



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Joseph Horwedel

SUBJECT: SEE BELOW

DATE: November 14, 2006

TRANSMITTAL MEMO

COUNCIL DISTRICT: Citywide
SNI AREAS: All

SUBJECT: AN ORDINANCE OF THE CITY OF SAN JOSÉ AMENDING CHAPTER 20.90 OF TITLE 20 OF THE SAN JOSE MUNICIPAL CODE, THE ZONING CODE, TO REDUCED PARKING REQUIREMENTS FOR SPECIFIC GROUND FLOOR COMMERCIAL USES WITHIN THE NEIGHBORHOOD BUSINESS DISTRICTS AND TO REDUCE PARKING REQUIREMENTS FOR MINIWAREHOUSE/MINISTORAGE USES CITYWIDE. CEQA: Negative Declaration, PP06-172.

The Planning Commission will hear this project on November 15, 2006. The memorandum with Planning Commission recommendations will be submitted under different cover. We hope the submittal of this staff report is of assistance in your review of this project.


 JOSEPH HORWEDEL, ACTING DIRECTOR
Planning, Building and Code Enforcement

For questions please contact Susan Walton at (408) 535-7800.



Memorandum

TO: PLANNING COMMISSION

FROM: Joseph Horwedel

SUBJECT: SEE BELOW

DATE: November 8, 2006

COUNCIL DISTRICT: Citywide
SNI AREAS: All

SUBJECT: AN ORDINANCE OF THE CITY OF SAN JOSÉ AMENDING CHAPTER 20.90 OF TITLE 20 OF THE SAN JOSE MUNICIPAL CODE TO REDUCE PARKING REQUIREMENTS FOR SPECIFIC GROUND FLOOR COMMERCIAL USES WITHIN THE NEIGHBORHOOD BUSINESS DISTRICTS AND TO REDUCE PARKING REQUIREMENTS FOR MINIWAREHOUSE/MINISTORAGE USES CITYWIDE

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend that the City Council approve the proposed ordinance amending Section 20.90.060 and Section 20.90.220 of Chapter 20.90 of Title 20 of the San Jose Municipal Code to reduce parking requirements for specific ground floor commercial uses within the Neighborhood Business Districts and to reduce parking requirements for miniwarehouse/ministorage uses citywide.

BACKGROUND

Neighborhood Business Districts

The San Jose 2020 General Plan designates nine Neighborhood Business Districts (NBDs) in recognition of the importance of these commercial districts as focal points of neighborhood identity and as vital economic resources: Alum Rock Avenue, East Santa Clara Street, Thirteenth Street, Japantown, The Alameda, West San Carlos Street, Lincoln Avenue, Willow Street and Story Road (see attached Figures 1 through 10). These districts provide goods and services to their respective neighborhoods and serve as focal points of community activity. Redevelopment Project Areas have been created that encompass each of these NBDs, with the exception of Lincoln Avenue, and the Redevelopment Agency has invested millions of dollars in streetscape and façade projects to improve the appearance of these commercial districts. Prior changes to the Zoning Code supporting the NBDs include creation of the CP Commercial

Pedestrian Zoning District to more closely reflect the development pattern of the older “main street/sidewalk strip” districts and a parking exception that allows up to a 10 percent reduction in required parking through a development permit. This has all been done with the goal of making the NBDs increasingly vital and attractive pedestrian-oriented shopping districts serving adjacent neighborhoods and the greater San Jose area.

As revitalization has occurred within the Neighborhood Business Districts, limited parking supplies, coupled with high Zoning Code parking requirements for certain uses, have restricted the ability of the districts to achieve their economic potential and fully respond to the existing market demand for goods and services. Although available parking within the NBDs is generally adequate to meet current demand, existing overall parking levels do not conform to current Zoning Code parking requirements. Small, irregularly shaped sites; historic development patterns that include older buildings with little room for on-site parking; and fragmented ownership that inhibits integrated circulation, make it difficult to increase on-site parking supplies within the NBDs in many instances. Restaurants and food uses, desirable because they attract ground floor customers, face the highest parking ratios, making it very difficult for them to locate in the NBDs. As a consequence, such businesses end up opting for suburban shopping center locations or business districts in nearby cities, to the detriment of the Neighborhood Business Districts.

New commercial and mixed-use development is also negatively affected by existing parking ratios, requiring that large portions of development sites be devoted to surface parking, limiting the amount of building area, and resulting in site design that emphasizes vehicles, often to the detriment of pedestrian access and the attractiveness of the Business Districts. Reluctant to deal with the high parking requirements for public eating establishments, developers often opt not to provide the parking necessary to accommodate these uses. The 10 percent reduction in parking allowed under the current Zoning Code provides some relief, but has been insufficient to facilitate new restaurant uses in Neighborhood Business Districts.

The proposed amendment to the parking requirements for specific ground-floor uses within the Neighborhood Business Districts is intended to further reduce Zoning Code parking requirements so that they are not an impediment to establishing the types of ground-floor uses that contribute to the vitality of these commercial districts by attracting customers and generating the foot traffic that drives sales for existing businesses. Towards this end, a parking ratio of 1 space per 400 square feet of floor area is proposed for the following uses located in these Districts: retail sales, goods and merchandise; retail sales of furniture; food, beverages and groceries; public eating establishment; caterer with eating facility; entertainment; take-out only establishment; alcohol, off-site sales; personal service; and drinking establishment. Table 1 shows the existing and proposed parking requirements for these uses.

Miniwarehouse/Ministorage Uses

The parking requirement for miniwarehouse/ministorage (one space per 2,000 square feet of floor area, plus one space per resident manager) was incorporated into the Zoning Code as part of the 2001 Zoning Code Update. Staff's experience with ministorage uses over the past 5 years indicates that the required parking is considerably higher than the actual parking demand generated by these uses. Applicants for ministorage facilities have conducted parking surveys of existing ministorage facilities to identify the actual demand and have pursued Planned Development Rezoning as a means of establishing a parking requirement that more closely reflects what is needed to serve their customers and employees. In order to simplify the approval process for this relatively straightforward use and more accurately reflect the actual parking demand as reflected in these parking surveys, staff is proposing a parking requirement for ministorage/miniwarehouse uses of one space per 5,000 square feet and one space per resident manager. Staff is also proposing a parking exception that would allow a further parking reduction to be approved through a development permit for single-story, ministorage buildings that have loading spaces adjacent to the storage units, since customers tend to park in the loading spaces further reducing the parking demand.

Table 1. Current and Proposed Parking Requirements

Land Use	Current Parking Requirement	Proposed Parking Requirement
Neighborhood Business Ground Floor Retail		
Retail sales, goods and merchandise	1 per 200 square feet of floor area	1 per 400 square feet of floor area
Retail sales of furniture	1 per 250 square feet of floor area	
Food, beverages and groceries	1 per 200 square feet of floor area	
Public eating establishment	1 per 2.5 seats or 1 per 40 square feet of dining area, whichever is greater	
Caterer with eating facility	1 per 2.5 seats or 1 per 40 square feet of dining area, whichever is greater	
Entertainment	1 per 40 square feet of area open to the public	
Take-out only establishment	1 per 75 square feet of area open to the public, minimum of 5 spaces, plus 1 per delivery vehicle	
Alcohol, off-site sales	1 per 200 square feet of floor area	
Personal Service	1 per 200 square feet of floor area	
Drinking Establishment	1 per 2.5 seats or 1 per 40 square feet of drinking area	
Ministorage/Miniwarehouse - Citywide		
Miniwarehouse/Ministorage	1 per 2,000 square feet of floor area; plus 1 per resident manager	1 per 5,000 square feet of floor area

Clarifying Changes to Table 20-190; Parking Spaces Required by Land Use

Staff is also proposing minor changes to Table 20-190 of the Zoning Code intended to clarify current parking requirements. These changes are twofold. The first clarifies which parking ratios in the table are based on “net” floor area through the use of consistent terminology. For purposes of the *Parking and Loading Chapter 20.90*, the Zoning Code, defines *floor area* as “eighty-five percent of the total gross floor area of the building”. Currently, Table 20-190 does not use the term *floor area* consistently for those parking ratios based on the net floor area (85% of the gross) as defined in this chapter. The proposed amendment would more clearly distinguish parking ratios based on the “net” by using the term *floor area* for such ratios consistently throughout the table. The second clarifying amendment involves the requirement for two covered parking spaces for a single-family residence. Staff is proposing to add a footnote clarifying that covered spaces may be in the form of a garage or a carport, consistent with long-term interpretation of this requirement.

PUBLIC OUTREACH

Twenty community meetings were held over the past year to discuss the proposed Neighborhood Business District parking reductions with residents, business owners and property owners. In the process, staff outreached to 30 resident, business and neighborhood (NAC) associations. Subsequent to the community meetings, the public hearing notice (including both the Planning Commission and City Council hearing dates) and a notice of the Negative Declaration were published in the Post Record and the Mercury News, and notice of the Negative Declaration was emailed to a citywide list of individuals, business representatives and neighborhood associations. Staff also posted the staff report, Draft Negative Declaration, Initial Study and hearing dates on the Department’s website.

Overall, response at the community meetings to the proposal to change existing parking requirements within the Neighborhood Business Districts was very positive. Residents and members of the business community expressed a common concern for the vitality of their local business districts, a desire to see active retail and restaurant uses replace vacant store fronts and underutilized tenant spaces, and a concern that parking requirements not discourage desirable businesses from choosing a Neighborhood Business District location. Operators of existing businesses stated that filling empty or underutilized store fronts in the NBDs was crucial in generating the foot traffic that supports their businesses. Property owners spoke of the difficulty of attracting strong tenants and the constraints that existing parking requirements place on the ability to market available tenant spaces in these existing, older commercial areas. Residents and patrons of the business districts indicated a desire for more restaurant and retail uses and indicated that they did not want parking requirements to drive these uses to other cities or other commercial areas. Residents also expressed concern regarding potential parking and traffic overflow into adjacent residential neighborhoods; they supported the goal of attracting and

retaining vital retail uses, but did not want this to happen at the expense of adjacent neighborhoods. One group also indicated a concern that reduced parking requirements not facilitate the implementation of alcohol off-sale uses at gas stations.

The Willow Glen Neighborhood Association, in a letter dated August 9, 2006, calls for a comprehensive solution that balances the needs of the business district and local residents (see attached). The letter identifies concerns regarding pedestrian and bicycle safety, the need for NBD patrons to park multiple times to visit more than one establishment, the fact that inadequate parking could force patrons to take their business elsewhere and concern that nearby residents not suffer as result of overflow parking and associated traffic. Additional written correspondence regarding the proposal indicates both support and opposition from nearby residents and business interests (see attached).

CEQA

A Draft Negative Declaration for the proposed ordinance was circulated for public review on October 27, 2006. Based on an Initial Study of the potential environmental effects of the proposal, the Negative Declaration concludes that the reduced parking requirements would not result in any significant environmental impact. A traffic generation study undertaken by the Department of Public Works concluded that the proposed change in parking requirements for specific ground floor uses within the Neighborhood Business Districts would not result in significant traffic impacts on nearby intersections. The Initial Study concludes that while some overflow parking may occur in localized areas, the proposed amendment is not expected to result in a significant environmental impact on adjacent residential neighborhoods.

ANALYSIS

NEIGHBORHOOD BUSINESS DISTRICT PARKING

The following analysis examines existing parking conditions within the Neighborhood Business Districts, discusses development of the proposed ordinance and its relationship to existing parking requirements, explores the anticipated results of the ordinance and identifies available tools for preventing potential parking overflow onto residential streets.

Existing Parking Conditions with the Neighborhood Business Districts

Existing off-street parking on private property within the Neighborhood Business Districts (NBDs) already is subject to exceptions or exemptions under the current Zoning Code parking requirements because much of the development within these areas occurred prior to adoption of the current parking requirements. Off-street parking is supplemented by on-street parking, and, in most of the NBDs, by public parking lots (see attached Table 2). In most of the Districts, the off-street parking on private property, together with available public parking, still does not

achieve the equivalent of current Zoning Code parking requirements for the existing uses under current standards. Despite these conditions, recent parking studies conducted for NBDs with the most constrained parking conditions (including The Alameda, Alum Rock, Japantown, East Santa Clara, and Lincoln Avenue) indicate that although hot spots exist where parking is insufficient, overall, parking within these business districts is adequate to meet current demand. Staff observation indicates that this is the case for all of the NBDs.

Proposed Ordinance

In response to the existing parking situation and the need to encourage new businesses to invest in the Neighborhood Business Districts, staff originally considered a proposal to completely eliminate parking requirements for all ground-floor uses within the NBDs. This option was attractive because it was simple to administer and sure to eliminate parking as a constraint on the vitality of the NBDs. Feedback on this proposal from the initial round of community meetings was generally positive regarding the objective, but neighborhood residents expressed concern that the proposal was too drastic, that a more modest reduction was needed. As result, the proposal was modified to the current proposal of one space per 400 square feet of net floor area. Staff also realized that an across-the-board reduction in parking would greatly increase the risk of spill-over parking. As result, the range of uses to which the proposed parking reduction applies was reduced and such parking-intensive uses as churches, theaters, other similar assembly uses, private clubs, banquet facilities, dance halls and indoor recreation (health clubs) were excluded. Under the current proposal, these uses, when located within a Neighborhood Business District, would continue to be eligible to apply for a 10 percent parking reduction through a development permit process.

Staff also explored a provision that allowed reduced parking ratios only for those properties that eliminated all restrictions reserving on-site parking for specific groups or individuals. This provision offered the advantage of encouraging a more efficient use of existing parking by eliminating parking restrictions and making it easier for patrons to park once and walk to several businesses. The alternative was ultimately rejected due to concerns raised by property owners that the high cost of liability insurance and maintenance would make shared parking so onerous that it would be infeasible for property owners to take advantage of the reduced parking provisions and concern that a prohibition on reserving parking spaces for on-site tenants would hinder property owners' success in marketing tenant spaces.

Under the current proposal, the specific ground floor uses proposed to be subject to the parking exception fall roughly into three categories: retail, food and beverage related uses, and personal service. Most of the uses are allowed by right and where no new development is proposed, these uses would be able to take advantage of the parking ratios without a discretionary permit process. Those uses not allowed by right, include the sale of alcohol for off-site consumption, drinking establishments, and entertainment. These uses would be eligible to take advantage of the reduced parking requirement only if approved through a Conditional Use Permit, a process intended to assess whether the uses are appropriate at a given location. Any expansion of an

existing use seeking to take advantage of the reduced parking requirement would also require a Conditional Use Permit or a Conditional Use Permit Amendment.

The proposed parking exception clarifies that uses subject to the proposed parking reductions are not also eligible for the general 10 percent discretionary parking reduction available for uses within Neighborhood Business Districts pursuant to Zoning Code Section 20.90.220. This provision would continue to be an option for uses that are not eligible for the current proposed parking exception.

The proposed parking exception is not applicable to residential uses, but would apply to ground floor commercial uses in a vertical mixed-use project, if the project were approved through a Conditional Use Permit within a conventional Commercial Zoning District. The vast majority of mixed-use projects are approved through Planned Development Zoning and would not be subject to this provision.

Relationship to Existing Parking Exceptions

The proposed changes to parking ratios for specific ground floor would affect other parking provisions applicable to uses within the Neighborhood Business Districts. Following is a brief discussion of the effect of the proposed exception on these existing parking provisions.

- 1) *Buildings Construction Prior to 1965 (Section 20.90.210)*. This exception applies to buildings constructed prior to November 10, 1965 when comprehensive parking requirements were incorporated into the Zoning Code. Such buildings need not meet current parking requirements unless there is a substantial change in use that would result in an increase in required parking of more than 40 percent (based on current parking requirements). This exception applies to many older buildings within the NBDs. Recently increased from 15 to 40 percent, it has allowed limited flexibility for changes of use within existing buildings that predate current parking requirements. Under this provision, a pre-1965 building could be converted from office (requirement of 1 parking space per 250 net square feet) to retail (requirement of 1 space per 200 net square feet) without exceeding the 40 percent limit, but conversion of the same building area to restaurant would not be possible. Due to its high parking requirement, (3 to 4 times that of office) such a conversion under the current Zoning Code parking provisions would exceed the allowable 40 percent increase. The current proposal to lower the parking requirements for specific uses would mean that a greater change in use could occur without reaching the 40 percent limit, making it possible to convert such tenant spaces to restaurant and other parking-intensive uses.
- 2) *Discretionary Parking Reduction for Neighborhood Business Districts (Section 20.90.220)*. This provision allows up to a 10 percent reduction in parking requirements to be approved through a development permit or development exception based on the neighborhood serving, pedestrian orientation of the NBDs. This modest parking

reduction will continue to be an option for uses that are not subject to the proposed parking exception; however, ground floor uses subject to the proposed parking reduction will not be eligible for the additional, existing 10 percent reduction available through a development permit.

- 3) *Off-Street Parking Assessment District 20.90.230 and 20.90.800*). This provision allows the City Council to create a Parking Assessment District which is exempt from the off-street parking requirements of this chapter of the Zoning Code. Pursuant to this provision, the City Council has established the Alum Rock Village Parking Management Zone within the Alum Rock Neighborhood Business District (See Figure 3). Changes of ground-floor use within this District are exempted from the parking requirements of Table 20-190 if the parking requirement of the new use does not exceed twice the retail parking requirement in Table 20-190 (1 space per 200 square feet). Under this exception, a restaurant use would exceed twice the retail requirement and would not be subject to this provision. The proposed exception would add a second option for reduced parking within this Parking Management Zone for specific uses, including restaurants, that exceed the provisions of the current exception.

Anticipated Results-Case Studies

The primary result of the proposed ordinance is expected and intended to be an increase in restaurant and other food and beverage uses in existing buildings within the Neighborhood Business Districts (NBDs). Some increase in retail uses may also occur. Even though parking for retail business can be accommodated on most sites under current parking requirements, many retailers will only locate when strong food and beverage uses are in the immediate area. The reduced parking requirements will allow restaurant, food and beverage uses to lease space in existing buildings and allow new buildings to be constructed with less parking without limiting future uses. Following are two case studies showing the effect of the ordinance change on two specific properties. The first, the Campisi site, is located at the corner of The Alameda and North Morrison Avenue, and the second is located at 605 North 6th Street within the Japantown NBD.

Campisi Site- 955 The Alameda. A 9,753 square-foot, single-story retail building currently under construction at this site is designed to accommodate eight tenants. The applicant provided parking sufficient for retail uses but chose not to provide the level of parking necessary for restaurants. The parking requirement for retail uses, with a ten percent reduction, resulted in a requirement of 38 spaces; the project provided 39 spaces. Even without restaurant parking, the parking lot covers approximately one half of the site. Use of one of the eight tenant spaces for a restaurant would not be possible under current parking requirements. One restaurant with a dining area of 609 square feet and use of the remaining tenant spaces for retail, would require 10 more parking spaces than are available on the site. Under the proposed ordinance, the requirement for retail and restaurant uses would be the same (one per 400 square feet) and would result in no limitation on the implementation of restaurant uses at this site. The commercial broker for the site has indicated interest in leasing tenant spaces to a maximum of three food

uses. He explained that this limit is intended to ensure that other tenants have access to adequate parking.

605 North 6th Street. This site is developed with a 3,300 square foot un-reinforced masonry building (built prior to 1915) that covers the entire site and has no parking. Neighborhood residents and surrounding businesses have long desired that older buildings like this one be preserved and used for active retail, restaurant, food and beverage uses. Instead, this building has been used for storage for some years because other occupancies cannot be implemented until the building is upgraded to meet minimum seismic standards of the Building Code. In addition, restaurant, food and beverage uses cannot be implemented under current parking requirements because a dining area as small as one third the size of the building would exceed the maximum 40 percent increase in parking allowed for a building constructed prior to November 10, 1965. The proposed parking ordinance would allow a change in use to restaurant, food and beverage uses to occur without exceeding the 40 percent limit. It would allow a mix of retail and food tenants for this building, and significantly improve the chances of rehabilitating and tenancing the building.

Implementation of new restaurants is expected to be incremental and limited due to the many other constraints on these uses. Costly improvements, compatibility with existing tenants, and suitability of the tenant space are considerations that often steer property owners away from restaurant or other food tenants. The leasing strategy for the Campisi building is indicative of the market-based considerations likely to continue to limit restaurant uses even if Zoning Code parking requirements are no longer a constraint.

Spill-Over Parking

The potential for NBD parking to spill over into residential neighborhoods continues to be a concern of residents of adjacent neighborhoods. Staff does not anticipate that this ordinance will result in widespread parking shortages or significant parking intrusion into the residential neighborhoods because the proposed parking reduction has been scaled back considerably as discussed above; however, a number of tools are available to reduce the likelihood of such problems and to address them if they occur. The Redevelopment Agency and the Office of Economic Development will continue their efforts to increase the amount and efficiency of public parking. Prior efforts in this regard have included purchase and construction of City parking lots, restriping of parking to increase the number of spaces, monitoring of restrictions to ensure that parking is used efficiently, partnerships with property owners to open private parking lots to the public, and improved signage to assist patrons in locating available parking. Staff is also working with the leadership of the NBDs to install bicycle racks and to develop employee parking locations that leave prime parking available for customers. If greater parking overflow occurs than is anticipated on residential streets, the option exists for exploring residential permit parking with the affected residents. Staff is confident that with these tools and the support of the respective Business Associations, available parking can continue to adequately serve the needs of

employees and patrons as the economic vitality of San Jose's Neighborhood Business Districts continues to grow.

Conclusion

Staff believes that the proposed parking reduction for specific ground-floor uses within the Neighborhood Business Districts (NBDs) provides an important tool for achieving vibrant business districts that support the City's economic development goals and provide services and amenities that effectively meet the needs of the surrounding neighborhoods and the City as a whole. In the context of the broader range of tools the City has at its disposal for addressing NBD parking needs, staff believes that these parking requirements can be implemented without detrimental effects on adjacent residential neighborhoods.

MINIWAREHOUSE/ MINISTORAGE PARKING

The proposed ordinance also provides a reduced parking requirement for miniwarehouse/ministorage uses. This change would affect ministorage uses citywide and is not a part of the Neighborhood Business District parking proposal.

Ministorage development in San Jose can be divided into two basic categories that have different parking needs. The newer multi-story facilities, include elevators and interior corridors and are not configured so that loading spaces can be provided at each unit. Customers using these storage facilities generally must park in a parking lot and use dollies to move storage from their vehicles to their storage units. The older single-story facilities typically include loading spaces directly adjacent to the roll-up door for each storage unit, allowing customers to load directly from their vehicle to the storage unit. As a result, the multi-story buildings need significantly more parking than the single-story units. Parking for these multi-story accommodates customers loading and unloading storage material, customers conducting business at the management office and parking for any resident managers. Parking for single-story units with loading areas adjacent to each unit need not include additional parking for customer loading. Parking is needed only for office transactions and for resident managers.

In order to effectively accommodate the two development types, staff is proposing revised parking requirements that include a standard parking ratio of one space per 5,000 square feet of net floor area and one space per resident manager, and a new parking exception that allows a reduction in the parking for single-story ministorage buildings that have adjacent loading spaces. The 1 per 5,000 ratio is consistent with the results of recent surveys of the number of customer trips and the duration of their stays at existing local facilities during peak use periods. The ratio is also consistent with parking surveys of ministorage facilities included in the *Institute of Transportation Planner's 2004 Parking Generation Manual*. Staff believes that the proposed parking requirement will provide parking sufficient to meet the needs of employees and customers.

The proposed exception is intended to allow a reduced parking requirement that more closely reflects the operational characteristics of single-story ministorage buildings and to allow greater flexibility in developing hybrid parking requirements for those sites that include a mixture of the older single-story format and newer multi-story buildings. In general, a facility that is entirely single-story with loading adjacent to the storage units and a small management office with one resident manager would need approximately 4 to 5 spaces located near the office. In the case of a large facility that includes both single and multi-story buildings, no additional parking may be needed for the single-story facilities; required parking for the multi-story units would already provide parking for any resident managers and would likely be sufficient to ensure that parking is available for the office and no parking would be needed for loading purposes.

Staff believes that the proposed parking requirements will ensure that parking for future ministorage proposals is adequate to meet the operational needs of these facilities, avoid needlessly large parking fields and eliminate Planned Development Rezoning proposed solely for the purpose of establishing parking requirements.

COORDINATION

Preparation of the proposed ordinance and this memorandum have been coordinated with the City Attorney's Office, the Redevelopment Agency, the Office of Economic Development and the Departments of Public Works and Transportation.


for JOSEPH HORWEDEL, ACTING DIRECTOR
Planning, Building, and Code Enforcement

Attachments

Maps of the NBDs (Figures 1-10)
Public Correspondence
Draft Negative Declaration
Table 2; NBD Public Lots and On-Street Parking

City of San Jose Neighborhood Business Districts

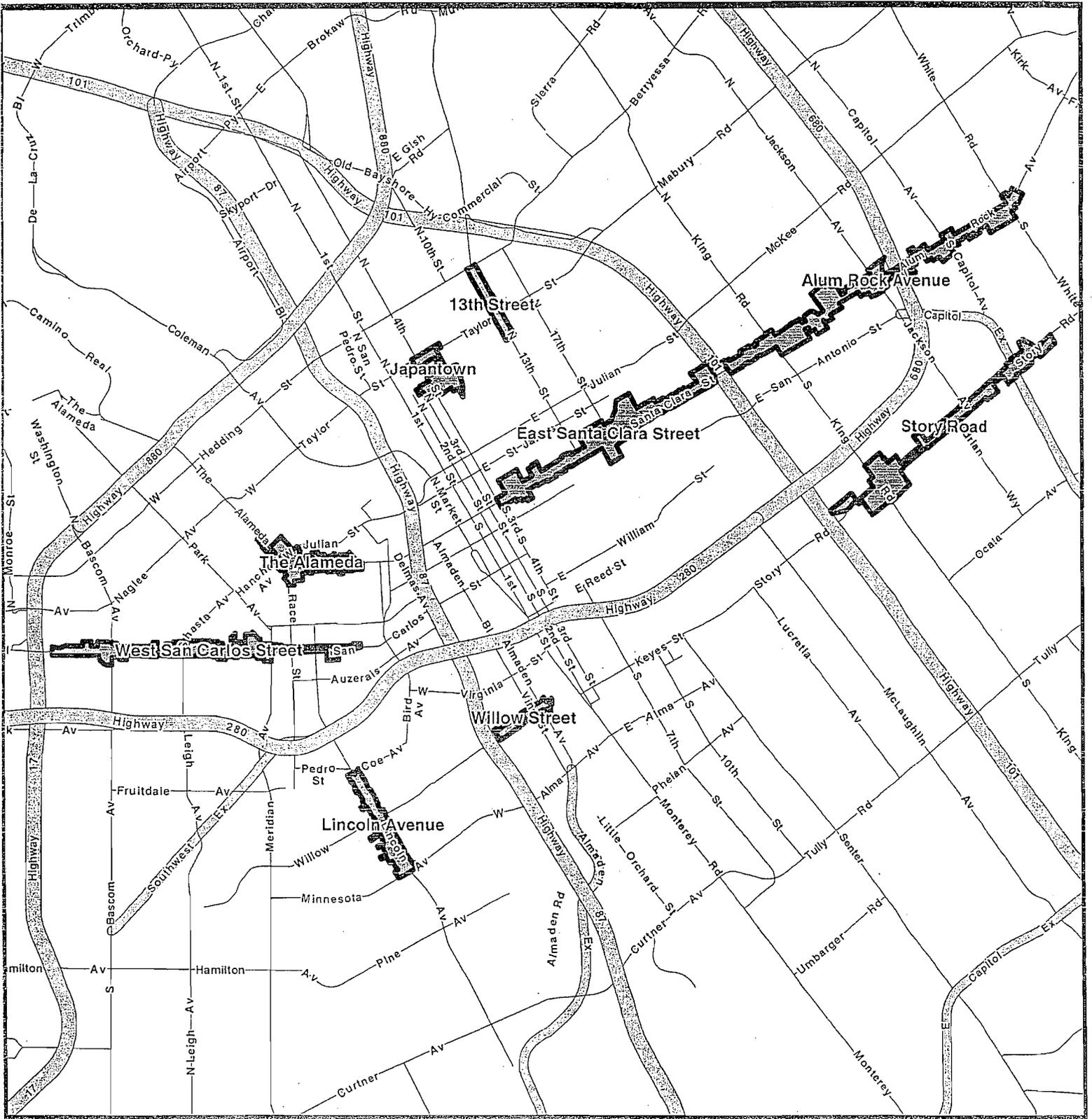


FIGURE 1.



Scale: 1 inch = 4,500 feet

The Alameda Neighborhood Business District

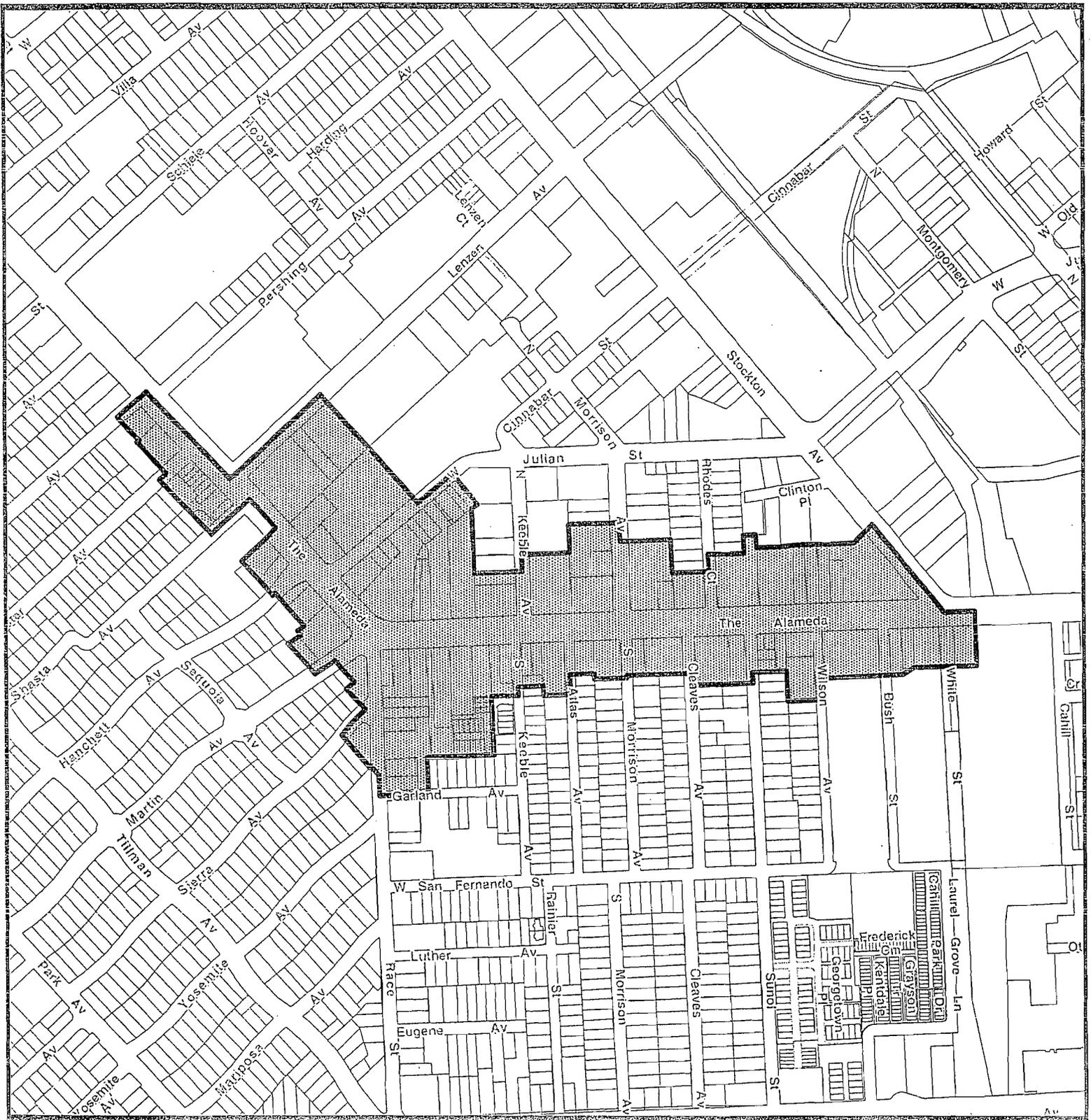


FIGURE 2.



Scale: 1 inch = 550 feet

Alum Rock Avenue Neighborhood Business District

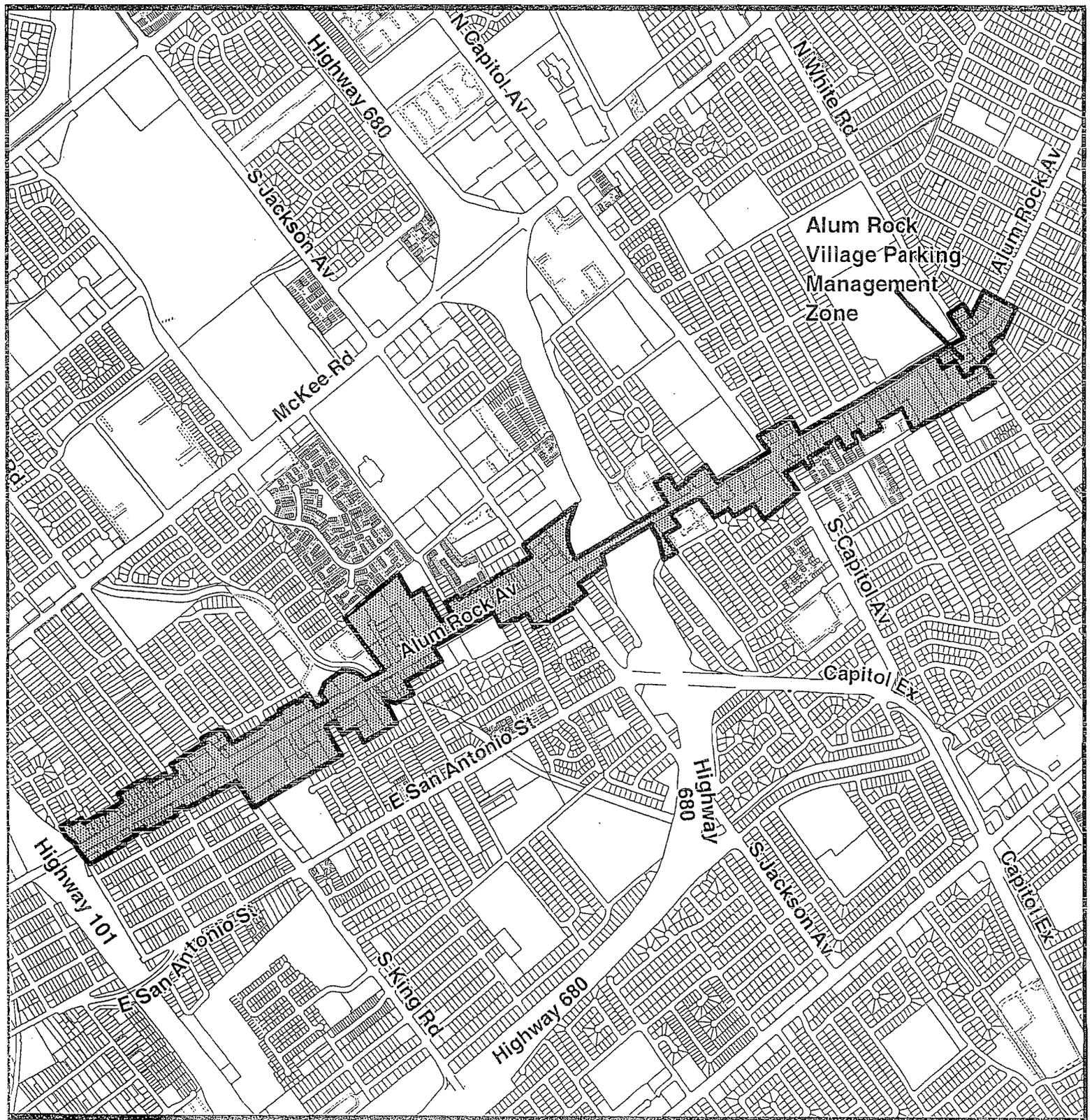


FIGURE 3.



Scale: 1 inch = 1,450 feet

East Santa Clara Street Neighborhood Business District

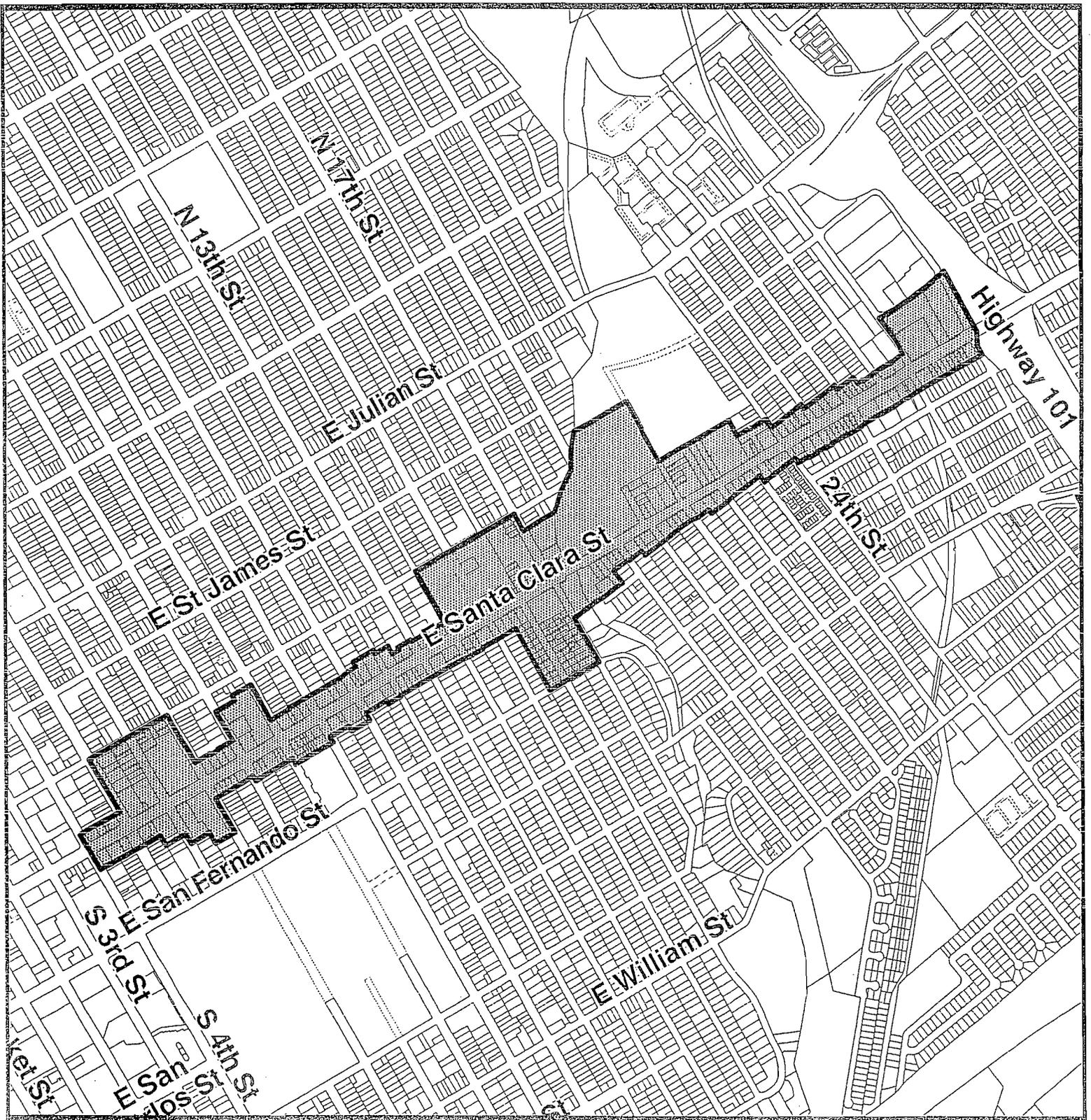
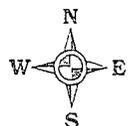


FIGURE 4.



Scale: 1 inch = 1,100 feet

Japantown Neighborhood Business District

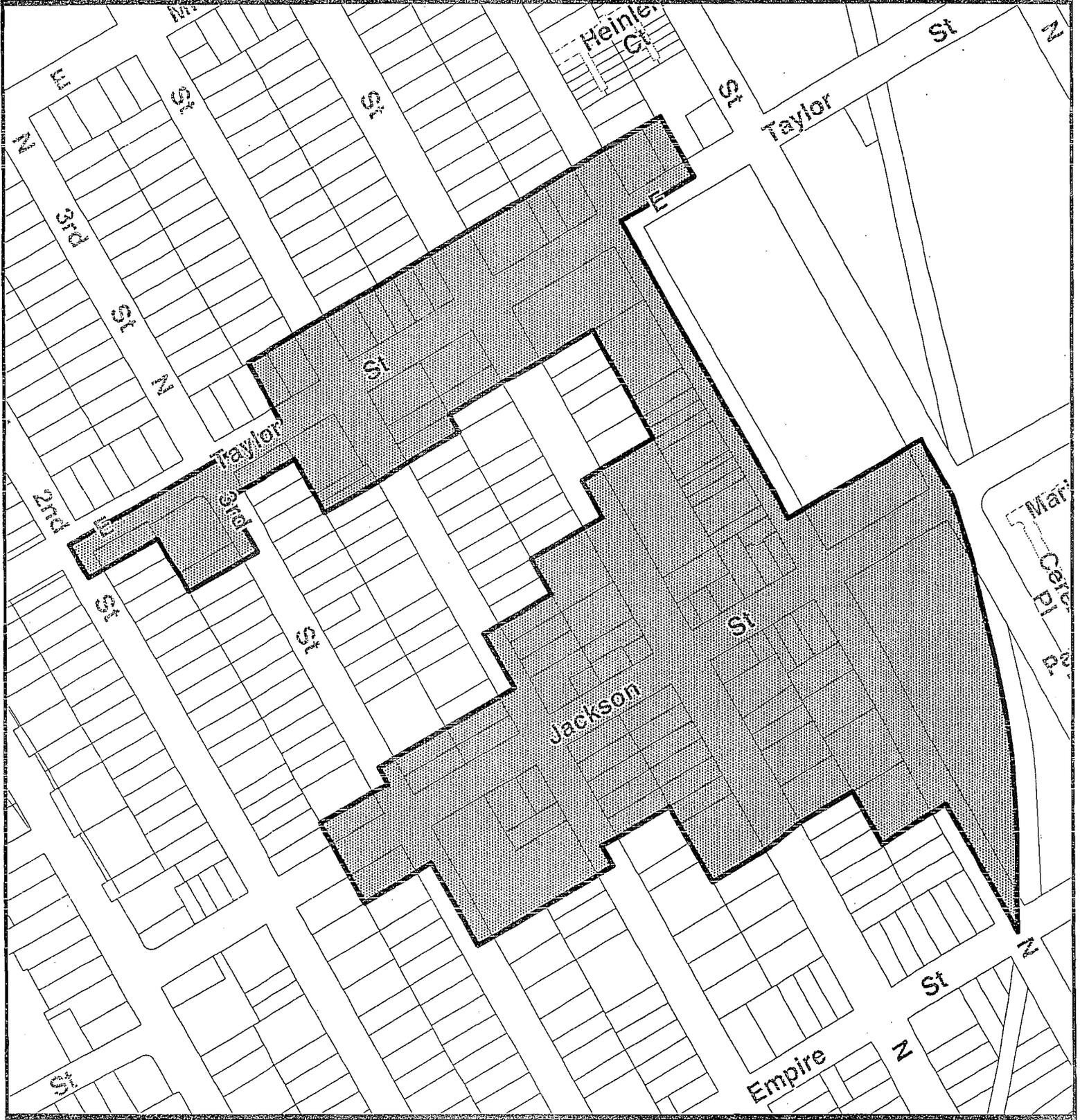


FIGURE 5.



Scale: 1 inch = 300 feet

Lincoln Avenue Neighborhood Business District

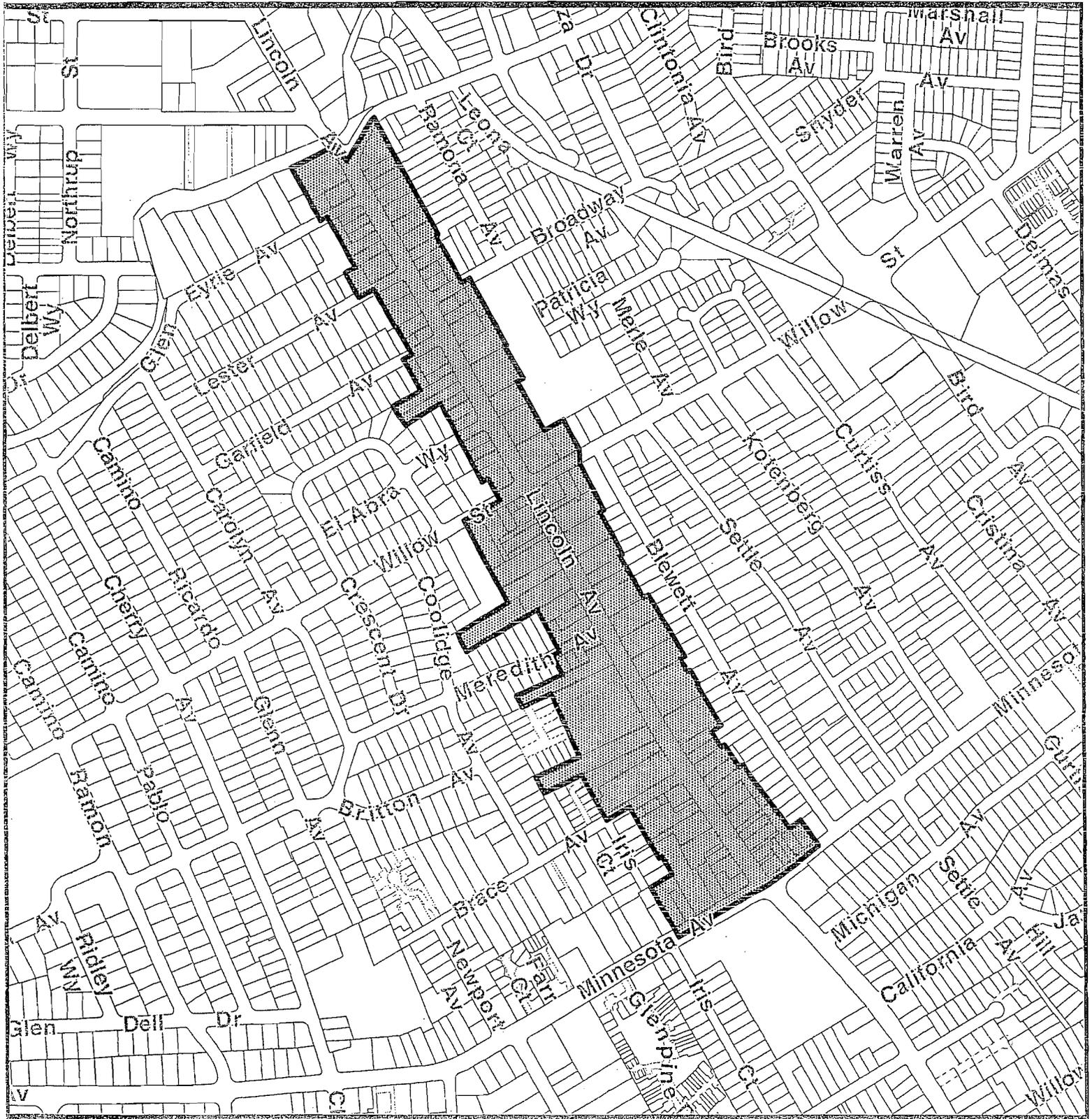


FIGURE 6.



Scale: 1 inch = 600 feet

Story Road Neighborhood Business District

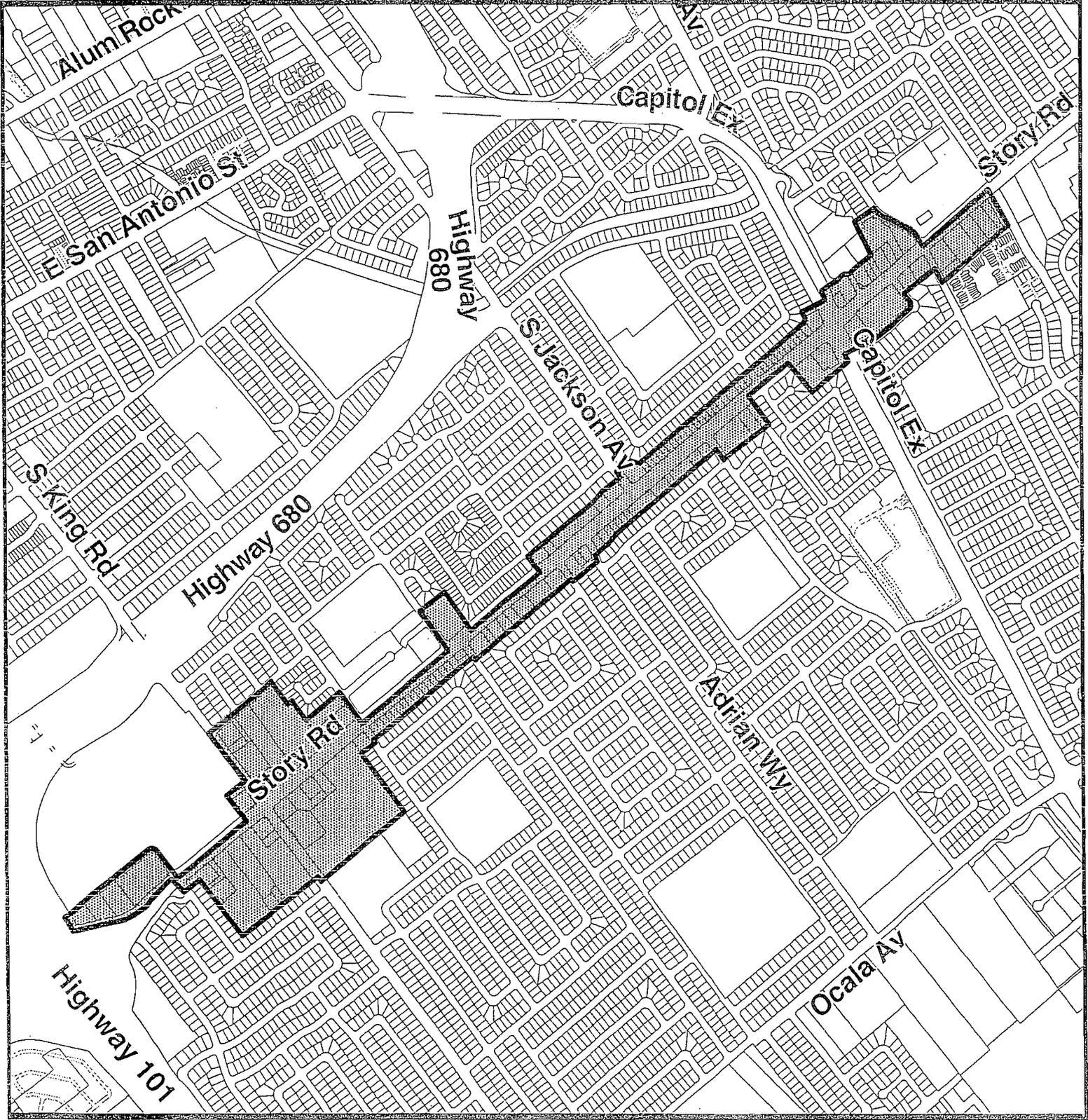
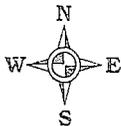


FIGURE 7.



Scale: 1 inch = 1,100 feet

West San Carlos Street Neighborhood Business District

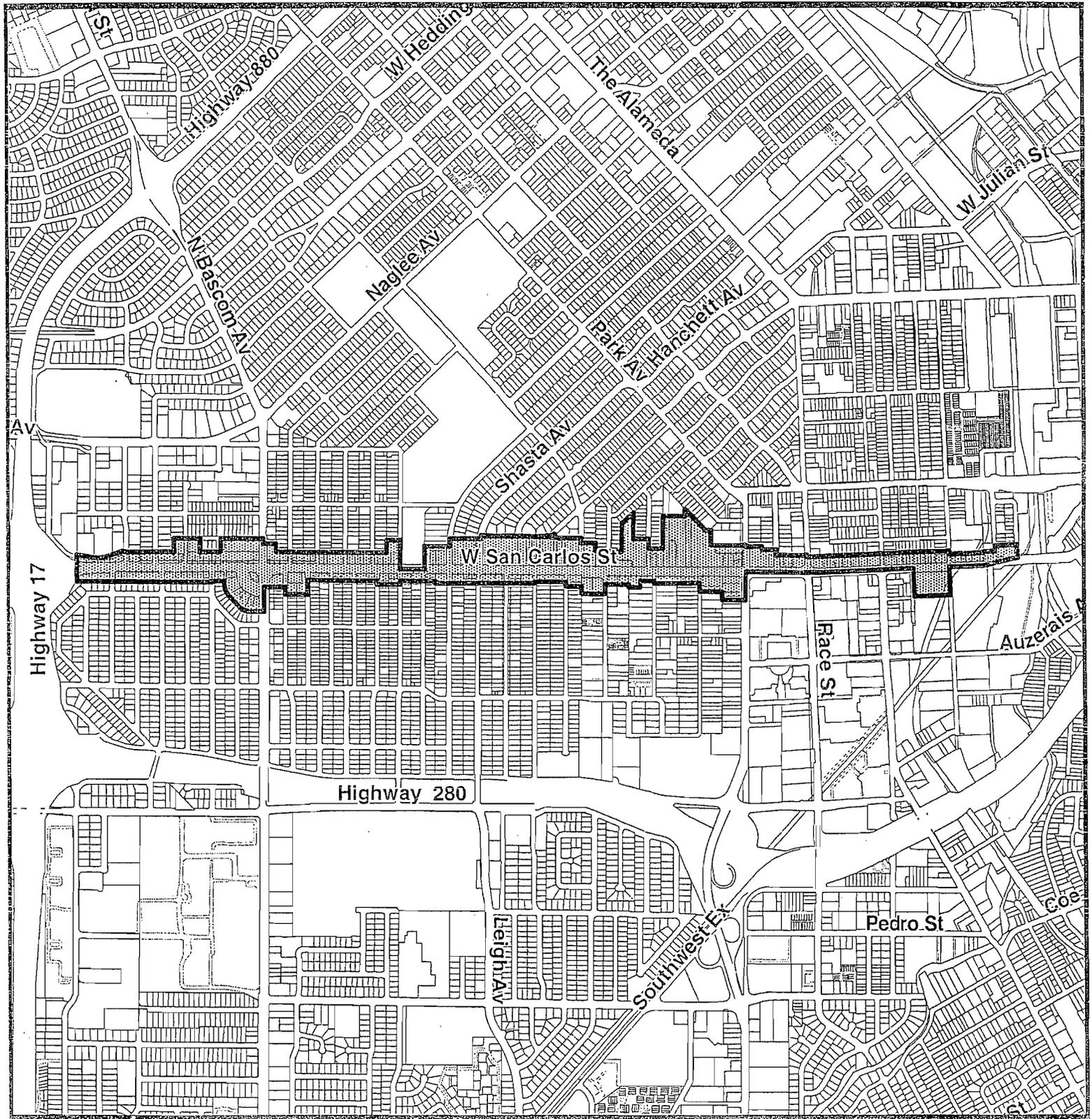


FIGURE 8.

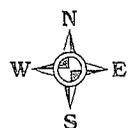


Scale: 1 inch = 1,450 feet

Willow Street Neighborhood Business District



FIGURE 9.



Scale: 1 inch = 400 feet

13th Street Neighborhood Business District

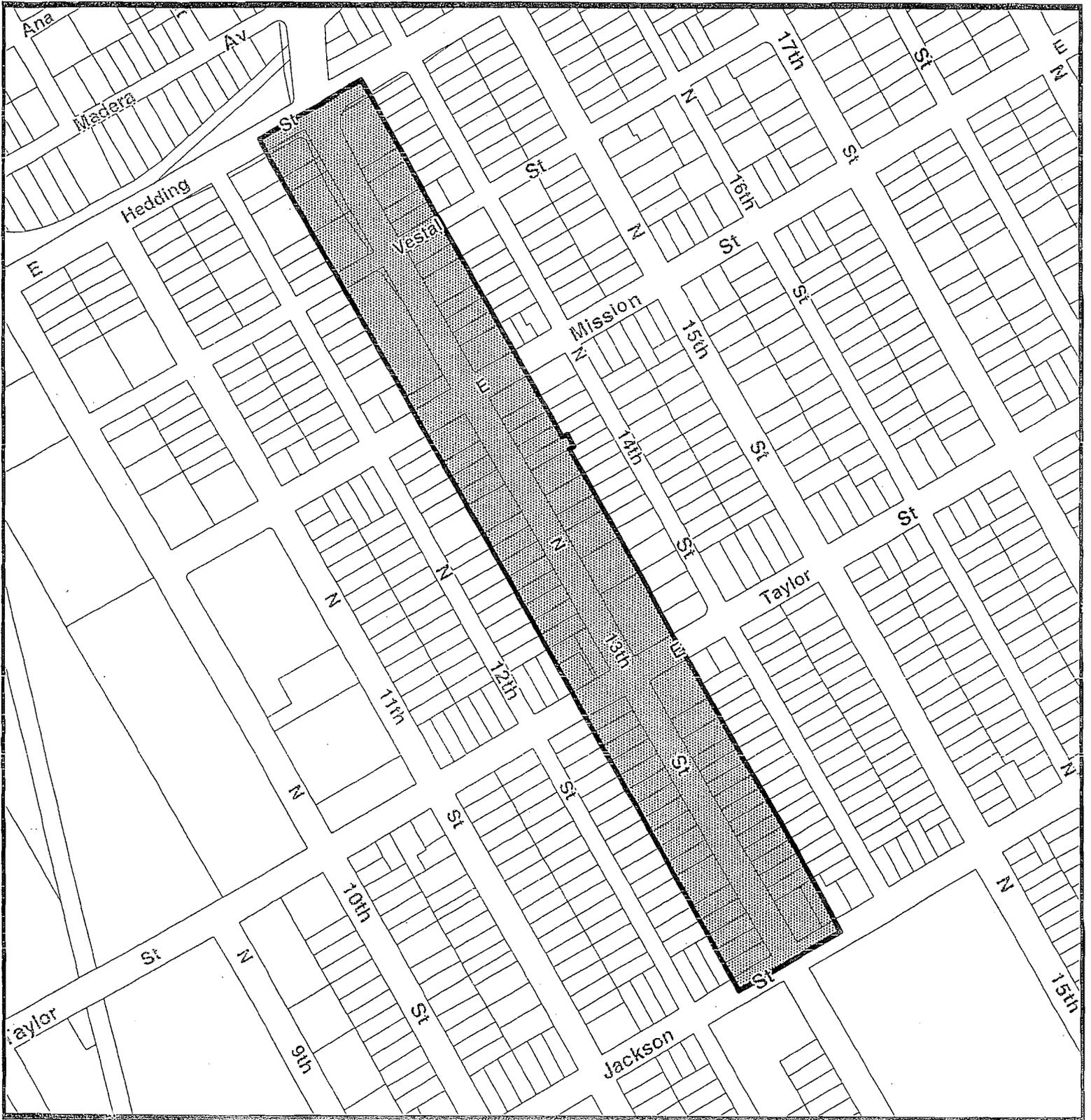


FIGURE 10.



Scale: 1 inch = 375 feet

Washington Area Community Coalition

136 West Alma Avenue
San Jose, California 95122

May 11, 2006

Redevelopment Agency
Richard Keit
200 E. Santa Clara Street
San Jose, CA 95113

Re: Vibrant Neighborhood Business Districts

Dear Richard;

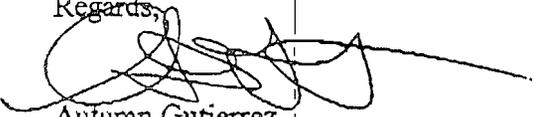
On behalf of the Washington Area Community Coalition, I thank you for your time in presenting the details of the Vibrant Neighborhood Business Districts. The visual presentation was helpful to understand current parking requirements and the prohibitive business nature that are promoted as a result.

Our community is very interested in opportunities that allow us to promote and encourage small businesses in our Willow Street Neighborhood Business District. By unanimous vote of the membership in attendance, the Washington Area Community Coalition supports the efforts put forth in your plan to reduce the number of parking spaces required for Neighborhood Business Districts. We believe that this effort will encourage the types of businesses that our community wants such as coffee shops, sandwich and ice cream shops.

However, we are concerned that our neighborhoods already face parking issues. As this plan moves forward, we are hopeful that the potential impact on surrounding neighborhoods will be considered and potential mitigation offerings will be identified in advance.

On behalf of the community we are appreciative of the efforts of the Redevelopment Agency to get input from residents on important policy changes. In partnership we will succeed in creating and sustaining Strong Neighborhoods.

Regards,



Autumn Gutierrez

Washington Area Community Coalition, President

Cc: SNI Project Advisory Committee
Strong Neighborhoods Team, Region E

Willow Glen

Neighborhood Association

August 9, 2006

Tom Trudell
President, WGB&PA
Truberg Associates, LP
P.O. Box 7251
San Jose, CA 95150-7251

Subject: Concerns Regarding Lincoln Avenue Parking Regulations

Dear Mr. Trudell:

Parking availability for the Lincoln Avenue business district is a growing concern. If the current issues are not handled correctly, in a timely manner, there could be a potential negative impact on the vitality of the business district.

In response to the Willow Glen Business Association's request, we, the Willow Glen Neighborhood Association, have drafted a letter containing our concerns regarding the current parking situation in the business district. This letter was approved by the WGNA Board at our meeting on August 9, 2006.

We believe that a comprehensive solution is required to find an optimal plan. The plan would need to encompass both the needs of the business district as well as the surrounding neighborhoods. We firmly believe that the long-term vitality of business district and neighborhood depends on working together to find a suitable solution that works for all.

By working together, and understanding the needs of both parties, we will be able to find a balance between the needs of the business district and the needs of the local residents. Such a balanced solution must continue to draw patrons into our local businesses. The success of the Lincoln Avenue business district is essential to us all.

Concerns

Our primary concerns fall into the following categories.

Safety

- The business district should be pedestrian and bicycle friendly. The multiple, and often unseen, entrances and exits to parking pose a problem to pedestrians, cyclists and drivers.

Convenience

- Patrons should have safe, adequate and convenient parking.

Willow Glen

Neighborhood Association

- Patrons should not be forced to park multiple times to visit more than one establishment.
- If adequate parking is unavailable or troublesome, patrons may take their business elsewhere (Pruneyard, Campbell, etc).

Residential Impact

- Overflow of business traffic and parking in residential areas is unwanted and creates issues for those impacted. Our concern is that the local residents do not suffer as a consequence of business traffic.

Vitality of the Business District

- The current parking restrictions appear to be limiting the type of establishments that can move into the area. Certain types of businesses require much more parking than others (i.e. a restaurant -vs.- a lawyer's office). As such, our concern is that these restrictions may impede the type of businesses that are moving into Willow Glen. The proper mix of business types is essential to long-term success on the Avenue.
- There are also thoughts that the elimination of parking restrictions may create a 'free for all'. In theory, the idea sounds good, but there are concerns that it could create serious long term parking issues. With no restrictions, what is to stop a multi-story office building from moving in and not creating adequate parking? Where would all of the occupants and visitors to the new building park? Without restrictions, businesses may move in and make no attempt to obtain additional parking spaces.
- Perhaps the answer lies somewhere between the above two positions.

Suggestions

We also offer a few suggestions for your consideration:

- If not already complete, it may be worthwhile to look at the total number of available parking spaces in the business district and see how it compares to the total number of spaces required per the current restrictions. If restrictions were removed, would there already be adequate parking?
- Create, where possible, a continuous parking lot from Minnesota to Willow. Get rid of all of the segmented parking. This would also help eliminate some of the entrances/exits on to Lincoln.
- Investigate the possibility of establishing business 'parking credits' for property or businesses with a surplus of spaces.
- New business construction be required to keep existing number of spaces, or even add additional parking.
- Consider adding a bicycle lane to Lincoln Ave.
- Consider adding spaces for bicycle lockup/'parking' to encourage more cycle traffic.
- Require employees of the local business to park further away from the businesses to free up convenient spaces for customers.

Willow Glen

Neighborhood Association

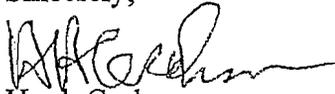
Conclusion

In the end, we will need to develop a comprehensive solution; the current piecemeal approach is not working. While it may address unique situational problems, in the big picture, it may be a detriment to an overall solution.

We also believe that any solution needs to be re-evaluated at pre-determined intervals (i.e. every 12 months) to see if it is producing the desired effects. Monitoring, with readjustment where indicated, is essential to a solution that works for both the business and residential community.

Lastly, we ask that you continue to keep the neighbors and the Willow Glen Neighborhood Association involved with your decisions. At least one public meeting in conformance with city policy on public notice for *Significant Community Interest Proposals* would be appropriate. Working together, we can find the right solution for all.

Sincerely,



Hugh Graham

Chair, WGNA Land Use Committee

Cc;

Norma Ruiz, WGB&PA Executive Director

Ken Yeager, City Council

Joe Horwedel, San Jose City Planning

Hamilton, Carol

From: JeanAnn2@aol.com
Sent: Wednesday, October 25, 2006 10:34 AM
To: carol.hamilton@sanjoseca.gov
Subject: Parking Ratio Lincoln

I am opposed to the change in parking ratios to 1/400 in the Willow Glen Neighborhood Business District. I believe this is too lax a ratio and will have several negative impacts. I am in favor of changing the ratios to a uniform rate for all uses, such as 1/250. I know that this simplifies and facilitates rental of property as businesses change.

The proposed ratio of 1/400 will have negative impacts on two major constituencies, professional service providers and nearby residents. I am a member of both groups.

Professional Service Providers

First, I am a professional service provider with an office on Lincoln Avenue. The nature of my clientele requires that I have ground floor, disabled access, and my service area visible to passersby. My current rental space would be considered potential retail. It is located off the sidewalk and is not "prime" retail. However, with more lax parking ratios, I believe that the composition of the rental market will change. I believe some retail and restaurant businesses will be attracted to the Avenue, and many of those will be operated by naive owners. This will place pressure on marginal rental spaces such as mine. I would expect that rents to such spaces will rise. As in the downtown Campbell, retail spaces such as mine repeatedly have failed as retail. However, there are always those willing to try. I believe this market shift will impact rents to force myself and some other service providers off the Avenue.

Further, the lax ratio will negatively impact my client's ability to park. Currently, at peak restaurant hours, my clients often merely "drop" their passenger and drive away to run errands elsewhere. When parking is available, the drivers usually shop on the Avenue. A more lax ratio will likely exacerbate the parking problem. The parking problem currently annoys a few clients; if it were to become more severe as a result of the relaxed ratios, it might force my business off the Avenue.

While landlords may be happy about the potential of increased rent and certain advocates may be thrilled by the possibility of increased retail, I note that placing rental and parking pressure on successful professional services does not serve the Avenue well. Professional service providers are a strong source of business for lunch restaurant business. Our clients become aware of the Avenue and become the "foot-traffic" so needed by retail and restaurants.

Our targeted marketing efforts attract the kinds of clients who are compatible with the Lincoln Avenue shopping district.

I believe that changes that are a result of modified parking ratios will put pressure on service providers such as myself. This will likely lead to the departure of some providers from the Avenue, taking our business and the business of our customers from the client base.

Residents on Nearby Streets

Secondly, I am a 25-year resident of Blewett Avenue, which runs parallel and adjacent to Lincoln Avenue between Willow and Minnesota. I believe that the relaxed parking ratio will negatively impact the quality of life for Blewett Avenue residents for two reasons: spillover and unsafe traffic conditions.

Additionally, it will impact the services I use.

First, there will be significant spill over of parked cars to Blewett. I believe relaxed parking ratios will increase the number of cars parked on Blewett that spilled over from Lincoln Avenue. Currently, there are 20 to 30 cars spilled over each day in the north and the south ends combined. Based on historic experience, we can expect that number to increase with relaxed parking

ratios. Each spilled over car represents another Blewett resident negatively impacted by parking problems on Lincoln.

On a typical day, at least 15 cars from northern Lincoln Avenue businesses spill onto north Blewett during each day. In the evening, at least 20 cars spill over. At various times in the past as different tenants have occupied the building at Willow and Blewett and parking configurations at the southeast corner of Willow and Lincoln have changed, the spill over has been as great as 30 cars every evening, affecting the first 15 homes on each side of Blewett.

Many of these parked cars are employees of the food serving businesses: ice cream store, frozen yogurt, and pizzeria. Each of these food services are labor intensive, requiring more employees than a comparably sized retail establishment. Thus, there are more cars parked for longer periods--full shifts. Soon, retail tenants will take over the old Blaine Lighting site. They are expected to have more extended hours than Blaine's and the presence of their customers will push more cars onto Blewett during early evening hours. If the relaxed parking ratio rules had been in place at the time that building became available and a restaurant had moved in, we could have expected that their employees and some of their customers would also park on Blewett. Based on square footage, a restaurant there would have pushed another 10 cars onto Blewett's north end.

The southern end of Blewett would be negatively impacted by relaxing of parking ratios as well. Currently, about ten cars spill onto southern Blewett each day. Some are from nearby apartments, and some of from adjacent office buildings. However, the impact of conversions of Lincoln Avenue buildings can be inferred immediately from historic events. When a framing shop at Lincoln and Minnesota (NE corner) was replaced by two restaurants, the occupants of the office building at Blewett/Minnesota lost some of their parking spaces. A few years later, the volume of garbage produced by the restaurants created a health hazard, and the parking lot was reconfigured to create a safe garbage area. This eliminated several of the office building's leased parking spaces--pushing their employees onto Blewett Avenue. With relaxed parking ratios, we can expect that more parking intensive businesses will locate in the sites. And their employees and some of their customers will end up on southern Blewett Avenue.

A second way that Blewett Avenue residents are negatively impacted by relaxed parking ratios are the increase of "circling" and "U-turning" drivers--associated with speeding and unsafe conditions. With relaxed ratios, there will be more drivers hunting for parking spaces. They will hunt on Blewett Avenue. Or they will use Blewett as a bypass to get to Lincoln Avenue and try again--"circling". Circling cars are more likely to speed--they are in a hurry to try again. Blewett already suffers from speeding problems. Other drivers will U-turn. They use residential driveways to U-turn and return to Lincoln for another attempt at parking. Already, several Blewett residents have complained about the wear and tear on their driveways and the near misses between speeders and U-turning cars. In my case, my car has been hit and the rear bumper slightly damaged by a driver who was in a hurry to complete his U-turn. Although I saw the driver, he escaped. That time, the damage to my car was slight. With additional U-turning, I expect the likelihood of more severe damage will increase. Relaxed parking ratios leads to dangerous U-turns and speeding while circling. Both negatively impact the residents on Blewett.

Finally, my personal shopping experience is likely to be negatively impacted by relaxed parking rules. As I indicated at the start of this letter, I believe that relaxed parking rules will place pressure on the service businesses, forcing some to leave. I purchase ALL of my services on Lincoln Avenue. I like the current balance of businesses. Relaxed parking ratios will change the balance. I do not think it will be a change for the better.

In summary, I am opposed to a relaxed ratio of 1/400. I believe that it will negatively impact professional service businesses and the residents of adjacent streets. I gave specific examples of my own business and my own street. I suggest that the ratio should be made uniform at 1/250 in order to make transitions between tenant types easier for the landlord and prospective tenants.

Sincerely yours,

Jean Dresden
1276 Blewett Avenue
San Jose

(408)2980275

Hamilton, Carol

From: Rich Sutton [rich@peggysues.com]
Sent: Friday, October 27, 2006 3:16 PM
To: Carol.Hamilton@sanjoseca.gov; Tony.Felice@sanjoseca.gov
Cc: rich@peggysues.com
Subject: Potential changes to Willow Glen parking policies

Hello Carol, Tony,

I don't believe that we have met (apologies otherwise). My name is Rich Sutton and my partner and I have been looking at opening another Peggy Sue's restaurant, with one of the areas under consideration being Lincoln Avenue.

I have been attending some of the business association meetings to get an understanding of the local business climate and current challenges. I was not able to attend the recent meeting at Washington Mutual but from working with Norma, I understand that the two of you are the best people to provide comments to.

Given that my family and I also live about 1/2 block from Lincoln/Willow, I see the issues from a couple of viewpoints. Aside from interest in opening a business close by, I am also interested in seeing a better business climate and supporting policies that will pave the way for more (and a better variety) of shops and restaurants to fill in the gaps. I am very much in support of the efforts of the association in bringing the parking requirements to current-day standards that will allow for the type of economic growth that sits as un-tapped potential along our beautiful main street.

Please let me know if you have any questions or can provide any guidance as to how else I may be able to support this issue. Thank you for your time.

Best regards,

Rich Sutton
408-888-3120

Hamilton, Carol

From: Tom Biagini [Tom@biaginiproperties.com]
Sent: Tuesday, November 07, 2006 3:54 PM
To: carol.hamilton@sanjoseca.gov
Subject: NBD On-Site Parking Requirements

Dear Carol:

I am writing you in support of reducing Neighborhood Business District (NBD) on-site parking requirements.

As you know, we recently began construction of a new retail commercial building on The Alameda at Morrison Avenue, San Jose, and are in the midst of our marketing efforts to tenant the building. We must exclude from consideration certain uses such as food and restaurants because they require more parking spaces under the suburban parking standards than we can provide. These excluded uses are considered desirable by the City because they stimulate commercial activity from nearby residents and employees. Sidewalk pedestrian activity is increased by food and restaurant uses who enliven the streetscape. They also round out our tenant mix in providing a variety of businesses and services to the neighborhood.

A more liberal NBD parking standard taking into account the metro/urban nature of Alameda/Morrison Retail will widen the number of uses and merchants we can consider leasing to. The building will lease up sooner adding color and contributing to the pedestrian-oriented streetscape valued by the neighbors and City. Alameda/Morrison is not a suburban property yet is burdened with suburban parking standards in direct conflict with the City's stated pedestrian-oriented goals for The Alameda Business District. In addition to street parking, the City recently opened a public parking lot at The Alameda/Cleaves providing still more public parking.

A metro/urban parking standard will allow us to re-consider several food and restaurant users that we have turned down for this property.

Thank you for considering a reduction of NBD on-site parking requirements and any further assistance you can provide us in delivering a successful new building.

Thomas J. Biagini

Biagini Properties, Inc.
333 W. El Camino Real, Suite 240
Sunnyvale, CA 94087-1969
(408) 331-2300 x-18 direct voice #
(408) 331-2301 fax #

Hamilton, Carol

From: Trish Inguagiato [Trish@retailwestinc.com]
Sent: Tuesday, November 07, 2006 8:08 PM
To: carol.hamilton@sanjoseca.gov
Subject: Reduced on site parking requirements

Hi Carol,

I am a Retail Commercial Real Estate Broker that does work throughout the Bay Area. I have been involved in The Whole Foods deal on The Alameda and Stockton. Our company also put in the Peet's Coffee on The Alameda and we have worked with the owner of Babe's Muffler shop. We believe in your downtown and think that there is so much more potential. Therefore, I am in full support of reduced on site parking requirements in the downtown area to 1 parking space per 400 square feet of retail/restaurant space. I think this will only strengthen the retail environment in San Jose.

Thank you,

Trish

Trish Inguagiato
Retail West, Inc.
2034 Union St.
San Francisco, CA 94123
phone: 415-292-2692
fax: 415-775-1858
cell: 650-533-7407
Trish@retailwestinc.com

Hamilton, Carol

From: Philip Lau Dba winco [winco@sbcglobal.net]
Sent: Tuesday, November 07, 2006 7:09 PM
To: carol.hamilton@sanjoseca.gov
Subject: : REDUCING NEIGHBORHOOD BUSINESS DISTRICT ON-SITE PARKING REQUIREMENTS

Ms. Hamilton,

I own a small business in San Jose and am very keen in supporting the proposal of REDUCING NEIGHBORHOOD BUSINESS DISTRICT ON-SITE PARKING REQUIREMENTS.

Is there any other mean of showing support this proposal besides showing up at the meeting.

Philip Lau

Hamilton, Carol

From: Keit, Richard
Sent: Wednesday, November 08, 2006 2:44 PM
To: Hamilton, Carol
Cc: James, Renda; Kline, Kelly; Velasquez, Christine
Subject: FW: Reduced On-site Parking Requirements in the City's Neighborhood Business Districts

From: Sharon Carmichael [mailto:scarmichael@terranomics.com]
Sent: Wednesday, November 08, 2006 2:23 PM
To: Keit, Richard
Subject: RE: Reduced On-site Parking Requirements in the City's Neighborhood Business Districts

I strongly support this new Parking Amendment as a resident of the City of San Jose.



Sharon Carmichael, Vice President Retail Division



1350 Bayshore Hwy, Suite 900 | Burlingame, CA 94010
Direct 408-531-9444 | Main 650-348-2400 | Fax 408-715-0254
scarmichael@terranomics.com | www.terranomics.com

Gain The Terranomics Advantage

Terranomics is the dominant retail brokerage firm in Northern California. With over 30 retail professionals, Terranomics represents approximately 70 national & regional retail tenants and 11 million square feet of retail space. For over 35 years, Terranomics has been actively involved in almost every development site and tenant roll-out in the region.

From: Keit, Richard [mailto:Richard.Keit@sanjoseca.gov]
Sent: Tuesday, November 07, 2006 2:10 PM
To: 'mholmes@retailwestinc.com'; 'jmape@retailwestinc.com'; 'trish@retailwestinc.com'; 'tom@biaginiproperties.com'; 'dcampisi@colliersparrish.com'; 'BMBerns@aol.com'; 'ddivine@primeretailinc.com'; 'dferrari@primeretailinc.com'; 'rigo@rigob.com'; 'gumba317@aol.com'; 'dtaxin@moinc.com'; 'jnguyen@CFCCorporation.com'; 'mmiller@colliersparrish.com'; 'jkovaleski@colliersparrish.com'; 'tnelson@colliersparrish.com'; Jon Stansbury; 'rasteroids@earthlink.net'; 'bbhatt@be-video.com'; 'ABezdjian@colliersparrish.com'; Sharon Carmichael; 'shunt@colliersparrish.com'; 'winco@sbcglobal.net'; 'marie@studio02.net'; 'sunny@studio02.net'
Cc: Mavrogenes, Harry; Weis, John; Duenas, Norberto; Kline, Kelly; Velasquez, Christine; Stedler, Anne; James, Renda; Klein, Nancy; Hamilton, Carol; Maghamfar, Abi
Subject: Reduced On-site Parking Requirements in the City's Neighborhood Business Districts

The attached information will be of great interest to all those who want to improve and develop the City's Neighborhood Business Districts (NBD). Please read my letter - the reduction in parking requirements

needs your support. Do not hesitate to call if you have any questions.

Please contact me immediately if you cannot open any of the attachments:

- 1. Request for Letter of Support**
- 2. List of Advantages for the on-site NBD Parking Reduction**
- 3. Public Notice**

Thanks,

Richard Keit, Director
Neighborhood & Business Development
The Redevelopment Agency of the City of San Jose
200 E. Santa Clara St. 14th Floor
San Jose, CA 95113
(408) 795-1849

**DRAFT
NEGATIVE DECLARATION**

The Director of Planning, Building and Code Enforcement has reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project completion. "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

NAME OF PROJECT: Neighborhood Business District and Ministorage Parking Ordinance

PROJECT FILE NUMBER: PP06-172

PROJECT DESCRIPTION: The project consists of an amendment to Chapter 20.90 of the Zoning Code, (Title 20 of the San Jose Municipal Code) to reduce parking requirements as follows:

1. The ordinance proposes to reduce the parking requirements for specific ground floor uses located on properties designated on the General Plan Land Use/Transportation Diagram with the Neighborhood Business District (NBD) Overlay to one space per 400 square feet.
2. The ordinance proposes to reduce the parking requirements for miniwarehouse and ministorage uses from 1 space per 2,000 square feet of storage area and 1 space per resident manager to one per 4,000 square feet and one per resident manager. The ordinance also proposes a parking exception that would allow for a further reduction in the parking requirement to be approved through a development permit for single-story ministorage/miniwarehouse buildings that have loading spaces adjacent to the storage units.

PROJECT LOCATION & ASSESSORS PARCEL NO.: 1) Neighborhood Business Districts citywide: Willow Street, Japantown, The Alameda, West San Carlos Street, Lincoln Avenue, East Santa Clara Street, Alum Rock Avenue, Story Road, and Thirteenth Street. 2) The change in parking ratios for ministorage/miniwarehouse uses is citywide.

COUNCIL DISTRICT: Citywide

CONTACT INFORMATION: : Carol Hamilton, Senior Planner, Department of Planning, Building and Code Enforcement, City of San Jose, Third Floor Tower, 200 East Santa Clara Street, San Jose, CA 95113. Email: carol.hamilton@sanjoseca.gov

FINDING

The Director of Planning, Building & Code Enforcement finds the project described above will not have a significant effect on the environment in that the attached initial study identifies no potentially significant effects on the environment would be likely to result from implementation of the project.

- I. AESTHETICS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- II. AGRICULTURE RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- III. AIR QUALITY** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- IV. BIOLOGICAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- V. CULTURAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- VI. GEOLOGY AND SOILS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- VII. HAZARDS AND HAZARDOUS MATERIALS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- VIII. HYDROLOGY AND WATER QUALITY** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- IX. LAND USE AND PLANNING** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- X. MINERAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XI. NOISE** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XII. POPULATION AND HOUSING** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XIII. PUBLIC SERVICES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XIV. RECREATION** – The project will not have a significant impact on this resource, therefore no mitigation is required.

XV. TRANSPORTATION / TRAFFIC – The project will not have a significant impact on this resource, therefore no mitigation is required.

XVI. UTILITIES AND SERVICE SYSTEMS – The project will not have a significant impact on this resource, therefore no mitigation is required.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE – The project will not substantially reduce the habitat of a fish or wildlife species, be cumulatively considerable, or have a substantial adverse effect on human beings, therefore no additional mitigation is required.

PUBLIC REVIEW PERIOD

Before 5:00 p.m. on November 15, 2006, any person may:

- (1) Review the Draft Negative Declaration (ND) as an informational document only; or
- (2) Submit written comments regarding the information, analysis, and mitigation measures in the Draft ND. Before the ND is adopted, Planning staff will prepare written responses to any comments, and revise the Draft ND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final ND; or
- (3) File a formal written protest of the determination that the project would not have a significant effect on the environment. This formal protest must be filed in the Department of Planning, Building and Code Enforcement, 200 East Santa Clara Street, San José CA 95113-1905 and include a \$100 filing fee. The written protest should make a “fair argument” based on substantial evidence that the project will have one or more significant effects on the environment. If a valid written protest is filed with the Director of Planning, Building & Code Enforcement within the noticed public review period, the Director may (1) adopt the Negative Declaration and set a noticed public hearing on the protest before the Planning Commission, (2) require the project applicant to prepare an environmental impact report and refund the filing fee to the protestant, or (3) require the Draft ND to be revised and undergo additional noticed public review, and refund the filing fee to the protestant.

Joseph Horwedel, Acting Director
Planning, Building and Code Enforcement

Circulated on: 10/26/06

Alen Danielson
Deputy

Adopted on: _____

Deputy

MND/CH 10-10-06

Table 2. Neighborhood Business District Public Lots & On-Street Parking Spaces

Neighborhood Business District	No. Public Lots	Parking Spaces in Public Lots*	On-Street Parking Spaces	Total parking spaces
Alum Rock Aveue	5	685	533	1,218
East Santa Clara Street	2	91	670	761
Japantown	2	61	390	451
Lincoln Avenue	2	141	149	290
Story Road	N/A	0	307	307
The Alameda	3	99	458	557
Thirteenth Street	N/A	0	113	113
W.San Carlos Street	N/A	0	751	751
Willow Street	1	10	203	213
Total	15	1087	3574	4,661

*Public Lots include both publically-owned lots and privately-owned lots (or portions thereof) for which the City has obtained agreements for public parking.

Subject: Amendment to Title 20 to modify parking requirements for specific ground-floor uses within the Neighborhood Business Districts and for miniwarehouse/minstorage uses.

Email from the public in support to reduce on-site parking requirements

From: Larry Clark [mailto:LClark@creditcorp.com]

Sent: Monday, November 13, 2006 4:27 PM

To: carol.hamilton@sanjoseca.gov

Cc: quinceaneradream@aol.com; betty slater; Erin Green; Gina Bianchi; Jim Hartigan; karen@karenpeckinsurance.com; Larry Clark; Paforst@aol.com; Puopolo, Joyce; smdwyer@sbcglobal.net; tom@commuknity.com

Subject: Reduction of on-site parking requirements

Planning Commission:

We would like to voice our support of the effort to reduce the on-site parking requirements for businesses located in our Alameda neighborhood business district. Parking requirements, especially for restaurants, have limited the willingness of new businesses to locate in our area. We currently find vacant buildings and shops on the street that should be readily used for retail purposes. This is an increasing phenomenon in our area and if left unchecked, it can undo much of the progress that has been made to transform this area into a walkable, shopable business area. We currently do not have a parking problem because we have virtually no restaurants and a limited number of retail stores.

Our area is developing. We have thousands of new residential units being built in our area that will provide a ready supply of pedestrian customers to our NBD. We are caught in a chicken and egg dilemma: No retailer will locate to an existing building because of the parking constraints imposed (where there currently is no parking problem). Without new businesses, our newly developing pedestrian clientele must get into their cars and travel elsewhere for dinner, entertainment, entertainment and shopping. Ironically, by not allowing businesses in our area because of parking requirements, we force people in their cars to drive to other places – even outside of San Jose! We prevent our area from developing into a place where a family could walk to a favorite eatery.

Reduction of parking requirements will allow us to attract the retailers and restaurants that we so desperately need to develop our area into a desirable and vibrant destination in our Historic area along The Alameda. Without this modest first step, we may never see the kind of development that could promote a busy, prosperous and safe neighborhood business district.

We ask that you consider positively the proposal for reducing parking restrictions currently before you.

Please feel free to call if you have any questions.

Larry Clark
President
Alameda Business Association

Cc: Board of Directors, Alameda Business Association

408.436.8581



Japantown Neighborhood Association

November 13, 2006

San Jose Planning Commission
Attn: Carol Hamilton, Senior Planner
200 E. Santa Clara St. 3rd Floor Tower
San Jose, CA. 95113

SUBJECT: REDUCING NEIGHBORHOOD BUSINESS DISTRICT ON-SITE PARKING REQUIREMENTS – LETTER OF SUPPORT

Dear Planning Commission:

The residents of the Japantown Neighborhood Association have for a long time been concerned with decline in the neighborhood-serving business in Japantown and have tried to identify ways to revitalize the Japantown Business district. One of the main reasons we heard new businesses were not locating in Japantown was the challenge of meeting the City's parking requirements.

It came to our attention that City staffs from the Redevelopment Agency, Department of Planning Building & Code Enforcement and the Office of Economic Development were evaluating ways to improve the physical appearance and functioning of the City's nine Neighborhood Business Districts (NBDs).

One of the improvements the City staff presented to the community was to modify the Zoning Code that would reduce the on-site parking requirements from 200 square feet for retail and one space per 40 square feet for eating establishments to one parking space per 400 square feet for most commercial uses.

I wanted to let you know that the Japantown Neighborhood Association strongly supports the recommendation to reduce the parking requirement. We feel this is an excellent start in the revitalization of the Japantown Business district. We look forward to continuing to work with the City to identify other ways to keep this progress moving forward.

Please feel free to contact me at (408) 536-6353 or email me at jtownneighbors@yahoo.com if you have any questions.

Regards,

William Lambson
President Japantown Neighborhood Association

cc: Cindy Chavez

Japantown Business Association
565 N. 6th Street, Suite G
San Jose, CA 95112
Phone: 408.298.4303
Fax: 408.286.4413
Email: sanjosejtown@sbcglobal.net
www.japantownsanjose.org

November 11, 2006

**SUBJECT: REDUCING NEIGHBORHOOD BUSINESS DISTRICT ON-SITE
PARKING REQUIREMENTS**

Attn: Carol Hamilton, Senior Planner

Dear San Jose Planning Commission,

Our historic Japantown streets and properties have been recognized as being valuable by the Historic Landmark Commission, City Council of the City of San Jose and the California State Legislature. To ensure the vitality and preservation of the business district we have undertaken efforts to increase communication between the neighborhoods and residents and the business district, worked on business recruitment, grant funding, streetscape improvement and much more. Where we still have difficulty is in reforming regulations that allow the district to become one that is easy for business to receive permits to establish themselves here.

One the main challenges to a business moving into Japantown is the 'adjacent parking necessary' rule. Parking in a district such as Japantown where preservation and new building development go hand in hand on equal terms and endeavors, is difficult although extremely appealing. Old property lines are built to the maximum and there is little space for additional parking. Where there is space, there is a lengthy and sometimes contentious process to go through for approval.

Because there is not enough pedestrian traffic for more retail to move in, Japantown suffers. Pedestrian traffic is dependent upon having available parking but it is also dependent upon having a 'critical mass' of businesses to the point that people will be willing to walk a block or two to get to the district. Current parking requirements limit businesses from moving in. Because there is not enough adjacent parking available a business cannot move in. The first part of the Catch 22 is complete.

Where and when organizations and businesses have collaborated and partnered in renting property for business parking there are waiting lists. As business spaces and storefronts stand unoccupied for lack of permits because parking requirements have not been met, the community and the City continually question the district as to why not! Catch 22 is complete.

This impossible situation is partially alleviated by the Neighborhood Business Development staff proposal to reduce the on-site parking requirements. The Japantown Business Association is in favor of the reduction of necessary parking that is being forwarded by the Neighborhood Business District Development Staff.

IF businesses can move in, there will be more customers. People are attracted to sites where they can shop more than one store at a time, get groceries, find gifts, visit their optometrist, browse jewelry, find something they knew they needed but just couldn't find before! This will then create more pedestrian traffic, making the street more viable for more retail, which then has the potential to generate enough

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interest that would make the building of innovative and creative parking in new developments and currently unused spaces a foregone conclusion to the developer, tenant, or property owner.

We support wholeheartedly, the proposed changes by the NBD Staff to be implemented as soon as possible in Japantown We believe this change in parking requirements will definitely help to enable our district through historic buildings reutilization and revitalization as well as new development interests through sincere understanding of the property owner and business owner's concerns.

Please support these amendments to the parking code.

Respectfully yours,

Kathy Sakamoto
Executive Director
Japantown Business Association