



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Planning Commission

**SUBJECT:** SEE BELOW

**DATE:** April 14, 2008

**COUNCIL DISTRICT:** 9  
**SNI AREA:** N/A

**SUBJECT: FILE NO. GP08-09-01 – GENERAL PLAN AMENDMENT REQUEST TO CHANGE THE GENERAL PLAN LAND USE/TRANSPORTATION DIAGRAM DESIGNATION FROM MEDIUM DENSITY RESIDENTIAL (8-16 DU/AC) TO GENERAL COMMERCIAL ON A 4.5-ACRE SITE LOCATED AT THE NORTHWESTERLY CORNER OF CONISTON WAY AND BLOSSOM HILL ROAD (1345 -1349 BLOSSOM HILL ROAD).**

## RECOMMENDATION

The Planning Commission voted 7-0-0 to recommend that the City Council approve the General Plan amendment request to change the General Plan Land Use/Transportation Diagram designation from Medium Density Residential (8-16 DU/AC) to General Commercial on a 4.5-acre site located at the northwesterly corner of Coniston Way and Blossom Hill Road (1345 -1349 Blossom Hill Road).

## OUTCOME

Approval of the subject General Plan amendment request will help preserve the existing neighborhood retail center, allow it to be considered for expansion in the future, and prevent it from being converted into non-employment uses.

## BACKGROUND

In January 2007, the applicant, Silverstone Communities, requested a separate General Plan amendment to convert approximately five acres of Office-designated land to residential use (File No. GP07-06-01) on a site located at 485 South Monroe Street. On October 23, 2007, the City Council adopted the Framework for Preservation of Employment Lands (Framework) to preserve remaining industrial and commercial lands in the City of San José. This policy provides criteria to maintain no net loss of employment capacity on lands designated in the San José 2020 General Plan for commercial or industrial uses. File No. GP07-06-01, the 485 South Monroe Street General Plan amendment is subject to the Framework, because it proposes conversion of employment land to residential use. In January 2008, the applicant filed the subject General Plan amendment request,

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File No. GP08-09-01, as a partial offset to the loss of job capacity from the conversion at 485 South Monroe Street. The property owners of the Blossom Hill Road site have indicated that they support this General Plan amendment request.

On April 9, 2008, the Planning Commission held a public hearing on the subject General Plan amendment request. The Director of Planning, Building and Code Enforcement recommended approval of the General Plan amendment. There were no public speakers on this item.

During the Planning Commission discussion, Chair Kalra asked whether the Blossom Hill Road site is considered viable for economic use. Erik Schoennauer, representing the applicant, explained that the site is an existing viable commercial shopping center and that businesses have been there for a long time. Mr. Schoennauer stated that the site is currently zoned for commercial uses but may be redeveloped with residential uses under the current General Plan and that the proposed amendment will help to preserve it for commercial use. Commissioner Kamkar commented that he thought it would be unlikely that the site would convert to residential uses given its shape and location.

Commissioner Kamkar stated that he does not believe that the subject General Plan amendment is an extraordinary benefit, and asked the applicant to discuss the benefits of the proposal. Mr. Schoennauer responded that the proposal is helping to preserve the existing commercial use and is consistent with the Framework. He also stated that the subject site has support from Planning staff.

Commissioner Platten motioned to approve the proposed General Plan amendment and Chair Kalra seconded the motion.

### **ANALYSIS**

Under the current residential General Plan land use designation, the existing site could be redeveloped with residential uses and be exempt from the Framework. Changing the land use designation to General Commercial preserves the existing commercial use, and any future proposal to redevelop the site with non-employment uses would then require a General Plan amendment and be subject to the requirements of the Framework. The proposed amendment is consistent with the General Plan Economic Development Major Strategy in that it facilitates preservation of existing commercial uses, as discussed in the attached staff report.

### **EVALUATION AND FOLLOW-UP**

Not Applicable

### **POLICY ALTERNATIVE**

Recommend denial of the proposed General Plan amendment.

**Pros:** Recommending denial would maintain the current General Plan land use designation of Medium Density Residential (8-16 dwelling units per acre) and the potential for the site to be redeveloped with new residential uses.

**Cons:** Under the current residential General Plan land use designation, the existing site could be redeveloped with residential uses and be exempt from the Framework, thereby resulting in the loss of jobs.

**Reason for not recommending:** Recommending denial would maintain the possibility for this site to be converted from a neighborhood-serving retail center to non-employment uses resulting in a loss of jobs and services to nearby residents.

### **PUBLIC OUTREACH/INTEREST**

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 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)**
- Criterion 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)**

Although this item does not meet any of the above criteria, staff followed Council Policy 6-30; Public Outreach Policy. Upon receiving the subject General Plan amendment application, staff contacted the property owners by mail and by phone and confirmed their consent and support of the proposed General Plan amendment. A community meeting was held for the 1345/1349 Blossom Hill Road proposal on March 3, 2008. Three members of the neighborhood were present and they expressed strong support for preserving the existing commercial uses. Staff also received many comments by phone supporting this General Plan amendment.

Notice of the Spring 2008 hearings on the General Plan was published in the San José Post-Record. In addition, notices of the public hearing for the subject General Plan amendments were distributed to the owners and tenants of all properties located within 1,000 feet of the project site. Descriptions of the proposed General Plan amendments were posted on the Planning Division web page. The proposals were also presented at the Neighborhood Roundtable on February 12, 2008 and at the Developers Roundtable on February 15, 2008 for review and comment. No comments were received at the Neighborhood and Developers roundtables on the proposed amendments. This staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

### **COORDINATION**

This project was coordinated with the Department of Transportation and the City Attorney's Office.

### **FISCAL/POLICY ALIGNMENT**

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

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**COST SUMMARY/IMPLICATIONS**

Not applicable.

**BUDGET REFERENCE**

Not applicable.

**CEQA**

A Mitigated Negative Declaration adopted on April 9, 2008 provides environmental clearance for the subject General Plan amendment request under CEQA.

  
for JOSEPH HORWEDEL, SECRETARY  
Planning Commission

For questions please contact Andrew Crabtree at 408-535-7893.

Attachment:

1. Planning Commission staff report and attachments