

City of San José
Coyote Valley Specific Plan

Summary of Technical Advisory Meeting #28
November 29, 2007
City Hall, Council Wing Room W-120

Technical Advisory Committee (TAC) Members Present

Michele Difrancia (JPB/Caltrain), Mike Griffis (County Roads & Airports), David Bischoff (City of Morgan Hill), Dawn Cameron (County Roads & Airports), Libby Lucas (California Native Plant Society), Jane Mark (County Parks & Recreation), Brian Schmidt (Committee for Green Foothills), and Tim Steele (Sobrato).

City and Other Public Agencies Staff Present

Sal Yakubu (PBCE), Darryl Boyd (PBCE), Susan Walsh (PBCE), Jared Hart (PBCE), and Stefanie Hom (PBCE).

Consultants Present

Eileen Goodwin (APEX Strategies), Darin Smith (EPS), and Bill Wagner (HMH Engineers).

Community Members Present

(none)

1. Welcome and Introductions – Eileen Goodwin, APEX Strategies

The meeting convened at approximately 3:00 p.m. with Eileen Goodwin, of APEX Strategies, welcoming everyone to the Technical Advisory Committee (TAC) meeting. Everyone introduced themselves and indicated what agency they are representing.

2. Agenda Review – Eileen Goodwin, APEX Strategies

3. Update on CVSP DEIR – Darryl Boyd, Principal Planner with the City of San Jose Department of Planning, Building and Code Enforcement

- Would there be additional costs due to re-circulation the EIR? *Yes. Darryl indicated that the previous contracts and scopes did not anticipate re-circulation of the EIR.*
- Would the new contracts and scopes be approved by the City Council? *Darryl indicated staff would bring the new contracts and scopes to the City Council in late January or early February of next year.*
- Would there be a meeting with County Parks in the near future? *Darryl indicated that they are working on contracts and funding right now. Staff will try to schedule a meeting with County Parks sometime next spring.*
- Would the revised fiscal impact report still be released December 10th? *No. Darin Smith, with EPS, indicated they have not set a specific release date.*
- Would the revised fiscal impact report address infrastructure financing, or would it reference the 2006 fiscal analysis report? *Darin indicated those documents are two separate things. One document discusses infrastructure financing, and the other document addresses structural financing.*
- It would be beneficial to address global warming.

4. TAC Discussion

a. Update on Phasing Approach – Susan Walsh, Senior Planner with the Department of Planning, Building and Code Enforcement

- How does the phasing concurrency work? *Darin indicated that each phase needs to be completed before you can move onto the next phase.*
- Is that type of phasing still considered concurrent? *Darin indicated that the Task Force would like big phases for financial stability. Staff has done a variety of analysis in much smaller increments.*
- The phasing concurrency is complicated, and doesn't seem to ensure that jobs and housing will be developed concurrently. If there are 20,001 jobs can the next 10,000-unit increment in phase two be built? The Task Force may be confused by this. *Darin responded in the affirmative, and indicated that would be possible. He indicated that there was a lot of discussion about phasing with the Task Force. Staff can clarify phasing at the next Task Force meeting, if necessary.*
- Does the traffic analysis assume there is possibility of having 20,000 housing units in the first phase? *Yes. Darryl indicated that these numbers are phasing for the financing strategy. The EIR analysis could be more detailed. There may be some impacts that cannot be fully mitigated at each phase. But these phases are for financial analysis.*
- Mitigation should be tied to impacts. *Darryl indicated there would be an Area Development Policy which would address what infrastructure and mitigation measures are required for development. The phasing scenarios are for financial analysis.*
- There is a contradiction between the EIR and the financial analysis. The EIR indicates housing cannot precede jobs. But the financial analysis indicates that housing can precede jobs. *Darin indicated that that housing and jobs can be concurrent.*
- Does not think that the 2:1 concurrency ratio will work.

- Suggested having 5,000 jobs increments throughout, until 50,000 jobs are reached. *Darin indicated staff looked at that phasing scenario; however, the Task Force would like larger phases. Sal added that the current General Plan triggers require 5,000 jobs, and the compliance with the economic and fiscal triggers prior to housing.*
- Would like clarification on the phasing presented on pg. 4 of the phasing strategy. *Sal indicated that all 20,000 jobs in Phase I must be implemented before going to Phase II. In addition, when 75% of the jobs are in place, the Planning Director can decide whether or not to build more than 10,000 residential units. This is just a concept that was discussed, and it has not been approved by the Task Force.*
- If there is more concurrency in the phases in the Plan, it may be easier to finance mitigation.
- The phases are large. It would take a long time to put everything in place. If jobs and housing are built at the same time, there would be impacts. *Darryl indicated that the EIR can analyze financial phasing for impact purposes. The EIR can assess those impacts, but there is no way to know exactly when or where development will occur. The better approach is to analyze what is required to make the Plan financially feasible. It is likely that there would need to be additional environmental analysis.*
- How much of the EIR is going to be project level and how much going to be program level? *Darryl indicated there would be more information on that in the future.*
- Would there be project level clearance for the first phase of development? *Possibly.*
- The phasing is planned for jobs. There have been no jobs in North Coyote because the cost of infrastructure is high. From a jobs perspective, there is a higher likelihood to get 5,000 jobs in Coyote Valley with this phasing.

b. Preliminary Cost Estimates – Bill Wagner, HMM Engineers

- Are the serpentine and agriculture mitigations supposed to cover everything? *Yes.*
- Is Spreckles Hill included in the mitigation? *Bill indicated that Spreckles Hill is not intended for development.*
- Is \$24 million adequate for agricultural mitigation? *Darryl indicated there would be more discussion on the numbers.*
- Is there a reserve to all the infrastructure costs? *Yes.*
- Is there contingency for agriculture and serpentine mitigation? *Bill indicated there are 447 acres for serpentine mitigation. There is no additional contingency.*
- If there is a 15% contingency on agricultural mitigation, then it is really 8,000. *Bill indicated there is no contingency on two of those items. Darryl indicated that the numbers used now may not be the final numbers.*
- There is a difference of cost for serpentine soils, depending on the quality. High quality serpentine soils may cost more than what is allocated in the financial analysis. 447 acres of serpentine soil is inadequate.
- Is there a separate inflation estimate for construction? *Bill indicated that the costs are based on today's rates. It is assumed that the cost of construction will inflate, but it would be dealt with in the financing strategy.*
- County Roads estimates are in today's dollars. It is hard to assume for inflation.
- The increase of one material may affect overall costs. Financing will need to be adjusted at the time. *Darin indicated that financing plans will be adjusted every year.*

- Suggested contacting the water district to see how they assess costs. *They have been contacted.*
- The summary of backbone infrastructure costs is confusing. Does that exclude road mitigation measures? Road mitigation measures should be included in roads, not in EIR mitigation measures.
- Property owners west of the proposed lake would not participate if they cannot develop in phase I. They would not pay money to upsize the additional infrastructure. *Bill indicated the intent is to build along existing infrastructure, and then extend it logically. But it does not preclude other properties from developing in phase I. The phasing map is just one possible way the Plan could develop, but there is flexibility for other properties to develop in the first phase as well.*
- What is the estimated cost for “fair share” of off-site road mitigation? *Bill indicated the gross cost is approximately \$20 million for “fair share”. The net cost is about \$12 million.*
- Should not pay for all the mitigation measures in the first phase. Still need to do environmental analysis for future phases. There may have to be mitigation measures required for the next phases of development. *Darryl indicated that staff understands that, but they would like to take care of mitigation up front.*
- If mitigation measure costs are different 20 years from now when we are in the last phase, would that be addressed at that time? *Darryl indicated that is distinction of a program level and project level EIR. Staff will address that issue in the future.*
- It is beneficial to set the phasing now.
- What if development goes in and mitigation is not taken care of?
- Hands are tied if the mitigation measures that are determined now are the only mitigation required throughout the entire course of development.
- The lower portion of Fisher Creek already has mitigation measures from Calpine.
- Have operational factors for Caltrain been discussed or analyzed? *Bill indicated operations and maintenance is not considered in mitigation; that would be addressed in the fiscal analysis. Darryl added that they typically would not require contributions for operations and maintenance of other agencies facilities.*
- Caltrain and the Valley Transportation Authority (VTA) have been vocal about operation and maintenance costs. Caltrain’s current operating plan cannot meet the future vision. There are significant costs. *Darryl indicated that Caltrain is a regional facility, and the Plan is not expected to fund regional operations and maintenance.*
- VTA had to fund the Caltrain extension to Gilroy. *Darryl indicated that the City partners with VTA. He does not know of other cities (i.e. Salinas, etc.) that are required to pay for this.*
- Is the financing analysis final? There could be some issues that arise in the future that could change things. *Bill indicated that the objective of the financing exercise is to calculate total costs to see if it is feasible.*
- Would the \$19 million required to construct the multi-modal Caltrain Station be covered by developer fees? *Yes.*
- Would it be constructed and operational at the same time? *Bill indicated that there would be service, along with the BRT. It is a flexible system to maximize ridership.*

c. Infrastructure Financing Allocations & Feasibility Assessment – Darin Smith, EPS

- The cost distribution includes affordable housing. Have there been calculations that do not include affordable housing? *No. Darin indicated that the numbers for affordable housing reflects a \$70 million subsidy to supplement the land dedication.*
- Would the phasing plan be approved by the City Council? Is it going to be set in stone, or is it just conceptual idea? *Sal indicated the phasing plan would be taken to the City Council. The intention is that several of the elements from phasing plan would be included in the implementation program.*
- Would the Task Force approve everything? *Sal indicated that the TAC is an advisory body to the Task Force, and the Task Force is an advisory body to the City Council. The Task Force will consider the TAC's comments prior to forwarding their recommendation to the City Council.*
- Is the inclusion of CVRP in the CVSP a plan refinement? *Sal indicated that the Coyote Valley Research Park (CVRP) has existing entitlements. CVRP would like to be sure that the CVSP acknowledges their existing entitlements, so the Plan is incorporating the CVRP infrastructure. It does not mean CVSP is going to conform to the whole CVRP. The plan refinements are still under discussion.*
- What were CVRP's comments on the Plan? *Darryl indicated that CVRP was concerned that the Specific Plan did not address their existing entitlements.*
- When would you know if CVRP would go forward with CVSP or CVRP? *Darryl indicated that staff is still reviewing that issue. CVRP needs to build 3.3 million square feet by 2020, or their development agreement expires.*
- How would the CVSP incorporate CVRP? *Sal indicated that the CVSP could be redesigned to incorporate CVRP infrastructure. The Specific Plan would maintain the same land use distribution; however the public realm and backbone infrastructure would reflect the CVRP entitlements. The concept may be a hybrid of both the plans.*
- Thanked staff for the concise summary of findings.
- Would like clarification on the riparian corridor.
- What phase would regional trails be developed in? *Bill indicated that the De Anza Trail, which would connect Monterey Road to Coyote Creek, would be implemented in phase III.*

5. Public Comments

(none)

6. Next Steps in CVSP Process

7. Adjourn

Eileen Goodwin thanked everyone for coming to the meeting. Staff will schedule a TAC meeting within the Draft EIR comment period to obtain comments on the Draft EIR. The meeting was adjourned at approximately 5:00 PM.