



**Task Force Meeting No. 41 Synopsis
June 7, 2010**

Task Force Members Present*:

Jackie Adams, Shiloh Ballard, Michele Beasley, Gary Chronert, Pastor Oscar Dace, Harvey Darnell, Dave Fadness, Leslee Hamilton, Sam Ho, Nancy Ianni, Lisa Jensen, Frank Jesse, Matt Kamkar, Charles Lauer, Shirley Lewis, Sam Liccardo, Pierluigi Oliverio, Dick Santos, Patricia Sausedo, Erik Schoennauer, Judy Stabile, Neil Struthers, Michael Van Every.

Task Force Members Absent:

Teresa Alvarado, Judy Chirco, Pat Dando, Brian Darrow, Enrique Fernandez, Karl Lee, Linda LeZotte, David Pandori, Alofa Talivaa, Jim Zito.

City Staff and Other Public Agency Staff Present*

Ru Weerakoon (Mayor's Office), Peter Hamilton (D9 Council Office), Hans Larsen (DOT), Manuel Pineda (DOT), Chuck Griffen (Library), Joseph Miller, Wayne Chen (Housing), Laurel Prevetti (PBCE), Susan Walton (PBCE), Andrew Crabtree (PBCE), Lee Butler (PBCE), John Baty (PBCE).

Public Present*:

Trixie Johnson (LWV-SJ/SC), Nicole Kohleriter (Health Trust), Steven Le (Health Trust), Peter Rothschild (Rothschild & Associates), Richard Zappelli (Willow Glen Neighborhood Association), Brian Schmidt (Committee for Green Foothills), Carlos Babcock (SVBC), Chris Lepe (TransFormCA), Larry Ames, Marie Arnold (Neighborhood Commission), Fran Stewart (Sierra Club), Jack Nadeau, John Urban (Newhall NA), Mara Craggs (Newhall NA), Martin Delson (Save Our Trails), Susan Marsland (District 4), David Marsland (Sierra Club), Kathryn Mathewson (District 6), Jean Dresden, Helen Chapman (SHPNA), Alexander Powell.

*As verified by registering attendance on Sign-In Sheets.

1. Welcome

The meeting convened at 6:38 p.m.

2. Review and approval of May 24, 2010 synopsis

The synopsis was approved.

3. Land Use/Transportation Diagram Update

Andrew Crabtree explained that the draft Land Use/Transportation Diagram is currently being updated and will be available for Task Force and public review in advance of the June 28, 2010 Task Force meeting. Andrew requested that Task Force members carefully review the draft revised Land Use/Transportation Diagram and provide written comments to staff by June 20, 2010 so that staff will have time to respond to comments before the June 28th meeting. Several Task Force

members requested that hard copies of the revised draft proposed Land Use/Transportation Diagram be provided to each Task Force member and staff indicated all Task Force members would be mailed a large size paper map, but that more detail at a parcel-specific level could be available on the website.

4. Goals, Policies, and Implementation Actions

It was noted by staff and the Task Force that only two meetings remain before the July/August meeting recess. Andrew Crabtree, and Co-chair Shirley Lewis, both asked that Task Force members try to limit their comments to substantive issues given the multitude of topics needed to be covered, and that comments regarding clarification or typographic errors can be forwarded to staff at any time. Lee Butler provided a presentation that outlined the key principles from each set of Goals, Policies, and Implementation Actions on the evening's agenda. The presentation cited corrections to the Transportation Policies and referenced various pieces of public correspondence related to the Policies for discussion on the evening's agenda.

Transportation. A Task Force member asked about the use of "should" verses "shall" in various policies, and staff responded that they would review the Policies to make sure that each word is clear in its intent, and used consistently. A Task Force member commented that City's potential for waterway transportation should be addressed in a Transportation Policy or Action.

Urban Design. A Task Force member asked why references to the 15% and 30% slope lines had been dropped from the Hillsides Urban Design Policies. Staff responded that the intention of the General Plan is to protect these areas, and that references to these slopes will be included in the Urban Growth Boundary, Land Use Designations, and other appropriate sections of the Plan.

Land Use. A Task Force member asked how the Plan would address existing entitlements, particularly with reference to the draft Growth Areas Action GA-1.5 which suggests that the Berryessa BART station entitlements should be modified to increase the density near that BART station. Staff noted that this suggestion had been relayed to the Task Force a number of times, that the Task Force had suggested on several occasions that all the BART station areas should concentrate high density, and that the existing entitlements on the Berryessa property included only approximately one-third of the planned density level that the Task Force has suggested for other BART station locations. Staff clarified that the change would add development capacity to existing entitlements, that this change is needed for internal consistency with the Plan and future development capacity, and that for this particular location, the difference between the Plan's development potential for the site and the existing entitlements is significant enough to include a General Plan Action to modify the entitlements.

Agriculture. No comments were relayed from the Task Force regarding Agriculture Policies.

Public Services. A Task Force member expressed a desire for the Library Policies to include a level of service standard for the number of volumes per capita, similar to the standard contained in the San Jose 2020 General Plan. Staff responded that with technological advances, the number of volumes available to the public is more difficult to measure. Staff suggested that alternatively, the Library Policies could contain language that seeks to ensure that libraries will adapt to and meet the community's needs.

Implementation: Greenfield Development. A Task Force member referenced the letter from the Committee for Green Foothills and expressed support for the concept of “backloading greenfield development” in North Coyote Valley and East Evergreen, where employment growth on those properties would be deferred to some later time after employment development occurs on other sites. Staff clarified their position on the issue, noting that the jobs focus in the Plan favored maintaining the availability of all employment capacity at the onset of the Plan which continues to be staff’s recommendation. Some Task Force members expressed support and others opposition to the “backloading” concept. Staff indicated that even with all employment capacity available up front, employers would first be encouraged to locate in areas close to transit, like Downtown and North San Jose; however, keeping all locations open for employer consideration would offer the greatest variety of options for employers to locate their businesses in San Jose, which is especially important to achieve the aggressive job growth contemplated in the Envision Plan. One Task Force member referenced the possible environmental benefits of jobs developing on the greenfield sites because of potential lower traffic congestion due to reverse commutes while also acknowledging the environmental value of greenfields. Other Task Force members cited the infrastructure investments that have already been made in the greenfield areas to support industry and jobs.

Implementation: Housing Growth and Village Plans. Some Task Force members expressed concerns that the housing growth capacity allocations through the Plan Horizons concept and the Village Plan requirement to allow new housing growth would both be too strict in limiting new housing development in the City. Task Force members also expressed concern that including larger amounts of employment uses in mixed use projects could drive down residential densities in mixed-use projects due to the parking demand from the employment uses. Staff noted that the Village Plan process would need to be a short, charrette-based process, that the Plan would allow San Jose to show ability to build needed housing and maintain a certified Housing Element, and that anticipated residential densities are achievable. A Task Force member stated that shared parking, stacked parking, or other parking alternatives would allow for high density ranges. A Task Force member stated that most employment uses are compatible with residential uses.

Implementation: Horizons and Performance Measurement. Task Force members expressed concern regarding the issues that the Council would consider in its decision to move into the next growth Horizon. Staff asked for Task Force members to articulate their ideas on how the Plan could remain measurable and how the Council could evaluate whether the direction of the Plan was being fulfilled. A Task Force member asked whether the Jobs to Employed Resident Ratio (J:ER) is the best way to measure fiscal stability, and another Task Force member responded that the J:ER has been shown to have a direct relationship with fiscal conditions in multiple cities and is a good measure. A Task Force member suggested that environmental measures, such as improvement of air quality, could be used to determine the success of the General Plan. A Task Force member suggested that all Performance Measures should be listed as a separate resource in the General Plan text, and staff agreed that this is the ultimate goal to make them easy to review. Particular concern was expressed regarding draft policies that would require infrastructure improvements to be in place prior to housing development. Staff noted that some infrastructure improvements, such as sewers, would need to be in place for housing to move forward, however, other improvements, such as transit, could come later. A Task Force member suggested that a secure plan for infrastructure and dedicated funding in-place for that infrastructure could be sufficient to allow residential development to move forward. Staff noted that they would review and clarify the Policies with revisions.

Staff clarified that the housing numbers shown in each Horizon are not a cap, but rather they are planned growth amounts that could be expected in the timeframe of that Horizon. A Task Force member stated that housing “caps” could offer control over the City’s Jobs to Employed Resident ratio which is an issue under review by the City Attorney’s office. Staff clarified that once a geographic area such as a Village or Corridor is opened to residential development, the full capacity of residential development would be available for that area, and additional housing growth up to the planned amount could occur there subject to environmental review. A Task Force member requested that this be clarified in the Policies.

Implementation: “Perfect Projects”. Task Force members asked whether “perfect projects” could move forward if they were located in an area not included in the current growth Horizon, and staff indicated that with the employment-focused growth in the Plan, the “perfect project” would be office over retail, and that type of project could move forward in any Growth Area without a Village Plan in place. To address housing growth in an area that is not included in the current Horizon, staff noted that a General Plan Amendment could be the process to propose to swap residential capacity between areas in different Horizons. Task Force members expressed support for this concept, noting that it would help to maintain the City’s direction towards achieving a Jobs to Employed Resident Ratio of 1.3. Several other Task Force members expressed concerns that the General Plan Amendment process would be too cumbersome to move a project forward expeditiously.

Several Task Force members expressed strong support for a Task Force recommendation to include only one General Plan Amendment cycle per year, stating that this would allow for more consistency between General Plan Amendments and the themes from the General Plan. Several Task Force members commented that additional General Plan Reviews had been more necessary in recent years as the General Plan became more out of date.

Fiscal Sustainability/Urban Service Area. A Task Force member requested more clarity in the Policies addressing Mid-Coyote Valley and South Almaden Valley Urban Reserves, indicating that the text should be more explicit in stating that development will not occur in these areas through the 2040 timeframe of the General Plan.

A Task Force member raised concerns that a number of draft policies (FS-3.4 through 3.6) seemed vague, lacked clarity, and would be difficult to implement, thereby potentially impeding housing development. Staff noted that the intent of the referenced policies was to not lose jobs due to production of housing. One Task Force member suggested that the current employment space Floor Area Ratio minimums in the *Framework for Evaluation of Employment Lands to Non-Employment Uses* of 0.35 and 0.4 are unrealistic. Task Force members suggested that the policies be amended to provide clarity and specificity without being too restrictive. One Task Force member suggested a formula be included in the Plan text to provide clarity and certainty in how to assess employment potential on a site. Another Task Force member suggested that the policies should include positive language in how we accomplish our goals, and another Task Force member noted that intensive areas of employment uses are the primary means to help reach goals for increased transit ridership. Task Force members asked how these policies would be applied to vacant buildings. Staff responded that protection is needed for employment capacity, because jobs may not be in the vacant buildings now, but the building and land is still available for employment uses.

Private Community Gathering Facilities. A Task Force member linked support for Private Community Gathering Facilities to job development and retention, and another noted that some community facilities are important contributors to public health and safety. Two Task Force members requested some clarification in Policy PC-1.2. A Task Force member noted that 20% of San Jose's population visits some sort of religious facility, and two Task Force members spoke about the need to accommodate large gathering spaces in the City. A Task Force member commented that the proposed prohibition of Private Community Gathering Facilities in Light Industrial, Heavy Industrial, and Industrial Park lands would limit the ability of churches to locate in San Jose, since industrial properties are often the most affordable sites, particularly for smaller churches. The Task Force member added that the General Plan Amendment process is too costly and difficult for a church to undertake. A Task Force member raised concerns with proposed policy language suggesting that churches could work successfully as dual- or multiple-uses, especially in Villages, stating that most churches want their own facilities. A Task Force member expressed opposition to a requirement for a "discretionary review" process for Private Community Gathering Facilities and expressed a belief that safety concern for Private Community Gathering Facilities located in proximity to industrial uses could be addressed through appropriate mitigation measures. Two Task Force members expressed an interest in identifying the locations where Private Community Gathering Facilities could locate, with one Task Force member noting that an overlay on the Land Use/Transportation Diagram could be appropriate. A Task Force member cited the Religious Land Use and Institutionalized Persons Act of 2000, noting that churches have certain protections as a result of this law. A Task Force member asked how other cities with small churches facilitate locating those churches in their jurisdictions, suggesting that San Jose could follow the lead of other successful cities. A Task Force member noted that the City should maintain land for churches in the neighborhoods where they have already located. The Task Force member suggested that required parking ratios for churches could be lowered to help facilitate their locating in San Jose, and another Task Force member suggested that shared parking and off-site parking would be preferable to reduced parking requirements.

5. Public Comment

Eleven members of the public spoke. Two members of the public spoke in opposition to stand-alone parking garages, with one citing the new proposal for a parking garage behind the HP Pavilion as a better location for jobs than parking and with both speakers stating that parks or other dual-uses should be incorporated into parking garages. Speakers expressed support for: stronger policies in general; walkable development; development of a new urban design category to address "Historical Grand Boulevards," which are primary "spokes" coming into Downtown; clustering higher-density development along West San Carlos rather than having a line of buildings with similar heights; maintenance of view corridors; "backfilling greenfield development" with references to the letter from Committee for Green Foothills and the environmental costs of greenfield development; protection of urban agriculture in mid-Coyote Valley; the 40% VMT reduction policies, with suggestions that certain policies, such as parking policies, be moved from later Horizons to the first one; Library Policies to respond to changing needs of the community; development of permanent outdoor band and performance shells; permanent closure of streets in Downtown; reducing construction impacts resulting from the Plan; keeping the City Council or Planning Commission as the decisionmakers for significant development proposals, rather than the Director of Planning; requiring developers to come to a consensus with the community on a project, prior to a public hearing; preserving historic structures in the Newhall area; keeping

existing entitlements in place; retaining inclusionary housing policies; and considering alternatives to provide development density instead of parking. A community member requested more clarity on the timelines for each Plan Horizon and the steps for the City to move into the next growth Horizon. In response to one comment, staff noted that an evaluation of historic impacts would be completed and released with the Environmental Impact Report for the Plan.

6. Task Force Recommendations

The Task Force voted unanimously to accept Agenda Items 4.a through 4.d (Goals and Policies for: Transportation, Urban Design, Land Use, & Public Services) with Task Force comments relayed as part of the discussion, including the desire to reference waterways as a potential transportation option. The Task Force noted that Items 4.e through 4.g (Implementation, Fiscal Sustainability/Urban Service Area, and Private Community Gathering Facilities) should be brought back to the Task Force on June 28th.

A Task Force member for a vote to be entertained on the concept of “backloading greenfield development.” The Task Force member noted that the position of the Committee for Green Foothills was at one extreme, but stated the Task Force could consider the concept of prioritizing growth in non-greenfield areas. A motion was made to consider whether such a “develop non-greenfield employment areas first” prioritization policy should be evaluated by staff and suggested options brought back to the Task Force, but that motion failed with eight Task Force members in support and ten opposed.

7. Announcements

Staff reminded the Task Force and community about completing their survey forms and submitting them to staff to help evaluate the Envision process, and also to complete the workbooks that were distributed earlier, so the Task Force can provide input into the Water Pollution Control Plant Master Plan process. Staff cited upcoming Downtown cultural events, including Music in the Park and Left Coast Live. Task Force member Pastor Oscar Dace expanded on Downtown activities with announcements of the Juneteenth Festival and services that his congregation would have in Caesar Chavez Park.

8. Adjourn

The meeting adjourned at 9:17 p.m.