

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

Planning District/General Number P.C. 05-12-04 Item #: 3.n.
File Number C04-035
Application Type Conventional Rezoning
Council District 3
Planning Area Central (Washington SNI, Spartan Keys SNI, and Martha Gardens Specific Plan).
Assessor's Parcel Number(s) See Attached APN List.

STAFF REPORT

PROJECT DESCRIPTION Completed by: Juan F. Borrelli, AICP

Location: Most properties along both sides of South First Street, south of Highway 280 and just north of West Alma Avenue.

Gross Acreage: 18.95 Net Acreage: 18.95 Net Density: N/A

Existing Zoning: LI Light Industrial, CN Neighborhood Commercial, and CG General Commercial. Existing Use: Light Industrial, Commercial, and Residential Uses.

Proposed Zoning: CP Pedestrian Commercial (80 Parcels), and R-M Residential (5 parcels). Proposed Use: Commercial/Residential Mixed Uses.

GENERAL PLAN Completed by: JFB

General Commercial, Medium High Density Residential (12-25 DU/Acre), and Residential Support for the Corridor. TODC (Guadalupe Corridor). Project Conformance:
 Yes No
 See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING Completed by: JFB

North: Commercial and Residential Uses. CN, CP, CG, R-1-8, R-2, and R-M Residence.

East: Light Industrial, Heavy Industrial, Commercial, Auto-Related Uses, and Residential Uses. LI, HI, CN, CG, R-2, and R-M.

South: Light Industrial, Heavy Industrial, Commercial, Auto-Related Uses, and Residential Uses. LI, HI, CP, CN, CG, R-1-8, and R-2.

West: Commercial, Auto-Related Uses, and Residential Uses. CP, CN, R-2, and R-M.

ENVIRONMENTAL STATUS Completed by: JFB

Environmental Impact Report found complete (GP 2020 EIR certified 8/16/1994) Exempt
 Negative Declaration circulated on Environmental Review Incomplete
 Negative Declaration adopted on

FILE HISTORY Completed by: JFB

Annexation Title: Original City Date: March 27, 1850

 PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

<input checked="" type="checkbox"/> Approval	Date:	Approved by:
<input type="checkbox"/> Approval with Conditions		
<input type="checkbox"/> Denial		<input checked="" type="checkbox"/> Action
<input type="checkbox"/> Uphold Director's Decision		<input type="checkbox"/> Recommendation

APPLICANT: City of San Jose

OWNER: Various

ENGINEER: N/A

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: JFB

Department of Public Works

None received.

Other Departments and Agencies

See attached Memorandum from the Fire Department.

GENERAL CORRESPONDENCE

See attached Letter of Support from the Spartan Keyes Neighborhood Advisory Committee (NAC).

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The subject project is a City-initiated conventional rezoning from LI Light Industrial, CN Neighborhood Commercial, and CG General Commercial Zoning Districts to CP Pedestrian Commercial Zoning District (80 parcels), and to R-M Multiple Residence Zoning District (5 parcels) of an 18.95 gross-acre project area. The project site is located within the Washington, Spartan Keyes and Martha Gardens neighborhoods of the Washington and Spartan Keyes Strong Neighborhoods Initiative (SNI) Planning Areas and the Martha Gardens Specific Plan Planning Area. The Washington, Spartan Keyes, and Martha Gardens Plans all recommend changes to the current General Plan land use designations and zoning districts within these communities, and is the impetus for this proposed rezoning.

The project site area consists of 85 already developed parcels. The majority of these properties are developed with retail uses, but also include auto-related (both commercial auto sales and light industrial auto repair) uses, gas stations, other light industrial and/or office uses, vacant lots and/or buildings, surface parking lots, and a small number of residential and mixed (residential over retail) uses.

The subject project area includes most of the properties along both sides of South First Street from south of Highway 280 to just north of West Alma Avenue (see attached Map). The adjacent land uses on the Spartan Keyes/Martha Gardens neighborhood side (east of South First Street) are largely a variety of residential uses, including single-family detached, single-family attached (townhomes), duplexes, single-family with detached 2nd units, triplexes, fourplexes, multi-family (apartments), and mixed uses (residential over retail). Other uses, such as retail, office, public/quasi-public, light industrial, auto-related, and vacant parcels, are interspersed throughout the residential areas. The five neighborhood subareas of Guadalupe/Washington, Goodyear/Mastic, Tamien, Alma/Almaden, and Cottage Grove/Pomona comprise the immediately adjacent areas on the Washington neighborhood side (west of

South First Street). These neighborhood subareas are also predominantly made up of a wide range of residential uses, and other uses interspersed such as retail, office, public/quasi-public, light industrial, auto-related, parking, and vacant parcels.

ENVIRONMENTAL REVIEW

The environmental impacts of this project were addressed by a Final EIR entitled, *San José 2020 General Plan EIR*, which was certified on August 16, 1994, by the City of San José City Council Resolution Number: 65459. The proposed rezoning to CP Pedestrian Commercial and R-M Multiple Residence Zoning Districts is consistent with the land use described within the General Plan.

GENERAL PLAN CONFORMANCE

The *San José 2020 General Plan* Land Use/Transportation Diagram designations for the subject project area are General Commercial, Medium High Density Residential (12-25 DU/Acre), and Residential Support for the Core (see attached General Plan Diagram). The area is also located within the Guadalupe Transit Oriented Development Corridor (TODC). The proposed CP Pedestrian Commercial and R-M Multiple Family Residence Zoning Districts are consistent with these designations.

ANALYSIS

The proposed rezoning will achieve two goals for the subject area: (1) improve consistency with the *San José 2020 General Plan*; and (2) further the respective plan goals and priorities, including implementation of the respective plan recommendations of the adopted *Washington SNI Neighborhood Revitalization Plan Update*, the adopted *Spartan Keyes SNI Neighborhood Improvement Plan*, and the adopted *Martha Gardens Specific Plan*.

San José 2020 General Plan

Presently there is an inconsistency between the zoning districts and the City's General Plan land use designation in the subject project area. These inconsistencies send a mixed message to property owners and developers about the development potential for a given property. The goal of this City-initiated proposed rezoning is to rezone properties to the appropriate zoning district that reflects the current General Plan land use designations. The proposed rezoning to CP Pedestrian Commercial and R-M Multiple Family Residence Zoning Districts will bring consistency between the zoning districts within the rezoning area and the land use policies per the *San José 2020 General Plan*. Additionally, establishing consistency between the General Plan and Zoning for the subject properties removes a barrier for property owners to the development or improvement of their properties. The proposed rezoning will facilitate the development and improvement of South First Street as a commercial/mixed-use and transit-oriented development corridor, consistent with the General Plan.

Strong Neighborhoods Initiative (SNI) Plans and Martha Gardens Specific Plan

The Washington and Spartan Keyes Neighborhood Advisory Committees (NACs), in partnership with the City of San José, have developed the *Washington SNI Neighborhood Revitalization Plan Update* and the *Spartan Keyes SNI Neighborhood Improvement Plan*, which include this project area. These two community driven SNI plans establish goals/objectives, priorities, and an action plan for improving the quality of life in both City of San José neighborhoods. The action plan provides guidance on future public improvements and services as well as private development.

The *Martha Gardens Specific Plan* was developed over a period of sixteen months in close collaboration with the City's SNI program and was adopted by City Council in December 2003. It establishes a framework for redevelopment in this area of the City, draws on the existing and historic uses in the area, and defines the vision and detailed policy guidelines for a new community with emphasis on new housing together with family and arts-oriented services and facilities. The plan envisions this neighborhood to be a lively mix of residential, commercial, recreation, education and arts uses with safe and pleasant pedestrian environments, parks and community facilities, and preserved historic buildings.

The City Council adopted *Washington SNI Neighborhood Revitalization Plan Update*, the *Spartan Keyes SNI Neighborhood Improvement Plan*, and the adopted *Martha Garden Specific Plan* recommends changes to the current General Plan land use designations and zoning districts within both the Washington and Spartan Keyes/Martha Gardens communities, which is the impetus for this subject project.

Washington SNI Neighborhood Revitalization Plan Update

This proposed rezoning will help to bring conformance with the adopted *Washington SNI Neighborhood Revitalization Plan Update* goals/objectives, and priorities, including:

- ✍ Preserve and build upon the strengths of the community (Plan Goal #1a, p. 34);
- ✍ Preserve and enhance the existing strengths of the Washington area (Plan Priority #1a, p. 47-U);
- ✍ Review the zoning and General Plan designations on South First Street/Monterey Highway (to identify opportunities for changes that would facilitate the development of housing and compatible land uses) (Plan Priority #2c, p. 48-U);
- ✍ High quality housing is affordable to low and very low income households (Plan Goal #4, p. 34);
- ✍ The appearance of the neighborhood is enhanced with attractive buildings, appropriate landscaping, and street improvements (Plan Goal #6, p. 35);
- ✍ Promote land uses that enhance the existing residential neighborhood character and support the business districts (Plan Goal #6c, p. 35);
- ✍ Continue existing programs to enhance businesses in the Monterey Corridor Redevelopment Area and pursue solutions to conflicts on Bellvue Avenue (Plan Priority #16b, p. 98-U); and
- ✍ Encourage new neighborhood serving businesses ensuring they are compatible to the area (Plan Priority #16d, p. 99-U).

Spartan Keyes SNI Neighborhood Improvement Plan

This proposed rezoning will help to bring conformance with the adopted *Spartan Keyes SNI Neighborhood Improvement Plan* goals and objectives, including:

- ✍ Adjust land use policies to encourage neighborhood-oriented commercial development and infill residential development (p. 13);
- ✍ Encourage relocation of auto-related and light industrial businesses to other areas within the City (p. 13);
- ✍ Improve pedestrian and bicycle circulation within the neighborhood and to adjacent districts and nearby destinations (p. 9);
- ✍ Improve the appearance and physical condition of neighborhood streets and sidewalks (p. 11);
- ✍ Reduce anti-social activity within the neighborhood (p. 12);
- ✍ Encourage the reuse and renovation of historic warehouses for residential, commercial, and/or public uses (p. 13); and
- ✍ Discourage light and heavy industrial land uses within the neighborhood -- particularly in existing and planned residential and commercial areas (p. 13).

Martha Gardens Specific Plan

The proposed rezoning will help to bring conformance with the adopted Martha Gardens Specific Plan goals, objectives, and policies, including:

- ✍ Provide for residential infill and intensification that reinforces a sense of neighborhood (p. 15);
- ✍ Promote viable reuse of historic buildings (p. 15);
- ✍ Provide for the preservation and enhancement of the existing arts community (p. 15);
- ✍ Encourage existing viable uses and businesses to remain (p. 16);
- ✍ Encourage neighborhood serving commercial services (p. 16);
- ✍ Retain some of the existing informal and eclectic character of the Martha Gardens area in the new community (p. 17);
- ✍ Phase out auto and other industrial uses along South First Street to create a more viable commercial business district and to better serve the needs of the adjacent neighborhoods (p. 29);
- ✍ South First Street should be improved as a neighborhood and district-serving commercial spine with ground floor retail and commercial uses (p. 29);
- ✍ A mix of upper level uses including residential and office uses are encouraged (p. 29);
- ✍ Aggregation of parcels is encouraged to allow for mixed-use intensification (p. 31); and
- ✍ New development should reinforce a neighborhood scale and character for the area (p. 31).

More specifically, the South First Street Sub-Area Land Use Designation in the Martha Gardens Specific Plan calls for “Commercial/Mixed Uses” of up to 1.5 FAR – up to 40 DU/Acre, and “Neighborhood Serving Uses.” This proposed rezoning will help to respond to the community desire for commercial, mixed and neighborhood-serving uses as described in the Martha Gardens Specific Plan, and will help to discourage new automotive-related uses.

Following the Planning Commission’s recommendation, the City Council adopted the Washington and Spartan Keyes SNI Plans in 2002 and the Martha Gardens Specific Plan in 2003 to establish a consistent vision for this area of the City of San José. The proposed rezoning is consistent and harmonious with the vision, goals, and objectives of these three plans.

PUBLIC OUTREACH

A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project area. In addition, the Planning Division’s website contains information regarding the zoning process, the legal nonconforming use process, the Zoning Ordinance, and the *San José 2020 General Plan*. Information on this proposed rezoning application, including staff reports and public hearing schedule, is also available. This website is used by the community to keep informed of the status of development applications. Staff has also made itself available to discuss the subject project on an individual meeting-basis with property owners and members of the public.

Property Owner and Community Stakeholder Public Meeting

Planning staff conducted a public meeting with property owners and community members on Monday March 15, 2004 at La Biblioteca Latinoamericana (The Latin American Library on South First Street) to discuss the proposed rezoning project. During the public meeting, the property owners and community members asked questions and expressed some concerns with the proposed rezoning. Planning staff addressed all of the questions and concerns during the public meeting. Upon concluding the meeting, there was a strong general consensus in support of the proposed rezoning from the property owners and community members that attended the public meeting.

SNI Outreach

Staff presented the proposed rezoning project and subsequent rezoning-related project updates at the regularly scheduled monthly Spartan Keyes and Washington SNI Neighborhood Advisory Committee (NAC) meetings during the months of March and April 2004. Both the Spartan Keyes and the Washington NACs are in full support of the proposed rezoning (see attached Spartan Keyes NAC Letter).

RECOMMENDATION

Planning staff recommends approval of the proposed zoning for the following reasons:

1. The proposed rezoning is in conformance with the *San José 2020 General Plan* Land Use/Transportation Diagram designations of General Commercial, Medium High Density Residential (12-25 DU/Acre), Guadalupe Transit-Oriented Development Corridor (TODC), and Residential Support for the Core.
2. The proposed rezoning is in conformance with the goals, objectives, and priorities of the adopted *Washington SNI Neighborhood Revitalization Plan Update*.
3. The proposed rezoning is in conformance with the goals, objectives, and priorities of the adopted *Spartan Keyes SNI Neighborhood Improvement Plan*.
4. The proposed rezoning is in conformance with the goals, objectives, and policies of the adopted *Martha Gardens Specific Plan*.
5. The proposed rezoning will help to prevent new or expanded light industrial and auto-related uses that are inconsistent with the community objectives as reflected in the adopted Washington, Spartan Keyes, and Martha Gardens Plans.

Attachments:

- APN List
- Rezoning Map
- General Plan Map
- Fire Department Memorandum
- Spartan Keyes NAC Letter
- Information Sent To Property Owners

JFB: