

Item 4.6

From: Amanda guerra
Reply-To: Amanda guerra
Date: Friday, November 1, 2019 at 10:27 AM
To: The Office of Mayor Sam Liccardo
Subject: Don't Reward the Slavery Towers Developers

Re: Don't Reward the Slavery Towers Developers

Dear Sam Liccardo,

Mayor Liccardo and Councilmember Diep... What happened to your pledge to create 10,000 affordable homes by 2022? Was it all a hoax, a lie? Do your words even matter?

You should rethink your November 5th attempt to cut the affordable housing requirement for developers, you should find your conscience and not subsidize rich developers by making permanent the high-rise incentive giveaway, and you should not reward the developers of Slavery Towers with more taxpayer money.

Sincerely,
Amanda guerra



Starcity

1020 Kearny Street
San Francisco, CA 94133

November 4, 2019

City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

Honorable Mayor Liccardo and San Jose City Council:

On behalf of Starcity, I wish to express our support for the full adoption of the **Downtown High Rise Residential Incentive and AHIF Downtown High-Rise Exemption programs** agendized for November 5th. As our team attested to in great detail during the City Council Meeting on September 24th, our 803-unit Coliving project on Bassett Street is significantly impacted by the fate of these programs. Building this new and relatively unprecedented type of middle income housing is not easy, and as one of the first builders in the country to embark on a project of this scale, the institutional lenders and investors we are engaging require financial returns that justify the perceived risk of such a venture. Extending the incentive and exemption programs has proven to be imperative to the capitalization of our San Jose project.

With respect to the **Development Fee Framework**, Starcity also supports the work of OED and Housing staff to propose a fee system that is based on the square footage of a building. A square footage based fee system is an equitable way to assign fees to the broad variety of housing typologies that San Jose currently permits. Moreover, the proposals to defer the timing of payment of major impact fees such as Construction Taxes and Parks Fees to the near completion of construction is a positive step that should alleviate some of the burdensome upfront financing costs that developers face during the building process.

Starcity also supports staff's efforts on the **Inclusionary Housing Ordinance Proposed Revisions**. Specifically, the optionality to "mix and match" on-site affordable units with an in-lieu fee affords developers much needed flexibility, as does the optionality to cluster affordable units on-site.

The proposal to qualify income for restricted affordable Co-living rooms at 90% of the relevant income limit for a given household size is a reasonable approach to incorporating this use into the City's Housing policy. Co-living is naturally priced to be a more affordable option than Studio and 1-Bedroom apartments. Allowing deed

restricted Co-living units to charge 90% of a corresponding rent limit for Studio is largely in-line with the market realities of this housing type, and we encourage the City to adopt this proposal.

Finally, we urge staff and City leadership to thoughtfully consider how new inclusionary fees are phased into different regions of the city. With construction costs already at an all time high and continuing to increase, we cannot assume that the economy will be any more favorable for development 3 years from now, when for example certain inclusionary fees are proposed to be phased into the Downtown area. The City has stated ambitious goals for housing production and the creation of affordable housing, which so far are not on track to be met. We recommend that staff consider an introduction or increase in fees that is commensurate with the achievement of specific production goals, rather than the expiration of an arbitrary timeline that may ultimately prove to be ignorant of market realities.

We wish to thank city staff for their very strong effort in introducing a more dynamic and fair series of housing policies this fall that take into consideration a real variety of approaches to solving the housing affordability crisis, and we look forward to the adoption of these measures in the coming days.

Best Regards,

Eli Sokol
Senior Development Manager
Starcity

Dear Mayor Sam Liccardo and Councilmember Dev Davis,

As a resident of District 6, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

We are in the middle of a historic housing crisis that threatens the ability of working families to remain in San Jose as rising rents and evictions continue to push far too many families out of their homes.

This is why I am so troubled by proposals on November 5th, 2019 to both make it easier to demolish affordable homes and evict low income tenants, and to require developers to contribute less to solving our affordable housing crisis.

Currently, San Jose's Ellis Act Ordinance helps preserve rent control apartments, which are the most affordable apartments on the market for low and moderate income families. The ordinance requires 50% of new apartments built on the site of previously rent-stabilized apartments be subject to rent control. Early this year, February 5, 2019, the San Jose Mayor asked staff to research the effects on lowering this re-control provision on development.

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Instead of weakening our Ellis Act Ordinance, we should be strengthening it by providing more protection to tenants and ensuring tenants have a right to return at their previous rents. We should be protecting our affordable housing funds, instead of padding the bank accounts of billionaire Wall Street investors and millionaire developers.

We need the City Council to focus on preserving and producing MORE affordable homes, not doing less. Please support tenants and working families on November 5th.

Sincerely,

Howard Friedman

Dear Mayor Sam Liccardo and Councilmember Raul Peralez,

As a resident of District 3, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

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Sincerely,

Priscilla Acuna

Dear Mayor Sam Liccardo and Councilmember Dev Davis,

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Sincerely,

Betsy Hammer Carr

Dear Mayor Sam Liccardo and Councilmember Sylvia Arenas,

As a resident of District 8, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

We are in the middle of a historic housing crisis that threatens the ability of working families to remain in San Jose as rising rents and evictions continue to push far too many families out of their homes.

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Sincerely,

Chrystine Lawson Villarreal

Dear Mayor Sam Liccardo and Councilmember Dev Davis,

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Sincerely,

Shellie Sayles

Dear Mayor Sam Liccardo and Councilmember Pam Foley,

As a resident of District 9, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

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Sincerely,

Rebecxa Haggerty

Dear Mayor Sam Liccardo and Councilmember Maya Esparza,

As a resident of District 7, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

We are in the middle of a historic housing crisis that threatens the ability of working families to remain in San Jose as rising rents and evictions continue to push far too many families out of their homes.

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Sincerely,

Lisa Terry

Dear Mayor Sam Liccardo and Councilmember Lan Diep,

As a resident of District 4, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

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Sincerely,

Ronnel Corre

Dear Mayor Sam Liccardo and Councilmember Sylvia Arenas,

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Sincerely,

Gabriel Persijn

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Sincerely,

Soledad Ceballos

Dear Mayor Sam Liccardo and Councilmember Dev Davis,

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Sincerely,

Arthur Coja

Dear Mayor Sam Liccardo and Councilmember Pam Foley,

As a resident of District 9, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

As someone who volunteers regularly at a drop-in center for unhoused women, I see first hand, the need to provide housing to get them off the streets and into safe, clean, and healthy surroundings. Such housing should be a priority since San Jose has so many people who are unhoused.

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Sincerely,

Claudia Hamm

Dear Mayor Sam Liccardo and Councilmember Lan Diep,

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Sincerely,

Ramona Cardon

Dear Mayor Sam Liccardo and Councilmember Johnny Khamis,

As a resident of District 10, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

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Jeannette Schreiber

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Instead of weakening our Ellis Act Ordinance, we should be strengthening it by providing more protection to tenants and ensuring tenants have a right to return at their previous rents. We should be protecting our affordable housing funds, instead of padding the bank accounts of billionaire Wall Street investors and millionaire developers.

We need the City Council to focus on preserving and producing MORE affordable homes, not doing less. Please support tenants and working families on November 5th.

Sincerely,

Cynthia Denny

Dear Mayor Sam Liccardo and Councilmember Sylvia Arenas,

As a resident of District 8, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

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Robert Applebaum

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Estella Gonzales

Dear Mayor Sam Liccardo and Councilmember Magdalena Carrasco,

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Sincerely,

Jessica Trejo

Dear Mayor Sam Liccardo and Councilmember Johnny Khamis,

As a resident of District 10, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

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Sincerely,

Lynda Demanti

Dear Mayor Sam Liccardo and Councilmember Dev Davis,

I personally know of 7 people on housing vouchers at 1350 West San Carlos who will be displaced when the new owner, Urban Villas, LLC (Viji Mani of Cupertino) demolishes their units to make way for high rise condos. This is not civilized. The vulnerable are being shoved aside so that wealthy investors can make even more money.

As a resident of District 6, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

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Susan Price-Jang

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Tom Morman

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Daniel Seniff

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Salvador Bustamante

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Brian Boortz

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Hector Castaneda

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Valerie Pickering

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David Budd

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Veronica Romero

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We need the City Council to focus on preserving and producing MORE affordable homes, not doing less. Please support tenants and working families on November 5th.

Sincerely,

Teresa Schiller

Dear Mayor Liccardo,

I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

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Rudy Stefenel

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Sumati Ram

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Linda Jordan

Dear Mayor Sam Liccardo and Councilmember Johnny Khamis,

As a resident of District 10, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

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Caroline Thomas

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James Armstrong

Dear Mayor Sam Liccardo and Councilmember Sylvia Arenas,

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Janet Atkins

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Estella Gonzales

Dear Mayor Sam Liccardo and Vice Mayor Charles “Chappie” Jones,

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James Marshall

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Sincerely,

Darby Cunning

Dear Mayor Sam Liccardo and Councilmember Raul Peralez,

As a resident of District 3, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

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Please consider the negative impact these changes will have on vulnerable seniors and the disabled. We, as a thriving must preserve and protect these important communities!

Be Well,
Anna Harshbarger

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Instead of weakening our Ellis Act Ordinance, we should be strengthening it by providing more protection to tenants and ensuring tenants have a right to return at their previous rents. We should be protecting our affordable housing funds, instead of padding the bank accounts of billionaire Wall Street investors and millionaire developers.

We need the City Council to focus on preserving and producing MORE affordable homes, not doing less. Please support tenants and working families on November 5th.

Sincerely,

Valerie Pickering

Dear Mayor Sam Liccardo and Councilmember Maya Esparza,

As a resident of District 7, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

We are in the middle of a historic housing crisis that threatens the ability of working families to remain in San Jose as rising rents and evictions continue to push far too many families out of their homes.

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Lisa Terry

Dear Mayor Sam Liccardo and Councilmember Raul Peralez,

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Meggyn Watkins

Dear Mayor Sam Liccardo and Councilmember Johnny Khamis,

As a resident of District 10, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

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Sincerely,

Dotty Myers

Dear Mayor Sam Liccardo and Councilmember Lan Diep,

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Sincerely,

Ramona Cardon

Dear Mayor Sam Liccardo and Councilmember Lan Diep,

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Sincerely,

Brandon Catolico

Dear Mayor Sam Liccardo and Councilmember Dev Davis,

As a resident of District 6, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

We are in the middle of a historic housing crisis that threatens the ability of working families to remain in San Jose as rising rents and evictions continue to push far too many families out of their homes.

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We need the City Council to focus on preserving and producing MORE affordable homes, not doing less. Please support tenants and working families on November 5th.

Sincerely,

Nathan Temiquel

Dear Mayor Sam Liccardo and Councilmember Dev Davis,

As a resident of District 6, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not fewer.

We are in the middle of a unparalleled housing crisis that threatens the ability of working families to remain in San Jose. While I understand we must develop new housing to meet demand, we cannot compromise on protecting low-income tenants.

I do not appreciate the proposals on November 5th, 2019 to make it easier to demolish affordable homes and evict low-income tenants, and to require developers to contribute less to solving our affordable housing crisis.

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Instead of weakening our Ellis Act Ordinance, we should be strengthening it by providing more protection to tenants and ensuring tenants have a right to return at their previous rents. We should be protecting our affordable housing funds instead of padding the bank accounts of billionaires.

We need the City Council to focus on preserving and producing more affordable homes. Support tenants and working families on November 5th.

Also, end single family zoning. Minneapolis did it and now everyone thinks they're cool. Please for once let's have San Jose be cool. On a recent walk around Willow Glen, I kept seeing yet more \$3mil single family houses springing up (even next to existing apartment complexes); if I have to look at aesthetically appalling new construction, it better be increasing our density.

Best wishes,

Zoe Zandbergen
born and raised in San Jose

Dear Mayor Sam Liccardo and Councilmember Pam Foley,

As a resident of District 9, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

We are in the middle of a historic housing crisis that threatens the ability of working families to remain in San Jose as rising rents and evictions continue to push far too many families out of their homes.

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David Bini

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Sincerely,

Sandra Jacobs-Tolle

Dear Mayor Sam Liccardo and Councilmember Sylvia Arenas,

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Sincerely,

Lisa Stillwagon

Dear Mayor Sam Liccardo and Councilmember Raul Peralez,

YOU WERE ELECTED TO REPRESENT EVERYONE IN SAN JOSE, NOT JUST THE RICH AND POWERFUL.

Raul, I know u know this, since you don't come from an affluent background. However, funding for your re-election comes from the rich and powerful, including landlords. Lower income individuals don't have as much \$ to back your re-election campaign. NEVER THE LESS, I AM COUNTING ON YOU TO REPRESENT EVERYBODY IN YOUR DISTRICT NOT JUST THE RICH AND POWERFUL💜

MAYOR LICARDO, ALTHOUGH YOU CLAIM TO REPRESENT EVERYONE IN SAN JOSE, You have aligned yourself overwhelmingly with the rich and powerful including landlords, since they fund your campaign. YOU NEED TO REPRESENT EVERYONE IN SAN JOSE💜

THANKS VERY MUCH for listening to my comments💜💜💜💜💜💜

As a resident of District 3, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

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Sincerely,

Shelley Leiser

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Sincerely,

Terry Christensen

Dear Mayor Sam Liccardo and Councilmember Magdalena Carrasco,

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Josef Osterneck

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Sincerely,

Wendy Greenfield

Dear Mayor Sam Liccardo and Councilmember Sylvia Arenas,

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Instead of weakening our Ellis Act Ordinance, we should be strengthening it by providing more protection to tenants and ensuring tenants have a right to return at their previous rents. We should be protecting our affordable housing funds, instead of padding the bank accounts of billionaire Wall Street investors and millionaire developers.

We need the City Council to focus on preserving and producing MORE affordable homes, not doing less. Please support tenants and working families on November 5th.

Sincerely,

Darlene Vales

Dear Mayor Sam Liccardo and Councilmember Magdalena Carrasco,

As a resident of District 5, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

We are in the middle of a historic housing crisis that threatens the ability of working families to remain in San Jose as rising rents and evictions continue to push far too many families out of their homes.

This is why I am so troubled by proposals on November 5th, 2019 to both make it easier to demolish affordable homes and evict low income tenants, and to require developers to contribute less to solving our affordable housing crisis.

Currently, San Jose's Ellis Act Ordinance helps preserve rent control apartments, which are the most affordable apartments on the market for low and moderate income families. The ordinance requires 50% of new apartments built on the site of previously rent-stabilized apartments be subject to rent control. Early this year, February 5, 2019, the San Jose Mayor asked staff to research the effects on lowering this re-control provision on development.

Rent controlled apartments are our City's largest source of affordable housing. Over 40,000 households, a majority of who are Latino or African American, live in rent controlled apartments. These families would be placed under greater threat of eviction and losing their home if this policy is weakened.

Additionally, the Mayor's proposal to weaken our Inclusionary Housing Ordinance would slash funding for affordable housing, potentially cutting off the opportunity for hundreds — if not thousands — of families to live in San Jose.

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Sincerely,

Olivier Castaneda

Dear Mayor Sam Liccardo and Councilmember Sylvia Arenas,

As a resident of District 8, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

We are in the middle of a historic housing crisis that threatens the ability of working families to remain in San Jose as rising rents and evictions continue to push far too many families out of their homes.

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Sincerely,

Helvia Taina

Dear Mayor Sam Liccardo and Councilmember Sylvia Arenas,

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Sincerely,

Louis Rocha

Dear Mayor Sam Liccardo and Councilmember Raul Peralez,

As a resident of District 3, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

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Sincerely,

John Luebben

Dear Mayor Sam Liccardo and Councilmember Pam Foley,

As a resident of District 9, I am asking you to stand up for working families, seniors and communities of color who need more affordable housing options, not less.

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As someone whose family has been negatively impacted by the housing crisis, I follow this issue with interest and it informs my vote.

Sincerely,

Patty Linder



**SAN JOSE DOWNTOWN
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TEL: 408-279-1775
FAX: 408-279-1904
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November 4, 2019

Jacky Morales-Ferrand
Director
Housing Department, City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

RE: Housing Policy Day November 5 City Council Meeting

Dear Jacky,

The suite of housing policy proposals at the November 5 City Council meeting threads a needle trying to encourage more affordable housing while ensuring that housing remains buildable in our city. These proposals represent progress towards San Jose grappling with the immense challenges of Bay Area affordability: establishing fee structures and balancing fairness that allows for us to create much-needed housing at all levels in our city.

First and foremost, we want to reiterate our support of the Downtown High-Rise Fee exemption. As we said at the September 24 City Council meeting when this proposal was approved, such a program will not only ensure the completion of several currently entitled housing developments, but it will also stimulate other residential projects to be built, helping to increase our overall downtown housing supply where greater densities are most desirable.

Altogether, these housing proposals caused us to revisit our principles on development. While SJDA counts developers as some of our biggest members, we have consistently endeavored to see the bigger picture and have a track record of opposing projects that do not fit our vision for downtown San Jose's best possible future. Our current stance is that downtown needs more of everything to fulfill its potential: more residents, more jobs, more shops, more restaurants, more parks, more public art, more vitality.

There are an unprecedented number of downtown development proposals presently on file with the City. We need to be crafting policies that encourages these projects to actually be built. This is not the time to make the development process more complicated or to disincentivize the addition of housing units to our market.

Clearly, there is a severe need for more affordable housing. The downtown community has welcomed projects like the Plaza Hotel, Donner Lofts, and Villas on the Park that serve the needs of our most vulnerable residents. We fully embrace the proposed approach to provide greater emphasis on housing the “missing middle” income earners such as teachers, service providers, and (perhaps selfishly) non-profit employees that are leaving San Jose for other cities. We are trying to create a downtown community for all income levels, where people don’t need to be high earners in specialized fields to prosper here.

It is a paradox the city wants more housing supply yet is adding costs to make housing more expensive. Since we want to encourage more housing, especially affordable housing, the “fee stack” on housing must be carefully balanced upon the many factors outlined in the staff memos. As we continue to evaluate our housing production goals, we must adjust our housing policies accordingly.

The cost of development studies establish a baseline. Any return less than 5% is untenable, with 5.25% considered the least possible return to unlock financing and make projects move forward and begin construction. If we want a flourishing housing market with different product types we need to ensure our policies result in completed buildings, not just proposals. The staff recommendations recognize the difficulty of taking any one point-in-time for establishing cost models and builds flexibility into its process through an annual review.

We are encouraged by the staff recommendations to create greater transparency and certainty in fees through the proposed framework. We support the recommendation to move to a per square foot “universal fee” (rather than a per unit fee), but we recognize that more work must be done on this issue, including the definition of square foot. An approach that recognizes net rentable space will not unduly favor micro-units or the discounting of common area and amenity space in larger projects. We support keeping the city’s current definition of rental square foot.

We also support staff’s recommendations to lock in fees at issuance of building permit and charge for fees when 80% of the units have received final inspection.

Given the complexity of downtown high-rise projects, we recommend a 36-month construction period (rather than 30-month) before fee escalators kick in.

Most developers have expressed a preference for paying in-lieu fees rather than building affordable housing on-site. We support staff proposals that address this by introducing the idea of “clustering” affordable units on an adjacent parcel. For rental properties, in-lieu fees will be discounted for projects providing on-site affordable units.

As in-lieu fees are restructured from a per apartment fee to a square foot fee, they will initially be set at different levels by geographic areas citywide in recognition of different housing market dynamics in San Jose. While the staff proposal states the new in-lieu fee of \$43/sq. ft.

will be applied across the city “once the market recovers,” we would ask this not be a foregone conclusion but instead be factored into the annual housing policy evaluation process.

This “transition approach” has potential and we would like to see a similar framework in place for any other fees that are introduced as a result of this work. Such an approach will give housing developers a chance to lock-in cost certainty on their fees if they are motivated to get their Site Development Permit now and move forward with construction.

Sincerely,



Scott Knies
Executive Director

Cc: Mayor Sam Liccardo
San Jose City Councilmembers
Kim Walesh
Michelle Azevedo
Michael Rewkiewicz