

Meeting Date: 1/12/10

Santa Clara



# AGENDA REPORT

Agenda Item # 4B-1



RDA

City of Santa Clara, California

**Date:** January 7, 2010

**To:** City Manager for Council Action  
Executive Director for Redevelopment Agency Action

**From:** Director of Planning and Inspection

**Subject:** Set March 9, 2010 for Joint Public Hearing of the City Council and Redevelopment Agency on March 9, 2010 for the purposes of considering the Redevelopment Plan Amendment (No. 20) and the Final EIR, and for Submission by the Redevelopment Agency of the Plan to the Planning Commission and the City Council

## EXECUTIVE SUMMARY:

On December 15, 2009, the City Council certified the Environmental Impact Report (EIR) prepared for the various pending actions related to the proposed 49ers Santa Clara Stadium Project at 4900 Centennial Boulevard. It is anticipated that the public vote by the citizens of Santa Clara regarding the stadium will be on a June 2010 ballot as a result of either a citizen initiative process or a resolution of the City Council. This determination is not final at this time.

If the voters ultimately support the stadium proposal, the specific stadium project approval by the City would then be processed as the PD rezoning application and related actions following the election. In the intervening period, the City Council and the Redevelopment Agency could consider the General Plan and the Redevelopment Plan amendments that have been prepared and addressed in the EIR and that are underlying elements of the stadium project. These plan elements alone do not represent the stadium approval, but were they to be approved by the City and Agency prior to the vote, neither would they need to be voided as they are not specific to only this proposal.

The language prepared for the General Plan and the Redevelopment Plan amendments is identical to the language presented and evaluated in the certified stadium EIR. If the City Council chooses to act favorably upon either plan amendment following the Joint Public Hearing, certain findings will be required to be made with respect to the environmental impacts identified in the certified EIR.

Staff has prepared resolutions for the City Council and the Redevelopment Agency to each set a Joint Public Hearing on March 9, 2010 to consider the proposed Redevelopment Plan Amendment (No. 20) concurrently with the General Plan Amendment. The City Clerk would circulate a notice of the Joint Public Hearing as required by California Redevelopment Law.

In addition, the Redevelopment Agency would, by resolution, refer the proposed Redevelopment Plan Amendment to both the Planning Commission and the City Council for review leading up to the Joint Public Hearing. The Planning Commission is responsible to make findings that the Redevelopment Plan Amendment is consistent with the City's General Plan, and they may forward a recommendation on the Redevelopment Plan Amendment to the City Council.

**ADVANTAGES AND DISADVANTAGES OF ISSUE:**

Holding a Joint Public Hearing of the City Council and the Redevelopment Agency will meet the requirements of California Community Redevelopment Law (Health and Safety Code Section 33000, et seq) with regard to amending a Redevelopment Plan. Submission of the Plan to the Planning Commission will provide an opportunity to affirm consistency between the General Plan and the Redevelopment Plan.

**ECONOMIC/FISCAL IMPACT:**

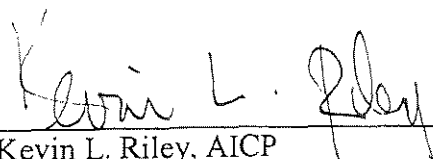
There is no cost to the City other than administrative staff time and expense.

**RECOMMENDATION:**

That the Council Adopt the Resolution Authorizing a Joint Public Hearing on March 9, 2010 with the Redevelopment Agency to consider the proposed Amendment No. 20 to the Redevelopment Plan for the Bayshore North Project, and the accompanying Final Environmental Impact Report and final report to the City Council.

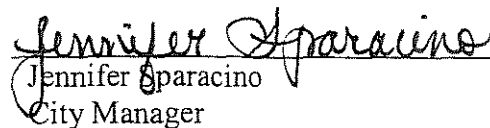
That the Agency Adopt the Resolution Authorizing a Joint Public Hearing on March 9, 2010 with the City Council to consider the proposed Amendment No. 20 to the Redevelopment Plan for the Bayshore North Project, and the accompanying Final Environmental Impact Report and final report to the City Council.

Further, that the Agency Adopt the Resolution Authorizing Submission to the City Council and the Planning Commission of the Proposed Amendment No. 20 to the Redevelopment Plan for the Bayshore North Project and the final City Council Report and the Final Environmental Impact Report for the Proposed Plan Amendment.



Kevin L. Riley, AICP  
Director of Planning and Inspection

APPROVED:



Jennifer Sparacino  
City Manager  
Executive Director for Redevelopment Agency

***Documents Related to this Report:***

- 1) ***Council Resolution Authorizing a Joint Public Hearing with the Redevelopment Agency***
- 2) ***Agency Resolution Authorizing a Joint Public Hearing with the City Council***
- 3) ***Agency Resolution Authorizing Submission to the City Council and the Planning Commission of the Proposed Redevelopment Plan Amendment***
  - a) ***Attachment A: Amendment No. 20 to Redevelopment Plan***
  - b) ***Attachment B: Report on Amendment No. 20 to Redevelopment Plan***

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA AUTHORIZING A JOINT PUBLIC HEARING WITH THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA CLARA TO CONSIDER THE PROPOSED AMENDMENT NO. 20 TO THE REDEVELOPMENT PLAN FOR THE BAYSHORE NORTH PROJECT, AND THE ACCOMPANYING FINAL ENVIRONMENTAL IMPACT REPORT AND FINAL REPORT TO THE CITY COUNCIL**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, AS FOLLOWS:**

**WHEREAS**, the Redevelopment Agency of the City of Santa Clara, has prepared the Amendment No. 20 to the Redevelopment Plan (the "Plan Amendment") for the Bayshore North Project (the "Project Area"), together with an accompanying Report to City Council (the "Report"), and an accompanying Final Environmental Impact Report (the "Final EIR", including a Draft Environmental Impact Report (the "Draft EIR") and a document containing responses to written comments received on and revisions to the Draft EIR); and

**WHEREAS**, the Agency has authorized submittal of the Plan Amendment, Report, and the Final EIR to the Planning Commission for their report and recommendations and to the City Council of the City of Santa Clara (the "City Council") for their review; and

**WHEREAS**, pursuant to the California Community Redevelopment Law, (Health and Safety Code Section 33000 et seq.; the "CRL"), the City Council desires to hold a joint public hearing (the "Joint Public Hearing") with the Agency on Tuesday, March 9, 2010 commencing at 7:00 o'clock p.m. at the City Council Chambers, located at 1500 Warburton Avenue, Santa Clara, California, for the purpose of considering the Plan Amendment, the Final EIR, and the Report; and

**WHEREAS**, any person or organization desiring to be heard at that Joint Public Hearing will be afforded an opportunity to do so. To that end, and pursuant to the CRL, the City Council desires

the publication of a legal notice of the Joint Public Hearing (the "Notice") in a newspaper of general circulation. The City Council further desires that the Notice be sent to all property owners, businesses and residents within the boundaries of the Project Area as more particularly set forth below. A copy of the Notice, substantially in the form to be published and mailed, is on file with the City Clerk and the Agency Secretary, and is incorporated in this Resolution by this reference; and

**WHEREAS**, the City Council further desires that copies of the Notice be mailed to each taxing agency levying taxes on any property in the Project Area, as more particularly set forth below.

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, AS FOLLOWS:**

1. That the City Council hereby approves the convening of the Joint Public Hearing with the Agency on March 9, 2010 at 7:00 o'clock p.m., at the City Council Chambers, located at 1500 Warburton Avenue, Santa Clara, California, for purposes of considering the Plan Amendment, the Final EIR, and the Report.

2. That upon approval by the Agency of the Joint Public Hearing, the City Clerk/Agency Secretary and the Executive Director of the Agency are directed to:

(a) publish the Notice, substantially in the form on file with the City Clerk/Agency Secretary, not less than once a week for four successive weeks prior to the Joint Public Hearing in the Santa Clara Weekly;

(b) mail a copy of the Notice to the last known assessee of each parcel of land in the Project Area, at the assessee's last known address as shown on the last equalized assessment roll of Santa Clara County;

(c) mail a copy of the Notice to the occupant of each address in the Project Area, thereby providing additional notice to businesses and residents in the Project Area; and

(d) mail a copy of the Notice to the governing body of each of the taxing agencies which levies taxes upon any property in the Project Area.

All mailings as herein above provided shall be by regular first class mail, except for the mailing described in paragraph (d) above, which shall be by certified mail with return receipt requested.

3. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The City of Santa Clara hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 12<sup>th</sup> DAY OF JANUARY, 2010, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:
NOES:	COUNCILORS:
ABSENT:	COUNCILORS:
ABSTAINED:	COUNCILORS:

ATTEST: \_\_\_\_\_  
ROD DIRIDON, JR.  
CITY CLERK  
CITY OF SANTA CLARA

Attachments Incorporated by Reference: None

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**RESOLUTION NO. \_\_\_\_\_ (RA)**

**A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA CLARA, CALIFORNIA, AUTHORIZING A JOINT PUBLIC HEARING WITH THE CITY COUNCIL OF THE CITY OF SANTA CLARA TO CONSIDER THE PROPOSED AMENDMENT NO. 20 TO THE REDEVELOPMENT PLAN FOR THE BAYSHORE NORTH PROJECT, AND THE ACCOMPANYING FINAL ENVIRONMENTAL IMPACT REPORT AND FINAL REPORT TO THE CITY COUNCIL**

**BE IT RESOLVED BY THE AGENCY BOARD OF THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA CLARA, AS FOLLOWS:**

**WHEREAS**, the Redevelopment Agency of the City of Santa Clara, has prepared the Amendment No. 20 to the Redevelopment Plan (the "Plan Amendment") for the Bayshore North Project (the "Project Area"), together with an accompanying Report to City Council (the "Report"), and an accompanying Final Environmental Impact Report (the "Final EIR", including a Draft Environmental Impact Report (the "Draft EIR") and a document containing responses to written comments received on and revisions to the Draft EIR); and

**WHEREAS**, the Agency has authorized submittal of the Plan Amendment, the Report, and the Final EIR to the Planning Commission for their report and recommendations and to the City Council of the City of Santa Clara (the "City Council"); and

**WHEREAS**, pursuant to the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.; the "CRL"), the Agency desires to hold a joint public hearing (the "Joint Public Hearing") with the City Council on Tuesday, March 9, 2010 commencing at 7:00 o'clock p.m. at the City Council Chambers, located at 1500 Warburton Avenue, Santa Clara, California, for the purpose of considering the Plan Amendment, the Final EIR, and the Report; and

**WHEREAS**, any person or organization desiring to be heard at that Joint Public Hearing will be afforded an opportunity to do so. To that end, and pursuant to the CRL, the Agency desires the publication of a legal notice of the Joint Public Hearing (the "Notice") in a newspaper of general circulation. The Agency further desires that the Notice be sent to all property owners, businesses and residents within the boundaries of the Project Area, as more particularly set forth below. A copy of the Notice, substantially in the form to be published and mailed, is on file with the City Clerk and Agency Secretary, and is incorporated into this Resolution by this reference; and

**WHEREAS**, the Agency further desires that copies of the Notice be mailed to each taxing agency levying taxes on any property in the Project Area, as more particularly set forth below.

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE AGENCY BOARD OF THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA CLARA, AS FOLLOWS:**

1. That the Agency approves the convening of the Joint Public Hearing with the City Council on March 9, 2010 at 7:00 o'clock p.m. at the City Council Chambers located at 1500 Warburton Avenue, Santa Clara, California, for the purposes of considering the Plan Amendment, the Final EIR, and the Report.

2. That upon approval by the City Council of the Joint Public Hearing, the City Clerk/Agency Secretary and the Executive Director of the Agency are directed to:

(a) publish the Notice, substantially in the form on file with the City Clerk/Agency Secretary, not less than once a week for four successive weeks prior to the Joint Public Hearing in the Santa Clara Weekly;

(b) mail a copy of the Notice to the last known assessee of each parcel of land in the Project Area, at the assessee's last known address as shown on the last equalized assessment roll of Santa Clara County;

(c) mail a copy of the Notice to the occupant of each address in the Project Area, thereby providing additional notice to businesses and residents in the Project Area; and

(d) mail a copy of the Notice to the governing body of each of the taxing agencies which levies taxes upon any property in the Project Area.

All mailings as herein above provided shall be by regular first class mail, except for the mailing described in paragraph (d) above, which shall be by certified mail with return receipt requested.

3. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The City of Santa Clara hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

4. Effective Date. This Resolution shall become effective immediately.



I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE AGENCY BOARD OF THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA CLARA, AT A REGULAR MEETING THEREOF HELD ON THE 12<sup>th</sup> DAY OF JANUARY, 2010, BY THE FOLLOWING VOTE:

AYES: AGENCY BOARD MEMBERS:

NOES: AGENCY BOARD MEMBERS:

ABSENT: AGENCY BOARD MEMBERS:

ABSTAINED: AGENCY BOARD MEMBERS:

ATTEST:

\_\_\_\_\_  
ROD DIRIDON, JR.  
SECRETARY  
REDEVELOPMENT AGENCY OF  
THE CITY OF SANTA CLARA

Attachments Incorporated by Reference: None

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**RESOLUTION NO. \_\_\_\_\_ (RA)**

**A RESOLUTION OF THE REDEVELOPMENT AGENCY  
OF THE CITY OF SANTA CLARA, CALIFORNIA,  
AUTHORIZING SUBMISSION TO THE CITY COUNCIL  
AND THE PLANNING COMMISSION OF THE PROPOSED  
AMENDMENT NO. 20 TO THE REDEVELOPMENT PLAN  
(THE "PLAN AMENDMENT") FOR THE BAYSHORE  
NORTH PROJECT AND THE ACCOMPANYING REPORT  
TO CITY COUNCIL AND FINAL ENVIRONMENTAL  
IMPACT REPORT FOR THE PROPOSED PLAN  
AMENDMENT**

**WHEREAS**, the Redevelopment Agency of the City of Santa Clara, has prepared the proposed Amendment No. 20 to the Redevelopment Plan for the Bayshore North Project (the "Plan Amendment"), together with an accompanying Report to City Council (the "Report") prepared in accordance with the requirements of Health and Safety Code Sections 33352 and 33457.1, and an accompanying Final Environmental Impact Report prepared in accordance with the requirements of the California Environmental Quality Act and related state and local guidelines (the "Final EIR", including a Draft Environmental Impact Report (the "Draft EIR") and a document containing responses to written comments received on and revisions to the Draft EIR); and

**WHEREAS**, pursuant to the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.; the "CRL"), the Agency desires that a public hearing (the "Joint Public Hearing") on the Plan Amendment and the accompanying Plan Amendment Report and Final EIR be jointly convened by the Agency and the City Council of the City of Santa Clara (the "City Council") on March 9, 2010 at 7:00 o'clock p.m.; and

**WHEREAS**, pursuant to the CRL, the Plan Amendment, the Report and the Final EIR must also be formally submitted to the Planning Commission for its review and recommendation prior to the Joint Public Hearing; and

**WHEREAS**, pursuant to the CRL, the Plan Amendment, the Report, and the Final EIR must also be formally submitted to the City Council for its review prior to the Joint Public Hearing; and

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE AGENCY BOARD OF THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA CLARA, AS FOLLOWS:**

1. That the Agency hereby adopts the Report in accordance with Health and Safety Code Section 33333.11(h).
2. That the Executive Director of the Agency is hereby authorized to submit the Plan Amendment, the Report, and the Final EIR to the City Council and the Planning Commission for their review prior to the Joint Public Hearing.
3. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The City of Santa Clara hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.
4. Effective Date. This Resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE AGENCY BOARD OF THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA CLARA, AT A REGULAR MEETING THEREOF HELD ON THE 12<sup>th</sup> DAY OF JANUARY, 2010, BY THE FOLLOWING VOTE:

AYES: AGENCY BOARD MEMBERS:

NOES: AGENCY BOARD MEMBERS:

ABSENT: AGENCY BOARD MEMBERS:

ABSTAINED: AGENCY BOARD MEMBERS:

ATTEST: \_\_\_\_\_  
ROD DIRIDON, JR.  
SECRETARY  
REDEVELOPMENT AGENCY OF  
THE CITY OF SANTA CLARA

Attachments Incorporated by Reference:

- 1. Attachment A: Amendment No. 20 to Redevelopment Plan for Bayshore North Project
- 2. Attachment B: Report on Amendment No. 20 to Redevelopment Plan for Bayshore North Project

I:\PLANNING\2010\CC -CM 2010\01-12-2010\RDA submit Plan to PC-CC Reso-IMANDB\_782163\_1 (2).DOC

AMENDMENT NO. 20 TO REDEVELOPMENT PLAN  
FOR THE BAYSHORE NORTH PROJECT

City of Santa Clara

and

Redevelopment Agency of the City of Santa Clara

January \_\_\_, 2010

**Amendment No. 20 to Redevelopment Plan  
For the Bayshore North Project**

**I. INTRODUCTION**

The Redevelopment Plan for the Bayshore North Project, dated August 22, 1973, adopted on December 28, 1973 by the City Council of the City of Santa Clara by Ordinance No. 1285, amended by the City Council by Ordinance No. 1347 adopted on March 1, 1977 (Amendments No. 1-8), amended by the City Council by Ordinance No. 1489 adopted on January 24, 1984 (Amendments No. 9-13), amended by the City Council by Ordinance No.1535 adopted on October 22, 1985 (Amendments No. 14-15), amended by the City Council by Ordinance No.1560 adopted on November 25, 1986 (Health and Safety Code Section 33333.4 Time Limit Amendment), amended by the City Council by Ordinance No. 1614 adopted on May 15, 1990 (Amendment No. 16), amended by the City Council by Ordinance No.1667 adopted on December 6, 1994 (AB 1290 Time Limit Amendment), amended by the City Council by Ordinance No. 1704 on October 21, 1997 (Amendment No. 17), amended by the City Council by Ordinance No. 1716 adopted on September \_\_, 1998 (Amendment No. 18), amended by the City Council by Ordinance No. 1743 adopted on October 26, 1999 (Amendment No. 19), amended by the City Council by Ordinance No. 1702 adopted on June 29, 2004 (ERAF 1-Year Extension Amendment), and amended by the City Council by Ordinance No. 1816 adopted on March \_\_, 2007 (ERAF 2-year Extension Amendment) (the "Plan"). The Plan established the Bayshore North Project (the "Project Area"), as shown on the Project Area boundary in Exhibit A attached and incorporated herein, and as further described in Exhibit B attached hereto and incorporated herein. This amendment No. 20 (the "Amendment") has been prepared by the Redevelopment Agency of the City of Santa Clara to Amend Subsection 2 and 4 of Section III. Land Use in the following particulars.

**II. AMENDMENT TO PLAN**

**AMENDMENT NO. 20**

Section III.2 of the Plan is hereby deleted in its entirety and amended to read as follows:

**2) Recreational**

The following areas are intended to include facilities and open space whose primary purpose is recreation. Building height and coverage, where applicable, should be considerate of the most restrictive adjacent land use.

The area generally southerly of Yerba Buena Way but northerly of Stars and Stripes Drive and northeasterly of San Tomas Aquino Creek between Great America Parkway and the Union Pacific Railroad Tracks/Lafayette Street, is primarily a closed landfill site on which is located the Santa Clara Golf Club and Tennis Club, restaurant and banquet facilities (approximately 121 acres total). A public safety facility, Fire Station #10, is located in this area north of Stars and Stripes Drive and east of Centennial

Boulevard. Pedestrian bridges connect the first holes of the golf course to the last holes across Lafayette Street, as well as to the Santa Clara Convention Center complex. The recreational designation also applies to that area at the southeast corner of Centennial Boulevard and Tasman Drive, totaling approximately 22 acres. While not limited to such uses, that area contains a youth-oriented Soccer Facility with three playing fields and the San Francisco 49er's Football Training Facility near the Santa Clara Great America Train Station. The boundary between this area and the adjoining Tourist Commercial and Parking area to the west across Centennial Boulevard may be adjusted to accommodate uses in the Tourist Commercial and Parking Area.

Section III.4 of the Plan is hereby deleted in its entirety and amended to read as follows:

#### **4) Tourist Commercial and Parking**

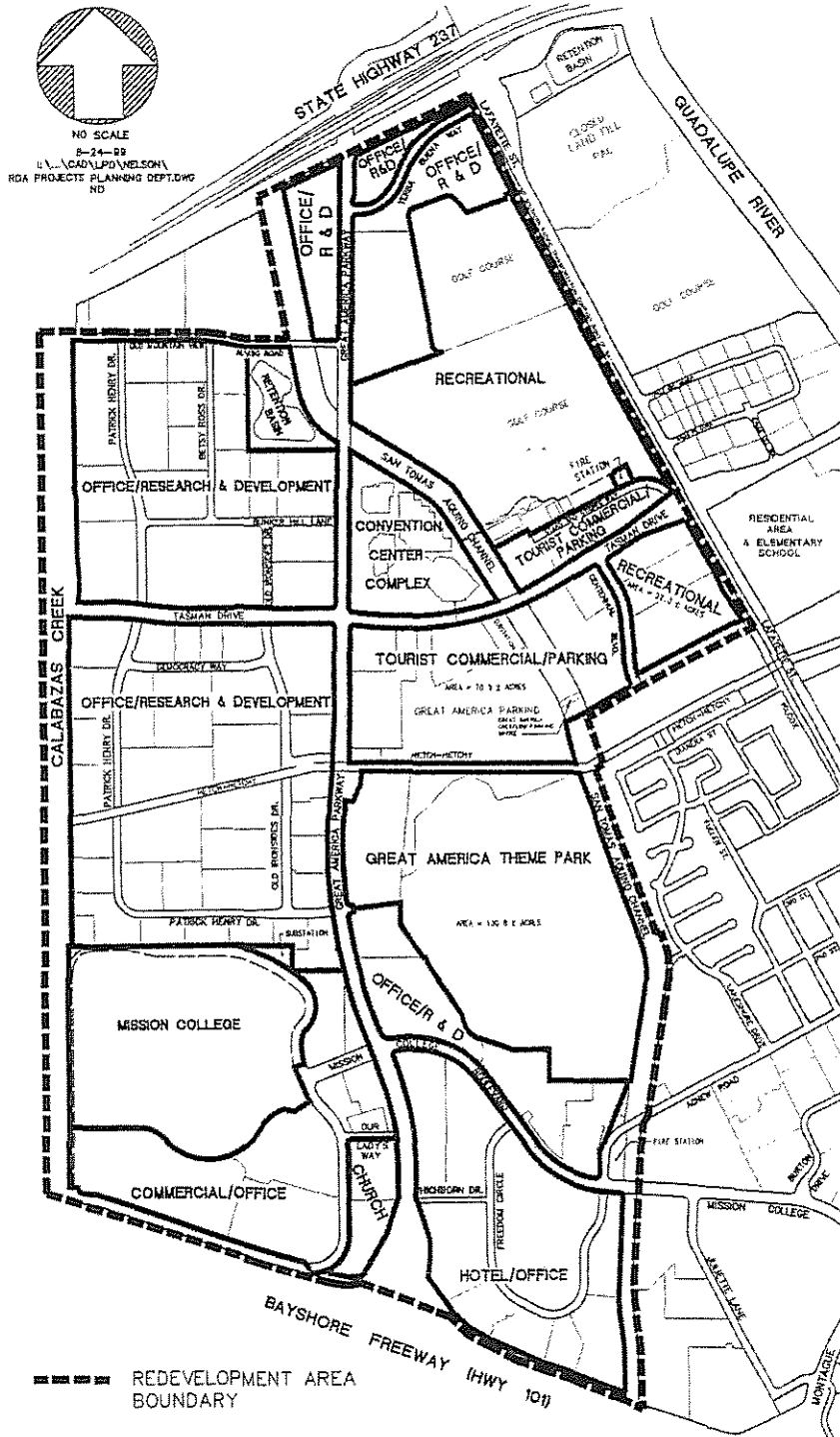
Located generally between Stars and Stripes Drive and Tasman on both sides of Centennial Boulevard and southeasterly of Great America Parkway and Tasman Drive to Centennial Boulevard, these areas are near the Great America Theme Park and the City's Convention Center, and adjacent to the Tasman Light Rail Line. Quality hotel, office, recreation and other tourist-oriented uses such as theaters, museums, stadiums and arenas and specialty retail and restaurants are encouraged within this designation and private and public development funds may be used as permitted by law. Building height typically does not exceed 150 feet, except that a stadium may be as high as 200 feet. Besides landscaped surface parking areas, the City may construct a parking structure across Tasman Drive or in other areas currently in use for surface parking for public users of the facilities at the Convention Center, theme park and other nearby uses. The boundary between this area and the adjoining Recreational area to the east across Centennial Boulevard may be adjusted to accommodate uses in the Tourist Commercial and Parking Area.

### **III. EFFECT OF AMENDMENT**

All provisions of the Plan not specifically amended in this Amendment shall continue in full force and effect.

# EXHIBIT A

## Project Area Boundary Map



### BAYSHORE NORTH REDEVELOPMENT PROJECT

AMENDMENT 19

DATE: SEPTEMBER 3, 1995



## EXHIBIT B

### Project Area Legal Description

#### APPENDIX B BOUNDARY DESCRIPTION - NORTH BAYSHORE PROJECT

All the real property situate partially within the City of Santa Clara and wholly within the County of Santa Clara and State of California described as follows:

Beginning at the point of intersection of the line common to Section 16 and Section 21, Township 6S, Range 1W, M.D.B. & M. with a line parallel with and 57.5 feet easterly of, measured at right angles to, the west section line of said Section 21;

Thence, from said Point of Beginning, northerly along a circular curve, having a radius of 1442.50 feet, tangent to said parallel line, concave to the east, through a central angle of  $11^{\circ} 14' 09''$  an arc length of 282.88 feet;

Thence, northerly along a reverse curve having a radius of 1557.50 feet, concave to the west, through a central angle of  $4^{\circ} 47' 51''$  an arc length of 130.41 feet to a point in a non-tangent line parallel with and 105.00 feet easterly of, measured at right angles to, the west section line of said Section 16;

Thence, along said non-tangent parallel line North  $0^{\circ} 04' 13''$  West, 2319.80 feet, more or less, to the centerline of Old Mountain View-Alviso Road;

Thence, along said centerline South  $89^{\circ} 50' 13''$  East, 55.00 feet, to a line parallel with and 160.00 feet easterly of, measured at right angles to, said west section line of Section 16;

Thence, along last said parallel line North  $0^{\circ} 04' 13''$  West, 30.00 feet, to the northerly line of Old Mountain View-Alviso Road;

Thence, along said northerly line, North  $89^{\circ} 50' 13''$  West, 1988.71 feet, to the westerly line of San Tomas Aquino Creek right-of-way;

Thence, along said westerly right-of-way line, North  $11^{\circ} 52' 40''$  West, 1485.71 feet, to the southerly right-of-way line of State Highway 237;

Thence, along said southerly right-of-way line North  $62^{\circ} 10' 07''$  East, 1216.15 feet;

Thence, continuing along said southerly right-of-way line North  $62^{\circ} 58' 07''$  East, 810.26 feet, to the westerly line of Southern Pacific Company right-of-way (50 feet in width);

Thence, along last said westerly line southerly along a non-tangent circular curve having a radius of 3254.66 feet, concave to the southwest, through a central angle of  $5^{\circ} 11' 19''$  an arc length of 294.74 feet;

Thence, continuing along last said westerly line, tangent to last said curve South  $28^{\circ} 18' 10''$  East, 4174.63 feet to the northerly right-of-way line of Tasman Drive (proposed);

Thence, along last said northerly right-of-way line the following 5 courses:

North 61° 41' 50" East, 70.00 feet to the centerline of Lafayette Street (formerly Santa Clara-Alviso Road - 40 feet in width);

North 61° 30' 40" East, 82.28 feet;

North 66° 50' 52" East, 215.48 feet;

North 70° 26' 23" East, 399.23 feet;

North 61° 35' 32" East, 208.00 feet;

Thence, leaving last said northerly right-of-way line, South 27° 54' 28" East, 100.00 feet, to the southerly right-of-way line of Tasman Drive (proposed);

Thence, along last said southerly right-of-way line the following 6 courses:

South 61° 35' 32" West, 208.00 feet;

South 60° 06' 23" West, 193.00 feet;

South 58° 06' 23" West, 150.00 feet;

South 59° 30' 28" West, 267.49 feet;

South 61° 30' 40" West, 80.87 feet;

South 61° 41' 50" West, 70.00 feet, to said westerly line of Southern Pacific Transportation Company right-of-way;

Thence, along last said westerly line South 28° 18' 10" East, 1131.28 feet, more or less, to the southeasterly line of that certain Record of Survey recorded in Book 60 of Maps at page 6, Santa Clara County Records;

Thence, along said southeasterly line, South 61° 29' 50" West, 1777.27 feet, to the easterly line of San Tomas Aquino Creek right-of-way (120 feet in width);

Thence, along said easterly right-of-way the following 7 courses:

South 11° 22' 55" East, 192.45 feet;

South 15° 55' 15" East, 296.02 feet;

South 20° 19' 40" East, 1674.74 feet;

Southerly along a tangent circular curve, having a radius of 1060.00 feet, concave to the west, through a central angle of 30° 00' 05" an arc length of 555.04 feet;

Tangent to last said curve, South 9° 40' 25" West, 1155.60 feet, to the centerline of Agnew Road;

Continuing South 9° 40' 25" West, 91.74 feet;

South 4° 07' 46" west, 573.96 feet;

Thence, leaving said easterly right-of-way line South 85° 52' 14" East, 300.00 feet;

Thence, South 4° 07' 46" West, 150.00 feet;

Thence, North 85° 52' 14" West, 300.00 feet, to said easterly right-of-way line of San Tomas Aquino Creek;

Thence, along said easterly right-of-way line the following 4 courses:

South 4° 07' 46" West, 569.44 feet;

South 0° 24' 49" West, 288.53 feet;

South 7° 45' 46" East, 399.50 feet;

South 0° 03' 58" East, 545.48 feet to the northerly right-of-way line of State Highway 101;

Thence, continuing South 0° 03' 58" East, 230.15 feet to a point parallel with and 115 feet southerly of, measured at right angles to, the "C" line of State Highway 101 (Bayshore Highway) as said "C" line is shown on that Right-of-Way Record Maps R40A.12 and R40A.13, said parallel line being the southerly line of the proposed widened right-of-way of said State Highway;

Thence, along said southerly line of the proposed widened right-of-way of State Highway 101 and interchange at Bowers Avenue the following 15 courses:

North 70° 15' 14" West, 1036.5 feet, more or less;

North 74° 45' 14" West, 545 feet;

North 71° 45' 14" West, 622 feet;

Along a tangent circular curve having a radius of 200 feet concave to the south through a central angle of 77° 25' an arc length of 270.24 feet;

Tangent to last said curve, South 30° 49' 46" West, 472 feet;

South 20° 49' 46" West, 280 feet, to a point in the easterly line of Bowers Avenue (120 feet wide)

North 87° 10' 14" West, 120 feet, to a point in the westerly line of said Bowers Avenue;

North 9° 10' 14" West, 177 feet;

North 4° 34' 46" East, 382 feet;

Along a tangent circular curve having a radius of 100 feet concave to the west through a central angle of 52° 40' an arc length of 91.92 feet;

Tangent to last said curve, North 48° 05' 14" West, 493 feet;

North  $50^{\circ} 15' 14''$  West, 394 feet;

Along a tangent circular curve having a radius of 2150 feet, concave to the southwest through a central angle of  $13^{\circ} 30'$  an arc length of 506.58 feet;

Tangent to last said curve North  $63^{\circ} 45' 14''$  West, 410 feet to a point in the southerly right-of-way line of Duane Avenue;

Along said right-of-way of Duane Avenue North  $70^{\circ} 15' 14''$  West, 1118 feet to the line common to Section 28 and Section 29, MDB&M;

Thence, along said line common to Section 28 and Section 29, North  $0^{\circ} 02' 04.5''$  West, 152.38 feet, to corner common to Sections 20, 21, 28 and 29, MDB&M;

Thence, along the line common to said Section 20 and Section 21, North  $0' 00' 25''$  West, 2648.57 feet to the  $1/4$  Section corner as shown at the westerly terminus of that certain course North  $89^{\circ} 40' 25''$  East, 2647.51 feet as shown upon that Record of Survey recorded in Book 60 of Maps at page 7, Santa Clara County Records;

Thence, along said course, North  $89^{\circ} 38' 30''$  East, 57.50 feet to first said parallel line;

Thence, along first said parallel line, North  $0^{\circ} 00' 25''$  West, 2648.56 feet, more or less, to the Point of Beginning.

REPORT ON AMENDMENT NO. 20 TO  
REDEVELOPMENT PLAN FOR  
THE BAYSHORE NORTH PROJECT

January \_\_, 2010

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## I. INTRODUCTION

Pursuant to the California Community Redevelopment Law (Health and Safety Code Section 33000 et. seq.)(the "CRL"), the following report is submitted by the Redevelopment Agency of the City of Santa Clara (the "Agency") to the City of Santa Clara City Council (the "City Council") as the Report on Amendment No. 20 to the Redevelopment Plan for the Bayshore North Project (the "Plan").

The purpose for Amendment No. 20 (the "Amendment") is to make a technical changes to "Section III - Land Use" of the Plan.

Specifically the Amendment would:

1. Delete and replace in its entirety Section III.2 of the Plan to update the Recreational land uses contemplated under the Plan.
2. Delete and replace in its entirety Section III.4 of the Plan to update the Tourist Commercial and Parking land uses contemplated under the Plan.

These changes correspond to a General Plan amendment adopted by the City Council concurrently with the Amendment.

All Code Section references in this Report are to the Health and Safety Code unless otherwise specified. This Report has been prepared pursuant to the CRL and to meet the specific requirements of the Section 33457.1, which states in relevant part:

To the extent warranted by a proposed amendment to a redevelopment plan, . . . (2) the reports and information required by Section 33352 shall be prepared and made available to the public prior to the hearing on such amendment.

Because of the very narrow scope of the currently proposed amendment to the Plan, a limited number of the reports and analyses required pursuant to Section 33352 are relevant and merit discussion in this Report, inapplicable requirements will be designated as such.

Supplements to this Report may be prepared and submitted to the City Council prior to its action on the ordinance to adopt the currently proposed Amendment.

## II. §33352(a) REASON FOR SELECTION OF PROJECT AREA

This section of the Report is required to set forth the reason for the selection of the project area, a description of the projects proposed by the Agency and how those projects will improve or alleviate blighting conditions in the Project Area.

In its current form, the Plan identifies a Project Area of approximately 1200 acres in the City's northwest corner, bounded roughly by the Bayshore Freeway, Calabazas Creek, Mountain View-Alviso Road, State Route 237, Lafayette Street and San Tomas Creek. The Plan calls for improvements to streets and public facilities to facilitate the conversion of the Project Area from primarily uneconomic agricultural uses to a mix of commercial, industrial, recreational,

municipal, educational, and other uses. The Amendment will not change the boundaries of the selected Project Area.

Since the City Council definitively set forth a list of contemplated projects and described how those projects would improve or alleviate blighting conditions in the Project Area prior to adoption of the Plan in 1973, and because the Amendment does not change the list of contemplated projects under the Plan, no further description of the projects or of how those projects will improve or alleviate blighting conditions in the Project Area are required at this time and none are included in this Report.

III. §33352(b) DESCRIPTION OF PHYSICAL AND ECONOMIC BLIGHT

This section of the Report is required to set forth the blighting conditions which entitle a Project Area to qualify for redevelopment. The original blight analysis was completed prior to the City Council's adoption of the Redevelopment Plan in 1973, and served as the basis for the City Council's finding, at that time, as required by Section 33367(d)(1), that the Project Area was a blighted area, the redevelopment of which was necessary to effectuate public purposes.

Since the basis for the blight findings was definitively established in 1973, and because the Amendment does not change the Project Area boundaries in any way, no further descriptions of the Project Area and the blighting conditions therein are required at this time and none are included in this Report.

IV. §33352(c) IMPLEMENTATION PLAN

This section of the Report is required to include an Implementation Plan that describes the specific goals and objectives of the Agency, specific projects proposed by the Agency, a program of actions and expenditures proposed to be implemented within the first five years of the plan, and a description of how these project will improve or alleviate blighting conditions in the Project Area.

An Implementation Plan meeting the requirements of Section 33352(c) is being prepared and adopted \_\_\_\_\_, 2009. That Implementation Plan is incorporated into this Report by this reference.

V. §33352(d) NEED FOR REDEVELOPMENT

This section of the Report is required to set forth an explanation of why the elimination of blight and the redevelopment of the Project Area cannot reasonably be expected to be accomplished by private enterprise acting alone or by the City Council's use of financing alternatives other than tax increment financing.

Since the basis for the need for redevelopment required under Section 33352(d) was definitively established in 1973, and because the Amendment does not change the Project Area boundaries in any way, no further descriptions of the need for redevelopment in the Project Area is required at this time and none are included in this Report.



## VI. §33352(e) PROPOSED METHODS OF FINANCING

This section of the Report is required to set forth the costs and potential revenue of redevelopment activities to determine the financial feasibility of the Plan.

The analysis of the financial feasibility of the proposed methods of financing were completed prior to the City Council's adoption of the Redevelopment Plan in 1973. That analysis served as the basis for the City Council's finding at that time, as mandated by Section 33367(d), that the adoption and implementation of the Plan was economically sound and feasible.

The Amendment does not add any new redevelopment activities, so no further analysis of the economic feasibility of the Plan is required at this time and none is included in this Report.

## VII. §33352(f) RELOCATION OF DISPLACED PERSONS

This section of the Report is required to set forth a method or plan for the relocation of families and persons to be temporarily or permanently displaced from housing facilities in the Project Area.

No residents reside in the portion of the Project Area affected by the Amendment, nor does the Amendment change the Project Area boundaries to include any residences, thus no relocation plan is required at this time and none is included in this Report.

## VIII. §33352(g) ANALYSIS OF PRELIMINARY PLAN

This section of the Report is required to set forth an analysis of the preliminary plan required pursuant to Section 33451.5.

The Amendment is not included in the class of redevelopment plan amendments that require the preparation of a preliminary plan under Section 33451.5 and thus none was prepared and none is included in this Report.

## IX. §33352(h) REPORT AND RECOMMENDATION OF PLANNING COMMISSION

This section of the Report is required to describe the report and recommendations of the Planning Commission.

Pursuant to Section 33458, the Agency submitted the Amendment to the Planning Commission on \_\_\_\_\_, 2010 for its report and recommendation. Pursuant to Section 33454, the Planning Commission on \_\_\_\_\_, 2010 recommended that the City Council approve the Amendment.

## X. §33352(i) SUMMARY OF PROJECT AREA COMMITTEE CONSULTATIONS

This section of the Report is required to set forth the minutes of all the meetings of the Agency with the Project Area Committee, and all information presented to the Project Area Committee.

No substantial displacement of low- and moderate- income residents was expected to occur as a result of the implementation of the Plan because the Project Area did not contain any residences. As a result, no Project Area Committee was formed and the Amendment does not require the creation of such a committee. This Report consequently includes no summary of information.

#### XI. §33352(j) FINDING OF CONSISTENCY WITH GENERAL PLAN

This section of the Report is required to include, pursuant to Government Code Section 65402, a report from the Planning Commission as to whether the Plan (as it would be amended by the Amendment) is consistent with the General Plan.

An amendment to the General Plan was considered concurrently with the Amendment.

On \_\_\_\_\_, 2010 the Planning Commission found that the Plan, as amended, did conform to the City's General Plan, as amended.

#### XII. §33352(k) ENVIRONMENTAL REVIEW

This section of the Report is required to set forth the environmental review required pursuant to Public Resources Code Section 21151. On December 8, 2009 the City Council certified by Resolution No. \_\_\_ the adequacy of a document entitled Final Environmental Impact Report – 49ers Santa Clara Stadium Project pursuant to a resolution titled A Resolution and Related Findings Certifying a Final Environmental Impact Report. The FEIR was prepared for the City Council's comprehensive review of the Stadium Project. The land uses contemplated under the Amendment were included in that review. The FEIR analyzed the potential environmental impacts posed by this Amendment and that analysis is hereby incorporated into this Report by this reference.

#### XIII. §33352(l) REPORT TO COUNTY ASSESSOR

This section of the Report is required to set forth the report to the County Assessor required by Section 33328.

Because the Amendment does not add any territory to the Project Area or change any of the other fiscal parameters of the Plan, no report was required under Section 33328, none was prepared in connection with the Amendment, and none is included in this Report.

#### XIV. §33352(m) NEIGHBORHOOD IMPACT REPORT

This section of the Report is required to set forth a description of the impacts of the project on residents of the Project Area.

The Project Area does not include any residential areas, the Amendment does not add any residential areas, thus no Neighborhood Impact Report was required or prepared in connection with the Amendment and none is included in this Report.

XV. §33352(n) CONSULTATION WITH AFFECTED TAXING ENTITIES

This section of the Report is required to set forth a summary of the consultations of the Agency with each of the affected taxing entities as required by Section 33328.

As stated in Section XIII, no such report was required, and none was prepared in connection with the Amendment. Thus no consultations were necessary and no consultation log is included in this Report.

CITY OF SANTA CLARA

AGENDA MATERIAL ROUTE SHEET

Council Date: 1/12/10

SUBJECT: Set March 9, 2010 for Joint Public Hearing of the City Council and Redevelopment Agency on March 9, 2010 for the purposes of considering the Redevelopment Plan Amendment (No. 20) and the Final EIR, and for Submission by the Redevelopment Agency of the Plan to the Planning Commission and the City Council

**PUBLICATION REQUIRED:**

The attached Notice/Resolution/Ordinance is to be published \_\_\_\_\_ time(s) at least \_\_\_\_\_ days before the scheduled meeting/public hearing/bid opening/etc., which is scheduled for \_\_\_\_\_, 20\_\_.

**AUTHORITY SOURCE FOR PUBLICATION REQUIREMENT:**

**Federal Codes:**

Title \_\_\_\_\_ U.S.C. § \_\_\_\_\_  
(Titles run 1 through 50)

**California Codes:**

Code \_\_\_\_\_ § \_\_\_\_\_  
(i.e., Government, Street and Highway, Public Resources)

**Federal Regulations:**

Title \_\_\_\_\_ C.F.R. § \_\_\_\_\_  
(Titles run 1 through 50)

**California Regulations:**

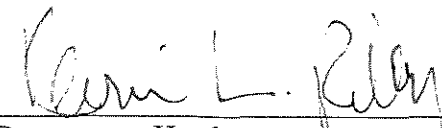
Title \_\_\_\_\_ California Code of Regulations § \_\_\_\_\_  
(Titles run 1 through 28)

**City Regulations:**


City Charter § \_\_\_\_\_ City Code § \_\_\_\_\_  
(i.e., 1310. Public Works Contracts. Notice published at least once at least ten days before bid opening)

**Reviewed and approved:**

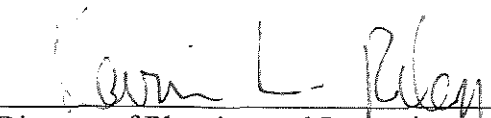
1. As to City Functions, by

  
\_\_\_\_\_  
Department Head

2. As to Legality, by

  
\_\_\_\_\_  
City Attorney's Office/CAO Assign. No ~~09~~ 10, 0039

3. As to Environmental Impact Requirements, by

  
\_\_\_\_\_  
Director of Planning and Inspection

4. As to Substance, by

  
\_\_\_\_\_  
City Manager