

**RCUP Use Variance and
Declaration of Exempt
Surplus Land for Cahill
Street Extension
Property**



Overview

- The City of San Jose would like to purchase a small JPB-owned parcel adjacent to Diridon Station for the purpose of extending Cahill Drive
- Staff recommends that the Board:
 - Approve a Rail Corridor Use Policy variance for use of property adjacent to Diridon Station for a roadway extension
 - Declare the property “exempt surplus land” for the purposes of the Surplus Land Act

Background

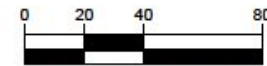
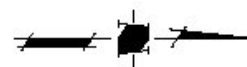
- The City of San Jose wishes to purchase a small strip of property located adjacent to Diridon Station for the purpose of an extension of Cahill Street (< 5,000 SF)
 - The roadway extension is one of many access and circulation improvements identified as needed as part of the Diridon Station Area Plan
 - The extension will improve access to Diridon Station and help to facilitate development of Google's Downtown West
- Google would construct the roadway and dedicate it to the City



JPB-SCL-0025-X1



PROPOSED STREET DEDICATION
FEE TITLE TRANSFER TO CITY OF SAN JOSE
±4,700 SF



1 INCH = 40 FEET

Downtown West
 APN 261-34-020

CAHILL EXTENSION

HMH#5719.00 | Drawn: DM | Review: TG | Scale: 1" = 40' | Date: 05.02.22



1570 Oakland Road
 San Jose, CA 95131
 (408) 487-2200
 HMHca.com

PLOTTED: 5/3/2022 11:18 AM S:\PROJECTS\571900\PL\EXHIBITS\20220502 571900 CAHILL CALTRAIN.DWG



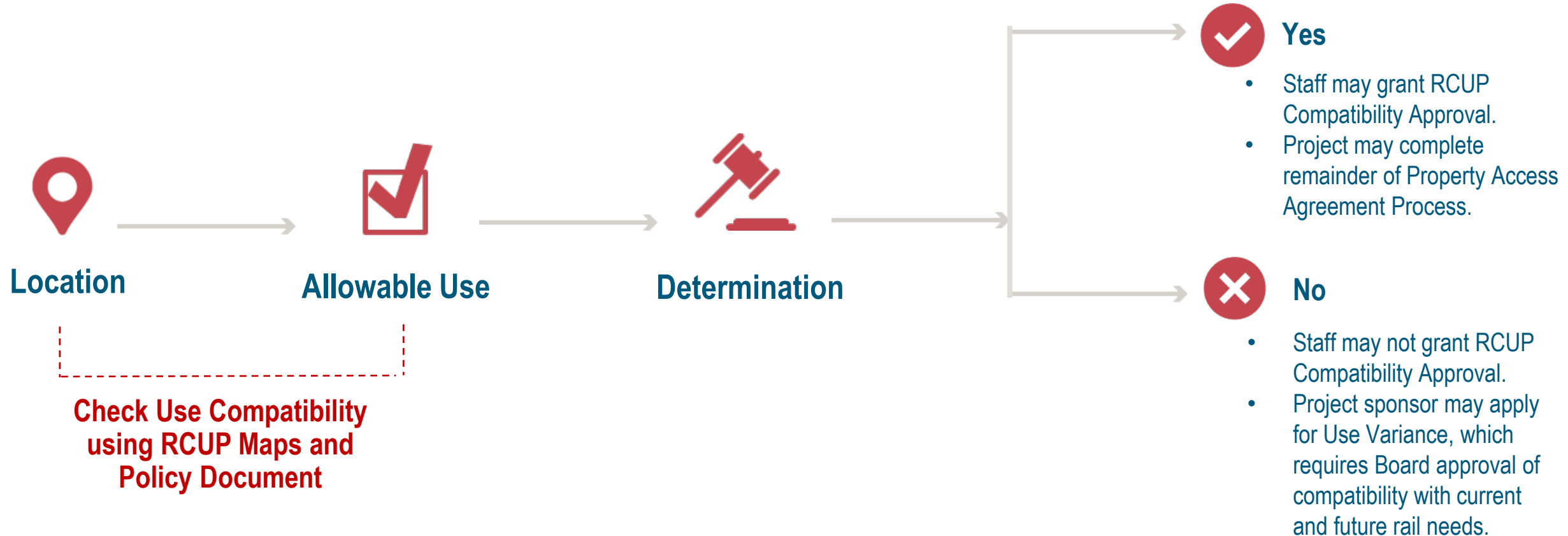
View of Property Looking Northeast



Rail Corridor Use Policy (RCUP)

- RCUP guides the use of JPB Property and supports delivery of Caltrain's Long-Term Service Vision
- This site was designated "Property Use Zone 4: Special Study Area", because its use would be determined by a specific planning effort (DSAP)
- The site is also included within the "Service Vision Capital Project Overlay" because it is within the area studied as part of the Diridon Integrated Concept Plan (DISC).

RCUP Compatibility Review Decision-Making Process



Staff Recommendation

- **Approve a RCUP variance for use of property as part of the Cahill Street roadway extension**
 - The extension will aid in implementation of the DSAP and enhance access to Diridon Station from surrounding development
 - Construction of a roadway is not expected to preclude future implementation of DISC or Caltrain's Long-Term Service Vision

California's Surplus Land Act

- The Surplus Land Act applies to local agencies, including the JPB
- The Act requires that park districts, public school districts and affordable housing developers have the first opportunity to purchase agency-owned land before selling to another buyer
- Before disposing of land, the Board must declare property “surplus land” or “exempt surplus land”, and provide written findings to the California Department of Housing and Community Development (HCD).

Staff Recommendation

- **Declare the property “exempt surplus land” for the purposes of the Surplus Land Act**
 - The property meets the criteria for exempt surplus land because it will be transferred to another local government agency (the City of San Jose)
 - HCD has reviewed the draft determination and confirmed that the property meets the criteria for this exemption if transferred for this purpose

Next Steps

- If the Board approves the RCUP Use Variance and declares the property exempt surplus land, staff will:
 - Provide required notice to HCD
 - Proceed with negotiations for sale of the property to the City for fair market value
- The final terms of sale of the property will be subject to approval by the Board