



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Planning Commission

SUBJECT: SEE BELOW

DATE: June 8, 2016

COUNCIL DISTRICT: 6

SUBJECT: GP16-001. AMENDMENT TO THE ENVISION SAN JOSE 2040 GENERAL PLAN LAND USE/TRANSPORTATION DIAGRAM DESIGNATION FROM NEIGHBORHOOD/COMMUNITY COMMERCIAL TO MIXED USE NEIGHBORHOOD ON AN APPROXIMATELY 5.93 GROSS ACRE SITE, LOCATED ON EVANS LANE APPROXIMATELY 800 FEET NORTH OF CURTNER AVENUE.

RECOMMENDATION

The Planning Commission voted 4-1-2 (Commissioner Bit-Badal opposed, Commissioners Yob and Pham absent) to recommend to the City Council to adopt the Evans Lane Transitional Housing Project Mitigated Negative Declaration and associated Mitigated Monitoring Reporting Program, and to approve the General Plan Land Use/Transportation Diagram Amendment as described in the attached Staff Report.

OUTCOME

Should the City Council approve the proposed General Plan Amendment, the site's General Plan Land Use/Transportation Diagram designation would be changed from Neighborhood/Community Commercial to Mixed Use Neighborhood.

Should the City Council deny the subject request, the site would retain the Land Use/Transportation Diagram designation of Neighborhood/Community Commercial.

BACKGROUND

On May 4, 2016, the Planning Commission held a public hearing to consider the proposed General Plan Amendment. The Planning Commission made a recommendation to the City Council to adopt the Evans Lane Transitional Housing Project Mitigated Negative Declaration

and associated Mitigated Monitoring Reporting Program, and approve the General Plan Land Use/Transportation Diagram Amendment request. The proposed General Plan Land Use/Transportation Diagram Amendment is required to correct a mapping error during the 2011 General Plan update process. The proposed Amendment is being heard as a standalone item as the applicant has not submitted a proposed development project for staff's consideration.

Staff Presentation

Staff stated that the proposed Amendment was initiated by the Housing Department to address a General Plan Land Use/Transportation Diagram mapping error and to facilitate affordable housing on the site. In 1998 the City of San José Housing Department purchased the property with affordable housing funds, which required that the site be used only for affordable housing. In 2011 the site's General Plan Land Use designation was inadvertently changed from a residential designation to a commercial designation through the adoption of the Envision San José 2040 General Plan. The proposed General Plan Amendment would address the General Plan Land Use/Transportation Diagram mapping error by reverting the site's Land Use designation back to its intended use of residential to allow the provision of affordable housing on the site.

Public Testimony

Following staff's presentation, the Commission received public testimony from 41 community members. Public speakers were generally residents and business owners from the surrounding neighborhood, affordable housing workers and advocates, and current and formerly homeless individuals. Comments from residents and business owners from the nearby community were primarily about crime and safety of the surrounding neighborhood, over concentration of affordable housing in the area, a desire for a park in the neighborhood, and existing and anticipated traffic congestion. Additional comments included that the City should prepare an Environmental Impact Report (EIR) and expand the noticing radius to greater than 1,000 feet. These speakers were generally opposed to the potential future transitional homeless housing on the site; however, they did not directly oppose the General Plan Amendment. Other speakers' comments included the importance of housing and supportive services for homeless residents, examples of successful housing/supportive services in other areas of the City, and general support for the General Plan Amendment.

The vast majority of the comments received during the public testimony period focused on the potential transitional homeless housing project and did not directly relate to the proposed General Plan Amendment. While a development project has not been submitted for review by the Planning staff, the Housing Department has made the public aware of their plans to use the site for transitional homeless housing. The known specifics of the potential project were included in the Initial Study for analysis.

Staff's Response to Public Comments

Staff explained that the Curtner Light Rail Urban Village, which the subject site is within, includes a floating park designation. The location of the floating park will be determined through the development of an Urban Village plan based on community input. Staff also stated that all residents within 1,000 feet of the project site were noticed for both the community meeting and public hearings, as well as all members of the public who requested to be on the

project's contact list. Additionally, staff invited members of the public to remain engaged in the process as the conversation related to the proposed project evolves.

Planning Commission Discussion

Commissioner O'Halloran asked to clarify that the proposal before the Planning Commission is an administrative correction to the General Plan Land Use/Transportation Diagram and that the consideration of a development project is not the subject of the meeting.

Staff responded that the only policy decision before the Planning Commission was in regard to the General Plan Amendment and that there will be additional public outreach and meetings related to a development project once the rezoning and development permit applications are submitted.

Commissioners raised questions regarding the level of CEQA clearance being considered.

Staff clarified that the CEQA document is a Mitigated Negative Declaration (MND) with an associated Mitigated Monitoring Reporting Program (MMRP). The MND covers both the General Plan Amendment and the proposed future pending housing project. If the proposed zoning, when submitted, falls outside of the general development parameters analyzed in the MND, additional environmental analysis would be required. Staff also clarified that impacts from the proposed General Plan Amendment do not necessitate the preparation of an Environmental Impact Report (EIR).

Commissioner O'Halloran asked staff if the Initial Study addressed whether Evans Lane is adequate in size to accommodate the additional amount of traffic that would be generated by the proposed project. Staff clarified that there are two traffic analyses in the Initial Study. The first analysis studied whether the proposed General Plan Land Use Amendment from Neighborhood/Community Commercial to Mixed Use Neighborhood would cause an impact on the city's overall roadway network. This first analysis, called program level analysis, determined that the proposed General Plan Amendment would not have an impact on the City's overall roadway network. The second traffic analysis studied whether the proposed housing project would have traffic impact on surrounding streets and intersections based on the City's Traffic Level of Service (LOS) Policy. This analysis, called a project level analysis, determined that the additional amount of traffic that would be generated by the project would be below the significance threshold of the City's LOS Policy.

Commissioner Yesney stated that once the proposed project makes its way to the Planning Commission, the commissioners will consider the mitigation measures to make sure that the project conforms to the MND.

The City Attorney clarified that the City is required to evaluate all of the actions that can be taken once they are known. Since the Department of Housing has notified Planning staff, their environmental consultant, and the community about the proposed future project, staff had to consider the proposed project in the Initial Study and Mitigated Negative Declaration.

Commissioner O'Halloran asked staff whether the restrictions on the subject site limited the site to only residential uses; and if it did not, could the site be used for a park in the future. Staff responded that they would not be supportive of changing the entire site to a park designation because the funds that were used to purchase the site limit the development to residential. However, a park could be included on the property as part of the proposed housing development.

Commissioner Ballard stated that other projects of a similar nature had significant community support thanks to outreach efforts with the surrounding community. She stated that if the General Plan Amendment is approved, she would like to see robust community outreach that would address community concerns and build broad support for the future project.

Commissioner Yesney stated that if or when a project proposal is fully developed, she would encourage staff's analysis to include a section discussing the connection between what has been identified as a high crime area and the presence of homeless people in the neighborhood. She stated it would be useful to understand whether the presence of homeless people is related to the amount of criminal activity, as she lives in a community with many homeless individuals but with a relatively low crime rate.

Commissioner Bit-Badal asked when the surrounding housing developments were built or approved. Staff responded that the two developments north of the site along Evans Lane were approved in 1990 and 2001.

Commissioner O'Halloran stated that he was not ready to vote on a proposed project. However, he moved to approve staff's recommendation citing that staff is simply correcting an error on the General Plan Land Use/Transportation Diagram, the community has expressed support for some type of affordable housing on the site, and the proposed land use would allow for a park. Commissioner O'Halloran's motion also included to recommend the City Council adopt the Mitigated Negative Declaration and associated Mitigated Monitoring Reporting Program.

Commissioner Ballard seconded the motion and stated that she wants more community involvement once the applicant submits the project proposal, and that there will be additional opportunities for the community to address their concerns.

Commissioner Bit-Badal stated that she would not support the motion due to concerns about overconcentration of low-income housing, or creating standalone low-income neighborhoods. She further stated that she believes people should be living with each other from different mixes of income and would like to see a mix of market rate units at this location.

Commissioner Abelite stated he supports the motion because staff is correcting an oversight, the property was bought using funds from the Redevelopment Agency, and the item specifically before the Commission is a General Plan Amendment, not a project. He further stated that he did not view the environmental document as a project-level approval but more of a programmatic-level approval.

The Planning Commission voted 4-1-2 (Commissioner Bit-Badal opposed, Commissioners Yob and Pham absent) to recommend to the City Council consideration of the Evans Lane Transitional Housing Project Mitigated Negative Declaration and associated Mitigated Monitoring Reporting Program, and approval the General Plan Land Use/Transportation Diagram Amendment.

ANALYSIS

A complete analysis of the issues regarding this General Plan Amendment is contained in the attached Planning Commission Staff Report.

EVALUATION AND FOLLOW UP

If the Amendment is approved, the General Plan Land Use/Transportation Diagram designation on the subject site will change from Neighborhood/Community Commercial to Mixed Use Neighborhood. This would allow the Housing Department to propose an affordable housing project at up to 30 units to the acre, subject to a rezoning of the subject site and applicable development permits.

PUBLIC OUTREACH

Staff followed Council Policy 6-30: Public Outreach Policy. The property owners and occupants within a 1,000 foot radius were sent public hearing notices for the Planning Commission and City Council hearing, as well as all members of the public who requested to be placed on the application's contact list. A notice of the public hearing was also published in the San José Post Record and on the City's website. The Planning Commission agenda was posted on the City of San José website, which included a copy of the staff report, and staff has been available to discuss the project with members of the public.

COORDINATION

Preparation of this memorandum has been coordinated with the City Attorney's Office and the Housing Department.

CEQA

An Initial Study and Mitigated Negative Declaration were prepared by the Director of Planning, Building, and Code Enforcement for the subject General Plan Amendment. The IS/MND was circulated for a 30-day public review period from March 24, 2016, to April 22, 2016. Four comments from the public were received and addressed in the Response to Comments.

HONORABLE MAYOR AND CITY COUNCIL

June 6, 2016

Subject: File No. GP16-001

Page 6

The MND states that the proposed General Plan Amendment and the future project, as generally defined in the Initial Study, will not have a significant effect on the environment with implementation of the identified mitigation measures. The Initial Study and Mitigated Negative Declaration, the Mitigated Monitoring Reporting Program, and the Response to Comments are available for review on the Planning website at:
<http://www.sanjoseca.gov/index.aspx?NID=5018>.

/s/

HARRY FREITAS, SECRETARY
Planning Commission

For questions please contact Steve McHarris, Planning Official, at 408-535-7819.

Attachments: Planning Commission Staff Report
Public Correspondence



PLANNING COMMISSION STAFF REPORT

File No.	GP16-001
Applicant	City of San José
Location	East side of Evans Lane, approximately 800 feet northerly of Curtner Avenue
Existing General Plan Land Use Designation	Neighborhood/Community Commercial Floating Park
Proposed General Plan Land Use Designation	Mixed Use Neighborhood
Existing Zoning Districts	A(PD) – Planned Development LI – Light Industrial
Council District	6
Historic Resource	No
Annexation Date:	April 6, 1978 (Canoas No. 19)
CEQA:	Negative Declaration

APPLICATION SUMMARY:

Director-initiated General Plan Amendment request to change the Land Use / Transportation Diagram Land Use Designation from Neighborhood/Community Commercial to Mixed Use Neighborhood on an approximately 5.93 gross acre site.

RECOMMENDATION:

Planning staff recommends that the Planning Commission make a recommendation to the City Council to **approve** the resolution amending the Envision San José 2040 General Plan Land Use/Transportation Diagram designation of the site from Neighborhood/Community Commercial to Mixed Use Neighborhood.

PROJECT DATA

GENERAL PLAN CONSISTENCY			
Consistent Policies	N/A. This General Plan Amendment is proposed to correct the inadvertent change of the subject property from a residential to non-residential land use designation that occurred with the approval of the Envision San José 2040 General Plan (see discussion in “Background and Analysis” section below).		
Inconsistent Policies	N/A		
SURROUNDING USES			
	General Plan Land Use	Zoning	Existing Use
North	Neighborhood / Community Commercial	A(PD) Planned Development	Multi-family residential
South	Neighborhood / Community Commercial	LI Light Industrial	Evans Lane Wellness & Recreation Center
East	Neighborhood / Community Commercial	R-MH Mobilehome Park	Willow Glen Mobilehome Park

West	Urban Residential Public / Quasi-Public Residential Neighborhood	A(PD) Planned Development CO Commercial Office R- 1-5 Single Family Residence R-MH Mobilehome Park	River Glen Mobilehome Park Church Single-family residential
-------------	------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------

RELATED APPROVALS

Date	Action
1995	General Plan Amendment to apply a Mixed Industrial Overlay on the Light Industrial designated properties between Highway 87, Almaden Expressway, and Curtner Avenue.
09/03/2002	General Plan Amendment to change the Land Use / Transportation Diagram Designation of the site from Light Industrial with Mixed Industrial Overlay to High Density Residential (25-50 DU/AC), removal of the Mixed Industrial Overlay, and addition of a floating public park (File No. GP02-06-02B).
11/01/2011	Adoption of the <i>Envision San José 2040 General Plan</i> . Through this General Plan update, the project site became a part of the Curtner Light Rail/Caltrain Urban Village and the site's Land Use/Transportation Diagram Designation was changed from High Density Residential (25-50 DU/AC) to Neighborhood/Community Commercial.

PROJECT DESCRIPTION

This is a Director Initiated General Plan Amendment to change the Land Use / Transportation Diagram designation from Neighborhood/Community Commercial to Mixed Use Neighborhood on an approximately 5.93 acre site. This General Plan Amendment was initiated at the request of the Department of Housing to address a General Plan Land Use / Transportation Diagram mapping error and facilitate affordable housing on the site. Changing the General Plan Land Use Designation to Mixed Use Neighborhood would allow residential development of up to 30 dwelling units to the acre on the subject site. At this density, up to 177 units could potentially be allowed on the site.

Site Location

The site is located on the east side of Evans Lane, approximately 800 feet north of Curtner Avenue. The site is surrounded by multi-family residential to the north, by Highway 87 and Willow Glen Mobile Estates to the east, by Evans Lane Wellness & Recreation Center to the south, and by the River Glen mobilehome park, a church, and single-family homes to the west. The site is located within the Curtner Light Rail/Caltrain Urban Village, and is approximately a one-quarter mile from the Curtner Light Rail Station located to the south of the site at the intersection of Curtner Avenue and Canoas Garden Avenue.



Figure 1: Site Location

ANALYSIS

Existing General Plan Land Use Designation: Neighborhood/Community Commercial

The Neighborhood/Community Commercial land use designation supports a broad range of commercial activity, including commercial uses that serve the communities in neighboring areas, such as neighborhood-serving retail and services and commercial/professional office development. Neighborhood/Community Commercial uses typically have a strong connection to and provide services and amenities for the nearby community and should be designed to promote that connection with an appropriate urban form that supports walking, transit use and public interaction. General office uses, hospitals and private community gathering facilities are also allowed in this designation. The allowed density in the Neighborhood/Community Commercial land use designation is a maximum Floor Area Ratio (FAR) of up to 2.0.

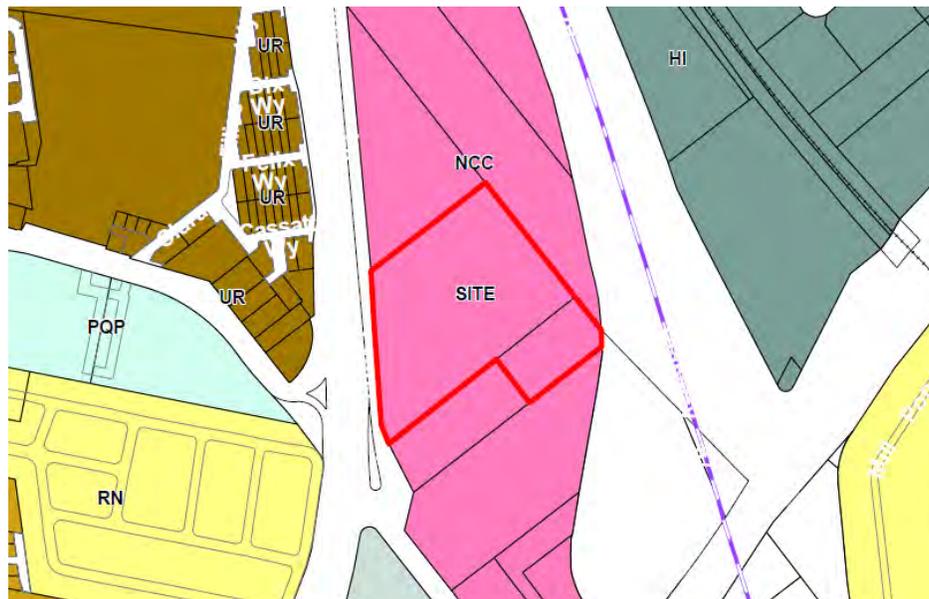


Figure 2: Existing General Plan Land Use Designation: Neighborhood/Community Commercial

Existing Special Land Use Designation: Floating Park Site

This designation is applied in cases where a park is needed, or will be needed in the future based on planned residential growth (such as in Urban Villages), but where no specific site has yet been identified or where details of surrounding development have not been finalized. A “floating” designation is only intended to indicate a general area within which a park site will be located. The specific size, location, and configuration of such park sites will be finalized only through acquisition of a particular parcel. The proposed General Plan Amendment would leave the Floating Park Site in place.

Proposed General Plan Land Use Designation: Mixed Use Neighborhood

This designation is applied to areas intended for development primarily with either townhouse or small lot single-family residences and also to existing neighborhoods that were historically developed with a wide variety of housing types, including a mix of residential densities and forms. This designation also supports commercial or mixed-use development. Existing neighborhoods with this designation are typically characterized by a prevalence of atypical lot sizes or shapes and a parcel-by-parcel development pattern where small townhouse development may exist adjacent to more traditional single-family development or more intense multi-family development. Residential density has a maximum of 30 dwelling units to the acre and if commercial development is constructed, it should have an FAR between 0.25 and 2.0.

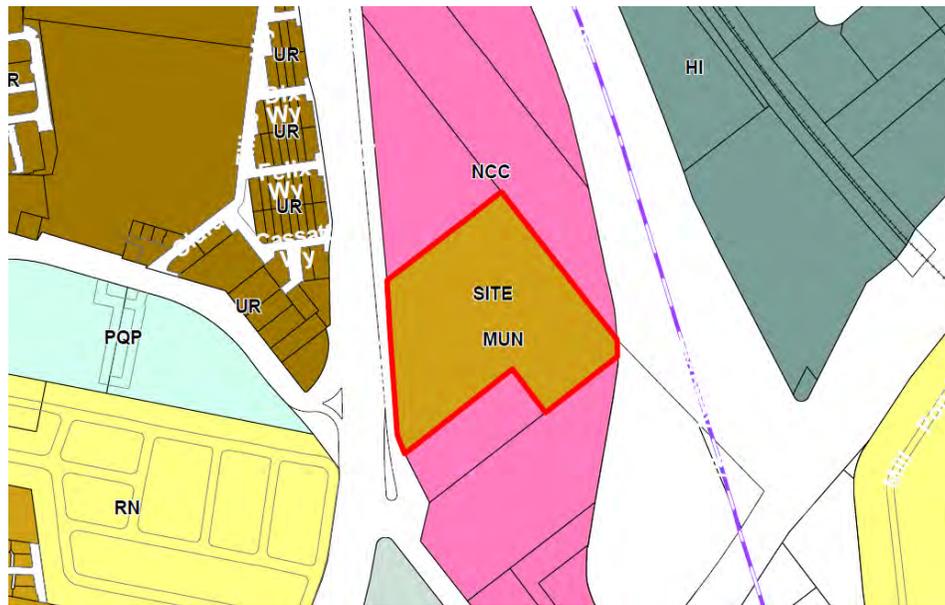


Figure 3: Proposed General Plan Land Use Designation: Mixed Use Neighborhood

Background and Analysis

A planned development permit was approved in 1986 to allow storage of recreational vehicles and boats. In 1995, a Director-initiated General Plan amendment was approved by City Council to apply a Mixed Industrial Overlay on the Light Industrial designated properties between Highway 87, Almaden Expressway and Curtner Avenue. In 1998, the City of San José Housing Department purchased the property with affordable housing funds, which require that the site be used only for affordable housing. To facilitate affordable housing on the site, City Council approved a City-initiated General Plan Amendment in 2002 to remove the Mixed Industrial Overlay on the site and change the General Plan Land Use / Transportation Diagram designation to High Density Residential with a floating park. In the Staff Report to Council, staff noted that due to the narrow width of Evans Lane, which is approximately 20 to 25 feet wide, and limited access to the project site, significant commercial activity was not considered viable.

In 2011, the site's General Plan land use designation was inadvertently changed through the adoption of the Envision San José 2040 General Plan. The Envision 2040 General Plan set forth ambitious job goals that influenced many of the Plan's policies and the Land Use / Transportation Diagram. Consistent with the jobs-first approach, the majority of land in Urban Villages was designated for commercial land uses to create opportunities for employment and limit residential development before the adoption of an Urban Village Plan. Through the 2011 General Plan update process, the Evans Lane site was designated as part of the Curtner Light Rail/Caltrain Urban Village and was given a General Plan Land Use / Transportation Diagram designation of Neighborhood/Community Commercial, as was the vast majority of the land within the Urban Village. However, the site should have been designated for residential use in the Envision San José 2040 General Plan given that the property was purchased by the City with funds limiting the use to affordable housing, and was designated for High Density Residential under General Plan 2020.

Due to the dissolution of the San Jose Redevelopment Agency and other state and federal funding constraints, the site has not been developed with affordable housing following the City's purchase of the property. However, recent funding has been secured by the Housing Department to move forward with an affordable housing project. The proposed project would provide interim housing units for the homeless population. In addition, residents of the proposed community would receive comprehensive services to assist with permanent housing placement, employment, and general health. The housing units would be prefabricated residential buildings

similar to single room occupancy (SRO) dwellings that would serve up to 170 people at any one time. The Housing Department intends to utilize the site for a duration of 10-15 years, after which the site would be developed with permanent affordable housing consistent with the goals and policies of the General Plan.

Although there are existing General Plan policies against the conversion of employment lands, this site was inadvertently designated Neighborhood/Community Commercial during the Envision San Jose 2040 General Plan update process. Since it was purchased in 1998, the City has intended to use this site to provide affordable housing. The General Plan Amendment would revert the site's land use designation back to its intended use of residential to allow the City to move forward with a housing project.

Zoning Ordinance Conformance.

The properties located at the subject site on Evans Lane are zoned A(PD) Planned Development, File No. PDC86-057 (APN 455-31-053), and LI – Light Industrial (APN 455-31-055). Because the proposal does not conform to the development standards of the existing zoning districts, a rezoning would be required to allow residential uses on the site.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

An Initial Study (IS) and Mitigated Negative Declaration (MND) were prepared by the Director of Planning, Building and Code Enforcement for the subject General Plan Amendment. The documents were circulated for public review between March 23, 2016 and April 22, 2016.

The MND states that the proposed General Plan Amendment will not have a significant effect on the environment as long as the applicant agrees to make project revisions that clearly mitigate the identified effects to a less than significant level.

The entire MND and Initial Study are available for review on the Planning website at: <http://www.sanjoseca.gov/planning>. To find the document, click on the “Environment/Sustainability” link on menu bar to the left of the screen, then click “Environmental Review” and select the link to “Negative Declaration/Initial Studies.”

PUBLIC HEARING NOTIFICATION

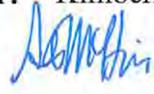
- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater.
(Required: Website Posting)
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City.
(Required: E-mail and Website Posting)
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although this item does not meet any of the criteria above, staff followed Council Policy 6-30: Public Outreach Policy. A community meeting was held on March 30, 2016, at the San José Scottish Rite Center that was open to the public in order to receive further comment on the proposal. A notice for the community meeting was distributed to all land owners and tenants of all properties within 1,000 feet of the subject site as well as to all interested parties who requested to be placed on the project's contact list. Over 120 residents were in attendance and concerns were primarily in regards to the proposed affordable housing project on the site that

would provide transitional housing for homeless residents of San José. Primary concerns included increased crime and safety of the surrounding community, over concentration of affordable housing in the area, proper management of the project, and ingress and egress on Evans Lane. Community members were also concerned about the site being used to provide housing and services specifically for the homeless, given current issues related to homeless residents currently in the surrounding area.

A notice for the May 4, 2016 public hearing was distributed to the owners and tenants of all properties located within 1,000 feet of the project site and posted on the City website. The staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

Project Manager: Kimberly Vacca

Approved by:  , Planning Official for Harry Freitas, Planning Director

Date: 4/27/16

Attachments:
GP02-06-02B Planning Staff Report
Public Correspondence

Owner:
City of San José
200 East Santa Clara Street
San José, CA 95113



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Stephen M. Haase

SUBJECT: SEE BELOW

DATE: August 14, 2002

COUNCIL DISTRICT: 6
SNI AREA: N/A

SUBJECT: GP02-06-02b: General Plan amendment request to change the *San Jose 2020 General Plan Land Use/Transportation Diagram* designation from Light Industrial with a Mixed Industrial Overlay to Transit Corridor Residential (20+ DU/AC) for property located on the east side of Evans Lane, approximately 800 feet northerly of Curtner Avenue on a 6.0-acre site.

RECOMMENDATION

The Planning Commission voted 6-0-1 (Commissioner Platten absent) to recommend that the City Council approve staff's recommendation for High Density Residential (25-50 DU/AC) and a "floating park" designation on the subject site.

BACKGROUND

On August 13, 2002, the Planning Commission held a public hearing to consider General Plan amendment request for a 6.0-acre site located on the east side of Evans Lane, approximately 800 feet northerly of Curtner Avenue. The Department of Housing initiated the General Plan amendment in an effort to facilitate future affordable housing on the site.

The Director of Planning, Building and Code Enforcement recommended High Density Residential (25-50 DU/AC) and a "floating park" designation. The staff report for this item is attached.

ANALYSIS

There was no public testimony on this General Plan amendment. Several questions were raised by the Commissioners regarding the "floating park" designation, including Commissioner Zito's question about how the size is determined and Commissioner Levy's question regarding whether

August 14, 2002

Subject: GP02-06-02b

Page 2

the park is sufficient to serve the other residents in the area. In reference to the park size, staff stated that the park acreage to be required would be commensurate with the Parkland Dedication Ordinance, which is based on the number of dwelling units. This ensures the proper nexus between the amount of parkland required and the park impacts of the project. In response to Commissioner Levy's concern, staff indicated that the park would also serve the other residents in the area, but the park site area could only be based upon the number of dwelling units for this particular site.

Commissioner James expressed his support for the High Density Residential designation, in particular, given the site's proximity to the Curtner Light Rail station. Commissioner Levy noted that the loss of industrial lands is typically a concern, but this is an excellent site for high density residential.

The Planning Commission voted 6-0-1 (Commissioner Platten absent) to recommend High Density Residential (25-50 DU/AC) and a "floating park" designation.

PUBLIC OUTREACH

A public hearing notice of the Planning Commission and City Council hearings and a newsletter regarding the two community meetings held on July 8th and 10th, 2002 were sent to all of the property owners and tenants within a 1000-foot radius of the subject site. In addition, the Department's web-site contains information regarding the General Plan process, amendments, staff reports, and hearing schedule. This site is used by the community to keep informed of the status of the amendments.

CEQA

A Mitigated Negative Declaration was adopted on August 12, 2002.


STEPHEN M. HAASE, SECRETARY
Planning Commission



Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date: Agenda Number:
P.C. 8/12/02 Item: 3e

File Number:
GP02-06-02b

Council District and SNI Area:
6 - N/A

Major Thoroughfares Map Number:
99

Assessor's Parcel Number(s):
455-31-053 and -055

Project Manager: Deanna Chow

GENERAL PLAN REPORT

2002 Summer Hearing

PROJECT DESCRIPTION:

General Plan amendment request to change the Land Use/Transportation Diagram designation from Light Industrial with a Mixed Industrial Overlay to Transit Corridor Residential (20+ DU/AC)

LOCATION: East side of Evans Lane, approximately 800 feet northerly of Curtner Avenue

ACREAGE: 6.0

APPLICANT/OWNER:

Department of Housing/Santa Clara County Valley Transportation Authority and City of San Jose

GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Light Industrial with Mixed Industrial Overlay

Proposed Designation: Transit Corridor Residential (20+ DU/AC)

EXISTING ZONING DISTRICT(S): A(PD) - Planned Development

SURROUNDING LAND USES AND GENERAL PLAN DESIGNATION(S):

North: Multi-family residential housing - High Density Residential (25-50 DU/AC)

South: Women's Residential Facility - Light Industrial with Mixed Industrial Overlay

East: Mobile Home Park and State Route 87 - High Density Residential (25-50 DU/AC)

West: Almaden Expressway

ENVIRONMENTAL REVIEW STATUS:

Mitigated Negative Declaration

PLANNING STAFF RECOMMENDATION:

High Density Residential (25-50 DU/AC) and a floating Public Park/Open Space designation

Approved by: *Laurel Prewett*
Date: *5 August 2002*

PLANNING COMMISSION RECOMMENDATION:

CITY COUNCIL ACTION:

CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:

- Department of Transportation – A long-term traffic impact analysis (TRANPLAN) was performed in conjunction with GP02-06-02a that indicated that the proposed land use change would not cause a significant long-term traffic impact.
- Department of Public Works – The project site is located in Flood Zone AH and in a State Liquefaction Zone. The Department of Public Works also indicated Evans Lane requires street improvements and may require improvements at the intersection of Evans Lane and Canoas Garden. A Traffic Impact Analysis Report was conducted and a discussion of the results are included in the Analysis section.
- Department of Parks, Recreation and Neighborhood Services – The proposed amendment site is located in a park deficient area.

GENERAL CORRESPONDENCE:

None received.

ANALYSIS AND RECOMMENDATIONS:

PROJECT DESCRIPTION

This amendment proposes to change the *San Jose 2020 General Plan* Land Use/Transportation Diagram designation from Light Industrial with Mixed Industrial Overlay to Transit Corridor Residential (20+ DU/AC). The General Plan amendment was initiated by the Department of Housing in an effort to facilitate future affordable housing on the site. This is one of two General Plan amendments along Evans Lane proposing a change to a residential designation. The subject site does not have an approved residential zoning like the other amendment at the terminus of Evans Lane (GP02-06-02a). However, the Department of Housing is in the process of negotiating the acquisition of the land and would seek a developer should the General Plan amendment be approved.

The existing General Plan base designation allows for a range of light industrial uses. The Mixed Industrial Overlay provides for additional uses, such as churches, gymnasiums, and big box retailers. The proposed Transit-Corridor Residential (20+ DU/AC) land use designation permits wholly higher density residential projects or a mixed-use type development where neighborhood serving commercial can be provided on the first two floors and residential units above. The change in land use designation could potentially facilitate development of 330 dwelling units, assuming a density of 55 DU/AC.

BACKGROUND

The land uses on Evans Lane have undergone a transition during the past twenty years through the implementation of several General Plan amendments. In 1982, the City Council initiated a General Plan amendment from Light Industrial to High Density Residential (at the time 12-25 DU/AC) for the mobile home park site (Willow Glen Mobilehome Park), which is to the east of the subject site. This action by the City Council was intended to establish the mobile home park as a permanent residential use, thereby preserving the supply of affordable housing, reducing the anxiety of potential relocation among mobile home park residents, and providing consistency with the Council-initiated rezoning from industrial to the mobile home zoning district.

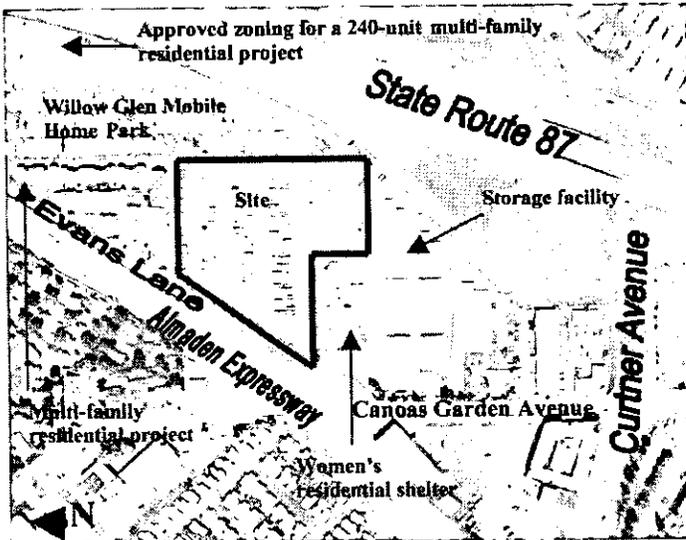
In 1989, the City Council approved High Density Residential (at the time 12-25 DU/AC) on the site adjacent to the mobile home park, located immediately north of the subject site. While staff realized the opportunity to place housing near transit facilities (Curtner Light Rail Station), staff had recommended to defer the amendment and await further analysis as part of the Housing Initiative Program. Constraints such as compatibility with the surrounding light industrial uses and isolation from services were issues identified in the staff report.

Most recently, a General Plan amendment was initiated in 1995 by staff to apply a Mixed Industrial Overlay on the Light Industrial designated properties between Highway 87, Almaden Expressway and Curtner Avenue. This area is characterized by a variety of industrial and commercial uses and is separated from the larger Monterey Corridor industrial area, making the area appropriate for application of the Mixed Industrial Overlay. This amendment resulted from City Council's concern regarding non-industrial uses locating in prime industrial areas. The addition of the Mixed Industrial Overlay provides opportunities for location of non-industrial uses in specific industrial areas, and could result in a more compatible environment with the nearby residential uses.

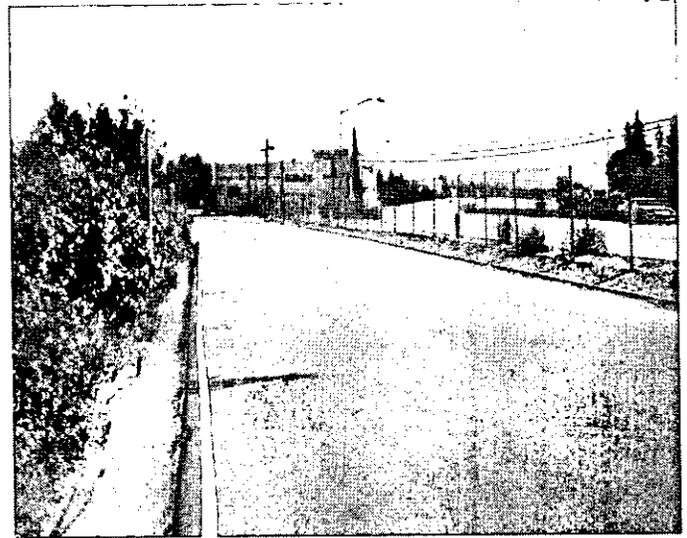
Site and Surrounding Uses

The 6.0-acre site is currently undeveloped, but used for the storage of recreational vehicles. Evans Lane is an approximately 1,800-foot long cul-de-sac, that begins at its intersection with Canoas Garden Avenue and extends northward. The street is also narrow, approximately 20 feet wide in front of the amendment site and approximately 25 feet wide for the most of the remainder of the two-lane roadway.

The uses surrounding the site include a multi-family residential complex to the north, a mobile home park to the east, a women's shelter and mini-storage facility to the south, and Almaden Expressway to the west. The surrounding General Plan land use designations include High Density Residential (25-50 DU/AC) to the north and east, and Light Industrial with Mixed Industrial Overlay to the south. Land uses further north on Evans Lane include a property currently used as a mini-storage facility, but with a recently approved 240-unit residential zoning (PDCSH01-10-096) and a pending General Plan amendment for High Density Residential (25-50 DU/AC) (GP02-06-02a). The Curtner Light Rail Station is located to the south at the intersection of Curtner Avenue and Canoas Garden and is within walking distance of the site via Canoas Garden Avenue.



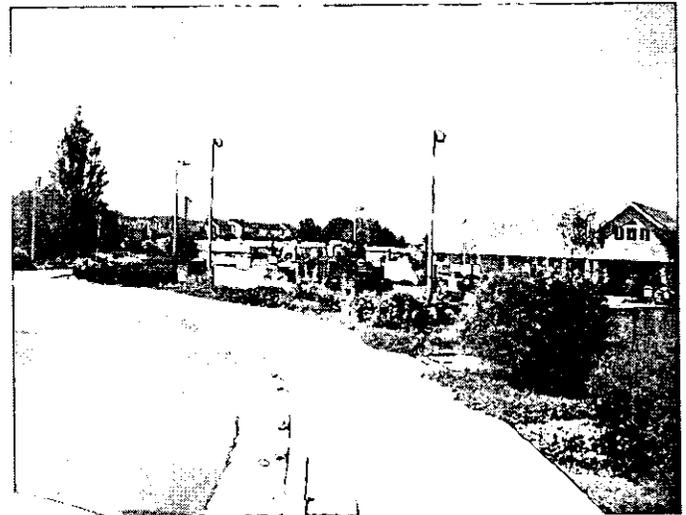
Aerial view of subject site and surrounding uses



Looking south on Evans Lane, subject site on left



Looking south on Evans Lane, multi-family residential located adjacent to the site



Looking south towards the women's shelter and RV storage (subject site)

ANALYSIS

Land Use Compatibility/Policy Consistency

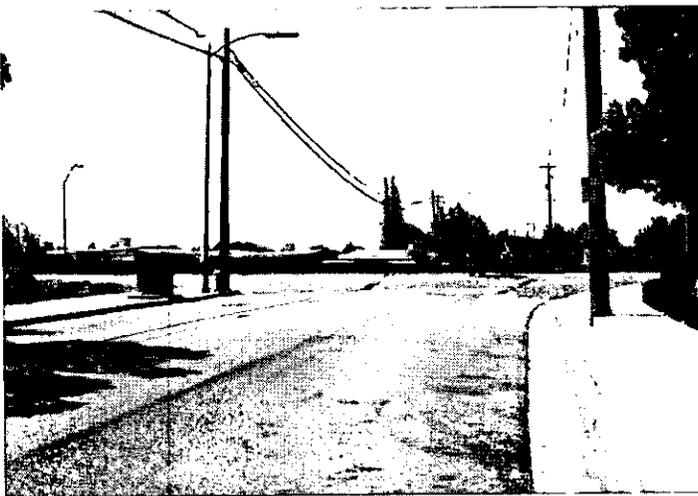
The proposed amendment raises issues regarding vehicular and pedestrian safety on Evans Lane, the availability of parks and open space for new and existing residents, the loss of industrially designated land, and the appropriate residential density for the subject site. Specific performance standards such as setbacks, parking, and architectural treatment would be addressed at the rezoning stage to ensure compatibility between uses and the surrounding community.

Evans Lane Improvements

Planning staff is concerned with the adequacy of Evans Lane and the intersection with Canoas Garden to safely accommodate the additional vehicular and pedestrian traffic that would be generated by a project of this size. Of particular concern is the irregular configuration of the Evans Lane/Canoas Garden Avenue intersection. In response, the Department of Public Works conducted a traffic impact analysis based on a hypothetical 231 residential unit project, which is approximately 38.5 DU/AC (gross acres), to analyze the feasibility of additional housing on Evans Lane. This level of analysis is typically not performed at the General Plan stage in the absence of a development application. Since access to the site can be provided only through the intersection of Evans Lane at Canoas Garden, a detailed analysis of this intersection was performed. The traffic analysis indicated that there are operational problems at this intersection caused by the ramps to and from Almaden Expressway. The traffic from this and the other recently approved residential zoning would increase the likelihood of a collision between vehicles turning left from Evans Lane onto Canoas Garden Avenue and those entering and exiting Almaden Expressway.

Three different scenarios were analyzed that involved closure of both, one, or none of the on/off ramps from Almaden Expressway to Canoas Garden Avenue. Of the three options and based on the 231-unit project as identified in the traffic report, the Department of Public Works would require the closure of both the on and off ramps from Almaden Expressway to Canoas Garden Avenue. Since Almaden Expressway is a County roadway, the closures of the on and off ramps would be subject to County approval. Preliminary discussions with the County have indicated that this would be feasible.

The closure of the on and off ramps from Almaden Expressway to Canoas Garden Avenue best addresses



Looking westward on Canoas Garden Avenue at the on and off-ramps to Almaden Expressway

several safety and operational issues. The access to Evans Lane from eastbound Canoas Garden from Almaden Expressway is poorly designed. The problem is exacerbated by cars treating westbound Canoas Garden as an extension of the on-ramp to Almaden Expressway. The closing of the on and off ramps would eliminate the left turn onto Evans Lane for vehicles exiting northbound Almaden Expressway and reduce speeds along Canoas Garden Avenue. Additionally, there are illegal pedestrian crossings across Almaden Expressway, creating pedestrian safety issues. The closure of the ramps and associated improvements could discourage people from using this as an access point. If closure of both ramps is approved by the County, the project

would be required to mitigate the intersections of Almaden Expressway northbound off-ramp/Curtner Avenue and Curtner Avenue/SR87 northbound on-ramp.

At the development stage, additional improvements would be necessary, such as curb, gutter, and sidewalk along the project frontage. The right-of-way requirement along the project frontage would be a minimum of 35 feet with additional right-of-way potentially necessary. The improvements would result in the widening of Evans Lane to accommodate two-way traffic, on-street parking one side, a park strip, and sidewalks to match the adjacent residential development.

The Department of Public Work's comments and identified project conditions are applicable at the Planned Development Zoning stage for the subject site if the development parameters remain unchanged. If the project description changes, the traffic impact analysis report would need to be revised and may require further mitigation measures. If additional units are added, it is likely that the level of mitigation would increase. The costs of all improvements would become the responsibility of the developer.

The proposed General Plan amendment would facilitate high density housing. As indicated in the analysis provided by the Department of Public Works, mitigation is possible to alleviate traffic and operational issues that result from this proposed amendment.

Parks

The City's Parkland Dedication Ordinance requires all residential development to dedicate land or pay in-lieu fees for any net increase in residential units. Typically, in-lieu fees are paid for projects consisting of less than 50 new dwelling units. The proposed change to Transit Corridor Residential (20+ DU/AC) and any resultant development would add a significant number of new residents to an area that is already lacking in parks and open space.

Staff is recommending the placement of a "floating" Public Park/Open Space designation on the site to clarify the City's preference for on-site parkland. To provide flexibility at the zoning stage, the Public Park/Open Space designation is "floating" on the property and is not specifying a particular location or acreage. The amount of required parkland would be based upon the Parkland Dedication Ordinance and the number of dwelling units proposed at the zoning stage. The location of the park would be determined in the context of a proposed development.

As identified in the General Plan, the Service Level Objective is to have 3.5 acres of neighborhood/community serving parkland per 1,000 population. The Public Park/Open Space designation would help ensure the development of a park in the area at the zoning stage which would not only benefit the new residents, but the existing nearby residents. The addition of the floating park designation is consistent with the Parks and Recreation Goal #1 which states that the City should consider, as an objective, the provision of a neighborhood community park within a reasonable walking distance for each resident.

Staff recommends adding a floating Public Park/Open Space designation on the subject site to address the area's deficiency of parks to serve its residents.

Loss of Industrial Lands

Light Industrial designated lands are important in supporting the City's economic base and providing employment opportunities for residents in the City. The task of balancing housing demand with the need to maintain a supply of industrial land to support economic development is difficult. Staff has actively been pursuing preservation measures such as the removal of the Mixed Industrial Overlay on over 600 acres, primarily in the North San Jose and Monterey Corridor, as a mechanism to preserve industrial lands for strictly industrial uses. Over the past 20 years, the City's supply of industrial lands has decreased by approximately 30% through General Plan amendments. By the end of 2001, the City had over 2,100 acres of land General Planned Heavy Industrial and 1,200 acres of Light Industrial lands remaining.

The existing General Plan land use designation on the subject property is Light Industrial with Mixed Industrial Overlay. The area is typified by low intensity industrial and commercial uses. The Evans Lane area is continuing to transition from an industrial to residential neighborhood. This is evident by the recently approved high density residential zoning which removed the pocket of industrial land at the end of Evans Lane. Thus, much of Evans Lane is either already occupied by or planned for residential uses.

The proposed change from an industrial to residential land use designation should not be an indication for change in the Monterey Corridor industrial area given its location across State Route 87 and the Union Pacific railroad lines. Staff does not anticipate that this amendment would place pressure on the remaining 8.5 acres of Light Industrial lands on Evans Lane. The women's residential shelter and storage facility located to the south of the site on industrially designated land appear to be viable uses that are compatible with residential uses (see attached color General Plan map).

Residential Density

Staff recommends amending the General Plan Land Use/Transportation Diagram from Light Industrial with Mixed Industrial Overlay to High Density Residential (25-50 DU/AC). The High Density Residential (25-50 DU/AC) designation, like Transit Corridor Residential (20+ DU/AC), allows for high density housing which is appropriate given the proximity of the site to the Curtner Light Rail Station. While the designation does not allow for as much commercial use as the Transit Corridor Residential (20+ DU/AC) designation, significant commercial activity at this site is not considered viable due to the limited access to the site. The maximum density of 50 dwelling units per acre would ensure compatibility in scale and character with the adjacent high density housing to the north.

The proposed General Plan amendment on subject site provides an opportunity to further facilitate housing opportunities in close proximity to light rail. The proposed land use change is consistent with several General Plan Major Strategies, including Growth Management, Housing and Sustainable City. These strategies support the increase of residential densities near rail stations, infill development and efficient use of resources. The proposed amendment is also consistent with several General Plan Goals and Policies which encourage higher density housing near light rail lines and other major transportation facilities. The Balanced Community Policy #2 supports the integration of housing with transportation systems and the Residential Land Use Policy #3 states that locations near light rail transit stations and along bus transit routes are preferable for higher density housing. The intensification of areas near access to transit allows for higher density housing in appropriate urban locations, where city services and facilities are located, resulting in reduced sprawl and efficient use of resources.

PUBLIC OUTREACH

The property owners and occupants within a 1,000-foot radius were sent a newsletter regarding the two community meetings that were held on July 8 and 10, 2002. They also received a notice of the public hearings to be held on the subject amendment before the Planning Commission in August and City Council in September. In addition, the Department's web-site contains information regarding the General Plan process, amendments, staff reports, and hearing schedule. This site is used by the community to keep informed with the status of the amendments.

At the community meetings, several community members expressed concern regarding traffic on Curtner Avenue and operational issues, indicating that the on- and off-ramps to and from Almaden Expressway are unsafe. Additionally, community members expressed that improvements were needed along Evans

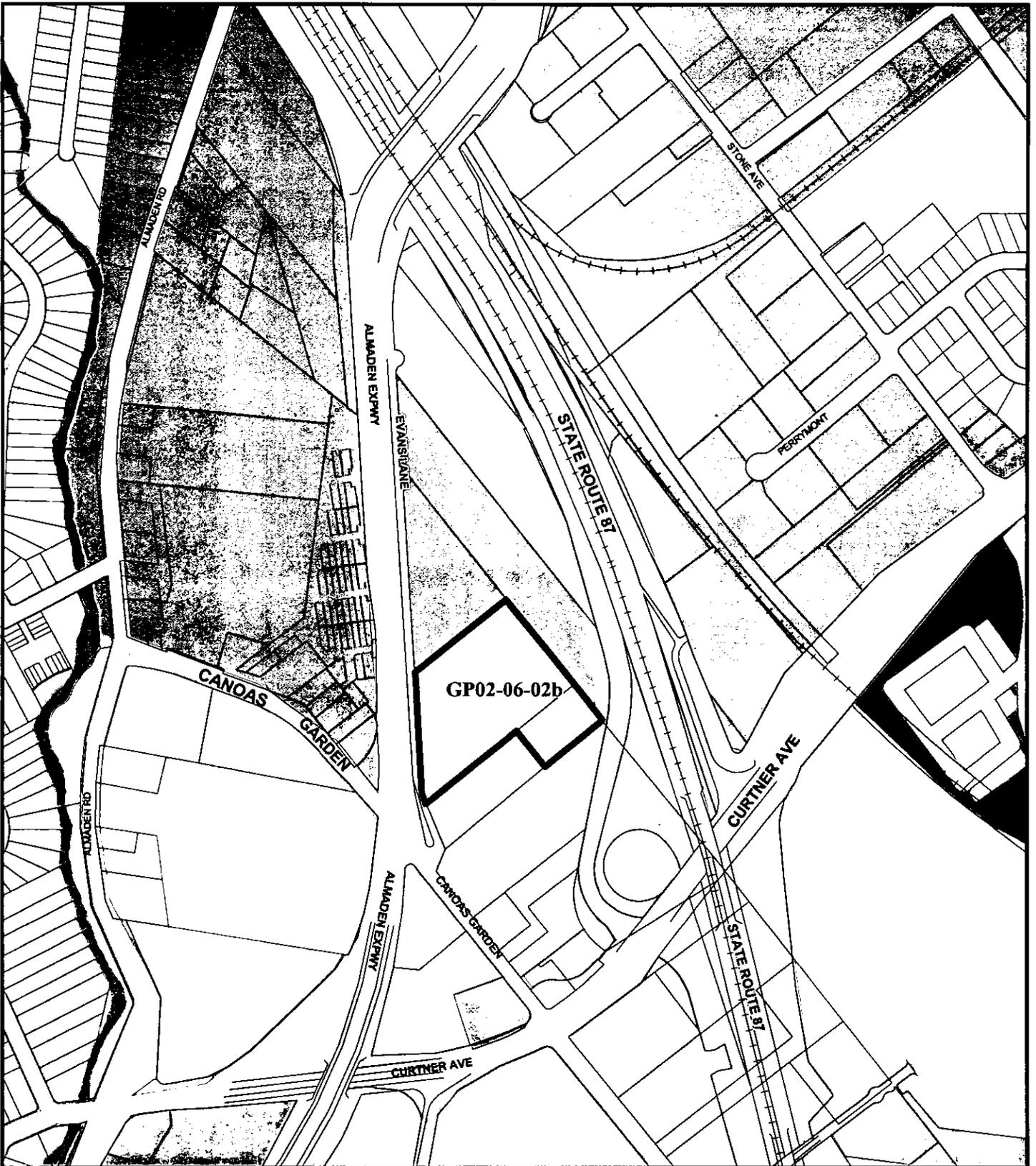
Lane for housing, including additional parking. One member expressed concern regarding the loss of small light industrial sites.

RECOMMENDATION

Planning staff recommends High Density Residential (25-50 DU/AC) and a floating Public Park/Open Space designation.

Attachments

PBCE002/GP_Team/2002Annual Review/Staff Reports/Summer Review/GP02-06-02b.sr.doc

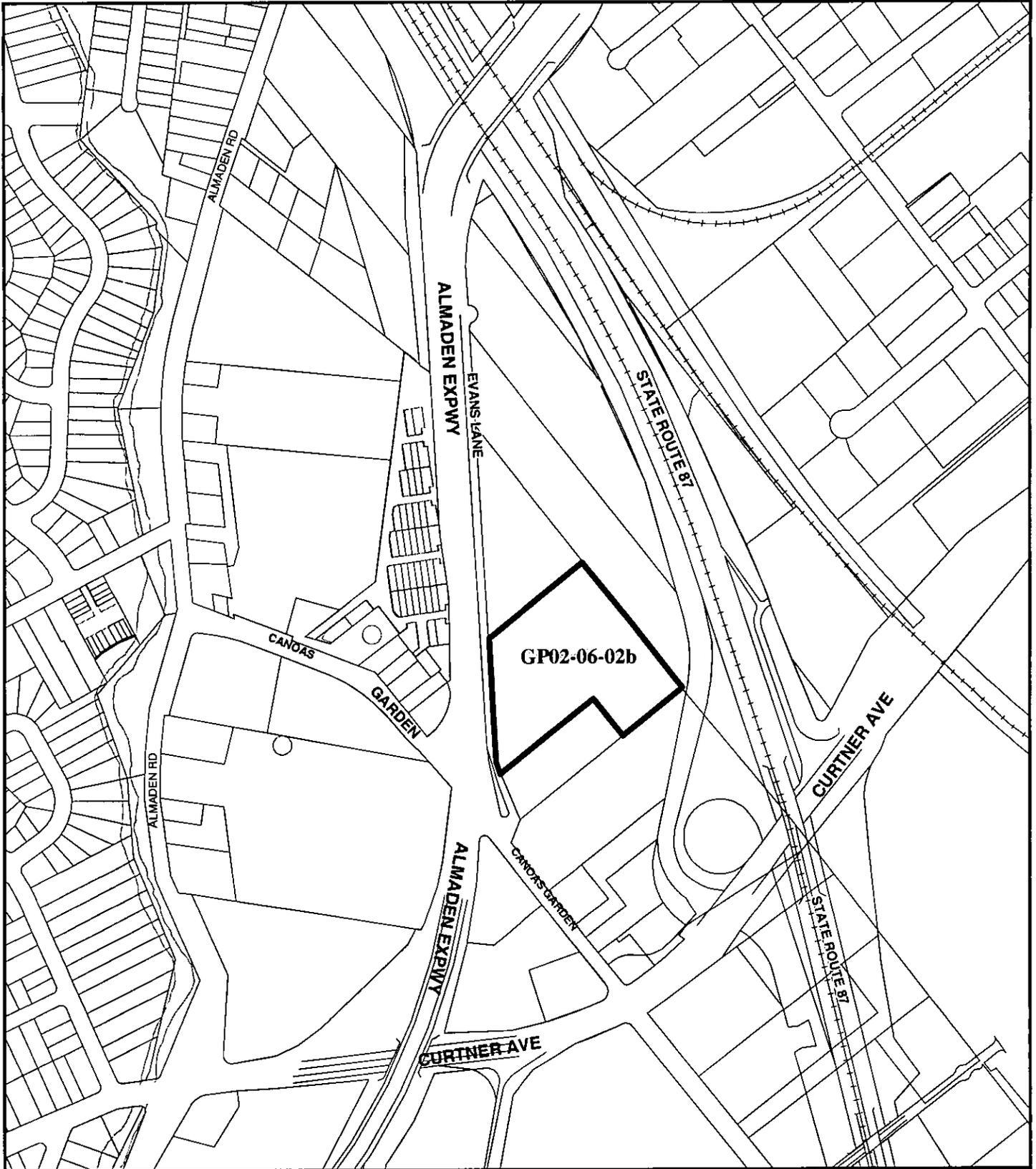


Department of Planning, Building
and Code Enforcement
Planning Services Division

	High Density Residential (25-50 DU/AC)		Multi-Family Residential (24-40 DU/AC)		Heavy Industrial
	Medium High Density Residential (12-25 DU/AC)		General Commercial		Light Industrial
	Medium Low Density Residential (8 DU/AC)		Neighborhood/Community Commercial		Public/Quasi-Public
	Medium Density Residential (4-16 DU/AC)		Office		Public Park and Open Space
					Parks/Play Fields



Scale: 1" = 500'
Quad: 99



Department of Planning, Building
and Code Enforcement
Planning Services Division



Scale: 1" = 500'
Quad: 99

Vacca, Kimberly

From: Ghosal, Sanhita
Sent: Monday, April 25, 2016 7:43 AM
To: Toomians, Kristinae; Vacca, Kimberly
Subject: Fw: Evans Lane Plan Input - Unconventional Structures
Attachments: PastedGraphic-1.pdf; ATT00001.htm; PastedGraphic-2.pdf; ATT00002.htm; PastedGraphic-1.pdf; ATT00003.htm; PastedGraphic-2.pdf; ATT00004.htm

Hi Kristinae and Kim.

Here is another comment. Although this was sent to me, this is not relevant to CEQA. I see that the commenter copied Patrick already. I have sent a general "thank you" reply.

-Sanhita

Sanhita Ghosal, AICP

Planner II. City of San Jose
Department of Planning, Building and Code Enforcement
200 E Santa Clara , Tower 3F, San Jose CA 95113
408 - 535-7851

For online permit status and property information see www.sjpermits.org

From: Arthur Zwern <arthurzwer@gmail.com>
Sent: Thursday, April 21, 2016 10:30 PM
To: Ghosal, Sanhita; Nino, Art; Patrick.heisinger@sanjosec.gov
Subject: Evans Lane Plan Input - Unconventional Structures

Dear City Of San Jose Officials:

For 18 years I've owned a large home on 1/2 AC along the Guadalupe River at 2226 Coastland Ave, a few blocks from the proposed Evans Lane "sanctioned encampment". I have some serious concerns about the plan, mainly about crime and loitering and pedestrians crossing Almaden unsafely - but they can wait since I've been thinking about how to convince SJ to create a sanctioned encampment and never thought it would happen. So, learning of your program the other day shocked me in a good way as much as my NIMBY reaction did in a bad way. Most importantly, I think I can be of service, and I would appreciate contact with the planners and NPOs directly working the problem.

I'm a physicist and Harvard MBA with a 35 year history of innovations resulting in patents, startups, commercialized products, and awards. My directly relevant experience ranges from a homeless man living in my front yard to taking in friends who lost their homes to owning hundreds of low-income apartments to creating RVsWithoutBorders.org for Valley Fire victims. My disaster sheltering startup won an international "Best Global Security Idea of 2008" award judged by US intelligence agencies and homeland security contractors. My slotted plywood structures are also some of the world's leading "maker" projects. Now I am developing an extremely practical and unconventional structure to propose for Evans Lane.

To meet the public comment deadline I am sending this info very prematurely, as my little team is only a few weeks into design and we expected to propose our approach end May once our plans are in CAD. Attached are early sketches for a framed 8'x16' room with roof structure. It is under 20 sheets of 3/4" plywood, at under \$500 - assembled in minutes without a single fastener, including integrated furniture. After decking the roof and spray sealing the exterior, a family could dance on the roof or live inside - for up to 20 years, at a finished build cost of \$2k to society and perhaps nothing to City. Conventional construction would cost 50x that amount for the permits alone. An 8'x8' single bed room with desk is also in design. Also attached is an integrated photo-booth structure we made in March that inspired the homeless shelter design.

In short, instead of conventional high-cost portables that will feel institutional to your target clients, please consider experimenting with a novel shelter approach that offers each individual homeless person or family their own standalone nano-home. Our approach offers the following major price/performance and service model advantages:

Unconventional Rapid Shelter Simulates Sticks & Shear Wall:

- Total materials cost well under \$2k for 110 sq ft double room furnished with power, using retail materials (Home Depot & some Amazon).
- Any NPO, church group, or small team can pre-fabricate one in hours, in any garage or faster at a TechShop - and we will! 200 of them if needed.
- The shelter assembles in an hour completely furnished without any fasteners or tools, and may be rapidly sealed & finished to last 20+ years - yet still moved with a forklift & flatbed.
- Our unique constrained box design provides the equivalent of studs and skin/sheer wall, plus furniture/fixtures, using only slotted plywood parts.
- Uses a simple pier & beam raised foundation, with conventional decking/paper/shingles or sprayed roof - easy for Code to understand.
- Insert a standard door, escape window, insulation panels, and solar-powered light, smoke detector, alarm, and charging station during assembly - no plumbing, and no electric code issues.
- Modular interior system enables permanently-integrated bed platform, desk, night stand, closet, and eating/social area - just add donated soft goods.
- Resistant to water, wind, flying debris, earth movement, and other natural risks.
- We will develop and license the design plans at zero cost for non-profit uses like this one. Our slotted plywood designs are fabricated by thousands of "makers" worldwide annually, and they work.

Unconventionally-Collaborative Village Model:

- One flatbed of our flatpack shelters, one lunch truck, one sanitation trailer, one water & sewer hookup, and a fence can deploy a village in a day.
- Additional "rooms" enable a daily service fair environment for donated services (medical, social, job programs).
- I believe we can stir up corporations and NPOs to provide essentially ALL of the materials, labor, and services required for a complete village at no/low cost to City.
- Support prospects range from the obvious (Habitats and Home Depot and United Sanitation) to everything else needed (Kaiser Permanente and Mattress Discounters).

- City need just provide space, permits, security, insurance, water/sewer, some critical services (jobs training/programs and education & entertainment options) and whatever falls through collaboration cracks.
- If a few test units don't work out, they can be shipped to Middletown where fire victims would love them until they get used for future Harbin "glamping" rentals. Yes, people will pay \$100/night to rent exactly what I propose here, if you add a hot pool with a view.
- The value of trying a radically collaborative experiment in San Jose and succeeding could be as impactful to the world as Intel or Cisco or anything else we do.

I hope you will contact me soon to discuss how I might assist San Jose in improving its encampment plan, technologically or otherwise. There are many other challenges to discuss, like what will the residents do all day, and how will we help them get back into mainstream society, such as with a job. Therefore, it is frustrating to see the impacts on everything except birds ignored in the MND! Findings of no impacts on noise, population and housing, public services, recreation, transportation/traffic, or utilities and service systems? That seems outrageously naive to me, and ironic since a few blocks away Planning just said "no way" to splitting 1 AC into 5 lots due to densification concerns. As one impact example, Almaden Expressway will need its median fenced between Curtner and 87 overpasses since pedestrians cross it regularly and are likely to be killed. The Evans lane project will exacerbate this issue tremendously.

I may never understand the politics of planning, but the village infrastructure itself I think I can help you execute better, faster, and cheaper than anything conventional or even previously considered unconventional, with greater community support and greater client acceptance. At a fraction the cost you think it will take.

Regards,

Arthur Zwern

NextLevelAssets.com

408-482-1708

Geri Nave'
Nave' Consulting, inc
408.489.1087

4/19/16

Re: Comments on Evans Lane Transitional Housing Project
File No. GP 16-001

My company, Nave' Consulting, has overseen the property management of 1850 Evans Lane since 1998. This property is immediately adjacent to a portion of the site slated for the proposed Transitional Housing Project. I am completely opposed to this project for a number of reasons.:

In the 18 years that I have over seen 1850 Evans Lane, I have watched the small Canoas Garden-Evans Lane neighborhood be neglected & marginalized by the City of San Jose.

- 701 Curtner Ave, also known as the Curtner Studios, brought an element of crime and fear to this neighborhood that we had never before experienced. The children of Las Ventanas Apts, Willow Glen Mobile Estates and Catalonia Apartments, on their way to and from the school bus stop, must walk the gauntlet of the formerly homeless, those with mental health issues and the poverty level residents already in transitional housing at 701 Curtner. They are being asked for money, offered drugs all the while skirting the debris, feces, needles, etc. that litter the streets.
- The City and the management of 701 Curtner have spectacularly failed in monitoring their selection of tenants for that property.
- The security at 701 Curtner personally spoke to me and said they are only responsible for that which takes place directly in and/or on their property. It was made very clear that if an altercation, drug deal and/or drug use, sexual activity etc., takes place on public property such as the sidewalks and streets, they have no responsibility. They also have no responsibility for the friends of their tenants that come to "visit" and congregate in the streets, their cars and the private property of local businesses.
- The City has not only demonstrated they have no control over this tiny neighborhood, they have neglected and marginalized it.
- The San Jose Police Department (SJPD) has been very straightforward in saying that they do not have the officers needed to oversee these problems.
- In two (2) separate meetings (which I can document if necessary) it was suggested by Housing Dept staff that perhaps the local business owners could join together and pay for regular clean up of City streets and sidewalks and/or private security, specifically off-duty SJPD officers.

•

Page two/Nave'/Evans Ln
4/19/16

The Initial Study woefully lacks the reality of what is actually true in the Canoas Garden/Evans Lane area.

4.1.2.1 Aesthetic Impacts : Scenic Vistas and Resources

The IS declares that there is “No Impact” on these items. This assessment has to have been made without a thorough consideration of neighboring properties and of the streets and sidewalks. This would only be “No Impact” if the City took responsibility for cleaning Evans Ln and Canoas Garden Road on a daily basis,“ which in fact, they don’t even do now.

Aesthetic Impacts: Visual Character: The IS states that there will be “Less Than Significant Impact” The addition of up to 170 homeless persons with no where to go will definitely affect the visual character of these two (2) short streets. We already have loitering, drug sales and use proliferating with young children from working poor families having to negotiate their way through these streets. It may be “Less Than Significant” to someone in an office preparing a document, but it will be incredibly significant to the 1,300 plus working poor that live here.

4.8 Hazards and Hazardous Materials: Again I point out the unchecked drug use and all the paraphernalia that accompanies it. We also already have local loiterers that use the city’s storm drain to defecate and urinate. Adding 170 more (plus their friends that come to visit) will simply exacerbate an already untenable situation.

4.10.1.4 Applicable Land Use Regulations and Policies in the General Plan

This does not meet your own policy that necessitates the “highest standards of architectural and site design” I doubt that a project with a potential 15 year “sunset” date and a revolving population every 15 months would enhance and develop community character. Please note; I/we are not opposed to an affordable housing project in line with the current designation, applicable land use regulations and policies in the General Plan;

I/we are opposed to replacing it with Transitional Housing.

4.10.2 Would the project physically divide an established community?

NO IMPACT???? Really? It’s a Significant Impact. Evans Ln is a dead – end short road with its only ingress and egress located at the front of the proposed Transitional Housing site. 170 additional people would further separate the working poor in the Affordable Housing complexes from neighboring services. Not to mention once again the children who so far have been given no thought or concern by the City,

including planning. The Transitional Housing project would completely separate those complexes from living a normal life.

Page three/Nave'/Evans Ln
4/19/16

4.10.2.1 Consistency with the General Plan Land Use Designation and Zoning Again, "Less than Significant Impact?" This is definitely a significant impact on our neighborhood. It is completely different from the General Plan. This is as far a field from an Urban Village as one could get.. There will be no additional jobs, no new businesses created and certainly it will not produce a "walkable" neighborhood, it will further isolate this tiny neighborhood. Only cars will be used for safety's sake... No walking to catch the light rail that is for sure.

4.14.2.1 Impact to Public Services /Police Protection Services.

In one way I agree with the "Less than Significant Impact" designation. **There would be less than significant impact only because we currently don't have services at all...so there is nothing to impact.** The City and essential services has neglected, marginalized and forgotten this neighborhood. Police don't/can't respond to calls even when a little girl has been exposed to, twice; even if there is a violent street altercation; even if a mad man is throwing pipes at passersby, and business customers; even if drug deals are happening; even if parked cars are burned out and abandoned; even if a man is defecating in public. We currently don't have public services, we don't have police protection. We are already experiencing a "significant impact".

Impact to Public Services/Parks

Again, of course, this Transitional Housing project would have "Less than Significant Impact." The question is, why? **The answer is, there are no local parks to impact.** The streets, sidewalk or private property is the "park" of choice. If this housing is built, you can be sure Canoas Garden Road and Evans Ln. will continue being the "park!" The streets are crowded with cars and people now? What is the City going to do when 170 more are added to this tiny neighborhood already housing approximately 1300 homeless, mentally ill, poverty level residents and the working poor in the 3 affordable housing complexes on Evans Ln. What is the City going to do when the ingress and egress to Almaden Expressway is blocked? And what happens when some one is hit and killed because the streets are the park?

4.15 Recreation

Dare I repeat myself? **It has “Less than Significant Impact” because the parks and recreational facilities are the streets and local businesses.** 701 Curtner 's park is the street and will increase should this Transitional Housing facility be built.

Page four/Nave'/Evans Lane
4/19/16

- 1) Did the preparers of this report even visit and talk with the numerous residents already living on Evan's Ln. & Canoas Garden Road?
- 2) Would you want your children to walk by this homeless housing everyday to and from school? Remember the residents are primarily the working poor who often work 2 or 3 jobs to provide for their family and cannot take time off to drive and pickup their children from school. As I wrote, the children already walk the gauntlet in the neighborhood even now and you are willing to inflict even more?
- 3) Did you check with essential services regarding their ability to service this neighborhood?
- 4) Did you know that currently within the last two (2) weeks SJPd patrols have picked up, *but* every officer said that this is only temporary...and why is it temporary? Until the City can get this project approved and then they will let it return to a forgotten, ignored, marginalized neighborhood it was...only with even more severe problems to deal with.

Vacca, Kimberly

From: Rick Oderio <rickoderio@conklinbros.com>
Sent: Monday, March 07, 2016 11:14 AM
To: Vacca, Kimberly
Cc: gerinavenave@yahoo.com; rmize@cathedraloffaith.org; Bill Rianda; BJ Bailjinder; Blaine Knutson; Jean Rianda; Kristen Roth Farnham; Marvin Escobar; Michael Costa; Rick Oderio; Stan Onishi; Yin Shih
Subject: Homeless encampment

Kimberly,

My name is Rick Oderio. I am the business and property owner of Conklin Bros. 2250 Almaden Expy. We are at the corner of Canoas Garden Road, Evans Lane and Almaden Expy. I have recently been advised that you are in charge of planning for the homeless encampment slated for Evans Lane. I am requesting that I as well as the business owners and residents that I have copied in this email be put on your notifications list regarding this project.

I would like to inform you that this neighborhood is a war zone. We have had 114 recorded incidents of vandalism and violence against our employees and customers in the last 3 years. We recently spent \$50,000.00 on security including a fence and lighting. We have had to reduce our hours because it is no longer safe. My insurance rates have escalated. We call the police often. We call 911 emergency often. Mostly they do not respond. One particular incident, we had a violent man on our property throwing building materials and pipes at our customers and employees. We had women and children in our store. The police never came. Another violent incident involved an AT & T lineman who was assaulted at the corner of Evans Lane. While the police did respond, it took over 30 minutes. They did not talk to me (the witness) nor did they request to look at the local security cameras. We witness loitering, alcohol, drugs, pandering, littering, personal threats and fighting every single day. My 8 year old daughter has been exposed to twice. The local police tell us that they do not have enough police officers and that this area is low priority. They also tell us that indecent exposure is an infraction, loitering is permitted and so is sleeping in their cars in front of our store. We have to clean up the garbage left behind as a daily routine. The homeless that stay in this neighborhood fraternize with the section 8 housing tenant's at 701 Curtner. 701 Curtner is a public nuisance. We remove drugged out and drunk homeless from our property almost daily. Do you really want your new homeless encampment situated so closely to all the thugs, drugs, alcohol and crime that is permitted in this neighborhood. This is a lawless neighborhood and forgotten by our civic leaders. Clearly, this has not been thought out. We had already formed a committee to bring our grievances to the city about our progressing problems in our neighborhood. All of our lives have been unreasonably effected. Our businesses are suffering. Our property values declining. And now THIS! We are prepared as a group to clean this neighborhood up.

Rick Oderio

Vacca, Kimberly

From: Hart, Jared
Sent: Monday, April 04, 2016 10:23 AM
To: Vacca, Kimberly
Subject: Fw: Link to Environmental Document for Proposed General Plan Amendment on Evans Lane (GP16-001)

From: sergio loza <sergio65loza@hotmail.com>
Sent: Friday, April 1, 2016 3:31 PM
To: Hart, Jared
Subject: Re: Link to Environmental Document for Proposed General Plan Amendment on Evans Lane (GP16-001)

I was at the meeting but did not speak up. I am 100% not for the plan I live at willow glen mobile estates and have a front row seat to this homeless problem they have made camp 150 feet from me living room window I see then cocking up there drugs that sell down the street I have been broken into and see then waking around nude all the time make me sick to think your planning reward them by placing them now out my bathroom window. I have work so hard to get where I am I pick up my new place just last year sooner after the homeless made the home out my window it really make me made to see the one of the city planners so ready to build and proud of what he's up. I this is you reading this why not build this in your back yard? I'm sure you live far the type of homeless centers your helping plan right? you have no respect for this cummunity we are already being attacked on a daily basses from the homeless your plan is only going to compound our problem 100 times. We have our share of tolerating the homeless this idea need to be shared with other san jose neighbors leave us alone if you want to help control the the crack heads living around use clean up out streets make us safe not rape us. As for the open space I don't care if it a low income apartment for women and children but the crack heads don't want your help there it nothing anyone can do to help them leave then alone of jail them.

From: Hart, Jared <Jared.Hart@sanjoseca.gov>
Sent: Friday, April 1, 2016 3:05 PM
To: Hart, Jared; Vacca, Kimberly
Subject: Link to Environmental Document for Proposed General Plan Amendment on Evans Lane (GP16-001)

Good afternoon -

Thank you for you attending the community meeting on March 31, 2016 on the proposed General Plan Amendment on Evans Lane (GP16-001). Please see below a link to the environmental document (Initial Study) prepared for the proposed project.

Initial Study for GP16-001: <http://www.sanjoseca.gov/index.aspx?NID=5018>

Additionally, the timeline to provide comments on the Initial Study has been extended 10 days, to April 22nd at 5:00 P.M. An additional email with information on the Initial Study will be sent out by the environmental project manager.

Please let me know if you have any questions.

Regards,

Jared

Jared Hart, AICP, CPSWQ

Supervising Planner - Long Range Planning

City of San Jose | Planning, Building and Code Enforcement

200 E. Santa Clara Street - 3rd Fl. | San Jose, CA 95113

(408) 535-7896

Vacca, Kimberly

From: Christine Lui <clciilui@gmail.com>
Sent: Saturday, April 02, 2016 12:46 AM
To: Heisinger, Patrick
Cc: Vacca, Kimberly
Subject: Re: Evans Lane Housing Project - Public Comment

Dear City of Housing Department:

I would like to provide my views on the Evans Lane Housing Project. I lived in Communication Hill for since 2001, then moved to Willow Glen in 2014. Willow Glen is a mature community with new and long live residences that care of their homes, invest in home improvements and contribute to the neighborhood businesses, schools and community safety and cleanliness. These home owners and neighborhood residents and local businesses enhance the value of communities and real estate.

The proposed property is located in a premium real estate location. There are opportunity costs to house a concentrated number of homeless into a new construction of establishment then maintain housing quality and management of residents' disciplines. There are adverse economical and community impacts to the communities that beyond construction costs. The operating costs and on-site management to maintain the same qualities of living condition in Willow Glen and Communications Hill require a large and committed funding. It is not easy to establish a premium real estate neighborhoods that contribute property tax revenue and support local businesses.

It takes only couple years to devalue the home prices in Willow Glen and Communications hill. It will take a very long time to clean up and reestablish its home value. There will be threats and adverse impacts of such project in a prime real estate location.

Homeless is a challenging issue to the metropolitan cities and established neighborhoods. The problem is not just housing. Often time we under estimated the costs of such project and its ongoing operating costs. The establishment and project deteriorate when lack of long term fundings. What are the objectives of this project? What are the score cards look like?

Perhaps an exchange deal with developers would yield larger capital and support to its operating costs. Other use of the property is to build subsidize housing to school teachers and public workers.

I appreciate your time and consideration of my views. I hope you would value all residence comments of this project.

Sincerely,
Christine Lui
Koch Ln, San Jose

On Mar 30, 2016, at 9:04 AM, Heisinger, Patrick <patrick.heisinger@sanjoseca.gov> wrote:

Yin Shih
shihproperties@gmail.com
408-741-1494

3/31/2016

Re: Comments on Evans Lane Transitional Housing Project

I am a property owner at 699 Curtner Av, the corner "gateway" to Evans Lane, and opposite neighbor to 701 Curtner Av. I am completely opposed to this transitional housing project for several reasons:

- The 40 homeless in transition housing and additional affordable housing residents at 701 Curtner already cause increased crime, loitering, vandalism, littering, unsafe sanitary conditions, decreased property values, and other related problems on my property and on Canoas Garden leading into Evans Lane.
- 701 Curtner has attempted and failed to control their selection of tenants and tenants' behaviors to mitigate these problems, which have grown and gotten worse in the recent years.
- 701 Curtner has demonstrated that housing and other laws prevent them from controlling tenants' behaviors off their property.
- 701 Curtner tenants are a social magnet for homeless not in transitional housing, increasing homeless encampments in the area.
- San Jose Police has demonstrated they do not have the capacity to respond to misbehavior of 701 tenants and their homeless associates on Canoas Garden.
- Given these existing problems, the addition of 170 homeless, assuming that is a reliable and truthful number, will reasonably see over 4x the problems we already see.
- The stated plan consists of 30 units, of which 2 are for support staff and services, and 28 will be housing with the capacity of 8 per unit. That leads to a potential total of 224, not 170. 224 would be almost 6x what is currently on Canoas Garden.
- The City has demonstrated they can't contain and control the problems already existing, so promises that any future operator of a transition housing project will be able to do so is patently false.
- All these problems increase the actual costs, vacancies, safety issues, and trash issues, in the neighborhood which is an unstated operating cost and tax resulting from City Homeless policies that is transferred from the City to its citizens and property owners.
- All these problems will ultimately result in decreased property values, which will cause the City of San Jose to see less property tax revenue from this neighborhood, resulting in a fiscal impact that could reduce already over-stressed public services.

Moving to a critique of the Initial Study. Many crucial elements of this study are superficial, inadequate, and biased. Items are as follows:

4.1.2.1 Aesthetic Impacts

Scenic Vistas and Resources - The IS declares "No Impact" on these items as it considers the FAR and compatibility of the development with neighboring developments. This is superficial and inadequate as it fails to discuss the impact on Scenic Vistas of neighboring properties used as trash dumps, burned out cars on the streets, graffiti on building walls, fences and lampposts, mattresses on the sidewalk, and stolen shopping carts filled with trash. There would only be "No Impact" if the City assumed the expenses of daily street cleanings from Curtner Avenue to Evans Lane.

Aesthetic Impacts/Visual Character – The IS declares "Less Than Significant Impact" on this item. Again, Canoas Garden is not a normal quiet residential street. The visual character of the street warns of danger and crime. Increasing the vandalism and loitering that will be on the street will have a Significant Impact on the Visual Character of the neighborhood.

Conclusions – With two elements superficially and inadequately addressed. The correct conclusion is "Significant Impact".

4.8 Hazards and Hazardous Materials –

There is rampant drug use and waste needles are strewn all over Canoas Garden. Needles are classified as Biohazardous Waste. This transitional housing project will increase the presence of Biohazardous waste on the site and in the surrounding neighborhoods. This is a "Significant Impact".

4.10.1.4 Applicable Land Use Regulations and Policies in the General Plan

Policy CD-1.1 requires the "highest standards of architectural and site design ... for the enhancement and development of community character". The stated plan is for housing with a 15 year life to be occupied by residents that will be there temporarily (in transition). Even manufactured housing has an expected life of 30-55 years, so structures with a 15 year life will be shoddy and unattractive in short order. Next the surrounding community is dominated by residents who have been here for years; which is very different from a housing project whose tenants whose residency may be measured in months. This transitional housing project is not in conformance with CD-1.1.

4.10.2 Would the project physically divide an established community?

This is marked as "No Impact", but Evans Lane and Canoas Garden is the single means of access to Curtner Avenue. This transitional project would separate and isolate these residences from the surrounding neighborhoods, services, schools, and transportation. It is disingenuous

to say there is no impact because one housing complex is like another. The reality is that the presence of 170-224 people loitering on Evans Lane will isolate those residents. They will no longer walk down to the VTA station or the bus stop, they will have to forgo trips or else drive their car for safety and self-preservation. This is a “Significant Impact”.

4.10.2.1 Consistency with the General Plan Land Use Designation and Zoning

This is marked as “Less Than Significant Impact” based on superficial discussion of FAR’s and DU/Acre. First the discussion admits that the plan is actually not in conformance with the intended use in the General Plan, but poses that the 15 year life would eventually allow a future use to conform. More importantly, the proposed project is not insignificantly non-conforming with the General Plan, but is significantly non-conforming.

The General Plan actually has the neighborhood designated as VR8 (Curtner Light Rail/VTA Urban Village) with a planned housing yield of 1440 housing units and job yield of 1380.

According to the City of San Jose: “The Urban Village concept is a major strategy of the General Plan to transform strategically identified Growth Areas into higher-density, mixed-used, urban districts or “Urban Villages” which can accommodate employment and housing growth and reduce the environmental impacts of that growth by promoting transit use, bicycle facilities and walkability.”

This neighborhood is supposed to be partly self-contained, with jobs, services and homes on site and easy access to the mass transit system via the Curtner Light Rail station. The approval of a transitional housing project will chill any future investment or redevelopment of this area for a minimum of 15 years. Walkability will be non-existent. Jobs and DU yield will be zero.

This is a “Significant Impact” and completely counter to Envision 2040.

4.10.2.2 Land Use Compatibility Impacts

This is marked as “Less Than Significant Impact” based on superficial discussion and obfuscation related to the “Mixed Use” zone and how this would be a reasonable transition between commercial and residential uses on the street. The reality is that the rezoning is related to residential density and the project under proposal is a 170-224 unit transitional housing complex. This will not create a transition; this will create a moat that no resident will want to traverse. The residents will be isolated and prey to the bad actors in the transition housing complex. There will be no businesses on this mixed use site. There will not be 1380 jobs created. There will not be 1440 additional dwelling units created. The use intended and the proximate cause for the rezoning action is not compatible with the nearby uses, the neighborhood nor is it in conformance with the General Plan.

This is a “Significant Impact” on land use compatibility.

4.10.3 Conclusion

With both elements superficially and inadequately addressed. The correct conclusion is “Significant Impact”.

4.14.2.1 Impact to Public Services/Police Protection Services

This item is marked as “Less than Significant Impact” which is superficial and inadequately researched, based on hand-waving denial of any need for additional services. This neighborhood already has one of the highest rate of 911 calls in the City of San Jose with typically inadequate response times. This is with just 40 homeless in transition at 701 Curtner Avenue. With a 4x to 6x increase in transition homeless and a proportionate increase in loitering, littering, vandalism, drug use and other criminal behaviors, there should be additional police officers hired or assigned to this neighborhood. If the City of San Jose denies this, then they are committing to a lower level of police services for the neighborhood than already exists, which is already woefully inadequate.

This is a “Significant Impact” with any minimum standard of police protection and response times.

Impact to Public Services/ Parks

This is marked as “Less than Significant Impact” which is superficial and inadequately researched. The residents of 701 Curtner Av loiter on Canoas Garden because 1) they have no place to smoke, and 2) there are no parks nearby to congregate. The transition housing project already accepts as given that the residents will not have cars as there is no provision for parking for other than staff. Where will these residents congregate? On Canoas Garden and Evans Lane, because they have no transportation and there is nowhere else they can go.

The reality is that any transition housing project must have its own park. The density and housing plan does not take this into account because it is poorly thought out and inadequately researched, as is the response to this point in the Initial Study.

The true density of the transition housing project is much less if this issue is correctly and meaningfully addressed. If the Housing Department doesn't address this issue, they are implicitly taxing the neighborhood with the loitering and costs of vandalism that their tenants will create. As the City will be the owner of this project, they own responsibility for the consequences of the misbehavior created by poor planning and inadequate development planning.

This is a “Significant Impact” with any minimum foresight and observation of human behavior.

4.15 Recreation

This is marked as “Less than Significant Impact” based on the availability of parks and recreational facilities 0.6 and 0.8 miles away. However, the homeless transition project tenants will have no cars as admitted in the plan. Consequently those parks and recreation facilities are effectively inaccessible and meaningless.

If the General Plan Policies PR-1.1 and PR-1.3 are applied to the specifics of this project proposal, then 0.6 to 0.8 acres of park space and additional community center space should be provided on site.

Failure to do so will cause the tenants of this transition housing project to treat Evans Lane, Canoas Garden and the neighboring properties as their “park” and “community center”.

This is a “Significant Impact” with any minimum foresight and observation of human behavior.

Vacca, Kimberly

From: Geri Nave <gerinave@yahoo.com>
Sent: Tuesday, March 22, 2016 10:40 AM
To: Heisinger, Patrick
Cc: Oliverio, Pierluigi; Rick Oderio; Vacca, Kimberly
Subject: Response

Mr. Heisenberg,

Thank you for checking in again. However, you answered my question with this statement in your previous email to me, "If all goes well, the Housing Department's goal IS to house people at Evans Lane by June 2017." This is your stated goal. Your goal is not to explore and see if this is a project that SHOULD go forward given the already negatively impacted neighborhood. To achieve your stated goal, you will placate the 1500 + immediate residents (including children) + additional business owners UNTIL you get it approved and can move on while residents are left dealing with the ongoing negative results.

You were disingenuous with Rick Oderio in telling him you would check into 701 Curtner leaving him with the impression you could/would actually do something long term. Do I think you can do something in the immediate? Of course, anything is possible in achieving one's goals, but once Housing's "goal" is met and this project is approved Housing willingness to "clean-up" will disappear.

Housing really does not care about the current condition of the Canoas Garden Neighborhood, not it's residents, not its businesses. It has been neglected and now your/Housing's stated goal is to further negatively impact it with 170 homeless slated to move into this very small marginalized, primarily low income, seemingly voiceless residents & immigrants. And by the way, a neighborhood which is already providing housing for the homeless and mentally ill, only asking that their behavior on public & private property be controlled which by the way, the City has been incapable of doing.

No NIMBY's here. Please tell your staff and the Homeless Advocates you consult with, not to even use that term in regard to the Canoas Garden Neighborhood Residents and Business Owners.

Sincerely,

Geri Nave'

Sent from my iPad

Oppose the Transitional Housing Project for the Homeless Slated for Evans Lane.

The City of San Jose, in conjunction with the County of Santa Clara, has designated two parcels (APNs 455-31-053 & 455-31-055 (better known to local residents as the empty fields next to the Wellness Drug and Alcohol Rehab Center) for transitional housing for the homeless.

The Mercury News reported on the potentially suitable site on Evans Lane in the Canoas Garden Neighborhood and quoted Supervisor Cortese as saying, "***It is not a residential neighborhood per se but it is close to drug and alcohol services.***" (Mercury News article Posted 01/02/16 entitled "San Jose and County look for nonprofit to run legal encampment.")

The slated "Transitional Housing" project will highly impact our neighborhood, a neighborhood already dealing with major drugs and crime, a neighborhood forgotten by the City until now when they want to further diminish the value of our businesses and homes.

Please sign your name and address and let the City and County know that:

"Per se People Matter!"

The undersigned San Jose citizens are opposing the Evans Lane Transitional Housing for the Homeless Project.

Name	J EVANS	Address	1800 EVANS LN
			SAN JOSE CA. 95125

Oppose the Transitional Housing Project for the Homeless Slated for Evans Lane.

The City of San Jose, in conjunction with the County of Santa Clara, has designated two parcels (APNs 455-31-053 & 455-31-055 (better known to local residents as the empty fields next to the Wellness Drug and Alcohol Rehab Center) for transitional housing for the homeless.

The Mercury News reported on the potentially suitable site on Evans Lane in the Canoas Garden Neighborhood and quoted Supervisor Cortese as saying, "***It is not a residential neighborhood per se but it is close to drug and alcohol services.***" (Mercury News article Posted 01/02/16 entitled "San Jose and County look for nonprofit to run legal encampment.")

The slated "Transitional Housing" project will highly impact our neighborhood, a neighborhood already dealing with major drugs and crime, a neighborhood forgotten by the City until now when they want to further diminish the value of our businesses and homes.

Please sign your name and address and let the City and County know that:

"Per se People Matter!"

The undersigned San Jose citizens are opposing the Evans Lane Transitional Housing for the Homeless Project.

Name	Address
Olinda Guerra	1800 EVANS LA Apto 4111
	San Jose CA 95125

Oppose the Transitional Housing Project for the Homeless Slated for Evans Lane.

The City of San Jose, in conjunction with the County of Santa Clara, has designated two parcels (APNs 455-31-053 & 455-31-055 (better known to local residents as the empty fields next to the Wellness Drug and Alcohol Rehab Center) for transitional housing for the homeless.

The Mercury News reported on the potentially suitable site on Evans Lane in the Canoas Garden Neighborhood and quoted Supervisor Cortese as saying, "***It is not a residential neighborhood per se but it is close to drug and alcohol services.***" (Mercury News article Posted 01/02/16 entitled "San Jose and County look for nonprofit to run legal encampment.")

The slated "Transitional Housing" project will highly impact our neighborhood, a neighborhood already dealing with major drugs and crime, a neighborhood forgotten by the City until now when they want to further diminish the value of our businesses and homes.

Please sign your name and address and let the City and County know that:

"Per se People Matter!"

The undersigned San Jose citizens are opposing the Evans Lane Transitional Housing for the Homeless Project.

Name	Address
Tex Tynner	445 Millpark
Ruth Kelso	103 2150 Almaden Rd SS 95125
Selva Lopez	1850 EVANS LANE #33 SAN JOSE CA 95125
ALAN K. NGUYEN	1850 EVANS LN. SPC. 19 SAN JOSE, CA. 95125
ROBERT NOTRANGECO	2150 ALMADEN RD, SPC 83 SAN JOSE CA 95125
TANJA BROWN	2150 Almaden Rd, #83 SJ. 95125
Angie Jimenez	2240 Canoas Garden Ave. SJ 95125

Oppose the Transitional Housing Project for the Homeless Slated for Evans Lane.

The City of San Jose, in conjunction with the County of Santa Clara, has designated two parcels (APNs 455-31-053 & 455-31-055 (better known to local residents as the empty fields next to the Wellness Drug and Alcohol Rehab Center) for transitional housing for the homeless.

The Mercury News reported on the potentially suitable site on Evans Lane in the Canoas Garden Neighborhood and quoted Supervisor Cortese as saying, "***It is not a residential neighborhood per se but it is close to drug and alcohol services.***" (Mercury News article Posted 01/02/16 entitled "San Jose and County look for nonprofit to run legal encampment.")

The slated "Transitional Housing" project will highly impact our neighborhood, a neighborhood already dealing with major drugs and crime, a neighborhood forgotten by the City until now when they want to further diminish the value of our businesses and homes.

Please sign your name and address and let the City and County know that:

"Per se People Matter!"

The undersigned San Jose citizens are opposing the Evans Lane Transitional Housing for the Homeless Project.

Name	Address
Ruth Kelso	2150 Almaden Rd 103 SJ 95125
	1800 Evans Lane ST 95125
	207 Azevedo Cir
Pauline Fenzell	2012 Evans Ln #4
Ron MacKenzie	Mill Pond
Ron Piazza	2270 CANOES GARDEN
Toma Schaeffer	2270 Canoas Garden

Bill Rianda	2270 Canoas Garden
Charles Herbert	2220 Canoas Garden
Yin SHIH	899 Curtner Av
Jon Fogelquist	2260 CANOAS GARDEN AVE
Debra Warren	1742 Jonathan Ave
Kristen Farnham	2760 Canoas Garden Ave
Alan Escalante	874 Lukens Ct
Sylvia Knight	3150 ALMADEN Spc 35
Cindi Kessler	599- Mulepond Dr S.O. 95125
Betty Edelmann	" " " " "
KERRY KELLY	2150 Almaden Spc. 98
PATRICIA M'CLURE	2150 Almaden Spc. 98
Lidia SIMON	2150 Almaden Rd Sp 32 SAUJOS
Mario Orozco	2184 Monticello Ave SS Ca 95125
Lupe Orozco	2184 Monticello Ave SS Ca 95125
Frank Alvarado	768 Arbor Dr. 95125
Frank [unclear]	2000 EVANS LN. 95125
Carolyn Flynn	884 Ironwood Dr., San Jose 95125
David Flynn	884 Ironwood Dr., San Jose 95125
Barbara Kemp	914 Redbird Drive San Jose CA 95125
Tony Medina	914 Redbird Drive San Jose CA 95125
Sue Pelee	2532 Nighthawk Dr. Ca. 95125

COMMENT CARD

Name: GREG MILLER
Email: gregmiller@global.net
Address: _____
Phone: _____

Comments: The project described sounds well-planned, because it combines services with some new housing. However, it sounds like there are many issues already, because of past poor planning & lack of resources. Both emergency housing & other current issues need to be addressed. In this most wealthy area of the world, we need to increase taxes on the wealth of corporations to fund the needed housing & services.

COMMENT CARD

Name: Ruth Kelso
Email: primocashier@yahoo.com
Address: 2150 Almaden Rd 103 SJ 95125
Phone: _____

Comments: ① IF this is called affordable housing, what do the residents pay?

② What is the vetting process for residents?

③ Will there be special consideration for homeless veterans?

④ Why do you call it affordable housing. Lets call it what it is - homeless housing?

⑤ What about the old Agnews campuses?

COMMENT CARD

Name: Robert Mize
Email: rmize@cathedraloffaith.org
Address: 2215 Canoas Garden Ave 95725
Phone: (908) 979-3044

Comments: Which homeless clients are you targeting?
Are they those off of the Vulnerability index
which is now called the Vi-Spidat?
If so, you will get the most chronically to house and
have issues with loitering, theft, waste management,
and bed bugs. Not to mention the vandalism that
we are already experiencing in this neighborhood.
Hopefully it is not these people but those who
truly want help and are trying to better
themselves.

COMMENT CARD

Name: Debra Fieguth
Email: Debbiefieguth@gmail.com
Address: 2150 Almaden Rd # 105
Phone: 408 644 3621

Comments: I have experience with transient people living on the Coyote
Creek. We have had our sheds broken into, samples stolen, bridges
stolen, wheelbarrows and manure racks stolen. I do not want to
live near this environment.

COMMENT CARD

Name: Patricia Heath
Email: Rammymine@aol.com
Address: 2150 Almaden Rd # 28 San Jose 95125
Phone: (408) 266-7055

Comments: What sort of letting process will be used?
Are there other areas the Homeless could be housed that won't negatively impact peoples homes?
Have you thought about having the Salvation Army help with these people?
Are there going to be Vets added into the mix?
15-18 months turn overs continually! We will have to go thru hard times fresh every 15-18 months,

COMMENT CARD

Name: _____
Email: _____
Address: _____
Phone: _____

Comments: all you guys (planners pushers) should spend a day in the life of Evans (a whole day to have a personal letter we're talking about take your NOC CAPS too!

COMMENT CARD

Name: Jennifer Wray
Email:
Address: DL resident
Phone:

Comments: I strongly support this project
I would like to speak at
public comment.

COMMENT CARD

Name: MARIO & Luce Crozza
Email: MLCrozza@outlook.com
Address: 2184 Monticello Ave. S.S. Ca 95125
Phone: 408-286-9433

Comments: We disagree with this plan.
Please re-consider this plan for our family's
sake. This is a very poor idea.
Please let us know when next meetings.

I believe this idea has great merit. The local residents are afraid "of the unknown." A well designed, well managed project will explode the myth that this can't work. Sonoma County Supervisors are voting tonight to award the contract to Balfour Beatty on land by the County Bldgs.

I am a So. San Jose resident & I ~~the~~ would welcome a site by my house. Russ Danielson

From: Geri Nave [<mailto:gerinave@yahoo.com>]
Sent: Monday, April 25, 2016 1:44 PM
To: Dori L. Yob
Subject: Fw: Evans Lane Transitional Housing

Hi Dori,

Because I believe in full disclosure, I want you to know that I don't live in this neighborhood. I do, however, come from an impoverished childhood. I have managed Willow Glen Mobile Estates a small, multi-ethnic, primarily working poor population since 1998. I will not profit in any way by representing my residents and by extension this neighborhood. Many of my residents don't speak English and are intimidated by a process like this. I want them to have a voice because these are their homes, children and this is their neighborhood.

I stand in opposition with the neighborhood to the slated Evans Lane "Transitional Housing Project" for the homeless. I am also attaching the comments I prepared originally for Housing and now for Planning because it will detail the reasons why I am opposed

I am sending my notes ahead because as you will read, the Housing Dept. staff did not distribute my prepared comments until a few days after the fact and I don't want that to happen again.

I want to assure you that the neighborhood is not opposed to "Affordable Housing" being built on this property, just not "Transitional Housing." This is a tiny, heavily impacted neighborhood already serving the homeless, persons with mental health issues and many others at poverty level and/or the working poor.

Please feel free to forward the attachment to the other commissioners.

Sincerely,

Geri Navé
Navé Consulting
408.489.1087

On Sunday, April 24, 2016 7:56 PM, Geri Nave <gerinave@yahoo.com> wrote:

Dear Ms. Morales-Ferrand

It has come to our attention that the Housing Dept. is considering meetings with the Canoas-Garden/Evans Lane business owners either individually or in small groups. We

believe this is a closed "divide and conquer" tactic by Housing, rather than **Open and Transparent government**. The proposed placement of transitional housing in an *already heavily over-burdened neighborhood* is not a matter for small group discussions but should take place in a manner in which our entire community can participate. What you say to one would ultimately apply to all. Therefore we believe that should you decide to schedule a meeting, it is most reasonable to be inclusive of all.

It is also extremely important for all of us to be able to hear what the others are saying. What they say, and what we say in reply, is part of our deliberative process. Shutting us off from each other does not serve the community but only those who wish to push forward an agenda which might not be in the best interest of our neighborhood.

We understand this same issue of Housing proposing small group meetings instead of one large meeting came up not too long ago with mobilehome park residents in regard to the "Opt-In" issue. Our same concerns arose within their ranks in regard to **Open and Transparent government**, the sharing of information and comments, and the ability of each and all to hear each other. The residents strongly supported one large meeting. The mobilehome park residents prevailed and one large meeting was held to their great benefit.

While isolating people into small groups gives Housing more control and the ability to spin, it is simply a poor practice that should not be employed by a city department or indeed tolerated by the Mayor and the City Council.

The above proposed small group meetings only exacerbates the concerns we already have in regard to the Housing Dept.

In one previous meeting, a staff person "suggested" that perhaps local businesses could join together and hire their own crews to maintain the cleanliness of the streets, sidewalks, and properties. In a second interaction, a staff member "suggested" that perhaps businesses could join and hire security. We could give the names of the Housing personnel that "suggested" these solutions, as well as the dates and locations, however, unless it becomes necessary, we choose not to do so.

That said, while we appreciate the current City efforts to clean up and have police patrolling Canoas Garden/Evans Lane, we are cognizant of the fact those are temporary efforts by the City made to clean up the area and give an illusion of safety until the proposed transitional housing project for the homeless is secure.

Finally, Geri Navé is still waiting for a response from the Housing Dept. as to why Housing staff failed to distribute the documents she hand delivered to a staff member before the beginning of the HCDC meeting of 4/14/16. Neither the HCDC Chair nor any of the Commissioners were allowed by Housing to see these documents

which had been submitted for their consideration before they voted. A response was promised by 4/22/16. No such response has been received.

It is our sincere hope that Housing will cease these practices which are not in the best interest of our neighborhood, citizen participation in their government, and the City at large.

Sincerely,

Geri Navé
Rick Oderio
Yin Shih

Sent from my iPhone

Any tax advice contained in this correspondence (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under federal, state or local tax law or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

This email and any attachments thereto may contain private, confidential, and privileged material for the sole use of the intended recipient. Any review, copying, or distribution of this email (or any attachments thereto) by others is strictly prohibited.

If you are not the intended recipient, please contact the sender immediately and permanently delete the original and any copies of this email and any attachments thereto.

For more information about Hopkins & Carley, visit us at <http://www.hopkinscarley.com/>.

4/25/16

Geri Nave'

COMMENTS TO THE PLANNING COMMISSION

The Transitional Housing project slated for Evans Lane is nothing more than:

DEFACTO SOCIO-ECONOMIC SEGREGATION

(Grouping the poorest of San Jose residents together)

In a tiny forgotten, ignored, marginalized (by the City) neighborhood, which is the Canoas Garden/Evans Lane neighborhood, we already house:

- 1) 40 formerly homeless
- 2) Approximately 86 residents in 2 facilities with mental health issues (The Curtner Studios at 701 Curtner and The Wellness center on Evans Ln. (this facility serves only court-mandated persons)
- 3) 70 poverty level studio apartments
- 4) Approximately 1,100 working poor in 3 affordable housing complexes; Catalonia Apts., Las Ventanas Apts., and Willow Glen Mobile Estates

So, you have a total of approximately **1,300 residents** of diverse ethnicity who are;

- a) Formerly homeless
- b) Persons with serious mental health issues
- c) Residents at poverty level and,
- d) The working poor, with children...all living within **600 yards** of the proposed project and some, mere feet away

And the City wants to add up to 170 more homeless people on a rotating basis to this tiny neighborhood that they gave no thought to until now?

This is simply another form of segregation only this time on a socio-economic basis. We're not Nimby's, we're Timby's

TOO MUCH IN MY (TINY) BACKYARD!

From: Tavys Ashcroft [<mailto:tavys.ashcroft@gmail.com>]

Sent: Wednesday, April 27, 2016 11:47 AM

To: Dori L. Yob

Cc: Jeri Nave; rick oderio; darren Williams; mike graves; shihproperties@gmail.com; Martha O'Connell

Subject: Re: HCDC vote on Evans Lane Project (to Planning Commissioner)

Dear Commissioner Yob,

I am a resident of the Canoas Garden neighborhood, living in Willow Glen Mobile Estates on Evans Lane. I agree completely with Martha's sentiment. I think many in our neighborhood would rather see permanent housing that fits into a long-term plan to improve the neighborhood.

Many local residents came to speak at the April 14th meeting about their personal experiences, about the current state of the neighborhood, and about their fear for safety.

I would like to share my comments from that meeting:

"Many of the residents speaking here are afraid. The fear comes not from an unknown future, after this project is completed, but from the present situation. The grim reality of living in a neglected neighborhood is scary.

The residents of the Evans Lane neighborhood are the working poor, living in low-income housing, struggling to improve their lives.

Crime is on the rise. Who exactly are the perpetrators of that crime is for the police to determine. What matters is that this neighborhood has become one which is not safe, and which is not conducive to improving the lives of vulnerable people.

The city's 2015 Homeless Census & Survey indicates 44% of respondents reported drug or alcohol abuse and 37% reported having psychiatric or emotional conditions.

Our neighborhood cannot handle an influx of people with such problems, and will not be a supportive environment for people in need of safety and stability. We are already unsafe.

The city has an obligation to use planning as a tool for improvement. If any neighborhood needs to be lifted up it is the one around Evans Lane."

If you have not already seen it, here is a video recording of an earlier community meeting about this project on March 31st. <https://www.youtube.com/watch?v=abaGIYTJs4c>

There are a wide variety of concerns and comments voiced here by the local residents. There is a summary of each speaker under the "Show More" link, and if you click on the time stamps you can skip to each one. Please watch this if you have the time.

Best Regards,
Tavys Ashcroft

On Apr 27, 2016, at 7:05 AM, Martha O'Connell <mocmocmoc@hotmail.com> wrote:

Dear Commissioner Yob,

I am the current Chair of the HCDC - Housing and Community Development Commission. I am sending you the information about the 4-14-16 HCDC vote on the Evans Lane Project and ask that you forward it to all the other Planning Commissioners.

I have spoken on issues before at your Commission and you may remember me. I wish to state for the record that I have been an advocate for affordable housing and the homeless for decades. My concern with this project for **transitional housing for the homeless** is that it is being proposed to be placed in a neighborhood that is already overburdened. I sincerely believe this is socioeconomic segregation.

I have walked the neighborhood several times and talked to many residents. They are not NIMBYs. To characterize them as such and thus dismiss and marginalize their concerns is unfair and untrue.

The HCDC vote reflects a compromise with which I believe most folks can live. Transitional housing for the homeless is not the answer for this already overburdened neighborhood. We can do better for both the neighborhood residents and the homeless as reflected in the HCDC vote below.

Martha O'Connell

April 14, 2016 – Public Hearing before Housing and Community Development Commission. Review and approval of the [2016-2017 Annual Action Plan](#), which mentions the project on Evans Lane.

The City also acquired a site on Evans Lane north of Canoas Gardens Avenue from the Valley Transportation Authority. The City is currently planning to develop the Evans Lane site as interim housing for homeless individuals.

During the hearing, an amendment was proposed to replace “interim housing for homeless individuals” with **“permanent affordable housing for the homeless with the priority on victims of domestic violence, veterans, and families.”**

Commissioner Graves made the motion to recommend approval of the FY 2016-17 Annual Action Plan to the City Council, with the modification that the Evans Lane project called out on page 32 of the plan to be changed to permanent affordable housing for the homeless with the priority on battered women, veterans, and families. The motion was seconded by Chair O'Connell. Commissioner Johnson requested to add a friendly amendment that the term “battered women” be changed to “victims of domestic violence”. Commissioner Graves accepted the friendly amendment. The motion passed 9-0-1 by roll call vote with Commissioner

Shoor abstaining from the vote.”

Name	Title	Vote
Martha O'Connell	Chair of the Commission	Yes
Davlyn Jones	Vice Chair of the Commission	Yes
	Official representative of mobile home park residents	
Mike Graves	Official representative of mobile home park owners	Yes
Mike Fitzgerald	official representative of apartment landlords	Yes
Robert Gill		Yes
Victoria Johnson		Yes
Steven Neff		Yes
Melissa Medina		Yes
Lee, Thompson		Yes
Alex Shoor		Abstain

"I haven't been everywhere, but it's on my list." - Susan Sontag

Any tax advice contained in this correspondence (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding

tax-related penalties under federal, state or local tax law or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

This email and any attachments thereto may contain private, confidential, and privileged material for the sole use of the intended recipient. Any review, copying, or distribution of this email (or any attachments thereto) by others is strictly prohibited.

If you are not the intended recipient, please contact the sender immediately and permanently delete the original and any copies of this email and any attachments thereto.

For more information about Hopkins & Carley, visit us at <http://www.hopkinscarley.com/>.

The following
items were
received after
packets were
distributed.

From: Lopez, Robert (HSG)
Sent: Monday, May 02, 2016 2:37 PM
To: Vacca, Kimberly <kimberly.vacca@sanjoseca.gov>
Cc: Bopf, Dave <dave.bopf@sanjoseca.gov>
Subject: Planning Commission materials on Evans Lane

Hi Kimberly,

I wanted to forward to the Planning Commission some materials we received at the Housing Commission last month. Could you forward this pdf to the appropriate Planning Commission staff member? Thank you so much!

- Robert

Robert Lopez
Analyst II – Grants Management
City of San José – Housing Department
200 E. Santa Clara Street, 12th Floor
San Jose, CA 95113
Robert.Lopez@sanjoseca.gov | www.sjhousing.org
408.975.4402

Our mission is to strengthen and revitalize our community through housing and neighborhood investment.

THE IMPACT OF SUPPORTIVE HOUSING ON NEIGHBORHOOD CRIME RATES

GEORGE GALSTER*
Wayne State University

KATHRYN PETTIT
The Urban Institute

ANNA SANTIAGO
Wayne State University

PETER TATIAN
The Urban Institute

ABSTRACT: *Quantitative and qualitative methods are employed to investigate the extent to which proximity to 14 supportive housing facilities opening in Denver from 1992 to 1995 affects crime rates. The econometric specification provides pre- and post- controls for selection bias as well as a spatial autocorrelation correction. Focus groups with homeowners living near supportive housing provide richer context for interpreting the econometric results. The findings suggest that developers paying close attention to facility scale and siting can avoid negative neighborhood impacts and render their supportive housing invisible to neighbors. Implications for structuring local regulations and public education regarding supportive housing facilities follow.*

The imperative for increasing the supply of housing for Americans with special needs has become increasingly clear over the past several decades, as the effects of the AIDS epidemic, rising homelessness, and changes in approaches to serving the mentally ill and non-violent offenders have manifested themselves. A consensus has emerged that not only did many with special needs require affordable housing, but they also require supervision and a package of support services tailored to their needs, perhaps but not necessarily delivered in conjunction with the housing (Dear & Wolch, 1987, Mechanic & Rochefort, 1990, Newman, 1992). Supportive housing facilities were the result.

**Direct correspondence to: George Galster, CULMA, Wayne State University, 3198 FAB, 656 West Kirby Street, Detroit, MI 48202. E-mail: aa3571@wayne.edu*

JOURNAL OF URBAN AFFAIRS, Volume 24, Number 3, pages 289-315.

Copyright © 2002 Urban Affairs Association

All rights of reproduction in any form reserved.

ISSN: 0735-2166.

Supportive housing is a broad term that refers to programs that provide support services to special needs populations in conjunction with some form of housing assistance, be it in small group homes, larger institutions, or independent apartments. The special needs populations for which supportive housing has been supplied cover a wide spectrum of groups, including the homeless, chronically mentally ill, recovering substance abusers, developmentally and physically disabled, frail elderly, non-violent offenders, and AIDS victims and other terminally ill people. It has been shown that these programs can have substantial beneficial effects on the persons receiving assistance by giving them the support they need to live in ordinary, residential neighborhoods providing enhanced educational, social, and economic opportunities (Metraux, Culhane, & Hadley, 2000; Ridgeway & Rapp, 1998).

Prior to the 1980s, supportive housing facilities were subsidized primarily by states or private philanthropies. The one longstanding exception was housing for the frail elderly, which was financed under the HUD Section 202 program initially authorized in 1954. The dramatic growth in the homeless population during the 1980s, however, led to the passage of the Stewart B. McKinney Act in 1987 (amended in 1988 and 1990) and, for the first time, the availability of significant federal resources for housing and services programs for homeless persons. During the Clinton administration, supportive housing was emphasized heavily (Fuchs & McAllister, 1996). Innovations in the field were encouraged by the HUD Supportive Housing Program Competition beginning in 1994. HUD's goal was to establish a programmatic continuum along which the needs of various categories of homeless and disabled individuals could be met effectively (U.S. Department of HUD, 1995). Supportive housing became the mainstay of this effort in communities across the country (Guhathakurta & Mushkatel, 2000). At the present time, the main public sector sources of governmental funding for supportive housing include state supplements to the Supplementary Security Income (SSI) program, two optional programs under Medicaid (Targeted Case Management and Rehabilitative Services), the Social Services Block Grant, the HUD 811 Program, and a broad range of McKinney Act programs (e.g., Projects for Assistance in Transition from Homelessness, Shelter Plus Care).

Concurrent with increasing governmental emphasis on supportive housing, the public's unease with living in close proximity to individuals who are served by these facilities has become apparent. In many cases, this unease has manifested itself in the form of strident community opposition to the siting of supportive housing. Researchers and practitioners commonly refer to this as NIMBY (Not in My Backyard) (Dear, Takahashi, & Wilton, 1996; Freudenberg & Pastor, 1992; Takahashi & Dear, 1997). Community groups, especially wealthy, white homeowners, have become increasingly sophisticated and effective in their ability to affect decisions regarding the siting of supportive housing facilities (Graham & Logan, 1990; Pendall, 1999; Seltzer, 1984; Takahashi & Dear, 1997; Wenocur & Belcher, 1990).

The dominant fears motivating such NIMBY-style opposition are clear: property value erosion and crime (Rocha & Dear, 1989). The National Law Center (1997) polled 89 supportive housing programs from around the nation and found that 41% had experienced NIMBY opposition from either prospective neighbors or their local governments prior to beginning their operations. The most prevalent reasons for this opposition were anticipated loss of property values (64%) and a potential increase in crime (61%). Other sources of opposition stemmed from expectations of increased traffic and parking problems (39%), an unsightly facility (21%), and greater noise (18%). Concerns over supervision of residents were voiced in a few additional cases.

Our study probes the issue of neighborhood opposition to supportive housing based on fear of crime. We undertake quantitative and qualitative investigations of a range of supportive housing facilities opening in Denver during the early 1990s. We consider separately those facilities likely to be considered most feared because of crime. These facilities include those serv-

ing non-violent offenders, the mentally ill, and recovering substance abusers. We also examined separately those facilities serving the developmentally disabled and frail elderly (whose crime impact may be much less). We also compare larger and smaller facilities. Our goals are to ascertain whether: 1) rates of various sorts of reported crimes increased in the vicinity of these facilities after they opened (controlling for pre-opening trends and other factors), 2) crime impacts varied by type or scale of facility, and 3) neighbors of supportive housing facilities perceived them as generators of crime and, if so, why.

The analysis shows that our supportive housing sites were developed in areas with comparatively high rates for all types of crimes. For the sample as a whole, and for facilities housing more threatening clientele, there were no statistically significant increases in the rates of any categories of reported crime (total, violent, property, disorderly conduct, or criminal mischief offenses); these figures were based upon crimes that occurred within 2,000 feet of a supportive housing facility after it was developed. However, the sample of larger facilities evinced statistically significant increases in total and violent crime reports within 500 feet and criminal mischief within 501 to 1,000 feet after opening. The weight of the statistical and focus group evidence suggests that it was not the residents of these large facilities who were perpetrators of crime. Rather, the evidence suggests that large facilities attracted more crime because they provided a mass of prospective victims and/or eroded the collective efficacy of the neighborhood.

Our article is organized as follows. The first section reviews the literature examining the neighborhood impacts of supportive housing facilities. The following section presents an overview of the supportive housing delivery and regulatory system in Denver as a context for our analyses. We describe the character of supportive housing programs and local polices designed to minimize any harmful neighborhood impacts. We then turn to our quantitative analysis. We present our econometric model, corrections for standard and spatial econometric problems, analysis sample of supportive housing facilities and crime data, and statistical results. Our qualitative analysis follows, wherein we describe our focus groups and the key insights they produced. Finally, we deduce implications from our work for supportive housing developers and public policy makers.

THE LITERATURE ON NEIGHBORHOOD IMPACTS OF SUPPORTIVE HOUSING

Clientele, Quality of Life, and Property Values

Care must be taken when discussing the impacts of supportive housing because the term can refer to a wide variety of clientele. It is clear from opinion polls that residents make important distinctions on the basis of the clientele proposed for a new facility and adjust their reaction accordingly. Criminal offenders, substance abusers, and mentally ill typically elicit the strongest opposition (Takahashi & Dear, 1997). The National Law Center survey of supportive housing providers (1997) found that the likelihood of community opposition was greatest when the facility was developed for adult recovering substance abusers (50% of the cases met opposition), followed by those developed for adults with severe mental illness (37%).

The resistance to supportive housing facilities results from two types of processes—both economic and non-economic—though in practice the two are often not easily separable (Kaufman & Smith, 1999; Lake, 1993). Moreover, the nature and relative importance of these two elements likely vary according to the clientele of the supportive housing in question.

The primary economic reason for opposing supportive housing relates to the alleged negative externalities generated by these facilities, which are capitalized in property values within

the neighborhood (Grieson & White, 1989). Some of these externalities are independent of the special needs type being served. For instance, any multi-unit development can create unwanted traffic noise and congestion. Another source is inferior management of the facility, which results in poor upkeep of the building and grounds and inadequate supervision and monitoring of tenant behaviors. Other externalities likely are clientele specific. Supportive housing may introduce different racial and ethnic groups or lower socio-economic status populations into a neighborhood. And, as we shall explore more fully, residents of the new facility may be more prone to criminal activity, especially if they are males, members of certain racial or ethnic groups, convicted felons, or recovering substance abusers. All of these effects, it is argued by opponents, will lower the quality of life and be negatively evaluated by the housing market, resulting in psychic and pecuniary losses for property owners in the area.

By the end of the 1980s, at least a dozen scholarly studies investigated this claim for the case of group homes for the chronically mentally ill. The common conclusion was that there was no sizable or statistically significant impact (Mental Health Law Project, 1988). The same conclusion was reached in property value impact studies of group homes for the developmentally disabled (Wolpert, 1978), for children (Knowles & Baba, 1973), and for other types of facilities serving a wide range of clienteles (Farber, 1986; Hargreaves, Callanan, & Maskell, 1998; Wickware & Goodale, 1979). Some studies of the period even concluded that there was a positive property value impact from supportive housing of various types located in lower-valued neighborhoods (Boydell, Trainor, & Pierri, 1989; Dear, 1977; Farber, 1986; Hargreaves, Callanan, & Maskell, 1998; Wagner & Mitchell, 1980). However, Gabriel and Wolch (1984) provide a contrary finding. Recently, however, this conventional wisdom of no harmful impact has been shaken by several, more methodologically sophisticated statistical studies, which have concluded that, with certain circumstances and kinds of developments, supportive housing for the chronically mentally ill can create harmful effects on proximate property values (Colwell, Dehring, & Lash, 2000; Galster & Williams, 1994; Lyons & Loverage, 1993).

Subsidized Housing and Neighborhood Crime Impacts

The primary non-economic process that generates opposition to supportive housing facilities is their perceived relationship to crime in the neighborhood (National Law Center, 1997; Takahashi & Dear, 1997). Though there is no established body of theory explaining how supportive housing might influence crime, it is reasonable to posit that both direct and indirect links are possible.

The direct link is conventionally articulated by opponents: residents of supportive housing facilities are more prone toward criminal activity than would be occupants of the structure were it developed to serve more traditional markets. The plausibility of this direct link depends upon the facility's clientele. The residents of a hospice or elderly care center, for example, may pose little crime risk. However, if the residents of the supportive housing facility in question were chronically mentally ill, recovering alcoholics or drug addicts, or criminal offenders, these traits indeed may be predictive of a higher future propensity toward some types of criminal behaviors, or at a minimum some form of disorderly conduct. Given that the routine activity spaces of these residents may be locally constrained due to limited income and the nature of their special needs, this alleged criminal activity would then be manifested in the immediate environs.

One indirect link between supportive housing and neighborhood crime may transpire through its effects on collective efficacy. Collective efficacy at the neighborhood level refers to the social cohesion present among neighbors and their capacity to enforce norms of civil, lawful behavior through informal social controls. The ability of neighborhoods to actualize the val-

ues that residents share and uphold effective social control has been cited as a key vehicle for deterring crime (Sampson, Raudenbush, & Earls, 1997). Factors that hinder the generation of collective efficacy within neighborhoods include the presence of high levels of social isolation and alienation, concentrated economic disadvantage, and on-going demographic and residential change. Relative to the typical resident, supportive housing residents, especially if they are disabled in some fashion, may be more difficult for the community to enlist as an instrument of collective efficacy. Heumann's (1996) study of mixing mentally ill and recovering substance abusers amid elderly residents of an apartment complex gives an illustration of the eroding collective efficacy hypothesis.

Another indirect link may occur because the clientele of the supportive housing facility is particularly prone to victimization. Developmentally disabled or frail elderly residents may be attractive targets for criminals. Or, a group home for troubled teenagers may be targeted by a violent gang because it houses members of a rival group. This indirect mechanism suggests that, while crime rates may rise in the vicinity of supportive housing, the victims will primarily be residents of the facility and not its neighbors.

Given the public salience of the issue, it is surprising that no empirical studies have systematically investigated the impact of supportive housing facilities on neighboring crime rates. Previous studies of the relationship between subsidized housing and local crime rates have focused only on conventional public housing developments, with one notable exception. Research on crime in and around public housing may be characterized as dated, fragmented, and controversial. Holzman's (1996) review of criminological research on public housing in the United States describes the huge knowledge gap that currently exists. Holzman (1996) states that "investigators seeking background material on crime in public housing have had to chiefly rely on a small number of studies done prior to 1981" and "most of this research amounts to only snapshots of a relatively few, densely populated localities" (p. 362).

Several studies have found higher crime rates in conventional public housing and neighborhoods with public housing (Brill & Associates, 1975, 1976, 1977a, 1977b, 1977c; Newman, 1972; Roncek, Bell, & Francik, 1981). However, others found evidence that levels of crime in and around public housing were exaggerated or site-specific (e.g., Farley, 1982; Holzman, Hyatt, & Dempster, 2001). Moreover, research on drug trafficking and public housing (Dunworth & Saiger, 1993; Harrell & Gouvis, 1994) has challenged the direction of causality. Are crime rates higher in neighborhoods where public housing is located because the latter causes more crime, or is public housing systematically located in areas that already have higher crime rates? Because of inadequate statistical methodologies, no consensus has yet emerged about the degree to which public housing acts as an independent factor tending to increase the level of crime in the neighborhoods in which it is located.

The impact of other forms of subsidized housing on crime has previously been analyzed only by Goetz, Lam, and Heitlinger (1996). This exceptional study analyzed the effect on monthly rates of reported crime emanating from 14 multi-family, low-income housing projects that were purchased and rehabilitated by Community Development Corporations in central neighborhoods of Minneapolis from 1986 to 1994. To overcome the ambiguity about causation, they employed statistical models comparing crime reports pre- and post-opening of the subsidized housing. They found that, in aggregate, there was a significantly lower level of crime calls (both for total and violent crime) from these properties after their conversion to subsidized housing, though there was a slightly higher trend in crime afterward. When analyzed individually, eight developments showed no change, five showed a decrease, and two showed a slight increase in calls to police. Only one of the 14 projects evaluated, however, represented a supportive housing facility: a 25-unit, single-room occupancy hotel with a homeless transitional facility. Its development had no measurable impact on crime.

Clearly, no generalizations can be drawn from the Goetz, Lam, and Heitlinger (1996) study or from previous research on conventional public housing about the impacts of developing supportive housing sites on crime rates in surrounding areas. Our research aims to begin filling this vital gap in the literature.

THE RESEARCH CONTEXT: SUPPORTIVE HOUSING IN DENVER

The Supportive Housing Delivery System

Supportive housing is delivered by a wide range of organizations in Denver. According to the Denver Community Development Agency's (n.d.) most recent *Housing Resource Directory*, 22 non-profit and for-profit organizations provided emergency, crisis, or transitional housing and another 21 provided special needs housing in the metropolitan area. What constitutes supportive housing is clearly specified. Denver's Large Residential Care Use Ordinance makes four distinctions within the general supportive housing rubric (City and County of Denver, 1998b).

- **Small Special Care Home.** A residential care facility which is the primary residence of less than nine unrelated persons who live as a single housekeeping unit and receive more than 12 hours per day of on-premises treatment, supervision, custodial care or special care due to physical condition or illness, mental condition or illness, or behavioral or disciplinary problems.
- **Large Special Care Home.** A residential care facility as above, which is the primary residence of nine or more unrelated persons.
- **Community Corrections Facility.** A structure that provides residence to three or more persons who have been placed in a community corrections program requiring correctional supervision, including programs to facilitate transition to a less-structured residential arrangement.
- **Homeless Shelter.** A facility that primarily provides overnight accommodations for homeless people and is operated in a way that encourages short-term occupancy.

Between 1987 and 1997, 146 supportive housing sites were occupied within Denver. The locations of these sites are presented in Figure 1. It demonstrates a distinct clustering of sites in the near south side and east-central areas of Denver, near the downtown-capitol district. The distribution of supportive housing facilities across neighborhood home value ranges is considerably more uniform, however. Thirty-nine percent were located in tracts having values in the lowest third of the 1990 median home value distribution, 24% were in the middle third, and 37% were in the highest third.

Forty-two percent of the supportive housing facilities are classified as Small Special Care Homes, 44% as Large Special Care Homes, 9% as Adult Community Corrections Facilities, 3% as Homeless Shelters, and 2% are combinations of the above. Almost two-thirds are operated by non-profit agencies. Typically the facilities are of small scale: 42% house less than nine residents; 18% house between 10 and 19 residents; 30% house between 20 and 100 residents; and 10% house over 100 residents.

The growth of the industry in Denver during the past two decades is evident. Only 22% of the facilities were developed prior to 1980, 41% from 1980 through 1989, and 37% from 1989 through 1997. According to our key informants in Denver, the most significant local event stimulating the expansion of supportive housing has been the Goebel case (*Goebel et al., v. Colorado Department of Institutions et al.*, 1981) in which chronically mentally ill plaintiffs

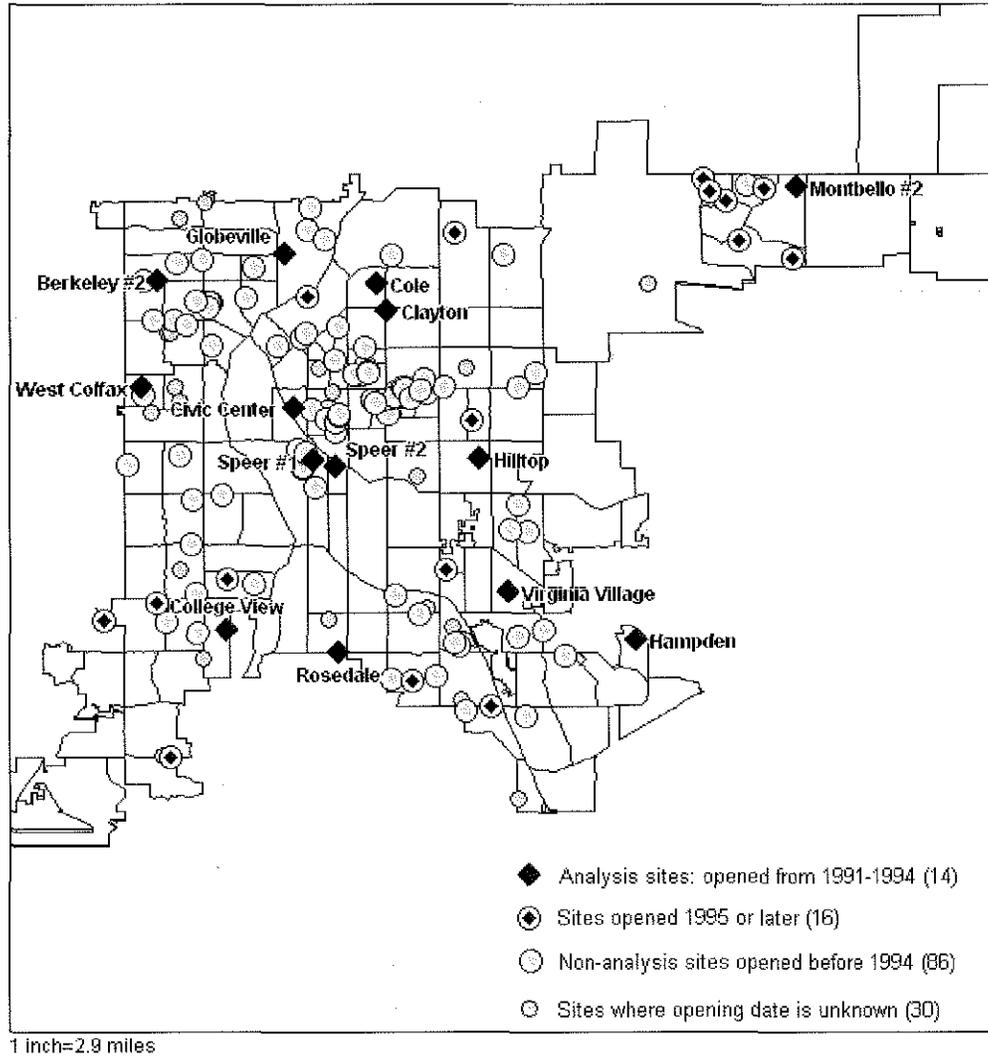


FIGURE 1
Supportive Housing Sites

sued governmental service providers for supplying inadequate care. The settlement required, among other things, that Denver provide \$150,000 annually for supportive housing services from 1994 through 1996 and develop affordable and appropriate housing for 250 chronically mentally ill persons. This housing was to range from small group homes to independent apartments (Lindsay, 1998; Pankratz, 1998).

Legal Restrictions on the Siting of Supportive Housing in Denver

Not surprising given the aforementioned acceleration in the pace of supportive housing facility development, there have been highly visible and contentious debates in Denver over site

selection. These debates ultimately resulted in the 1993 passage by city council of the Large Residential Care Use Ordinance (R.M.C. 59-80(2), later amended). This law sought to ameliorate concerns related to the facilities of both supportive housing advocates and host neighborhoods (City and County of Denver, 1998a, 1998b). For the former, the law affirmed the need for housing special care populations in non-institutionalized, non-concentrated residential settings located throughout Denver. The purpose of the policy was to aid their integration into the mainstream of society. For the latter, the law affirmed the importance of maintaining viable neighborhoods and the potential validity of neighborhood concerns. These goals were facilitated by specifying minimum separation requirements among facilities, by limiting the size and scale of facilities, and by establishing a mechanism of consultation between the developer and the host neighborhood that was mediated by city officials.

Currently, the Large Residential Care Uses Ordinance contains the following provisions designed to minimize adverse neighborhood impacts (City and County of Denver, 1998a, 1998b):

- Developers of all supportive housing facilities (including small special care homes) must: meet with a zoning department staff person prior to submitting an application, send a copy of the development application and their contact information to the neighborhood organization(s) whose boundaries encompass or are within 700 feet of the proposed site, designate a contact person who will be available to respond to community concerns on an ongoing basis, and be willing to participate in a meeting with the organization and city officials if requested.
- Proposed sites must have all necessary licenses, at least one staff person on-site, adequate parking, and exterior modifications that are harmonious with the existing neighborhood; the zoning for the site must conform with permissible zones specified for the particular supportive housing type.
- Large residential care use facilities must be located a minimum of 2000 feet from another like facility, and no more than two other like facilities for that use can exist within a 4000 foot radius. A 10% exception to these spacing rules can be granted by the zoning administrator if it would not substantially or permanently injure the surrounding neighborhood.
- Large Special Care Homes in most zones are restricted to being developed in structures existing on or before May 24, 1993, and are limited to a maximum of 40 residents.
- Community Corrections Facilities must be located more than 1,500 feet from a school and/or residential district, cannot exceed one resident per 200 square feet of gross floor area, and can house a maximum of 60 residents (40 in some zones).
- Homeless Shelters must be located more than 500 feet from a school and cannot have more than 200 beds.

The ordinance gives Denver's zoning administrator the power to approve, approve with conditions, or deny a permit for supportive housing. Permits are reviewed semi-annually. The administrator investigates citizen complaints about a supportive care facility and, if necessary, a conciliation meeting among the conflicting parties is arranged. The administrator is empowered to issue a cease and desist order and issue a summons and complaint into court.

These regulatory restrictions on supportive housing in Denver thus provide a comprehensive attempt to avoid any adverse siting consequences. Whether these regulations were needed and whether they have been successful is the subject of the empirical investigations reported in the next sections.

QUANTITATIVE ANALYSIS

Challenges in the Statistical Analysis of Supportive Housing and Neighborhood Crime

The analyst faces two fundamental challenges when trying to ascertain whether there is cross-sectional variation in crime rates that can be associated with proximity to a supportive housing site: providing adequate control variables and discerning directions of causation. The analyst must control both for the crime-influencing idiosyncrasies of the neighborhood in which supportive housing is developed and the city-wide factors in the economy, policing, and community relations that may affect broader crime trends over time. Without such controls, a cross-sectional study will be unable to avoid spurious correlation between supportive housing and neighborhood crime. For example, one candidate for such an important omitted variable is the presence of a (possibly large) apartment building in the area into which some special needs households are placed at a later date after the building is rehabilitated. In such a case the statistics could not distinguish between the crime impacts of proximity to an apartment building and proximity to a supportive housing development. Analogously, a time-series study of crime trends near supportive housing must control for crime trends across the entire city before a convincing story of neighborhood externalities can be told.

The second challenge is distinguishing direction of causation: whether supportive housing sites lead to subsequent increases in neighborhood crime or whether supportive sites are systematically located in areas having higher crime in the first place. There are four primary reasons why the latter causal pattern is possible, which are related to behaviors of the public agency developers and owners of the supportive facility and the nature of the local real estate market. First, the public authority or non-profit organization developing a supportive housing facility will be encouraged to maximize its scarce resources by acquiring the least-expensive properties (vacant land or existing structures) available. Second, if new construction of supportive housing is contemplated, the location of vacant, appropriately zoned parcels will likely constrain choices. Third, if rehabilitation of structures for use as supportive housing is contemplated, minimization of expected lifetime development costs of the structure implies choices of certain building types that likely are concentrated in specific types of neighborhoods (Harkness, Newman, Galster, & Reschovsky, 1997). Fourth, potential opposition to the development may be less in more socially disorganized neighborhoods (Graham & Logan, 1990; Pendall, 1999). All these reasons imply that the particular neighborhoods in which supportive housing facilities are developed are not likely representative and may systematically be associated with higher-crime rates before the development occurs. This means that simple econometric specifications analyzing a cross section of neighborhood crime rates and proximity to supportive housing will discern a positive correlation, but can make no inferences about direction of causality.

Our approach meets these challenges by employing a pre- and post-econometric design involving localized fixed effects derived from the specification originated by Galster (Galster, Smith, & Tatian, 1999; Santiago, Galster, & Tatian, 2001). We allow for areas delineated by three concentric rings around supportive housing sites to have their own idiosyncratic levels and trends of crime both before and after the sites are developed. After controlling for metro-wide changes in crime rates, by comparing these localized fixed effects before and after the development of supportive housing sites, we can distinguish cause and effect unambiguously. The complete specification of our model follows.

An Econometric Model for Analyzing Determinants of Local Crime Rates

Because our model is both innovative and complicated, a non-technical overview is in order. Our regressions are designed to estimate the level and trend of neighborhood crime both before and after a supportive housing site is opened. The model projects the pre-development level and trend of crime in the neighborhood into the post-development period, while adjusting for changes in citywide crime trends. This procedure enables us to estimate the extent of crime that would have occurred had the site not been developed. Comparison of this counter-factual estimate with the actual level and trend of crime post-development provides our test of impact.

In order to get clean pre- and post-development crime estimates, we need to choose sites meeting two criteria. First, there must be enough years of crime data both before and after development to accurately measure trends. Inasmuch as we only had crime data for 1990 to 1997 and wished to have at least two years of observations both before and after a supportive housing facility opened, our sample of sites was restricted to those that opened between 1992 and 1995. Second, only the first supportive housing development in a neighborhood can be analyzed; consequently, pre-test data were gathered before any supportive housing had been developed there.

These two criteria guided our application of a Geographic Information System (GIS) to specify three types of geographic areas within Denver that form our units of analysis, as amplified in the next section. One set of neighborhoods consisted of 2,000-foot diameter circular areas centered on supportive housing sites meeting both criteria above, which are called analysis sites. A second set consisted of census tracts or parts thereof with no proximate supportive sites, which are used in the analysis as observations to control for the citywide crime trend. The third set comprised all other areas and is not employed in the analysis.

For each year in our sample, addresses of individual crimes by category as reported to the Denver police are geo-coded and accumulated by each area delineated above. Corresponding population estimates for each area are also generated by GIS through the aggregation of data for constituent census block groups. Merging the information permits the computation of annual reported crime rates for each neighborhood, which become the values of our dependent variable.

Delineation of Neighborhood Units of Observation and Crime Rates through GIS

Our GIS-defined geographic units of observation are unconventional and need detailed explanation. Using MapInfo, we parsed the space comprising the city and county of Denver into three mutually exclusive categories. Category 1 consisted of circular areas with a radius of 2,000 feet centered on supportive housing sites that were approved by Denver zoning regulators: 1) before 1991, 2) after 1995, or 3) during 1991 to 1994 and with at least one other such site within 1,000 feet at the time of approval. Category 2 consisted of areas with a radius of 2,000 feet centered on supportive housing sites that were approved by Denver zoning regulators during 1991 to 1994 and had no other such sites within 1,000 feet at the time of approval. Category 3 consisted of the remaining parts of census tracts that did not fall within either Category 1 or Category 2. Because we only had data on when a supportive housing facility was given zoning approval, not when they began operation, we assumed opening occurred within 12 months of approval.

For our statistical analysis we only used areas from categories 2 and 3. Category 1 areas did not permit us to employ our pre/post design, inasmuch as: 1) we only had crime data for 1990 to 1997 and wished to have at least two years of crime data both before and after a supportive housing facility opened, and 2) because the pre-development for the supportive housing facility in question already was contaminated by the presence of another such proximate

facility. Category 3 areas allowed us to control for Denver-wide trends in crime that were unaffected by proximity to any supportive housing sites. Category 2 areas provided the raw material for our impact tests.

To obtain a finer-grained portrait of the spatial extent of any impacts within Category 2 neighborhoods we delineated three smaller geographic areas centered on each of our supportive housing sites used in the analysis: a circular area within a 500 foot radius and two concentric rings with widths defined by 501 to 1,000 feet and 1,001 to 2,000 feet distances from the site. Each ring was used as a separate unit of observation.

For all Category 2 and 3 areas we measured the annual number of various types of crime reported to the police, based on the geo-coded addresses of each incident. To standardize these counts by population in the conventional fashion, we divided the total crimes reported in the area by a population total, calculated from 1990 census block group level data using MapInfo. Two primarily non-residential areas were excluded as units of observation.

Model Specification

Our econometric model tested for the presence of any crime impacts associated with being a certain distance from an operating supportive housing site. In symbolic terms:

$$\begin{aligned} \text{Crime}_{it} = & c + [\text{Year}_t][b] + [\text{Area}_j][m] + p \text{SpaceLag} + d \text{CRAI}_{500} + e \text{CRAI}_{1K} \\ & + f \text{CRAI}_{2K} + g \text{CPost}_{500} + h \text{CPost}_{1K} + j \text{CPost}_{2K} + q \text{Time}_{500} \\ & + r \text{Time}_{1K} + s \text{Time}_{2K} + t \text{TrPost}_{500} + u \text{TrPost}_{1K} + v \text{TrPost}_{2K} + \epsilon \end{aligned}$$

Where the components of the model are defined and their purpose explained as follows:

- Crime_{it} Annual rate of reported Type I crimes of type *i* per 100 residents during year *t* in specified geographic area
- c* Constant term to be estimated by regression
- [Year_{*t*}] Vector of dummy variables indicating each year *t*; a measure of intertemporal variations in crime for all areas in Denver
- [Area_{*j*}] Vector of dummy variables denoting each of *j* - 1 Category 3 census tracts and Category 2 impact areas (or subsections thereof); a fixed-effect measure of the average level of crime during the 1990 to 1997 period reflecting the time-invariant idiosyncrasies in each
- CRAI_{*x*} Dummy variable equaling one if within *x* feet of any Category 2 sites, zero otherwise; a fixed-effect measure of the average level of crime during the 1990 to 1997 period in distance ring *x* around all sites used in analysis
- CPost_{*x*} Dummy variable equaling one if within *x* feet of any Category 2 sites after supportive housing facilities in question in operation, zero otherwise; a fixed-effect measure of the average level of crime during the post-opening period in distance ring *x* around all sites used in the analysis
- Time_{*x*} Trend variable for distance ring *x* around all Category 2 sites; equals one if crime measured in first year of study period (1990) and observation is for distance ring *x*, equals 2 if crime measured in second year of study period, and crime is in distance ring *x*, etc.; zero otherwise; a measure of crime trends during the entire 1990 to 1997 period within distance rings *x* of all supportive housing sites used in the analysis.

- TrPost_x Post-opening crime trend variable for distance ring x around all Category 2 sites; equals one if observation occurs in first year after site was occupied, equals two if observation in second year after site was occupied, etc., and zero otherwise; a measure of crime trends during the post-opening period within distance rings x of all supportive housing sites used in the analysis.
- SpaceLag A spatial lag variable with a distance cutoff of 15,000 feet; corrects for spatial autocorrelation (see below).
- ϵ A random error term with statistical properties discussed below

All lower case letters in the equation (c, d, etc.) represent coefficients to be estimated.

The key tests of impact involve the coefficients of the CPost_x and TrPost_x variables. Should they prove positive (and statistically significant), it would imply that the set of supportive housing sites analyzed had a consistent impact increasing either the level and/or the trend of the type of crime being measured in the distance range x . Note that this impact is measured by comparing it to what would have been manifested in those same sites had conditions prior to the opening of these facilities persisted (as shown by the coefficients of the CRall and Time variables), controlling for city-wide crime trends (as shown by the Year variables).

To better grasp the intuition of these econometric tests, consider Figure 2, which portrays hypothetical crime data over time in the neighborhood of a hypothetical supportive housing site and citywide in areas not near any such sites. Suppose that before the supportive housing site is opened, the crime rate in its surrounding neighborhood was higher than elsewhere (shown by positive CRall coefficient), though its trend (Time coefficient) was no different from other areas (coefficients for the Year dummies). If the supportive site increases crime nearby, one or more of the following will be observed. The neighborhood trend of crime (B-B') may increase absolutely compared to its pre-development trend (A-B); the coefficient of TrPost then will be positive. The neighborhood trend may continue (A-B-B''), but represent a relative increase if the citywide trend were to evince a decrease (C'-C''); again the coefficient of TrPost will be positive so long as the neighborhood trend post-development is significantly greater than B-BB'''. Finally, the neighborhood trend of crime post-development may mimic citywide trends (A-A'') but be shifted up above its pre-development level, the coefficient of CPost then will be positive.

Econometric Issues

The superior statistical properties of ordinary least squares regression are present only when the error term (ϵ) above has finite and constant variance and is serially uncorrelated (Intriligator, 1978). Because our dataset of neighborhood crime rates represent a time-series of cross-sectional observations of varying size, we had strong reason to suspect that these assumptions would be violated. Diagnostic tests indicated both autocorrelation and heteroskedasticity problems. Because the source of the problem was known (i.e., related to the fact that we were looking at a fixed set of geographic areas over a period of several years), Hsiao (1986) shows that both conditions will be corrected when we include our aforementioned [Area _{j}] dummy variables. As an additional correction for heteroskedasticity, we used a weighted least squares procedure wherein the observations were weighted proportional to the total 1990 Census population in the neighborhood for which the crime reporting rate was calculated.

Another econometric problem is *spatial dependence*, sometimes known as *spatial autocorrelation* (Pace, Barry, & Sirmans, 1998). It is analogous to serial correlation and refers to the possibility that the observed value of the dependent variable is not independent of the values of other areas nearby in geographic space. If left uncorrected, such spatial dependence would

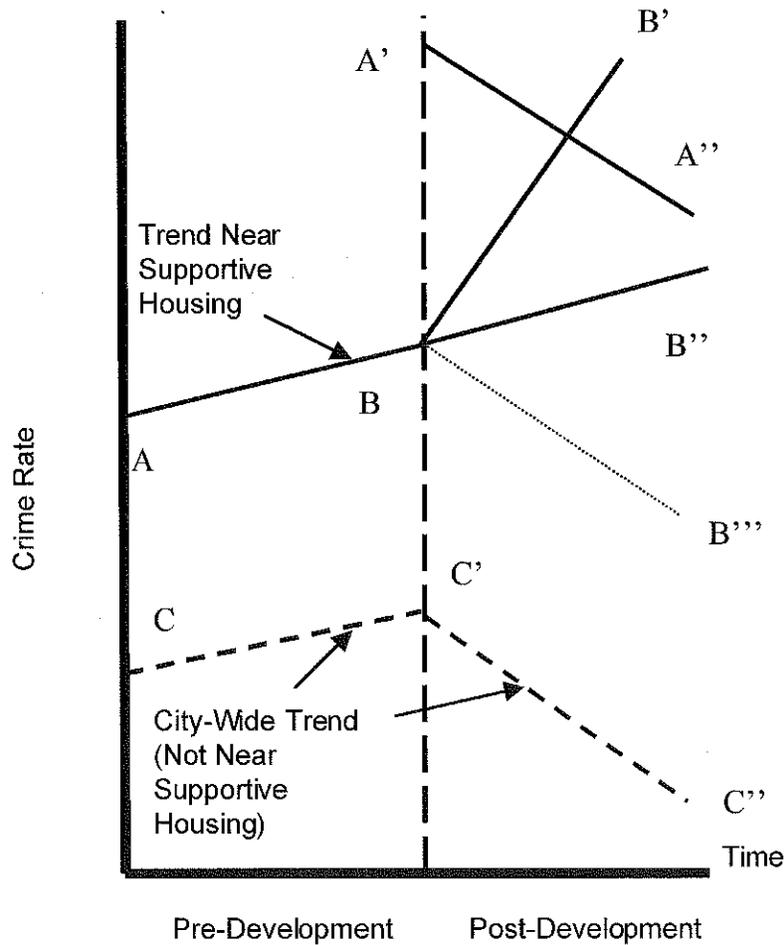


FIGURE 2
Illustration of Three Potential Types of Negative Crime Impacts from Supportive Housing

lead to biased parameter estimates and misleading t-tests for statistical significance levels of parameters.

Several researchers have explored the use of spatial statistics to analyze crime data (Anselin, 1992; Bailey & Gatrell, 1995; Griffith, 1987). However, no studies to date on subsidized housing and crime have employed spatial statistical techniques to diagnose spatial autocorrelation and to control for this effect in constructing a multivariate predictive model. To correct this problem, we calculated the spatial lag of the dependent variable and included it in our model as an independent variable. The spatial lag is an average of all of the observations of the dependent variable within a certain distance from the reference observation, weighted by the inverse of the distance between observations:

$$\text{SpaceLag}(\text{Crime}_{it}) = \sum_j [(1/D_{ij}) / \sum_j 1/D_{ij}] \text{Crime}_{jt}$$

Where: Crime_{it} is the crime rate in the i th area during period t for which we are calculating the spatial lag, D_{ij} is the distance between the centroids of areas i and j , and Crime_{jt} is one of

the set of all areas $j \neq i$, within range assumed to influence the given area. We tried distance cutoffs of 10,000, 12,500, and 15,000 feet, settling on the last as it yielded the greatest improvement of the regression's explanatory power.

Supportive Housing Data Employed

We obtained data on the location and characteristics of the 146 supportive housing sites operating as of December 1997, from the Denver Zoning Commission and the Colorado Department of Health and Environment. We identified the supportive housing locations by geocoding the addresses of the sites. We were able to geocode 90% of the records to an exact street address and an additional 10% to a ZIP + 4 area centroid.

We conducted our econometric analysis of crime impacts on a subset of 14 the supportive housing sites, what we call analysis sites, that defined the centers of the 2,000-foot diameter Category 2 areas noted above. These 14 sites were the only ones meeting the aforementioned criteria for inclusion. Their locations are shown in Figure 1, and corresponding descriptive information is presented in Table 1.

Note that seven of the analysis sites are Small Special Care facilities, six are Large Special Care Facilities (with three housing 100 residents or more), and one is a large Community Corrections Facility. We estimate our crime impact model for various subsets of these sites. One subset includes the three types of facilities deemed a priori to be perceived as most threatening to the neighborhood: the substance rehabilitation, mental health, and community correctional facilities; the remaining 10 non-threatening sites are another subset. The seven large facilities (with a minimum of 53 residents) and the seven small facilities (with a maximum of eight residents) constitute two more subsets differing in scale.

As a final aid to the interpretation of results, consider the nature of our analysis sample in light of the aforementioned 1993 Denver ordinance. All of the seven large facilities in our

TABLE 1

Characteristics of Supportive Housing Sites for Crime Impacts Analysis

Neighborhood	Program type	Zoning	Approval Year	Number of Beds	Other Supportive Housing within 2000 feet**	
					Sites	Units
Berkeley #2	Personal Care Boarding Home*	R2	1993	116	1	8
Civic Center	Substance Rehabilitation	B4	1991	70	1	6
Clayton	Hospice	R2	1993	8	1	8
Cole	Personal Care Boarding Home*	R2	1994	4	0	0
College View	Personal Care Boarding Home*	R1	1994	7	0	0
Globeville	Community Correctional Facility/Adult	I2	1993	60	0	0
Hampden	Personal Care Boarding Home*	R2	1993	60	0	0
Hilltop	Developmental Disabilities	R0	1992	8	0	0
Montbello #2	Children's Home	R1	1992	8	0	0
Rosedale	Personal Care Boarding Home*	R5	1993	164	0	0
Speer #1	Mental Health	R3	1993	6	5	66
Speer #2	Personal Care Boarding Home*	R3	1993	53	0	0
Virginia Village	Personal Care Boarding Home*	R1	1992	4	0	0
West Colfax	Personal Care Boarding Home*	B8-G	1991	100	1	24

Note. *For physically compromised, often elderly clients; **additional sites opening after the given analysis site opened.

analysis were approved before the ordinance went into effect, and all exceeded by large margins the 40-resident scale limitation subsequently imposed by that ordinance (see Table 1). Thus, analysis of the large facilities constitutes a test of the efficacy of the ordinance's facility scale limitations. However, given that our pre/post method forced us to impose the same spatial separation requirements as the ordinance to qualify as an analysis site, our results apply only to supportive housing sites that met spacing requirements equivalent to those imposed by the ordinance.

Crime Rate Data Employed

The Denver Police Department provided databases of crimes reported to them from 1990 to 1997. Each annual database of 45,000 to 54,000 records includes the date, type of crime, and the state plane coordinates where the reported crime took place. We converted the state plane coordinates to latitude and longitude for our mapping and spatial lag distance calculations using MapInfo. Crime reports were assigned to the following categories for our analysis: violent, property, criminal mischief, disorderly conduct, and total (which included the foregoing plus other).

We recognize the unavoidable ambiguity arising from the use of reported crime data. The data reflect both the (reputed) commission of a crime and an official police report filed regarding such. Clearly, not all crimes may be reported, and not all that is reported necessarily represents an arrest or an action that would produce a conviction in a court of law. This potential lack of correspondence is likely to be less serious for certain types of violent or property crimes, but may be significant when considering criminal mischief and disorderly conduct offenses. We, therefore, note that the observed variation in reported crimes across different parts of the city and across different crime categories may be partially due to variations in reporting rates and the veracity of reports, as well as actual commissions of bona fide crimes.

As explained above, after estimating populations for the same set of areas for which we tallied crime reports we computed reported crime rates by category and year. As can be seen in Table 2, the total reported crime rate in Denver rose from 10 crimes per 100 residents in 1990 to 11.6 crimes in 1993 and then declined for the next four years to 9.6 crimes in 1997. Property crime, which comprises the majority of all crimes, also followed this pattern. Criminal mischief, which describes low-level property damage, also peaked in 1993. The downward trend in violent crime did not begin until 1995, two years after the property crime shift. The level of disorderly conduct, which includes disturbing the peace and emitting loud noises on public property, remained steady at 0.2 crimes per 100 residents for the eight years of analysis.

Figures 3 and 4 show the variations across census tracts that are masked by the citywide figures shown in Table 2. Violent crime reached 6.7 crimes per 100 residents in the highest

TABLE 2

Denver Reported Crime Rates per 100 residents

	1990	1991	1992	1993	1994	1995	1996	1997
Total Crimes	10.0	10.3	11.5	11.6	10.8	10.5	10.5	9.6
Property	6.6	6.5	7.5	7.5	6.8	6.7	6.6	5.9
Violent	0.8	1.0	1.0	1.0	1.0	0.9	0.8	0.7
Criminal Mischief	1.2	1.3	1.4	1.4	1.3	1.2	1.2	1.1
Disorderly Conduct	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2
Other	1.1	1.2	1.3	1.4	1.5	1.6	1.8	1.7

Source: Denver Police Department.

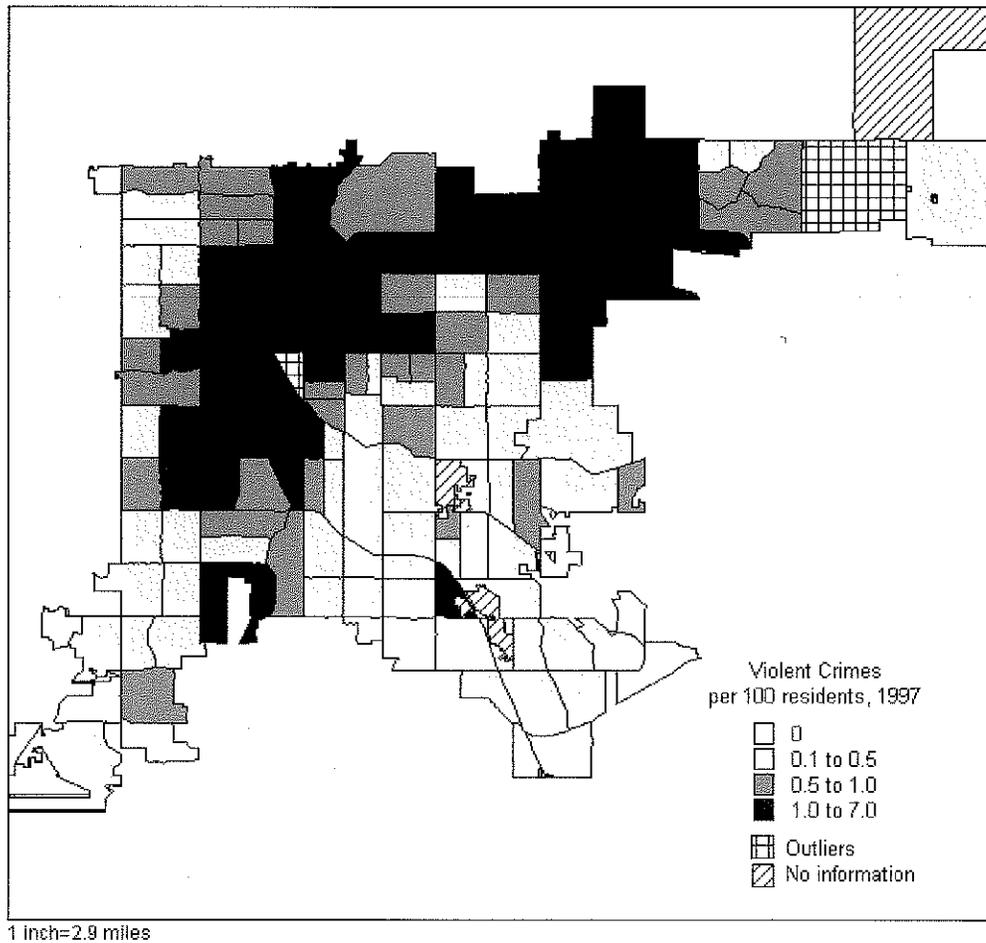


FIGURE 3
Violent Crimes per 100 Residents, 1997, Denver

crime area, and did not occur at all in some tracts. One tract experienced 59 property crimes per 100 residents, while other neighborhoods only had one. The violent and property crimes reveal the same pattern of higher crime along the northern edge and the center west, which follows the general pattern of the Denver areas with higher concentrations of poor and minority households.

There was no minimum level of crime reports used to qualify a geographic area for inclusion in the sample, because zero represented a valid observation. We, therefore, used all the aforementioned Category 2 and 3 areas, with a few minor exceptions. This yielded a sample *N* of 1,272 (159 geographic areas measured annually for eight years) as units of analysis for the econometric model estimation.

Statistical Estimates of Crime Impacts

Overall, the model performed extremely well. The adjusted R-squares ranged from a low of 0.60 in the model for disorderly conduct, the least frequently reported crime, to a high of

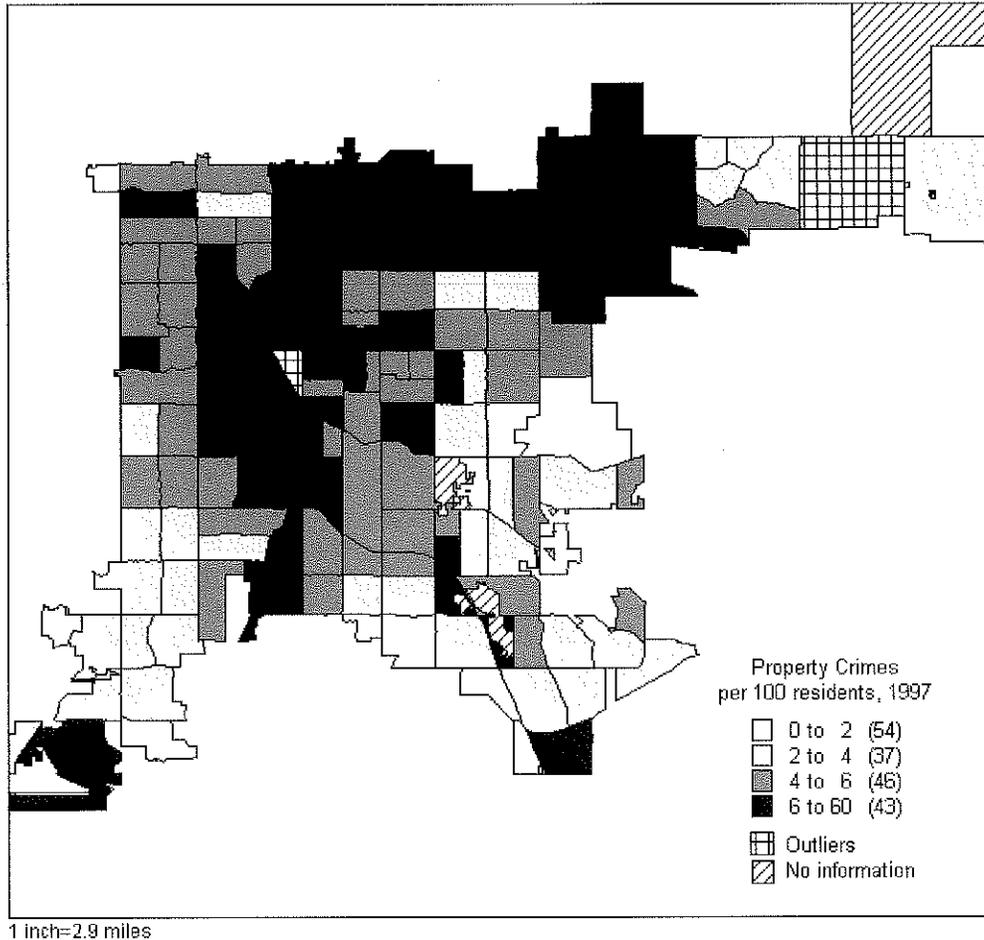


FIGURE 4
Property Crimes per 100 Residents, 1997, Denver

0.93 for the model for total crime. The results for the key impact variables are reported in Table 3. As additional parameter estimates are numerous and have no bearing on our conclusions (such as for the fixed-effect dummy variables for each geographic unit of analysis), they are omitted from Table 3.

Crime Patterns Before Supportive Housing Sites are in Operation

There was a systematic tendency for our analysis sample of supportive housing sites to be developed in areas already evincing comparatively higher crimes than other neighborhoods. The rates of property crime, violent crime, criminal mischief, and total crime (within 501 to 1,000 feet the areas where these facilities were placed) were 42 to 48% higher, on average, than those in other areas. However, crime rates within 500 feet of our analysis sites were no different. In the case of disorderly conduct, the differences were even more dramatic: in the 501 to 1,000 feet range of our analysis sites they were twice as high, and in the 1,001 to

TABLE 3
Regression Coefficients of Neighborhood Crime Impact Variables, by Crime Type

Impact Variables	Type of Reported Crime														
	Total			Property			Violent			Criminal Mischief			Disorderly Conduct		
	Full Sample	Threatening Clientele	Large Facilities	Full Sample	Threatening Clientele	Large Facilities	Full Sample	Threatening Clientele	Large Facilities	Full Sample	Threatening Clientele	Large Facilities	Full Sample	Threatening Clientele	Large Facilities
Level of Crime:															
CPost 0-500 ft.	2.24 [2.92]	-0.63 [10.51]	2.61 [4.10]	1.93 [2.34]	-2.32 [8.52]	2.56 [3.32]	0.23 [0.32]	0.32 [1.06]	0.20 [0.41]	0.17 [0.48]	0.84 [1.64]	0.05 [0.65]	-0.02 [0.15]	0.15 [0.51]	-0.04 [0.20]
CPost 501-1,000 ft.	-0.60 [1.67]	-2.58 [4.28]	0.42 [2.31]	0.37 [1.34]	3.23 [3.47]	1.29 [1.88]	-0.32 [0.19]*	-1.10 [0.43]**	-0.04 [0.23]	0.40 [0.27]	1.07 [0.67]	0.73 [0.37]††	0.1 [0.09]	-0.41 [0.21]**	0.17 [0.11]†
CPost 1,001-2,000 ft.	-0.66 [0.88]	1.17 [1.81]	-1.04 [1.23]	-0.45 [0.70]	0.29 [1.46]	-0.86 [0.99]	0.11 [0.10]	0.54 [0.18]††	0.18 [0.12]	-0.31 [0.14]	-0.44 [0.28]*	-0.54 [0.20]**	0.03 [0.04]	0.03 [0.09]	0.03 [0.06]
Trend of Crime:															
TrPost 0-500 ft.	1.55 [0.91]†	-0.37 [4.75]	2.74 [1.61]††	0.76 [0.92]	0.69 [3.85]	1.67 [1.30]	0.20 [0.18]†	-0.13 [0.48]	0.28 [0.16]††	0.28 [0.19]	-0.28 [0.74]	0.31 [0.26]	0.06 [0.06]	0.12 [0.23]	0.07 [0.08]
TrPost 501-1,000 ft.	0.28 [0.45]	1.49 [1.67]	1.15 [0.90]	-0.08 [0.53]	1.45 [1.36]	0.19 [0.73]	0.01 [0.07]	-0.31 [0.17]*	0.06 [0.08]	-0.06 [0.11]	0.13 [0.26]	-0.02 [0.14]	-0.02 0.03	0.14 [0.08]†	0.01 [0.04]
TrPost 1,001-2,000 ft.	-0.25 [0.41]	-1.48 [0.72]**	-0.20 [0.49]	-0.42 [0.29]	-1.37 [0.59]**	-0.38 [0.40]	-0.04 [0.04]	-0.18 [0.07]	-0.08 [0.05]*	-0.03 [0.06]	-0.22 [0.11]**	-0.04 0.08	-0.02 [0.02]	-0.10 [0.04]**	-0.04 [0.02]*
Adjusted R-squared	0.93	0.93	0.93	0.91	0.91	0.91	0.87	0.90	0.89	0.83	0.86	0.84	0.60	0.64	0.62
Dependent Variable Mean	9.27	9.23	9.16	6.09	6.09	6.06	6.69	6.67	6.65	1.14	1.13	1.13	0.19	0.19	0.19

Note: standard errors shown parenthetically; all regressions control for other factors as shown in text
 † = p < .10; †† = p < .05; ††† = p < .01; one-tailed tests
 * = fails two-tailed test at p < .05
 ** = p < .05; two-tailed test

2,000 feet range they were 60 to 75% higher than in other areas. These results strongly confirm our hypothesis that there are strong forces leading to the self-selection of sites into areas evincing higher crime initially. The implication is that simple, cross-sectional regressions relating locations of supportive housing sites and neighborhood crime rates will likely overstate the causal impact of the former because they fail to control for the self-selection bias unless they employ the pre/post specification used here.

Moreover, there were clear spatial patterns in several rates of reported crimes. The coefficient of our spatial lag variable was strongly positive and statistically significant ($p < .01$) for violent crime and criminal mischief, and less so for disorderly conduct and property crime ($p < .10$). This shows that there is a strong correlation between these crime rates in nearby (up to 15,000 feet) neighborhoods, a finding that has been observed before (Anselin, 1992; Bailey & Gatrell, 1995; Griffith, 1987; Morenoff, Sampson, & Raudenbush, 2001). It also indicates that cross-sectional regression studies of crime that do not control for such spatial autocorrelation may face serious econometric problems.

Crime Impacts After Supportive Housing Sites are in Operation

The regressions showed no statistically significant evidence that the levels of reported crime rates of any category increased within any distance of a supportive housing facility after it began operating. See the coefficients of CPost in the full sample columns of Table 3. However, we observed a modestly statistically significant ($p < .10$, one-tailed test) upsurge in the trend of reported violent and total crimes within 500 feet after this set of supportive housing facilities began operating. (See the coefficients for TrPost₅₀₀ in the full sample columns of Table 3.)

To probe this provocative finding further, we stratified our sample of supportive housing facilities on the basis of two criteria: clientele and scale. Statistical tests surprisingly showed that the stratum with threatening clientele (community corrections, mental health, and recovering substance abuse facilities) was not the source of the aforementioned aggregate patterns. See the threatening clientele columns in Table 3.

Rather, it was the set of seven large facilities, each housing 53 or more residents that was associated with the negative crime impacts. See the large facilities columns in Table 3. The magnitudes and statistical significance of the post-opening trend variables within 500 feet were much greater for this stratum than for the sample as a whole. Indeed, they suggest that total crime reports near these large supportive housing facilities increased by about 30% of the sample mean each year after opening; the comparable figure for violent crime reports was 40%. Moreover, these large facilities evinced a higher rate of criminal mischief reports within 501 to 1,000 feet after opening, although this was likely a statistical anomaly because this is offset by an apparent reduction in such reports within 1,001 to 2,000 feet.

We emphasize that our method cannot definitively determine whether the statistical pattern is caused by: 1) proximity to large supportive facilities or some spurious factor; 2) the criminal behaviors of residents in these facilities, 3) neighbors of these facilities, who may be more likely to call the police than other households who witness the same behaviors, and/or 4) criminals being attracted to these facilities' environs. We argue that the weight of the evidence suggests that the latter is the most plausible explanation.

First, our pre/post model makes it very likely that some aspect of the presence of a large supportive housing site in the area is contributing to this effect, not spurious events. Additional support is provided by the finding that the coefficients for the post-opening crime trend variables grew progressively smaller in magnitude and statistical significance when one moved farther away from the site (see Table 3). This is consistent with the existence of highly localized negative externalities created in the vicinity of large supportive housing facilities.

Second, one would hypothesize that if it were the supportive housing residents themselves perpetrating crimes, the set of facilities housing the most threatening clientele would have evinced the greatest impacts. However, even with the contrary finding we cannot reject this possibility completely, for it may be that all sorts of clientele become more difficult to supervise and manage behaviorally in larger facilities.

Third, if it were the case that neighbors of larger facilities merely grew more prone to report crimes or purported crimes, then we would not expect such a large impact on violent crime. Arguably, violent crime has the least reporting error.

We believe that the evidence is most consistent with the hypothesis that larger supportive housing facilities attract criminals, for either of two reasons: lower collective efficacy and/or more victims. Neighbors may sense that they cannot possibly exercise effective informal social controls over public spaces around such a massive facility, so their vital sense of collective efficacy is eroded (Morenoff, Sampson, & Raudenbush, 2001; Sampson, Raudenbush, & Earls, 1997). Moreover, criminals may be attracted near the site because they see a large mass of potential victims and/or low collective efficacy in the area. To explore the causal connections further we employed data derived from a series of focus group discussions with homeowners residing in close proximity to supportive housing.

Qualitative Analysis

The use of focus groups has a long-standing history in the social sciences as a tool to provide in-depth information for evaluative purposes (Hayes & Tatham, 1989; Krueger, 1994; Stewart & Shamdasani, 1990). Through focus groups we attempted to ascertain whether neighbors were aware of proximate supportive housing and, if so, how they assessed its impact on local crime rates. Moreover, we hoped to glean insights useful in interpreting the results of the econometric models and potentially identifying factors that we were not able to account for statistically.

We engaged in in-depth discussions with focus groups of neighbors of supportive housing about a wide variety of topics related to their neighborhoods. While the focus groups allowed us to capture any comments about supportive housing sites or clients, it is important to note that these topics emerged in the discussion only if focus group participants themselves raised them. The discussion guide was designed not to question the presence or consequences of supportive housing programs to avoid triggering a socially destructive experimenter effect.

Focus Group Methodology

The nine geographic areas from which focus group participants were drawn represented a cross-section of neighborhoods where supportive housing sites were approved between 1989 and 1995. They are located in all parts of Denver, and constitute a wide array of supportive housing facilities as well as neighborhood economic and racial-ethnic profiles. We limited focus group participation to homeowners who had resided in the neighborhood for two or more years. Only addresses of homeowners could be identified using property tax roll records.

A recruitment letter in both English and Spanish was mailed to all homeowners living within 1,400 feet of the selected supportive housing site. The recruitment letter described the project as a study on the quality of life in American neighborhoods; no mention of supportive housing was made. When necessary, we used a screening form returned by prospective participants to generate focus groups that were representative of the demographic characteristics of the neighborhood.

Four main topic areas were addressed in the discussion guide. The first contained questions on what makes for a good place to live and residents' feelings regarding how their neighborhood reflected this definition. The second set of questions elicited participant opinions regard-

ing current neighborhood residents, social networks and the presence or absence of community cohesion. The third topic area included questions on perceived changes in the neighborhood during the last five years. Participants were asked to identify the changes that had occurred and to provide explanations. Finally, participants were asked to describe any perceived changes in neighborhood residents. These questions were used to assess any perceived changes in both the characteristics of neighborhood residents as well as the tenor of neighborhood interaction. If supportive housing facilities or clients were mentioned at any point in the discussion, additional probes were utilized.

Each focus group was conducted using a two-member interviewing team consisting of a facilitator and a recorder. The facilitator led the group discussion, and the recorder kept detailed notes regarding the content of the discussion. Facilitators and recorders were assigned to mirror the racial and ethnic composition of the focus group. Upon completion of the group discussion, both the facilitator and recorder wrote up their notes and impressions of the session. These notes were subsequently analyzed to check for inter-rater reliability. The focus group discussions were fully transcribed and analyzed to identify the key themes. Analytical files based on these key themes were then created and analyzed using content analysis to identify any contextual information that would facilitate interpretation of the quantitative results.

Key Insights of the Focus Groups Regarding the Crime Impacts of Supportive Housing

Analysis of our focus group data leaves no doubt about the importance homeowners place on safety and the potential impact on crime that supportive housing may have. The most salient finding from the focus groups was the great importance of public safety and all groups cited instances where public safety was threatened by incidents in their neighborhoods. However, the link between threats to public safety and supportive housing was not generally made. Although homeowners in five of the nine groups were aware of the supportive facilities located in their neighborhoods, a number of homeowners were adamant in their acceptance of both the facilities and their residents. Several focus groups attested to this acceptance, most clearly represented by the comment of a homeowner in a high income, white-occupied neighborhood: "At the time it [the home for Cerebral Palsy children] went in, we were very concerned . . . but there's been no problems. The house is right across the street from us. It's been there for eight years."

There were only three instances where feared or perceived criminal behavior of any sort was linked directly to supportive housing, and there was no pattern linking these comments to larger facilities. One comment made by a homeowner from a near-downtown, predominantly renter-occupied neighborhood with many supportive housing facilities revealed:

The city doesn't show much respect for the schools. They put a halfway home for criminals right across the street from the Catholic elementary school. I don't have anything against halfway homes but I don't think that they should be across the street from an elementary school.

Another homeowner in an upper-income, racially diverse neighborhood asserted that a fear of violent behavior emanating from supportive facilities was justified, given what occurred in an adjacent neighborhood:

[They] had a home for criminal-rehab type of people. That is what I feel does not belong in a neighborhood. I feel that [facility] should never be allowed, and by virtue of the fact that there was one [in the neighborhood], a young lady was killed.

The foregoing raises an intriguing issue: if public safety is salient to homeowners, if they know instances when public safety is less than satisfactory, and if most of them know about the existence of a supportive facility nearby, why did they not make more of the link between crime and supportive housing, given our strong statistical results? We consider three, non-mutually exclusive potential explanations.

First, in a regime of overall declining crime rates (as was the case in Denver), deleterious crime impacts associated with a supportive housing facility may have less salience for neighbors. Participants in all but one of the focus groups agreed that crime had fallen in their neighborhood over the past few years. It may be the case that, in such a context, neighbors are less worried that crime did not fall as fast as it likely would have in the absence of proximate supportive housing.

Second, in many of the neighborhoods that were examined there are likely other, more visible geographic loci of criminal activity besides supportive housing facilities about which to express concerns. For example, poorly managed rental properties were sometimes blamed for eroding public safety. In the words of a participant living in a working class, heavily Hispanic-occupied neighborhood: "There are some rental properties that are not controlled, and too many people move in. There were sometimes five families living there, with lots of partying and drug dealers."

Ironically, other forms of subsidized housing were also mentioned as a source of crime. Several participants from a working class, predominantly black-occupied area cited a Section 8 home as the center of gang activity, noise, and fast street life in their neighborhood. A participant in an upper income, racially diverse area echoed this theme: "There's been crack houses set up in some of these Section 8 houses."

A main thoroughfare with multiple entertainment venues was seen as an importer of crime into the area, as revealed by several comments from homeowners living in an upper income, racially diverse area. One commented, "When I came here my friends asked if I was afraid. Even now, they say, 'You're just two blocks away from Colfax Avenue.'" Another said, "I don't like what happens with people coming off Colfax and pulling up in front of my house. It's not traffic, it's prostitution. There's a motel down the street that has given us a lot of problems. I called the police the other night." One homeowner maintained, "There was some unfortunate [crack cocaine] traffic associated with the bars and abandoned bars."

In addition to the above-mentioned problems, homeowners residing in three of the neighborhoods proximate to large supportive housing facilities identified absentee landlords, high densities, substance abuse, gangs, unsupervised teens, transients, and the influx of non-English speaking immigrants as factors contributing to crime and safety concerns in their neighborhoods, not supportive housing. These homeowner comments suggest that a potential causal link between supportive housing and crime may be obscured if there are other, visible candidates or significant changes occurring within the neighborhood to which residents attribute patterns of crime.

Third, there may be no actual relationship between supportive housing facilities and proximate crime rates (especially in the case of small facilities). This could be why our respondents rarely made the link. When operators of supportive facilities are able to address neighborhood quality of life issues effectively, the supportive housing facility apparently becomes virtually invisible to nearby homeowners. Indeed, in four of our nine groups the issue of supportive housing never arose, even though we knew all participants lived within 1,400 feet of such a facility. Three of these groups were located in areas housing only one small facility, but one was close to a facility housing more than 100 residents. We believe that these comments by homeowners (or, more precisely, their absence) are inconsistent with the hypothesis that supportive housing residents are major sources of crime. Unfortunately, the focus groups

did not definitively disentangle whether it was a mass of potential victims or an erosion of collective efficacy that more likely generated our observed statistical patterns. There was, however, a suggestion that homeowners in neighborhoods near large facilities perceived their own inability to maintain social control. In one neighborhood that experienced gang activity, teens hanging out, and a considerable influx of immigrants, residents expressed the following concerns regarding neighborhood social control. One resident said, "Sometimes we don't have control over what happens in the neighborhood. You go with the flow or you leave." Another contended, "What we need to do is be better informed about how we can be effective. Need someone to do it but there's a sense of frustration. We feel a little helpless."

Unfortunately, we are left to speculate about the degree to which the large supportive housing facility may have contributed to this apparent lack of collective efficacy. To our knowledge, we are the first to hypothesize a link between large-scale supportive housing facilities and crime through victimization and collective efficacy; more research is clearly warranted.

CONCLUSIONS AND POLICY IMPLICATIONS

We investigated supportive housing in Denver during a period in which the city enacted an ordinance mandating strict controls over the siting, design, size, and public notification of supportive housing developments. We analyzed a set of 14 supportive housing facilities that were approved during the early 1990s and met certain requirements regarding data adequacy and minimum separation from any extant supportive housing facilities. These facilities represented a wide range of clienteles and scale. We found for the sample as a whole, and for the subset with more threatening clientele, no statistically significant evidence that the development of these facilities led to increased rates of reported violent, property, criminal mischief, disorderly conduct, or total crimes. However, for the subset of seven large facilities with 53 or more residents, rates of reported violent and total crime increased significantly within 500 feet of the sites after they opened.

We believe that the weight of the evidence suggests, however, that it is not the residents of these large supportive housing facilities who are perpetrating these crimes, despite conventional wisdom to the contrary. There is little doubt that supportive housing residents and crime remain linked in the minds of some Denver homeowners. When our focus groups expressed concerns about supportive housing, it was typically within the context of specific types of dangerous clientele, yet we could find no evidence that facilities housing such threatening clientele (criminal offenders, recovering substance abusers, mentally ill) increased crime nearby. Several groups, who we knew to live near such clientele, voiced no concerns over any potential threats. Indeed, the topic never arose in most of our discussions. Other groups were fervent about "nice" supportive housing near them where residents "gave no problems to anyone." Our focus group participants more often voiced vociferous complaints that poorly maintained and managed rental housing, unsavory commercial establishments, gang activity, substance abuse, unsupervised teens, and transients were the prime sources of crime, not supportive housing.

We think it more likely, therefore, that the crime impact occurs because large facilities either provide a pool of potential victims and/or make it difficult for the neighborhood to maintain collective efficacy. Though not conclusive, homeowners near such facilities offered unambiguous commentary about their lack of social control in the area. This potential connection offers a fertile realm of future research.

Were these empirical findings to have general applicability, they would hold provocative implications for developers and operators of supportive housing as well as for public policy makers holding regulatory oversight responsibilities for these facilities. We stress that what follows is merely suggestive and designed to stimulate discussion. Firm policy conclusions

can only be forwarded after additional replication in other sites. We reiterate that our study was conducted for a particular set of supportive facilities in particular neighborhood contexts located in a city where developers of supportive housing were, for a substantial part of the study period, subject to stringent regulatory requirements. Thus, generalizations from the Denver experience should not be made casually.

Implications

Our statistical and focus group findings reinforce a straightforward recommendation made by others (e.g., Hogan, 1996; National Law Center, 1997): one should pay close attention to supportive housing scale, siting, and public education. Scale emerged as the key factor, with only facilities over 53 units evincing any significant crime impacts. Ironically, such facilities would never have been approved had the Denver Large Residential Care Use Ordinance been enacted a few years earlier. Though our study does not permit the precise identification of the threshold scale where negative impacts ensue, it clearly suggests that limitations of the 40-unit range imposed in Denver seem appropriate.

As for siting, recall that our analysis was conducted for widely separated supportive housing facilities operating under a regime of strict spacing regulations. Although we can, therefore, make no claims about the consequences of a denser spatial clustering of facilities, a scattered-site supportive housing strategy involving small-scale facilities seems unlikely to produce any statistical impact on crime nor for that matter, any negative reactions from nearby homeowners. It thus behooves developers of supportive housing to identify contexts in which supportive housing facilities are likely to yield these neutral impacts for their environs, instead of behaving purely opportunistically and acquiring properties that might serendipitously present themselves on the market, regardless of scale or concentration effects.

Enhanced public education is implied by our findings because conventional fears about the crime impacts of supportive housing are not, in general, justified, as in the case of small-scale, scattered facilities in Denver (National Law Center, 1997). Our statistical results support opinion poll studies of other researchers nationwide, which show that residents' actual experiences with supportive housing nearby are much more satisfactory than they had predicted (Cook, 1997; Wahl, 1993). It also supports prior public opinion work on this issue with Denver audiences (Gould & O'Brien, 1997). The tale is cautionary, but it needs to be told.

ACKNOWLEDGMENTS: The authors wish to acknowledge many people who contributed to this research. Roger Clay, Marty Cohen, Mark Elliot, Howard Goldman, Sandra Newman and Susan Weaver provided input on study design and identified crucial issues. Chuck Funayama and Sandie Norman of the City and County of Denver provided us with data on supportive housing and crime reports. Lisa Waugh of LARASA helped organize the focus groups, and Glenda Swanson Lye facilitated several groups. Sheila O'Leary, Charlene Wilson, Hetty Barthel, Kevin Thompson, and John Marcotte of the Urban Institute assisted with various phases of the research. Subhro Guhathakurta of Arizona State University provided insightful suggestions on an earlier draft.

The research reported herein was supported by the U.S. Department of Housing and Urban Development through a contract to the Urban Institute. The views expressed in this article do not necessarily represent those of HUD, the Urban Institute or its Board of Trustees, or Wayne State University.

REFERENCES

- Anselin, L. (1992). *Spacestat tutorial: A workbook for using Spacestat in the analysis of spatial data*. Technical Software Series S-92-1, University of California, Santa Barbara: NCGIA.

- Bailey, T., & Gattrell, A. (1995). *Interactive spatial data analysis*. Harlow, England: Longman Scientific and Technical.
- Boydell, K., Trainor, J., & Pierri, A. (1989). The effect of group homes for the mentally ill on residential property values. *Hospital and Community Psychiatry, 40*, 957–958.
- Brill, William and Associates. (1975). *Victimization, fear of crime, and altered behavior: A profile of the crime problem in four housing projects in Boston*. Washington, DC: U.S. Department of Housing and Urban Development.
- Brill, William and Associates. (1976). *Victimization, fear of crime, and altered behavior: A profile of the crime problem in William Nickerson Jr. Gardens, Los Angeles, California*. Washington, DC: U.S. Department of Housing and Urban Development.
- Brill, William and Associates. (1977a). *Victimization, fear of crime, and altered behavior: A profile of the crime problem in Capper Dwellings, Washington, DC*. Washington, DC: U.S. Department of Housing and Urban Development.
- Brill, William and Associates. (1977b). *Victimization, fear of crime, and altered behavior: A profile of the crime problem in Murphy Homes, Baltimore, Maryland*. Washington, DC: U.S. Department of Housing and Urban Development.
- Brill, William and Associates. (1977c). *Victimization, fear of crime, and altered behavior: A profile of the crime problem in Scott/Carver Homes, Dade County, Florida*. Washington, DC: U.S. Department of Housing and Urban Development.
- City and County of Denver. (1998a). *Large residential care use handbook*. Denver, CO: Author.
- City and County of Denver. (1998b). *Residential Care Uses Ordinance*. Denver, CO: Author, Department of Zoning Administration.
- Colwell, P., Dehring, C., & Lash, N. (2000). The effect of group homes on neighborhood property values. *Land Economics, 76*(4), 615–637.
- Cook, J. (1997). Neighbors' perceptions of group homes. *Community Mental Health Journal, 33*(4), 287–299.
- Dear, M. (1977). Impact of mental health facilities on property values. *Community Mental Health Journal, 13*, 150–159.
- Dear, M., & Wolch, J. (1987). *Landscapes of despair: From deinstitutionalization to homelessness*. Princeton: Princeton University Press.
- Dear, M., Takahashi, L., & Wilton, R. (1996). *Factors influencing community acceptance: Summary of the evidence*. Washington, DC: Campaign for New Community Resource Document Series.
- Denver Community Development Agency (n.d.). *Housing Resource Directory*. Denver, CO: Author.
- Dunworth, T., & Saiger, A. (1993). *Drugs and crime in public housing: A three city analysis*. Santa Monica, CA: RAND.
- Farber, S. (1986). Market segmentation and the effects on group homes for the handicapped on residential property values. *Urban Studies, 23*, 519–525.
- Farley, J. E. (1982). Has public housing gotten a bad rap? The incidence of crime in St. Louis public housing developments. *Environment & Behavior, 14*, 443–77.
- Freudenberg, W. R., & Pastor, S. K. (1992). NIMBYs and LULUs: Stalking the syndrome. *Journal of Social Issues, 48*(4), 39–61.
- Fuchs, E., & McAllister, W. (1996). *The continuum of care: A report of the new federal policy to address homelessness*. Washington, DC: U.S. Department of Housing and Urban Development.
- Gabriel, S., & Wolch, J. (1984). Spillover effects of human service facilities in a racially segmented housing market. *Journal of Urban Economics, 16*(6), 339–350.
- Galster, G., & Williams, Y. (1994). Dwellings for the severely mentally disabled and neighborhood property values: The details matter. *Land Economics, 70*(4), 466–477.
- Galster, G., Tatian, P., & Smith, R. (1999). The impact of neighbors who use Section 8 certificates on property values. *Housing Policy Debate, 10*(4), 879–917.
- Goebel v. Colorado Department of Institutions, 830 P.2d 1036, 1043–44 (1992).
- Goetz, E. G., Lam, H. K., & Heitlinger, A. (1996). *There goes the neighborhood? The impact of subsidized multi-family housing on urban neighborhoods*. Minneapolis: Center for Urban and Regional Affairs, University of Minnesota.
- Gould, M., & O'Brien, T. (1997). *Neighborhood attitudes about the placement of services and housing*

- for groups protected by the federal Fair Housing Act: Final report of a year-long study involving focus groups and a survey of neighborhood residents. Denver, CO: Center for Human Investment Policy, University of Colorado-Denver.
- Graham, L., & Logan, R. (1990). Social class and tactics: Neighborhood opposition to group homes. *The Sociological Quarterly*, 31(4), 513-529.
- Grieson, R., & White, J. (1989). The existence and capitalization of neighborhood externalities. *Journal of Urban Economics*, 25(1), 68-76.
- Griffith, D. (1987). *Spatial autocorrelation: A primer*. Washington, DC: American Association of Geographers.
- Guhathakurta, S., & Mushkatel, A. H. (2000). Does locational choice matter? A comparison of different subsidized housing programs in Phoenix, Arizona. *Urban Affairs Review*, 35(4), 520-540.
- Hargreaves, B., Callanan, J., & Maskell, G. (1998, January). Does community housing reduce neighborhood property values? Paper presented at AREUEA Annual Meeting, Chicago, IL.
- Harkness, J., Newman, S., Galster, G., & Reschovsky, J. (1997). Life-cycle costs of housing for the mentally ill. *Journal of Housing Economics*, 6, 223-247.
- Harrell, A., & Gouvis, C. (1994). *Predicting neighborhood risk of crime*. Washington, DC: The Urban Institute.
- Hayes, T. J., & Tatham, C. B. (1989). *Focus group interviews: A reader*. Chicago, IL: American Marketing Association.
- Heumann, L. (1996). Assisted living in public housing? A case study of mixing frail elderly and younger persons with chronic mental illness and substance abuse histories. *Housing Policy Debate*, 7(3), 447-472.
- Hogan, J. (1996). *Scattered-site housing: Characteristics and consequences*. Washington, DC: U.S. Department of Housing and Urban Development, Office of Policy Development and Research.
- Holzman, H. (1996). Criminological research on public housing: Toward a better understanding of people, places, and spaces. *Crime and Delinquency*, 42, 361-378.
- Holzman, H., Hyatt, R. A., & Dempster, J. (2001). Patterns of aggravated assault in public housing. *Violence Against Women*, 7(6), 662-684.
- Hsiao, C. (1986). *Analysis of panel data*. Cambridge: Cambridge University Press.
- Intriligator, M. D. (1978). *Econometric models, techniques, and applications*. Englewood Cliffs, NJ: Prentice-Hall, Inc.
- Kaufman, S., & Smith, J. (1999). Framing and reframing in land use change conflicts. *Journal of Architectural and Planning Research*, 16(2), 164-180.
- Knowles, E., & Baba, R. (1973). *The social impacts of group homes*. Green Bay, WI: University of Wisconsin-Green Bay Research Report.
- Krueger, R. A. (1994). *Focus groups: A practical guide to applied research* (2nd ed.). Thousand Oaks, CA: Sage Publications.
- Lake, R. W. (1993). Rethinking NIMBY. *Journal of the American Planning Association*, 59(1), 87-93.
- Lindsay, S. (1998, May 29). Denver ordered to provide housing for mentally ill. *Rocky Mountain News*, 4A, 7A.
- Lyons, R. F., & Lorange, S. (1993). *An hedonic estimation of the effect of federally subsidized housing on nearby residential property values*. St. Paul, MN: University of Minnesota, Dept. of Agricultural and Applied Economics, Staff Paper P93-6.
- Mechanic, D., & Rochefort, D. A. (1990). Deinstitutionalization: An appraisal of reform. *American Review of Sociology*, 16, 301-327.
- Mental Health Law Project. (1988). *The effects of group homes on neighboring property: An annotated bibliography*. Washington, DC: Author.
- Metraux, S., Culhane, D. P., & Hadley, T. (2000, November). *The impact of supportive housing on services use for homeless persons with mental illness in New York City*. Paper presented at the Association of Public Policy Analysis and Management conference, Seattle.
- Morenoff, J. D., Sampson, R. J., & Raudenbush, S. W. (2001). Neighborhood inequality, collective efficacy, and the spatial dynamics of urban violence. *Criminology*, 39(3), 517-559.

- National Law Center on Homelessness and Poverty. (1997). *Access delayed, access denied*. Washington, DC: Author.
- Newan, S. J. (1992). *The severely mentally ill homeless: Housing needs and housing policy* (Occasional Paper 12). Baltimore: The Johns Hopkins University, Institute for Policy Studies.
- Newman, O. (1972). *Defensible space*. New York, NY: The MacMillan Company.
- Pace, R., Kelly, B. R., & Sirmans, C. F. (1998). Spatial statistics and real estate. *Journal of Real Estate Finance and Business*, 17(1), 5-13.
- Pankratz, H. (1998, May 29). Denver 'failed' its mentally ill. *Denver Post*, 1B, 6B.
- Pendall, R. (1999). Opposition to housing: NIMBY and beyond. *Urban Affairs Review*, 31(1), 112-136.
- Petrila, J. (1994). An overview of judicial enforcement of the Fair Housing Amendments Act of 1988. Florida Mental Health Institute, University of South Florida Web Site. Available: <http://www.fmhi.usf.edu/institute/pubs/articles/fairjpp.html> [October 13, 1999].
- Ridgeway, P., & Rapp, C. A. (1998). *The active ingredients of effective supported housing: A research synthesis*. Lawrence, KS: University of Kansas School of Social Welfare.
- Rocha, E., & Dear, M. J. (1989). *Gaining acceptance for community-based service facilities: An annotated bibliography* (Working Paper #25, Los Angeles Homeless Project). Los Angeles: Department of Geography, University of Southern California.
- Roncek, D., Bell, R., & Francik, J. (1981). Housing projects and crime: Testing a proximity hypothesis. *Social Problems*, 29(2), 151-166.
- Sampson, R. J., Raudenbush, S. W., & Earls, F. (1997). Neighborhoods and violent crime: A multilevel study of collective efficacy. *Science*, 277, 918-924.
- Santiago, A. M., Galster, G. C., & Tatian, P. (2001). Assessing the property value impacts of the dispersed housing subsidy program in Denver. *Journal of Policy Analysis and Management*, 20(1), 65-88.
- Seltzer, M. (1984). Correlates of community opposition to community residences for mentally retarded persons. *American Journal of Mental Deficiency*, 89(1), 1-8.
- Stewart, D. W., & Shamdasani, P. N. (1990). *Focus groups: Theory and practice*. Newbury Park, CA: Sage Publications.
- Takahashi, L., & Dear, M. (1997). The changing dynamics of community opposition to human service facilities. *Journal of the American Planning Association*, 63(1), 79-93.
- Wagner, C., & Mitchell, C. (1980). *Group homes and property values: A second look*. Columbus, OH: Metropolitan Services Commission.
- Wahl, O. (1993). Community impact of group homes for mentally ill adults. *Community Mental Health Journal*, 29(3), 247-259.
- Wenocur, S., & Belcher, J. (1990). Strategies for overcoming barriers to community-based housing for the chronically mentally ill. *Community Mental Health Journal*, 26(4), 319-333.
- Wickware, S., & Goodale, T. (1979). Group homes and property values in redevelopment areas. *Plan Canada*, 19, 154-163.
- Wolpert, J. (1978). *Group homes for the mentally retarded: An investigation of neighborhood property value impacts*. Albany, NY: NY State Office of Mental Retardation and Developmental Disabilities.

4/14/16

Geri Nave'

COMMENTS TO THE HOUSING COMMISSION

The Transitional Housing project slated for Evans Lane is nothing more than:

DEFACTO SOCIO-ECONOMIC SEGREGATION (grouping the poorest of San Jose residents together)

In a forgotten, ignored, marginalized neighborhood that is anything but NIMBY (not in my backyard.) The Canoas/Evans Lane neighborhood already houses :

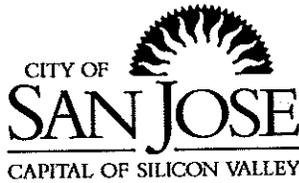
- 1) 40 formerly homeless
- 2) Approximately 86 residents in 2 facilities with mental health issues (one facility serves only court ordered persons
- 3) 70 poverty level studio apartments
- 4) Approximately 1,100 working poor in 3 affordable housing complexes; Catalonia Apts., Willow Glen Mobile Estates & Las Ventanas Apts.

So you have approximately 1,300;

- 1) Formerly homeless
- 2) Persons with serious mental health issues
- 3) Residents at poverty level and,
- 4) The working poor, with children...all living within 600 yards of the proposed project!

And the City wants to add up to 170 more homeless people to this tiny neighborhood that they gave no thought to until now.

This is simply another form of segregation only this time on a socio-economic basis. We're not Nimby's, we're Timby's
TOO MUCH IN MY (TINY) BACKYARD!



Memorandum

TO: Planning Commission

FROM: Malia Durand, Planner III

SUBJECT: SEE BELOW

DATE: May 4, 2016

SUPPLEMENTAL

SUBJECT: EVANS LANE TRANSITIONAL HOUSING PROJECT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION RESPONSE TO PUBLIC COMMENTS AND ERRATA

Location: East side of Evans Lane, approximately 800 feet northerly of Curtner Avenue (APNs 455-31-053 & 455-31-055).

REASON FOR SUPPLEMENTAL

This Supplemental memorandum addresses the following two items:

1. Responses to Comments (RTC) received on the Draft Initial Study and Mitigated Negative Declaration (MND) prepared for the Evans Lane Transitional Housing Project. The RTC is enclosed as Attachment 1 to this Supplemental Memo.
2. ERRATA to the Evans Lane Transitional Housing Project Draft Initial Study and Mitigated Negative Declaration (MND). Errata was determined to be necessary to allow for the inclusion of additional transportation analysis. The Errata is enclosed as Attachment 2 to this Supplemental Memo.

FOR HARRY FREITAS, DIRECTOR
Planning, Building and Code Enforcement

For questions please contact Malia Durand at (408) 535-3861 or Malia.Durand@sanjoseca.gov.

Attachments:

1. Response to Comments
2. Errata

EVANS LANE TRANSITIONAL HOUSING PROJECT – RESPONSE TO COMMENTS

The Evans Lane Transitional Housing Project Initial Study and Mitigated Negative Declaration (IS/MND) was prepared and evaluated in compliance with the requirements of CEQA. On March 24, 2016, the Director of Planning, Building, and Code Enforcement circulated the IS/MND for a 20-day public review. Based on feedback received on March 30, 2016 at a community meeting, the public review period was extended an additional 10 days, for a total public review period of 30 days, concluding on April 22, 2016. The City received four comment letters during the public comment period (attached):

Comment Letters Received by the City:

- A. Yin Shih, dated March 31, 2016.
- B. Ruth Kelso, dated April 1, 2016.
- C. Geri Nave, dated April 19, 2016.
- D. Arthur Zwern, dated April 21, 2016.

The City is the Lead Agency for this project as defined by CEQA. The IS/MND is available on the City's Negative Declaration/Initial Study Library at:

<http://www.sanjoseca.gov/NegativeDeclarations>.

This memo responds to public comments on the IS/MND as they relate to the potential environmental impacts of the project under CEQA. Numbered responses correspond to comments in each comment letter (Enclosed as Attachments A-D).

Comment Letter A: Yin Shih – March 31, 2016

Comment A-1: I am a property owner at 699 Curtner Av, the corner “gateway” to Evans Lane, and opposite neighbor to 701 Curtner Av. I am completely opposed to this transitional housing project for several reasons:

- The 40 homeless in transition housing and additional affordable housing residents at 701 Curtner already cause increased crime, loitering, vandalism, littering, unsafe sanitary conditions, decreased property values, and other related problems on my property and on Canoas Garden leading into Evans Lane.
- 701 Curtner has attempted and failed to control their selection of tenants and tenants' behaviors to mitigate these problems, which have grown and gotten worse in the recent years.
- 701 Curtner has demonstrated that housing and other laws prevent them from controlling tenants' behaviors off their property.
- 701 Curtner tenants are a social magnet for homeless not in transitional housing, increasing homeless encampments in the area.
- San Jose Police has demonstrated they do not have the capacity to respond to misbehavior of 701 tenants and their homeless associates, on Canoas Garden.
- Give these existing problems, the addition of 170 homeless, assuming that is a reliable and truthful number, will reasonably see over 4x the problems we already see.

Response A-1: The commenter's observations of the existing conditions in the immediate vicinity of their property are acknowledged. The apartments at 701 Curtner Avenue are located approximately 750 feet south of the project site. The property is owned by First

Community Housing, Inc., a local non-profit housing developer, and managed by Westlake Realty Group, Inc. The studio apartments currently serve 40 formerly homeless individuals, while the remaining units are limited to persons with an income less than 60 percent of the Area Median Income. The current conditions at the commenter's property are not, however, the subject of the Initial Study or related to the proposed project.

Comment A-2: The stated plan consists of 30 units, of which 2 are for support staff and services, and 28 will be housing with the capacity of 8 per unit. That leads to a potential total of 224, not 170. 244 [sic] would be almost 6x what is currently on Canoas Garden.

Response A-2: The project description (page 6 of the Initial Study) states that each residential building would be modified to provide up to eight bedrooms per unit. Because the size of the units would vary (2,000 to 3,000 square feet), the number of rooms per unit would also vary. In addition, the project proposes a maximum of 170 tenants at any one time. The City cannot increase the number of residents who would occupy the site without additional environmental review.

Comment A-3: The City has demonstrated they can't contain and control the problems already existing, so promises that any future operator of a transition housing project will be able to do so is patently false.

All these problems increase the actual costs, vacancies, safety issues, and trash issues, in the neighborhood which is an unstated operating cost and tax resulting from City Homeless policies that is transferred from the City to its citizens and property owners.

All these problems will ultimately result in decreased property values, which will cause the City of San Jose to see less property tax revenue from this neighborhood, resulting in a fiscal impact that could reduce already over-stressed public services.

Response A-3: Please refer to Response A-1. The fiscal issues alleged in the comment are outside the scope of CEQA, which is focused on the physical changes a project would make to the environment. Please note that the proposed project would be owned by the City's Housing Department, who will have control over the operation of the site.

Comment A-4: Moving to a critique of the Initial Study. Many crucial elements of this study are superficial, inadequate, and biased. Items are as follows:

4.1.2.1 Aesthetic Impacts

Scenic Vistas and Resources – The IS declares “No Impact” on these items as it considers the FAR and compatibility of the development with neighboring developments. This is superficial and inadequate as it fails to discuss the impact on Scenic Vistas of neighboring properties used as trash dumps, burned out cars on the streets, graffiti on building walls, fences and lampposts, mattresses on the sidewalk, and stolen shopping carts filled with trash. There would only be “No Impact” if the City assumed the expenses of daily street cleanings from Curtner Avenue to Evans Lane.

Response A-4: The CEQA analysis provided in the Initial Study is based on specific thresholds of significance. As stated on page 14 of the Initial Study, the General Plan FEIR defines scenic vistas in the City as views of the Santa Clara Valley and the surrounding

hillsides. These scenic vistas can be viewed from Communications Hill, extensions of the Silver Creek Hills, and the Santa Teresa Hills. In addition, views of the valley and the hillsides are visible from public roadways in these areas.

The General Plan FEIR also defines scenic urban corridors such as segments of major highways that provide gateways into the City. The project site is not located in a designated scenic area, but is near a designated gateway (Almaden Expressway at SR 87) and a scenic urban corridor (SR 87) as defined by the General Plan.

The placement of up to 30 mobile homes, landscaping, and open space on a currently vacant site would not impact any designated scenic vistas within the City. The commenter's concerns that the property would not be adequately maintained are acknowledged, but it is speculative to assume that the property would not be maintained due to the classification of residents that would live there. As an example, the adjacent Santa Clara County (SCC) Evans Lane Wellness and Recovery Center (located immediately south (located at 2090 Evans Lane) of the project site) offers similar services and is well maintained.

Comment A-5: Aesthetic Impacts/Visual Character – The IS declares “Less Than Significant Impact” on this item. Again, Canoas Garden is not a normal quiet residential street. The visual character of the street warns of danger and crime. Increasing the vandalism and loitering that will be on the street will have a Significant Impact on the Visual Character of the neighborhood.

Conclusions – With two elements superficially and inadequately addressed. The correct conclusion is “Significant Impact”.

Response A-5: Under CEQA, visual character is in reference to the proposed development and whether or not it is visually consistent with the surrounding area. The placement of up to 30 mobile homes and landscaping on a currently vacant lot, adjacent to an existing mobile home park and apartments would not significantly impact the visual character of the area.

The current conditions on Canoas Garden Avenue are not the subject of the Initial Study or related to the proposed project on Evans Lane. Please refer to Response A-4.

Comment A-6: 4.8 Hazards and Hazardous Materials –

There is rampant drug use and waste needles are strewn all over Canoas Garden. Needles are classified as Biohazardous Waste. This transitional housing project will increase the presence of Biohazardous waste on the site and in the surrounding neighborhoods. This is a “Significant Impact”.

Response A-6: Under CEQA, a hazardous materials impact would occur if a project site is contaminated from a previous land use and development of the property would expose off-site land uses to hazardous materials contamination or if the proposed land use would use hazardous materials which could be harmful to off-site land uses if released. The proposed residential project would not utilize or store hazardous materials beyond cleaning supplies and maintenance chemicals in small quantities consistent with residential land uses (page 57 of the Initial Study). Furthermore, mitigation measures have been identified to address potential soil contamination from historic land uses on-site (page 56 of the Initial Study). As such, the proposed project would have a less than significant hazardous materials impact.

The commenter's concerns regarding potential drug use are acknowledged, but it is speculative to assume this would be an issue.

Comment A-7: 4.10.1.4 Applicable Land Use Regulations and Policies in the General Plan Policy CD-1.1 requires the "highest standards of architectural and site design...for the enhancement and development of community character". The stated plan is for housing with a 15 year life to be occupied by residents that will be there temporarily (in transition). Even manufactured housing has an expected life of 30-55 years, so structures with a 15 year life will be shoddy and unattractive in short order. Next the surrounding community is dominated by residents who have been here for years; which is very different from a housing project whose tenants whose residency may be measured in months. This transitional housing project is not in conformance with CD-1.1.

Response A-7: The life expectancy of the project is based on how long the City would implement the program, not on how long the mobile home units would last. As noted in the Initial Study, the site would include landscaping and open space areas in addition to the housing units. Redevelopment of a vacant site surrounded by chain link fencing with new mobile homes, landscaping, and open space would enhance the community character of the area.

Comment A-8: 4.10.2 Would the project physically divide an established community? This is marked as "No Impact", but Evans Lane and Canoas Garden is the single means of access to Curtner Avenue. This transitional project would separate and isolate these residences from the surrounding neighborhoods, services, schools, and transportation. It is disingenuous to say there is no impact because one housing complex is like another. The reality is that the presence of 170-224 people loitering on Evans Lane will isolate those residents. They will no longer walk down to the VTA station of the bus stop, they will have to forgo trips or else drive their car for safety and self-preservation. This is a "Significant Impact".

Response A-8: Under CEQA, the concept of dividing an established community means placing a new land use or infrastructure such as a roadway or rail line within an existing community which would act as a barrier. The residences north of the project site on Evans Lane are currently separated from all other residential development in the area. The project site is currently a vacant lot with a substandard sidewalk, which separates the residences from the land uses to the south. There is no supportable evidence provided to justify the assumption that all persons who reside on the project site would loiter on Evans Lane and create a safety hazard for nearby residents. The SCC Evans Lane Wellness and Recovery Center, located immediately south of the project site, offers similar services and does not result in these issues. The proposed transitional housing project, as well as future development of the project site, would help to unify the area.

Comment A-9: 4.10.2.1 Consistency with the General Plan Land Use Designation and Zoning This is marked as "Less Than Significant Impact" based on superficial discussion for FAR's and DU/Acre. First the discussion admits that the plan is actually not in conformance with the intended use and the General Plan, but poses that the 15 year like would eventually allow a future use to conform. More importantly, the proposed project is not insignificantly non-conforming with the General Plan, but is significantly non-conforming.

The General Plan actually has the neighborhood designed as VR8 (Curtner Light Rail/VTA Urban Village) with a planned housing yield of 1440 housing units and job yield of 1380.

According to the City of San Jose: “The Urban Village Concept is a major strategy of the General Plan to transform strategically identified Growth Areas into higher-density, mixed-use, urban districts or “Urban Villages” which can accommodate employment and housing growth and reduce the environmental impacts of that growth by promoting transit use, bicycle facilities and walkability.”

This neighborhood is supposed to be partly self-contained, with jobs, services and homes on site and easy access to the mass transit system via the Curtner Light Rail station. The approval of the transitional housing project will chill any future investment or redevelopment of this area for a minimum of 15 years. Walkability will be non-existent. Jobs and DU yield will be zero.

This is a “Significant Impact” and completely counter to Envision 2040.

Response A-9: Please note that VR8 is not the General Plan designation, but the notation used to identify the Curtner Light Rail/Caltrain Urban Village. The current General Plan designation, as noted in the Initial Study, is *NCC – Neighborhood/Community Commercial*. The Curtner Light Rail/Caltrain Urban Village is planned for Horizon 2, meaning that the boundary and overall development goals have been identified, but the Urban Village land use designation has not yet been approved for those properties within the Urban Village. The proposed General Plan Amendment and transitional housing project would not preclude the City from meeting the long-term goals of the General Plan and development within the Curtner Light Rail/Caltrain Urban Village because it is a temporary use and the identified Urban Village is not in Horizon 1.

Comment A-10: 4.10.2.2 Land Use Compatibility Impacts

This is marked as “Less Than Significant Impact” based on superficial discussion and obfuscation related to the “Mixed Use” zone and how this would be a reasonable transition between commercial and residential uses on the street. The reality is that the rezoning is related to residential density and the project under proposal is a 170-224 unit transitional housing complex. This will not create a transition; this will create a moat that no resident will want to traverse. The residents will be isolated and prey to the bad actors in the transition housing complex. There will be no businesses on this mixed use site. There will not be 1380 jobs created. There will not be 1440 additional dwelling units created. The use intended and the proximate cause for the rezoning action is not compatible with the nearby uses, the neighborhood nor is it in conformance with the General Plan.

This is a “Significant Impact” on land use compatibility.

4.10.3 Conclusion

With both elements superficially and inadequately addressed. The correct conclusion is “Significant Impact”.

Response A-10: Please refer to Response A-9. Also, please note that the rezoning applies only to the proposed transitional housing project. The project site would be rezoned at such time as future development is proposed on-site consistent with the proposed General Plan Amendment. Furthermore, residential land uses, regardless of unit type are considered compatible with all other residential land uses and neighborhood appropriate retail/commercial. The proposed project is compatible with the adjacent mobile home park

and apartments as well as the SCC Evans Lane Wellness and Recovery Center, and the commercial uses south of the site.

Furthermore, although the Mixed Use Neighborhood land use designation allows for both commercial and residential development, development on the site is not required to be mixed-use. The planned 1,380 new jobs and 1,440 new dwelling units are not all required to be located on the Evans Lane site. The City will determine where the planned jobs and housing units will be distributed within the Urban Village through the process of creating an Urban Village Plan for the Curtner Light Rail/Caltrain Urban Village.

Comment A-11: 4.14.2.1 Impact to Public Services/Police Protection Services

This item is marked as “Less than Significant Impact” which is superficial and inadequately researched, based on hand-waving denial of any need for additional services. This neighborhood already has one of the highest rate of 911 calls in the City of San Jose with typically inadequate response times. This is with just 40 homeless in transition at 701 Curtner Avenue. With a 4x to 6x increase in transition homeless and a proportionate increase in loitering, littering, vandalism, drug use and other criminal behaviors, there should be additional police officers hired or assigned to this neighborhood. If the City of San Jose denies this, then they are committing to a lower level of police services for the neighborhood than already exists, which is already woefully inadequate.

This is a “Significant Impact” with any minimum standard of police protection and response times.

Response A-11: There is no evidence provided that supports the commenter’s opinion that the project area has one of the highest rates of 911 calls in San Jose or that response times are inadequate. Based on crime statistic data on the Police Department website, there have been approximately 300 calls for police (both emergency and non-emergency) in the project area in the last year (May 4, 2015 to May 3, 2016) out of more than 125,000 calls citywide for that same time period. Canoas Garden Avenue, between Evans Lane and Curtner Avenue, had 30 calls for service, of which 15 were disturbance calls and seven where traffic stops. No loitering, vandalism, or drug calls were made. Furthermore, it would be speculative to assume that the project would increase criminal behavior in the project area. Nevertheless, under CEQA, impacts to public services are based on the City’s ability to provide public safety services consistent with the goals of the General Plan. Only if new or expanded/altered facilities are required (the construction of which would result in a physical impact on the environmental) to meet established service goals, would a project have a significant impact. The General Plan assumes higher density development for the project site than what is currently proposed, but the General Plan EIR determined that no new facilities would be required to support build out of the General Plan. Because the proposed project would be less dense than the General Plan designation allows, the City would still be able to meet its service goals without resulting in an environmental impact.

Comment A-12: Impact to Public Services/ Parks

This is marked as “Less than Significant Impact” which is superficial and inadequately researched. The residents of 701 Curtner Av loiter on Canoas Garden because 1) they have no place to smoke, and 2) there are no parks nearby to congregate. The transition housing project already accepts as given that the residents will not have cars as there is no provision for parking for other than staff. Where will these residents congregate? On Canoas Garden and Evans Lane, because they have no transportation and there is nowhere else they can go. The reality is that any transition housing project must have its own park. The density and housing plan does not take this into account because

it is poorly thought out and inadequately researched, as is the response to this point in the Initial Study.

The true density of the transition housing project is much less if this issue is correctly and meaningfully addressed. If the Housing Department doesn't address this issue, they are implicitly taxing the neighborhood with the loitering and costs of vandalism that their tenants will create. As the City will be the owner of this project, they own responsibility for the consequences of the misbehavior created by poor planning and inadequate development planning.

This is a "Significant Impact" with any minimum foresight and observation of human behavior.

Response A-12: As stated in the Initial Study, the project site would include landscaping and open space. In addition, as noted by the commenter, the project site is within walking distance of transit, which would provide residents the opportunity to travel off-site to nearby parks accessible by transit. The project's residents would not result in physical impacts (i.e. deterioration) of existing parks. The existing conditions, as represented by the commenter, are not indicative of all below-market housing projects and are not the subject of the Initial Study.

Comment A-13: 4.15 Recreation

This is marked as "Less than Significant Impact" based on the availability of parks and recreational facilities 0.6 and 0.8 miles away. However, the homeless transition project tenants will have no cars as admitted in the plan. Consequently those parks and recreation facilities are effectively inaccessible and meaningless.

If the General Plan Policies PR-1.1 and PR-1.3 are applied to the specifics of this project proposal, then 0.6 to 0.8 acres of park space and additional community center space should be provided on site.

Failure to do so will cause the tenants of this transition housing project to treat Evans Lane, Canoas Garden and the neighboring properties as their "park" and "community center".

This is a "Significant Impact" with any minimum foresight and observation of human behavior.

Response A-13: Policies PR-1.1 and PR-1.3 are intended to represent citywide service goals based on the total population estimates of the City and are not applied in the manner described above to individual projects. Under CEQA, the analysis is based on the City's ability to provide recreational facilities consistent with City goals and whether or not a project would result in increased use of existing facilities which would require the construction of new facilities or refurbishment of existing facilities, both of which could have a physical impact on the environment. While the proposed transitional housing project would place residences on the project site, it would not increase the overall population of the City as the future residents of the site already reside in San Jose (page 91 and 94 of the Initial Study). The project includes open space for the residents. Furthermore, it would not require new City facilities to be constructed or result in the degradation of existing facilities. Therefore, the conclusion of Less Than Significant is correct.

Comment Letter B: Ruth Kelso – April 1, 2016

Comment B-1: I was just looking at the MAPPED SITES SUMMARY, pages 2 and 3, of the Appendix A - EDR Radius Map Report, and wondered if all those entities listed have been notified and permitted any input to these plans prior to them being instituted. Where can I see those comments?

As stated on page 108 of the Initial Study, "Persons Consulted No persons were consulted other than referenced consultants and City staff", says it all.

So, tell me, then what is the point of these general public hearing sessions? You could at least provide pizza or something. Otherwise, our time would be better spent if you just acknowledged that this is a done deal, and provide us with the finer details of the project. In other words, just blow some smoke up our skirts.

Shame on you, San Jose City. We deserve better.

Response B-1: The EDR Radius Map Report mapped sites summary shows the area examined for potential hazardous materials releases which would have potential to impact the project site. The EDR report has no bearing on the notification requirements of the City.

The reference in Section 5.0 of the Initial Study which states "No persons were consulted other than referenced consultants and City staff" was disclosed consistent with CEQA Guidelines Section 15129. The CEQA analysis is intended to identify the physical environmental effects of a proposed project. As the Lead Agency, the City may consult any persons, organizations, regulatory agencies, or experts as needed to answer the checklist questions in the Initial Study. Obtaining community input on the project itself is part of the planning process, but not part of the CEQA process and would not be disclosed in the Initial Study.

Comment Letter C: Geri Nave – April 14, 2016

Comment C-1: My company, Nave’ Consulting, has overseen the property management of 1850 Evans Lane since 1998. This property is immediately adjacent to a portion of the site slated for the proposed Transitional Housing Project. I am completely opposed to this project for a number of reasons:

In the 18 years that I have overseen 1850 Evans Lane, I have watched the small Canoas Garden-Evans Lane neighborhood be neglected & marginalized by the City of San Jose.

- 701 Curtner Ave, also known as the Curtner Studios, brought an element of crime and fear to this neighborhood that we had never before experienced. The children of Las Ventanas Apts, Willow Glen Mobile Estates and Catalonia Apartments, on their way to and from the school bus stop, must walk the gauntlet of the formerly homeless, those with mental health issues and the poverty level residents already in transitional housing at 701 Curtner. They are being asked for money, offered drugs all the while skirting the debris, feces, needles, etc. that litter the streets.
- The City and the management of 701 Curtner have spectacularly failed in monitoring their selection of tenants for that property.
- The security at 701 Curtner personally spoke to me and said they are only responsible for that which takes place directly in and/or on their property. It was made very clear that if an altercation, drug deal and/or drug use, sexual activity etc., takes place on public property such as the sidewalks and streets, they have no responsibility. They also have no responsibility for the friends of their tenants that come to “visit” and congregate in the streets, their cars and the private property of local businesses.
- The City has not only demonstrated they have no control over this tiny neighborhood, they have neglected and marginalized it.
- The San Jose Police Department (SJPD) has been very straightforward in saying that they do not have the officers needed to oversee these problems.
- In two (2) separate meetings (which I can document if necessary) it was suggested by Housing Dept staff that perhaps the local business owners could join together and pay for regular clean up of City streets and sidewalks and/or private security, specifically off-duty SJPD officers.

Response C-1: The commenter’s opinions regarding the Curtner Studios Apartments are acknowledged. The current conditions at that property are not, however, the subject of the Initial Study or related to the proposed project.

Comment C-2: The Initial Study woefully lacks the reality of what is actually true in the Canoas Garden/Evans Lane area.

4.1.2.1 Aesthetic Impacts: Scenic Vistas and Resources

The IS declares that there is “No Impact” on these items. This assessment has to have been made without a thorough consideration of neighboring properties and of the streets and sidewalks. This would only be “No Impact” if the City took responsibility for cleaning Evans Ln and Canoas Garden Road on a daily basis,“ which in fact, they don’t even do now.

Response C-2: Please refer to Response A-4.

Comment C-3: Aesthetic Impacts: Visual Character: The IS states that there will be “Less Than Significant Impact” The addition of up to 170 homeless persons with no where to go will definitely affect the visual character of these two (2) short streets. We already have loitering, drug sales and use proliferating with young children from working poor families having to negotiate their way through these streets. It may be “Less Than Significant” to someone in an office preparing a document, but it will be incredibly significant to the 1,300 plus working poor that live here.

Response C-3: Please refer to Response A-5.

Comment C-4: 4.8 Hazards and Hazardous Materials: Again I point out the unchecked drug use and all the paraphernalia that accompanies it. We also already have local loiterers that use the city’s storm drain to defecate and urinate. Adding 170 more (plus their friends that come to visit) will simply exacerbate an already untenable situation.

Response C-4: Please refer to Response A-6.

Comment C-5: 4.10.1.4 Applicable Land Use Regulations and Policies in the General Plan This does not meet your own policy that necessitates the “highest standards of architectural and site design” I doubt that a project with a potential 15 year “sunset” date and a revolving population every 15 months would enhance and develop community character. Please note; I/we are not opposed to an affordable housing project in line with the current designation, applicable land use regulations and policies in the General Plan;
I/we are opposed to replacing it with Transitional Housing.

Response C-5: As noted in the Initial Study, the site would be developed with new mobile homes, landscaping, and open space. Redevelopment of a currently vacant site with housing, landscaping, and open space would enhance the community character of the area.

Comment C-6: 4.10.2 Would the project physically divide an established community?
NO IMPACT???? Really? It’s a Significant Impact. Evans Ln is a dead – end short road with its only ingress and egress located at the front of the proposed Transitional Housing site. 170 additional people would further separate the working poor in the Affordable Housing complexes from neighboring services. Not to mention once again the children who so far have been given no thought or concern by the City, including planning. The Transitional Housing project would completely separate those complexes from living a normal life.

Response C-6: Please refer to Response A-8.

Comment C-7: 4.10.2.1 Consistency with the General Plan Land Use Designation and Zoning Again, “Less than Significant Impact?” This is definitely a significant impact on our neighborhood. It is completely different from the General Plan. This is as far a field from an Urban Village as one could get.. There will be no additional jobs, no new businesses created and certainly it will not produce a “walkable” neighborhood, it will further isolate this tiny neighborhood. Only cars will be used for safety’s sake... No walking to catch the light rail that is for sure.

Response C-7: Please refer to Response A-9.

Comment C-8: 4.14.2.1 Impact to Public Services /Police Protection Services.

In one way I agree with the “Less than Significant Impact” designation. **There would be less than significant impact only because we currently don’t have services at all...so there is nothing to impact.** The City and essential services has neglected, marginalized and forgotten this neighborhood. Police don’t/can’t respond to calls even when a little girl has been exposed to, twice; even if there is a violent street altercation; even if a mad man is throwing pipes at passersby, and business customers; even if drug deals are happening; even if parked cars are burned out and abandoned; even if a man is defecating in public. We currently don’t have public services, we don’t have police protection. We are already experiencing a “significant impact”.

Response C-8: As previously noted, the current social conditions in the project area are not the subject of this Initial Study, which is focused on the physical environmental changes associated with the project.

Under CEQA, impacts to public services are based on the City’s ability to provide public safety services consistent with the goals of the General Plan. Only if new or expanded/altered facilities are required (the construction of which would result in a physical impact on the environment) to meet established service goals, would a project have a significant impact. The General Plan assumes higher density development for the project site than what is currently proposed, but determined that no new facilities would be required to support build out of the General Plan. Because the proposed project would be less dense than the General Plan allows, the City would still be able to meet its service goals without resulting in an environmental impact.

Comment C-9: Impact to Public Services/Parks

Again, of course, this Transitional Housing project would have “Less than Significant Impact.” The question is, why? **The answer is, there are no local parks to impact.** The streets, sidewalk or private property is the “park” of choice. If this housing is built, you can be sure Canoas Garden Road and Evans Ln. will continue being the “park!” The streets are crowded with cars and people now? What is the City going to do when 170 more are added to this tiny neighborhood already housing approximately 1300 homeless, mentally ill, poverty level residents and the working poor in the 3 affordable housing complexes on Evans Ln. What is the City going to do when the ingress and egress to Almaden Expressway is blocked? And what happens when some one is hit and killed because the streets are the park?

Response C-10: The Initial Study identifies two parks within approximately 4,200 feet of the project site (page 87 of the Initial Study), within a 20 minute walk from the site. In addition, the project proposes open space on-site which could be utilized by future residents.

The Curtner Light Rail/Caltrain Urban Village also includes a “floating park,” which requires that a public park be included at full build-out of the Urban Village. The location of the park will be determined through the creation of an Urban Village Plan for the Curtner Light Rail/Caltrain Urban Village.

Comment C-11: 4.15 Recreation

Dare I repeat myself? **It has “Less than Significant Impact” because the parks and recreational facilities are the streets and local businesses.** 701 Curtner’s park is the street and will increase should this Transitional Housing facility be built.

Response C-11: Please refer to Response C-10.

Comment C-12: Did the preparers of this report even visit and talk with the numerous residents already living on Evan's Ln. & Canoas Garden Road?

Would you want your children to walk by this homeless housing everyday to and from school? Remember the residents are primarily the working poor who often work 2 or 3 jobs to provide for their family and cannot take time off to drive and pickup their children from school. As I wrote, the children already walk the gauntlet in the neighborhood even now and you are willing to inflict even more?

Did you check with essential services regarding their ability to service this neighborhood?

Did you know that currently within the last two (2) weeks SJPD patrols have picked up, *but* every officer said that this is only temporary...and why is it temporary? Until the City can get this project approved and then they will let it return to a forgotten, ignored, marginalized neighborhood it was...only with even more severe problems to deal with.

Response C-12: The commenter's concerns are acknowledged. This comment addresses social concerns, and not physical changes to the environment associated with the project. Please refer to the previous responses.

Comment Letter D: Arthur Zwern – April 21, 2016

Comment D-1: For 18 years I've owned a large home on 1/2 AC along the Guadalupe River at 2226 Coastland Ave, a few blocks from the proposed Evans Lane "sanctioned encampment". I have some serious concerns about the plan, mainly about crime and loitering and pedestrians crossing Almaden unsafely - but they can wait since I've been thinking about how to convince SJ to create a sanctioned encampment and never thought it would happen. So, learning of your program the other day shocked me in a good way as much as my NIMBY reaction did in a bad way. Most importantly, I think I can be of service, and I would appreciate contact with the planners and NPOs directly working the problem.

I'm a physicist and Harvard MBA with a 35 year history of innovations resulting in patents, startups, commercialized products, and awards. My directly relevant experience ranges from a homeless man living in my front yard to taking in friends who lost their homes to owning hundreds of low-income apartments to creating RVsWithoutBorders.org for Valley Fire victims. My disaster sheltering startup won an international "Best Global Security Idea of 2008" award judged by US intelligence agencies and homeland security contractors. My slotted plywood structures are also some of the world's leading "maker" projects. Now I am developing an extremely practical and unconventional structure to propose for Evans Lane.

To meet the public comment deadline I am sending this info very prematurely, as my little team is only a few weeks into design and we expected to propose our approach end May once our plans are in CAD. Attached are early sketches for a framed 8'x16' room with roof structure. It is under 20 sheets of 3/4" plywood, at under \$500 - assembled in minutes without a single fastener, including integrated furniture. After decking the roof and spray sealing the exterior, a family could dance on the roof or live inside - for up to 20 years, at a finished build cost of \$2k to society and perhaps nothing to City. Conventional construction would cost 50x that amount for the permits alone. An 8'x8' single bed room with desk is also in design. Also attached is an integrated photo-booth structure we made in March that inspired the homeless shelter design.

In short, instead of conventional high-cost portables that will feel institutional to your target clients, please consider experimenting with a novel shelter approach that offers each individual homeless person or family their own standalone nano-home. Our approach offers the following major price/performance and service model advantages:

Unconventional Rapid Shelter Simulates Sticks & Shear Wall:

- Total materials cost well under \$2k for 110 sq ft double room furnished with power, using retail materials (Home Depot & some Amazon).
- Any NPO, church group, or small team can pre-fabricate one in hours, in any garage or faster at a TechShop - and we will! 200 of them if needed.
- The shelter assembles in an hour completely furnished without any fasteners or tools, and may be rapidly sealed & finished to last 20+ years - yet still moved with a forklift & flatbed.
- Our unique constrained box design provides the equivalent of studs and skin/sheer wall, plus furniture/fixtures, using only slotted plywood parts.
- Uses a simple pier & beam raised foundation, with conventional decking/paper/shingles or sprayed roof - easy for Code to understand.

- Insert a standard door, escape window, insulation panels, and solar-powered light, smoke detector, alarm, and charging station during assembly - no plumbing, and no electric code issues.
- Modular interior system enables permanently-integrated bed platform, desk, night stand, closet, and eating/social area - just add donated soft goods.
- Resistant to water, wind, flying debris, earth movement, and other natural risks.
- We will develop and license the design plans at zero cost for non-profit uses like this one. Our slotted plywood designs are fabricated by thousands of “makers” worldwide annually, and they work.

Unconventionally-Collaborative Village Model:

- One flatbed of our flatpack shelters, one lunch truck, one sanitation trailer, one water & sewer hookup, and a fence can deploy a village in a day.
- Additional “rooms” enable a daily service fair environment for donated services (medical, social, job programs).
- I believe we can stir up corporations and NPOs to provide essentially ALL of the materials, labor, and services required for a complete village at no/low cost to City.
- Support prospects range from the obvious (Habitats and Home Depot and United Sanitation) to everything else needed (Kaiser Permanente and Mattress Discounters).
- City need just provide space, permits, security, insurance, water/sewer, some critical services (jobs training/programs and education & entertainment options) and whatever falls through collaboration cracks.
- If a few test units don’t work out, they can be shipped to Middletown where fire victims would love them until they get used for future Harbin “glamping” rentals. Yes, people will pay \$100/night to rent exactly what I propose here, if you add a hot pool with a view.
- The value of trying a radically collaborative experiment in San Jose and succeeding could be as impactful to the world as Intel or Cisco or anything else we do.

I hope you will contact me soon to discuss how I might assist San Jose in improving its encampment plan, technologically or otherwise. There are many other challenges to discuss, like what will the residents do all day, and how will we help them get back into mainstream society, such as with a job. Therefore, it is frustrating to see the impacts on everything except birds ignored in the MND! Findings of no impacts on noise, population and housing, public services, recreation, transportation/traffic, or utilities and service systems? That seems outrageously naive to me, and ironic since a few blocks away Planning just said “no way” to splitting 1 AC into 5 lots due to densification concerns. As one impact example, Almaden Expressway will need its median fenced between Curtner and 87 overpasses since pedestrians cross it regularly and are likely to be killed. The Evans lane project will exacerbate this issue tremendously.

I may never understand the politics of planning, but the village infrastructure itself I think I can help you execute better, faster, and cheaper than anything conventional or even previously considered unconventional, with greater community support and greater client acceptance. At a fraction the cost you think it will take.

Response D-1: This comment is acknowledged and the information will be provided to the decision makers as part of the public record.

CONCLUSION

Based upon review of the comments received during the public circulation period for the Evans Lane Transitional Housing Project IS/MND, there is no evidence to indicate that implementation of the proposed project, including proposed mitigation measures, would result in a significant environmental impact under CEQA. Therefore, it is appropriate for the City to adopt a Mitigated Negative Declaration for the project.

Yin Shih
shihproperties@gmail.com
408-741-1494

3/31/2016

Re: Comments on Evans Lane Transitional Housing Project

I am a property owner at 699 Curtner Av, the corner “gateway” to Evans Lane, and opposite neighbor to 701 Curtner Av. I am completely opposed to this transitional housing project for several reasons:

- The 40 homeless in transition housing and additional affordable housing residents at 701 Curtner already cause increased crime, loitering, vandalism, littering, unsafe sanitary conditions, decreased property values, and other related problems on my property and on Canoas Garden leading into Evans Lane.
- 701 Curtner has attempted and failed to control their selection of tenants and tenants’ behaviors to mitigate these problems, which have grown and gotten worse in the recent years.
- 701 Curtner has demonstrated that housing and other laws prevent them from controlling tenants’ behaviors off their property.
- 701 Curtner tenants are a social magnet for homeless not in transitional housing, increasing homeless encampments in the area.
- San Jose Police has demonstrated they do not have the capacity to respond to misbehavior of 701 tenants and their homeless associates on Canoas Garden.
- Given these existing problems, the addition of 170 homeless, assuming that is a reliable and truthful number, will reasonably see over 4x the problems we already see.
- The stated plan consists of 30 units, of which 2 are for support staff and services, and 28 will be housing with the capacity of 8 per unit. That leads to a potential total of 224, not 170. 224 would be almost 6x what is currently on Canoas Garden.
- The City has demonstrated they can’t contain and control the problems already existing, so promises that any future operator of a transition housing project will be able to do so is patently false.
- All these problems increase the actual costs, vacancies, safety issues, and trash issues, in the neighborhood which is an unstated operating cost and tax resulting from City Homeless policies that is transferred from the City to its citizens and property owners.
- All these problems will ultimately result in decreased property values, which will cause the City of San Jose to see less property tax revenue from this neighborhood, resulting in a fiscal impact that could reduce already over-stressed public services.

Moving to a critique of the Initial Study. Many crucial elements of this study are superficial, inadequate, and biased. Items are as follows:

4.1.2.1 Aesthetic Impacts

Scenic Vistas and Resources - The IS declares “No Impact” on these items as it considers the FAR and compatibility of the development with neighboring developments. This is superficial and inadequate as it fails to discuss the impact on Scenic Vistas of neighboring properties used as trash dumps, burned out cars on the streets, graffiti on building walls, fences and lampposts, mattresses on the sidewalk, and stolen shopping carts filled with trash. There would only be “No Impact” if the City assumed the expenses of daily street cleanings from Curtner Avenue to Evans Lane.

Aesthetic Impacts/Visual Character – The IS declares “Less Than Significant Impact” on this item. Again, Canoas Garden is not a normal quiet residential street. The visual character of the street warns of danger and crime. Increasing the vandalism and loitering that will be on the street will have a Significant Impact on the Visual Character of the neighborhood.

Conclusions – With two elements superficially and inadequately addressed. The correct conclusion is “Significant Impact”.

4.8 Hazards and Hazardous Materials –

There is rampant drug use and waste needles are strewn all over Canoas Garden. Needles are classified as Biohazardous Waste. This transitional housing project will increase the presence of Biohazardous waste on the site and in the surrounding neighborhoods. This is a “Significant Impact”.

4.10.1.4 Applicable Land Use Regulations and Policies in the General Plan

Policy CD-1.1 requires the “highest standards of architectural and site design ... for the enhancement and development of community character”. The stated plan is for housing with a 15 year life to be occupied by residents that will be there temporarily (in transition). Even manufactured housing has an expected life of 30-55 years, so structures with a 15 year life will be shoddy and unattractive in short order. Next the surrounding community is dominated by residents who have been here for years; which is very different from a housing project whose tenants whose residency may be measured in months. This transitional housing project is not in conformance with CD-1.1.

4.10.2 Would the project physically divide an established community?

This is marked as “No Impact”, but Evans Lane and Canoas Garden is the single means of access to Curtner Avenue. This transitional project would separate and isolate these residences from the surrounding neighborhoods, services, schools, and transportation. It is disingenuous

to say there is no impact because one housing complex is like another. The reality is that the presence of 170-224 people loitering on Evans Lane will isolate those residents. They will no longer walk down to the VTA station or the bus stop, they will have to forgo trips or else drive their car for safety and self-preservation. This is a “Significant Impact”.

4.10.2.1 Consistency with the General Plan Land Use Designation and Zoning

This is marked as “Less Than Significant Impact” based on superficial discussion of FAR’s and DU/Acre. First the discussion admits that the plan is actually not in conformance with the intended use in the General Plan, but poses that the 15 year life would eventually allow a future use to conform. More importantly, the proposed project is not insignificantly non-conforming with the General Plan, but is significantly non-conforming.

The General Plan actually has the neighborhood designated as VR8 (Curtner Light Rail/VTA Urban Village) with a planned housing yield of 1440 housing units and job yield of 1380.

According to the City of San Jose: “The Urban Village concept is a major strategy of the General Plan to transform strategically identified Growth Areas into higher-density, mixed-used, urban districts or “Urban Villages” which can accommodate employment and housing growth and reduce the environmental impacts of that growth by promoting transit use, bicycle facilities and walkability.”

This neighborhood is supposed to be partly self-contained, with jobs, services and homes on site and easy access to the mass transit system via the Curtner Light Rail station. The approval of a transitional housing project will chill any future investment or redevelopment of this area for a minimum of 15 years. Walkability will be non-existent. Jobs and DU yield will be zero.

This is a “Significant Impact” and completely counter to Envision 2040.

4.10.2.2 Land Use Compatibility Impacts

This is marked as “Less Than Significant Impact” based on superficial discussion and obfuscation related to the “Mixed Use” zone and how this would be a reasonable transition between commercial and residential uses on the street. The reality is that the rezoning is related to residential density and the project under proposal is a 170-224 unit transitional housing complex. This will not create a transition; this will create a moat that no resident will want to traverse. The residents will be isolated and prey to the bad actors in the transition housing complex. There will be no businesses on this mixed use site. There will not be 1380 jobs created. There will not be 1440 additional dwelling units created. The use intended and the proximate cause for the rezoning action is not compatible with the nearby uses, the neighborhood nor is it in conformance with the General Plan.

This is a “Significant Impact” on land use compatibility.

4.10.3 Conclusion

With both elements superficially and inadequately addressed. The correct conclusion is “Significant Impact”.

4.14.2.1 Impact to Public Services/Police Protection Services

This item is marked as “Less than Significant Impact” which is superficial and inadequately researched, based on hand-waving denial of any need for additional services. This neighborhood already has one of the highest rate of 911 calls in the City of San Jose with typically inadequate response times. This is with just 40 homeless in transition at 701 Curtner Avenue. With a 4x to 6x increase in transition homeless and a proportionate increase in loitering, littering, vandalism, drug use and other criminal behaviors, there should be additional police officers hired or assigned to this neighborhood. If the City of San Jose denies this, then they are committing to a lower level of police services for the neighborhood than already exists, which is already woefully inadequate.

This is a “Significant Impact” with any minimum standard of police protection and response times.

Impact to Public Services/ Parks

This is marked as “Less than Significant Impact” which is superficial and inadequately researched. The residents of 701 Curtner Av loiter on Canoas Garden because 1) they have no place to smoke, and 2) there are no parks nearby to congregate. The transition housing project already accepts as given that the residents will not have cars as there is no provision for parking for other than staff. Where will these residents congregate? On Canoas Garden and Evans Lane, because they have no transportation and there is nowhere else they can go.

The reality is that any transition housing project must have its own park. The density and housing plan does not take this into account because it is poorly thought out and inadequately researched, as is the response to this point in the Initial Study.

The true density of the transition housing project is much less if this issue is correctly and meaningfully addressed. If the Housing Department doesn't address this issue, they are implicitly taxing the neighborhood with the loitering and costs of vandalism that their tenants will create. As the City will be the owner of this project, they own responsibility for the consequences of the misbehavior created by poor planning and inadequate development planning.

This is a “Significant Impact” with any minimum foresight and observation of human behavior.

4.15 Recreation

This is marked as “Less than Significant Impact” based on the availability of parks and recreational facilities 0.6 and 0.8 miles away. However, the homeless transition project tenants will have no cars as admitted in the plan. Consequently those parks and recreation facilities are effectively inaccessible and meaningless.

If the General Plan Policies PR-1.1 and PR-1.3 are applied to the specifics of this project proposal, then 0.6 to 0.8 acres of park space and additional community center space should be provided on site.

Failure to do so will cause the tenants of this transition housing project to treat Evans Lane, Canoas Garden and the neighboring properties as their “park” and “community center”.

This is a “Significant Impact” with any minimum foresight and observation of human behavior.

From: Ruth Kelso <primocashier@yahoo.com>

Sent: Friday, April 1, 2016 8:32 PM

To: Hart, Jared; Vacca, Kimberly

Subject: Re: Link to Environmental Document for Proposed General Plan Amendment on Evans Lane (GP16-001)

Hi.

I was just looking at the MAPPED SITES SUMMARY, pages 2 and 3, of the [Appendix A - EDR Radius Map Report](#), and wondered if all those entities listed have been notified and permitted any input to these plans prior to them being instituted. Where can I see those comments?

As stated on page 108 of the Initial Study, "**Persons Consulted No persons were consulted other than referenced consultants and City staff**", says it all.

So, tell me, then what is the point of these general public hearing sessions? You could at least provide pizza or something. Otherwise, our time would be better spent if you just acknowledged that this is a done deal, and provide us with the finer details of the project. In other words, just blow some smoke up our skirts.

Shame on you, San Jose City. We deserve better.

ruth kelso

Veteran, Homeowner, and I vote

Geri Nave'
Nave' Consulting, inc
408.489.1087

4/19/16

Re: Comments on Evans Lane Transitional Housing Project
File No. GP 16-001

My company, Nave' Consulting, has overseen the property management of 1850 Evans Lane since 1998. This property is immediately adjacent to a portion of the site slated for the proposed Transitional Housing Project. I am completely opposed to this project for a number of reasons.:

In the 18 years that I have over seen 1850 Evans Lane, I have watched the small Canoas Garden-Evans Lane neighborhood be neglected & marginalized by the City of San Jose.

- 701 Curtner Ave, also known as the Curtner Studios, brought an element of crime and fear to this neighborhood that we had never before experienced. The children of Las Ventanas Apts, Willow Glen Mobile Estates and Catalonia Apartments, on their way to and from the school bus stop, must walk the gauntlet of the formerly homeless, those with mental health issues and the poverty level residents already in transitional housing at 701 Curtner. They are being asked for money, offered drugs all the while skirting the debris, feces, needles, etc. that litter the streets.
- The City and the management of 701 Curtner have spectacularly failed in monitoring their selection of tenants for that property.
- The security at 701 Curtner personally spoke to me and said they are only responsible for that which takes place directly in and/or on their property. It was made very clear that if an altercation, drug deal and/or drug use, sexual activity etc., takes place on public property such as the sidewalks and streets, they have no responsibility. They also have no responsibility for the friends of their tenants that come to "visit" and congregate in the streets, their cars and the private property of local businesses.
- The City has not only demonstrated they have no control over this tiny neighborhood, they have neglected and marginalized it.
- The San Jose Police Department (SJPD) has been very straightforward in saying that they do not have the officers needed to oversee these problems.
- In two (2) separate meetings (which I can document if necessary) it was suggested by Housing Dept staff that perhaps the local business owners could join together and pay for regular clean up of City streets and sidewalks and/or private security, specifically off-duty SJPD officers.

•

Page two/Nave'/Evans Ln
4/19/16

•

The Initial Study woefully lacks the reality of what is actually true in the Canoas Garden/Evans Lane area.

4.1.2.1 Aesthetic Impacts : Scenic Vistas and Resources

The IS declares that there is “No Impact” on these items. This assessment has to have been made without a thorough consideration of neighboring properties and of the streets and sidewalks. This would only be “No Impact” if the City took responsibility for cleaning Evans Ln and Canoas Garden Road on a daily basis,“ which in fact, they don’t even do now.

Aesthetic Impacts: Visual Character: The IS states that there will be “Less Than Significant Impact” The addition of up to 170 homeless persons with no where to go will definitely affect the visual character of these two (2) short streets. We already have loitering, drug sales and use proliferating with young children from working poor families having to negotiate their way through these streets. It may be “Less Than Significant” to someone in an office preparing a document, but it will be incredibly significant to the 1,300 plus working poor that live here.

4.8 Hazards and Hazardous Materials: Again I point out the unchecked drug use and all the paraphernalia that accompanies it. We also already have local loiterers that use the city’s storm drain to defecate and urinate. Adding 170 more (plus their friends that come to visit) will simply exacerbate an already untenable situation.

4.10.1.4 Applicable Land Use Regulations and Policies in the General Plan

This does not meet your own policy that necessitates the “highest standards of architectural and site design” I doubt that a project with a potential 15 year “sunset” date and a revolving population every 15 months would enhance and develop community character. Please note; I/we are not opposed to an affordable housing project in line with the current designation, applicable land use regulations and policies in the General Plan;

I/we are opposed to replacing it with Transitional Housing.

4.10.2 Would the project physically divide an established community?

NO IMPACT???? Really? It’s a Significant Impact. Evans Ln is a dead – end short road with its only ingress and egress located at the front of the proposed Transitional Housing site. 170 additional people would further separate the working poor in the Affordable Housing complexes from neighboring services. Not to mention once again the children who so far have been given no thought or concern by the City,

including planning. The Transitional Housing project would completely separate those complexes from living a normal life.

Page three/Nave'/Evans Ln
4/19/16

4.10.2.1 Consistency with the General Plan Land Use Designation and Zoning Again, "Less than Significant Impact?" This is definitely a significant impact on our neighborhood. It is completely different from the General Plan. This is as far a field from an Urban Village as one could get.. There will be no additional jobs, no new businesses created and certainly it will not produce a "walkable" neighborhood, it will further isolate this tiny neighborhood. Only cars will be used for safety's sake... No walking to catch the light rail that is for sure.

4.14.2.1 Impact to Public Services /Police Protection Services.

In one way I agree with the "Less than Significant Impact" designation. **There would be less than significant impact only because we currently don't have services at all...so there is nothing to impact.** The City and essential services has neglected, marginalized and forgotten this neighborhood. Police don't/can't respond to calls even when a little girl has been exposed to, twice; even if there is a violent street altercation; even if a mad man is throwing pipes at passersby, and business customers; even if drug deals are happening; even if parked cars are burned out and abandoned; even if a man is defecating in public. We currently don't have public services, we don't have police protection. We are already experiencing a "significant impact".

Impact to Public Services/Parks

Again, of course, this Transitional Housing project would have "Less than Significant Impact." The question is, why? **The answer is, there are no local parks to impact.** The streets, sidewalk or private property is the "park" of choice. If this housing is built, you can be sure Canoas Garden Road and Evans Ln. will continue being the "park!" The streets are crowded with cars and people now? What is the City going to do when 170 more are added to this tiny neighborhood already housing approximately 1300 homeless, mentally ill, poverty level residents and the working poor in the 3 affordable housing complexes on Evans Ln. What is the City going to do when the ingress and egress to Almaden Expressway is blocked? And what happens when some one is hit and killed because the streets are the park?

4.15 Recreation

Dare I repeat myself? **It has “Less than Significant Impact” because the parks and recreational facilities are the streets and local businesses.** 701 Curtner 's park is the street and will increase should this Transitional Housing facility be built.

Page four/Nave'/Evans Lane
4/19/16

- 1) Did the preparers of this report even visit and talk with the numerous residents already living on Evan's Ln. & Canoas Garden Road?
- 2) Would you want your children to walk by this homeless housing everyday to and from school? Remember the residents are primarily the working poor who often work 2 or 3 jobs to provide for their family and cannot take time off to drive and pickup their children from school. As I wrote, the children already walk the gauntlet in the neighborhood even now and you are willing to inflict even more?
- 3) Did you check with essential services regarding their ability to service this neighborhood?
- 4) Did you know that currently within the last two (2) weeks SJPd patrols have picked up, *but* every officer said that this is only temporary...and why is it temporary? Until the City can get this project approved and then they will let it return to a forgotten, ignored, marginalized neighborhood it was...only with even more severe problems to deal with.

From: Arthur Zwern <arthurzwern@gmail.com>
Sent: Thursday, April 21, 2016 10:30 PM
To: Ghosal, Sanhita; Nino, Art; Patrick.heisinger@sanjosec.gov
Subject: Evans Lane Plan Input - Unconventional Structures

Dear City Of San Jose Officials:

For 18 years I've owned a large home on 1/2 AC along the Guadalupe River at 2226 Coastland Ave, a few blocks from the proposed Evans Lane "sanctioned encampment". I have some serious concerns about the plan, mainly about crime and loitering and pedestrians crossing Almaden unsafely - but they can wait since I've been thinking about how to convince SJ to create a sanctioned encampment and never thought it would happen. So, learning of your program the other day shocked me in a good way as much as my NIMBY reaction did in a bad way. Most importantly, I think I can be of service, and I would appreciate contact with the planners and NPOs directly working the problem.

I'm a physicist and Harvard MBA with a 35 year history of innovations resulting in patents, startups, commercialized products, and awards. My directly relevant experience ranges from a homeless man living in my front yard to taking in friends who lost their homes to owning hundreds of low-income apartments to creating RVsWithoutBorders.org for Valley Fire victims. My disaster sheltering startup won an international "Best Global Security Idea of 2008" award judged by US intelligence agencies and homeland security contractors. My slotted plywood structures are also some of the world's leading "maker" projects. Now I am developing an extremely practical and unconventional structure to propose for Evans Lane.

To meet the public comment deadline I am sending this info very prematurely, as my little team is only a few weeks into design and we expected to propose our approach end May once our plans are in CAD. Attached are early sketches for a framed 8'x16' room with roof structure. It is under 20 sheets of 3/4" plywood, at under \$500 - assembled in minutes without a single fastener, including integrated furniture. After decking the roof and spray sealing the exterior, a family could dance on the roof or live inside - for up to 20 years, at a finished build cost of \$2k to society and perhaps nothing to City. Conventional construction would cost 50x that amount for the permits alone. An 8'x8' single bed room with desk is also in design. Also attached is an integrated photo-booth structure we made in March that inspired the homeless shelter design.

In short, instead of conventional high-cost portables that will feel institutional to your target clients, please consider experimenting with a novel shelter approach that offers each individual homeless person or family their own standalone nano-home. Our approach offers the following major price/performance and service model advantages:

Unconventional Rapid Shelter Simulates Sticks & Shear Wall:

- Total materials cost well under \$2k for 110 sq ft double room furnished with power, using retail materials (Home Depot & some Amazon).

- Any NPO, church group, or small team can pre-fabricate one in hours, in any garage or faster at a TechShop - and we will! 200 of them if needed.
- The shelter assembles in an hour completely furnished without any fasteners or tools, and may be rapidly sealed & finished to last 20+ years - yet still moved with a forklift & flatbed.
- Our unique constrained box design provides the equivalent of studs and skin/sheer wall, plus furniture/fixtures, using only slotted plywood parts.
- Uses a simple pier & beam raised foundation, with conventional decking/paper/shingles or sprayed roof - easy for Code to understand.
- Insert a standard door, escape window, insulation panels, and solar-powered light, smoke detector, alarm, and charging station during assembly - no plumbing, and no electric code issues.
- Modular interior system enables permanently-integrated bed platform, desk, night stand, closet, and eating/social area - just add donated soft goods.
- Resistant to water, wind, flying debris, earth movement, and other natural risks.
- We will develop and license the design plans at zero cost for non-profit uses like this one. Our slotted plywood designs are fabricated by thousands of “makers” worldwide annually, and they work.

Unconventionally-Collaborative Village Model:

- One flatbed of our flatpack shelters, one lunch truck, one sanitation trailer, one water & sewer hookup, and a fence can deploy a village in a day.
- Additional “rooms” enable a daily service fair environment for donated services (medical, social, job programs).
- I believe we can stir up corporations and NPOs to provide essentially ALL of the materials, labor, and services required for a complete village at no/low cost to City.
- Support prospects range from the obvious (Habitats and Home Depot and United Sanitation) to everything else needed (Kaiser Permanente and Mattress Discounters).
- City need just provide space, permits, security, insurance, water/sewer, some critical services (jobs training/programs and education & entertainment options) and whatever falls through collaboration cracks.
- If a few test units don’t work out, they can be shipped to Middletown where fire victims would love them until they get used for future Harbin “glamping” rentals. Yes, people will pay \$100/night to rent exactly what I propose here, if you add a hot pool with a view.
- The value of trying a radically collaborative experiment in San Jose and succeeding could be as impactful to the world as Intel or Cisco or anything else we do.

I hope you will contact me soon to discuss how I might assist San Jose in improving its encampment plan, technologically or otherwise. There are many other challenges to discuss,

like what will the residents do all day, and how will we help them get back into mainstream society, such as with a job. Therefore, it is frustrating to see the impacts on everything except birds ignored in the MND! Findings of no impacts on noise, population and housing, public services, recreation, transportation/traffic, or utilities and service systems? That seems outrageously naive to me, and ironic since a few blocks away Planning just said “no way” to splitting 1 AC into 5 lots due to densification concerns. As one impact example, Almaden Expressway will need its median fenced between Curtner and 87 overpasses since pedestrians cross it regularly and are likely to be killed. The Evans lane project will exacerbate this issue tremendously.

I may never understand the politics of planning, but the village infrastructure itself I think I can help you execute better, faster, and cheaper than anything conventional or even previously considered unconventional, with greater community support and greater client acceptance. At a fraction the cost you think it will take.

Regards,

Arthur Zwern
NextLevelAssets.com
408-482-1708



Department of Planning, Building and Code Enforcement
Harry Freitas, Director

ERRATA to the Evans Lane Transitional Housing Project

FILE NO.	GP16-001
LOCATION OF PROPERTY	East side of Evans Lane, approximately 800 feet northerly of Curtner Avenue (APNs 455-31-053 & 455-31-055).
APPLICANT	City of San Jose Housing Department (Attn. Patrick Heisinger)

PURPOSE

The California Environmental Quality Act (CEQA) Guidelines, Section 15073.5, requires that a lead agency recirculate a negative declaration “when the document must be substantially revised.” A “substantial revision” includes: (1) identification of a new, avoidable significant effect requiring mitigation measures or project revisions, and/or (2) determination that proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures and revisions must be required.

State CEQA Guidelines specify situations in which recirculation of a negative declaration is not required. This includes, but is not limited to, situations in which “new information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.” As noted below, revisions to the proposed project would not change the extent of the project analyzed in the Initial Study/Mitigated Negative Declaration (IS/MND). Changes to the negative declaration would therefore merely clarify the project being analyzed, and modifications would be insignificant. Recirculation of the negative declaration is therefore not required in accordance with Section 15073.5(c).

Proposed Modifications to the Previously Circulated CEQA Documents

Since the end of the public review period for the Initial Study/Mitigated Negative Declaration (IS/MND), internal staff review identified the Transportation section of the IS as a subject area that could benefit substantially from the addition of a Traffic Analysis. City of San Jose transportation engineers analyzed the project area and prepared the analysis to supplement the previously circulated CEQA determination.

The first part of the analysis involved the production of Trip Generation data which provides estimates of the proposed projects Daily Trips, AM-peak hour trips and PM-peak hour trips. In summary the additional analysis clarified the proposed volume of traffic that would be generated

by the project. The second part of this analysis evaluated the existing (before project) and proposed (after project) Level of Service (LOS) at the closest signalized intersection. This analysis indicated that the project generated traffic would not cause a significant impact at the study intersection.

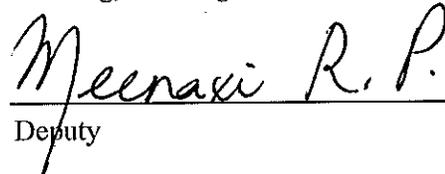
The addition of this supplemental analysis provided quantitative support to the Transportation sections previously circulated CEQA determination.

In addition, there were other clarification changes to the text throughout the Transportation section of the IS that did not change the project description, material analysis, or environmental conclusions. All changes to the IS has been identified in the Attachment A of this errata.

Conclusion

As discussed above, the only changes to the IS/MND occurred within the Transportation section of the IS and only served to better support the previously circulated CEQA findings. No changes to the MND were necessary. Since the addition of supporting analysis and clarification edits would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The information presented in this document serves to clarify or amplify conclusions in the MND. The new information is not significant and recirculation is not required. In conformance with Section 15074 of the CEQA Guidelines, the MND, technical appendices and reports, together with the Errata and the information contained in this document are intended to serve as documents that will inform the decision-makers and the public of environmental effects of this project.

Harry Freitas, Director
Planning, Building and Code Enforcement


Deputy

Date:

Attachment:

A. Changes to Initial Study/Mitigated Negative Declaration for Evans Lane Transitional Housing Project

4.16 TRANSPORTATION

4.16.1 Setting

4.16.1.1 Local Roadway Network

The project site is located on the east side of Evans Lane, just north of Curtner Avenue. Evans Lane connects to Almaden Expressway and Curtner Avenue connects to State Route 87 (SR 87).

Evans Lane is a two-lane roadway that is approximately one-third of a mile long. The roadway begins at the intersection of Canoas Garden Avenue and Almaden Expressway (this intersection operates as the northbound entrance to the expressway) and terminates at a cul-de-sac north of the project site.

Canoas Garden Avenue is a two-lane roadway that connects Evans Lane to Curtner Avenue. Curtner Avenue is a four-lane roadway with designated bicycle lanes that provides direct access to southbound Almaden Expressway and to SR 87.

Almaden Expressway is primarily a north-south, six-lane expressway extending from Alma Avenue to the Almaden Valley in south San Jose. Access from Almaden Expressway is provided via the intersections with Curtner Avenue.

State Route 87 is primarily a six-lane freeway that is aligned in a north-south orientation within the project vicinity. Access to the project site to and from SR 87 is provided via a full interchange with Curtner Avenue, and partial interchanges with Almaden Expressway.

4.16.1.2 Public Transportation, Pedestrian, and Bicycle Facilities

Pedestrian Facilities

Within the project area, there is a ~~substandard~~ sidewalk on the east side of Evans Lane (the sidewalk is less than three feet wide along the project frontage) and standard width sidewalks on both sides of Canoas Garden Avenue and Curtner Avenue. Signalized pedestrian crossings and designated crosswalks are located at the intersection Canoas Garden Avenue and Curtner Avenue. As noted above, the nearest bicycle route is on Curtner Avenue, located approximately 900 feet south of the project site.

Bicycle and Transit Facilities

~~One bus line, Route~~ Bus Line 26, is located within 1,000 feet of the project site on Curtner Avenue.

~~In addition,~~ The Curtner Light Rail Station is located approximately 975 feet southeast of the project site (a total walking distance of approximately one-third of a mile or 1,550 feet) and provides services between downtown San Jose, East San Jose, and South San Jose. This line can be used to transfer to Caltrain at the Tamien Station.

Existing Amenities

The Plant Shopping Plaza is located approximately one mile east of the project site on Curtner Avenue between Monterey Highway and Little Orchard Street. There are multiple dining and shopping services including Home Depot, Best Buy, Panera Bread, etc.

The Willow Glen Shopping Center is located approximately one-half mile southwest of the project site on Curtner Avenue between Almaden Expressway and Almaden Road. The center has multiple services including banking, fitness, theater, etc. Transit services to and from both shopping centers is provided via VTA bus line 26.

4.16.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1-3
2. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1-3
3. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1-3
4. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1-3
5. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1-3
6. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1-3

4.16.2.1 Transportation Impacts

(Checklist Questions #1 and 2)

The City of San Jose requires a transportation analysis for General Plan amendments if the proposed land use designation would result in net increase of 200 or more peak hour trips compared to the existing land use designation, based on the City’s General Plan development assumptions. If a change in land use would not result in 200 or more net new peak hour trips, the proposed General Plan amendment is presumed to have a less than significant impact on the local roadway system.

The current land use designation would result in approximately 74 jobs. The proposed land use designation would result in approximately 148 dwelling units. The City of San Jose has determined that this change in land use would not result in a net increase of 200 peak hour trips. As a result, no General Plan long-range transportation analysis is required. **(Less Than Significant Impact)**

CEQA thresholds are in accordance with the City’s Council Policy 5-3, Transportation Level of Service (LOS). This policy provides guidance for the determination of significant traffic impact. Policy 5-3 states that all single family attached or multi-family residential projects of 25 units or less are exempt from LOS analysis. In addition the The Santa Clara Valley Transportation Agency Congestion Management Plan (CMP) requires a transportation analysis to be prepared when a project would add 100 or more peak hour trips to the roadway network. Projects that generate fewer than 100 trips in either peak hour are presumed to have a less than significant impact on the Level of Service (LOS) of local intersections that would carry project traffic. Based on these thresholds, the currently proposed project would not be considered exempt. City of San Jose traffic engineers have therefore conducted an analysis of Trip Generation Estimates and Intersection Level of Service to determine if the proposed project would result in a significant impact to the local roadway system.

The following table (Table 4.16-1) provides an estimation of project trips for this kind of facility.

Project Trip Estimates

Table 4.16-1: Trip Generation Estimates

Land Use	Size	Daily Trip Rates	Daily Trips	AM Peak Hour		PM Peak Hour	
				Pk-Hr Rate	Pk-Hr Trips	Pk-Hr Rate	Pk-Hr Trips
<u>Proposed Project</u>							
Transitional Housing ¹	28 Units	2.31	65	0.14	4	0.22	6
<u>Notes:</u>							
¹ Trips based on “Assisted Living” rates (Land Use 254) contained in the ITE Trip Generation Manual, 9 th Edition, 2012.							

The proposed project will provide transitional housing for up to 170 persons. In addition to on-site residents, up to 12 people (10 service employees and two on-site managers) will be on-site at a time. The project site will provide approximately 40 parking spaces to accommodate residents and staff which is consistent with the trip generation. Based on the above table, the project is projected to generate 65 net new daily trips, with four AM and six PM net new Peak Hour trips, which is well below the City’s significance threshold for trip generation. Consistent with the City’s policy, the

LOS was measured at the nearest signalized intersection (Curtner Avenue and Canoas Garden Avenue). Table 4.16-2 below summarizes the intersection LOS.

Intersection Level of Service Analysis

Table 4.16-2: Intersection Level of Service Summary

Intersection	Peak Hour	Existing		Existing Plus Project			Background		Background Plus Project		
		Avg Delay	LOS	Avg Delay	LOS	Inc Crit Delay	Avg Delay	LOS	Avg Delay	LOS	Inc Crit Delay
Canoas Garden and Curtner	AM	36.6	D	36.6	D	0.0	35.9	D	36.0	D	0.1
	PM	33.3	C	33.5	C	0.2	33.3	C	33.4	C	0.1

The result of the analysis indicate that the LOS would remain at D in the AM Peak Hour and C in the PM Peak Hour with the addition of project generated traffic. Therefore, the project is in conformance with both the City’s LOS policy (Council Policy 5-3) and the Santa Clara Valley Transportation Agency Congestion Management Plan (CMP) and would result in a less than significant LOS impact (**Less Than Significant Impact**).

Based on the known demographics of the target population for the project, it is reasonable to assume that most residents would not have automobiles. The analysis assumes a total of 40 automobiles on-site, 12 for employees (including the on-site managers) and 28 for residents. Based on the *Institute of Transportation Engineers Trip Generation Manual (9th Edition)* the proposed transitional housing project would generate four AM and six PM net new Peak Hour trips.¹ Total daily trips would be approximately 61 trips. Therefore, the project would be well below the 100 peak hour trips threshold and would have a less than significant LOS impact. (**Less Than Significant Impact**)

Future residential development under the proposed General Plan amendment would generate approximately 984 daily trips with 75 AM and 92 PM Peak Hour trips.² As a result, future development under the proposed General Plan amendment would likely be below the 100 peak hour trips threshold and would have a less than significant LOS impact. (**Less Than Significant Impact**)

4.16.2.2 Airport Operations

(Checklist Question #3)

The proposed project is located approximately 4.3 miles south of the Norman Y. Mineta San José International Airport. The proposed project would not result in a change in air traffic patterns or obstruct airport operations. (**No Impact**)

¹ Based on a Congregate Care Facility, land use 253.

² Based on 148 apartments (land use 220 in the *Institute of Transportation Engineers Trip Generation Manual (9th Edition)*)

4.16.2.3 Site Design

(Checklist Question #4)

The final site design has not yet been determined. As a condition of approval, the final site design will ensure that the project will not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses. **(Less Than Significant Impact)**

4.16.2.4 Emergency Access

(Checklist Question #5)

The main access to the project site would be via the existing ingress/egress driveway from Evans Lane. The final site design has not yet been determined; however, it is assumed that the project would have a two lane internal access road that would circulate through the site to the designated parking area(s). As a condition of approval, the project will be required to meet standard permit conditions for emergency vehicle access. As a result, the project will have a less than significant impact on emergency access. **(Less Than Significant Impact)**

4.16.2.5 Public Transportation, Pedestrian, and Bicycle Facilities Impacts

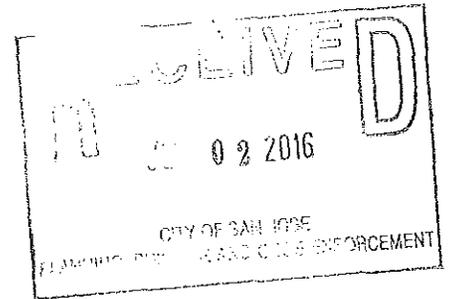
(Checklist Question #6)

The proposed project would not preclude the installation of planned public transportation, pedestrian, and bicycle facilities nor interfere with the operation of existing or proposed public transportation, pedestrian, and bicycle facilities in the project area. Therefore, the proposed project would not create a significant impact. **(Less Than Significant Impact)**

4.16.3 Conclusion

Implementation of the proposed project will have a less than significant impact of local traffic operations, transportation facilities, airport operations, and emergency vehicle access. **(Less Than Significant Impact)**

Memorial Day week-end 2016



Your Honor,

Mayor Sam Liccardo:

I am a Senior Citizen and having lived in San Jose for 55 years, I've pretty much seen it all - I thought!!

Currently, the homeless get quite a bit of press. First, empty motels, then gracious kind church people, all for the good. Then we come to the convoluted idea to change the Evans Lane zone from this to that - all intended for no other reason than to build places for the homeless.

Businesses from Conklin Brothers Floor's to the Church, Cathedral of Faith, have attended meetings in opposition to this horrible idea. It has been pointed out that San Jose presently owns 30 other sites in which to choose from ~~~~ imagine that!

The present council representative from Almaden needs to look no further than the huge empty P & W Market at Almaden & Via Valente. Empty for about 2 years, with plenty of parking. How's that for a novel idea? That locale could be ready for occupancy much sooner than Evans Lane & house more homeless folks.

I myself have attended (3) meetings; Senior Center 7 Trees, Scottish Rite Masonic Temple & lastly, City Council chambers. Even to the most naïve citizen, it's extremely obvious those affairs were NOT to gather community input. They were mandated solely, so that the zoning could be changed to suit your interest.

Believe it or not, after much thought, my wife & I voted for you for mayor. As of the moment, that appears to have been very poor judgment on our part.

I am sending this correspondence to you by routine U.S. mail, so that you can actually read this and not have the luxury of just deleting this in your email. I am also sending a copy of this to members of the City Council & also, Director Harry Freitas, Director of the Planning Commission.

I don't hold much hope that the June 14th council vote will change anything ~ but I can always hope!

A very unhappy Willow Glen Homeowner,

Robert Schuman



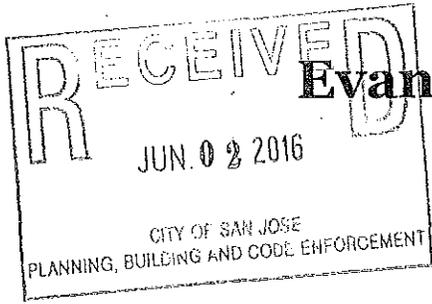
Cc:

Scott Herhold

SJ Mercury News

4 North 2nd St., Suite 800, San Jose, CA 95113

Enclosures (2)



Evans Lane wins planners' OK

By julia baum

@community-newspapers.com

A proposal to redesignate a 6-acre site on Evans Lane near the Canoas Garden neighborhood so temporary dwellings can be set up for about 200 homeless people passed a hurdle last week.

The San Jose Planning Commission voted 4-1 on May 4 to support changing the property from neighborhood/community commercial to mixed-used neighborhood. The proposal goes to the city council on June 14.

Residents who attended the commission's meeting had mixed feelings about the proposal. Some who live near the site said they fear it will result in more crime and lower property values, while others welcomed it.

Homeowner Katie Galli said she was upset because the city did not disclose its plan for the site when it notified neighbors about the proposed rezoning.

"The people in my neighborhood were only told that this is going to change land use from commercial to mixed use," Galli told the Resident. "That's all my neighbors thought, so they thought, 'Great--apartments, shops, cute.' They were not told anything about the homeless community. We pay some of the highest property taxes in all of San Jose, so why put it there?"

Jennifer Loving, executive director of the nonprofit Destination Home and a resident of the area, told commissioners the homelessness epidemic has traumatized the entire community, and the only solution is to build more housing.

"I want the folks that are living outside all around me right now to have more opportunities for places for them to live," Loving said. "We can't end homelessness without creating more housing."

The Rev. Robert Mize, pastor of nearby Cathedral of Faith on Canoas Garden Avenue, said he was "excited" about the project but urged officials to "use wisdom" regarding the location of housing. He suggested they instead consider some of the 30 city-owned surplus properties not being used.

"I think that will be a better thing to do instead of dragging more people into an already very populated area," Mize said.

Renita Fleming, who has been camping on the front lawn of Grace Baptist Church in downtown San Jose for several years, said she has experienced multiple health problems including Type 1 diabetes, two strokes and a cancer diagnosis. She said living outdoors is detrimental to her well being and implored the commission to approve the land use change so she might have a chance to get better.

"My life is on the line, and I'm still sick right now," Fleming said. "We all deserve a chance, and right now I need a chance to get inside."

05/15/16

Letters

Von Raesfeld's solution for homeless has merit

If you feel that Myron Von Raesfeld's solution (Editorial, May 11) for sheltering the homeless suggests a Third World refugee camp, consider those of us who are trying to protect our businesses (and homes) from the ravages of the homeless who are rapidly taking over the area of San Jose City Council District 6 near the Evans Lane Project, already having claimed the area surrounding the Boccardo Reception Center in Council District 7. The cost of defending ourselves is outrageous in terms of loss of business, declining property values, increased security (including expensive security fencing), property damage and exposure to filth in every form,

plus cleanup of same.

I would take Von Raesfeld's idea a step further and create a tax relief zone for all businesses and residences within that area near the Boccardo Reception Center and the Evans Lane Project who have and will in the future suffer from the presence of the homeless.

Elizabeth Raber
San Jose