

# SUPPLEMENTAL



## Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Joseph Horwedel

**SUBJECT:** COYOTE VALLEY PLAN -  
A VISION FOR SUSTAINABLE  
DEVELOPMENT

**DATE:** April 17, 2008

Approved

*Paul Krith*

Date

*4/17/08*

**COUNCIL DISTRICT:** 2  
**SNI AREA:** None

### SUPPLEMENTAL MEMO

#### REASON FOR SUPPLEMENTAL MEMORANDUM

The purpose of this supplemental memorandum is to transmit to the City Council: (1) a summary the discussion that occurred at the final Coyote Valley Task Force meeting held on Monday, April 14, 2008, and (2) a complete version of the "Coyote Valley Plan – A vision for sustainable development" which was still in preparation when the original memorandum was distributed.

The Task Force received the executive summary and complete version of the Vision Plan at their final meeting, and provided comments on the planning process and the document itself. The Task Force wanted to be sure that the City Council received its comments and suggestions.

#### RECOMMENDATION

It is recommended that the City Council accept the summary of the April 14<sup>th</sup> Task Force meeting, and acknowledge the "Coyote Valley Plan – A vision for Sustainable Development" as the embodiment of work of the Coyote Valley Specific Plan Task Force.

#### BACKGROUND

Since the termination of funding for the Coyote Valley Specific Plan, which had been in preparation for more than five years, staff has fashioned the large body of work developed over that time into a vision document as an embodiment of the Task Force's leadership and work pursuant to the Vision and Expected Outcomes approved by the City Council with the initiation of the Coyote Valley Specific Plan Task Force in 2002.

### ANALYSIS

The Coyote Valley Plan is neither a specific plan nor a land use policy document to be adopted by the City Council. On the contrary, it is a vision document which illustrates a range of sustainable development principles and possibilities that may be considered individually or comprehensively in any future planning effort in Coyote Valley.

A summary of the Task Force's discussion on the Coyote Valley Plan is attached to give the City Council a flavor of the Task Force's commitment and dedication to the planning effort, lessons learned, and the members' aspirations for the possible role the Vision document could play in future planning in Coyote Valley. However, it must be pointed out that the Task Force understands the status of the Coyote Valley Plan as a non-binding document. It does not meet the statutory requirements of a specific plan, and like other vision plans does not have environmental clearance. It is therefore not a land use policy document, and does not require conformance from any current or future projects in Coyote Valley.

### COORDINATION

The preparation of this memorandum has been coordinated with the City Attorney's Office. The Coyote Valley planning effort involved almost all City Departments and many outside local, state, and federal agencies, including but not limited to the Santa Clara Valley Water District, Valley Transportation Agency, and the United States Army Corps of Engineers.

### CEQA

Not a project.

  
JOSEPH HORWEDEL, DIRECTOR  
Department of Planning, Building and Code Enforcement

For more information, please contact Laurel Prevetti, Assistant Director at 408/535-7901.

*City of San José*

## ***Coyote Valley Specific Plan***

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### **Summary of Task Force Meeting April 14, 2008 City Hall, Committee Rooms W118-120**

#### **Task Force Members Present**

Co-Chair Councilmember Forrest Williams, Co-Chair Councilmember Nancy Pyle, Supervisor Don Gage, Chuck Butters, Eric Carruthers, Helen Chapman, Gladwyn D'Sousa, Pat Dando, Russ Danielson, Craig Edgerton, Melissa Hippard, Doreen Morgan, Chris Platten, Ken Saso, Steve Schott, Jr., and Steve Speno.

#### **Task Force Members Absent**

Phaedra Ellis-Lamkins, Dan Hancock, and Neil Struthers.

#### **Technical Advisory Committee (TAC) Members Present**

Shanna Boigon (SCCAOR Realtors), Mike Griffis (SCC Roads and Airports), Libby Lucas (CA Native Plant Society), Sarah Muller (Working Partnerships, USA), Brian Schmidt (Committee for Green Foothills), Tim Steele (Sobrato Development Corp.), Shelle Thomas (Morgan Hill Unified School District), and Kerry Williams (Coyote Housing Group).

#### **City Staff and Other Public Agencies Present**

Rachael Gibson (Office of Supervisor Don Gage), Jessica Garcia-Kohl (Mayor's Office), Anthony Drummond (Council District 2), Lee Wilcox (Council District 10), Roma Dawson (Council District 3), Dave Mitchell (PRNS), Maria Angeles (Public Works), Wayne Chen (Housing), Laurel Prevetti (PBCE), Sal Yakubu (PBCE), Darryl Boyd (PBCE), Susan Walsh (PBCE), Jared Hart (PBCE), Stefanie Hom (PBCE), Perihan Ozdemir (PBCE), and Regina Mancera (PBCE).

#### **Consultants Present**

Doug Dahlin (Dahlin Group), Roger Shanks (Dahlin Group), Jodi Starbird (David J. Powers & Associates), Chuck Anderson (Schaaf & Wheeler), Darin Smith (EPS) and Bill Wagner (HMH Engineers).

**Community Members Present** (Additional people were present; however, the names below only reflect individuals who identified themselves on the sign-up sheet.)

Christa Ansbergs, Nita Barve, Peter Benson, Michael Bini, Fernando Cazares, Roger Costa, Consuelo Crosby, Jo Crosby, Melissa Dekoven, Robert Eltgroth, Temica Gerrales, Janet Hebert, Sean Jones, Fred Lester, Rick Linqvist, Bruce Matesso, Michelle Mai, Tetsu, Zari Aziz, Ash Pirayou, Lori Parsons, Julie Phillips, George Reilly, Peter Rothschild, Kiley Russell, Annie Saso, Pete Silva, Kristin Sullivan, Mark Sullivan, George Thomas, Jr., Robert Trust, Jesse Votaw, Don Weden, and Auere Walewski.

### **1. Welcome**

The meeting convened at approximately 5:40 p.m. with Co-Chair Councilmember Forrest Williams welcoming everyone to the Coyote Valley Specific Plan (CVSP) Task Force meeting.

### **2. Acceptance of Task Force Meeting February 11, 2008**

Co-chair Councilmember Forrest Williams called for a motion to accept the February 11, 2008 Task Force Meeting summary. The motion passed unanimously.

### **3. CVSP Update and “Coyote Valley Plan – A Vision for Sustainable Development”**

Laurel Prevetti, Assistant Director of the City of San Jose’s Department of Planning, Building and Code Enforcement, explained that the Task Force had two documents including the Executive Summary and the Vision document, which are both posted on the website. Based on the CVSP Initial Draft, the Vision, and also includes the plan refinement, phasing and implementation work completed by the Task Force over the last few months. She invited people to review the exhibits displayed around the room that illustrate the planning process for the Coyote Valley Vision.

Laurel thanked the Task Force members, consultants, staff, community, property owners and Coyote Housing Group for their dedication and good work on some complex planning issues over the last few years. Laurel indicated that the Vision is not a specific plan because all of the required elements for a specific plan have not been completed. It is a thorough Vision for Coyote Valley that will be forwarded to the City Council on April 22, 2008. The Council will consider acceptance of all of the Task Force work to date, not adoption of a plan. As a result of the work done in the development the Coyote Valley Vision, the City now has a better appreciation of broader City-wide issues including global warming, sewage treatment plant capacity among others. The General Plan policies pertaining to Coyote Valley and the triggers will remain unchanged.

#### **4. Co-Chair Comments and Task Force Reflections**

Co-Chair Forrest Williams indicated that it is time to conclude the Task Force's work on Coyote Valley, and that the work has been stellar and has involved a lot of creativity and imagination. He thanked all of the Task Force members for their time, commitment and enthusiasm and indicated that the Co-Chairs are planning a special recognition for them soon.

Co-Chair Pyle also thanked the Task Force members for their dedication to the development of a sustainable plan for the future of Coyote Valley. She has been impressed by the complicated layers of issues addressed and the breadth of the public outreach, and is grateful for the opportunity to be involved in developing a world class vision for Coyote Valley.

Task Force members took turns to reflect on their participation, experiences, and impressions of the planning process, the conduct of Task Force meetings and community outreach, and the final work product – the Coyote Valley Plan – as the embodiment of the Task Force's work over the last five years. The following is a summary of the comments that were made:

##### **a. Appreciation for Quality of Plan and Task Force and Community Work:**

- Overall, this was a very good experience for the Task Force and the community.
- There have been a lot of varied perspectives and compromises that have resulted in reasonable and innovative solutions.
- This was an outstanding planning process with unprecedented community and stakeholder outreach.
- Really impressed with the quality of the plan, especially the transit-oriented development, high density residential and mixed-use pedestrian-oriented development concepts.
- Impressed with the Greenbelt Strategy and hope that it will provide a basis for further work on Greenbelt preservation.
- The Agricultural mitigation approach considered is also being used by a lot of other cities and is the wave of the future.
- Appreciated the opportunity to get to know other Task Force members and understand their perspectives and opinions on a variety of complex issues.
- Thanked the Co-Chairs for handling the meetings very well, despite some of the heated and passionate discussions on some topics.
- Staff and the consultants did high caliber work and a good job of responding to issues and developing innovative solutions.
- Concerned that the City has not honored their commitment to provide services to some Coyote Valley properties annexed in 1959.
- Appreciated the Greenbelt property owners concerns and frustrations, and their commitment and involvement in the process.
- Have not seen anything else like this high quality planning effort in San Jose or elsewhere; it has been a commendable effort.
- The City of San Jose showed great wisdom and leadership in establishing a project that was as inclusive and as far-reaching as this one was. This Vision for Coyote Valley will

be of great benefit to the City for years to come.

- Grateful to the funding group – Coyote Housing Group - without whom this tremendous planning effort would not be possible.
- The Vision for Coyote Valley has given us an opportunity to elevate the stature of the City and the entire Silicon Valley region. It has been an exciting planning process and will create a lot of opportunity for future generations.
- The funding group has already spent \$17 million on this plan, and when asked to increase the funding some of the funders were concerned that the costs would escalate and voted to discontinue the funding. It was a very hard decision since there has been so much good work done on the plan.
- The Task Force has fulfilled their mandate to meet the 16 City Council's Vision and Expected Outcomes.
- Learned a lot from all of the Task Force member's different perspectives.
- The Coyote Valley planning process has been more important than the end product.
- Appreciated the many hours of hard work by the Morgan Hill Unified School District and their board members.
- The plan isn't perfect but it incorporates the vast majority of ideas.
- Wish that all of the good work done on this plan had come to fruition for all of the families that have waited for generations to develop in Coyote Valley, and also to provide the jobs so badly needed in this area.

**b. General Comments on Vision:**

- Each increment of development in Coyote Valley should be fiscally beneficial to the City.
- The Coyote Valley Vision is consistent with what's happening in planning at the federal, state and regional levels to improve communities and families.
- The Coyote Valley Vision should receive national or international recognition.
- Jobs will come to Coyote Valley since it has good access to Hwy 101, and housing will follow.
- The Morgan Hill Unified School District (MHUSD) would like to make sure that school planning is not set in concrete.
- A lot of work was accomplished that will be very beneficial in the future as development comes to Coyote Valley. The City Council was right in their mandate and vision for CV.
- The entitlements will expire and the developers should move quickly with them. Laurel Prevetti responded as follows: The Coyote Valley Research Park (CVRP) Planned Development zoning for 6.6 million square feet of industrial use (and 20,000 employees) runs with the land and will not expire. CVRP also has a Development Agreement with the City that will expire if three million square feet are not built prior to 2012.
- CVRP representatives appreciate all of the encouragement to move forward to implement their entitlements, and they have already met many of the conditions of the Development Agreement.
- The Environmental Impact Report (EIR) is not completed and we do not have answers to some of the bigger issues of water supply, the wildlife corridor, solid waste capacity.
- Concerned that the environmental review for the development in Mid-Coyote may be

piecemealed.

- Would like to know how the environmental review will be done for Coyote, especially in light of the Habitat Conservation Plan (HCP).
- This is a vision and not a specific plan since the environmental and fiscal analyses are not completed yet.
- Do not want to see the same mistakes that were made in North First Street area made in Coyote Valley.

**c. Future Use of the Coyote Valley Vision Work:**

- There are a lot of things that have changed during this process including the economy, the housing market, and financing.
- There is an opportunity through the General Plan Update process to develop a plan and fiscal policies that are congruent and consistent with each other. We need to look at concurrency of housing and jobs and consider some changes to the triggers so they will align with the vision for Coyote Valley.
- All of the work that was done has resulted in a good baseline work that can be used for future planning in the City. A lot of the analyses regarding global warming, water supply issues, solid waste disposal, and treatment plant capacity can and should be used in the General Plan Update process.
- Would like to see the creative approaches to parks and trails used in other areas of the City and in the General Plan Update process.
- We should not be held hostage to what has been planned for Coyote Valley. Based on the EIR information the bar should be much higher for greenfield development, and the City should re-think the approach to planning in Coyote Valley.
- The City should change their direction for Coyote Valley because the future is going to be more different than anything that we ever imagined.
- Would like to see a lot of the innovative Coyote planning principles used in planning throughout the City.
- The overriding question that has to be asked by the City Council is whether Coyote Valley is really the right place to build a model city?
- We have lost some sizable companies that wanted to come into Coyote Valley because the planning was not completed yet. The City should be ready with a plan the next time a company is ready to move into Coyote Valley, otherwise, new jobs will go elsewhere and we will lose the needed jobs and the tax base.
- If the City is not ready for development in Coyote Valley they should make it clear so that property owners can plan ahead.
- Would like to strongly recommend that the Council consider the following issues:
  - The City should move aggressively to assist in the implementation of the existing entitlements and get those jobs filled to further the City's economic development and give way to some of the other planning that has to occur.
  - The Coyote Valley triggers developed two decades ago may not make sense since the economy has changed, and they should be reconsidered.
  - Jobs are important to help solve the budget deficit.

- The Coyote Valley Vision and concepts should be integrated into the City of San Jose's General Plan Update.
- Acknowledge the lessons learned in this process that planning on other people's property with other people's money is a challenge. A more practical and realistic approach may be needed for implementation of the plan.  
(This above recommendation was originally made in the form of a motion, and later withdrawn in favor of sending a full summary of the Task Force comments to the City Council. The Task Force listened to the public comments prior to concluding their comments).
- Encourage the City Council to include Coyote Valley as a part of their new Global Fluency Contract efforts to promote the City.
- Do not think that the recommendation to change the triggers is in the purview of the Task Force.
- Concerned that North Coyote will proceed with industrial development and Mid-Coyote will result in residential development, resulting in segregated land uses, which is inconsistent with the Council's Vision for integration of land uses in North and Mid-Coyote.
- Concerned about where the 25,000 units will be located in the City if they are not located in Coyote.
- The Coyote Valley community is not represented on the 2040 General Plan Update Task Force.

## **5. Public Comments**

- Julie Phillips, with De Anza College, appreciated the Task Force comments, but does not see any of the biotic comments from the EIR addressed in the Vision. She claimed that most of the consultants working on this plan did not go out into the field. The students, in their 15 months of study, developed a new plan for a Coyote Valley National Monument with a tribute to the Ohlone people. Would like their Draft EIR comments presented to the City Council on April 22, 2008. .
- Mark Medeiros, a De Anza student, disagreed that this is a sustainable plan. Coyote Valley should not be built out until more infill occurs in San Jose. All environmental impacts, including the wildlife corridor issue, should be addressed before any development occurs. The only plan refinements made to the plan in the last few months were minor roadway changes.
- Donna Wallach, representing Save Coyote Valley, indicated that the Plan is destructive. Animals and plants need Coyote Valley and it is their home. Land in Coyote Valley belongs to two indigenous tribes.
- Brian Schmidt, representing Committee for Green Foothills, indicated that the EIR analysis and the fiscal analysis are incomplete so the Task Force is really not able to make an informed recommendation to the City Council. They should not make a recommendation to the Council on the plan. The City Council also directed the Task Force not to address the issue of the triggers.

- Georgia Woodruff, a resident, opposed more suburban development and recommended more infill in the City before opening up Coyote Valley.
- Tanya Diamond, a De Anza instructor, recommended that the wildlife corridor be preserved. The Santa Clara County Habitat Conservation Plan has identified three important wildlife corridors, and two of those are in Coyote Valley.
- Kristin Sullivan, with De Anza College, indicated that the Vision does not meet the legal definition of sustainable development because it does not meet the needs of the current generation without preventing future generations from meeting their basic needs.
- Consuelo Crosby, a property owner in the Greenbelt, thanked the Task Force for their work but felt that the Greenbelt has not been adequately addressed.
- Jo Crosby, a property owner in the Greenbelt, thanked the Task Force and asked that they try to put themselves in the position of the Greenbelt property owners with no services and no development rights.
- Gary Patton, General Council for Planning and Conservation and a instructor of environmental law at De Anza College, has been working with the students on the Coyote wildlife corridor issue. It is very misleading to send this document that purports to be a plan to the City Council without adequate environmental review. The Task Force does not have adequate facts on which to base a recommendation.
- Shanna Boigon, representing Santa Clara County Association of Realtors (SCCAOR), thanked the Task Force for their good work. She indicated that the environmentalists should purchase the land in Coyote Valley if they would like it to be preserved as open space.
- Lori Parsons, a De Anza student, indicated that it is very important to preserve the wildlife corridor in Coyote Valley for future generations.
- Krista Ansbergs, a De Anza student, indicated that the plan is not sustainable and the word sustainable should be taken off the cover of the Vision.
- Kerry Williams, with the Coyote Housing Group (CHG), thanked the Task Force and indicated that they are disappointed that the plan is ending. San Jose must accommodate a significant amount of residential and job growth over the next several years. A lot has changed since the initiation of the Plan, and the City must recognize that North Coyote is already entitled for industrial use, and the Mid-Coyote area will need to provide supporting land uses. The Coyote Valley Vision is a comprehensive plan that meets a lot of the City's goals.
- David Alameda, a De Anza student, feels that the plan should incorporate the wildlife corridor and not just support development.
- Meralee Potter has attended the Task Force meetings for five years and acknowledged that the Santa Clara Valley is an area that will continue to grow. The environmentalists have only been attending these meetings for the last six months. Where were they for the past five years?
- Doug Dahlin, the main land use planning consultant for the Coyote Valley plan, thanked the Task Force for their work on a very complex planning process. This plan is an effort to focus on developing a community that would use only 1/5 of the land that the suburban model uses. The old suburban model is not sustainable. He also encouraged the students to support infill development in existing communities.

## **6. Adjourn**

Co-chair Councilmember Forrest Williams thanked everyone for coming to the last Task Force meeting, and adjourned the meeting at approximately 8:15 p.m.

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