



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Planning Commission

SUBJECT: SEE BELOW

DATE: April 28, 2008

COUNCIL DISTRICT: 4
SNI AREA: None

SUBJECT: GP08-T-02. GENERAL PLAN TEXT AMENDMENT REQUEST TO REVISE THE TEXT SECTION OF GOALS AND POLICIES - URBAN DESIGN: SPECIFIC SITES AND GEOGRAPHIC AREA EXCEPTIONS, TO ALLOW "ON THE SOUTH WEST CORNER OF HEADQUARTERS DRIVE AND HOLGER WAY, THE MAXIMUM BUILDING HEIGHT IS 210 FEET" ON A 14.1 GROSS ACRE SITE.

RECOMMENDATION

The Planning Commission voted 5-0-2 (Commissioners Zito and Campos absent) to recommend approval of the subject General Plan text amendment request.

OUTCOME

If approved, the proposed General Plan text amendment would allow consideration of development proposals for alterations to new and previously-approved buildings as tall as 210 feet above ground level to be constructed on a 14.1 acre portion of the subject site.

BACKGROUND

On April 21, 2008, the Planning Commission held a public hearing to consider the proposed General Plan amendment. The Director of Planning, Building and Code Enforcement recommended approval of the General Plan amendment.

The proposal was on the consent calendar portion of the agenda, and was pulled off the calendar to hear public testimony from a member of the public. The speaker was in support of the proposed amendment but wanted clarification that the area covered by the amendment did not include the portion of the site adjacent to North First Street which faces residential development to the west. Commissioner Kalra requested that staff clarify the area included in the General Plan amendment. Staff stated that the amendment is being proposed on the 14.1 acre eastern portion of the site at the southwest corner of Headquarters Drive and Holger Way.

The Planning Commission voted 5-0-2 (Commissioners Zito and Campos absent) to recommend to the City Council approval of the subject General Plan text amendment request.

ANALYSIS

See original staff report for analysis of the proposed General Plan text amendment.

EVALUATION AND FOLLOW-UP

Approval of the proposed General Plan text amendment would allow consideration of development proposals for alterations to new and previously-approved buildings as tall as 210 feet above ground level to be constructed on a 14.1 acre portion of the subject site. New development proposals on this site would need to be consistent with the development patterns in the surrounding area and consistent with the goals of the North San José Area Development Policy and General Plan.

POLICY ALTERNATIVES

Alternative 1: Denial of the proposed General Plan text amendment.

Pros: Would avoid potential future interface incompatibility.

Cons: Denial would decrease the opportunities for the economic development of this property.

Reason for not recommending: This alternative is not recommended because the proposal to increase allowable height at this location is consistent with the development patterns in the surrounding area and consistent with the goals of the North San José Area Development Policy and General Plan. Allowing the further intensification of the subject site through increasing the allowable building height provides an increase in the potential available industrial space in the City and promotes economic development by attracting larger industrial users into the area.

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. A community meeting was held on April 8, 2008 to present information and to hear the community's comments/feedback regarding the proposed General Plan Text Amendment. Approximately six members of the community attended the meeting and questions/comments were raised related to the commercial portion of the development site to the southeast which is not included as a part of this application. A joint notice of the public hearings to be held on the subject General Plan amendment before the Planning Commission on April 21, 2008 and City Council on May 20, 2008 was published, posted on the City's web site and distributed to the owners and tenants

of all properties located within 1,000 feet of the project site. The Department of Planning, Building and Code Enforcement web site also contains information regarding the General Plan process, amendments, staff reports, and hearing schedules. This web site is available with the most current information regarding the status of the General Plan amendments.

COORDINATION

This project was coordinated with the Airport Land Use Commission, Airport Department, Committee for Green Foothills, Municipal Water System, Redevelopment Agency, San Jose Water Company, Department of Public Works, Transportation, Fire Department, Environmental Services Department, and the City Attorney's Office.

FISCAL/POLICY ALIGNMENT

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

COST SUMMARY/IMPLICATIONS

Not applicable.

BUDGET REFERENCE

Not applicable.

CEQA

EIR Resolution No. 72768.


for JOSEPH HORWEDEL, SECRETARY
Planning Commission

For questions please contact Andrew Crabtree, Department of Planning, Building and Code Enforcement at 535-7893.