

City of San Jose
200 East Santa Clara Street, 3rd Floor Tower
San Jose, CA 95113-1905

December 5th, 2018

Attention: City of San Jose Council, Planning Commission and Planning Staff

Subject: File No. GP18-004 General Plan Amendment to change Land Use Designation for CUHSD District office maintenance yard

Greetings Honorable Mayor, Councilmembers, Commissioners and Staff,

Kudos to the council for last night's discussion regarding the property sale to Google and the associated General Plan changes. Hopefully, all the citizens who spent their time providing input last night will listen to each of the councilmembers' comments, as the councilmembers did an admirable job explaining their respective positions. I want to highlight Councilmember Peralez's heartfelt comments, particularly the part about being renter in his hometown.

The disruption of the meeting caused me to do a bit of research on the real reason for listening to last night's council meeting, which was to hear the discussion of GP18-004. As I scrolled through the hundreds letter of support for the GP18-004 project, I found two that were missing; mine! Please include my previous November 5th and September 22nd emails as part of the public record.

Further reflecting upon last night's meeting, why aren't similar restrictions, such as what is being suggested for the Google project being placed on this or other projects? Restrictions such as,

- 25% inclusionary housing requirement¹
- Commercial linkage fees

I understand those proposed restrictions will be discussed at the December 11th meeting, and the purpose this letter isn't to discuss those restrictions.

Having said that, given this is public land, we should be looking at opportunities to enhance all community benefits. For instance, in my November 5th correspondence, I suggested this property could be ripe for an agrihood-type project, such as what the City of Santa Clara is



¹ The data from San Francisco suggests that "The 25% inclusionary rate is killing affordable housing."
<https://medium.com/yes-in-my-blog-yes/the-25-inclusionary-rate-is-killing-affordable-housing-db143c4abd31>

doing with the BAREC site. Another possibility could be mixing in a tiny home, virtually car-free, eco-community with the proposed commercial development.²

This idea would be revolutionary for this area and probably the entire country, as it has the potential to create more value for all stakeholders. As an example of the high-level view of economics of such a project, assuming an average finished of 44 units per acre at an average finished cost of \$200,000, the resulting community would have approximately 5 times as many households as traditional residential zoning at a per unit cost of less than \$1,000 per month without subsidy. This could be a great opportunity for workforce housing for the nearby urban village and beyond.

This type of project probably could not happen with the current zoning rules. So, my ask for this project is to give CUHSD and its chosen developers, along with the community and city planners, the opportunity to create something innovative and that benefits the community like no other project heretofore.

Sincerely,

Ken Pyle

² See for examples of this, as well as a look at the economics of such a project in this WNAC post <http://winchesternac.com/2018/06/02/adu-questions-tiny-community-idea/>

City of San Jose
200 East Santa Clara Street, 3rd Floor Tower
San Jose, CA 95113-1905

via email
October 27th, 2018

Attention: City of San Jose Council, Planning Commission, and Planning Staff

Subject: File No. GP18-004 General Plan Amendment to change Land Use Designation for CUHSD District office maintenance yard

Greetings Honorable Mayor, Councilmembers, Commissioners, and Staff,

As follow-up to my September 22nd, 2018 email regarding GP18-004, the proposed General Plan Amendment to change Land Use Designation for CUHSD District office maintenance yard, I am changing my recommendation and believe that the city should approve a zoning change to allow for the redevelopment of CUHSD's property, so as not to delay potential revenue generation for CUHSD.

After a conversation with and a presentation from Board Trustee Stacy Brown at the Del Mar PTSA meeting, I am going to place my trust in the board that they made the right decision, based on what has been discussed in open and closed sessions and the information and assumptions they were given by their consultant. I also trust that CUHSD will find a way to distribute its buses from its existing bus yard, so as not to unduly burden any one school.

As stated by CUHSD on its website, it is early in the process, so if the city has suggestions that change the underlying premises and assumptions, I assume that the CUHSD will make changes as possible and as appropriate, to provide maximum benefit to all parties. This also represents just 12-acres of CUHSD's approximately 244-acres of property and I implore CUHSD and the City of San Jose to find ways to work together to maximize the community benefit from those other parcels.

With that said, as outlined in my September correspondence, the process for deciding how to develop school properties needs to improve and I suggest a proactive and collaborative approach between the City of San Jose, the school districts that serve San Jose and the community. I plan on suggesting some ideas on how that might be done in a separate, future letter.

In Community,

Ken Pyle
Parent of a CUHSD Student

Attachment: Appendix A - Comments on the Initial Study

Appendix A - Comments on the Initial Study

The City of San Jose's planning department issued their [Initial Study for the proposed General Plan Amendment of the Campbell Union High School District District Office Property with a "Negative Declaration" meaning that the proposal would have no significant environmental impact.](#)

What is interesting is that staff spent the effort to create an **alternative scenario** (which also sports a Negative Declaration) that would re-zone 9-acres of the property from Public-Quasi Public (PQP) to Combined Industrial Commercial (CIC). This alternative scenario is exclusively commercial and suggests it would lead to an increase in 411 jobs, (page 2-8).

"This Initial Study would also explore a staff alternative and, for the purpose of this report, is referred to as Scenario 2. As shown in Figure 3-4, under Scenario 2 an approximately 9-acre portion of the site is proposed to be CIC. Under the CIC designation, approximately 185,000 square feet of commercial uses could be developed. The current proposal would keep 3 acres fronting Union Avenue as PQP without any changes to the General Plan designation and would continue to be used as the CUHSD Administrative and Maintenance offices. Similarly to Scenario 1, future development of the 3 acres designated PQP would need to be consistent with the uses and intensities allowed under the PQP General Plan land use designation. No residential development is proposed under Scenario 2. "

This alternative scenario is consistent with the city's desire to create more opportunities for jobs and to not convert land for residential use. What is not clear is whether this type of land-use designation would even be viable?

That is, and, based on the timeline provided by CUHSD, it looks like they were unsuccessful in attracting interest from commercial tenants in their discussions with, "Kaiser Permanente, WeWorks, Facebook, Apple, Google and other potential office uses on site." (see [CUHSD Timeline of Events, Real Property Options](#))

Could there be a third scenario of, say, a mixed-use development (that combines jobs and residential density of >55 dwelling units per acre - a density that does not put a fiscal drain on city resources) **be of even more value to the District and the larger community?**

For instance, is this the type of property that could be ripe for an Agrihood-type project, such as what is being proposed on the [6-acre BAREC site in Santa Clara](#)? That project is a "residential mixed-use development consisting of 160 mixed-income apartments,



165 affordable senior apartments, 36 townhomes and approximately 1.5 acres of agricultural open space."

Several times in the document, it mentions that this project is within the boundaries of SJUSD and Cambrian School District. This fails the logic test, as SJUSD and the Cambrian School District both serve K-8 students. Additionally, given that CUHSD's former Camden High School campus was located on the project site, it stands to reason this is actually within CUHSD. Further, [this map](#) indicates that SJUSD's boundaries do not extend to the project site.

"The project site is within the boundaries of the San José Unified School District (SJUSD) for and the Cambrian School District. With the exception of the Camden Community Day School, which is on the project site fronting Camden Avenue, the closest schools to the project site are Farnham Elementary School (0.5 miles southwest) in the Cambrian School District, Saint Francis Cabrini Catholic School (0.15 miles south) a private school and not subject to public funding, Ida Price Middle School (0.7 miles to the northeast) in the Cambrian School District, and Willow Glen High School (2.5 miles to the northeast) in the SJUSD."



Narrowest Part of CUHSD Property - 190'

From page 4-20, Scenario 2 would allow heights of 50 to 65 feet. Even within the narrowest part of the so-called barbel (which is 190 feet wide and is about 1.6-acres), this could mean a building at this portion of the site could be as tall as 50 feet if it were 50 feet from the property line (45-degree angle). This would allow the building(s) to be 90 feet wide, even at the narrowest part of the property. Of course, this portion of the property could also be open space, leaving structures to other portions of the property.

"With respect to the 3-acre parcel, future development could be up to 24 stories under CIC. However, future development, residential and nonresidential, would further be limited to the zoning districts of the parcels. Conforming Zoning Districts to the CIC General Plan Land Use Designation could potentially be CN Commercial Neighborhood,

CP Commercial Pedestrian, or CG Commercial General. Those zoning districts have a height maximum of 50-65 feet."

The question is whether the proposed CUHSD project leaves money on the table by limiting heights to less than they could be under the City of San Jose's planning rules?

The project, as proposed, doesn't have a development proposal. (page 4-31). This is an odd statement, as, at the [7/19/18 board meeting](#), multiple developers were mentioned, including Robson, who plans on purchasing the property at Campbell Avenue and Winchester to swap for the 6-acres of proposed residential.

"Under Scenario 1, the potential future development of this site could consist of approximately 36 dwelling units, 50,000 square foot of retail/commercial. Under Scenario 2, the potential future development could consist of 185,000 square foot of commercial uses. The proposed project, under both scenarios, would only facilitate for the potential to re-development the site with different uses in the future and the resulting proposal would be subject to additional review once submitted. The project as it is currently proposed does not have a development proposal and therefore, the current proposed land use change would not be considered a regionally significant project per Section 15206(b) of the CEQA Guidelines."

This paragraph from page 4-106 doesn't make sense, as it suggests that CUHSD will keep Administrative and Maintenance offices on Union. Under CUHSD's proposal, those offices would move to Campbell and Winchester.

"Under both Scenario 1 and 2, either 3 or 9 acres of the site would redeveloped with potentially office, light industrial uses such as storage, or small retail center. The 3 acres to the east of the project site, fronting Union Avenue, is *proposed to remain as PQP designation and continue to operate as CUHSD Administrative and Maintenance offices.* (italics mine) These type of uses and development to the area would not divide the existing community, but rather, could add into the existing amenities of this area."

It seems like the EIR ignores the people who would live in the senior care facility. Granted, these residents would not require vehicles and, given their level of care, would not be driving to grocery stores, etc.

"The proposed General Plan amendment to re-designate the project site from Public/Quasi-Public (PQP) to Residential Neighborhood (RN) on approximately 6 acres in the center of the site and Combined Industrial/Commercial (CIC) on approximately 3 acres fronting Camden Avenue would permit a maximum allowable residential density of 8 du/ac. Future residential development on the 6-acre portion could result in the development of approximately 36 multi-family units. , assuming the average household size of 3.06 persons per household, approximately 110 new residents. In addition, it is

assumed that up to 50,000 square feet of non-residential development could be developed on the 3-acre portion of the site generating up to 111 employees, which would support an appropriate urban form for the surrounding uses."

What are the assumptions that go into Vehicle Miles Traveled? These assumptions could make a big difference. For instance, if the residential units reduce a 30-mile commute to 0-miles (e.g. a resident can walk to work at the nearby retail), that could be huge. Page 4-143

"As shown in Table 4-7, the citywide daily VMT would increase slightly under the proposed project Scenario 2 when compared to the current General Plan PQP land use designation. However, the VMT per service population would not change when compared to the current General Plan PQP land use designation. The small increase in daily VMT is due to the shifting of land use/growth within different parts of the city. However, the increase in daily VMT is too small to have a measurable effect on the citywide VMT per service population."

It doesn't look like the assumptions include city policies intended to reduce VMT. Page 4-175

"It is important to note that the VMT per service population is based on raw model output and does not reflect the implementation of adopted General Plan policies and goals that would further reduce VMT by increased use of non-automobile modes of travel."

The Winchester Urban Village

Campbell Union High School District Property



LAND-USE & TRANSPORTATION

A Little More Transparency Please – CUHSD, Please Provide Details of the D.O. Deal

SEPTEMBER 21, 2018 | KEN PYLE | LEAVE A COMMENT |

(<https://winchesterurbanvillage.files.wordpress.com/2018/09/screenshot-mail-google-com-2018-09-21-10-25-41.png>)

\$1.5 M in unrestricted annual revenue is the promise of the CUHSD proposal to convert its existing approximate 12-acre district office site

(<http://www.sanjoseca.gov/DocumentCenter/View/78781>)

to a mix of approximately 6-acres of senior-care, daycare and self-storage facility and 6-acres of single family homes. The 6-acres devoted to single family

homes would effectively be sold to a developer (Robson Homes) through an exchange of property, while the rest of the property would be retained by the district with recurring rental income from long-term ground leases from the aforementioned businesses. The





The apparent, proposed location of the new CUHSD District Office.

District's new office would be relocated to a refurbished building located at Campbell and Winchester on land to be purchased by Robson Homes and included in the previously referenced exchange.

In principle, this idea of monetizing CUHSD's assets is a good one and something that should be done to help provide a stable source of income, particularly as CUHSD deals with challenges associated with pension funding, teacher retention and the potential for declining enrollment.

The question, and the reason for this article, is whether the plan that CUHSD is proposing is optimal. ***That is, could a different plan provide a greater revenue stream, community benefits and/or reduced environmental impact?***

And that is a question that is difficult to answer, as much of CUHSD's deliberation and action has occurred in closed session. The official webpage for the plan doesn't provide detail, other than some guiding principles and that CUHSD is requesting a zoning change from the City of San Jose. (<https://www.cuhsd.org/apps/pages/forthekids>)

As much as I support the idea of what they are trying to do and I don't want to delay potential revenue, I cannot support the proposed project at this time, as what has been presented to public is lacking in data and does not address the questions asked of the board in my June 29th, 2018 letter to the CUHSD Board and Administration
(<https://docs.google.com/document/d/1ZJltZoq8rl0GN7WJHXPPh1xx1CJqR0wByiWKaOcqh8Q/edit?usp=sharing>).

Some Questions

Some of the pertinent questions asked in that letter, as well as additional questions include [comments in brackets are there to add context]:

1. Is zoning for single-family dwellings the optimum zoning for this property, from a revenue, environmental and greater good perspective?
2. Did CUHSD study all their properties for revenue potential, particularly as they relate to the Envision San José 2040 General Plan, and, if so, how did they compare and what were the positives and negatives for each property? What outreach was made to the cities to determine how potential CUHSD actions could impact their land-use decisions [e.g. Urban Village plans]?

1. Note, the presentation at this link (<https://winchesterurbanvillage.files.wordpress.com/2018/09/final-draft-campbell-union-hsd-draft-02-28-17-bs.pdf>) (provided by the project consultant, Terra Realty Advisors in a July 27th, 2018 email) provides a summary of the expected value of four of CUHSD's six properties (values aren't provided for Branham and Leigh). It appears that the value of a portion of the land at those four sites was considered in the context of single family homes and, from the presentation, does not appear to take into account future Urban Village plans.



(<https://winchesterurbanvillage.files.wordpress.com/2018/09/final-draft-campbell-union-hsd-draft-02-28-17-bs.pdf>)

Presentation dated 3/2/17

2. My independent analysis (<https://docs.google.com/presentation/d/1h8ePW8bGD8ovARJnrQrlSJFZvES3IErazZd6vUvQdEU/edit?usp=sharing>), which was done in April, 2018 in preparation for the Teachers Village & More (<http://winchesternac.com/2018/06/05/teachers-village-more-forum-complete-playlist/>) Forum is a bit different as it shows the total acreage for each property, along with its location relative to planned Urban Villages.



*Presentation prepared the 5/29/18
Teachers Village & More Forum at
Del Mar High School.*

3. How was affordable housing factored into the above study, particularly with regards to potential other programs, such as Santa Clara County's Measure A Bond funding, that could potentially leverage the impact of CUHSD's efforts?
4. Where will the buses, currently housed at the maintenance yard, be stored? Is there credence to the rumor that Del Mar High School is being considered for bus storage? [In a 7/27/18 meeting, the Project Consultant indicated that the buses would be distributed to all the school sites.]
5. Why didn't the district choose an RFP process for the selection of lessees and buyers, such as what VTA is currently doing with several Transit Oriented Development projects (<http://www.vta.org/about-us/procurement/>)?
6. When looking at swapping land, did the District consider relocating its offices to one of its other properties?

Sources

As mentioned above, the information on the project web page is minimal (<https://www.cuhsd.org/apps/pages/forthekids>). The bullets below indicate sources of additional information:

- o \$1.5M revenue referenced in this 06/20/18 email (<https://winchesterurbanvillage.files.wordpress.com/2018/09/screenshot-mail-google-com-2018-09-21-10-24-22-sender-info-blanked.jpg>), as well as verbal comments made at the 9/20/18 CUHSD board meeting by a Boardmember.



Email is blurred as it is from a personal address

- o Detail of the revenue as well as proposed uses for the property and proposed partners were given in a presentation at the 7/19/18 open board meeting. My notes from watching that meeting, along with subsequent notes from a conversation and email exchanges with the Project Consultant, are here (<https://winchesterurbanvillage.files.wordpress.com/2018/09/tra-redline-7-29-18-cuhsd-district-office-proposal-notes-180727-kp-1-7-27-18.pdf>).
- o CUHSD's only public meeting devoted to this topic was held on May 29th, 2018, the same night of the WNAC's Teacher Village & More Forum at Del Mar High School. Unfortunately, I couldn't find minutes to that meeting.
- o There was a community meeting organized by the city on August 2nd for this project (GP18-004). Unfortunately, I couldn't make that meeting [added 9/22/18 and could not find the minutes]. Here is the agenda. (<http://www.sanjoseca.gov/DocumentCenter/View/78781>)

◀ CAMPBELL UNION HIGH SCHOOL DISTRICT ◀ CUHSD ◀ DISTRICT OFFICE ◀ LAND-USE ◀ MISSING MIDDLE HOUSING ◀ SINGLE FAMILY HOUSING ◀ TEACHERS HOUSING ◀ URBAN VILLAGE