Item 5b: More Affordable Homes at Cambrian Village

Matt Savage < Mon 7/11/2022 7:20 AM To: Planning Commission CW < Planning Commission 2 Planning Commission 3 < Planning Commission 4 Planning Commission 5 < Planning Commission 6 Planning Commission 7 < Planning Commission 8 Planning Commission 9 < Planning Commission 10 Burton, Chris < Brilliot, Michael Manford, Robert < Ho, Nathan Lomio, Michael Sahid, Robyn < Hughes, Scott < Laveroni, Kyle Hawkins, Kara < Morley, Sean <

[External Email]

[Some people who received this message don't often get email from https://aka.ms/LearnAboutSenderIdentification]

[External Email]

Dear Planning Commissioners & Kimco Realty,

I live in Willow Glen and I welcome sustainable development throughout Silicon Valley.

I support the vibrant Cambrian Village project AND I want to see homes that are more affordable built there by reducing the AMI level from 100% to 60%. Let me explain my perspective more.

First off, Kimco's Cambrian Village is a dynamic project responsive to the broader community's needs. It will bring muchneeded vibrancy to this neighborhood with lots of walkable homes, shops, restaurants, jobs, visitors, fun activities, parks & other public spaces.

Second, I support the current number of homes & building heights because our community desperately needs housing and density enables the extensive community amenities included in projects like this one.

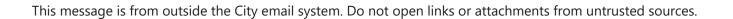
Also, I applaud Kimco's recent pledge to increase the number of affordable homes in Cambrian Village from 15 to 30 homes. This has long been one of the main requests of Catalyze SV members & the representative for this area, Councilmember Foley. Thanks Kimco for this improvement!

Kimco's commitment is for those 30 homes to be offered to those who make 100% or lower of our area's median income (\$105,900 for one person). That's a lot of money for many people! These homes will hardly be affordable to workers like teachers or firefighters who are already at risk of being priced out of San Jose.

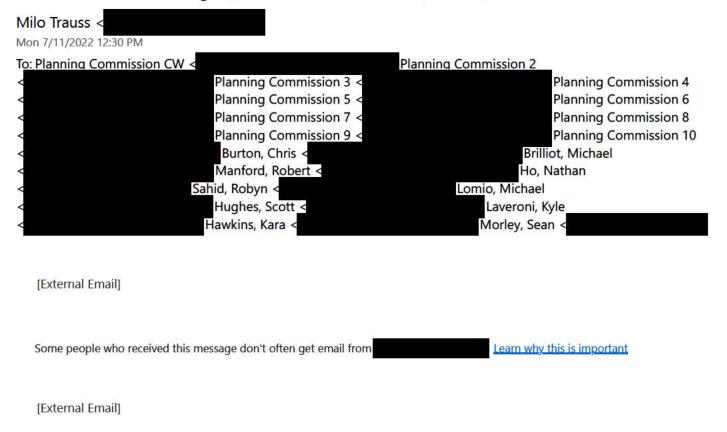
Since our community is way behind on building homes for our working & middle class, I urge you to lower the proposed 100% AMI to 60% (\$63,550 for one person). This will make your project more affordable & accessible.

I support Kimco's Cambrian Village project AND I urge Kimco to make its project more affordable to ensure more people can afford to live & remain in our community.





Let's Build Cambrian Village w/More Affordable Homes (Item 5b)



Planning Commissioners & Kimco Realty,

I welcome sustainable development throughout Silicon Valley. My wife currently commutes to work there, which now more than ever is a drain on our family because we have a baby. We would love to live closer to her work so she could spend more time with us and less time on the road.

I support the vibrant Cambrian Village project AND I want to see homes that are more affordable built there by reducing the AMI level from 100% to 60%. Let me explain my perspective more.

First off, Kimco's Cambrian Village is a dynamic project responsive to the broader community's needs. It will bring much-needed vibrancy to this neighborhood with lots of walkable homes, shops, restaurants, jobs, visitors, fun activities, parks & other public spaces.

Second, I support the current number of homes & building heights because our community desperately needs housing and density enables the extensive community amenities included in projects like this one. There could even be more homes in taller buildings.

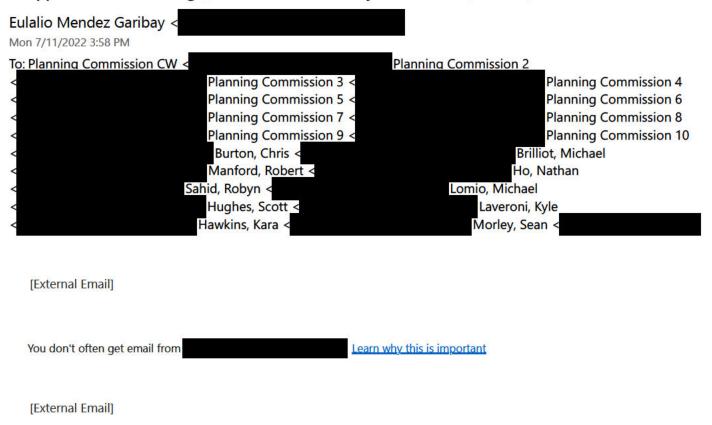
Also, I applaud Kimco's recent pledge to increase the number of affordable homes in Cambrian Village from 15 to 30 homes. This has long been one of the main requests of Catalyze SV members & the representative for this area, Councilmember Foley. Thanks Kimco for this improvement!

Kimco's commitment is for those 30 homes to be offered to those who make 100% or lower of our area's median income (\$105,900 for one person). That's a lot of money for many people! These homes will hardly be affordable to workers like teachers or firefighters who are already at risk of being priced out of San Jose.

Since our community is way behind on building homes for our working & middle class, I urge you to lower the proposed 100% AMI to 60% (\$63,550 for one person). This will make your project more affordable & accessible.

I support Kimco's Cambrian Village project AND I urge Kimco to make its project more affordable to ensure more people can afford to live & remain in our community.
Thanks, Milo Trauss
This message is from outside the City email system. Do not open links or attachments from untrusted sources.
This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I Support Cambrian Village, Yet is 100% AMI Really Affordable? (Item 5b)



Planning Commissioners & Kimco Realty,

I live in Downtown San Jose and I welcome sustainable development throughout Silicon Valley.

I support the vibrant Cambrian Village project AND I want to see homes that are more affordable built there by reducing the AMI level from 100% to 60%. Let me explain my perspective more.

First off, Kimco's Cambrian Village is a dynamic project responsive to the broader community's needs. It will bring much-needed vibrancy to this neighborhood with lots of walkable homes, shops, restaurants, jobs, visitors, fun activities, parks & other public spaces.

Second, I support the current number of homes & building heights because our community desperately needs housing and density enables the extensive community amenities included in projects like this one.

Also, I applaud Kimco's recent pledge to increase the number of affordable homes in Cambrian Village from 15 to 30 homes. This has long been one of the main requests of Catalyze SV members & the representative for this area, Councilmember Foley. Thanks Kimco for this improvement!

Kimco's commitment is for those 30 homes to be offered to those who make 100% or lower of our area's median income (\$105,900 for one person). That's a lot of money for many people! These homes will hardly be affordable to workers like teachers or firefighters who are already at risk of being priced out of San Jose.

Since our community is way behind on building homes for our working & middle class, I urge you to lower the proposed 100% AMI to 60% (\$63,550 for one person). This will make your project more affordable & accessible.

I support Kimco's Cambrian Village project AND I urge Kimco to make its project more affordable to ensure more people can afford to live & remain in our community.

Sincerely,

Eulalio Mendez	
This message is from outside the City email system. Do not open links or attachments from untrusted sources.	

I Support Cambrian Village, Yet is 100% AMI Really Affordable? (Item 5b)

Agnes Veith < Mon 7/11/2022 7:36 PM To: Planning Commission CW < Planning Commission 2 Planning Commission 3 < Planning Commission 4 Planning Commission 5 < Planning Commission 6 Planning Commission 7 < Planning Commission 8 Planning Commission 9 < Planning Commission 10 Burton, Chris < Brilliot, Michael Manford, Robert < Ho, Nathan Lomio, Michael Sahid, Robyn < Hughes, Scott < Laveroni, Kyle Hawkins, Kara < Morley, Sean <

[External Email]

[Some people who received this message don't often get email from https://aka.ms/LearnAboutSenderIdentification]

[External Email]

Planning Commissioners & Kimco Realty,

I live in _____ [your neighborhood or city council district] and I welcome sustainable development throughout Silicon Valley.

I support the vibrant Cambrian Village project AND I want to see homes that are more affordable built there by reducing the AMI level from 100% to 60%. Let me explain my perspective more.

First off, Kimco's Cambrian Village is a dynamic project responsive to the broader community's needs. It will bring muchneeded vibrancy to this neighborhood with lots of walkable homes, shops, restaurants, jobs, visitors, fun activities, parks & other public spaces.

Second, I support the current number of homes & building heights because our community desperately needs housing and density enables the extensive community amenities included in projects like this one.

Also, I applaud Kimco's recent pledge to increase the number of affordable homes in Cambrian Village from 15 to 30 homes. This has long been one of the main requests of Catalyze SV members & the representative for this area, Councilmember Foley. Thanks Kimco for this improvement!

Kimco's commitment is for those 30 homes to be offered to those who make 100% or lower of our area's median income (\$105,900 for one person). That's a lot of money for many people! These homes will hardly be affordable to workers like teachers or firefighters who are already at risk of being priced out of San Jose.

Since our community is way behind on building homes for our working & middle class, I urge you to lower the proposed 100% AMI to 60% (\$63,550 for one person). This will make your project more affordable & accessible.

I support Kimco's Cambrian Village project AND I urge Kimco to make its project more affordable to ensure more people can afford to live & remain in our community.

Sincerely, <insert here="" name=""></insert>
Sent from my iPhone
This message is from outside the City email system. Do not open links or attachments from untrusted sources.
This message is from outside the City email system. Do not open links or attachments from untrusted sources.

FW: Please Approve the Cambrian Village Signature Project
City Clerk < Thu 7/21/2022 3:19 PM
To: Agendadesk <
Original Message From: Gavin Hayes < Sent: Thursday, July 21, 2022 12:21 PM To: City Clerk < Cc: Subject: Please Approve the Cambrian Village Signature Project
[You don't often get email from Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]
[External Email]
Dear Councilmembers,
I live near Cambrian Park Plaza and am a long-time supporter of the Cambrian Village mixed-use redevelopment plan for the site.
I am writing to urge you to approve the Cambrian Village plan. Cambrian Village will revitalize this site and bring incredible community benefits to District 9 that are long overdue for the neighborhood.
Cambrian Village has taken years to plan, and it reflects what the community wants.
Please approve this Signature Project without delay.
Sincerely,
Gavin Hayes
95032
This message is from outside the City email system. Do not open links or attachments from untrusted sources.

FW: Please Approve the Cambrian Village Signature Project City Clerk < Thu 7/21/2022 3:19 PM To: Agendadesk < From: Eugene Li < Sent: Thursday, July 21, 2022 12:48 PM To: City Clerk < Cc: Meiners, Laura < Subject: Please Approve the Cambrian Village Signature Project Some people who received this message don't often get email from Learn why this is important [External Email] Dear Councilmembers,

I am a resident of San Jose, I live near Cambrian Park Plaza and am a long-time supporter of the Cambrian Village mixed-use redevelopment plan for the site.

I am writing to urge you to approve the Cambrian Village plan. Cambrian Village will revitalize this site and bring incredible community benefits to District 9 that are long overdue for the neighborhood.

Cambrian Village has taken years to plan, and it reflects what the community wants.

Please approve this Signature Project without delay.

Sincerely,

Eugene Li

San Jose, CA 95124

FW: Please Approve the Cambrian Village Signature Project City Clerk < Fri 7/22/2022 7:26 AM To: Agendadesk < From: odded solomon < **Sent:** Thursday, July 21, 2022 4:35 PM To: City Clerk < Subject: Please Approve the Cambrian Village Signature Project You don't often get email from Learn why this is important [External Email] Dear Councilmembers, I am a resident of San Jose, I live near Cambrian Park Plaza and am a long-time supporter of the Cambrian Village mixed-use redevelopment plan for the site. I am writing to urge you to approve the Cambrian Village plan. Cambrian Village will revitalize this site and bring incredible community benefits to District 9 that are long overdue for the neighborhood. Cambrian Village has taken years to plan, and it reflects what the community wants. Please approve this Signature Project without delay.

Sincerely,

Odded Solomon

San Jose, CA 95124

/Odded



2001 Gateway Place, Suite 101E San José, California 95110

(408) 501-7864

svlg.org

DATE

July 12, 2022

Ahmad Thomas, CEO Silicon Valley Leadership Group

Jed York, Chair San Francisco 49ers

Eric S. Yuan, Vice Chair Zoom Video Communications

James Gutierrez, Vice Chair Luva

Victoria Huff Eckert, Treasurer PwC US

Greg Becker Silicon Valley Bank

Aart de Geus Synopsys

Vintage Foster AMF Media Group

Raquel Gonzalez Bank of America

Paul A. King Stanford Children's Health

lbi Krukrubo EY

Alan Lowe Lumentum

Judy C. Miner Foothill-De Anza Community College District

Rao Mulpuri View

Kim Polese CrowdSmart

Sharon Ryan Bay Area News Group

Siva Sivaram Western Digital

Tom Werner Mainspring Energy Planning Commission City of San José 200 E. Santa Clara St. San José, CA 94113

RE: Item 5 b. - Cambrian Village

Dear Planning Commissioners,

On behalf of the Silicon Valley Leadership Group, I am writing in support of the Cambrian Village Development proposal and annexation at the old Cambrian Park Plaza shopping center.

The Silicon Valley Leadership Group is driven by more than 350 member companies to proactively tackle issues to improve our communities and strengthen our economy, with a focus on education, energy, the environment, health care, housing, tax policy, tech & innovation policy, and transportation. Among the top concerns of our members is a need for housing affordable for all incomes here in the Bay Area.

This project will provide much needed housing opportunities from rental to homeownership, to assisted living. It will also contribute to the city's tax base with a new hotel and commercial space. Current residents will benefit from the four aces of open space with community activation and commercial spaces for small business.

It is important to note that not only does this project meets the needs of the community, but it also meets the standards for a signature project under the urban village plan for San José.

We encourage you to recommend approval to the City Council. Thank you for consideration of our comments.

Sincerely.



Vince Rocha Vice President Silicon Valley Leadership Group

ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

601 GATEWAY BOULEVARD, SUITE 1000 SOUTH SAN FRANCISCO, CA 94080-7037

TEL: (650) 589-1660 FAX: (650) 589-5062 trengifo@adamsbroadwell.com

July 29, 2022

SACRAMENTO OFFICE

520 CAPITOL MALL, SUITE 350 SACRAMENTO, CA 95814-4721

TEL: (916) 444-6201 FAX: (916) 444-6209

Via Email and Overnight Mail

Mayor Liccardo and City Council City of San Jose 200 E. Santa Clara St. San José, CA 95113

Email: city.clerk@sanjoseca.gov

Via Email Only

KEVIN T. CARMICHAEL

CHRISTINA M. CARO

THOMAS A. ENSLOW

KELILAH D. FEDERMAN

RICHARD M. FRANCO

ANDREW J. GRAF

TANYA A. GULESSERIAN DARIEN K. KEY

RACHAEL E. KOSS

AIDAN P. MARSHALL

TARA C. RENGIFO MICHAEL R. SEVILLE

Of Counsel MARC D. JOSEPH DANIEL L. CARDOZO

Kara Hawkins, kara.hawkins@sanjoseca.gov

Re: Comments to City Council on the Cambrian Park Mixed-Use Village Project (File Nos. PDC17-040, PD20-007) (SCH No. 2018022034)

Dear Mayor Liccardo and Councilmembers:

We are writing on behalf of Silicon Valley Residents for Responsible Development ("Silicon Valley Residents") regarding the Cambrian Park Mixed-Use Village Project (File No. PDC17-040, PD20-007, CAMBRIAN 37, and SCH No. 2018022034) ("Project"), proposed by Kimo Realty ("Applicant"). The Project site is located at 14200 and 14420 Union Avenue (Assessor's Parcel Numbers ("APNs") 419-08-012 and -013) ("Site").

On July 13, 2022, Silicon Valley Residents urged the Planning Commission to direct Staff to prepare and circulate a revised EIR which adequately analyzes the environmental impacts of the pre-zone, annexation, and other entitlements for the Project. The basis for Silicon Valley Residents' comments was multiple expert analyses that demonstrate the City failed to support its conclusions in the Final Environmental Impact Report ("FEIR") regarding less than significant impacts on public health, noise, transportation, energy use, and water supply with substantial evidence, as required by State law and City Codes. Despite the lack of substantial evidence, the Planning Commission recommended that the City Council certify the FEIR, approve an ordinance to pre-zone the site, and adopt a resolution initiating annexation proceedings. Silicon Valley Residents urges the City Council to rectify 5745-014j

the errors and direct Staff to prepare a revised draft EIR for the reasons set forth below.

In sum, the Project cannot be approved at this time because the City has not conducted the legally required environmental review of the Project pursuant to the California Environmental Quality Act ("CEQA"). The City lacks substantial evidence to support the FEIR's conclusions that impacts will be less than significant and that the mitigation measures adequately reduce impacts. Instead, substantial evidence shows that the Project would have significant impacts on noise, transportation, and public health that are not adequately disclosed or mitigated in the FEIR. The City also failed to sufficiently analyze the significance of energy use impacts and water supply impacts, as required by the City Code and State law, respectively.

I. The FEIR Lacks Substantial Evidence to Support the Conclusion that the Project's Construction Noise Impacts Would Be Less Than Significant.

The Project's construction noise impacts are underestimated in the FEIR and significant. Our expert determined that the FEIR relied on an inflated existing ambient noise level (i.e., 59 dBA) to calculate whether the Project exceeds the threshold of significance for construction noise impacts.² Employing a representative existing ambient noise level (i.e., 51-52 dBA) shows that nearly the entire site would exceed the threshold of significance for construction noise impacts.³ Notably, our expert concluded that the residents at Bercaw Lane will be significantly impacted by construction noise during that first year, at least.⁴

¹ Silicon Valley Residents submitted comments on the Project's Draft Environmental Impact Report ("DEIR") dated January 3, 2022, and to the Planning Commission dated July 13, 2022, that demonstrate the FEIR's public health, noise, transportation, energy use, land use, and water supply analyses remain substantially inaccurate and incomplete. We prepared our comments with the assistance of technical experts, including air quality, GHG emissions, and health risk assessment experts; a traffic and transportation expert; and a noise expert.

² Comments by Derek Watry on the Cambrian Park Mixed-Use Village Project Final EIR at 4 (July 12, 2022) (hereinafter, "Watry Comments").

³ *Id*. at 6.

⁴ *Id*.

Moreover, the proposed mitigation measures to reduce impacts from construction noise on nearby residential and commercial land uses (i.e., construction hours, equipment, idling and staging areas, noise barriers) are inadequate to reduce construction noise levels to below the threshold of significance.⁵

II. The FEIR Lacks Substantial Evidence to Support the Conclusion that the Project's Transportation Impacts Would Be Less Than Significant.

The City's conclusion that the Project would not result in new net Vehicle Miles Traveled ("VMT") is unsupported. The City estimated that the Project would result in 8.96 residential per capita VMT, which is approximately 24.8 percent below the VMT rate in the immediate area, and 12.01 per employee for employment-based VMT generation, which is about 16.4 percent less than the rate in the broader area. For residential VMT, transportation expert Daniel T. Smith Jr., P.E. determined that pedestrian enhancement measures may reduce VMT by 0.625 percent but found the FEIR's conclusion that trip internalization would reduce VMT by 24.18 percent to be implausible.⁶ Mr. Smith also explained that the Project's employment-based VMT estimation is dependent on an extremely high percentage of Project residents from a very small number of households to fill the jobs within the Project site—an assumption that is entirely unsupported by substantial evidence. In addition, the City's analysis of VMT for the Project's hotel, retail, and restaurant components is based on an unsupported assumption that trips would be diverted from similar, existing establishments, rather than new trips to the Project site.8 Finally, the FEIR ignores vehicle trips from Los Gatos and other nearby areas that will add to cumulative impacts – all without adequate mitigation.9

⁵ *Id*. at 8.

⁶ Comments by Daniel Smith on the Cambrian Park Mixed-Use Village Project Final EIR at 1 (July 13, 2022) (hereinafter, "Smith Comments").

⁷ *Id.* at 2.

⁸ *Id*. at 3.

⁹ *Id*. at 7.

⁵⁷⁴⁵⁻⁰¹⁴j

III. The FEIR Lacks Substantial Evidence to Support the Conclusion that the Project's Public Health Impacts Would Be Less Than Significant.

The City's health risk assessment fails to adequately evaluate the significant health risk impacts associated with Project construction and operation because the analysis relies on an underestimated Diesel Particulate Matter ("DPM") concentration. The Project's PM10 emissions were calculated to include Tier 4 Final equipment as mitigation even though less stringent Tier 4 Interim equipment will be used. As demonstrated in SWAPE's comments to the Planning Commission, the difference between PM10 emissions from Tier 4 Interim and Tier 4 Final equipment is substantial and likely resulted in an underestimation of DPM emissions. ¹⁰ As a result, the determination that the mitigated excess cancer risk would not exceed the significance threshold is unsupported by substantial evidence and the City cannot certify the FEIR.

Moreover, the Project's diesel generators would result in a cancer risk of 0.46 in one million. The mitigated cancer risk from construction and operation of the Project disclosed in the FEIR was approximately 8.48 cases per million, which is only slightly below the BAAQMD significance threshold of 10 cases per million. When coupled with the higher DPM emission rate and cancer risk, our expert concluded that the Project may result in a significant, undisclosed health risk impact. Thus, the FEIR's conclusion that the Project would not result in a significant health risk during construction is not supported by substantial evidence, as required by State law, and the City cannot certify the FEIR and approve the Project-related pre-zone ordinance and annexation resolution until the EIR is revised to ensure that health impacts are adequately evaluated, disclosed, and mitigated.

 $^{^{10}}$ Comments by SWAPE on the Cambrian Park Mixed-Use Village Project Final EIR at 2-3 (July 12, 2022) (hereinafter, "SWAPE Comments").

¹¹ *Id*. at 3.

IV. The FEIR Lacks Substantial Evidence to Support the Conclusion that the Project's Energy Use Impacts Would Be Less Than Significant and the City Failed to Comply with the Reach Code.

The City's analysis of natural gas and electricity usage does not evaluate energy impacts in compliance with the City's mandatory requirements under its Reach Code. The City must disclose the Project's energy mix and usage based on what is actually required by the City's policies and ordinances. In addition, the FEIR's claim that the Project's energy use impacts would be less than significant due to the Project's compliance with the Reach Code is unsupported, since the City did not actually evaluate energy impacts as required by the Reach Code. The City's lack of substantial evidence and circular arguments with no support are insufficient bases to certify the FEIR and approve the Project under both State and local law.

V. The FEIR Lacks Substantial Evidence to Support the Conclusion that the Water Supply Impacts Would Be Less Than Significant.

The City acknowledged that there would be insufficient water supplies to meet the water demand of the Project during future dry years. This is a significant impact under CEQA. Yet, the City dismisses water supply impacts as less than significant with the implementation of conservation measures, without actually analyzing the feasibility and effectiveness of these conservation measures to reduce water demand during dry years. The City's failure to include an analysis of whether the conservation measures would reduce this significant impact, and failure to require mitigation ensuring such conservation measures are implemented (should the analysis show they are effective), results in a failure to disclose the information to the public and violates CEQA.

In sum, multiple expert analyses provided evidence that the City failed to support its conclusions regarding less than significant impacts on public health, noise, transportation, energy use, and water supply with substantial evidence, as required by State law and City Codes. For the reasons stated herein, Silicon Valley Residents urges the City Council to direct Staff to revise and recirculate the EIR for public review.

VI. The Project Fails to Comply with Signature Project Policy IP-5.10 Because the Staff Report Relies on a Larger Sized Development to Claim More Jobs Even Though the Larger Project is Not Evaluated in the FEIR.

The Project cannot be approved until the Project meets all requirements to qualify as a Signature Project under the City's General Plan Policy IP-5.10, which it does not because the Project does not provide enough new jobs, as required by the Signature Project Policy. The City claims that the Project must provide at least 910 new jobs, but the FEIR states that the Project would only add up to 200 jobs under the Assisted Living Variant and 730 jobs under the Office Variant, both of which are less than the required 910 jobs (assuming one worker per 300 square feet of commercial/retail space provided). In analyzing consistency with the Policy, the Staff Report artificially inflates the Project's square footage, which, if accurate, the City failed to evaluate in the FEIR. The City cannot have it both ways. Either the Project is the smaller development scenarios evaluated in the FEIR and does not comply with Policy IP-5.10 or the Project is the larger development stated in the Staff Report, as the alleged basis for the greater number of jobs created, which the FEIR improperly failed to evaluate.

VII. The Project is Inconsistent with the General Plan and the City Cannot Make the Findings to Approve the Annexation.

The Project is inconsistent with General Plan policies governing transitoriented development, recycled water use, and air quality policies limiting site grading. For example, Policy FS-4.7 encourages transit-oriented development. The Project site is in a Commercial Corridor and Center Urban Village, which the General Plan describes as being "less directly connected to transit than other Growth Areas," and "recogniz[es] that transit-oriented sites should be given more priority for accommodating new growth." The annexation proposal will also not support the location of new development within the vicinity of a recycled water system, as encouraged by Policy MS-17.2. To approve the annexation proposal, State law requires the City Council to find that the proposal is consistent with the City's General Plan. Given the policy inconsistencies identified above, the City lacks substantial evidence to support this finding for the Project and the City Council must therefore deny the annexation proposal.

 $^{^{12}}$ Staff Report at 5; FSEIR at 112. 5745-014j

In conclusion, the City lacks substantial evidence to supports its conclusions in the FEIR, as set forth above, and in our detailed comments submitted to the City, which are incorporated herein. In addition, the City lacks evidence to show the Project complies with the Reach Code, Signature Policy, and General Plan policies. The City cannot certify the FEIR and cannot approve the Project until the issues raised in these comments, our prior detailed comments submitted to the City, and in the comments of other members of the public and responsible agencies, have been addressed in a revised and recirculated EIR and revised Staff analysis.

Sincerely,

Tara C. Rengifo Associate Attorney

TCR:ljl



8/9/2022

San Jose City Council 200 E. Santa Clara St. San José, CA 95113

city.clerk@sanjoseca.gov Via Email

Re: 14200 Union Avenue

Dear San Jose City Council,

YIMBY Law is a 501(c)3 non-profit corporation, whose mission is to increase the accessibility and affordability of housing in California. YIMBY Law sues municipalities when they fail to comply with state housing laws, including the Housing Accountability Act (HAA). As you know, the Planning Commission has an obligation to abide by all relevant state housing laws when evaluating the above captioned proposal, including the HAA. Should the City fail to follow the law, YIMBY Law will not hesitate to file suit to ensure that the law is enforced.

The proposal is for a mixed-use project with 428 new homes in a variety of types, including apartments, senior apartments, and townhomes. It will include more than four acres of public open space including a public plaza next to a central park with an amphitheater, and a children's playground. The city-required commercial element consists of a 229-key hotel and a 110-bed assisted living facility. There will be approximately 50,000 square feet of commercial shop space, including retail and restaurants.

California Government Code § 65589.5, the Housing Accountability Act, prohibits localities from denying housing development projects that are compliant with the locality's zoning ordinance or general plan at the time the application was deemed complete, unless the locality can make findings that the proposed housing development would be a threat to public health and safety.

The above captioned proposal is zoning compliant and general plan compliant, therefore, your local agency must approve the application, or else make findings to the effect that the proposed project would have an adverse impact on public health and safety, as described above. Should the City fail to comply with the law, YIMBY Law will not hesitate to take legal action to ensure that the law is enforced.

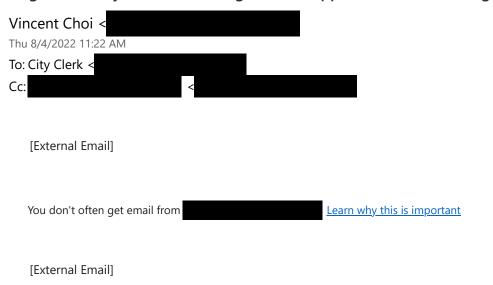
I am signing this letter both in my capacity as the Executive Director of YIMBY Law, and as a resident of California who is affected by the shortage of housing in our state.

Sincerely,



Sonja Trauss Executive Director YIMBY Law

August 9th City Council Meeting - Please Approve Cambrian Village Signature Project



Dear City Council Members,

I am a resident of San Jose 95124; I live near Cambrian Park Plaza since November of 2000. And am a long-time supporter of the Cambrian Village mixed-use redevelopment plan for the site.

Cambrian Village will revitalize this site and bring incredible community benefits to District 9 that are long overdue for the neighborhood. Further, it will drive more small and large businesses to the new plaza and thereby, increase employment opportunities. Both more housing and job opportunities are much needed for our City and Community as a whole.

Cambrian Village has taken years to plan, and it reflects what the community wants. Please approve this Signature Project and get the project moving forward today.

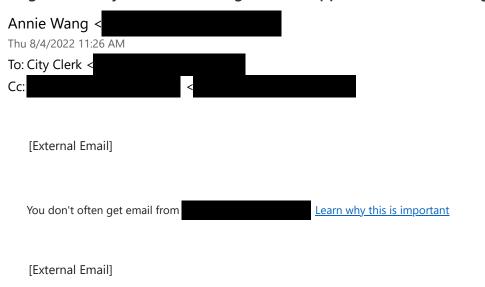
Kindest regards,

Vincent Choi

SJ 95124

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

August 9th City Council Meeting - Please Approve Cambrian Village Signature Project



Dear City Council Members,

I grew up in San Jose, my parents still live in San Jose, I live near Cambrian Park Plaza and am a long-time supporter of the Cambrian Village mixed-use redevelopment plan for the site.

Cambrian Village will revitalize this site and bring incredible community benefits to District 9 that are long overdue for the neighborhood.

Cambrian Village has taken years to plan, and it reflects what the community wants. Please approve this Signature Project as soon as possible.

Sincerely,

Annie Wang

CA 95008

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

From: Caryn Graves
To: Meiners, Laura

Subject: Support Cambrian Village!

Date: Wednesday, July 13, 2022 2:49:27 PM

You don't often get email from . Learn why this is important https://aka.ms/LearnAboutSenderIdentification

[External Email]

City Planner Laura Meiners,

I write in strong support the San Jose Cambrian Village project. Cambrian village accomplishes the stated goals of the City of San Jose in a way very few other projects do. The proposal will activate and enhance retail as well as, 18 acres of surface parking with 428 much-needed new homes, including 30 affordable homes and \$9 million in in-lieu fees for San Jose residents who need them the most. The City of San Jose is suffering from our shared housing shortage, which is driving a displacement and affordability crisis. To solve it, we need projects like Cambrian Village that can deliver homes for people in resource-rich areas that will serve residents. I urge you to move this project forward.

In addition to the urgently-needed housing, the project also delivers a number of strong community benefits including:

- Cambrian Village will deliver an abundant public green space and plaza to be used for community activation and resident use.
- The project will include commercial retail space for small-businesses to thrive in a unique public plaza surrounded by commercial shops creating a heart for the neighborhood.
- The infrastructure improvements will contain 229 new bike parking spaces along with raised bike lanes along Union Ave and Camden Ave encouraging the use of green transit options.
- The development team has worked with the community for five years to envision and design the Cambrian Village and has gone through multiple design changes as a result of community input and thus addressing and including the communities desires and concerns for the project.

Cambrian Village is an important project proposal that has earned the support of the Housing Action Coalition, many residents of the neighborhood, and the City of San Jose not only because of its promise to deliver mixed-income housing, but also because of it's robust community benefits. I urge you to move the project forward.



From: Jennifer Michel
To: Meiners, Laura

Subject: Support Cambrian Village!

Date: Wednesday, July 13, 2022 5:04:47 PM

[External Email]

City Planner Laura Meiners,

I write in strong support the San Jose Cambrian Village project. Cambrian village accomplishes the stated goals of the City of San Jose in a way very few other projects do. The proposal will activate and enhance retail as well as, 18 acres of surface parking with 428 much-needed new homes, including 30 affordable homes and \$9 million in in-lieu fees for San Jose residents who need them the most. The City of San Jose is suffering from our shared housing shortage, which is driving a displacement and affordability crisis. To solve it, we need projects like Cambrian Village that can deliver homes for people in resource-rich areas that will serve residents. I urge you to move this project forward.

In addition to the urgently-needed housing, the project also delivers a number of strong community benefits including:

- Cambrian Village will deliver an abundant public green space and plaza to be used for community activation and resident use.
- The project will include commercial retail space for small-businesses to thrive in a unique public plaza surrounded by commercial shops creating a heart for the neighborhood.
- The infrastructure improvements will contain 229 new bike parking spaces along with raised bike lanes along Union Ave and Camden Ave encouraging the use of green transit options.
- The development team has worked with the community for five years to envision and design the Cambrian Village and has gone through multiple design changes as a result of community input and thus addressing and including the communities desires and concerns for the project.

Cambrian Village is an important project proposal that has earned the support of the the Housing Action Coalition, many residents of the neighborhood, and the City of San Jose not only because of its promise to deliver mixed-income housing, but also because of it's robust community benefits. I urge you to move the project forward.

Jennifer Michel

From: neil@
To: Meiners, Laura

Subject: Support Cambrian Village!

Date: Wednesday, July 13, 2022 2:24:06 PM

You don't often get email from neil@

Learn why this is important

[External Email]

City Planner Laura Meiners,

I write in strong support the San Jose Cambrian Village project. Cambrian village accomplishes the stated goals of the City of San Jose in a way very few other projects do. The proposal will activate and enhance retail as well as, 18 acres of surface parking with 428 much-needed new homes, including 30 affordable homes and \$9 million in in-lieu fees for San Jose residents who need them the most. The City of San Jose is suffering from our shared housing shortage, which is driving a displacement and affordability crisis. To solve it, we need projects like Cambrian Village that can deliver homes for people in resource-rich areas that will serve residents. I urge you to move this project forward.

In addition to the urgently-needed housing, the project also delivers a number of strong community benefits including:

- Cambrian Village will deliver an abundant public green space and plaza to be used for community activation and resident use.
- The project will include commercial retail space for small-businesses to thrive in a unique public plaza surrounded by commercial shops creating a heart for the neighborhood.
- The infrastructure improvements will contain 229 new bike parking spaces along with raised bike lanes along Union Ave and Camden Ave encouraging the use of green transit options.
- The development team has worked with the community for five years to envision and design the Cambrian Village and has gone through multiple design changes as a result of community input and thus addressing and including the communities desires and concerns for the project.

Cambrian Village is an important project proposal that has earned the support of the the Housing Action Coalition, many residents of the neighborhood, and the City of San Jose not only because of its promise to deliver mixed-income housing, but also because of it's robust community benefits. I urge you to move the project forward.

From: <u>Justin Gee</u>
To: <u>Meiners, Laura</u>

Subject: Support Cambrian Village!

Date: Thursday, July 14, 2022 12:44:46 AM

[External Email]

City Planner Laura Meiners,

I write in strong support the San Jose Cambrian Village project. Cambrian village accomplishes the stated goals of the City of San Jose in a way very few other projects do. The proposal will activate and enhance retail as well as, 18 acres of surface parking with 428 much-needed new homes, including 30 affordable homes and \$9 million in in-lieu fees for San Jose residents who need them the most. The City of San Jose is suffering from our shared housing shortage, which is driving a displacement and affordability crisis. To solve it, we need projects like Cambrian Village that can deliver homes for people in resource-rich areas that will serve residents. I urge you to move this project forward.

In addition to the urgently-needed housing, the project also delivers a number of strong community benefits including:

- Cambrian Village will deliver an abundant public green space and plaza to be used for community activation and resident use.
- The project will include commercial retail space for small-businesses to thrive in a unique public plaza surrounded by commercial shops creating a heart for the neighborhood.
- The infrastructure improvements will contain 229 new bike parking spaces along with raised bike lanes along Union Ave and Camden Ave encouraging the use of green transit options.
- The development team has worked with the community for five years to envision and design the Cambrian Village and has gone through multiple design changes as a result of community input and thus addressing and including the communities desires and concerns for the project.

Cambrian Village is an important project proposal that has earned the support of the the Housing Action Coalition, many residents of the neighborhood, and the City of San Jose not only because of its promise to deliver mixed-income housing, but also because of it's robust community benefits. I urge you to move the project forward.

Justin Gee

From: <u>Dave Stratman</u>

To: <u>Meiners, Laura; Lomio, Michael</u>

Subject: Cambrian Park Plaza

Date: Thursday, July 14, 2022 11:52:41 AM

[External Email]

Hi Laura,

Thank you for your work with the developers to get the plaza annexation through the planning commission yesterday. This has been a very slow process and we're excited for this step and to be able to hopefully take advantage of the newly developed plaza sooner than later!

As you continue working with them to tweak the plans and move towards actual construction I'd recommend the following items be considered:

- Restrict the "New Public Street" toward the back of the property into two sections
 - Pragmatically the city will need a way to avoid this becoming a cut through for commute traffic.
 - Emergency fire/medical could pass through as could city utilities (trash/recycling), but normal cars should not be allowed past the halfway point.
 - Potentially some angled curb up onto a half grass, half pavers checkerboard section of the road with signage and/or flexible bollares marking the restrictions.
 - This would critically make it much safer for kids moving between the central grass area and the playground next to Wyrick.
- Require first floor retail in all major buildings, not just the apartments in building 1.
 - For more of a true downtown mainstreet feel on "Main Street", both the hotel (building 2) & assisted living (building 3) on the other side of the street should have retail on the 1st floor facing building 1.
 - It seems the current plan only recommends/requires this in building 1. We would welcome this change even if the buildings were raised a level to accommodate.
- Provide some "playable" artwork in the central plaza
 - We love the idea of outdoor eating and drinking for families!
 - Being able to sit outside and allow children to play within viewing distance would be a great addition that allows more of an adult vibe to the restaurants while still welcoming families with kids (the playground is too far aways and currently requires crossing a street; see above)
 - For some great local examples of art/play fusion see the Pruneyard Gorrilla climbing sculptures or Santana Row's chess board and Valencia plazas.

Overall the second incarnation of the redesign hits much closer to the mark of what the community is looking for and we're very encouraged by it. Our family is looking forward to spending our tax dollars here instead of just Campbell and Los Gatos as so many of us do today.

(I'm copying Michael from Pam Foley's office as he's been historically involved in helping

provide community feedback to the developers).

Thanks,

-Dave Stratman

 From:
 PlanningSupportStaff

 To:
 Mitre, Betty

 Cc:
 Meiners, Laura

Subject: FW: Please Approve the Cambrian Village Signature Project

Date: Friday, July 22, 2022 8:51:00 AM

----Original Message----

From: City Clerk <

Sent: Thursday, July 21, 2022 3:19 PM

To: PlanningSupportStaff <

Subject: FW: Please Approve the Cambrian Village Signature Project

-----Original Message-----

[You don't often get email from

From: Gavin Hayes

Sent: Thursday, July 21, 2022 12:21 PM

To: City Clerk <

Cc:

Subject: Please Approve the Cambrian Village Signature Project

https://aka.ms/LearnAboutSenderIdentification

[External Email]

Dear Councilmembers,

I live near Cambrian Park Plaza and am a long-time supporter of the Cambrian Village mixed-use redevelopment plan for the site.

Learn why this is important at

I am writing to urge you to approve the Cambrian Village plan. Cambrian Village will revitalize this site and bring incredible community benefits to District 9 that are long overdue for the neighborhood.

Cambrian Village has taken years to plan, and it reflects what the community wants.

Please approve this Signature Project without delay.

Sincerely,

Gavin Hayes



 From:
 Carl Norum

 To:
 City Clerk

 Cc:
 Meiners, Laura;

Subject: Please Approve the Cambrian Village Signature Project

Date: Thursday, July 21, 2022 10:58:23 A

[Some people who received this message don't often get email from https://aka.ms/LearnAboutSenderIdentification]

[External Email]

Dear Planning Commissioners,

I am a resident of Cambrian Park - I live just a block or so away from the plaza and am a long-time supporter of the Cambrian Village mixed-use redevelopment plan for the site. The existing retail has been under-utilized and terrible for years, and we really need to have the denser housing and improved outdoor space, too.

Cambrian Village will revitalize this site and bring incredible community benefits to District 9 that are long overdue for the neighborhood. I know there are a lot of vocal NIMBYs who want to stop any reasonable progress at any cost, but we can't keep placating them forever. Let's make our neighbourhood and city a brighter, better, place to live.

Please approve this project!

--

Carl Norum

 From:
 John Radle

 To:
 City Clerk

 Cc:
 Meiners, Laura;

Subject: Please Approve the Cambrian Village Signature Project

Date: Thursday, July 21, 2022 4:10:32 PM

Some people who received this message don't often get email from Learn why this is important

[External Email]

Dear Councilmembers,

I am a resident of San Jose, I live near Cambrian Park Plaza and am a long-time supporter of the Cambrian Village mixed-use redevelopment plan for the site.

I am writing to urge you to approve the Cambrian Village plan. Cambrian Village will revitalize this site and bring incredible community benefits to District 9 that are long overdue for the neighborhood.

Cambrian Village has taken years to plan, and it reflects what the community wants.

Please approve this Signature Project without delay.

Sincerely,

Johney Radle

Sent via the Samsung Galaxy S21 5G, an AT&T 5G smartphone Get <u>Outlook for Android</u>

 From:
 Nitin Saini

 To:
 City Clerk

 Cc:
 Meiners, Laura;

Subject: Please Approve the Cambrian Village Signature Project

Date: Thursday, July 21, 2022 1:06:40 PM

Some people who received this message don't often get email from Learn why this is important

[External Email]

Dear Councilmembers,

I am a resident of San Jose, I live near Cambrian Park Plaza and am a long-time supporter of the Cambrian Village mixed-use redevelopment plan for the site.

I am writing to urge you to approve the Cambrian Village plan. Cambrian Village will revitalize this site and bring incredible community benefits to District 9 that are long overdue for the neighborhood.

Cambrian Village has taken years to plan, and it reflects what the community wants.

Please approve this Signature Project without delay.

Sincerely,

Nitin

 From:
 Claire Shiften

 To:
 City Clerk

 Cc:
 Meiners, Laura;

Subject: Please Approve the Cambrian Village Signature Project

Date: Thursday, July 21, 2022 3:42:23 PM

You don't often get email from

Learn why this is important

[External Email]

Dear Councilmembers,

As a resident of San Jose, I live near the Cambrian Park Plaza and am supporting of the Cambrian Village mixed-use redevelopment plan.

I do urge you to approve the Cambrian Village plans. This site is long overdue for revitalization and better space usage. It will bring incredible community benefits to District 9 that are long overdue for the neighborhood.

Cambrian Village has taken years to plan, and it reflects what the community wants.

Please approve this Signature Project.

Sincerely,

Claire Shifren

 From:
 PlanningSupportStaff

 To:
 Mitre, Betty

 Cc:
 Meiners, Laura

Subject: FW: Please Approve the Cambrian Village Signature Project

Date: Friday, July 22, 2022 8:51:40 AM

From: City Clerk <city.clerk@sanjoseca.gov>

Sent: Friday, July 22, 2022 7:27 AM

To: PlanningSupportStaff < PlanningSupportStaff@sanjoseca.gov> **Subject:** FW: Please Approve the Cambrian Village Signature Project

From: odded solomon

Sent: Thursday, July 21, 2022 4:35 PM **To:** City Clerk < city.clerk@sanjoseca.gov>

Subject: Please Approve the Cambrian Village Signature Project

You don't often get email from

Learn why this is important

[External Email]

Dear Councilmembers,

I am a resident of San Jose, I live near Cambrian Park Plaza and am a long-time supporter of the Cambrian Village mixed-use redevelopment plan for the site.

I am writing to urge you to approve the Cambrian Village plan. Cambrian Village will revitalize this site and bring incredible community benefits to District 9 that are long overdue for the neighborhood.

Cambrian Village has taken years to plan, and it reflects what the community wants.

Please approve this Signature Project without delay.

Sincerely,

Odded Solomon

From: Mike Wittig
To: City Clerk
Cc: Meiners, Laur

Subject: Please Approve the Cambrian Village Signature Project

Date: Thursday, July 21, 2022 12:16:11 PM

Some people who received this message don't often get email from Learn why this is important

[External Email]

Dear Councilmembers,

I am a resident of San Jose, I live near Cambrian Park Plaza and am a long-time supporter of the Cambrian Village mixed-use redevelopment plan for the site.

I am writing to urge you to approve the Cambrian Village plan. Cambrian Village will revitalize this site and bring incredible community benefits to District 9 that are long overdue for the neighborhood.

Cambrian Village has taken years to plan, and it reflects what the community wants.

Please approve this Signature Project without delay.

Sincerely,

Mike Wittig

 From:
 Ragh B

 To:
 City Clerk

 Cc:
 Meiners, Laura;

Subject: Please Approve the Cambrian Village Signature Project

Date: Friday, July 22, 2022 11:58:56 PM

Some people who received this message don't often get email from . Learn why this is important

[External Email]

Dear Councilmembers,

I am a resident of San Jose, I live near Cambrian Park Plaza and am a long-time supporter of the Cambrian Village mixed-use redevelopment plan for the site.

I am writing to urge you to approve the Cambrian Village plan. Cambrian Village will revitalize this site and bring incredible community benefits to District 9 that are long overdue for the neighborhood.

Cambrian Village has taken years to plan, and it reflects what the community wants.

Please approve this Signature Project without delay.

Sincerely,

[Ragh B]

 From:
 Aletta Godden

 To:
 City Clerk

 Cc:
 Meiners, Laura;

Subject: Please Approve the Cambrian Village Signature Project

Date: Thursday, July 28, 2022 5:54:38 AM

Some people who received this message don't often get email from why this is important

[External Email]

Dear Councilmembers,

I am a resident of San Jose, I live near Cambrian Park Plaza and am a long-time supporter of the Cambrian Village mixed-use redevelopment plan for the site.

I am writing to urge you to approve the Cambrian Village plan. Cambrian Village will revitalize this site and bring incredible community benefits to District 9 that are long overdue for the neighborhood.

Cambrian Village has taken years to plan, and it reflects what the community wants.

Please approve this Signature Project without delay.

Kindly, Aletta

Sent from my iPhone

From: Alex Shoor

To: tfrakes@ ; Morley, Sean; Ken Rodrigues; mstrahs@

Cc: Meiners, Laura; The Office of Mayor Sam Liccardo; Ferguson, Jerad; District9; Lomio, Michael; Hughes, Scott;

susan.ellenberg@ <u>david.fernandez@</u> <u>Sahid, Robyn; Ho, Nathan;</u>

<Projects@ >; Brilliot, Michael; Manford, Robert; Burton, Chris; shenson@

Subject: Re: Catalyze SV Members Evaluate & Score Cambrian Park Village

Date: Tuesday, August 2, 2022 10:23:54 AM

[External Email]

Sean, Michael, Tim, & Ken,

Based on Kimco's recent decision to increase the number of 100% AMI units on the Cambrian Village proposal from 15 homes to 30 homes, Catalyze SV's staff invited our members to rescore the Cambrian Village project last week.

Albeit a small change, I'm delighted to inform you that our members increased your project's score on our "Affordability" category from a 2 to a 3! That means your overall score has now increased to a 4 out of 5.

Catalyze SV and our members will continue to advocate for this project to be approved by City Council at its upcoming meeting, while also requesting that Kimco reduce the AMI level of the proposal, ideally to 60% for some or all of the affordable homes.

The Cambrian Village's updated scores are now reflected on our website.

Thank you to Kimco for being responsive to Councilmember Foley and our members' suggestions on the project.

Gratefully,

Alex

Alex Shoor

Executive Director, Catalyze SV

Get Catalyze SV apparel | Schedule time w/Alex

On Mar 11, 2021, at 6:59 PM, Alex Shoor <

Tim, Sean, & Ken,

Thanks for presenting Cambrian Park Village to the members of Catalyze SV's Project Advocacy Committee last month. Our members are excited to be involved in this large project that will bring hundreds of homes and a new village center to the Cambrian community. Our members were particularly impressed with the plan's vibrancy, your community engagement efforts thus far, and

the plan's mixed-use walkability.

Please find below the evaluation from <u>Catalyze SV</u>'s Project Advocacy Committee and a feedback form for the project.

- **1)** <u>Scorecard</u>. The project scored well at 3.86 out of 5. This is above Catalyze SV's threshold we can continue to be involved in urging this project to move forward.
- **2)** <u>Letter.</u> We would also like to offer constructive comments on the project that come from our members. Especially with Catalyze SV's suggestions incorporated, we look forward to seeing this project move through the approval process to become a great asset to San Jose.
- **3)** Feedback Form. To make it easier and quicker for you to respond point-by-point to our suggested improvements, we've prepared this feedback form. We'd like to ask Weingarten Realty Investors to use this form to respond to our comments within 60 days from today. That would be May 10th. *Is that feasible*?

In the meantime, <u>can we set up a follow-up meeting with you in March</u> to go over our scorecard & letter and answer any questions you may have? Our Development Manager Gavin Lohry will be following up to set that up. We'll also be asking Laura Meiners if we can follow up and chat with her.

In the coming days, we'll be adding the above scorecard & letter to <u>our website</u>, and the <u>video of your presentation</u> to our members is already on our Facebook Live page.

Thank you very much for considering our members' views on this project.

Warmly, Alex

Alex Shoor Executive Director Catalyze SV

August 9th City Council Meeting - Please Approve Cambrian Village Signature Project

Meraf Eyassu < Thu 8/4/2022 12:31 PM

To: City Clerk <

Cc:

[External Email]

You don't often get email from Learn why this is important

[External Email]

Dear City Council Members,

I am a resident of San Jose, I live near Cambrian Park Plaza and am a long-time supporter of the Cambrian Village mixeduse redevelopment plan for the site.

Cambrian Village will revitalize this site and bring incredible community benefits to District 9 that are long overdue for the neighborhood.

Cambrian Village has taken years to plan, and it reflects what the community wants. Please approve this Signature Project as soon as possible.

Sincerely,

Meraf Eyassu



Sent from my T-Mobile 5G Device Get <u>Outlook for Android</u>

This message is from outside the City email system. Do not open links or attachments from untrusted sources.