



NEWS RELEASE

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Groups file suit to prevent sprawl **SUIT ALLEGES SAN JOSE ACTED ILLEGALLY IN** **APPROVAL OF SOUTH ALMADEN SPORTS COMPLEX**

SAN JOSE, CA -- Two local organizations challenged the City of San Jose with a lawsuit over the City's recent approval of general plan amendment that would ultimately allow development of a massive sports field complex proposed for the rural South Almaden Valley. Committee for Green Foothills (CGF), one of the Bay Area's oldest and most respected environmental advocacy organizations, and the South Almaden Valley Rural Alliance (SAVRA), a community group working to protect the valley's rural heritage, filed suit over the City's actions in approving the general plan amendment with inadequate environmental documentation.

The groups allege that the City's decision is illegal, and paves the way for long-term urban-level uses in this rural area without consideration of the overall impacts or regional planning. The City Council approved this project in December despite a 5-2 recommendation of the City's own Planning Commission to deny it.

San Jose's decision skirts requirement for land use planning

Together with law firm Shute Mihaly & Weinberger LLP, the community groups state that, while amending the City's General Plan to allow massive recreational developments such as the proposed 35-acre sports complex, San Jose failed to produce an overall plan for the region as it committed to do before developing this land in unincorporated Santa Clara County.

In order to allow permanent uses on land that is still outside City limits, the city would need to annex the land, develop a land-use plan, and conduct extensive public review, all of which it failed to do.

Piecemeal development trumps sound land use planning

San Jose's General Plan states it may eventually seek to annex and develop the Almaden Valley area, but only as part of an overall plan for the area, and only when growth pressures on the City require development. The City acknowledges it can't develop the Valley now, but is trying to get around limits on development by allowing "certain limited interim recreational uses."

For example, the City's approval of the general plan amendment would allow the massive sports complex proposed to be used for the next two decades, but by claiming it is an "interim" use, the City is sneaking around the entire land use planning process and opening the door for development of Almaden Valley.

"This proposal brings unplanned growth that destroys working farmland and the rural character of the area," said Brian Schmidt, Legislative Advocate for the Committee for Green Foothills.

"Children deserve better than to be used as tools for spreading development across Almaden

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Valley. Their athletic fields should be in the city where they live, not at the end of a dangerous road far outside of town.”

Process violates state environmental law

By paving the way for the sports complex with an inadequate Environmental Impact Report (EIR), the City of San Jose is violating the California Environmental Quality Act (CEQA). The City ignores or downplays impacts to water quality that could dry wells on working farms, ignores impacts to pedestrians and bicyclists that will inevitably use the roads, neglects alternative locations for athletic fields, and disregards the project’s role of “locking in” unplanned development that might not otherwise happen.

“San Jose’s current interest in creating a Los Angeles-style suburb in Almaden Valley can be defeated or changed,” said Schmidt, “but a massive sports complex in Amaden has the opposite effect of promoting sprawl.”

The groups’ lawsuit says that San Jose failed to take these and other problems into account.

Sports complex replaces working farmland

The general plan amendment would begin the area’s transformation from working farms to sprawling suburbs. Outside of San Jose’s city limits, the McKean Road Sports Complex would be a massive urban project replacing farmland with athletic fields designed to hold enough people to need a 569-space parking lot, with all the associated adults and children.

“Heavily-used facilities should be in population centers, not on their outskirts,” said CGF’s Brian Schmidt. “Placing this huge center on the edge of the city is clearly NOT smart growth.”

Legal challenge asks City to reverse decision

San Jose has said it currently wants a somewhat smaller facility than it originally planned, but the City’s general plan amendment will allow it to approve a full-scale complex unless CGF and SAVRA bring a legal challenge.

The two groups filed suit after months of urging the City of San Jose to conduct sound long-term planning before approving piecemeal development of Almaden Valley. Filed on January 13, 2005 with Santa Clara County Superior Court, the suit will proceed over coming months if San Jose does not reverse its approval of the General Plan changes.

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About the Committee for Green Foothills

Committee for Green Foothills is a regional grassroots organization working to establish and maintain land-use policies that protect the environment throughout San Mateo and Santa Clara Counties. Committee for Green Foothills, established in 1962, is a Bay Area leader in the continuing effort to protect open space and the natural environment of our Peninsula. For more information, visit www.GreenFoothills.org.