

MEMORANDUM



TO: Mayor & City Council

FROM: Vice Mayor Dave Cortese

SUBJECT: Request for information RE: EEHVS

DATE: April 20, 2007

APPROVED:

DATE:

4/20/07

In anticipation of the Evergreen East Hills Vision Strategy (EEHVS) study session on April 30th, I would like to suggest some scenarios for staff to consider including in the study session presentation, as it is expected that staff will present the City Council with a range of land use options on the General Plan amendments. **Please note that I am not endorsing any of these scenarios but am posing them for analysis to be utilized by the City Council in their deliberations.**

1. One scenario that has not been fully explored but merits more public analysis is the approval of the General Plan amendments for Arcadia, Pleasant Hills and Evergreen Valley College but not the Campus Industrial site. It would be appropriate given the current state of affairs as the developer consortium still has not presented an updated plan that depicts *any* retention of industrial lands; rather an "all or nothing" position has repeatedly been communicated by the industrial owners.
2. Another scenario that has yet to be considered would be the idea of not approving any of the General Plan amendments but approving the updates to the Evergreen Area Development Policy. The policy could be structured to reflect a range of land use options (no conversion, partial conversion, etc). Such an action may satisfy many interests:
 - a. It would preserve the updated vision for the study area (Districts 8 – all, 5 and 7 - partial). The goal of the EEHVS has always been to plan for the future of District 8, from parkland to affordable housing to public infrastructure. To this end, the community has come together over the past 3.5 years to piece together what District 8 should look like when it is "finished." The Evergreen Development Policy is the linchpin for effectuating this vision. It sets forth the triggers that must be met (i.e. upgrade of Highway 101, installation of key public facilities, requisite # of affordable housing units, sufficient capacity in schools) in order for development to occur and the community identified assets that must be in place in order for District 8 to be made whole. It also would set forth the financial requirements and mechanisms for mitigation to be collected in the future. Finally, it would further protect the study area from experiencing piecemeal development.
 - b. It would remove the reliance upon the current developer consortium from the vision of the study area. There is tremendous concern on part of the city at the absence of a negotiated facilities district funding agreement between the City of San Jose and the developer consortium, despite the fact that Council unanimously directed this work product be presented for Council review by February 2007. The lack of a funding

agreement is a huge flaw in the process and does not instill confidence in future commitments to abide by the mitigation requirements and negotiated agreements of the EEHVS. By approving the development policy but not the General Plan amendments, the City Council could preserve opportunities for future development applicants seeking to comply with the development guidelines for the study area.

3. Still another scenario would be to approve some of the General Plan amendments and the updated Evergreen Development Policy with direction in the policy for a phased conversion of the industrial. This would allow the City Council to make a future decision about the employment lands without having to do another update to the development policy.

The intent of these suggestions is to better understand the variations of what could be done with respect to the Evergreen Development Policy and what the fiscal impacts are of the variations on the overall delivery of infrastructure. My hope is that this memo is circulated early enough to provide staff with time to respond either before or during the study session. Thank you.

RECEIVED

APR 20 2007

**CITY OF SAN JOSE
DEVELOPMENT SERVICES**

cc: Mayor & City Council, Interim City Manager Les White, PBCE Director Joe Horwedel