



**Task Force Meeting No. 39 Synopsis
May 17, 2010**

Task Force Members Present*:

Jackie Adams, Shiloh Ballard, Michele Beasley, Judy Chirco, Gary Chronert, Brian Darrow, Dave Fadness, Leslee Hamilton, Sam Ho, Nancy Ianni, Lisa Jensen, Frank Jesse, Shirley Lewis, Linda LeZotte, Sam Liccardo, Pierluigi Oliverio, David Pandori, Dick Santos, Patricia Sausedo, Erik Schoennauer, Judy Stabile, Neil Struthers, Alofa Talivaa, Michael Van Every, Jim Zito.

Task Force Members Absent:

Teresa Alvarado, Pastor Oscar Dace, Pat Dando, Harvey Darnell, Enrique Fernandez, Matt Kamkar, Charles Lauer, Karl Lee.

City Staff and Other Public Agency Staff Present*

Pete Furman (Mayor's Office), Vera Todorov (City Attorney's Office), Wayne Chen (Housing), Joe Horwedel (PBCE), Laurel Prevetti (PBCE), Susan Walton (PBCE), Andrew Crabtree (PBCE) Jenny Nusbaum (PBCE), Lee Butler (PBCE), John Baty (PBCE).

Public Present*:

Trixie Johnson (LWV/SJ-SC), Peter Rothschild (Rothschild & Assoc.), Brian Schmidt (Committee for Green Foothills), Larry Ames, Jack Nadeau (Save Our Trails), Rosalyn Dean (Coalition for a Downtown Hospital), Amie Frisch (Veggieloution), Pankaj Singh (De Anza College), Mark Medeiros (Veggieloution), Mara Craggs (O'Brien Ct.), John Urban (Campbell/Newhall), Carlos Babcock (SVBC), David Marsland (Sierra Club), Christine Choi, Joan Bohnett (SOT), Martin Delson (Save Our Trails), Nancy Hickey (Coalition for a Downtown Hospital), Marie Arnold (Neighborhood Commissioner), Nicole Kohleriter (Health Trust), Mauricio Astacio (Neighborhood Commission), Kerri Hamilton (CEEJ), Susan Marsland (District 1, SJSU Grad Student), Jean Dresden

*As verified by registering attendance on Sign-In Sheets.

1. Welcome

The meeting convened at 6:34 p.m.

2. Review and approval of April 26, 2010 synopsis

The synopsis was approved.

3. Summary of Community Input from the May 15, 2010 Community Workshop

4. Jenny Nusbaum presented a summary of the major themes expressed by the public at the May 15, 2010 Community Workshop that focused on the proposed draft Land Use/Transportation Diagram and stated there was general support for the main concepts presented by staff. Ms. Nusbaum noted that the public expressed the need for: a realistic economic development strategy, plans for

multimodal connectivity, identification of specific sites on the Diagram for re-designation or special design, appropriately designated historic areas and roadways, transition area guidelines for height and massing, and strategic outreach to diverse communities through ambassadors in an “education tree”.

In response to the report, one Task Force member noted that the record should not reflect a “good turnout” for the meeting which fewer than two dozen community members attended. Another Task Force member noted support for the neighborhood ambassador approach advocated for by the community.

5. Envision General Plan Land Use/Transportation Diagram (continued)

Andrew Crabtree identified draft Land Use/Transportation Diagram topics that were discussed at the April 26, 2010 Task Force meeting and provided staff’s response to each topic, as outlined in staff’s Overview Memo. Issues included the need for additional residential designations with narrower density ranges and for lower maximum residential densities; potential impacts of commercial uses in residential areas; appropriate sites for hospitals; inclusion of trails, bike lanes, and parks on the Diagram; the appropriate land use designation for the County Fairgrounds, specifically a desire to designate it *Public Parks, Open Space, and Habitat*; revised land use designations to reflect existing land uses and neighborhood planning in the South University Neighborhoods area; and community input and Council consideration in development review.

Following the presentation, a Task Force member commented that the topics raised by staff in the Overview Memo and presentation did not sufficiently capture the Task Force’s discussion on whether various existing specific plans should be preserved or retired in the Envision Plan and their associated policies retained, and suggested future refinement of specific plans and their development-related policies be included as the tenth key topic.

A Task Force member asked how the Envision planning effort aligns with the Water Pollution Control Plant (WPCP) Master Plan process, and staff explained that there has been ongoing close coordination with the WPCP Master Plan team to ensure that the three alternative plan scenarios for the Plant lands are all consistent with the growth capacities identified in Envision’s Preferred Land Use Scenario. A Task Force member requested an update on the WPCP master planning process, and staff indicated that a short report could be provided.

One Task Force member who was unable to attend the April 26th meeting expressed concern about the inflexibility of the proposed *Residential Neighborhood (8 DU/AC)* designation and added that development of a formula for determining whether a proposal is compatible with the surrounding neighborhood would also not be advisable. The Task Force member noted that investment in blighted areas could be stifled if higher residential densities were not an option for potential developers, and that well-designed projects including higher densities could be made compatible with an existing residential area. Another Task Force member agreed, stating that the Envision Plan and supporting Council-adopted design guidelines should provide the Council with the tools to assess whether a project is compatible with the surrounding area and stated the *Residential Neighborhood* designation should be more flexible. Two other Task Force members agreed, one stating that the focus should be on form and not the density per acre. Staff noted that adding residential infill units could conflict with the Envision goal to improve San Jose’s Jobs-to-Employed-Resident ratio from the current 0.8 to 1.3 as embodied in the Preferred Scenario, with a

Task Force member responding that infill would not likely result in many units. In support of staff's recommendation, another Task Force member indicated that it is more important to preserve neighborhoods than it is to add just a few units throughout the city.

One Task Force member commented that the *Mixed Use Neighborhood (up to 30 DU/AC)* designation is too general, and incompatible commercial uses could potentially move into a residential area. Staff noted that commercial may not be appropriate on every site, and additional guidelines would help determine when new commercial would or would not be appropriate.

6. Proposed Goals, Policies, and Implementation Actions (Land Use, Urban Design, & Health Care)

Lee Butler noted that the Goals, Policies, and Implementation Actions (Policies) presented to and discussed with the Task Force were generally based on those in the current San Jose 2020 General Plan, and also incorporate direction from the Draft Vision, Draft Land Use Guidelines, and input from various Task Force and community recommendations. He stated that the Land Use policies for Commercial, Industrial, Downtown, Urban Agriculture and Urban Design build upon and support the Envision themes of fiscal stability, economic development, environmental sustainability, complete communities, and creation of a safe and livable city. Mr. Butler noted that Urban Design Policies for Downtown would be presented at a later Task Force meeting, then stated Health Care Policies were developed in coordination with a hospital stakeholder group that met multiple times to help identify hospital locations and to comment on the draft Policies. Mr. Butler also noted that two sets of comments were received related to the Health Care Policies, but indicated that the proposed additional policies were beyond staff's resources or authority.

Several Task Force members expressed support for Land Use Policies promoting walking, including strong support for fewer curb cuts across sidewalks, shared parking policies to minimize surface parking lots, and keeping access driveways to land uses or parking structures away from primary pedestrian ways. Task Force members supported more and improved bicycle and pedestrian connections between uses, and especially to transit and schools.

Two Task Force members supported a letter submitted by Brian Schmidt (Committee for Green Foothills) indicating that certain greenfields such as North Coyote Valley, East Edenvale and East Evergreen, should be preserved until after other opportunities for employment growth have been developed.

One Task Force member commented that several of the Land Use and Health Care policies should be revised to state that the VTA should respond to locations where the City directs intensive development into the growth areas in the Preferred Scenario by providing transit service to those areas.

A Task Force member expressed concern that a developer would have expectations that sites could be developed at 250 DU/AC if they were designated *Urban Residential 2 (55-250 DU/AC)*. Staff responded that Urban Design Policies would help establish the massing and density for projects in different areas, and further that the proposed Policies require Village Plans before residential development can occur. Task Force members noted that a required process for developing a Village Plan could stall residential development in some cases, stating that if following guidelines for Village development, appropriately conforming residential projects should be allowed to move

forward. Staff noted that it is important to look at a Village as a whole, where roads, bike and pedestrian connections, and parks are all considered up front, so that Village Plans are important precursors to development. Staff stated that the process for developing a Village Plan would be identified in the Implementation policies in the Envision Plan, adding that for staff to proactively complete Village Plans, funds from the General Fund or some other funding source would need to be identified..

Staff noted that Policy LU-3.9 regarding adult uses could be broadened to cover other sensitive uses such as card rooms, alcohol sales, or medical marijuana uses. One Task Force member offered an opinion that rather than looking to separate them, the city could consider concentrating adult entertainment uses to create a “red light” district as is done in some other countries.

Many Task Force members expressed views on draft Policy LU-4.1 which prohibits conversions of industrial lands. Some Task Force members said the proposed policy is too rigid, although another Task Force member indicated that the Council could amend this policy if the Council wanted to approve a specific project. One Task Force member expressed concern that many of the Envision General Plan policies are too rigid and could prevent Council from acting in its role as the decision making body. Staff encouraged Task Force members to forward any information on sites which could be more appropriate for non-industrial uses, so that those sites can be potentially given appropriate new land use designations as part of the draft Envision Land Use/Transportation Diagram.

Task Force members commented on draft Policy LU-4.9 regarding assembly uses. One Task Force member stated that religious assembly uses should not be prohibited in industrial areas in advance of the Task Force discussion on those uses, which is scheduled for June 28th. The Task Force member noted that affordable locations for religious assembly uses are difficult to find. Another Task Force member expressed understanding about the need for affordable religious assembly sites but added that Heavy Industrial areas are important for jobs and are not appropriate for such uses. Another Task Force member added that religious assembly uses in industrial areas limit the industrial activities of nearby sites.

Numerous Task Force members commented on the locations of existing parking lots around the city and on the typical lack of screening of the parked cars from public view. Several Task Force members supported integration of parking areas under, on the roof of, or inbedded within developments in ways that are architecturally sensitive. One Task Force member supported broad language to allow for future types of parking screening or integration to conform to the General Plan Policies. Several Task Force members supported de-coupling the provision of parking from appropriate urban development.

Task Force members generally supported the proposed policies for Urban Agriculture, with some wanting stronger language to target provision of local garden amenities for areas of nutritionally-deficient or low income residents. One Task Force member suggested that condominium residents should be given preference over residents of single-family detached housing when the City reviews community garden plot requests. One Task Force member noted that the draft Urban Agriculture Performance Measures need to be more quantifiable.

A Task Force member questioned the best way to achieve strong design controls and high architectural standards, as stated in Policy UD-1.1, commenting that San Jose has not yet achieved

high architectural standards in its new development. Staff stated that a new Action could be appropriate to direct staff to examine how stronger controls for design review could be applied. Staff also noted that the Urban Design Policy UD-1.25 (related to billboards) will need to be reviewed and revised to ensure consistency with the Council direction following the Sign Code update.

Several Task Force members wanted stricter language related to development adjacent to riparian corridors, including a general prohibition of development within 100 feet of the top of bank, while others indicated there should, at minimum, be a cross reference in the Design policies to other Riparian Policies. Another Task Force member noted that policies for development near rail lines should include consideration of the potential vibration impacts in addition to noise impacts.

Task Force members noted that policies for green streets should be incorporated into the Urban Design policies in the Plan, including measures to incorporate linear parks, landscaping, and stormwater controls into public and private streets.

Task Force members expressed concern that large hospitals with in-patient care might not be appropriate in residential areas or Villages. Staff noted that potential hospital locations would be reviewed as part of the design review process, and that maximum flexibility had intentionally been incorporated into the proposed policies to allow a wide range of options to respond to changes in provision of health care in coming years. One Task Force member commented that the model of a very large hospital with several hundred beds is not always cost effective, and that effects from recent changes in federal health care policy have yet to be understood.

Task Force member Brian Darrow outlined the key comments in the letter that he provided to the Task Force, and many Task Force members expressed support for the concepts contained in his recommendations. However, several Task Force members were not supportive of his proposed Policy H-1.11 a measure to ensure operating rooms be located a minimum distance from residents. Task Force members suggested that the themes of Mr. Darrow's comments be incorporated by staff into appropriate language for a land use document.

7. Public Comment

Approximately 20 members of the public spoke. Comments covered a broad range of topics, questions, and suggestions, including the following: support for Urban Agriculture Policies, including incorporating agriculture opportunities into new development; the desire for agricultural policies addressing the urban edge; the need to eliminate conflicts between agricultural lands and potential infill projects; desires to preserve Mid- and North-Coyote Valley as greenfields, agriculture, or habitat, including one suggestion that Urban Reserve designations should be removed; support for "back-loading" of development in North Coyote, East Evergreen, and Edenvale greenfields, in accordance with the letter submitted by Brian Schmidt; general support for Task Force comments about development near creeks but also that the Riparian "Study" needs to be an official Council Policy; support for suggested revisions to the Health Care Policies by the Health Trust and Brian Darrow; need to highlight connections between urban agriculture and sustainable city goals; support for small-scale commercial agriculture in urban areas; the need to consider sites for distribution, processing, and packaging of foods; support for de-coupling parking; support for equal treatment of bikes and pedestrians in the Policies; cautions regarding seismic hazards, as noted in the letter submitted by Marc Boyd; disapproval of the proposed Vendome

Place residences on North 1st Street (Barry Swenson project); need for more Policies supporting community gardens on vacant land, particularly public land; desire to include more measurable standards in the Health Care Policies, including collection and measuring of obesity rates and fruit/vegetable consumption as a means to assess effectiveness of related healthy city Policies; support to prioritize garden opportunities in low-income areas in the Urban Agriculture Policies; need to effectively connect County and City sidewalks; support for pocket parks and urban agriculture plots; support for reduced parking requirements; requests for proposed revisions to also be incorporated into previously reviewed Riparian Policies; suggestion that local artists be used to improve architectural and site design; support for nighttime activity in Downtown and Villages; desire to add the *Residential Neighborhood (8 DU/AC)* designation in various Campbell/Newhall neighborhoods, in accordance with the letter submitted by John Urban; and support for more protection of historic neighborhoods.

There were also comments in support of specific draft Policies, including UD-1.12 on high quality architecture; UD-4.4 special approach for diverse areas; the set of UD-3 policies for pedestrian and bicycle connections; LU-1.7 on incorporating the Plant master plan; a need to add LU-1.8 to incorporate the Diridon Station area plan now in progress; UD-2.2 regarding street type but with the addition of Historic Boulevards; UD-1.21 regarding development adjacent to creeks; and UD-5 regarding creating great places but with a request to include more preventative health measures; and policy UD-1.21 regarding development near the creeksides but with the suggestion to add “non-invasive species” to the policy. There was one comment that expressed concern that Policies LU-4.1 and LU-4.4 prohibiting industrial conversion could also potentially prohibit conversion of railroad lands to parks or trails as planned.

8. Task Force Recommendations

The Task Force noted that many good suggestions were made as part of Task Force and public comments and had been noted by the staff. No formal motions were made.

9. Announcements

Andrew Crabtree announced the availability of survey forms for the Task Force and public. Future meetings were announced, and Mr. Crabtree noted that the public is always welcome and encouraged to provide written comments, especially if they feel constrained by the allotted public comment time or if to ensure any comments are directly included as part of the public record.

10. Adjourn

The meeting adjourned at 9:22 p.m.