

From: [Tu, John](#)
To: [Downtown West Project](#)
Subject: Fw: Downtown West Public Works Memo PDC19-039/PD19-029
Date: Friday, March 6, 2020 10:37:30 AM
Attachments: [Downtown West PW Memo.doc](#)

Best,
Tong (John) Tu

Planner IV (Supervising Planner) | Planning Division | PBCE
City of San José | 200 East Santa Clara Street
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For More Information Please Visit: <http://www.sanjoseca.gov/planning>

From: Tom, Vivian <Vivian.Tom@sanjoseca.gov>
Sent: Thursday, November 7, 2019 6:43 PM
To: Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>; Tu, John <john.tu@sanjoseca.gov>; Han, James <James.Han@sanjoseca.gov>
Cc: Do, Ryan <ryan.do@sanjoseca.gov>; Benabente, Julie <Julie.Benabente@sanjoseca.gov>; Khattab, Zahi <Zahi.Khattab@sanjoseca.gov>; Moody, Doug <doug.moody@sanjoseca.gov>; Lapustea, Florin <Florin.Lapustea@sanjoseca.gov>
Subject: Downtown West Public Works Memo PDC19-039/PD19-029

Hi,

Please see attached Public Works Memo for the 30-day letter response. A signed hard copy will be delivered.

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: James Han
Planning and Building

FROM: Vivian Tom
Public Works

**SUBJECT: INITIAL RESPONSE TO
DEVELOPMENT APPLICATION**

DATE: 11/07/19

Approved

Date

PLANNING NO.: PDC19-039 and PD19-029

DESCRIPTION: Planned Development Zoning to the A(PD) Planned Development Zoning and Planned Development Permit for approximately 6,500,000 square feet of office (with a maximum of 7,300,000 square feet); approximately 3,000 to 5,000 units of housing (with a maximum of 5,900 units); approximately 300,000 to 500,000 square feet of active uses, which may include retail, cultural, arts, etc.; approximately 100,000 square feet of event space; up to 300 hotel rooms and up to 800 rooms of limited-term corporate accommodations.

LOCATION: an 84-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 the subject project on 10/10/19 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. **Stormwater Runoff Pollution Control Measures:** Revise the plan to provide clarification to the following:
 - a) All streets adjacent to Google development should be converted to green streets. This is consistent with the project foundations outlined on sheet 2.04 to provide high levels of sustainability and excellence in design.
 - b) Include the "Comparison of Impervious and Pervious Areas" data table on Stormwater Control Plan.
 - c) Include proposed bioretention area within public street sections for all streets requiring stormwater treatment. The treatment area should not conflict with other public amenities such as electroliers and street trees.
 - d) Provide standard detail for each proposed LID treatment measure type.

2. Traffic Report:

- a) A Transportation Analysis (TA) is required prior to environmental clearance or zoning. The TA must conform to the City of San Jose's Transportation Analysis Policy, Council Policy 5-1. The Council Policy, Transportation Analysis Handbook and other transportation analysis resources can be found at the Development Services website: <http://www.sanjoseca.gov/index.aspx?NID=3162>
- b) A formal Traffic Workslope Memo will be provided separately to applicant's traffic consultant.

3. Transportation and Street Improvements:

- a) Diridon Intermodal Station Planning and Integration:
 - i) Design development to integrate with key elements of DISC Partner Agency recommended Concept Layout, including the elevated station platforms and north/south track approaches. Continue to collaborate with City and DISC partners (Caltrain, VTA, HSR) on spatial layout and integration of station halls, adjacent plazas/public spaces, and the mixed-use development.
 - ii) Public plazas/public spaces should be active and clearly connected to the station. The application places the Primary Public Plaza east of Montgomery, surrounded by the Google development and away from Diridon Station.
 - iii) Orient buildings and ground floor active uses on Cahill toward the station. No driveways or back-of-house operations on Cahill between San Fernando and Santa Clara.
 - iv) In your next submittal, more clearly indicate potential right of way required for additional rail service and track—both for construction periods only and as permanent dedications.
- b) Design Montgomery Street to be a curbless street.
- c) Street sections shall conform to City Municipal Code Title 13 and Complete Streets Design Standards and Guidelines. Revise to include the following for all street sections:
 - i) Existing public right-of-way widths.
 - ii) Typical sidewalk dimensions.
 - iii) Typical curb-to-curb dimensions.
 - iv) Dedication needed for public street and/or sidewalk purposes.
- d) Provide proposed truck and shuttle routes and identify loading/unloading areas.
- e) Revise plans to show proposed connection from Auzerais Avenue to Royal Avenue as a private street.
- f) Consider pedestrian connection between housing/office site at northern project to the San Jose Market Center.
- g) Other requirements, including Lenzen Avenue connection, will be informed through Transportation Analysis findings.
- h) The project, particularly the north portion of the development, will be subject to CPUC and Federal regulations if train crossing modification(s) is proposed. Additional rail improvements may be required to establish Quiet Zones per FRA Train Horn Rule for the proposed residential use.

- i) Utilities should be coordinated with future BART project underground tunnel and station proposal.
 - j) Include public street improvements to Autumn Street from W. Santa Clara Street to W. St John Street per the Diridon Infrastructure Analysis.
4. **Flood:**
 - a) The project boundary crosses multiple floodplain zones (zone X, D, AO and A). Provide a separate plan sheet overlay showing all FEMA flood zones.
 - b) Underground parking and structure(s) shall not be allowed for residential use within 100 year floodplain. All residential units and related use must be elevated above the Base Flood Elevation (BFE) level. Non-residential or mixed use buildings may be either elevated or flood-proofed above the BFE.
 - c) For properties located within Zone A, submit a detailed analysis to establish Base Flood Elevation.
5. **Utilidor:**
 - a) Confirm the proposed Utilidors are within private properties, except at certain perpendicular street crossings as shown on the plans.
 - b) Minimize Utilidor crossings to proposed project properties, such as one per block.
 - c) Proposed private utilities crossing public right-of-way will require execution of a Major Encroachment Agreement and approval by City Council.
 - d) Provide approximate height and depth of the proposed utilidors.
 - e) Indicate where existing utilities need to be modified and/or relocated as a result of the proposed utilidor crossings.
6. **Street Vacation:**
 - a) A street vacation is required in order to accomplish the land use plan as shown. The street vacation process requires further discretionary approval by the City Council and the project will be subject to this process prior to Public Works Clearance. Provide title report(s) for the streets proposed to be vacated.
 - b) Indicate ingress/egress access at properties along Montgomery Street, north of W. St John Street, shown to be vacated.
7. **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. The proposed private bridge connections between office buildings may be allowed but will require a Major Encroachment Agreement approved by City Council.
8. **Sanitary:**
 - a) Construct sewer improvements in accordance to the Diridon Station Area Infrastructure Analysis. Particularly, the sewer improvements should include Julian Street (east and west of Montgomery Street) and Autumn Street (south of Santa Clara Street and south of St. John Street), and St. John (west of Pleasant Street).
 - b) The Illustrative Framework Plan (sheet 2.09) shows office use adjacent to Park Avenue where an existing 36" City Sanitary Sewer line exists. Clarify if the project proposes to relocate this City line and the planned new location of the line.

- c) Provide parcel level sewer discharge information.
 - d) If onsite treatment water reuse system is proposed, provide additional detail on size and capacity.
 - e) Construction of wastewater treatment plants, particularly in established neighborhoods, involve technical and community related challenges that must be evaluated in depth. The applicant must provide comprehensive studies/reports to address the following:
 - i) Odor generation and control, and odor impact on surrounding community.
 - ii) Noise impact outside of development area.
 - iii) Biosolids trucking and disposal.
 - iv) Amount of flow capacity required in the sanitary system.
 - v) Potential hydraulic impact, especially siphons.
 - vi) Sanitary system corrosion issues.
 - vii) Operational issues in the event of emergency discharge with high volume of wastewater.
 - viii) Impact of City revenue.
9. **Storm:**
- a) The Illustrative Framework Plan (sheet 2.09) shows office use at the existing Park Avenue pump station site. Clarify if the project proposes to relocate this pump station and the planned new location for the station.
 - b) Construct storm improvements in accordance to the Diridon Station Area Infrastructure Analysis. In addition to the segments shown on Grading & Drainage Plan (sheet 3.14), improvements should also include Santa Clara Street, west of Cahill Street.
10. **Private Streets:**
- a) Revise plans to show preliminary/conceptual private street cross section including street dimensions, cross slopes, curb & gutters, and sidewalks.
 - b) Final private street improvement plans may be required to the satisfaction of the Director of Public Works.
11. **Recycled Water:** The City has a considerable investment in a recycled water delivery system, and it is beneficial for Google to connect to already built infrastructure, rather than duplicating water treatment efforts. In addition to supporting existing investments, connecting to the recycled water system will expedite SWRCB approval and is negligible in cost compared to on-site treatment options.

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. 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 a Construction Agreement 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 current impact fee that includes all infrastructure categories is \$5.95 per s.f. of Office/R&D, \$3.98 per s.f. of retail, and \$2,665 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.

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. Undergrounding:

- a) Developer shall complete the underground conversion of the utility facilities along all new and widened/modified streets. Developer shall submit copies of executed utility agreements 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 2019 base fee is \$489 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.

8. Street Improvements:

- a) Construct curb, gutter, sidewalk and pavement along the following streets:
 - i) Cahill Street, from Park Avenue to northern project boundary.
 - ii) Autumn Street, from W. San Carlos Street to W. St John Street.
 - iii) W. Julian Street, from N. Montgomery Street to western project boundary.
 - iv) Park Avenue within project boundary.
 - v) San Carlos Avenue within project boundary.
 - vi) Santa Clara Street, between Cahill Street to Guadalupe River.
 - vii) All other project frontages within development boundary.
 - viii) 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 PD Permit 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.
9. **Revocable Encroachment 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 Revocable 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 Revocable 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.
- 10. **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.
- 11. **Street Trees:** The locations of the street trees will be determined at the street improvement stage. Contact the City Arborist at (408) 794-1901 for the designated street tree. Install street trees within public right-of-way along entire project street frontage per City standards; refer to the current “Guidelines for Planning, Design, and Construction of City Streetscape Projects”. Obtain a DOT street tree planting permit for any proposed street tree plantings.
- 12. **Private Streets:** Per Common Interest Development (CID) Ordinance, all common infrastructure improvements shall be designed and constructed in accordance with the current CID standards.
- 13. **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.

Vivian Tom
Senior Transportation Specialist
Development Services Division