



Department of Planning, Building and Code Enforcement
200 East Santa Clara Street
San José, CA 95113-1905

**GENERAL PLAN
AMENDMENT STAFF
REPORT
2005 Fall Hearing**

Hearing Date/Agenda Number: P.C. 11/09/05 Item: 7.b.
File Number: GP05-07-03
Council District and SNI Area: 7 – N/A
Major Thoroughfares Map Number: 100
Assessor's Parcel Number(s): 497-33-001
Project Manager: Stan Ketchum

PROJECT DESCRIPTION:

General Plan amendment request to change the Land Use/Transportation Diagram designation from Combined Industrial/Commercial and Medium High Density Residential (12-25 DU/AC) to High Density Residential (25-50 DU/AC)

LOCATION: east side of Monterey Highway, approximately 600 feet southerly of Umbarger Road (2774 Monterey Road)

ACREAGE: 2.89

APPLICANT/OWNER:

Aaron Yakligian/ Movassate Manoutchehr & Jaleh

GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Combined Industrial/Commercial and Medium High Density Residential (12-25 DU/AC)

Proposed Designation: High Density Residential (25-50 DU/AC)

EXISTING ZONING DISTRICT(S): A(PD) Planned Development

SURROUNDING LAND USES AND GENERAL PLAN DESIGNATION(S):

North: Animal shelter and light industrial / Combined Industrial/Commercial and Light Industrial

South: Residential mobile home park, commercial, and industrial / Medium High Density Residential (12-25 DU/AC),
Combined Industrial/Commercial and Light Industrial

East: Light industrial / Light Industrial

West: Vacant (former residential mobile home park), Industrial / High Density Residential (25-50 DU/AC)

ENVIRONMENTAL REVIEW STATUS:

Mitigated Negative Declaration

PLANNING STAFF RECOMMENDATION:

General Commercial on 0.74 acres and No Change to the General Plan (i.e., retain Medium High Density Residential (12-25 DU/AC)) on 2.15 acres

Approved by:
Date:

PLANNING COMMISSION RECOMMENDATION:

CITY COUNCIL ACTION:

CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:

- Department of Transportation (DOT) – The proposed land use change would not result in a long-term traffic impact.
- Pacific Gas and Electric (PG&E) – PG&E has no comments.
- Department of Public Works (DPW) – The DPW, Development Services Division, indicated that the site is in a State Liquefaction Zone and that a near-term traffic impact analysis would be required for a development proposal. Coordination with Caltrans is required for public improvements.
- Santa Clara Valley Water District (SCVWD) – The SCVWD has no objections to the General Plan amendment. When development is proposed, site design measures should be incorporated to minimize runoff. The site is located in an area of undetermined, but possible flood hazards.
- Valley Transportation Agency (VTA) – VTA has no comments.

GENERAL CORRESPONDENCE:

- None received.
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ANALYSIS AND RECOMMENDATIONS:**PROJECT DESCRIPTION**

This a privately initiated General Plan amendment to change the *San Jose 2020 General Plan* Land Use/Transportation Diagram designation on a 2.89-acre site located at 2774 Monterey Road from Combined Industrial/Commercial on 0.74 acres fronting along Monterey Road and Medium High Density Residential (12-25 DU/AC) on 2.15 acres to High Density Residential (25-50 DU/AC) on the entire 2.89-acre site. Planning staff is proposing an alternative to change the land use designation only on the 0.74-acre portion of the site from Combined Industrial/Commercial to General Commercial.

The existing Combined Industrial/Commercial land use designation is intended for commercial, office, or industrial developments or a compatible mixture of these uses. The uses of the Industrial Park, Light Industrial, General Commercial, and Neighborhood/Community Commercial land uses are consistent with this use category.

The existing Medium High Density Residential (12-25 DU/AC) land use designation is typified by two-story apartments and condominiums with surface parking. In some cases taller buildings balanced with open space are allowed.

The proposed High Density Residential (25-50 DU/AC) designation is typified by 3 to 4-story apartments or condominiums over parking. This density is planned primarily in the vicinity of rail stations, near the Downtown Core Area, or near commercial centers, and sites within reasonable walking distance of a passenger rail station (2,000 feet).

The General Commercial land use designation proposed by staff on the 0.74 acres of frontage along Monterey is a non-specialized commercial designation intended to permit miscellaneous commercial uses. It includes both strip commercial areas along major thoroughfares as well as freestanding commercial establishments. Business and professional office uses are also allowed within this category.

Approval of the applicant's proposal for High Density Residential (25-50 DU/AC) would allow the City Council to consider the pending Planned Development Zoning application, File No. PDC05-071, to allow up to 72 single-family attached residences on the site at a density of approximately 30 DU/AC.

BACKGROUND

Site and Surrounding Uses

The 2.89-acre site is located at the east side of Monterey Road, approximately 600 feet southerly of Umbarger Road. The subject parcel is an elongated rectangle, approximately 150 feet by 850 feet, extending between Monterey Road and Aiello Drive. Although currently vacant, the site had previously been developed with a single-family house, three mobile homes, and a small wooden storage building, which were demolished in 2001.

The site is surrounded by industrial uses to the north and east, a mobile home park and commercial uses to the south and a future residential and commercial development to the west. To the north is a City operated animal shelter. Miscellaneous industrial uses are to the east across Aiello Drive. A mobile home park and small convenience store are to the south. The site to the west across Monterey Road was formerly a mobile home park, and is currently being redeveloped as a Planned Development with up to 969 single-family and multi-family residential units and approximately 18,000 square feet of commercial space (commonly referred to as "Goble Lane").



Aerial of Subject Site and Surrounding Area



Subject Site Facing Aiello Drive



Previous Trailer/Mobile Home Park to the West of the Subject Site and Across Monterey Road



Industrial Site to the East of the Subject Site and Across Aiello Drive

Approved and Pending Planned Development

A Planned Development Zoning (PDC00-051) was approved in 2001 allowing a mixed-use project consisting of up to 58 multi-family units and approximately 8,600 square feet of commercial development on the site. A pending Planned Development Rezoning (PDC05-071) would allow 72 single-family attached residences on the site, at a density of approximately 30 DU/AC. In order for the pending rezoning to be considered, the subject General Plan amendment request would first need to be approved by City Council.

General Plan Amendment History

The site was the subject of a General Plan amendment, File No. GP85-7-11x approved by City Council in 1985, which changed approximately 2.15 acres of the site from Combined Industrial/Commercial to Medium High Density Residential (12-25 DU/AC) to reflect the existing mobile home/trailer park uses on the site at that time. However, approximately 0.74 acres on the frontage of the subject site was preserved as Combined Industrial/Commercial in order to maintain industrial and commercial uses along Monterey Road, which is designated as a Major Arterial (115-130 ft. ROW) on the General Plan Land Use/Transportation diagram, and intended for employment uses in this subarea.

In 2002, a privately initiated General Plan amendment application, File No. GP02-07-08, was submitted to change the land use designation from Combined Industrial/Commercial and Medium High Density Residential (12-25 DU/AC) to High Density Residential (25-50 DU/AC). At that time, in a letter responding to the applicant's proposal, Planning staff stated that the application could not be supported because it conflicted with the *San Jose 2020 General Plan* industrial land use policies pertaining to the preservation and protection of industrial lands. In particular, staff stated that the proposed residential land use designation would be incompatible with the existing and planned uses in this predominately industrial area. Subsequently, the application was withdrawn.

ANALYSIS

Policy Consistency

General Plan Major Strategies, Goals and Policies

The *San Jose 2020 General Plan* has seven Major Strategies that identify the principles of the Plan. This General Plan amendment directly relates to the Economic Development Major Strategy.

The Economic Development Major Strategy encourages a balance of industrial, commercial and residential uses in the City. The Combined Industrial/Commercial designation retains the front portion of the property in the City's economic base, maintaining the opportunity for compatible industrial or commercial development along the Monterey Road frontage in the future. The Combined Industrial/Commercial designation is also consistent with Economic Development Policy No. 7. The policy states that the City encourages a mix of land uses in appropriate locations that contribute to a balanced economic base, by allowing a variety of industrial, commercial support services as well as high tech manufacturing and other related industrial uses. The Staff-initiated alternative recommending General Commercial on the 0.74-acre portion of the site designated Combined Industrial-Commercial would also be consistent with the Economic Development Major Strategy by preserving the potential for commercial or office uses on the Monterey Road frontage of the site.

Economic Development Policy No. 4 states that the City should actively promote economic development by providing areas for exclusive and mixed industrial uses. The proposed change from Combined/Industrial Commercial to High Density Residential (25-50 DU/AC) would not facilitate economic development opportunities within the City and would not be consistent with these goals and policies. The City realizes that there is a need to identify areas where mixed industrial uses are appropriate. The subject site is located within an area that has a mix of uses and the proposed amendment would reduce the opportunity for industrial, compatible non-industrial, or a combination of both types of uses. The Staff-initiated alternative recommending General Commercial on the 0.74-acre portion of the site would be consistent with this policy by preserving the potential for economic development on this portion of the site. In addition, the staff initiated alternative would minimize the potential for uses that could be incompatible with the adjacent residential uses.

Consistency with the Framework, as a Guideline, to Evaluate Conversions of Employment Lands to Other Uses (Framework)

The City has been working to preserve industrial lands and strengthen the City's economic base. The subject site is located within the Monterey Corridor 4 employment subarea, which the Framework categorizes as a subarea to preserve for Driving and Business Support Industries. The site is also located in an Enterprise Zone. As referenced in the *Status Report on Industrial Lands* also to be reviewed by the Planning Commission on the November 9 agenda, the Monterey Corridor industrial area currently has a 3% vacancy rate, reflecting its continued viability for retaining and expanding industrial businesses.

The area is already served by a fully developed network of streets. The proposal would not trigger a substantial need for new infrastructure. Because residential uses are already allowed on the portion of the property that excludes the frontage, the proposed change would not create substantial additional pressure to change the surrounding properties.

Land Use Compatibility

The Combined Industrial/Commercial designation allows a broader range of uses than either Light Industrial or General Commercial because either commercial or industrial uses are consistent with Combined Industrial/Commercial. The designation is intended for areas that exhibit a mixed land use pattern.

Given the narrow site configuration, the applicant's proposed designation of High Density Residential (25-50 DU/AC) over the entire site would be incompatible with the adjacent animal shelter and mobile home park. With a density range of 25-50 dwelling units per acre, the intensity of future residential development allowed would potentially result in inadequate setbacks and excessive building heights in relation to the adjacent mobile home park. Maintaining the Medium High Density (12-25 DU/AC) land use designation would allow more compatible residential development with adequate setbacks and building heights.

To maintain the opportunity for new businesses along the Monterey Road frontage, staff is recommending that the General Plan land use designation be changed from Combined Industrial/Commercial to General Commercial on this 0.74-acre portion of the site. General Commercial allows a broader range of enterprises, including retail and other commercial ventures. Such commercial activities can be more compatible with new residential uses on the balance of the site and with the adjacent mobile home/trailer park which is unlikely to be leaving the area.

The placement of the General Commercial designation on the front portion of the site would also allow consideration of residential use of this portion of the site through the application of the Discretionary Alternate Policy permitting residential uses on commercially-designated parcels on Major Thoroughfares. The General Plan states that such residential development may be considered if such development: “(a) is designed to facilitate transit ridership and pedestrian activity; (b) is compatible, well-integrated, and part of an appropriate residential or mixed use environment; and (c) is of exceptional quality and exceeds the City’s minimum design standards. The appropriate density for a given site should be determined based on compatibility with the surrounding land uses.” In other words, consideration of any residential uses on the Monterey Road frontage would still need to protect the City’s investment in the adjacent Animal Shelter, and ensure a livable residential environment.

All future development would be required to conform to the City’s Residential, Industrial, and Commercial Design Guidelines.

ENVIRONMENTAL REVIEW

The request to change in the General Plan land use designation on the subject site was analyzed in an Initial Study that resulted in a Mitigated Negative Declaration. The Initial Study determined that the change in land use would create a less than significant impact with mitigation measures in the following categories: Aesthetics, Cultural Resources, Geology and Soils, Hydrology, and Noise.

All of the mitigation measures consist of implementation of existing General Plan policies when rezoning and development occurs.

PUBLIC OUTREACH

The property owners and occupants within a 500-foot radius received a notice of the Mitigated Negative Declaration and a notice of the public hearings to be held on the subject amendment before the Planning Commission on November 9 and City Council on December 6, 2005. Information regarding this amendment, the General Plan process, staff reports and hearing schedules were also made available to the public on the Department’s web site. Staff has also been available to answer questions from the public.

Staff attended a community meeting on September 29, 2005 at the Chateau La Salle Community Club House (2681 Monterey Road). This meeting was held to discuss both the subject General Plan amendment and the development proposed under the pending Planned Development Rezoning application. The applicant coordinated with Council District 7 when organizing the meeting. Meeting notices were sent to residents and occupants within the 500-foot radius of the subject site. Approximately 10 people from the public attended the meeting. Attendees had questions and comments regarding traffic related to the proposed development. One member of the public asked whether a new signal would be provided at the project entrance. The applicant responded that there would be a new signal at Monterey/Goble Lane, which will be installed by the Goble Lane project. The proposed project entrance would be designed as right-in, right-out only. This attendee commented that the design would require people to make U-turns at other intersections and would make traffic worse. No one spoke against the proposed General Plan amendment.

This General Plan amendment is subject to the State of California Tribal Consultation Guidelines. For all General Plan amendments and Specific Plans initiated after February 2005, at least a 90-day consultation request period is required, as well as noticing of the scheduling of the Planning Commission Hearing and City Council hearing at least 45 days prior to the proposed adoption date of the General Plan amendment or

Specific Plan. Please note that for the subject General Plan amendment the 90-day consultation request period will not conclude until the end of November 2005 — between the date of the Planning Commission hearing and the date of the City Council hearing. If any tribe requests consultation prior to expiration of the 90 days, either or both the Planning Commission and City Council hearings would have to be deferred until such time as the consultation process is completed.

RECOMMENDATION

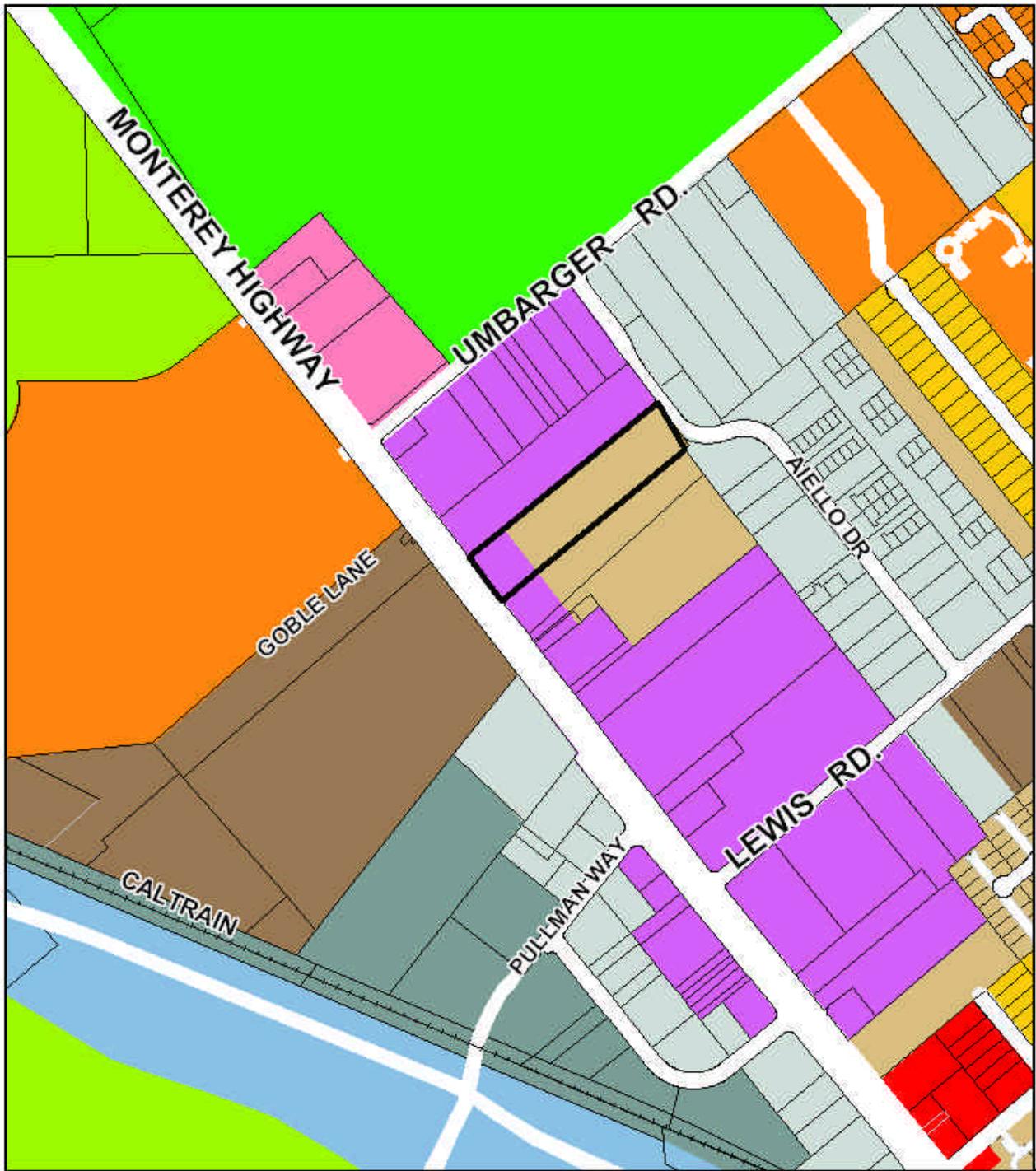
Planning staff does not support the applicant's request to change the General Plan from Medium High Density Residential (12-25 DU/AC) on 2.15 acres and Combined Industrial/Commercial on .74 acres to High Density Residential (25 –50 DU/AC) on 2.89 acres.

Instead, Planning staff recommends approval of a change to the General Plan Land Use designation from Combined Industrial/Commercial on .74 acres to General Commercial on .74 acres and No Change to Medium High Density Residential (12-25 DU/AC) on 2.15 acres.

Attachments

PBCE002/GP_Team/2005 Annual Review/GP05-07-03/GP05-07-03 SR.doc

GP05-07-03




City of
SAN JOSE
PLANNING SERVICES DIVISION

Department of Planning, Building
and Code Enforcement
Planning Services Division

 SITE


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Scale: 1" = 500'
Quad: 100