



Memorandum

TO: City Council

**FROM: Mayor Chuck Reed
Councilmember Pierluigi Oliverio**

SUBJECT: GP08-06-01 1555 Parkmoor Avenue

DATE: June 12, 2009

Approved

Chuck Reed

Date

Councilmember Pierluigi Oliverio
by DF.

RECOMMENDATION

We recommend that the City Council deny this General Plan Amendment, and direct the Administration to find another piece of property to provide for the "offset" requirement under the City's Employment Land Preservation Policy to meet the obligation for the proposed South San Jose affordable housing project.

PURPOSE

The purpose of our memo is to ensure that the Administration follows its own rules the same way that it mandates private developers and that the Administration treats property owners fairly and equally, specifically regarding the Employment Land Preservation Policy.

BACKGROUND

City staff is proposing to change the General Plan designation at 1555 Parkmoor Avenue without the property owners consent so that it can facilitate the building of an affordable housing development by Eden Housing in South San Jose. Although the affordable housing project may prove to be an asset for the City, the approach of taking away the land use designation of a piece of private property without the owners consent should not be supported.

In the City's attempt to find a piece of property to serve as the "offset," city staff approached another property owner and asked them if they would be willing to change one of their parcels from residential to commercial. The response from that property owner to city staff was "no." However, even though the Chiechi Family, the owners of 1555 Parkmoor, have also shared their non-consent for a change of their property from residential to commercial, city staff has pushed forward with the land use change of 1555 Parkmoor anyway.

The proposed South San Jose affordable housing project is not scheduled for construction until December 2010 according to Eden Housing's official zoning submittal, which was filed with the City on June 3rd. Therefore, there is plenty of time to require city staff to find another parcel as the "offset" instead of taking away the current land use designation of private property so that the affordable housing project can move forward.

Thank you for your understanding and support.