

Shape Our Fremont

Where Fremont residents can learn about shaping proposed housing developments...

Mid-June 2016 Update

June has already been a busy month, and there are several more development-related updates to report.

Kimber Park

On June 7th, the City Council approved the city-initiated General Plan Amendment (GPA) to change the Land Use Designation of a 12.72-acre property at 10 East Las Palmas Ave. from "Kimber Study Area" to "Private Open Space".

The City had passed this GPA in 2012, but the property owner successfully sued the City on the grounds that the GPA noticing process had not been fully implemented. So the City had to start all over again.

The purpose of the GPA was to assign the General Plan Land Use Designation that best fit the currently approved uses for the land. The property owner had previously had a non-residential project approved, and it does fit the Private Open Space designation.

The complication comes from the rule that changing a "Private Open Space" designation requires a vote of the people or an unanimous vote of the City Council. This rule was the result of the unanimously approved "The Protect Fremont Private Open Space Initiative of 2012".

Therefore it would be more difficult for a property owner of the parcel to change the designation to allow houses or a fully commercial venture in the future.

Land Sale - Regan Nursery Location

The City sold 9.59 acres of surplus property between Decoto Rd. and Fremont Blvd. to SiliconSage Builders for \$32 million. This is the current location of Regan Nursery which has been given an extension of their lease until December 2016.

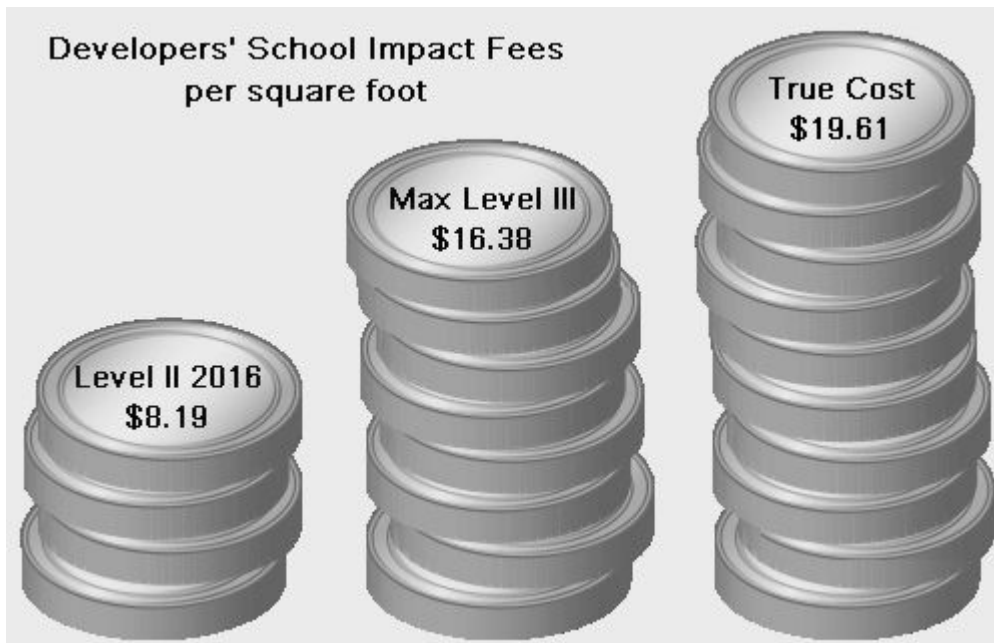
The three parcels were part of the proposed Route 84 corridor between I-880 and Mission Blvd. that has since been abandoned. The Fremont Unified School District purchased the section from Fremont Blvd. to Paseo Parkway.

The land is zoned for Commercial - Mixed-Use which requires a commercial front along major streets (Decoto Rd and Fremont Blvd.), but allows residential behind. No formal development plans have been submitted. However, with a bid of \$4 million over the minimum bid, we expect SiliconSage to develop the land soon.

City Budget

Councilmember Bacon has pointed out that the City Budget determines a great deal of what can or cannot, does or doesn't get accomplished in the city. Public hearings on the proposed 2016-2017 City Budget will be held at two City Council meetings - June 14th and June 21st.

We encourage you to review the City of Fremont 2016/17 Proposed Operating Budget and voice your opinions. See www.ShapeOurFremont.com for links to the budget and the agendas.



Level III Developers School Impact Fees

News from Dr. Morris, Superintendent of Schools, F.U.S.D.: "On May 25, 2016, the State Allocation Board (SAB) authorized school districts to impose Level III developer fees. The news was heralded by school districts in dire need of facilities funding, especially those that have experienced significant growth in the last decade. Celebrations were short-lived as the California Building Industry Association (CBIA) immediately filed a legal challenge and secured a temporary restraining order (TRO) blocking the imposition of Level III developer fees until the court decides whether a preliminary injunction should be issued. The matter is scheduled to be heard on July 1, 2016 in Sacramento."

Currently, the District is only allowed to collect Level II fees. On May 20th, the School Board voted to increase the Level II fees from \$5.70 to \$8.19 per sq. ft. In the week before the increase became effective, several developments paid the lower fees. Developers pay the impact fees after their project has been approved and they are ready to pull building permits - when they are really ready to build.

As of June 2016, the amount of impact fees that the School District would have to collect to cover the actual average cost of school construction (True Cost), has risen from \$17.22 to \$19.61 per sq. ft..

Regarding Measure I, Dr. Morris writes: "We are grateful for the continued support of our community through the passage of Measure I. While these funds will be instrumental toward the continuation of school programs, we depend on Developer Fees to fund school construction vital to address our overcrowding situation."

Quote of the Month

Like many Bay Area cities, Palo Alto is struggling to stem the tide of overdevelopment. During a recent City Council meeting, one councilmember noted that a proposed project was too big and out of context for the area, and commented "I think we're trying to squeeze an elephant into a tutu."

For the latest information on residential development projects, go to www.ShapeOurFremont.com