

## RESOLUTION NO. 73260

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE FURTHER MODIFYING THE EDENVALE AREA DEVELOPMENT POLICY TO PROVIDE FOR INCLUSION WITHIN THE POLICY AREA OF THAT CERTAIN SITE GENERALLY BOUNDED BY MONTEREY HIGHWAY, STATE ROUTE 85 AND MANASSAS ROAD (COMMONLY KNOWN AS THE iSTAR SITE) AND PROVIDE FOR THE DEVELOPMENT OF UP TO ONE MILLION SQUARE FEET OF INDUSTRIAL USES AND UP TO FOUR HUNDRED FIFTY THOUSAND SQUARE FEET OF COMMERCIAL USES ON SUCH SITE**

**WHEREAS**, in June of 2000 the City Council of the City of San Jose adopted the Edenvale Area Development Policy (the "Policy") to foster maintenance of a healthy, balanced economy in the City, to achieve several General Plan objectives, and to promote industrial growth in the Edenvale area of the City while addressing transportation level of service issues, and which Policy was modified in November of 2000; and

**WHEREAS**, in August of 2003, the City Council further modified the Policy to address the timely future development of a certain underutilized site located on the northeast corner of Poughkeepsie and Cottle Roads comprising approximately 18.75 acres with approximately 220,000 square feet of commercial uses; and

**WHEREAS**, in June of 2005, the City council further modified the Policy to provide for inclusion within the Policy area of that certain site generally bounded by Cottle Road, Monterey Highway, State Route 85, and Manassas Road (which site is commonly known as 5600 Cottle Road and as the "Hitachi Campus") and also to provide for the development of additional uses on the Hitachi Campus; and

**WHEREAS**, the City Council desires to further modify the Policy to provide for inclusion within the Policy area of that certain site generally bounded by Monterey Highway, State Route 85 and Manassas Road (which site is commonly known as the "iStar Site") and also to provide for the development of up to one million square feet of industrial uses and up to four hundred fifty thousand square feet of commercial uses on the iStar Site; and

**WHEREAS**, the potential environmental impacts related to this proposed modification of the Policy were analyzed in that certain Final Environmental Impact Report entitled, "iStar General Plan Amendment and Planned Development Zoning Project" (the "EIR"), which EIR was certified as complete and in compliance with the California Environmental Quality Act of 1970, as amended, by the City's Planning Commission on March 23, 2006 and for which findings were adopted by the City Council through resolution on June 20, 2006.

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The Policy is hereby modified to read in full as set forth in EXHIBIT "A" attached hereto, including Attachments A through E thereto, all of which are incorporated herein by this reference as if fully set forth herein in order to provide for inclusion within the Policy area of the iStar Site and also to provide for additional development of up to one million square feet of industrial uses and up to four hundred fifty thousand square feet of commercial uses on the iStar Site, all as more specifically set forth in the revised Policy.

**ADOPTED** this 20<sup>th</sup> day of June, 2006, by the following vote:

AYES: CAMPOS, CHAVEZ, CORTESE, LeZOTTE, NGUYEN,  
PYLE, REED, WILLIAMS, YEAGER; GONZALES

NOES: NONE

ABSENT: CHIRCO

DISQUALIFIED: NONE

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RON GONZALES  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk

