



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Planning Commission

SUBJECT: SEE BELOW

DATE: April 4, 2007

COUNCIL DISTRICT: 4

SUBJECT: GP05-04-08. GENERAL PLAN AMENDMENT REQUEST TO CHANGE THE LAND USE/TRANSPORTATION DIAGRAM DESIGNATION TO ADD A TRANSIT/EMPLOYMENT RESIDENTIAL (55+ DU/AC) OVERLAY ON AN APPROXIMATELY 30.4-ACRE SITE DESIGNATED INDUSTRIAL PARK, ON THE WESTERLY SIDE OF NORTH FIRST STREET, APPROXIMATELY 450 FEET SOUTHERLY OF THE INTERSECTION OF NORTH FIRST STREET AND RIO ROBLES (3331-3475 NORTH FIRST STREET).

RECOMMENDATION

The Planning Commission voted 7-0-0 to recommend approval of the General Plan amendment request to change the Land Use/Transportation Diagram designation to add a Transit/Employment Residential (55+ DU/AC) Overlay on an approximately 30.4-acre site designated Industrial Park. The subject site is located on the westerly side of North First Street, approximately 450 feet southerly of the intersection of North First Street and Rio Robles (3331-3475 North First Street).

OUTCOME

If the City Council were to approve the General Plan amendment to change the Land Use/Transportation Diagram designation to add a Transit/Employment Residential (55+ DU/AC) Overlay on an approximately 30.4-acre site designated Industrial Park, this overlay could allow the potential for development that includes commercial uses on the first two floors, with residential use on upper floors, as well as wholly residential projects at a density of 55+ dwelling units per acre, typified by multi-family apartments and condominiums. Land within this overlay area may also be converted for the development of new schools and parks as needed to support residential development. Alternatively, uses and development associated with the base land use designation of Industrial Park will still be fully allowed on the subject site.

BACKGROUND

On March 28, 2007, the Planning Commission held a public hearing to consider the proposed General Plan amendment. The Director of Planning, Building and Code Enforcement recommended approval of the General Plan amendment.

The project was approved as part of the consent calendar. One member of the public, Erik D. Kaeding, spoke in favor of the proposed amendment indicating support for new residential development to be located in close proximity to transit facilities. He stressed that the City should follow the residential unit phasing guidelines of the North San José Area Development Policy, and carefully consider the results of comprehensive environmental analysis, traffic studies, and parks master-planning before granting approval for any project in the Policy area.

ANALYSIS

Expansion of the Transit/Employment Residential (55+ DU/AC) Overlay is consistent with elements of several of the General Plan Major Strategies including Economic Development, Growth Management, Housing, Urban Conservation/Preservation, and Sustainable City, as well as the North San José Area Development Policy. High density residential development in a major employment area served extensively by several modes of transit can promote new economic growth, provide residents with reduced commute times, allow for less automobile congestion, more resource conservation, and minimize the capital investment needed for the expansion of city services and infrastructure. Because the site is located within a Redevelopment Area, any new residential development on the site will need to include an affordable component.

Residential development envisioned by the North San José Area Development Policy is intended to provide housing opportunities within close proximity to employment areas. The proposed expansion of the Transit/Employment Residential (55+ DU/AC) Overlay at this site can help realize this goal. This particular expansion is referenced in the adopted North San José Area Development Policy and is the only expansion of the Transit/Employment Residential (55+ DU/AC) supported by the Policy.

POLICY ALTERNATIVES

Not applicable.

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

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Although this item does not meet any of the above criteria, staff followed Council Policy 6-30: Public Outreach Policy. In accordance with the Public Outreach Policy, numerous community meetings were held throughout the year long development process of drafting the North San José Area Development Policy. During that process, the proposed parcels were identified as potential expansion areas for the Transit/Employment Residential (55+ DU/AC) Overlay. A joint notice of the public hearings to be held on the subject General Plan amendment before the Planning Commission on March 28, 2007 and City Council on April 24, 2007 was published, posted on the City's web site and distributed to the owners and tenants of all properties located within 1,000 feet of the project site. Staff has been available to discuss the proposal with members of the public. This General Plan amendment request is subject to the State of California Tribal Consultation Guidelines and was referred to Tribal Representatives in March 2006 and updated again in March 2007. As of March 29, 2006, Planning staff has not received any comments from Tribal Representatives.

COORDINATION

This project was coordinated with the Department of Public Works, Transportation, Fire Department, Department of Parks, Recreation, and Neighborhoods Services, the Parks and Recreation Commission, and the Santa Clara Valley Water District.

FISCAL/POLICY ALIGNMENT

This project is consistent with applicable General Plan policies as discussed in attached staff report.

COST SUMMARY/IMPLICATIONS

Not applicable.

BUDGET REFERENCE

Not applicable.

CEQA

Addendum to the North San José Area Development Policy EIR (Council Resolution No. 72768, June 21, 2005), File No. GP05-04-08, adopted on March 28, 2007.


for JOSEPH HORWEDEL, SECRETARY
Planning Commission

For questions please contact Sam Knutson in Planning, Building and Code Enforcement at 535-7800.



Department of Planning, Building and Code Enforcement
200 East Santa Clara Street, 3rd Floor Tower
San José, California 95113-1905

GENERAL PLAN AMENDMENT STAFF REPORT SPRING 2007 HEARING

Hearing Date/Agenda Number:
P.C. March 28, 2007 Item: 6b

File Number:
GP05-04-08

Council District and SNI Area:
4

Major Thoroughfares Map Number:
35

Assessor's Parcel Number(s):
A portion of 097-06-032, -038, and a
portion of -039

Project Manager: Sam Knutson

PROJECT DESCRIPTION:

General Plan amendment request to change the Land Use/Transportation Diagram designation to add a Transit/Employment Residential (55+ DU/AC) Overlay on an approximately 30.4-acre site designated Industrial Park.

LOCATION: Westerly side of North First Street, approximately 450 feet southerly of the intersection of North First Street and Rio Robles (3331-3475 North First Street).

ACREAGE: Approximately 30.4 acres

APPLICANT/OWNER: WYSE Technology Investments, Inc. and the Valley Transportation Authority/WYSE Technology Investments, Inc. and the City of San José Staff

GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Industrial Park

Proposed Designation: Industrial Park with a Transit/Employment Residential (55+ DU/AC) Overlay

ZONING DISTRICTS:

Existing Designation: IP Industrial Park

SURROUNDING LAND USE AND GENERAL PLAN DESIGNATION(S):

North: Office/ Industrial Park

South: Office/ Industrial Park with Transit/Employment Residential (55+ DU/AC) Overlay

East: Multi-family Residential/Transit Corridor Residential (20+ DU/AC); Vacant Land/General Commercial; Office/Industrial Park

West: Office/Industrial Park with Transit/Employment Residential (55+ DU/AC) Overlay; Guadalupe River Park

ENVIRONMENTAL REVIEW STATUS:

Environmental Impact Review (EIR) approved by City Council on June 21, 2005 (Resolution No. 72768) with an Addendum including a recently completed area flood study.

PLANNING STAFF RECOMMENDATION:

Industrial Park with a Transit/Employment Residential (55+ DU/AC) Overlay

Approved by:

Date:

PLANNING COMMISSION RECOMMENDATION:

CITY COUNCIL ACTION:

CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:

- Department of Public Works (DPW) – Memo from DPW, Transportation and Development Services Division states the site is located in a State Liquefaction zone. (See PW memo dated October 13, 2005)
- Department of Transportation (DOT) – DOT stated in March 2007 they have no comments.
- San Jose Fire Department – The Fire Department indicated that they would provide further review and comment upon receiving additional information as part of subsequent permit applications. (See Fire Department Memo dated October 12, 2005)
- Santa Clara Valley Water District – The proposed General Plan amendment to change the land use designation will not directly impact any District facility. However, according to District Ordinance 83-2, any work within 50 feet of a District facility will require a permit; therefore, the development of Transit/Employment Residential Overlay project, park, and the adjoining two sites (next to the Guadalupe River) will require the District's review. (See memo dated November 8, 2005)
- Parks and Recreation Commission – Because a development proposal at the site will likely be more than 50 units, the Parks and Recreation Commission anticipates the City can request land dedication and park improvements from both projects under the Parkland Dedication Ordinance (PDO) or the Parkland Impact Ordinance (PIO) when a formal development application is submitted to the City. PRNS staff should explore the development of one central park to serve the area, or two sites at either end of the three parcels included in the proposed amendment. The southernmost parcel would expand the proposed Block F Park Site being proposed by Legacy Partners and the northern parcels could augment the City's retention basin and modify this site into a baseball diamond park. (See memo dated March 8, 2007.)
- Department of Parks, Recreation, and Neighborhood Services (PRNS) – PRNS staff determined that dedication of parkland will be associated with number of units to be developed, with park location to be determined by PRNS staff. (See PRNS memo dated February 26, 2007)

GENERAL CORRESPONDENCE:

None.

ANALYSIS AND RECOMMENDATIONS:

RECOMMENDATION

Planning staff recommends that the Planning Commission forward to the City Council a recommendation to approve the addition of a Transit/Employment Residential (55+ DU/AC) Overlay to the General Plan Land Use/Transportation Diagram on the subject site, currently designated Industrial Park.

PROJECT DESCRIPTION

This is a privately initiated General Plan amendment request with a staff initiated expansion to change the *San José 2020 General Plan* Land Use/Transportation Diagram to add the Transit/Employment Residential (55+ DU/AC) Overlay to land currently designated Industrial Park. Approval of the proposed General Plan amendment could allow development with commercial uses on the first two floors, with residential use on

upper floors, as well as wholly residential projects at a density of 55+ dwelling units per acre, typified by multi-family apartments and condominiums.

Existing office development on site facing southward along North First Street



River Oaks VTA light rail station fronting the site to the east along North First Street at River Oaks Place



BACKGROUND

The revised North San José Area Development Policy (Policy) was approved in June 2005 with environmental clearance under an Environmental Impact Report (EIR) updating the future land use vision for the area, including the subject site. The Policy identifies the project site for potential expansion of the Transit/Employment Residential (55+ DU/AC) Overlay to the area designated Industrial Park. The Policy EIR required that higher density land use designations for this expansion area would be contingent upon the findings of an updated 1987 Floodplain Management Study, which was not completed as a part of the Policy EIR. Due to this requirement, parcels immediately west of the site along the Guadalupe River were designated with the Transit/Employment Residential (55+ DU/AC) Overlay with the adoption of the NJSADP, while the subject site remained Industrial Park without the Overlay.

In October 2005, WYSE Technology Investments, Inc. requested a change in the *San José 2020 General Plan* land use designation to expand the Transit/Employment Residential (55+ DU/AC) Overlay on approximately 16 acres of their site designated Industrial Park. At the time the application was filed, staff encouraged the applicant to complete a privately funded Floodplain Management Update as a part of the environmental review for their application. In September of 2006, the North San José Floodplain Management Study Update was completed by Schaaf & Wheeler Consulting Civil Engineers. Per consultation with VTA, City staff expanded the proposed General Plan amendment area to include the approximately 14.4 acres of the VTA campus not already covered by the Overlay, immediately south of the WYSE request. Combined, these sites fit the 30.4 acres originally identified for potential Transit/Employment Residential (55+ DU/AC) Overlay expansion in the Policy EIR.

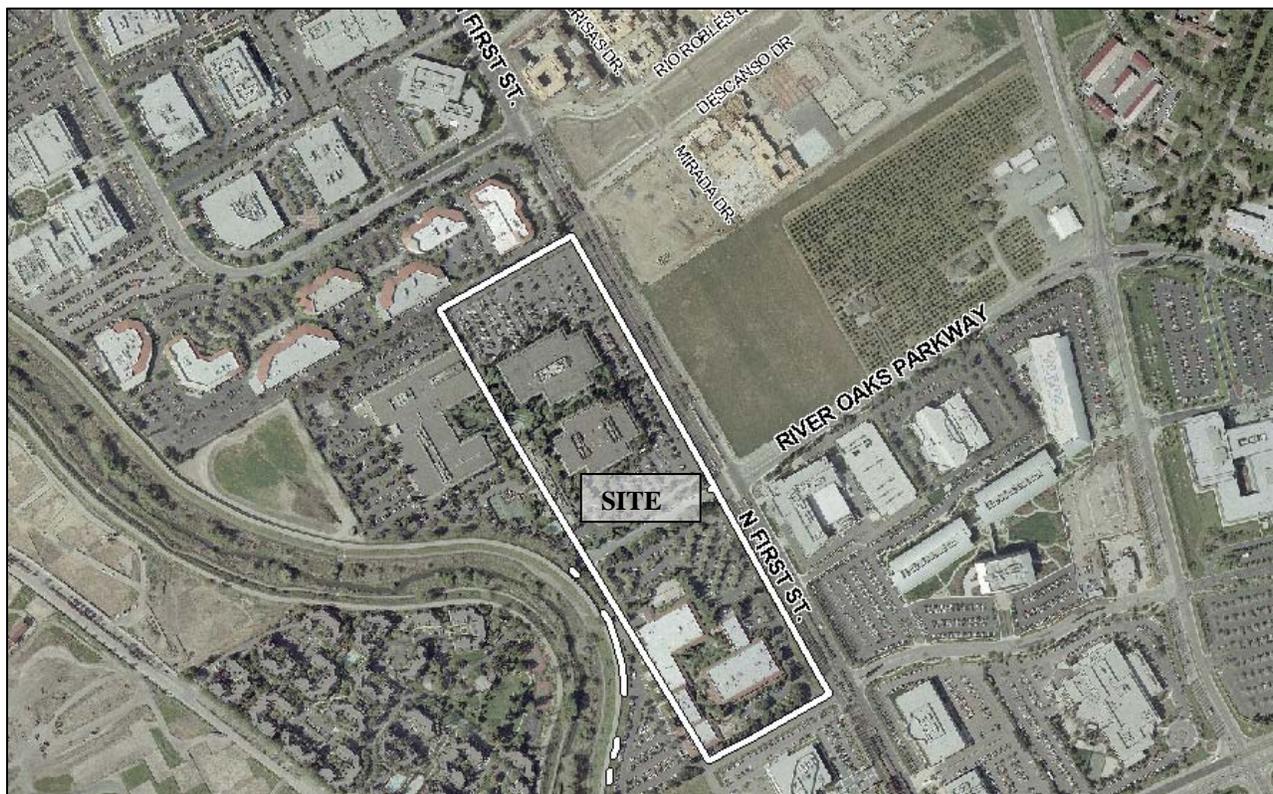
Site and Surrounding Context

The site is an approximately 30.4-acre rectangular-shaped area consisting of portions of three lots with a total of four two-story office buildings surrounded by surface parking. The site fronts on to North First Street and is bisected by River Oaks Place (which is included in the acreage measurement for the General

Plan amendment application). North First Street is designated on the General Plan Land Use/Transportation Diagram as a Major Collector (60 to 90 feet) from State Route 237 south to East Santa Clara Street.

The existing *San José 2020 General Plan Land Use/Transportation Diagram* designation for the site is Industrial Park. Industrial uses are consistent with this designation insofar as any functional or operational characteristics of a hazardous nuisance nature are generally small and can be mitigated through design controls. Office, research and development uses, with which the site is currently developed, are appropriate uses in this designation.

The surrounding properties have various General Plan land use designations and development, reflecting the shifting land use patterns of North San José. Immediately west of the site, a portion of the subject parcels are designated Industrial Park with a Transit/Employment Residential (55+ DU/AC) Overlay, and are currently used as offices. Neighboring parcels designated Industrial Park surround the project site to the north, south, and southeast of the site. The vacant parcel to the east of the site on the northeast corner of North First Street and River Oaks Parkway is designated General Commercial. Northpark, a large scale multi-family apartment development, is northeast of the site at Descanso Drive and North First Street on land designated Transit Corridor Residential (20+ DU/AC). A 608-unit residential Planned Development Zoning District encompassing 11.2 acres is in the development permit process on an adjacent site to the southwest (file no. PDC05-99) on land designated Industrial Park with the Transit/Employment Residential (55+ DU/AC) Overlay.



Aerial exhibit of the subject site and vicinity

ANALYSIS

The key issues in analyzing the proposed General Plan amendment are consistency with 1) the *San José 2020 General Plan* major strategies and the, goals, and policies, 2) the North San José Area Development Policy (Policy) and 3) land use compatibility.

Consistency with the *San José 2020 General Plan* Major Strategies, Goals and Policies and the North San José Area Development Policy

General Plan Major Strategies, goals and policies as applied in the North San José Policy area encourage the redevelopment of existing horizontal campuses of low rise buildings to respond to the future market and corporate desires for intensified development and to consider impacts on the City's economic development, growth management, housing needs, urban conservation, and sustainability. Expansion of the Transit/Employment Residential (55+ DU/AC) Overlay is consistent with elements of these General Plan Major Strategies, goals, and policies and may potentially further these objectives beyond the current Industrial Park uses that are currently allowed at the site. High density residential development in a major employment area served extensively by several modes of transit can promote new economic growth, provide residents' with reduced commute times, allow for less automobile congestion and more resource conservation, and diminish the capital need for the outward expansion of city services and infrastructure. The amendment proposal is consistent with the General Plan purpose of providing the framework for a more livable city that is both environmentally sustainable and fiscally sound.

Future industrial-serving residential and retail development should, therefore, be provided in appropriate location within the areas designated Industrial Park. Easily accessible transportation options including Light Rail Transit, bus, bike lanes, and pedestrian alternatives are essential. These measures minimize impacts upon transportation infrastructure and other City services by focusing development within an already urbanized area, by promoting a mutually supportive mix of land uses, and by tying industrial and residential development with transportation improvements in a phasing program. Sustainability and fiscal balance can be achieved by maximizing utilization of existing infrastructure, including the North First Street transit corridor. The General Plan amendment application presented is consistent with these strategies as well as the more detailed objectives of the Policy.

Through the adoption of the Policy in June of 2005, the City of San José modified its relevant plans and policies in order to encourage a greater intensity of development within the North San José Policy Area. Commonly referred to as both "North San Jose" and the "Rincon area," the Policy Area is an established urban area characterized by one- and two-story industrial buildings and warehouses, two- to five-story campus industrial parks with extensive landscaping and large surface parking lots, multi-tenant industrial complexes, and three relatively new high and medium-high density residential projects.

Most of the Rincon area is designated Industrial Park in the City's General Plan. That land use designation allows a range of uses in addition to the traditional industrial and manufacturing activities. In recent years, new development in this area has included higher percentages of office, research and development (R&D) associated with high technology businesses, and specialized functions that frequently include extensive computer labs. It is assumed that this pattern will continue, supporting the higher intensity building forms envisioned with the Policy. The request for the Transit/Employment Residential (55+ DU/AC) Overlay included in this General Plan amendment application is consistent with these development trends.

The Policy substantially increases the amount of residential development allowed in North San José; the additional dwelling units will be allocated and development approved based on a number of factors, including identified priorities that implement policies such as proximity to transit, timely completion of

planned housing units within the Rincon area, and completion of some major new infrastructure elements to serve this potential new development.

The Policy contains two primary land use designations for North San José. First, the *Industrial Core Area* designation was established to support the development of a driving industry corporate center along the North First Street corridor. The Policy provides for the addition of 16 million square feet of new industrial development within this Core Area, resulting in an overall average 1.2 Floor Area Ratio (FAR) fronting along North First Street between Brokaw Road and Montague Expressway in a 600-acre Core Area. Second, the creation of a Transit/Employment Residential (55+ DU/AC) Overlay allows for the expansion of supporting residential and commercial uses to promote livability. New residential units would also be allowed through mixed-use development within the Policy's Core Area and on land with residential designations at the policy was adopted or remain office or research space as previously designated. This residential development envisioned by the Policy is intended to provide housing in close proximity to jobs to allow employees the opportunity to reduce their commute travel times, make increased use of transit facilities and to reduce overall traffic congestion.

The Policy allows for the development of up to 32,000 new dwelling units within the project area. The policy allows for the conversion of 285 acres of existing industrial and public/quasi-public lands to residential use at minimum densities of either 55 DU/AC (utilizing up to 200 acres) or 90 DU/AC (utilizing up to 85 acres). Complete implementation of this conversion would result in a minimum of 18,650 new residential units and could result in additional units. The Policy also allows mixed use (residential and industrial) development within a central (Core Area) industrial area.

Outlined by these strategies, the Policy was specifically adopted for the purpose of allowing ongoing intensification of industrial and residential development in the Redevelopment Area. Expanding the Transit/Employment District Residential (55+ DU/AC) Overlay to the applicants' site would fulfill the need for employment serving residential development addressed by the Policy. As part of this application, the Policy Residential Districts maps would be amended to allow the high density residential use now proposed for the 30.4-acre site by the General Plan land use amendment request.

Land Use Compatibility

If approved, the Transit/Employment Residential (55+ DU/AC) Overlay designation will allow multi-family residential uses on the site, fulfilling the Policy intent for more intense development in the area. General Plan Residential Land Use Policy No. 9 states that when changes in residential densities are proposed, the City should consider such factors as neighborhood character and identity, compatibility of land uses and impacts on livability, impacts on services and facilities including schools, accessibility to transit facilities, and impacts on traffic levels on both neighborhood streets and major thoroughfares.

Neighborhood Compatibility

Given the existing single-family residential neighborhood, future redevelopment of the site would require careful design considerations. Specific standards exist for perimeter setbacks, parking and building orientation for different housing types in the Residential Design Guidelines and Zoning Ordinance to facilitate compatible development on this site in the context of its surroundings. If future development were to occur at the proposed density of 55+ dwelling units per acre, the general character of development and land use could be compatible if adequate parking, setbacks, building heights, and extensive landscaping were integrated into the design proposal. General Plan policies promote redevelopment that includes landscaping requirements to promote an urban, pedestrian oriented

character throughout the area with buildings focused toward the street and site improvements installed to facilitate pedestrian movement and access to transit.

Existing Industrial Park office development at the southeast corner of River Oaks Place and North First Street, east of the site



Existing multi-family development east of the site, 550 feet north of River Oaks Place and North First Street



Street and Transportation Access

The City's Department of Transportation reviewed the proposed land use amendment and concluded that it would have a less than significant long-term impact on the level of traffic in the area. The site is located on the west side of North First Street and bisected by River Oaks Place before it terminates at the Guadalupe River Park. North First Street is an important traffic arterial within the City's transportation network, serving as major north-south thoroughfare for the North San José area and as a connection to commercial areas such as downtown, as well as freeways and other regional facilities. Shared vehicle and bike lanes are provided along North First Street. A shared bicycle and pedestrian path is provided immediately west of the site along the Guadalupe River Park. In addition to the frontages provided by North First Street, the site is bisected by River Oaks Place; where both the parcels to the north and south included this application have frontage and driveway access.

The site is also directly adjacent to the River Oaks station on North First Street within the Valley Transportation Authority's (VTA) Light Rail Transit (LRT) network. Light rail service north to Alum Rock and Mountain View, and destinations south to Santa Teresa and Winchester are accessible from this station. Two VTA bus routes serve the River Oaks station, the 44 and 58, connecting to Santa Clara Transit Center and West Valley College, respectively. Bus connections to other destinations throughout Santa Clara County can be reached via LRT.

If development is proposed in the future, the City's Department of Public Works would require a near term traffic analysis to address impacts from vehicular circulation, site access, queuing, and other operational issues for a high density multi-family development on the project site.

Parks

Since future development of the site is expected to yield more than 50 units, the City can request land dedication and park improvements under the Parkland Dedication Ordinance (PDO) and the Parkland Impact Ordinance (PIO). Parks, Recreation and Neighborhood Services staff will explore the development of one central park to serve the area, or two sites at either end of the three parcels included in the General Plan amendment proposal. The southern site would expand the proposed the Block F Park Site being proposed by Legacy Partners (608 unit residential project on file under PDC05-99) and the northern site could augment the City's retention basin and modify this site into a baseball diamond park.

The City has contracted with an urban design consultant to master plan neighborhood parks for areas included in the Policy area and will address the best location for a park in proximity to the subject site.

ENVIRONMENTAL REVIEW

A Draft Environmental Impact Review (EIR) for the Policy was circulated on March of 2005 for public review and comments. The EIR approved in June of 2005 by the City Council includes General Plan policy mitigation to reduce any potential impacts to a less than significant level per the California Environmental Quality Act (CEQA). The EIR concluded that the project would have a less than significant impacts or includes General Plan Policy mitigation measures in the following categories: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Public Service, Recreation, Transportation/Traffic, Utilities and Service Systems. In the case of Hazardous Materials, the EIR states that an environmental risk assessment would be conducted at the time of site development to determine the safety and viability of residential use on the site; the site otherwise defaults to the base Industrial Park designation.

The EIR did not include any provision for assessing the impacts of updates to the North San José 1987 Floodplain Management Study on the Redevelopment Area, which limited the expansion of the Transit/Employment Residential (55+ DU/AC) Overlay, and excluded it from the parcels included in this proposed project until an updated Flood Study was provided. The Policy did consider these areas for expansion of the Transit/Employment Residential (55+ DU/AC) Overlay, contingent upon the findings of a completed update of the original 1987 study. An Initial Study Checklist and EIR Addendum were completed to include the hydrology results of the North San José Floodplain Management Update (completed in September 2006 by Schaaf & Wheeler), which supports the proposed density of the Transit/Employment Residential (55+ DU/AC) Overlay at the applicants' site.

PUBLIC OUTREACH

Community Outreach: In accordance with the City's Public Outreach Policy, numerous community meetings were held throughout the year long development process of drafting the Policy. During that process, the proposed parcels were identified as potential expansion areas for the Transit/Employment Residential (55+ DU/AC) Overlay.

Two signs were posted at the subject site along the frontage of North First Street notifying the public of the pending General Plan amendment application on file. A joint notice of public hearings to be held on the subject General Plan amendment before the Planning Commission on March 28, 2007 and City Council on April 24, 2007 was sent to residents and property owners within a 1,000 foot radius around the subject site. The Planning Department website contains information regarding the General Plan process, amendments,

staff reports, and hearing schedules. This website is available with the most current information regarding the status of the amendments.

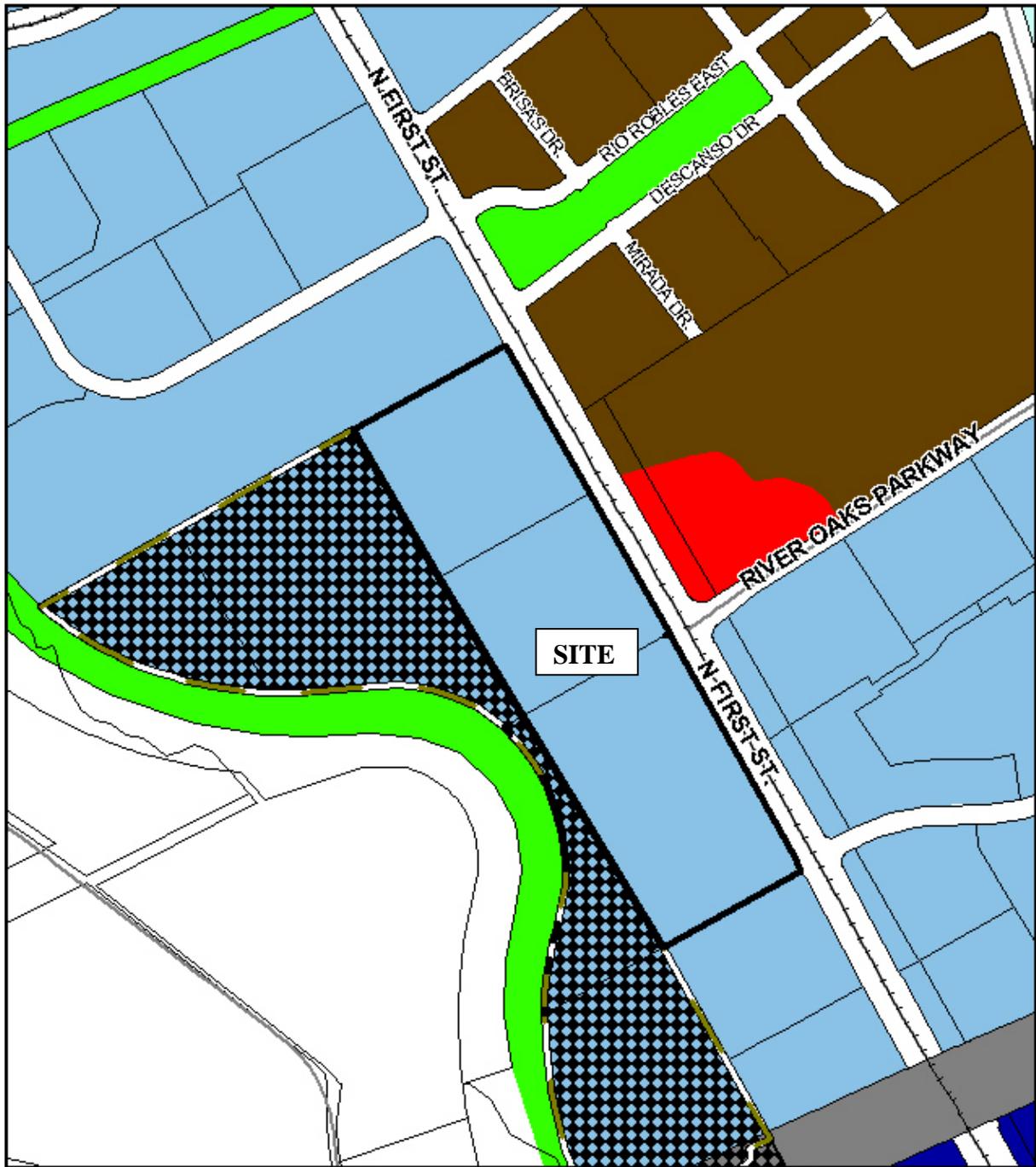
State of California Tribal Consultation Guidelines: This General Plan amendment is subject to the State of California Tribal Consultation Guidelines and was referred to the tribal representatives. To date, no comments from tribal representatives on the subject General Plan amendment request have been received by staff.

CONCLUSION

Staff recommends approval of the General Plan amendment request to add a Transit/Employment Residential (55+ DU/AC) Overlay on an approximately 30.4-acre site designated Industrial Park.

The proposed General Plan amendment is consistent with the General Plan Housing and Growth Management Major Strategies and the North San José Area Development Policy, which encourages high density residential use designations in order to support continued job growth in North San José. The site is appropriate for the proposed Transit/Employment Residential (55+ DU/AC) Overlay, fulfilling the potential expansion area originally prescribed by the Policy.

GP05-04-08



 <p>Department of Planning, Building and Code Enforcement Planning Services Division</p>	<table border="1"><tr><td></td><td>SITE</td></tr><tr><td></td><td>Floating Park</td></tr><tr><td></td><td>Transit Employment Residential Overlay</td></tr></table>		SITE		Floating Park		Transit Employment Residential Overlay	 <p>NORTH</p> <p>Scale 1" = 250' Quad: 35</p>
	SITE							
	Floating Park							
	Transit Employment Residential Overlay							



ADDENDUM TO AN EIR USE OF A FINAL EIR PREPARED FOR A PREVIOUS PROJECT

Pursuant to Section 15164 of the CEQA Guidelines, the City of San Jose has prepared an Addendum to an Environmental Impact Report (EIR) because minor changes made to the project that are described below do not raise important new issues about the significant impacts on the environment.

PROJECT DESCRIPTION AND LOCATION

This General Plan amendment (**File No. GP05-04-08**) is a request to change the Land Use/Transportation Diagram designation to add a Transit/Employment Residential Overlay (55+ DU/AC) on an approximately 30.4-acre site designated Industrial Park. The subject site is located on the westerly of North First Street approximately 450 feet south of the intersection of North First Street and West Rio Robles, east of the Guadalupe River, and north of the intersection of North First Street and Innovation Drive (3331-3475 North First Street). Applicants: WYSE Technology Investments (WTI), Inc. and City of San José Staff; Owners: WYSE Technology Investments (WTI), Inc. and Valley Transportation Authority (VTA).

Council District: 4

County Assessor's Parcel Number (APN): a portion of 097-06-032, -038 and a portion of -039

The environmental impacts of this project were addressed by a Final EIR entitled, "North San José Area Development Policy" (Policy), and findings were adopted by City Council Resolution No. 72768 on June 21, 2005. Specifically, the following impacts were reviewed and found to be adequately considered by the EIR:

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Traffic and Circulation | <input checked="" type="checkbox"/> Soils and Geology | <input checked="" type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Hazardous Materials | <input checked="" type="checkbox"/> Land Use |
| <input checked="" type="checkbox"/> Urban Services | <input checked="" type="checkbox"/> Biotics | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Airport Considerations | <input type="checkbox"/> Microclimate |
| <input checked="" type="checkbox"/> Energy | <input type="checkbox"/> Relocation Issues | <input checked="" type="checkbox"/> Construction Period Impacts |
| <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Utilities | <input checked="" type="checkbox"/> Facilities and Services |
| <input checked="" type="checkbox"/> Water Quality | <input checked="" type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Mineral Resources |
| <input checked="" type="checkbox"/> Population and Housing | <input checked="" type="checkbox"/> Public Services | <input checked="" type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Mandatory Findings | | |

ANALYSIS:

The purpose of this Addendum is to document the environmental impacts associated with a proposed change in the scope of the previously approved Policy with a change in the proposed development on three parcels within the previously approved project area, in accordance with the

CEQA Guidelines and the City of San José's requirements for the preparation of environmental documents

The City of San José publicly circulated a Draft EIR, which evaluated the environmental impacts of the NSJADP Update, in March of 2005. The City certified the EIR, entitled *North San José Policies Update Program EIR*, and approved the project in June of 2005. This Addendum to the EIR is being prepared because less than significant changes to the overall Policy are now proposed.

II. PROJECT LOCATION

The proposed project is within the Rincon de los Esteros Redevelopment Area, which is located generally south of State Route 237 (SR 237), east of the Guadalupe River, north and northwest of Interstate 880 (I-880), and west of Coyote Creek. The project site is estimated to be approximately 30.4 acres in area. The regional project location is shown in Figure 1; the vicinity of the project area is shown in greater detail in Figure 2.

The existing boundaries and residential land use designations for the project area are shown in Figure 3, as well as the boundary of the Industrial Core Area. The location of the parcels included in this proposed project is labeled as "Potential Expansion of the Residential District Overlay" in Figure 3.

III. DESCRIPTION OF THE PREVIOUSLY APPROVED PROJECT

The City of San José modified its relevant plans and policies in order to encourage a greater intensity of development within the existing Rincon de los Esteros Redevelopment Area. Commonly referred to as both "North San Jose" and the "Rincon area," the project location is an established urban area characterized by one- and two-story industrial buildings and warehouses, two- to five-story campus industrial parks with extensive landscaping and large surface parking lots, multi-tenant industrial complexes, and three relatively new high and medium-high density residential projects. Also within the previously approved project boundary is a California state residential facility for the developmentally disabled, a card club, two mobile home parks, and limited retail commercial/hotel/office development along North First and Fourth Streets. Prior to the project's approval, industrial development in Rincon had generally been held to a floor area ratio (FAR) of .35 with .40 allowed on lands within 2,000 feet of LRT stations.

Most of the Rincon area is designated Industrial Park in the City's General Plan. That designation allows a range of uses in addition to the traditional industrial and manufacturing activities. In recent years, new development in this area has included higher percentages of office, research, and development (R&D) associated with high technology businesses, and specialized functions that frequently include extensive computer labs. It is assumed that this pattern will continue, supporting the higher intensity building forms envisioned with this project.

The EIR for the Policy addresses the impacts of developing approximately 26.7 million square feet of new industrial/office/R&D building space in the Rincon area beyond existing entitlements. Of these 26.7 million square feet, 6.7 million represents full build-out of the project area under the existing FAR cap policy and 20 million square feet would be the net amount of

additional development potential created through the proposed changes to current City policies. This amount of total new development would allow for approximately 83,300 new employees.

In addition, the Policy project allows for the development of up to 32,000 new dwelling units within the project area. The Policy allows for the conversion of 285 acres of existing industrial and public/quasi-public lands to residential use at minimum densities of either 55 DU/AC (utilizing up to 200 acres) or 90 DU/AC (utilizing up to 85 acres). Complete implementation of this conversion would result in a minimum of 18,650 new residential units and could result in additional units. The project also allows mixed use (residential and industrial) development with in a central (Core Area) industrial area. Additional residential development could also occur through the development of properties with an existing residential General Plan land use designation allowing development at 20+ DU/AC. This would allow a population increase of approximately 56,640 persons.

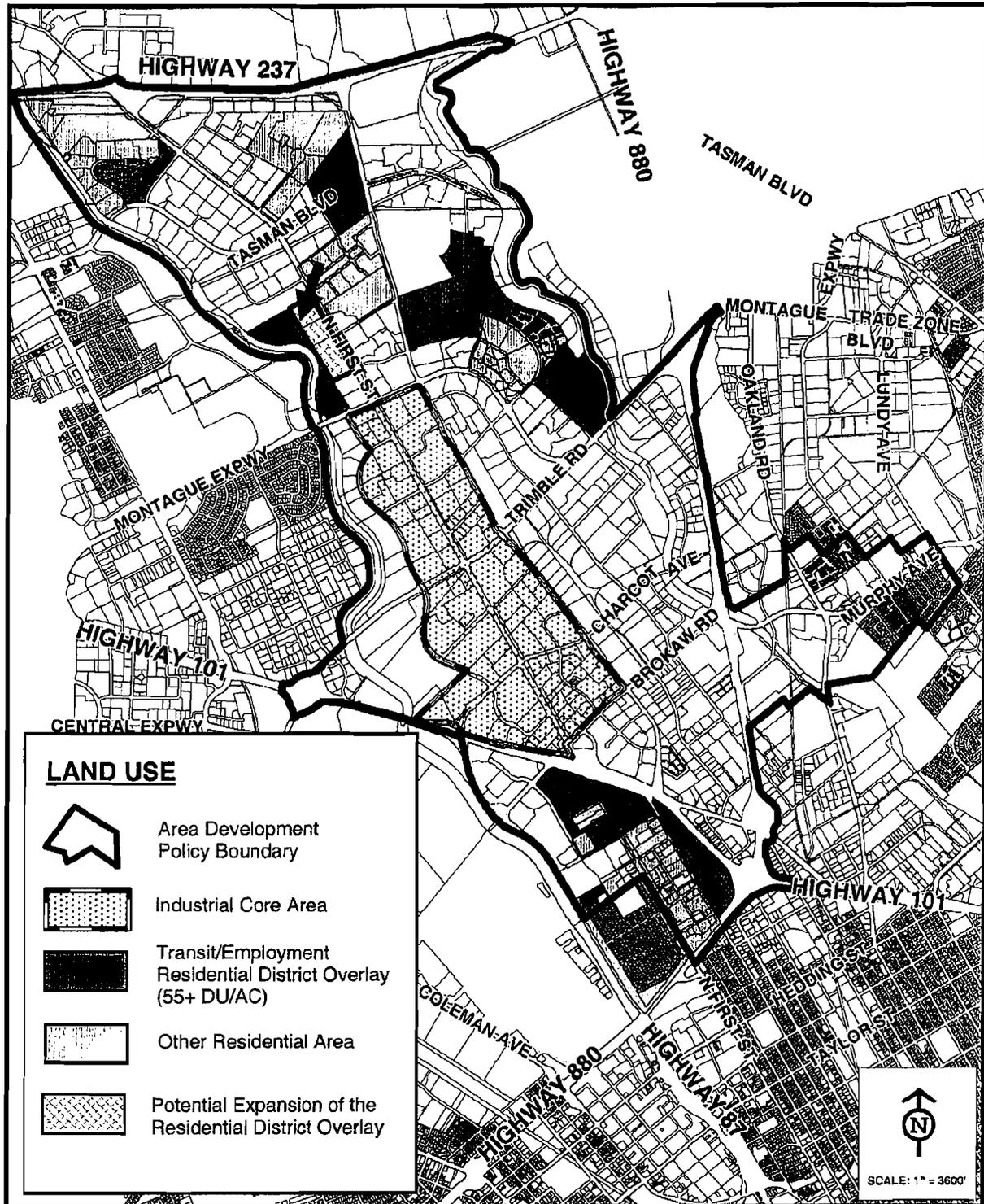
The General Plan changes implemented by the Policy substantially increase the residential development allowed in North San José, but this EIR does not address any specifically proposed residential development. The additional square footage will be allocated and development approved based on a number of factors, including identified priorities that implement policies such as proximity to transit, timely completion of planned housing units within the Rincon area, and completion of some major new infrastructure elements to serve this new development considered by this EIR.

The Policy contains two primary land use changes for North San José:

1. Establishment of an industrial Core Area designation to support the development of a driving industry corporate center along the North First Street corridor
 - *Industrial Core Area:* A key strategy of the City is to allow and encourage more intense development for “driving industry” businesses along the North First Street Corridor. (Driving industry businesses are businesses that sell goods and/or services outside of the region, bringing in significant revenues that help drive the San José economy.) The City envisions a very active corridor of mid-rise (4-12 story) industrial office buildings, utilizing headquarters or comparable quality architecture, fronting along North First Street between Brokaw Road and Montague Expressway in a 600-acre Core Area. Intensification of this Core Area will foster a concentration of high-tech businesses located so as to make the best use of existing infrastructure resources. The Policy provides for the addition of 16 million square feet of new industrial development within this Core Area, resulting in an overall average 1.2 FAR.
2. Establishment of a Transit/Employment Residential overlay to allow expansion of supporting residential and commercial uses to promote livability.
 - *Transit/Employment District (55+ DU/AC):* In order to support continued job growth in North San José, the Policy provides for the development of up to 32,000 new residential units, including at least 18,650 developed through the conversion of up to 285 acres of existing industrial lands within a new Transit/Employment Residential Overlay area. New residential units would also be allowed through mixed-use development

within the Core Area and on land with residential designations at the policy was adopted. This residential development is intended to provide housing in close proximity to jobs to allow employees the opportunity to reduce their commute travel times, make increased use of transit facilities and to reduce overall traffic congestion. The Policy includes criteria that in conjunction with other City policies are intended to promote the establishment of successful new residential living environments as a result of land use conversions within the Policy area.

Figure 3 Residential Districts



IV. PROPOSED CHANGES TO THE PROJECT

The project proposes an amendment to the General Plan Land Use/Transportation Diagram adding a *Transit/Employment Residential (55+ DU/AC)* Overlay on an approximately 30.4-acre site designated *Industrial Park*. The original Policy was specifically adopted for the purpose of allowing increasingly dense residential and industrial development in the Redevelopment Area. As part of this project, the North San José Area Policy Residential Districts map would be adjusted to include this expansion of the Transit/Employment Residential District Overlay over three parcels (see Figure 3, parcels labeled “Potential Expansion of the Residential District Overlay”).

The remainder of the proposed Policy Area remains the same as described above and analyzed in the EIR approved in 2005.

V. ENVIRONMENTAL IMPACTS OF PROPOSED CHANGES TO THE PROJECT

The discussion below describes the minor changes in environmental impacts from the currently proposed project when compared to the previously approved project. These environmental issues include the following: land use and hydrology impacts. No notable changes in other subject areas (e.g., geology, hazardous materials, air quality, etc.) would result from the changes in the project in that the project provides an additional 30.4 acres upon which the *Transit/Employment Residential (55+ DU/AC)* Overlay would be applied and housing could potentially be built, subject to applicable North San José Area Development Policy requirements. No additional dwelling units would be constructed as part of the project beyond the 32,000 units allowed under the NSJADP, rather the application of the Overlay to the subject site would provide additional location opportunities to develop housing to implement the approved NSJADP.

Land Use

As described above, the project site is currently designated for Industrial Park uses and is located within an area of existing and planned industrial development. Future development of the site with a residential use on the would not physically divide an established community. The project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of mitigating or avoiding an environmental effect, nor would it conflict with any conservation plan.

The North San José Policies Environmental Impact Report (EIR) previously addressed application of the Transit Corridor/Employment District Residential Overlay designation to properties adjacent to the site. The location of residential and commercial uses on the site would not lead to additional restrictions being placed on the existing and planned industrial uses in that the site is across North First Street from an existing residential development and therefore would not constitute introduction of a new land use. At the time a specific proposal is made to convert land within the Transit/Employment Residential Overlay area to a residential land use, the EIR states that further CEQA analysis is required to account for the project impacts anticipated to result from the specific project design. For these reasons, the currently proposed project change would not result in significant land use impacts beyond those evaluated for the overall Policy in the prior EIR.

Hydrology

An update to the North San José 1987 Floodplain Management Study was completed by *Schaaf & Wheeler Consulting Civil Engineers* in September of 2006, to identify the potential flooding issues (see Attachment A). The methodology for this study has been based on the methods used for the original 1987 Floodplain Management Study. Existing flood conditions in the North San José area have been changed by completion of flood control projects for Coyote Creek and Lower

Guadalupe River: The flood control projects have increased the stream channel flood capacity and reduced the potential for overflows from the stream channels into the North San José area. With the flood control projects the flood potential has been reduced to residual shallow flooding primarily due to storm drain excess flows which exceed the capacity of the storm drain systems during a 100-year storm.

The study area is within the Rincon de los Esteros Redevelopment Area, which is generally south of Highway 237, east of the Guadalupe River, north and northwest of Highway 880, and west of Coyote Creek. The project area is subject to potential tidal flooding from San Francisco Bay, and residual freshwater flooding from local runoff. The potential for freshwater flooding from Coyote Creek and Guadalupe River has been significantly reduced by flood control projects for those channels. Both projects have been designed and constructed to convey the estimated 100-year flood flow for each stream.

For the area affected by the proposed project change (Trimble Road to Highway 237), the preferred floodplain management policy would include a 90 percent blockage (parcel coverage) in areas with high density land uses, including High Density Residential, Transit Corridor Residential, and Industrial Core. All other lower density land uses would include a 75 percent blockage restriction. The 90 percent blockage would support the Transit/Employment Residential (55+ DU/AC) Overlay proposed for this EIR addendum.

VI. CONCLUSION

Based upon this evaluation, it is concluded that the proposed changes in the project would not result in any new significant environmental impacts, nor would the magnitude of previously identified environmental impacts be substantially different from those associated with the previously approved project. None of the conditions calling for the preparation of a subsequent EIR, as detailed in Section 15162 of the CEQA Guidelines have occurred. As described above, where necessary, the proposed project would be responsible for implementing the mitigation measures already identified in the NSJADP EIR (2005) to reduce or avoid significant environmental impacts. Therefore, no further environmental review is required or warranted under CEQA.

As prescribed by Section 15164 of the CEQA Guidelines, this Addendum to the EIR will not be circulated for public review, but will be included in the public record file for this project.

Sam Knutson
Project Manager

Joseph Horwedel, Director
Planning, Building and Code Enforcement

Date

3/28/07

Deputy

Akemi Danielson

Memorandum

TO: Jenny Nusbaum
Planning and Building

FROM: Ebrahim Sohrabi
Public Works

**SUBJECT: RESPONSE TO GENERAL PLAN
AMENDMENT APPLICATION**

DATE: 10/13/05

PLANNING NO.: GP05-04-08
DESCRIPTION: GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram designation from Industrial Park to Transit Employment Residential Overlay (55+ DU/AC) on approximately 13 acres, and General Commercial on approximately 3 acres on a 16-acre site. (WTI, Inc., Owner/Ken Riding, Applicant)
LOCATION: west side of North First Street, approximately 1800 feet southerly of Tasman Boulevard
P.W. NUMBER: 3-04634

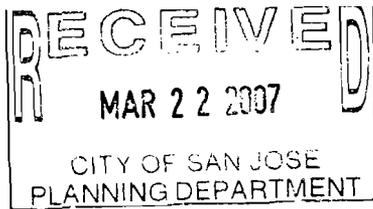
Public Works received the subject project on 10/06/05 and submits the following comments:

AO-1 Flood Zone
NO Geological Hazard Zone
NO State Landslide Zone
YES State Liquefaction Zone
NO Inadequate Sanitary capacity
NO Inadequate Storm capacity
NO Major Access Constraints
YES Near-Term Traffic Impact Analysis

Please contact the Project Engineer, Amit Mutsuddy at 535-6828 if you have any questions.

EBRAHIM SOHRABI
Senior Civil Engineer
Transportation and Development Services Division

ES:AM:av



Memorandum

TO: Jenny Nusbaum
Planning, Building
and Code Enforcement

FROM: P. Paul Ma

**SUBJECT: TRAFFIC IMPACT ANALYSIS
FOR GP05-04-08**

DATE: 3-22-07

Approved

Date

File Number: GP05-04-08
Location: W/o N. First St., approx. 1800 feet S/o Tasman Blvd.
Acreage: 30.0 ac.
Description: Industrial Park to Industrial Park with Transit Employment Res. (55+ DU/AC)
and General Commercial
Special Subarea – North San Jose

The land use changes of the subject General Plan Amendment have been included in the analysis of the North San Jose Area Development Policy. DOT offers no further comments.

Please contact Paul Ma at 975-3272 if you have any questions.

P. PAUL MA
Transportation Systems Planning Manager
Department of Transportation

PM
cc: Sam Knutson

DATE: 10/12/05

TO: Jenny Nusbaum

FROM: Nadia Naum-Stoian

Re: Plan Review Comments

PLANNING NO: GP05-04-08

DESCRIPTION: GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram designation from Industrial Park to Transit Employment Residential Overlay (55+ DU/AC) on approximately 13 acres, and General Commercial on approximately 3 acres on a 16-acre site. (WTI, Inc., Owner/Ken Riding, Applicant)

LOCATION: west side of North First Street, approximately 1800 feet southerly of Tasman Boulevard

ADDRESS: west side of North First Street, approximately 1800 feet southerly of Tasman Boulevard (3469 N 1ST ST)

FOLDER #: 05 055373 AO

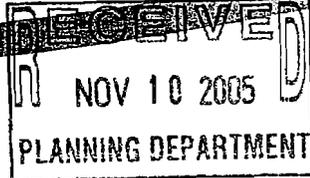
The Fire Department's review was limited to verifying compliance of the project to Article 9, Appendix III-A, and Appendix III-B of the 2001 California Fire Code with City of San Jose Amendments (SJFC). Compliance with all other applicable fire and building codes and standards relating to fire and panic safety shall be verified by the Fire Department during the Building Permit process.

The application provided does not include adequate information for our review; Fire Department staff will provide further review and comments when additional information is received as part of subsequent permit applications.

Site flow requirement may be as high as 4,500 GPM.

EIR Planner to check with Hazardous Materials Division, , Michael Murtiff, for Environmental concerns.

Nadia Naum-Stoian, Fire Protection Engineer
Bureau of Fire Prevention, Fire Department
(408) 535-7699



File: 30864
Guadalupe River

November 8, 2005

Ms. Jenny Nusbaum
Department of Planning
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

Subject: General Plan Amendment Request to Change the Land Use Designation—City
File No. GP05-04-08

Dear Ms. Nusbaum:

The Santa Clara Valley Water District (District) has reviewed the subject received on October 6, 2005.

The site is located within the Guadalupe River watershed. According to the Federal Emergency Management Agency Flood Insurance Rate Map (FIRM), the entire site is within Zone AO, an area of 100-year shallow flooding where the average depth of inundation has been determined to be 1 foot. The District recommends that buildings located within Zone AO be elevated 2 feet above the 100-year water surface elevation. All buildings should be constructed using materials that are resistant to flood damage, and electrical, heating, ventilation, plumbing, air conditioning equipment, and other facilities, including ductwork, must be elevated or waterproofed to the base flood elevation plus freeboard. The project should also conform to the city's floodplain policies for development in North San Jose as applicable.

The proposed general plan amendment to change the land use designation will not directly impact any District facility. However, according to District Ordinance 83-2, any activity or work within 50 feet of a District facility will require a District permit; therefore, the development of the transit employment resident overlay project, park, and the adjoining two sites, next to the Guadalupe River, will require our review.

Please incorporate the following comments into future submittals to the District:

1. All project drainage should be directed to the public storm drain system and drainage should be directed away from the toe of the levee.
2. A water supply assessment is required by Water Code Section 10910 (SB 610); however, it appears that this is located within the area encompassed by the Environmental Impact Report for the North San Jose Development Policies Project for which a water supply assessment was completed earlier this year. If this project was not included in the previous water supply assessment, one should be completed as required by the Water Code.

Ms. Jenny Nusbaum
Page 2
November 8, 2005

3. Since the project site is greater than 1 acre, a Notice of Intent must be filed to comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharge associated with construction activity with the State Water Resources Control Board (SWRCB) prior to the start of construction. A storm water pollution prevention plan must also be prepared for the site.
4. In compliance with the city's NPDES permit, in particular Provision C.3, the project needs to include measures to both address quality and quantity of storm water generated from the development. Such measures may include directing runoff from parking lots and roofs to appropriate landscaping areas to allow pollutants to be reduced in the water that will eventually be discharged to the Guadalupe River. A good source to reference for information regarding how to include such features in the final site design is the "Start at the Source—Design Guidance Manual for Storm Water Quality Protection," a copy of which can be obtained through the Bay Area Storm water Management Agencies Association. The measures should be incorporated early in the planning/design process for best utilization and incorporation of the measures into the project.
5. Please note the RWCQB has stated that inlet filters are not acceptable. They are easily blocked by debris during storms causing street flooding, and the required level of maintenance is almost never provided resulting in inadequate treatment of storm water and may result in the filters becoming a pollutant source instead of a treatment device.
6. If native riparian plants are proposed for use at the site, they need to be contract grown from Guadalupe River watershed stock. We suggest the landscaping incorporate drought tolerant plants to reduce water consumption.

In accordance with District Ordinance 90-1, the owner should show any existing well(s) on the plans. The well(s) should be properly registered with the District and either maintained or abandoned in agreement with District standards. Property owners or their representatives should call the Wells and Water Production Unit at (408) 265-2607, extension 2660, for more information regarding well permits and the registration or abandonment of any wells.

If you have any further questions, my number is (408) 265-2607, extension 3135.

Sincerely,


for Wendy Jones, P.E.
Assistant Engineer
Community Projects Review Unit

cc: M. Klemencic, S. Tippetts, U. Chatwani, W. Jones, E. Hayes, File (2)
wj:jl
1107b-pl.doc



Department of Parks, Recreation and Neighborhood Services

PARKS AND RECREATION COMMISSION

March 8, 2007

City of San José Planning Commission
200 East Santa Clara Street
San Jose, California 95113

Subject: Winter/Spring 2007 – General Plan Amendments

Dear Planning Commissioners:

The Parks and Recreation Commission (hereinafter “Commission”) reviewed the proposed Winter/Spring 2007 General Plan Amendments dealing with future residential projects and a commercial site adjacent to Coyote Creek in a study session on February 21, 2007 and formally acted on its recommendations in response to the amendments at the Commission’s regular business meeting on March 7, 2007. This letter transmits the Commission’s comments regarding the following General Plan Amendments to be considered by the Planning Commission and the City Council.

1a) GP05-04-08A: General Plan Amendment request to change the San José 2020 Land Use/Transportation Diagram designation from Industrial Park to Industrial Park with Transit Employment Residential Overlay (55+ DU/AC) on 13.0 acres and General Commercial on 3.0 acres, located on the west side of North First Street between Plantation Drive and Rio Robles Road in Council District 4.

1b) GP05-04-08B: General Plan Amendment request to change the San José 2020 Land Use/Transportation Diagram designation from Industrial Park to Industrial Park with Transit Employment Residential Overlay (55+ DU/AC) on 16.0 acres and General Commercial on 1.4 acres, located on the west side of North First Street between Plantation Drive and Rio Robles Road in Council District 4.

The nearest park site to these two adjacent developments is Moitozo Park on North First Street.

Commission’s Recommendation: *Because the size of the proposed housing projects will likely be over 50 units for each of the sites, the City can request land dedication and park improvements from both projects under the Parkland Dedication Ordinance (PDO) and/or the Park Impact Ordinance (PIO). Parks, Recreation and Neighborhood Services staff should explore the development of one central park to serve the area, or two sites at either end of the development. The southern site would expand the proposed Block F Park Site being proposed by*

Legacy Partners and the northern site could augment the City's retention basin and modify this site into a baseball diamond park in order for these two projects to comply with the requirements under the PDO/PIO.

2) GP06-04-01: General Plan Amendment request to modify the San José 2020 Land Use/Transportation Diagram designation from Transit Corridor Residential (20+ DU/AC) on 58.4 acres and Combined Industrial/Commercial on 31 acres to Transit Corridor Residential (20+ DU/AC) on 82.8 acres and Combined Industrial/Commercial on 6.6 acres and request to increase building height from 120 feet to 150 feet within the BART Station Area Node, south of Berryessa Road, and request to add a Flexible Land Use Boundary for the entire 120.2-acre project site. MDR (8-16 DU/AC) on 8 acres and PPOS on 22.8 acres will remain unchanged on the site known as the Berryessa Flea Market Site in Council District 4.

The nearest park to the proposed site is Watson Park.

Commission's Recommendation: *Because the size of the proposed housing projects will likely be over 50 units for each side of Berryessa Road, the City can request land dedication and park improvements from this project under the PDO/PIO. Parks, Recreation and Neighborhood Services staff should explore the development of two soccer fields in conjunction with the Coyote Creek and future trail on the east side of the Creek, which lies north of Berryessa Road to serve this area of the development along with a two acre neighborhood park site. South of Berryessa Road the project should make accommodations for the future development of the Coyote Creek Trail and the Penitencia Creek Trail along with two acres of neighborhood park development.*

*5.0 acres – Soccer Fields
2.0 acres – Neighborhood Park north of Berryessa Road
1.0 acres – Coyote Creek Trail north of Berryessa Road
3.0 acres – Neighborhood Park south of Berryessa Road
1.0 acres – Coyote Creek Trail south of Berryessa Road
1.0 acres – Penitencia Creek Trail along Berryessa Road
13.0 acres of minimum land dedication under the PDO/PIO*

The Parks and Recreation Commission encourages the City to establish the creek set-back areas for this project at 100 feet per the City's Riparian Guidelines.

3) GP07-04-01: General Plan Amendment request to modify the San José 2020 Land Use/Transportation Diagram designation from Industrial Park, Private Open Space and Public Open Space on 18 acres to Combined Industrial/Commercial and Public Open Space (Coyote Creek) on a site located at the southeast corner of Interstate 880 and Brokaw Road in Council District 4.

This project is not subject to either the PDO or the PIO. The issue of concern is the interface with the Coyote Creek.

Commission's Recommendation: *The Parks and Recreation Commission encourages the City to establish the creek set-back areas for this project at 100 feet per the City's Riparian Guidelines.*

4) **GP06-05-01:** General Plan Amendment request to modify the San José 2020 Land Use/Transportation Diagram designation from Medium Low Density Residential (8 DU/AC) to High Density Residential on a 0.96 acre site located on the north side of McKee Road, approximately 400 feet northeasterly of White Road in Council District 5.

The nearest park to the proposed site is Cimarron Park.

Commission's Recommendation: *Due to the size of the proposed housing project will likely to be under 51 units, the City can only request the collection of in-lieu fess from the developer.*

5a) **GP05-06-01:** General Plan Amendment request to modify the San José 2020 Land Use/Transportation Diagram designation from Industrial Park to High Density Residential on a 10.64 acres south of the UPRR tracks, bounded by Lincoln Avenue and Northrup Avenue to the east, Interstate 280 to the south and Race Street to the west in Council District 6.

5b) **GP05-06-02:** General Plan Amendment request to modify the San José 2020 Land Use/Transportation Diagram designation from Industrial Park and Combined/Industrial-Commercial to High Density Residential (25-50 DU/AC), and High Density Residential (25-65 DU/AC) on a 10.86 acres located north of the UPRR tracks bounded by Race Street to the west, the industrial buildings along Auzerais Avenue to the north and Lincoln Avenue to the east in Council District 6.

The nearest park to the proposed sites is O'Connor Park.

Commission's Recommendation: *Due to the size of the proposed housing projects, which will likely be over 50 units for each of the two sites, the City can request land dedication and park improvements from both projects under the Parkland Dedication Ordinance (PDO) and/or the Park Impact Ordinance (PIO). In this case, the City would be interested in an off-site land dedication of the existing warehouses on Sunol Street between Auzerais Avenue and Home Street. If off-site dedication is not a reasonable option for the developer, then the City would accept the in-lieu fees from these two projects to help with the development of the Del Monte Park Site on Auzerais Avenue adjacent to Los Gatos Creek.*

6) **GP06-07-02:** General Plan Amendment request to modify the San José 2020 Land Use/Transportation Diagram designation from Medium Low Density Residential (8 DU/AC) to Medium Density Residential (8-16 DU/AC) on 1.5 acres located on the northeast side of McLaughlin Avenue, roughly 640 feet southeasterly from Tully Road in Council District 7.

The nearest park to the proposed sites is the Tully Ballfields.

Commission's Recommendation: *Due to the size of the proposed housing project which will likely be under 51 units, the City can only request the collection of in-lieu fess from the developer.*

7) **GP04-09-01:** General Plan Amendment request to modify the San José 2020 Land Use/Transportation Diagram designation from Very Low Density Residential to Medium Density Residential (8-16 DU/AC) on 0.99 acres located on the northwest corner of Los Gatos- Almaden Road and Warwick Road Avenue in Council District 9.

The nearest park to the proposed sites is Lone Hill Park.

Commission's Recommendation: *Because the size of the proposed housing project will likely be under 51 units, the City can only request the collection of in-lieu fess from the developer.*

The Parks and Recreation Commission will be glad to answer any questions the Planning Commission may have regarding these recommendations.

Sincerely,



Helen Chapman
Chair, Parks and Recreation Commission

cc: PRNS
PBCE



Memorandum

TO: PARKS AND RECREATION
COMMISSION

FROM: David J. Mitchell

SUBJECT: REVIEW OF GENERAL PLAN
AMENDMENT APPLICATIONS

DATE: 02-26-07

Approved

Date

2-27-07

RECOMMENDATION

Authorize the Chair of the Parks and Recreation Commission to sign the attached letters on behalf of the Commission regarding the General Plan Amendments for the Annual Winter-2007 Cycle Review.

BACKGROUND

On February 7, 2007, the Rules and Open Government Committee of the City Council approved the Planning staff recommendation to schedule the Annual Winter General Plan Amendment Review by the City Council for the evening of April 17, 2007, continuing to the evening of April 24, 2007, and forward a recommendation to the full City Council to initiate a General Plan text amendment to re-establish the Fall hearing only as the Annual Review of General Plan Amendments. In order to meet the April hearing dates, the Planning Commission will consider the General Plan Amendments on March 14, 2007.

There are eight General Plan Amendments associated with future residential developments and one commercial site adjacent to Coyote Creek that may be ready for Council's consideration in April. Based on the Commission's comments at the study session on February 21, 2007, staff prepared two letters, one to the Planning Commission and the other to the City Council, to convey the Commission's opinions regarding the proposed Winter 2007 General Plan Amendments.

DAVID J. MITCHELL
Parks Planning Manager

Attachments: General Plan Amendment Chart
Maps of the General Plan Amendment Sites
Proposed Letters

2007 Winter Hearing - General Plan Amendments

File Number	Location Description	General Plan Designation	Proposed General Plan Designation	PRNS Staff Recommendations
District 4 <u>GP05-04-08</u> (WTI Inc./WTI Inc. Lumin Chang)	West side of North First Street, approximately 1800 feet southerly of Tasman Boulevard (16.0 acres)	Industrial Park	Industrial Park with Transit Employment Residential Overlay (55+ DU/AC) on 13.0 acres and General Commercial on 3.0 acres	Dedication of parkland associated with the number of units to be developed. Location of park site to be determine by PRNS staff
<u>GP05-04-08</u> VTA Property	West side of North First Street, approximately 1800 feet southerly of Tasman Boulevard (17.4 acres)	Industrial Park	Industrial Park with Transit Employment Residential Overlay (55+ DU/AC) on 16.0 acres and General Commercial on 1.4 acres	Dedication of parkland associated with the number of units to be developed. Location of park site to be determine by PRNS staff
<u>GP06-04-01</u> (Bumb & Associates, Owner/Bumb & Associates, Applicant & Erick Schoennauer)	Both sides of Berryessa Road just west of Union Pacific Railroad tracks (Flea Market site) (120.2 acres)	Transit Corridor Residential (20+ DU/AC) on 58.4 acres and Combined Industrial/Commercial on 31 acres	Transit Corridor Residential (20+ DU/AC) on 82.8 acres and Combined Industrial/Commercial on 6.6 acres and request to increase building height from 120 ft to 150 ft within the BART Station Area Node, south of Berryessa Rd, and request to add a Flexible Land Use Boundary for the entire 120.2 acres project site. MDR (8-16 DU/AC) on 8 acres and PPOS on 22.8 acres will remain unchanged.	Dedication of parkland associated with the number of units to be developed to include two soccer fields in the northwest corner of the project along Coyote Creek. Land dedication for both the Coyote Creek Trail and the Penitencia Creek Trail
<u>GP07-04-01</u> Sand Hill Property Company, Owner/ Metropolitan Planning Group, Judie Gilli, Applicant	Southeast corner of Interstate 880 and Brokaw Road	Industrial Park, Private Open Space, and Public Open Space	Combined Industrial Commercial	This project is not subject to either the Parkland Dedication Ordinance or the Park Impact Ordinance, however, it is bounded on one side by the Coyote Creek. This project could be impacted by the future trail alignment and/or road crossings