
- r) Page 28 Section 2: Add “Grading” Plan to Review Process.
- s) Page 28 Section 3: Coordination with City pavement and infrastructure maintenance will also be required to ensure non-standard materials, details and improvements will not cause City maintenance issues and challenges.

Project Conditions:

Public Works Clearance for Building Permit(s) or Map Approval: Prior to the approval of the Tract or Parcel Map (if applicable) by the Director of Public Works, or the issuance of Building permits, whichever occurs first, the applicant will be required to have satisfied all of the following Public Works conditions. All improvements of the public streets shall be to the satisfaction of the Director of Public Works. The applicant is strongly advised to apply for any necessary Public Works permits prior to applying for Building permits. Standard review timelines and submittal instructions for Public Works permits may be found at the following: <http://www.sanjoseca.gov/index.aspx?nid=2246>.

1. **Construction Agreement:** The public improvements conditioned as part of this permit require the execution of Construction Agreement(s) that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This agreement includes privately engineered plans, bonds, insurance, a completion deposit, and engineering and inspection fees.
2. **Grading/Geology:**
 - a) A grading permit is required prior to the issuance of a Public Works Clearance.
 - b) All on-site storm drainage conveyance facilities and earth retaining structures 4’ foot in height or greater (top of wall to bottom of footing) or is being surcharged (slope of 3:1 or greater abutting the wall) shall be reviewed and approved under Public Works grading and drainage permit prior to the issuance of Public Works Clearance. The drainage plan should include all underground pipes, building drains, area drains and inlets. The project shall provide storm drainage calculations that adhere to the 2010 California Plumbing Code or submit a stamped and signed alternate engineered design for Public Works discretionary approval and should be designed to convey a 10 year storm event.
 - c) A haul route permit is required. Prior to issuance of a grading permit, contact the Department of Transportation at (408) 535-3850 for more information concerning the requirements for obtaining this permit.
 - d) Because this project involves a land disturbance of one or more acres, the applicant is required to submit a Notice of Intent to the State Water Resources Control Board and to prepare a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity. Copies of these documents must be submitted to the City Project Engineer prior to issuance of a grading permit.

- e) The Project site is within the State of California Seismic Hazard Zone. A geotechnical investigation report addressing the potential hazard of liquefaction must be submitted to, reviewed and approved by the City Geologist prior to issuance of a grading permit or Public Works Clearance. The investigation should be consistent with the guidelines published by the State of California (CGS Special Publication 117A) and the Southern California Earthquake Center (SCEC, 1999). A recommended depth of 50 feet should be explored and evaluated in the investigation.
3. **Sewage Fees:** In accordance with City Ordinance all storm sewer area fees, sanitary sewer connection fees, and sewage treatment plant connection fees, less previous credits, are due and payable.
4. **Diridon Station Area Impact Fee:**
- a) The City has adopted a Basic Infrastructure Impact Fee associated with implementation of the Diridon Station Area Plan (Chapter 14.35 of Title 14 of the San Jose Municipal Code). Projects located within the Diridon Station Area are required to pay impact fee in categories of Transportation, Plaza, Sanitary Sewer and Storm Drainage.
 - b) The 2020 impact fee that includes all infrastructure categories is \$6.10 per s.f. of Office/R&D, \$4.08 per s.f. of retail, and \$2,735 per residential unit. This fee is subject to an annual increase by the Engineering News-Record (ENR) Construction Cost Index and must be paid prior to issuance of Public Works Clearance. Credits will be applied for any infrastructure built as identified in the Diridon Nexus Study by the developer. Reimbursement will be available for infrastructure built in excess of the project's obligations.
5. **Parks:**
- a) The residential portion of project is subject to either the requirements of the City's Park Impact Ordinance (Chapter 14.25 of Title 14 of the San Jose Municipal Code) or the Parkland Dedication Ordinance (Chapter 19.38 of Title 19 of the San Jose Municipal Code) for the dedication of land and/or payment of fees in-lieu of dedication of land for public park and/or recreational purposes under the formula contained within in the Subject Chapter and the Associated Fees and Credit Resolutions.
 - b) See additional project requirements in separate memo prepared by Parks, Recreation and Neighborhood Services.
6. **Stormwater:** At the Grading/Drainage Permit stage, provide detailed Stormwater Control Plan for each development parcel to include the following:
- a) Design stormwater treatment facilities using 100% landscaped based LID treatment. Use of mechanical system shall not be allowed.
 - b) Design stormwater conveyance by gravity flow. Use of pumps shall not be allowed.
 - c) Private treatment facilities must be located on private properties. The project may not use public areas for private stormwater treatment.
 - d) Provide numeric sizing calculations for each drainage management area.
 - e) Provide maintenance and inspection information on treatment control measures.

7. Flood Zones D, X and AO and A:

- a) For new structures in Zone D and X: There are no City floodplain requirements.
- b) For new structures in Zone AO and A:
 - i) Submit a topographic survey, based on NAVD88, identifying the elevation of the existing highest adjacent grade to the existing structure or base flood elevation and the elevation of the existing finished floor.
 - ii) New structures in Zone A requires additional flood study to determine the base flood elevation.
 - iii) Elevate the lowest floor 1 foot above the base flood elevation (or depth of flooding plus one foot). Non-residential structures may be floodproofed to the same elevation.
 - iv) Building support utility systems such as HVAC, electrical, plumbing, air conditioning equipment, including ductwork, and other service facilities must be elevated above the base flood elevation (depth of flooding plus one foot) or protected from flood damage.
 - v) Construction materials used below the base flood elevation (depth of flooding plus one foot) must be resistant to flood damage.
 - vi) An Elevation Certificate (FEMA Form 086-0-33) for each proposed structure, based on construction drawings, is required prior to issuance of a building permit. Consequently, an Elevation Certificate for each built structure, based on finished construction is required prior to issuance of an occupancy permit.
 - vii) If the structure is to be floodproofed, a Floodproofing Certificate (FEMA Form 086-0-34) for each structure, floodproofing details, and if applicable, a Flood Emergency Operation Plan and an Inspection & Maintenance Plan are required prior to the issuance of a Public Works Clearance.

8. Street Vacation: Street vacation is required in order to accomplish the land use plan as shown. The street vacation process requires further discretionary approval by the City Council. The street vacation may be done prior to or in conjunction with final map(s), but requires approved improvement plans and an executed Construction Agreement to relocate existing utilities and improvements and construct any new utilities or improvements, as required.

9. Undergrounding:

- a) Developer shall complete the underground conversion of existing overhead utilities along all project frontages. Developer shall submit copies of executed utility agreements with PG&E to Public Works prior to the issuance of a Public Works Clearance.
- b) In case existing overhead utilities are not undergrounded, the In Lieu Undergrounding Fee shall be paid prior to issuance of a Public Works Clearance. Currently, the 2020 base fee is \$515 per linear foot of frontage and is subject to change every January 31st based on the Engineering News Record's City Average Cost Index for the previous year.

10. Design Standards & Guidelines:

- a) Additional field diagnostics meetings with VTA, CPUC, FRA, and other stakeholders (UPRR, Caltrain) will be needed to address proposed site changes and discuss safety improvement requirements at all rail crossing within the project's boundaries.
- b) Provide intersection design and signal modification at the Bird Ave/Park Ave intersection to accommodate raised bikeways and SU-40 truck turning templates that justify proposed curb radii.
- c) Provide intersection design and signal modification at Autumn St/San Fernando St and Autumn St/W Santa Clara St intersections to accommodate raised bikeways and SU-40 truck turning templates that justify proposed curb radii.
- d) Provide intersection design and signal modification at the Montgomery St/San Fernando St, Montgomery St/W Santa Clara St, and Montgomery St/Julian intersections to accommodate raised bikeways and SU-30 truck turning templates that justify proposed curb radii.
- e) Provide intersection design and signal modification at the Cahill St/W Santa Clara St intersection to accommodate raised bikeways, the new Cahill St leg/extension and SU-40 truck turning templates that justify proposed curb radii.

11. Transportation:

- a) A Transportation Analysis has been performed for this project. We conclude that the subject project will be in conformance with the City of San Jose Transportation Policy (Council Policy 5-1) and a determination for less than significant impacts can be made with respect to transportation impacts.
- b) As a result of the Local Transportation Analysis, the project shall construct or contribute towards specific transportation improvements. The improvement dollar amount will be finalized prior to the public hearing of the project. This amount shall be subject to annual escalation based on the Engineering News Record (ENR).
- c) The project shall construct the following improvements:
 - i) Sidewalk extension under Highway 87 at Auzerai Avenue and Delmas Avenue. Improvements include a bulb-out at the north east quadrant.
 - ii) Bicycle connection and removal of the pork-chop island at the southwest corner at Coleman Avenue and Taylors Street.
 - iii) Footbridge over the Los Gatos Creek Trail north of San Fernando Street.
 - iv) At-grade signalized-trail crossing at Santa Clara Street and Diridon Station Area.
 - v) Protected bikeway connection along Auzerai Avenue from Los Gatos Creek Trail and San Carlos Avenue.
 - vi) Focused Local Transportation Analysis improvements such as intersection improvements, new signals and complete street improvements.
- d) The project shall provide financial contribution to the following:
 - i) Study of Santa Clara Street dedicated public service lane within existing right of way from 17th Street to Interstate 880.
 - ii) Study of transit and light rail improvements within the project area, particularly at San Fernando Street and Delmas Avenue.
 - iii) Taylor Street and State Route 87 improvements programmed by the City of San Jose and CalTrans.

- iv) Goodyear Street and First Street intersection improvements per the Story-Keyes Complete Streets Corridor.
- v) Bird Avenue/Interstate-280 bicycle and pedestrian multimodal connection from Diridon Station area to the Gardener community.
- vi) Study of a connector from the Airport to Stevens Creek Boulevard to Diridon Station Area.
- vii) Protected bikeway on Bird Avenue between Interstate 280 and San Carlos Avenue.
- b) The project shall perform and submit Focused Local Transportation Analyses consistent with the City's Transportation Analysis Handbook (website: <https://www.sanjoseca.gov/your-government/departments-offices/transportation/planning-policies/vehicle-miles-traveled-metric>)
- c) For the LOS adverse impacts at CMP intersections in the Cumulative Project Buildout Scenario, the LTA Improvements list should include a fair-share monetary contribution to future transit signal priority improvements along the Alameda corridor at Taylor St and Hedding St.

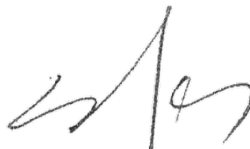
12. **Street Improvements:**

- a) Construct curb, gutter, sidewalk and pavement along the following streets:
 - i) Cahill Street, from Park Avenue to San Fernando Street.
 - ii) Cahill Street, from Santa Clara Street to North Montgomery Street.
 - iii) Crandall Street extension to Autumn Street.
 - iv) St. John Street extension to new Cahill Street.
 - v) Ring Road, from Lenzen Avenue to Cinnabar Street
 - vi) Autumn Street, from W. San Carlos Street to W. St John Street.
 - vii) W. Julian Street, from N. Montgomery Street to western project boundary.
 - viii) Park Avenue within project boundary.
 - ix) San Carlos Avenue within project boundary.
 - x) Santa Clara Street, between Cahill Street to Guadalupe River.
 - xi) All other project frontages within development boundary.
 - xii) Additional streets to be determined prior to PD Permit approval.
- b) Dedicate and construct new public streets per City's Complete Street Design Guidelines, the Diridon Station Area Infrastructure Analysis, and as show on the plans. The standard street right-of-way, curb-to-curb, and sidewalk widths will be determined prior to improvement plans approval. The ultimate cross section, including lane configurations, will be finalized at the improvement plan stage.
- c) Dedication and improvement of the public streets to the satisfaction of the Director of Public Works.
- d) Proposed driveway width to be maximum 32'.
- e) Close unused driveway cut(s).
- f) Developer shall be responsible to remove and replace curb, gutter, and sidewalk damaged during construction of the proposed project.
- g) If project proposes any non-standard public improvements and/or enhanced features within the public-right-of way, developer will be required to either expand and join existing Downtown San Jose Property-Based Improvement District (PBID) or establish a new Special District.
- h) Repair, overlay, or reconstruction of asphalt pavement will be required. The existing pavement will be evaluated with the street improvement plans and any

- necessary pavement restoration will be included as part of the final street improvement plans.
- i) Install new conduit with innerduct and fiber along project public street frontages and between existing traffic signals as needed to upgrade/complete City's fiber network.
 - j) Additional street and transportation improvements are currently under review and will be conditioned prior to PDC/PD Permit approval.
13. **Private Improvement Encroachments within Public Property:** All encroachments shall be consistent with City of San Jose Municipal Code Title 13 and California Building Code (CBC) Chapter 32 Section 3202 entitled Encroachments into the Public Right-of-Way. All proposed private improvements within public right-of-way, including, without limitation, utility infrastructure, will require an Encroachment Permit issued by the City pursuant to Chapter 13.37 of the Municipal Code.
14. **Assessments:** Some of the parcels within the project boundary is located within the Basic Zone of the Downtown San Jose Property-Based Business Improvement District, which provides enhanced cleaning, information and safety services, beautification activities, and business retention and growth programs within the boundaries of the district. Benefiting properties within the district pay for services through annual assessments placed on the County property tax bills, which may be increased by up to 5% each year. The assessment is calculated based on the land use and its building and lot square footages. For 2020-2021, commercial properties pay \$0.077775814 and residential properties pay \$0.052498379 per building and lot square footages. Future year assessments will be adjusted accordingly and will continue to be collected through the County property tax bills listed under Tax Code 0916 "DOWNTOWN PBID". Any questions may be directed to Thomas Borden at (408) 535-6831
15. **Right-of-Way Work Permit (Street/Sidewalk Closures):** At the Implementation stage, Developer shall apply for a Revocable Encroachment Permit for any proposed sidewalk and lane closures to support the onsite construction activities.
- a) The following should be included with the Right-of-Way Work Permit application, but are not limited to:
 - i) **Letter of Intent:** This document should provide a detailed description of the reasons for the sidewalk/lane closures and why they are absolutely necessary (man lifts, baker tanks, staging area, concrete pumping activities, etc.) and reasons why covered pedestrian walkways will not be provided (ex. swinging loads over sidewalk not safe for pedestrians).
 - ii) **Multi-Phased Site Specific Sketches:** These sketches should show the phased closures during the course of construction with a provided timeframe estimate of when each phase would be implemented. These sketches should include the type and location of the work to be accomplished within the right-of-way. The exhibit should show in detail the vehicular and/or pedestrian diversion route that shows the appropriate safety equipment, such as barricades, cones, arrow boards, signage, etc.
 - b) Developer shall minimize the potential impact to vehicular and pedestrian traffic by:

- i) Implementing the closures at the time the onsite activities dictate the need for the closure.
 - ii) Minimizing the closure timeframes to accomplish the onsite tasks and implement the next phase of the closure as outlines in condition 9.a.ii above.
 - c) If proposed lane and parking closures are a part of the Right-of-Way Work Permit Application, Developer shall submit Downtown Lane Closure and Tow Away Permit Applications to DOT. These applications may be obtained at: <http://www.sanjoseca.gov/index.aspx?NID=3713>. Developer shall contact DOT at (408) 535-8350 for more information concerning the requirements of these applications.
16. **Electrical:** Existing electroliers within project boundary will be evaluated at the public improvement stage and street lighting requirements will be included on the public improvement plans.
17. **Private Streets:** Per Common Interest Development (CID) Ordinance, all common infrastructure improvements shall be designed and constructed in accordance with the current CID standards.
18. **Street Trees:**
- a) Provide street trees at back of curb along project frontages.
 - b) Incorporate CSJ street tree typologies to address tree sizing and spacing.
 - c) Avoid placing trees classified as riparian.
19. **Utilidor:** Project proposal is still under review and additional conditions may be added prior to approval.
20. **Referrals:** This project should be referred to Santa Clara Valley Water District, Union Pacific Rail Road, California Public Utilities Commission, and VTA.

Please contact me at vivian.tom@sanjoseca.gov or (408) 535-6819 if you have any questions. You may also reach our Division Manager, Ryan Do, at ryan.do@sanjoseca.gov or (408) 535-6899.



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Development Services Division