

From: [Phan, Johnny](#)
To: [Downtown West Project](#)
Subject: FW: DW -- Clean-Up Edits
Date: Tuesday, May 18, 2021 12:21:15 PM
Attachments: [Clean up Edits \(GPA DSAP PD Zone\).docx](#)

From: MWChan@perkinscoie.com <MWChan@perkinscoie.com>
Sent: Wednesday, May 12, 2021 12:52 PM
To: Phan, Johnny <Johnny.Phan@sanjoseca.gov>
Cc: Gray, Matthew S. (SFO) <mgray@perkinscoie.com>
Subject: RE: DW -- Clean-Up Edits

[External Email]

Johnny, thank you. Please find attached suggested clean-up edits to the GPA, DSAP, and PD Zoning. Please let me know if any questions. Thanks,

Michelle

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D. +1.415.344.7019
E. MWChan@perkinscoie.com

From: Phan, Johnny <Johnny.Phan@sanjoseca.gov>
Sent: Wednesday, May 12, 2021 11:30 AM
To: Chan, Michelle W. (SFO) <MWChan@perkinscoie.com>
Cc: Gray, Matthew S. (SFO) <MGray@perkinscoie.com>
Subject: RE: DW -- Clean-Up Edits

Thanks. Clarifications are fine. Will be made in final drafts for posting. Johnny

Johnny V. Phan

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From: MWChan@perkinscoie.com <MWChan@perkinscoie.com>

Sent: Wednesday, May 12, 2021 10:58 AM

To: Phan, Johnny <Johnny.Phan@sanjoseca.gov>

Cc: Gray, Matthew S. (SFO) <mgray@perkinscoie.com>

Subject: DW -- Clean-Up Edits

[External Email]

Johnny,

Please find attached suggested clean-up edits to the ALUC and Landmark Adjustment resolutions. Please let us know if you have any questions. Thanks,

Michelle

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COUNSEL

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1. General Plan

Page 4, AB 900 WHEREAS clauses

WHEREAS, on December 30, 2019, Governor Gavin Newsom certified the Project as an environmental leadership development project under Public Resources Code § 21178 *et. seq.* the Jobs and Economic Improvement through Environmental Leadership Act of 2011 (Assembly Bill [AB] 900, as amended by Senate Bill 734 [2013], AB 246 [2017], and Senate Bill 7 [2021], which is currently pending approval ~~in the California State Legislature~~); and

WHEREAS, the Project has complied with requirements related to AB 900 as of the date of adoption of this Ordinance and would comply with post-adoption AB 900 requirements if AB 7 is ~~enacted~~adopted by the California State Legislature; and

2. DSAP

Page 4, AB 900 WHEREAS clauses

WHEREAS, on December 30, 2019, Governor Gavin Newsom certified the Project as an environmental leadership development project under Public Resources Code Section 21178 *et seq.*, the Jobs and Economic Improvement through Environmental Leadership Act of 2011 (Assembly Bill [AB] 900, as amended by Senate Bill 734 [2013], AB 246 [2017], and Senate Bill 7 [2021], which is currently pending approval); and

WHEREAS, the Project has complied with the requirements related to AB 900 as of the date of adoption of this Resolution and would comply with post-adoption AB 900 requirements if AB 7 is enacted; and

3. PD Zoning

Page 4, AB 900 WHEREAS clauses

WHEREAS, On December 30, 2019, Governor Gavin Newsom certified the Project as an environmental leadership development project under Public Resources

Code § 21178 *et. seq.* the Jobs and Economic Improvement through Environmental Leadership Act of 2011 (Assembly Bill [AB] 900, as amended by Senate Bill 734 [2013], AB 246 [2017], and Senate Bill 7 [2021], which is currently pending approval); and

WHEREAS, the Project has complied with requirements related to AB 900 as of the date of adoption of this Ordinance and would comply with post-adoption AB 900 requirements if AB 7 is enacted; and

Page 27, last paragraph

The zoning for the PG&E Property shall remain Light Industrial until Google provides documentation to the Director of PBCE demonstrating that PG&E has authorized the inclusion of the PG&~~7~~E Property within the boundary of the Downtown West PD Zoning District, and the CPUC has provided the requested authorization.