

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Stephen M. Haase

SUBJECT: SEE BELOW

DATE: May 26, 2005

Approved

Date

COUNCIL DISTRICT: 4
SNI AREA: None

SUBJECT: GP04-04-04. GENERAL PLAN AMENDMENT REQUEST TO CHANGE THE LAND USE/TRANSPORTATION DIAGRAM DESIGNATION FROM INDUSTRIAL PARK WITH MIXED INDUSTRIAL OVERLAY TO HIGH DENSITY RESIDENTIAL (25-50 DU/AC) ON A 4.01-ACRE SITE LOCATED ON THE SOUTHWESTERLY CORNER OF NORTH CAPITOL AVENUE AND AUTUMNVALE DRIVE (1971 NORTH CAPITOL AVENUE AND 2450 AUTUMNVALE DRIVE).

RECOMMENDATION

The Planning Commission voted 5-1-1 (Commissioner Zito opposed and Commissioner Pham absent) to recommend approval of the General Plan amendment request to change the Land Use/Transportation Diagram designation from Industrial Park with Mixed Industrial Overlay to High Density Residential (25-50 DU/AC) on the subject site.

BACKGROUND

On May 25, 2005, the Planning Commission held a public hearing to consider a privately initiated General Plan amendment request, File No. GP04-04-04, to change the General Plan Land Use/Transportation Diagram designation from Industrial Park with Mixed Industrial Overlay to High Density Residential (25-50 DU/AC) on a 4.01-acre site located on the southwesterly corner of Autumnvale Drive and North Capitol (1971 North Capitol Avenue and 2450 Autumnvale Drive). The Director of Planning recommended no change to the General Plan. The site is approximately 1,500 feet southeasterly of the planned future Milpitas BART station and adjacent to the Cropley Light Rail Station.

ANALYSIS

Supplemental Staff Report

Staff outlined the following reasons for recommending no change to the General Plan:

- The site has proven to be currently viable for industrial uses.
- Industrial land is significantly less expensive than land already designated for residential uses, providing an economic incentive for developers and property owners to convert it to residential uses.
- Once converted to residential uses, it is virtually impossible for land to revert to industrial uses.
- The City's inventory of employment land continues to decrease, exacerbating the City's the jobs/housing imbalance.

Staff also discussed the memo from the Office of Economic Development (OED) dated October 13, 2004 that supports the Director of Planning's recommendation of no change to the General Plan. The OED memo states that the proposed General Plan amendment is inconsistent with Strategic Initiative 5 of the City Council approved Economic Development Strategy.

Public Testimony

Mr. Steve Schott, Jr., representing Citation Homes, developer for the associated Planned Development rezoning application (File No. PDC04-109) stated that the proposal is a good example of smart growth, due the site's proximity to a light rail station and planned future Milpitas BART station. He also stated that the site is an island of industrial space that should be converted to residential uses, given the existing residential uses bordering three sides of the subject site. Mr. Schott acknowledged staff's request for a residential density of 45 DU/AC but stated it is too high a density given the adjacent two-story housing development located southeasterly of the subject site. Mr. Schott added that QuickSil, the company located on the other half of the site, has been relocated to another building within the City.

Mr. John Summers, president of the Autumnvale Business Park, noted that his business park has 27 small businesses located directly across Autumnvale Drive. He stated his concerns that tenants of a future development on the subject site would use the business park to meet their parking needs. Mr. Summers further stated that some businesses that recently moved into the Autumnvale Business Park would not have located in the business park if they had known the subject site would be converted to residential uses.

At the Planning Commission's request, Mr. Schott responded to Mr. Summers comments and stated that parking would be addressed during the Planned Development rezoning process.

Commissioner James asked Mr. Summers if he believed one of the small businesses in his complex would consider relocating to one of the existing buildings on the subject site given its existing adjacency to a housing development. Mr. Summers replied that if a business were to

grow, and needed the additional space, that the business would consider relocating to the subject site, and that the adjacency would not be a concern. Staff also added that the industrial use on the subject site was pre-existing to the adjacent residential use, and that substantial landscaping on the subject site, including trees that provide a buffer to the adjacent site, provided a more compatible transition between industrial park and residential uses than the mix of residential and industrial traffic that would be created on Autumnvale Drive.

Commissioner Levy stated that both housing and jobs are needed near transit, but because this site has residential uses on three of its four sides, he would support the conversion from industrial to residential uses. He stated that Autumnvale Drive made a more compatible border between incompatible uses. Commissioner Campos agreed. Commissioner Zito stated his concern that conversion of this site could start a domino effect that would lead to all the remaining industrial area between the subject site and the planned future Milpitas BART station along North Capitol Avenue converting to other uses as well. For this reason, Commissioner Zito stated that he supported staff's recommendation of no change to the General Plan.

The Planning Commission then voted 5-1-1 (Commissioner Zito opposed and Commissioner Pham absent) to recommend approval of the General Plan amendment request to change the Land Use/Transportation Diagram designation from Industrial Park with Mixed Industrial Overlay to High Density Residential (25-50 DU/AC) on the subject site.

OUTCOMES

City Council approval of General Plan amendment File No. GP04-04-04 would change the General Plan Land Use/Transportation Diagram designation from Industrial Park with Mixed Industrial Overlay to High Density Residential (25-50 DU/AC) on the subject site.

PUBLIC OUTREACH

The property owners and occupants within a 1,000-foot radius were sent a newsletter regarding the two community meetings that were held on April 25 and 26, 2005. They also 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 May 25, 2005 and City Council on June 7, 2005. The Department web site contains information regarding the General Plan process, amendments, staff reports, and hearing schedules. This site is available to any member of the public and contains the most current information regarding the status of the amendments.

On May 19, 2005, the applicant for the proposed General Plan amendment and pending Planned Development rezoning presented their proposal at Round Table Pizza, 2129 Morrill Avenue at 6:30 p.m. The applicant mailed notices to properties within a 1,000-foot radius of the subject site, but did so only two days in advance of the meeting. A meeting with the Berryessa Citizens Advisory Council has been scheduled for June 13, 2005. This meeting, however, is scheduled for

June 13, well after the Planning Commission hearing and several days after the June 7th City Council hearing.

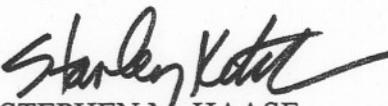
Staff notified the applicant on several occasions of the requirements of the City Council Public Outreach Policy (Policy). The timing of the applicant's meetings with the community described above does not meet the provisions of the Policy for public outreach prior to the General Plan hearing. The applicant's meetings with the community will provide the opportunity for community input prior to the Planning Commission and City Council hearings for the Planned Development rezoning, File No. PDC04-109, that is currently pending.

COORDINATION

The review of this General Plan amendment was coordinated with Office of Economic Development, Parks and Recreation Commission, Fire Department, Department of Transportation, Department of Public Works, Environmental Services Department, Berryessa Union School District, Santa Clara Valley Water District, Santa Clara Valley Transportation Authority, Pacific Gas & Electric and the City Attorney's office.

CEQA

The Mitigated Negative Declaration for GP04-04-04 was adopted on May 25, 2005.


for STEPHEN M. HAASE
Secretary, Planning Commission