

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Planning Commission

SUBJECT: SEE BELOW

DATE: November 10, 2008

COUNCIL DISTRICT: 4
SNI AREA: N/A

SUBJECT: GP07-04-03 General Plan amendment request to change the Land Use / Transportation Diagram designation from Medium Density Residential (8-16 DU/AC) on 0.6 acres (a portion of APN: 092-20-139) and Medium Low Density Residential 8 DU/AC on 0.36 acres (a portion of APN: 092-20-139 and all of APN: 092-20-008) to Neighborhood/Community Commercial on a 0.96-acre site. (3102 Landess Avenue, 2148 Morrill Avenue).

RECOMMENDATION

The Planning Commission voted 5-0-1 (Commissioner Platten, absent) to recommend that the City Council approve the proposed General Plan Amendment request to change the Land Use / Transportation Diagram designation from Medium Density Residential (8-16 DU/AC) on 0.6 acres (a portion of APN: 092-20-139) and Medium Low Density Residential (8 DU/AC) on 0.36 acres (a portion of APN: 092-20-139 and all of APN: 092-20-008) to Neighborhood/Community Commercial on a 0.96-acre site as recommended by staff.

OUTCOME

If approved, the proposed General Plan text amendment will facilitate the development and intensification of commercial and office uses on-site that can provide job opportunities, increase revenue for the City, and reduce demand on City services.

BACKGROUND

This is a privately initiated General Plan amendment request to change the Land Use/Transportation Diagram designation from Medium Density Residential (8-16 DU/AC) on 0.6 acres (a portion of APN: 092-20-139) and Medium Low Density Residential (8 DU/AC) on 0.36 acres (a portion of APN: 092-20-139 and all of APN: 092-20-008) to Neighborhood/Community Commercial.

Neighborhood/Community Commercial is typified by shopping centers of a neighborhood or community scale. It is the intent of the General Plan that future Neighborhood/Community Commercial uses develop in the form of shopping centers, as a group of commercial establishments planned and developed as a unit and related in size and type of shops to the trade area it serves. The primary distinction between neighborhood and community commercial

centers lies in the difference as to trade area served and the range of uses. Typical uses in the Neighborhood/Community Commercial designation are neighborhood serving retail and service establishments.

No specific development proposal has been submitted for the property. However, the applicant has applied for a Conventional Rezoning to rezone from CO Commercial Office Zoning District on 0.8 acres (APN: 092-20-139) and R-2 Two Family Residence Zoning District on 0.16 acres (APN: 092-20-008) to CP Commercial Pedestrian Zoning District to allow a wider range of commercial uses beyond solely office uses. The applicant has indicated an interest in demolishing the existing church and constructing an approximately 13,400 square-foot, single-story retail center with parking for approximately 58 vehicles in a surface lot behind the commercial building. Future development should be compatible with the neighboring commercial and residential land uses.

On November 5, 2008, the Planning Commission held a public hearing to consider the proposed General Plan amendment. The Planning Commission voted 5-0-1 (Commissioner Platten, absent) to recommend to the City Council approval of the subject General Plan Amendment request. The proposal was on the consent calendar portion of the agenda, and was recommended for approval without discussion or public testimony.

ANALYSIS

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

EVALUATION AND FOLLOW-UP

Approval of the proposed General Plan Amendment facilitates implementation of the General Plan's Economic Development and Growth Management Major Strategies.

POLICY ALTERNATIVES

Alternative 1: Denial of the proposed General Plan amendment.

Pros: Retain additional housing opportunities in the City.

Cons: Denial would not allow commercial opportunities on this site.

Reason for not recommending: This alternative is not recommended because it does not facilitate the implementation of the General Plan's Economic Development and Growth Management Major Strategies.

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)**

The property owners and occupants located within a 500-foot radius of the subject site were mailed a notice informing them about a community meeting that was later held on May 8, 2008 at the San José Korean Presbyterian Church, located on the subject property. Several concerns were raised during the community meeting, which had an attendance of four individuals from the public. These concerns included potential building heights, trash-related rodent problems, perimeter fencing, and after-hours late-night/early morning operation. In response to these concerns, the staff indicated that, upon application for development permits, future development would be required to follow development standards in the Zoning Ordinance, be subject to the Commercial Design Guidelines, and be designed to be compatible with existing neighboring uses. Additionally, community members were advised of various opportunities for public input and comment on proposed projects.

Property owners and occupants located within 1000-foot radius of the subject site received a notice of public hearings to be held on the subject General Plan Amendment before the Planning Commission on November 5, 2008 and City Council on December 2, 2008. 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 Department of Public Works, Fire Department, Police Department, Environmental Services Department, Department of Transportation, the City of Milpitas, and the City Attorney.

FISCAL/POLICY ALIGNMENT

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

CEQA

Negative Declaration, C07-084.


JOSEPH HORWEDEL, SECRETARY
Planning Commission

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

STAFF REPORT
PLANNING COMMISSION

FILE NO.: GP07-04-03

SUBMITTED: 10/22/2007

PROJECT DESCRIPTION:

General Plan Amendment request to change the Land Use Transportation Diagram designation from Medium Density Residential (8-16 DU/AC) on 0.6 acres (a portion of APN: 092-20-139) and Medium Low Density Residential 8 DU/AC on 0.36 acres (a portion of APN: 092-20-139 and all of APN: 092-20-008) to Neighborhood/ Community Commercial on a 0.96-acre site.

Existing Zoning	CO Commercial Office Zoning District on 0.8 acres (APN: 092-20-139) and R-2 Two-Family Residence Zoning District on 0.16 acres (APN: 092-20-008)
Existing General Plan Designation	Medium Density Residential (8-16 DU/AC) on 0.6 acres and Medium Low Density Residential (8 DU/AC) on 0.36 acres.
Proposed General Plan designation	Neighborhood/Community Commercial
Council District	4
Annexation Date	June 23, 1960
SNI	N/A
Historic Resource	No
Redevelopment Area	No
Specific Plan	N/A

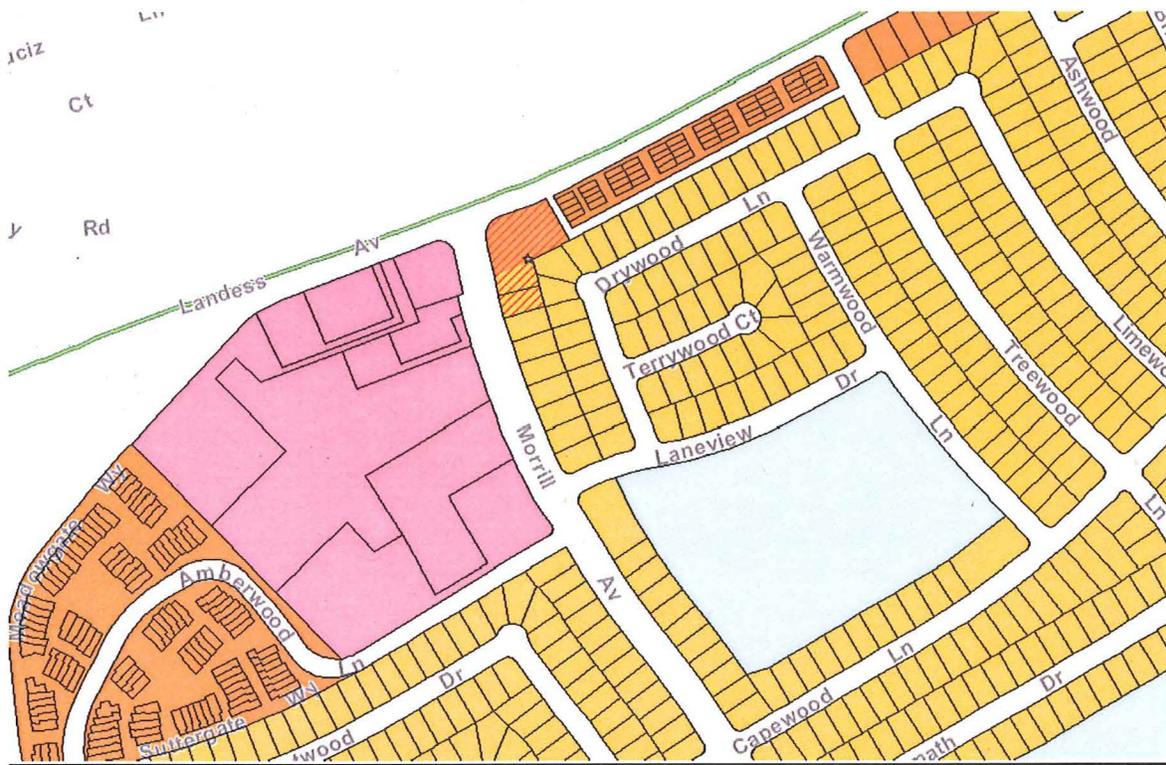
LOCATION: Southeast corner

between Landess Avenue and Morrill Avenue (3102 Landess Avenue, 2148 Morrill Avenue)

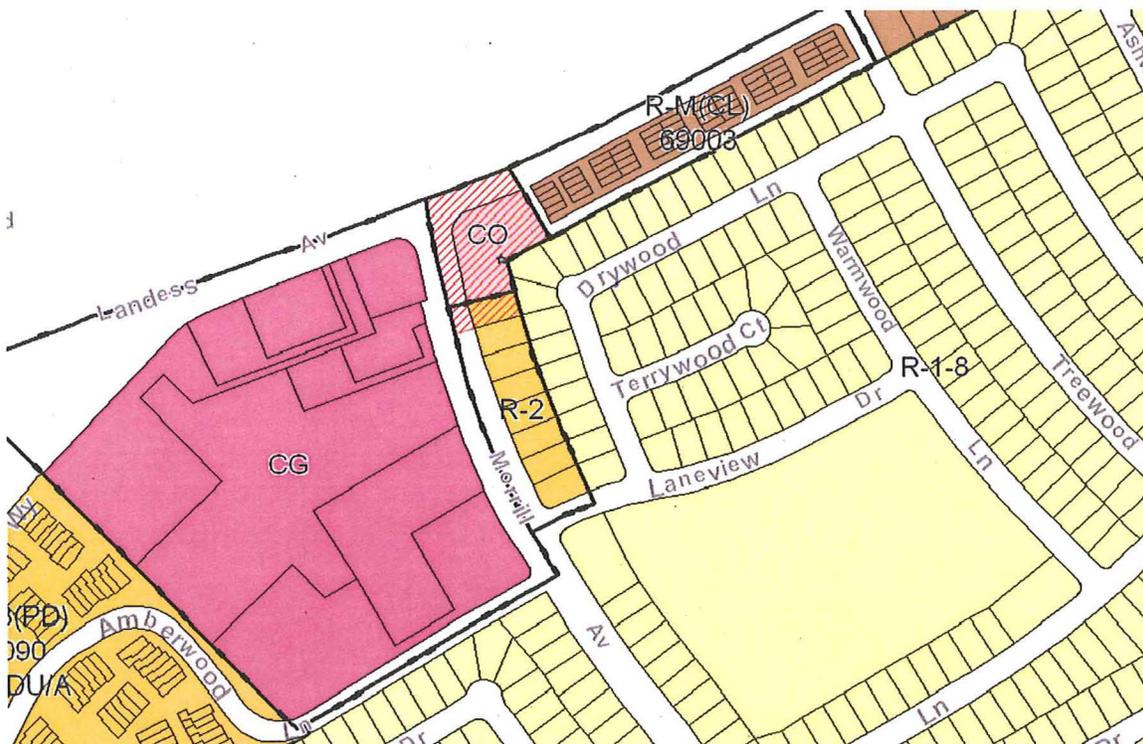
Aerial Map



GENERAL PLAN



ZONING



RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation to the City Council to change the San José 2020 General Plan Land Use/Transportation Diagram designation from Medium Density Residential (8-16 DU/AC) on 0.6 acres and Medium Low Density Residential (8 DU/AC) on 0.36 acres to Neighborhood/Community Commercial.

BACKGROUND

Project Description

This is a privately initiated General Plan Amendment request to change the Land Use/Transportation Diagram designation from Medium Density Residential (8-16 DU/AC) on 0.6 acres (a portion of APN: 092-20-139) and Medium Low Density Residential (8 DU/AC) on 0.36 acres (a portion of APN: 092-20-139 and all of APN: 092-20-008) to Neighborhood/Community Commercial.

Medium Density Residential (8-16 DU/AC) is typified by patio homes, townhouses, and duplexes. Since the Land Use/Transportation Diagram designates density rather than housing types, it would also allow a mixture of single-family and apartment units, subject to overall density limits. It is generally located on the edges of single-family neighborhoods and other infill sites.

Medium Low Density Residential (8 DU/AC) is typified by the 6,000 square-foot subdivision lot which is prevalent in San José. It is characteristic of many residential neighborhoods, such as Rosemary Gardens. Single-family housing, smaller-lot, detached patio homes, and single-family attached residences are all considered appropriate uses.

Neighborhood/Community Commercial is typified by shopping centers of a neighborhood or community scale. It is the intent of the General Plan that future Neighborhood/Community Commercial uses develop in the form of shopping centers, as a group of commercial establishments planned and developed as a unit and related in size and type of shops to the trade area it serves. The primary distinction between neighborhood and community commercial centers lies in the difference as to trade area served and the range of uses. Typical uses in the Neighborhood/Community Commercial designation are neighborhood serving retail and service establishments.

No specific development proposal has been submitted for the property. However, the applicant has applied for a Conventional Rezoning to rezone from CO Commercial Office Zoning District on 0.8 acres (APN: 092-20-139) and R-2 Two Family Residence Zoning District on 0.16 acres (APN: 092-20-008) to CP Commercial Pedestrian Zoning District to allow a wider range of commercial uses beyond solely office uses. The applicant has indicated an interest in demolishing the existing church and constructing an approximately 13,400 square-foot, single-story retail center with parking for approximately 58 vehicles in a surface lot behind the commercial building. Future development should be compatible with the neighboring commercial and residential land uses.

Site and Bordering Uses

The project site consists of two parcels on the southeast corner of Morrill and Landess Avenues. The site is developed with an approximately 13,000 square-foot commercial building and surface parking. To the north of the subject properties, the San José-Milpitas boundary runs diagonally in a southwesterly to northeasterly direction along Landess Avenue. To the northwest and north of the subject property, in the

City of Milpitas, are two corner gas stations. Both properties have a C2 Commercial General Zoning District designation on the City of Milpitas Zoning Map and a GC General Commercial Land Use designation on the City of Milpitas General Plan Land Use Map. To the west of the subject properties, in the City of the San José, is another corner gas station, which is located in a CG Commercial General Zoning District. To the east and south of the subject properties, are multi-family (townhouses) and single-family uses that are also located in the City of San José.

Previous Planning Approvals

The subject properties were annexed into the City on June 23, 1960 as part of Piedmont No. 1. The existing 13,000 square-foot commercial building was constructed in 1971 and used for a financial institution (Bank of America). A Conditional Use Permit was approved in 1993 to allow a church use in the commercial building. The gas station on the corner property to the west of the subject properties was developed under a Planned Development Zoning and a Planned Development Permit that was approved in 1997. The multi-family development to the east of the subject properties was developed under a Cluster Zoning (a predecessor to Planned Development Zoning Districts) and a Cluster Permit that was approved in 1969. The single-family homes to the south of the subject properties were built in a conventional R-1-8 Single-Family Residence Zoning District.

ANALYSIS

There are several key issues to consider in analyzing the proposed General Plan Amendment. Of foremost importance is consistency with the San José 2020 General Plan Major Strategies, goals, and policies, as well as a specific City initiative, the City of San José Retail Strategy.

Consistency with the San José 2020 General Plan Major Strategies, Goals, and Policies:

The proposed General Plan Amendment directly relates to the Economic Development, Sustainable City, and Urban Conservation/Preservation Major Strategies identified in the San José 2020 General Plan, as well as the Urban Conservation, Neighborhood Identity, Balanced Community, and Commercial Land Use goals and policies. The proposal's relationship to and consistency with each of these strategies is discussed below.

Economic Development Major Strategy:

A primary goal for economic development outlined in the San José 2020 General Plan is to create a more balanced community by encouraging more commercial and industrial growth to balance existing residential development, generally known as the jobs/housing balance, which is defined in the General Plan as the jobs-per-employed-residents ratio. San José has many more employed residents than it has jobs, which makes it difficult to provide adequate urban services for its residents since residential use by itself does not generate sufficient revenues to cover service needs. Recent estimates from ABAG's job/housing study indicate that San José's current jobs/housing balance is still below one. Economic development is a fundamental priority for future growth to improve the City's financial position and to provide employment opportunities for San José's residents. By creating an additional opportunity for commercial development, the proposal could help to improve the jobs/housing balance.

Sustainable City Major Strategy:

The Sustainable City Major Strategy is a statement of San José's desire to become an environmentally and economically sustainable city. A sustainable city is a city designed, constructed, and operated to minimize waste, efficiently use its natural resources, and to manage and conserve resources for the use of present and future generations. The strategy seeks to reduce traffic congestion, pollution, wastefulness,

and environmental degradation of our living environment. By creating an opportunity for infill commercial development along a major public transportation corridor, this General Plan Amendment proposal satisfies several components of this Major Strategy: infill development, which utilizes previously developed urban spaces and reduces urban expansion into green space; creation of commercial development along a transit-oriented development corridor, which increases access to commercial uses for transit riders; and higher use of public transportation, which can result in improved air and water quality.

Urban Conservation/Preservation Major Strategy

The San José 2020 General Plan recognizes that neighborhood conservation takes substantial resources. An overall level of economic stability enables individual citizens to maintain their neighborhoods and enables the City to maintain current levels of service. The Urban Conservation/Preservation Major Strategy is San José's written commitment to these ideals. To further this Strategy, the City will strive to maintain adequate levels of service for existing neighborhoods by avoiding development at the fringe of the City that could divert these services. By proposing infill commercial uses in a highly urbanized area of the City, this proposal satisfies and supports the Urban Conservation/Preservation Major Strategy.

Urban Conservation Goal and Policies:

The goal of the Urban Conservation concept of the San José 2020 General Plan is to improve the existing quality of life and create a stable, mature community. This proposal meets this goal as well as the intent of one of the Urban Conservation policies outlined in the General Plan: Urban Conservation Policy No. 2 states that the City should encourage new development that enhances the desirable qualities of the community and existing neighborhoods. Because the City is underserved by retail uses, allowing commercial uses on this site creates a more balanced community for neighborhood residents and provides new options for retail, office, or restaurant uses that can save residents additional vehicle trips.

Neighborhood Identity Goal and Policies:

The intent of the Neighborhood Identity goal and policies is to create a sense of place among residents of a neighborhood and open lines of communication between the neighborhood and decision-makers. The Neighborhood Identity goal reads, "enhance the sense of neighborhood identity in San José." This General Plan Amendment contributes to this vision through Neighborhood Identity Policy No. 3, which says that new development should be designed to improve the character of existing neighborhoods. As indicated by attendees at the community meeting held May 8, 2008, the residents of this neighborhood are interested in seeing positive changes in their community and would welcome neighborhood-serving retail uses that are compatible with the neighborhood.

Balanced Community Goal and Policies:

A balanced community has varied and distributed land use and densities, housing types and styles, economic development and job opportunities, and opportunities for social and cultural expression. San José strives to attain a balanced community through several policies. This General Plan Amendment achieves this goal through Policy No. 1: "The City should foster development patterns which will achieve a whole and complete community in San José, particularly with respect to improving the balance between jobs and economic development on the one hand, and housing resources and resident work force on the other." By adding commercial opportunities on this corner, this proposal contributes to a more even split between housing and jobs.

Commercial Land Use Goal and Policies:

The Commercial Land Use Goal in the San José 2020 General Plan is to provide a pattern of commercial development which best serves community needs through maximum efficiency and flexibility. Commercial Land Use Policy No. 4 encourages the upgrading, beautifying, and revitalization of

established commercial areas. The proposed General Plan Amendment satisfies the goal and policy listed here. Landess Avenue transitions into Montague Expressway to the east and is a heavily traveled transportation corridor with opportunities for intensified commercial activity. The proposed General Plan Amendment provides this opportunity by allowing commercial land uses and also opens up the site to enhancement and upgrading through new development.

City of San José's Retail Strategy

In 2004, the San José Neighborhood Retail Model Summary Report prepared by Bay Area Economics for the Office of Economic Development noted that the City of San José was deficient in retail. Additionally, the Economic Development Strategy adopted by the City Council in November 2003 recommended that the City identify new retail sites located strategically at the edges of San José to prevent retail leakage to other jurisdictions so that resident dollars will be retained in San José and new shoppers will be attracted from nearby cities. The proposed General Plan Amendment helps implement this strategy by allowing retail uses on a site on the border of the City of Milpitas.

ENVIRONMENTAL REVIEW

A Negative Declaration was prepared for this project. When analyzing the proposed request to change the General Plan land use designation from Medium Density Residential 8-16 DU/AC on 0.6 acres (a portion of APN: 092-20-139) and Medium Low Density Residential 8 DU/AC on 0.36 acres (a portion of APN: 092-20-139 and all of APN: 092-20-008) to Neighborhood/Community Commercial, an Initial Study was prepared that concluded that environmental impacts would be less than significant.

The subject site is not listed on the San José Historic Resources Inventory. The existing church building is less than 45 years old and is not considered to be of historical interest.

PUBLIC OUTREACH

Community Meeting and Public Noticing

The property owners and occupants located within a 500-foot radius of the subject site were mailed a notice informing them about a community meeting that was later held on May 8, 2008 at the San José Korean Presbyterian Church, located on the subject property. Several concerns were raised during the community meeting, which had an attendance of four individuals from the public. These concerns included potential building heights, trash-related rodent problems, perimeter fencing, and after-hours late-night/early morning operation. In response to these concerns, the staff indicated that, upon application for development permits, future development would be required to follow development standards in the Zoning Ordinance, be subject to the Commercial Design Guidelines, and be designed to be compatible with existing neighboring uses. Additionally, community members were advised of various opportunities for public input and comment on proposed projects.

Property owners and occupants located within 1000-foot radius of the subject site received a notice of public hearings to be held on the subject General Plan Amendment before the Planning Commission on November 5, 2008 and City Council on December 2, 2008. 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.

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Tribal Consultation

This General Plan Amendment is subject to the State of California Tribal Consultation Guidelines and was referred to the tribal representatives on January 23, 2008. To date, no comments from tribal representatives on the subject General Plan Amendment request have been received.

A notice of this Planning Commission public hearing and subsequent City Council hearing was mailed to the owners and tenants of all properties located within 1000 feet of the project site. Notice of the Fall 2008 hearings on the General Plan was published in the San José Post-Record. No comments were received by the public regarding the proposed amendment. This staff report will be posted on the City's website. Staff has also been available to answer questions.

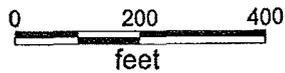
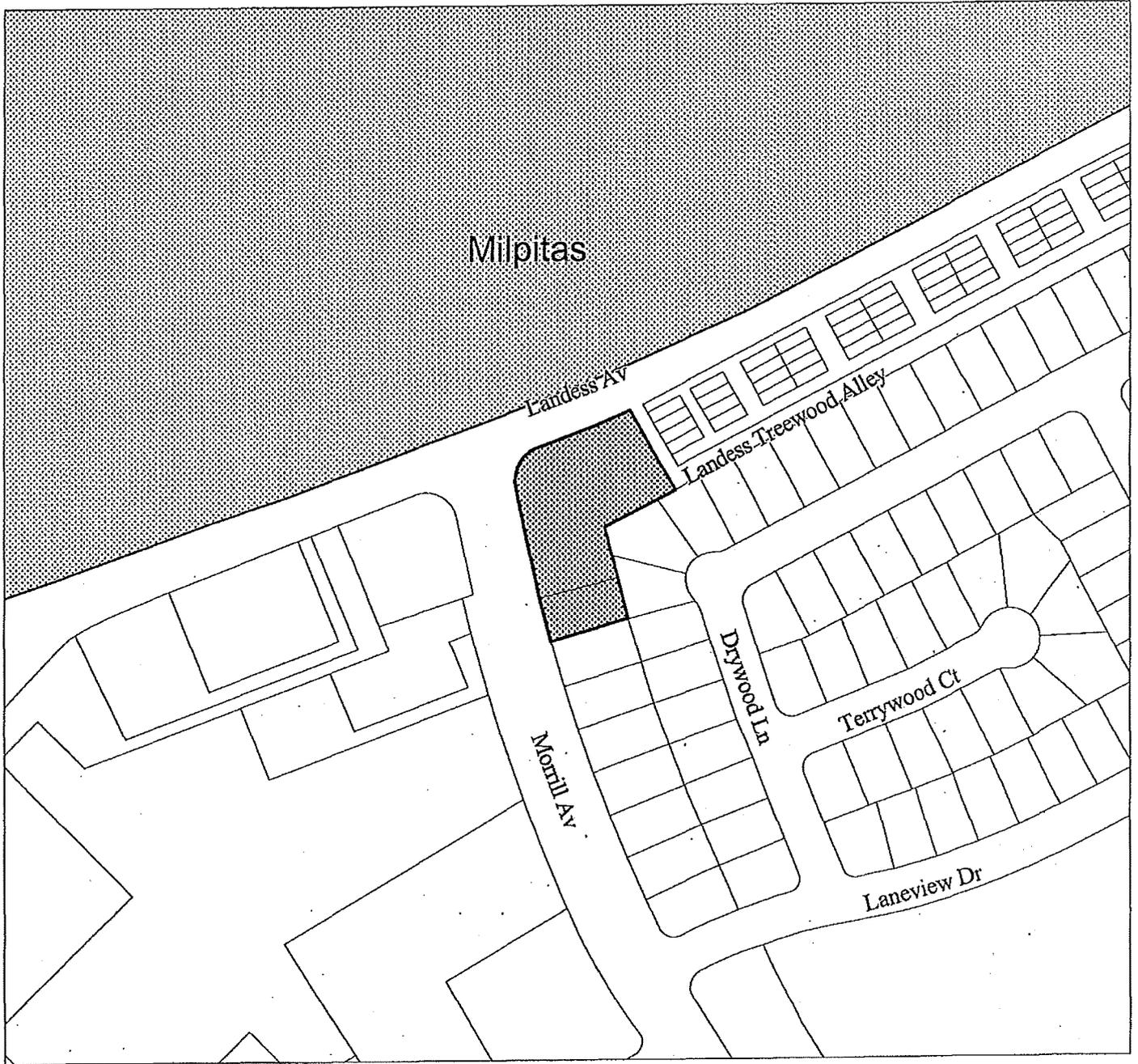
CONCLUSION

The proposed request to change the General Plan land use designation from Medium Density Residential (8-16 DU/AC) on 0.6 acres (a portion of APN: 092-20-139) and Medium Low Density Residential (8 DU/AC) on 0.36 acres (a portion of APN: 092-20-139 and all of APN: 092-20-008) to Neighborhood/Community Commercial is consistent with the General Plan Economic Development, Urban Conservation/Preservation, and Sustainable City Major Strategies, the Sustainable City, Urban Conservation, Neighborhood Identity, and Balanced Community and Commercial Land Use goals. Approval of this General Plan Amendment would enhance the City's ability to provide community-serving retail services, preserve employment opportunities, maintain a diverse economy, and provide long-term growth potential for the City's tax base.

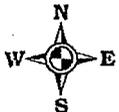
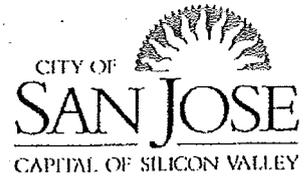
Project Manager: Bill Roth **Approved by:** *Susan Walton* **Date:** 10/29/2008

Owner:	Applicant:	Attachments:
Klifo Family Invs LLC 1703 Mountaire Lane San José, CA 95138	Commercial Finance Corp. 7041 Koll Center Pkwy, Suite 150 Pleasanton, CA 94566	Location Map Environmental Clearance – Negative Declaration Agency Memos

C07-084
Location Map



District: 4
Quad: 36



Scale = 1:2400 1 In = 200 Ft
Noting Radius = 500 Ft

Prepared by the Department of Planning, Building, and Code Enforcement
City of San Jose, California

Joseph Horwedel, Director

Map Created On:
10/22/2007

**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: Landess/Morrill General Plan Amendment & Conventional Rezoning

PROJECT FILE NUMBER: GP07-04-03 & C07-084

PROJECT DESCRIPTION: General Plan Amendment to change the Land Use/Transportation Diagram from Medium Density Residential 8-16 DU/AC on 0.6 acres (a portion of APN: 092-20-139) and Medium Low Density Residential 8 DU/AC on 0.36 acres (a portion of APN: 092-20-139 and all of APN: 092-20-008) to Neighborhood/Community Commercial on a 0.96 gross acre site and Conventional Rezoning to rezone from CO Commercial Office Zoning District on 0.8 acres (APN: 092-20-139) and R-2 Two Family Residence Zoning District on 0.16 acres (APN: 092-20-008) to CP Commercial Pedestrian Zoning District to allow commercial uses on a 0.96 gross acre site and subsequent permits.

PROJECT LOCATION & ASSESSORS PARCEL NO.: Southeast corner between Landess Avenue and Morrill Avenue; APNs: 092-20-139, 092-20-008

COUNCIL DISTRICT: 4

APPLICANT CONTACT INFORMATION: CFC Commercial Finance Corp., 500 E. Calaveras Boulevard, Suite 329, Milpitas, CA 95035

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 does not identify potentially significant effects on the environment. No mitigation measures are required.

- 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 October 28, 2008, 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.

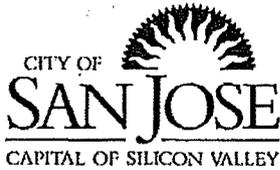
Joseph Horwedel, Director
Planning, Building and Code Enforcement

Circulated on: 10/8/08

SB Walden
Deputy

Adopted on: _____

Deputy



Memorandum

TO: Jenny Nusbaum
Planning, Building
and Code Enforcement

FROM: P. Paul Ma

SUBJECT: TRAFFIC IMPACT ANALYSIS
REQUIREMENTS FOR GPAs
SUBMITTED August 2008

DATE: 9-2-08

Approved

Date

We have reviewed the General Plan Amendments (GPAs) on file as of August 26, 2008. Based on the land use data provided, our comments with respect to traffic impact analysis requirements are shown on the attached table.

The Department of Transportation will issue a memorandum for each GPA for the Environmental file. For the GPAs that require a model analysis, the memorandum will summarize the findings of the analysis.

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

P. PAUL MA
Transportation Systems Planning Manager
Department of Transportation

PM

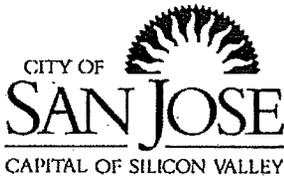
attachment

cc: Allen Tai
Bill Roth
Rachel Roberts
Ella Samonsky
Reena Mathew

ATTACHMENT

Traffic Impact Analysis Requirements for
General Plan Amendments Submitted
August 2008

<u>File Number</u>	<u>Comments</u>
GP07-04-03	Exempt
GP07-07-01	Exempt
GP07-07-01 (Alternative)	Exempt
GP07-10-02	Exempt
GP08-06-01	Exempt
GP08-08-02	Exempt
GP08-08-03	Model Analysis Required
GP08-08-03 (Alternative)	Model Analysis Required
GP08-08-04	Model Analysis Required
GP08-08-05	Exempt
GP08-04-01	Exempt
GP08-04-02	Model Analysis Required
GP08-05-01 (B&E)	Exempt
Jackson/Taylor	Model Analysis Required



Memorandum

TO: Sanhita Mallick
Planning and Building

FROM: Ebrahim Sohrabi
Public Works

SUBJECT: RESPONSE TO GENERAL PLAN
AMENDMENT APPLICATION

DATE: 11/30/07

PLANNING NO.: GP07-04-03
DESCRIPTION: GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram from Medium Low Density Residential 8-16 DU/AC on 0.78 acres and Medium Low Density Residential 8 DU/AC on 0.18 acres to Neighborhood/Community Commercial on a 0.96-acre site.
LOCATION: southeast corner between Landess Ave and Morrill Ave
P.W. NUMBER: 3-01357

Public Works received the subject project on 11/19/07 and submits the following comments:

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

Comments: Public Works has no comments at this time.

Please contact the Project Engineer, Vivian Tom at (408)535-6819 if you have any questions.

EBRAHIM SOHRABI
Senior Civil Engineer
Transportation and Development Services Division


ES:VT:jk



RECEIVED

NOV 16 2007

CITY OF SAN JOSE
DEVELOPMENT SERVICES

Memorandum

ENVIRONMENTAL SERVICES (ESD)

TO: Sanhita Mallick
Department of Planning,
Building, & Code Enforcement

FROM: Junko Vroman
Environmental Services

SUBJECT: Response to Development
Application

DATE: Staff Review Agenda
November 8, 2007

APPROVED: *Junko Vroman* **DATE:** 11-16-07

PLANNING NO.:	GP07-04-03
LOCATION:	southeast corner between Landess Ave and Morrill Ave
DESCRIPTION:	GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram from Medium Low Density Residential 8-16 DU/AC on 0.78 acres and Medium Low Density Residential 8 DU/AC on 0.18 acres to Neighborhood/Community Commercial on a 0.96-acre site.
APN:	09220008

ESD received the subject project and is submitting the following conditions and comments. Questions regarding these comments may be directed to the program contact given or to me at (408) 975-2579

Integrated Waste Management (IWM)

1. Current code stipulates that residential and commercial garbage must be kept separate¹. Service changes offer greater flexibility in how solid waste is managed for a Mixed Use development. Please contact the Recycle Plus Program at (408) 535-3515.

¹ In accordance with the San Jose Municipal Code, section 9.10 – Solid Waste Management

2. Combined residential / commercial solid waste collection services may be requested from Environmental Services². Please contact the Recycle Plus Program at (408) 535-3515.
3. Collection vehicle access (vertical clearance, street width and turnaround space) and street parking are common issues pertaining to new developments. Additionally, collection cannot be performed in covered or underground locations. All residential projects must be designed³ such that they will accommodate garbage and recycling collection vehicles and program setout guidelines (http://www.sanjoseca.gov/planning/pdf/dg_residential.pdf). For questions regarding garbage and recycling collection issues, contact the Recycle Plus Program at (408) 535-3515.
4. The proposed multi-family development must follow the requirements for recycling container space⁴. All residential developments, where central garbage and recycling containers will serve five or more dwelling units, must have space for the storage and collection of recyclables. This includes the provision of recycling chutes where garbage chutes are provided. Project plans must show the placement of recycling containers, for example, within the details of the solid waste enclosures.
5. The proposed commercial development must follow the requirements for recycling container space⁵. When 30 percent or more of the original floor space is added to an existing building, provision must be made for the storage and collection of recyclables. Project plans must show the placement of recycling containers, for example, within the details of the solid waste enclosures.
6. It is recommended that scrap construction and demolition debris be recycled instead of disposing of it in a landfill. An infrastructure exists within San Jose to accommodate such recycling efforts. Additional information may be found at <http://www.sjrecycles.org/business/cddd.htm>. For further information, contact the Commercial Solid Waste Program at (408) 535-3515.

Water Efficiency

Commercial

The proposed development should consider installation of the following water efficient equipment as applicable:

- **High Efficiency Toilets (1.0 gal/flush) and/or Dual Flush Toilets (0.8-1.1 gal/flush for liquids, 1.6 gal/flush for solids)** maximize water efficiency. High Efficiency Toilets use at least 20% less water than standard Ultra-Low Flush

² In accordance with the San Jose Municipal Code, section 9.10 – Solid Waste Management

³ In accordance with the San Jose *Residential Design Guidelines*

⁴ In accordance with the California Public Resources Code, Chapter 18, Articles 1 and 2

⁵ In accordance with the California Public Resources Code, Chapter 18, Articles 1 and 2

Toilets (1.6 gal/flush) and Dual Flush Toilets save water by offering two separate flush settings.

- **High Efficiency Urinals** (0.5 gal/flush or less) maximize water efficiency by using as little as 1/8 of a gallon (1 pint) per flush. High Efficiency Urinals use at least 50% less than standard urinals (1.0 gal/flush).
- **Electronic Faucets** use a sensor that allows water to flow only when users place their hands adjacent to the faucet. All units comply with mandated flow rates (2.2 gallons per minute), with several offering flow rates as low as 0.5 gallons per minute. Additionally, the replacement of manual hot and cold water valves with an electrically actuated valve eliminates two high-maintenance items from the restroom. Additional benefits can include improved sanitation and perceived cleanliness because of their hands-free operation. Electronic restroom products can also help facilities meet the accessibility requirements of the Americans with Disabilities Act.
- **Efficient Pre-Rinse Sprayers for Food Service** not only save water, but also energy. Efficient pre-rinse sprayers only use 1.6 gallons of water per minute and save energy by reducing the amount of gas or electricity needed to heat the hot water.
- **Water Conserving Dishwashers** can save several gallons of water per load over conventional dishwashers and are typically more energy efficient.

Residential

The proposed development should consider installation of the following water efficient equipment as applicable:

- **High Efficiency Toilets** (1.0 gal/flush) and/or **Dual Flush Toilets** (0.8-1.1 gal/flush for liquids, 1.6 gal/flush for solids) maximize water efficiency. High Efficiency Toilets use at least 20% less water than standard Ultra-Low Flush Toilets (1.6 gal/flush) and Dual Flush Toilets save water by offering two separate flush settings.
- **Water Conserving Dishwashers** can save several gallons of water per load over conventional dishwashers and typically also save energy.
- **High Efficiency Clothes Washers** are more water- and energy-efficient, using from 35 to 50 percent less water and saving up to 50 percent in energy costs over conventional clothes washers.

Financial incentives may be available for installing various types of residential, commercial, industrial or institutional water efficient appliances or equipment. Contact the Santa Clara Valley Water District for more information and availability.

Call the Santa Clara Valley Water District Water Conservation Hotline at (408) 265-2607 ext 2554 or visit www.valleywater.org.

Green Building

The project should incorporate design/construction principals outlined in the United States Green Building Council's LEED Certification program and are encouraged to pursue LEED Certification (www.usgbc.org)

Strategies include:

- Incorporating principles of passive solar design. Passive solar design is the technology of heating, cooling, and lighting a building naturally with sunlight rather than with mechanical systems because the building itself is the system. Basic design principles are large south-facing windows with proper overhangs, as well as tile, brick, or other thermal mass material used in flooring or walls to store the sun's heat during the day and release it back into the building at night or when the temperature drops. Passive solar also takes advantage of energy efficient materials, improved insulation, airtight construction, natural landscaping, and proper building orientation to take advantage of the sun, shade, and wind.
- Including reflective, EnergyStar™ cool roofs. Cool roofs decrease roofing maintenance and replacement costs, improve building comfort, reduce impact on surrounding air temperatures, reduce peak electricity demand, and reduce waste stream of roofing debris.
- Utilize local and regional building materials in order to reduce energy consumption associated with transporting materials over long distances.
- Utilizing building products that contain post-consumer recycled materials.
- Incorporating a "green" (living or vegetated) roof. Green roofs help reduce solar heat gain, thereby reducing the need to cool the buildings, extend the life of the roof and are one of the BMPs for complying with C3 stormwater runoff requirements. For specifics on design and installation guidelines, visit www.greenroofs.org/



Memorandum

TO: Sanhita Mallick

FROM: Russell Chung

DATE: 11/05/07

**SUBJECT: FINAL RESPONSE TO
DEVELOPMENT APPLICATION**

Re: Plan Review Comments

PLANNING NO: GP07-04-03

DESCRIPTION: GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram from Medium Low Density Residential 8-16 DU/AC on 0.78 acres and Medium Low Density Residential 8 DU/AC on 0.18 acres to Neighborhood/Community Commercial on a 0.96-acre site.

LOCATION: southeast corner between Landess Ave and Morrill Ave

ADDRESS: southeast corner between Landess Ave and Morrill Ave (2148 MORRILL AV)

FOLDER #: 07 036069 AO

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

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

Russell Chung
Fire Protection Engineer
Bureau of Fire Prevention
Fire Department
(408) 535-7697