

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Planning Commission

SUBJECT: SEE BELOW

DATE: November 12, 2009

COUNCIL DISTRICT: Citywide
SNI AREA: All

SUBJECT: GP09-T-03. TEXT AMENDMENT TO THE *SAN JOSÉ 2020 GENERAL PLAN* to strengthen goals and policies for intensifying economic development areas including, but not limited to those areas located on Transit Corridors, Major Collectors, or Arterials.

RECOMMENDATION

The Planning Commission voted 6-0-1, Chair Do absent, to recommend approval of the proposed text amendment.

OUTCOME

If the proposed text amendment to the San José 2020 General Plan is approved as recommended by the Planning Commission and staff, the City Council could consider future changes to the San José Municipal Code to allow customized development standards (e.g., parking, setbacks, etc.) to facilitate economic development in existing business areas with development or intensification potential in the City of San José (e.g., Winchester Boulevard). Currently, the City's Neighborhood Business Districts (Lincoln Avenue, The Alameda, and West San Carlos Street) already enjoy such flexibility. This text amendment would enable other business areas to also potentially be developed more flexibly as an outcome of a subsequent public process.

BACKGROUND

On November 4, 2009, the Planning Commission held a public hearing to consider the proposed General Plan text amendment. Although the proposal was on the consent calendar portion of the agenda, at the recommendation of staff, it was considered under the Public Hearings portion of the agenda to allow public testimony.

Staff summarized the text amendment request and stated that several items were provided to the Planning Commission at the beginning of the public hearing including: (1) a summary of the public outreach process to date for the Winchester Enhancement Strategy, which is an example

of a business area that could potentially benefit from the General Plan amendment request; and (2) additional correspondence received after distribution of the original staff report (see Attachments 1 and 2).

Staff explained that the proposed amendment would establish a policy basis at a high level to enable the City to consider future amendments to the City of San José Municipal Code including Title 20 (the Zoning Ordinance) or other changes that could conform to the General Plan to better facilitate targeted redevelopment or expansion of business areas in the City, such as the commercial nodes identified in the Winchester Enhancement Strategy (complete information about this study is available at <http://www.sjredevelopment.org/winchesterenhancementstrategy.html>).

Staff noted additional examples of business areas that could potentially benefit from this policy approach, including some of the village commercial centers currently being contemplated through the Envision 2040 General Plan Update process, as well as some of the Neighborhood Clusters identified by the San José Redevelopment Agency (e.g., Bascom Station, and White and Quimby). Staff stated that many of these areas could potentially support enhanced viable businesses within walking distance of area residents if particular development standards were customized to address the unique opportunities and constraints of these areas. Staff commented that the City's Office of Economic Development has determined the City is under-retailed by 20% and that the sales tax revenue is leaking out to neighboring cities, yet paradoxically San José has vacant storefronts citywide. Staff explained that by targeting a streamlined process to support the strategic place-making of business areas in the City, San José could keep more revenue within its jurisdiction and provide more enhanced neighborhood-commercial services within walking distance of residents.

Public Testimony

One public speaker, Terri Balandra, showed a photograph of new residential development adjacent to her residence as an illustration of a setback exception through a Planned Development Zoning. She expressed concerns that the proposed text amendment would allow compromised regulatory standards for mixed-use development along transit corridors that back up to established residential neighborhood communities, which could impact quality of life. She distributed to the Planning Commission a copy of the staff report for a 2008 General Plan text amendment, which established the Transit Corridor Commercial land use designation. She called the Planning Commission's attention to the criteria that she and another resident, Chet Lockwood, had requested to be included with the previous text amendment for consideration of development proposals (see Attachment 2 for report on File No. GP08-T-07). Ms. Balandra expressed concerns that exceptions to development standards can compromise quality, and that the public outreach for the subject amendment was inadequate. She indicated notification to commercial business groups to include all stakeholders' thoughts and concerns should also occur, and requested that the item be deferred to next year to complete additional public outreach.

Commissioner Platten asked if Ms. Balandra had heard about the proposed General Plan amendment prior to the first weekend in November. Ms. Balandra stated that she had attended

the Planning Division's Neighborhood Roundtable when the proposed amendment was presented for discussion and input by staff, which occurred a couple of months ago. Commissioner Platten asked if her questions had been answered since she submitted her e-mail correspondence on the first Sunday in November, and Ms. Balandra replied that she had opportunity to talk with staff, but that all her questions had not been adequately answered.

Planning Commission Discussion

Vice-Chair Jensen asked staff to respond to Ms. Balandra's comments. Staff explained that the Neighborhood Roundtable held on August 18, 2009 included a presentation of all the General Plan amendments that staff had scheduled for the Fall General Plan hearings. [As stated in the staff report, Attachment 3, the item was also presented to the Developers Roundtable on August 28, 2009, which includes representatives from the commercial business community. No comments were received from participants in the Developers Roundtable.]

Staff explained that the public comments expressed by those residents who attended the Neighborhood Roundtable included concerns that the language of the text amendment was very general. Staff highlighted that in response to these comments, as well as more recent comments e-mailed to staff prior to the Planning Commission public hearing, the proposed draft language was modified to include a definition of a "minor exception" to a development standard, as shown in the attached staff report, to provide some more specific parameters for flexibility, and the staff report was posted on the Planning Division website. Staff indicated that additional correspondence was subsequently received, which was distributed at the Planning Commission public hearing. This additional correspondence cited concerns regarding lack of public notification of a proposed ordinance for citywide exceptions to Zoning standards. Staff clarified for the Commission that no ordinance amendment had been proposed at this time, and that the General Plan text amendment would enable the City to propose ordinances for future consideration by the City Council only after completion of a separate public outreach process to identify candidate business areas for possible customized development standards.

Commissioner Zito asked staff to explain how the City would apply the proposed policy language to future development. Staff explained that currently some exceptions to parking standards and development standards are allowed in the Zoning Code for Neighborhood Business Districts that are designated overlays in the General Plan, and in other cases development standards can be tailored to individual sites through the Planned Development Zoning process. However, staff noted these provisions in the Zoning Ordinance may not effectively address the needs of many business areas throughout the City. Staff noted that an example of one such area is the Winchester Transit Corridor, which has commercial nodes identified by the area business association working closely with neighborhood residents, which may not meet the criteria for designation as a Neighborhood Business District Overlay in the General Plan. The Winchester Enhancement Strategy is the result of a Redevelopment Agency-funded study of this business area, which concludes that modest modifications to parking requirements and to building setbacks to allow bicycle lanes and other enhancements to the public realm could help make these commercial nodes more viable and enhance resident-serving retail opportunities. This study was a catalyst for the initiation of the proposed General Plan text

amendment, and illustrates a set of conditions that could be true of many business areas in the City.

Commissioner Platten asked staff if the proposed policy language would be limited to commercial zones or Neighborhood Business Districts. Staff responded that the policy could apply to different areas identified for business development including existing underutilized commercial nodes as well as future mixed-use areas such as the villages in the Envision San Jose 2040 General Plan Update process. Staff reiterated that exceptions to development standards that could be considered for business areas could enhance the public realm, as well as facilitate private development.

Commissioner Zito asked if, under the proposed policy, older neighborhoods with houses could be redeveloped with commercial businesses in the middle of the existing residential areas. Staff clarified that the proposed policy was intended to identify development techniques to stimulate economic development in identified business or mixed-use areas, and that there would still be checks and balances in place as future changes to ordinances are considered to implement the policy.

The Assistant Director of Planning, Building and Code Enforcement emphasized that the proposal was an amendment to modify the commercial policies of the General Plan text, and enable the consideration of future ordinance amendments by the Planning Commission and the City Council, and to facilitate more walkable business areas with resident-serving retail citywide, outside of the relatively few Neighborhood Business Districts designated in the General Plan.

Commissioner Campos then made a motion to recommend approval of the proposed General Plan text amendment.

ANALYSIS

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

EVALUATION AND FOLLOW-UP

If the proposed General Plan text amendment is approved, the City Council could identify business areas with potential for redevelopment or expansion where some flexibility in development standards such as parking requirements could be appropriate, as is currently available to facilitate development within the Neighborhood Business Districts. Additional evaluation of any customized development standards for candidate business areas could occur through subsequent Zoning Ordinance amendments or other changes to the Municipal Code, or by other procedures that could be adopted by the City Council through a separate public outreach and hearing process.

POLICY ALTERNATIVES

Alternative 1: Denial of the proposed General Plan text amendment with no change to the General Plan.

Pros: Retains existing flexibility for development standards in the Neighborhood Business Districts but requires application of all conventional development standards in the Zoning Ordinance to other business areas, providing clear, uniform requirements citywide.

Cons: Reduces opportunities for facilitating appropriate expansion and redevelopment to enhance identified business areas in San José to better serve residents in their areas and support economic development.

Reason for not recommending: This alternative is not recommended because it does not facilitate streamlining opportunities for economic development and for timely response to dialogue with business associations and residents to enhance their communities.

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 as discussed in the attached staff report. Staff posted the draft language on the Planning website, revised the proposed policy language to respond to early public comment and sent the link to the Planning Commission staff report, which contained the revised draft language, to the members of the public who had commented, as well as to the e-mail distribution lists of neighborhood and development groups maintained by the City.

COORDINATION

Preparation of the proposed General Plan text amendment was coordinated with the City Attorney's Office and the San José Redevelopment Agency.

FISCAL/POLICY ALIGNMENT

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

HONORABLE MAYOR AND CITY COUNCIL

November 12, 2009

Subject: GP09-T-03

Page 6

COST SUMMARY/IMPLICATIONS

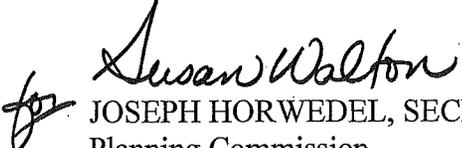
Not applicable.

BUDGET REFERENCE

Not applicable.

CEQA

The proposed text amendment is covered by Use of the San José 2020 General Plan Final Environmental Impact Report, certified by the City Council on August 16, 1994, Resolution No. 65459.


JOSEPH HORWEDEL, SECRETARY
Planning Commission

For questions please contact Susan Walton, Department of Planning, Building and Code Enforcement at 535-7847.

Attachments:

1. Winchester Enhancement Strategy Public Outreach Process Timeline to-date.
2. Public correspondence received prior to the Planning Commission hearing and after distribution and web posting of the Staff Report. Includes Council Memo for previous General Plan amendment GP08-T-07, distributed to the Planning Commission by Ms. Balandra.
3. Staff Report to the Planning Commission and public correspondence received prior to distribution and web posting of the Staff Report.

Attachment 1

Recent Example of Business Area Study Outreach by San Jose Redevelopment Agency

Winchester Enhancement Strategy - Public Outreach

Meeting dates:

5/30/2008 kick off meeting
8/23/2008 workshop 1
11/5/2008 workshop 2
2/21/2009 workshop 3
3/28/2009 workshop 4
4/29/2009 final community meeting/workshop 5
8/19/2009 review of report

Other Notification:

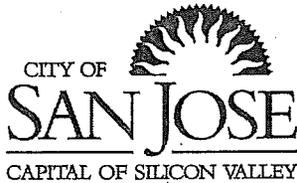
7/20/2009 'Report is on the web for review'

Winchester Boulevard Enhancement Strategy information has been on the web since 5/08:

Councilmember Constant's website: www.sjdistrict1.com/winchester

Redevelopment Agency's website: <http://www.sjredevelopment.org/winchesterenhancementstrategy.html>

Attachment 2



Department of Planning, Building and Code Enforcement

JOSEPH HORWEDEL, DIRECTOR

TO: PLANNING COMMISSION

FROM: Joseph Horwedel

SUBJECT: SEE BELOW

DATE: November 4, 2009

COUNCIL DISTRICT: Citywide

SNI AREA: All

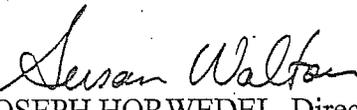
SUPPLEMENTAL MEMORANDUM

SUBJECT: GP09-T-03. Director-initiated General Plan text amendment request to update the text of the General Plan to strengthen goals and policies for intensifying economic development areas including, but not limited to, those areas located on Transit Corridors, Major Collectors, or Arterials. Applying the revised policy language to specific areas of the City would require a separate notification and hearing process.

REASON FOR SUPPLEMENTAL MEMORANDUM

After distribution of the original report to the Planning Commission, staff received additional e-mail correspondence commenting on the proposed text amendment. This correspondence is included as an attachment to this memo.

In addition, to illustrate the type of public outreach that could occur when specific business areas are identified, we have attached a summary of the public outreach completed by the San Jose Redevelopment Agency for the Winchester Enhancement Strategy.

for 
JOSEPH HORWEDEL, Director
Planning, Building and Code Enforcement

From: Randi Kinman [mailto:randikinman@yahoo.com]
Sent: Tuesday, November 03, 2009 11:05 AM
To: Nusbaum, Jenny
Subject: GP09-T-03

Jenny;

Please forgive the late response to this, but it did not pop up on my radar other than when neighborhoods started asking me questions. So my first question to you is, did this go out via email on the Planning Department's project update list? If so, what day? I've gone back through my files and it's not there so I'm concerned that my spam filter was activated. Neighborhoods need more notification on text amendments than they do projects when it has such a high implication factor.

My second issue is vagueness. Any policy override should not be labeled "discretionary" or use words like "generally", "may", "minor exception". This leaves the entire thing open for debate and I assume that the whole point is to have a tool, not a jumping point for arguments. If we are going to have a policy that says up to 50% of parking can be reduced, then the document should be so written. I realize that the intent is to give some flexibility to staff, but this leaves things vague enough that I'm not sure we won't be arguing what the true use of the word "generally" means ten years from now. The entire document needs to be written in a manner that does not leave room for interpretation. This will ultimately benefit staff, residents, developers and business people because we will know what the "rule" is rather than assuming we all are on the same page.

This vagueness also extends to the areas in question. While I assume from my reading of the document it is meant to benefit commercial zones, NBDs, etc. the wording indicates otherwise and is confusing when you use "...including but not limited to.." in the document. To many this reads there could be intensification of commercialization in other areas.

While the document discusses parking, it can also be interpreted in other ways and calling out setbacks, for instance, simply opens the door to degrading existing requirements. It is a developer's job to squeeze every inch of ground out of a development to maximize return. A document that allows "discretion" means they will start with the "new rule" in design, work with staff prior to public input and we'll be back to arguing what "policy" has precedence. And, this could be used in any area.

The document states that this was brought before the Neighborhood Roundtable in August 2009 but does not indicate how many people were there or exactly what their responses were. If this were a project instead of a policy, such would be noted per Planning Commission requests made while I was on the commission. It should be noted that these 7am meetings have subsequently been cancelled so there was no opportunity for anything other than the initial response to a proposal. The response from the development community is absent entirely. Can you supply any of this?

The document uses a specific business district in an SNI, yet, to my knowledge none of the SNIs, business districts, etc. were given any opportunity to weigh in unless they: (1) attended one of the roundtables; or (2) happened across the agenda item; or (3) heard through the grapevine; or (4) received an email for which they must sign up in advance. Policy deserves more input than project.

The department and the Director already have authority to recommend exceptions to zoning and policy at any given time. The PD process makes this almost inevitable in many areas. The exception recommendations can always be approved by council because these are policies and, like the Pirate's Code, simply guidelines as we have always been told.

While I recognize the intent to allow streamlining, I am concerned that the public input is being degraded and the vagueness of the proposed wording leaves too much open to interpretation. With the current slow down of development, my final question is this: What is the hurry? Why not fold this into the General Plan Task Force documents and continue on a case by case basis until then. In the meantime we can perhaps clarify the full impact of the recommended text changes.

Because this is coming to you after the packet has been sent to Commissioners, I would ask that you email this directly to them as well as providing them with the usual hard copy prior to the meeting.

Thanks,
Randi Kinman

From: Helen Chapman [mailto:4chapmanfam@sbcglobal.net]
Sent: Tuesday, November 03, 2009 2:23 PM
To: lajensen_PC@yahoo.com; Thang Do; xavierc@macsa.org; Matt Kamkar; hopecahan@mac.com
Cc: Nusbaum, Jenny; Prevetti, Laurel
Subject: GP09-T-03

November 3, 2009

Dear Members of the Planning Commission,

<!--[if !supportEmptyParas]--> <!--[endif]-->

I would like to respond to GP09-T-03 as one of the participating members of the Neighborhood Roundtable where this text amendment was brought forward for input. I have general concerns now the Neighborhood Roundtable meetings have been suspended, that there was not adequate outreach of this amendment to the general community. At the referenced meeting there were only about six people in attendance, primarily from the District 6. I do recall voicing concerns about the wording of the proposed amendment and had several questions that I did not feel receive a complete answer. Perhaps as commissioners you may want to seek further clarification on the intent of the text amendment and who would be the direct recipients of the benefit. I am in favor of revitalizing old neighborhood strip malls through out the city but would want to make sure that the language contained within the ordinance is specific and would not be used to further exacerbate issues we currently have with diminished setbacks, parking, park dedication, etc. It is far too easy to argue an exception to an ordinance rather than hold the line. As community members we want to support great development and be involved in the planning process in order to see that happen.

Please include my correspondence to the commission for tomorrow night's meeting.

<!--[if !supportEmptyParas]--> <!--[endif]-->

Sincerely,

<!--[if !supportEmptyParas]--> <!--[endif]-->

<!--[if !supportEmptyParas]--> <!--[endif]-->

Helen Chapman

Helen Chapman

"Never doubt that a small group of thoughtful citizens can change the world. Indeed, it is the only thing that has."

- Margaret Mead

-----Original Message-----

From: JeanAnn2@aol.com [mailto:JeanAnn2@aol.com]
Sent: Monday, November 02, 2009 11:00 AM
To: Jim.Zito@lifetech.com; hopecahan@mac.com; mkamkar7@gmail.com;
tdo@aedisgroup.com; jensenla99@yahoo.com; xavier.campos@bos.sccgov.org
Subject: GP09-T-03, Nov 4, 2009, Agenda Item #5 (a)

Dear Commissioners--

When this item comes in front of you, I hope you will ask many questions about how it will work in operation. Text of the amendment was not available until this weekend. Unfortunately, I feel terribly underinformed on an amendment that I believe has the potential to have significant impact on residents and business operators equally.

Because of the extraordinarily limited outreach, I have not had the opportunity to ask any questions. Please excuse those questions which are naive.

May I offer some questions that you might be willing to ask on my behalf?

1. What sort of situation or problem was Planning thinking about when they developed this solution? Would staff give several specific prototypical examples beyond the minimum offered on the Winchester Avenue example in the staff report? Of the many cases heard by the Planning Commission this past year, which might have been resolved by the application of this GP modification?

2. How was it determined that a GP Amendment was better than an ordinance modification? Which methodology provides more flexibility to Planning?

Which method provides more safeguards for nearby residences or adjacent commercial owners and tenants?

3. In practice, how will this GP language change the procedures? Will these "minor" modifications be heard at the Commission level or only at the Planning Director level?

4. How much did financial concerns related to staff time related to the decision to use GP language vs. ordinance? Would ordinance change allow clarification about what constitutes minor change?

5. Staff provided outreach on this amendment to the Neighborhood and Developer Roundtable. What concerns does Planning staff have about not reaching out to the business community and retail community?

6. Staff memo indicates a 50% standard for minor modifications. What categories of project attributes would be subject to a 50% change? Would this mean that there could be a 50% reduction in parking spaces? setbacks?

landscaping? Or, perhaps, a 50% increase in height? operating hours? noise levels?

signage? FAR? unit count? density?

7. Would this GP language change mean that neighbors/property owners/tenants not be notified and allowed to weigh in? Would these changes to a specific project be handled "over the counter?"

8. Here is a specific situation. A retail complex is under-parked by contemporary standards. The buildings are on separate parcels even though the configuration makes it look as though it is one complex. Currently, one building/storefront is empty and its parking spaces are inadequate for all uses by current standards. Adjacent building owners are utilizing every parking space and do not want any impact to their

parking spaces. Would this GP Amendment allow Planning to waive the parking requirement?

10. Here is another similar situation. A restaurant wishes to expand, but there isn't enough parking. Under CP standards, there would be enough parking. The adjacent property owner threatens to install a fence and cut-off access to its large parking lot. Other nearby retailers express significant concern. How would this GP amendment affect the opportunity to comment for adjacent retailers/property owners? Could their concerns be ignored?

11. How would implementation of this GP amendment compare to implementation of a CP code for all neighborhood strip retail areas?

12. What impacts are expected from this GP amendment? Will changes be primarily to existing properties? Remodeling? or New projects?

13. As staff considers what is "minor" modification, what will be their frame of reference? Will staff use 50%, CP, TOD guidelines?

14. Over time, how will staff keep record of what was considered "minor"

modifications so that they may maintain consistent application and community members, business operators, and developers might be informed and able to utilize this information in future proposals?

15. How will staff ensure that "minor" modifications are offered to all applicants equitably and not just to those you are aware of prior modifications achieved by others?

16. How will Planning staff use the database from these minor modifications to inform future amendments to ordinances?

I am glad that Planning is working at developing strategies to solve the vacancy problem in our older neighborhood strip malls and commercial areas.

I'm in favor of reduced parking requirements.

I'm concerned that there was no outreach to the most affected group: retailers and commercial operators. I am troubled by the lack of definition of "minor."

I hope that this list of questions will be helpful to you and look forward to listening to the answers during your hearing.

Thank-you,
Jean Dresden

"Democracy is a team sport. It is not like going to a ballgame where you sit passively and decide if you like the players and evaluate their abilities after watching the game. We are the players, we are the team, in a democratic nation or a democratic world."

-John Renesch

-----Original Message-----

From: Terri Balandra [mailto:tbalandra@apr.com]
Sent: Sunday, November 01, 2009 9:17 PM
To: Nusbaum, Jenny
Cc: Oliverio, Pierluigi; Horwedel, Joseph; tdo@aedisgroup.com;
xavierc@macsa.org; zitojf@appliedbiosystems.com; jensenLa99@yahoo.com;
hopecahan@mac.com; mkamkar7@gmail.com
Subject: GP09-T-03, Nov 4, 2009, Agenda Item #5 (a) Planning Commission

Jenny;

Re: Staff Report: GP09-T-03, Nov 4, 2009 Planning Commission Agenda
Item 5 (a) General Plan Text Amendment

How does this Ordinance benefit the immediate surrounding Community of a Commercial or "Mixed Use" Development?
It seems this Ordinance is proposed to waive Regulatory Standards (aka: minor exceptions) on all infill throughout the City - not just T.O.D.s waiting for Fed & State grants dollars.
It seems that this will be much more economically beneficial for developers - to make more of a profit at the expense of the surrounding neighborhood community (shorter setbacks, less parking, higher heights, etc brings privacy, less desirability, and traffic & parking issues without the benefit of Regulatory Standards).
It seems then, that City Staff would then be able to encourage many more developers to actively participate, since the compromised lower Standards will be more profitable & the approval time will be less for the development Community...
Exactly "where in this process" does the surrounding Neighborhood property owners/Stakeholders get to "weigh in"?

* Isn't each mixed use project, ("mixed use" meaning that housing is above), already treated as a single PD? If so, won't it be handled on a case-by-case basis, as it stands now?
If so, why is this "blanket ordinance" needed? (To make sure that there is a law/ordinance for every piece of infill in the City, so it's easier/more profitable for a Developer?)
* In what ways, and how does this new ordinance "change" the current PD permit process?
- Allow the City to "by-pass" part of the PD process? - If so, what part? Where is Public Outreach?
- Allow Council to approve a project by "resolution"? How does that differ from current practice?
* By approving this ordinance, does this give City Staff "the permission" to justify/approve these reduced regulatory standards - and decide "what's best" for a neighborhood community - without community involvement from the very beginning of the process?
* What "size criteria" is used - that qualifies "a smaller commercial node" to participate in this new ordinance?
* This seems to be a vague "open-ended" ordinance in regards to "minor exceptions" without a hard definition - when will minor exceptions be defined in the ordinance?
* How will "modest intensification or redevelopment of smaller commercial nodes" be encouraged?
* Re: Potential Implementation Options:
"...several options could be available to provide appropriate flexibility for development of business areas with potential..." What are those available options?

Regarding the actual text in the proposed new Ordinance per 4 page Staff Report, 10/28/2009:

* Regarding Chapter 4 : Goals and Policies, page 61 Commercial Land Use Policies:

1) * How does the underlined new text regarding "minor exceptions", differ from the current development permit process?

* What "steps" will be by-passed to expedite this process under this possible new ordinance?

* Is this saying that the Council could by-pass the development process and approve by "resolution" - instead of going through a development review PD process?

* Where does the Public Outreach" process start in either of these scenarios?

* Does this ordinance give the Staff/Council the permission to waive regulatory standards on any type of infill as they see fit ?

Regarding Chapter 5: Land Use / Transportation Diagram, page 233: Commercial

Regarding the underlined text on pages 3 & 4 of the Staff Report, 10/28/2009:

"... intensifications & modifications should be determined through the use permit process OR by City Council resolution in compliance with the Zoning ordinance". - Please share how this process will differ from the process as it exists now - and where in this process the surrounding Neighborhood Community is included.

* Is this ordinance "giving away" Community approval/disapproval rights of the "minor exceptions" that are not clearly defined?

Thanks Jenny, as always I really appreciate your input.
I look forward to your reply.

Best;

Terri Balandra

Fiesta Lanes Action Group

D6 Neighborhood Planning & Land Use



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Planning Commission

SUBJECT: SEE BELOW

DATE: November 24, 2008

COUNCIL DISTRICT: Citywide
SNI AREA: All

SUBJECT: GP08-T-07. GENERAL PLAN TEXT AMENDMENT REQUEST TO ADD A NEW LAND USE/TRANSPORTATION DIAGRAM DESIGNATION OF "TRANSIT CORRIDOR COMMERCIAL" TO THE TEXT OF THE *SAN JOSÉ 2020 GENERAL PLAN*

RECOMMENDATION

The Planning Commission voted 6-0-0 to recommend approval of the proposed text amendment.

OUTCOME

If the proposed text amendment is approved as recommended by the Planning Commission and staff, a new Transit Corridor Commercial land use designation will be established in the text of the General Plan. The proposed land use designation requires commercial uses on the street-level floor of development. On upper stories of development, the Transit Corridor Commercial land use designation allows commercial uses, and may allow residential uses, subject to the City's discretionary review and approval. The Transit Corridor Commercial land use designation is intended to be applied to sites near Light Rail, Bus Rapid Transit, and future BART stations.

No land use change affecting any specific site is identified or included in the proposed General Plan text amendment. If the General Plan text amendment is adopted, any future land use changes on sites that implement the new land use designation will be subject to the California Environmental Quality Act.

BACKGROUND

On November 19, 2008, the Planning Commission held a public hearing to consider the proposed General Plan text amendment. The proposal was on the consent calendar portion of the agenda, and was pulled off the calendar for discussion by Chair Zito to allow public testimony.

Staff summarized the text amendment request and noted that additional correspondence received after distribution of the original staff report was provided to the Planning Commission at the beginning of the public hearing.

Public Testimony

There were two speakers from the public, Terri Balandra and Chet Lockwood, both representing Fiesta Lanes Action Group. The first speaker, Ms. Balandra, stated that she had serious concerns about transit-oriented development that backs up into an established residential neighborhood on small infill lots with high densities, as she witnessed this year with the Fiesta Lanes development behind her home. She stated that the City needed to consider the following seven items before granting approval of transit-oriented development:

1. A maximum density policy that relates to the existing density in an established neighborhood.
2. A neighborhood setback transition policy, for a required graduated height setback from existing adjoining homes.
3. Parks for transit-oriented development. If the surrounding area is park-deficient, that deficiency should trigger park fees that should be required to be spent only in that neighborhood area. This should be a requirement for approval of the development.
4. Expedited review should not impact the public outreach process in any way.
5. New transit-oriented development must have bordering streets that are wide enough to support bike lanes and rapid transit, not just the standard bus line. Rapid transit must be clearly defined. Wide pedestrian-friendly sidewalks are required and should not be bargained away by city planners or developers.
6. Adjoining homeowners must be notified when a for-sale development changes to a rental development after the public outreach process. [Staff notes that such notification is not feasible because staff cannot track how and when such changes occur.]
7. Adjoining-community concerns should be respected — when a neighborhood community voices concerns the neighbors should be treated with respect and not portrayed as NIMBYs. The adjoining homeowners to a transit-oriented development are the biggest stakeholders of all.

Ms. Balandra stated that the neighborhood needs to be recognized as part of the transit-oriented development process as their homes' value and desirability are at stake. She commented that in the spirit of Dan Burden, one of the key speakers for the Envision 2040 group, regarding "walkable cities and future transit-oriented development" it is like a four-cornered box. She said that there needs to be a partnership with city officials, developers, city planners and the neighborhood community. All four need to be on board together for there to be a successful

partnership to produce outstanding infill development. She stated that we should all work together to make San José's future all it can be.

Mr. Lockwood commented favorably on clear and legible language of the proposal. He identified additional language that he requested should be considered for inclusion in the text amendment:

1. Hours of operation — limitation should be possible. Commercial businesses outside the core would be interfacing with neighborhoods.
2. Adequate parking requirements. If there is an increase in transit-oriented mixed-use development there should be an appropriate increase in parking spaces. The argument of a 10% reduction in areas where there is such development should not apply to transit-oriented development because there is an increase in traffic that impacts the neighborhoods.
3. Diversion of the new traffic away from the neighborhoods of existing homeowners and existing development would be helpful.
4. Bicycle lane requirements for this type of development would be useful.
5. Strict adherence to the 2,000-foot distance in determining eligibility for mixed-use development should be recommended.

Mr. Lockwood concluded that he was generally in support of the intent of the proposal. The Planning Commission then closed the public hearing.

Planning Commission Discussion

Chair Zito asked staff whether the suggestions would be useful at this stage in considering the proposed text amendment, and if not, when the suggestions would be useful. Staff responded that the general intent of the suggestions is appreciated and that some of them could be considered at the point that a zoning or planning permit is pending for a site that has the proposed land use designation. Staff noted further that the suggestions could be reiterated later as individual proposals come forward and that the comments could be included in the recommendation that the Planning Commission transmits to the City Council.

Chair Zito stated that the Commission could include some of the suggestions made by the public for the Council to consider with the recommended text amendment. Commissioner Campos made a motion to consider the addendum to the San José 2020 General Plan EIR resolution and recommend to the City Council approval of the text amendment request as recommended by staff.

Commissioner Kamkar stated that he supported some of the recommendations made by the public. He suggested that the speakers submit their comments in writing to staff and the Planning Commission.

The Assistant Director of Planning, Building and Code Enforcement noted that the comments from the public speakers raised some important issues, which can occur at the operational level of development. She stated that the proposed text amendment is intended to be a policy statement in the General Plan. The importance of neighborhood compatibility is clear, but the comments on hours of operation and other operational issues in the context of a General Plan policy and land use designation proposal are at a level of detail beyond that typically included in the General Plan. The Assistant Director suggested to the Commissioners that if there are specific elements of the public testimony that they would like to have considered in the text of the proposed amendment, that these elements should be put into the record so that the City Council has the full benefit of the Commission's complete recommendation.

Commissioner Kamkar commented that the vehicle exit lanes from transit-oriented mixed-use development should be designed so that traffic does not flow into neighborhood streets. The exits should be directed to bigger arterials or larger collector streets. Whether or not a reduction in parking is appropriate is another issue that he stated should be considered. He noted that hours of operation cannot be mandated or dictated at this stage, but consideration of commercial deliveries could perhaps be referenced.

Commissioner Platten requested staff to expressly include the seven points that were articulated by the first speaker as particulars to be forwarded to the Council, and to give consideration to operational incidents as they come forward in the future. This memorandum transmits these comments.

Chair Zito concurred with Commissioner Platten and requested that the speakers work with staff on forwarding those items to the Council for consideration. He stated that he was especially interested in the interface with the neighborhoods and the multimodal transportation aspects of projects. He also recommended trying to refine some of the language about approximate walking distance to available transit. He noted that sometimes the walking distance is expanded to such a length that it results in a pedestrian connection that is not practical for some users.

ANALYSIS

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

EVALUATION AND FOLLOW-UP

The Planning Commission requested staff to forward the seven points made by the first speaker to the Council for the Council's consideration of the potential operational implications of the proposed land use designation and to consider operational incidents as they are presented in future land use and development proposals (the seven points are included in Attachment 1 to this memorandum).

POLICY ALTERNATIVES

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

Pros: Potentially preserves commercial employment lands for exclusively commercial uses.

Cons: Reduces opportunities for vertical mixed commercial-residential use intensification while preserving commercial employment opportunities.

Reason for not recommending: This alternative is not recommended because it does not facilitate streamlining the implementation of the Framework per Council direction.

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 as discussed in the attached staff report.

COORDINATION

Preparation of the proposed General Plan text amendment was coordinated with the City Attorney's Office, the Department of Transportation, Public Works, Housing, the Office of Economic Development, the San José Redevelopment Agency, and the Santa Clara County Airport Land Use Commission.

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.

HONORABLE MAYOR AND CITY COUNCIL

November 24, 2008

Subject: GP08-T-07

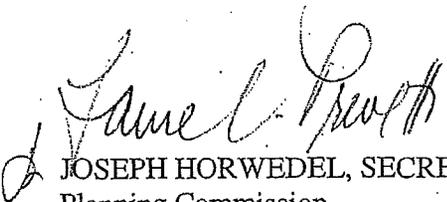
Page 6

BUDGET REFERENCE

Not applicable.

CEQA

The proposed text amendment is covered by an Addendum to the San José 2020 General Plan Final Environmental Impact Report, certified by the City Council on August 16, 1994, Resolution No. 65459.


JOSEPH HORWEDEL, SECRETARY
Planning Commission

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

Attachments:

1. Public correspondence received during and after the Planning Commission hearing.
2. Public correspondence received prior to the Planning Commission hearing and after distribution and web posting of the Staff Report.
3. Staff Report to the Planning Commission.

November 19, 2008, Planning Commission
T.O.D. Amendment

As you all know I have serious concerns over T.O.D. that "backs up" into an established residential neighborhoods. The small infill lots, with higher density bonuses, shorter setbacks, height increases, lower parking, affects the lives and in many cases, the financial well-being of the adjoining landowners... as I witnessed this year with the Fiesta Lanes development behind my home.

Please consider these six items BEFORE granting PD zoning or PD approval:

- 1) The need for a "Maximum Density Policy" as it relates to an established neighborhood's "existing density".
- 2) The need for a "Neighborhood Setback Transition Policy" for a required "graduated height setback from existing adjoining homes.
- 3) Lack of Parks near an upcoming TOD: If the surrounding area is "park deficient", that would trigger "park fees" to be required to be spent ONLY in that neighborhood area for the development's PD approval.
- 4) "Expedited Review" would not impact the "Public Outreach Process" in any way.
- 5) A requirement for new TOD development: It must have bordering streets that are wide enough to support bike lanes and Rapid Transit (not just a standard bus line) . "Rapid Transit" for each development MUST be clearly defined. Wide pedestrian friendly sidewalks are REQUIRED and cannot be "bargained away" by City Planners or Developers.
- 6) Adjoining Homeowners to be notified when a "For Sale" Development changes to a Rental Development after the Public Outreach Process.
- 7) Adjoining Neighborhood Community's Concerns: Need I remind our "hired" City Officials, when a neighborhood community voices concerns over a development, they should be treated with respect and not projected as NIMBYS by City Planners and Housing Dept officials. The adjoining homeowners to a TOD are the biggest "Stakeholders" of all, with large mortgages, and their lifesavings and "retirement incomes" at stake when they sell their homes. We need to be recognized as part of the TOD process - as our homes' value and desirability is "at stake".

In the spirit of Dan Burton, one of the key speakers for the "Envision 2040" group, regarding "Walkable Cities and future Transit Oriented Development" - It's like a four-cornered box: there needs to be a partnership with City Officials, Developers, City Planners, AND THE NEIGHBORHOOD COMMUNITY. All four need to be "on board" for there to be a successful partnership to produce outstanding infill development.

Let us all work together to make San Jose's future "ALL it CAN be"...

Terri Balandra
F.L.A.G., Fiesta Lanes Action Group

SEVEN REQUIREMENTS FOR T.O.D. APPROVAL

- 1) The need for a "Maximum Density Policy" as it relates to an established neighborhood's "existing density".
- 2) The need for a "Neighborhood Setback Transition Policy" for a required "graduated height setback" from existing adjoining homes.
- 3) Lack of Parks near an upcoming TOD: If the surrounding area is "park deficient", that it would trigger "park fees" to be required to be spent ONLY in that neighborhood area for the development's PD approval.
- 4) "Expedited Review" would not impact the "Public Outreach Process" in any way.
- 5) A requirement for new TOD development: It must have bordering streets that are wide enough to support bike lanes and Rapid Transit (not just a standard bus line). "Rapid Transit" for each development MUST be clearly defined. Wide pedestrian friendly sidewalks are REQUIRED and cannot be "bargained away" by City Planners or Developers.
- 6) Adjoining Homeowners to be notified when a "For Sale" development changes to a Rental development after the Public Outreach Process.
- 7) Adjoining Neighborhood Community's Concerns: Need I remind our "hired" City Officials, when a neighborhood community voices concerns over a development, they should be treated with respect and not projected as NIMBYS by City Planners and Housing Dept. Officials. The adjoining homeowners to a TOD are the biggest "Stakeholders" of all - with large mortgages, and their lifesavings and "retirement incomes" at stake when they sell their homes. We need to be recognized as art of the TOD process - as our homes' value and desirability is "at stake".

Terri Balandra
F.L.A.G., Fiesta Lanes Action Group

Nusbaum, Jenny

From: Chet Lockwood [ch24u@sbcglobal.net]
Sent: Thursday, November 20, 2008 5:20 PM
To: jenny.nusbaum@sanjoseca.gov; laurel.prevetti@sanjoseca.gov; joseph.horwedel@sanjoseca.gov
Cc: fbalandr@apr.com; helen chapman; Jean The Brain; Michael LaRocca; deborah; bobandsuec@sbcglobal.net
Subject: Mixed Use Text Amendment comments

o: Jenny Nusbaum, Senior Planner, Planning Department San Jose Ca.

i Jenny. I look forward to working with you to refine and incorporate these important considerations in your recommendations on the Mixed use 11-20-08

classification.

These are the points I spoke about at the Planning commission hearing 11/19/2008 on the text amendment for "Mixed Use" zoned development policy.

- a. **Hours of operation** should be limited to minimize the negative impact on the occupants of the development and the adjoining residences.
- b. **Adequate parking** should be designed into the retail/ office portions to eliminate conflict of parking with residential neighbors.
- c. **Traffic diversion** systems and devices should be employed to direct traffic flow out of and away from residential neighborhoods and onto arterials.
- d. The ability to **institute Permit Parking** policy in surrounding residential neighborhoods should be simplified and requirements lowered (i.e. less than 100 addresses required, 18-24 month process time reduces). A streamlined process should be created and fees to residential neighbors either eliminated or extremely reduced. As needed, additional parking enforcement should be easily available.
- e. As new developments are added **assure "Multi-Modal" transportation** is available on adjacent arterials with the addition of bike lanes, and provisions for bike / scooter / electric scooter lockable racks or storage be provided onsite for patrons and residents is designed in.
- f. To define the development as a TOD Strict **adherence to the 2000 foot limitation** should be required from Existing or **Funded** Mass transit with regular schedules. Do Not stretch beyond the 2000 ft. limit.

Thank You,

Chet Lockwood F.L.A.G. (Fiesta Lane Action Group) Ch24u@ sbcglobal.net

55 N. Buena Vista Ave. , San Jose , Ca. 95126

Chet Lockwood
Cell (408)218-0102, Office (408)996-9693, Home (408)288-5677



1/21/2008

Attachment 3

STAFF REPORT
PLANNING COMMISSION

FILE NO.: GP09-T-03

Submitted: Director-initiated, 06/19/09

LOCATION: Citywide

TEXT REFERENCE: *San José 2020 General Plan*, Chapter 4, Commercial Land Use Policies, page 61, Commercial Land Use Policy No. 1; and Chapter 5, Land Use/Transportation Diagram, Page 233.

Existing Zoning	N/A
Proposed Zoning	N/A
General Plan	Text Amendment
Council District	Citywide
Annexation Date	N/A
SNI	Citywide
Historic Resource	N/A
Redevelopment Area	N/A
Specific Plan	N/A
CEQA	Use of EIR

PROJECT DESCRIPTION:

Director-initiated General Plan text amendment request to update the text of the General Plan to strengthen goals and policies for intensifying economic development areas including, but not limited to, those areas located on Transit Corridors, Major Collectors, or Arterials. Applying the revised policy language to specific areas of the City would require a separate public notification and hearing process.

RECOMMENDATION

Staff recommends approval of the proposed text amendment.

BACKGROUND

Economic development studies of business areas in the City of San José show that smaller sites and areas developed previously for business uses, prior to the adoption of the current Zoning Ordinance development standards, often face challenges in conforming to the current Zoning Ordinance when expansion, redevelopment, or other intensification is proposed. To facilitate economic development in such areas, the Director of Planning has requested a text amendment to the San José 2020 General Plan to provide some flexibility to accommodate desired intensification through "minor exceptions or alternatives" to compliance with the City's development standards.

ANALYSIS

The intent of the new text is to expand the policy language in the General Plan to encourage and facilitate economic development throughout the City. Older commercial and industrial areas developed prior to current parking requirements and other development standards, and smaller-scale nodes or blocks of commercial or industrial activity located in medium- to higher-intensity commercial, industrial, or mixed-use neighborhoods, would particularly benefit from such targeted flexibility.

An illustration of one such area is a stretch of Winchester Boulevard extending south from Stevens Creek Boulevard to Impala Drive. San Jose Redevelopment Agency studies show that nodes within this corridor, including the portion that lies within the Winchester Strong Neighborhoods Initiative (SNI) Area south of Moorpark Drive, have additional commercial potential, but these nodes are not likely, at present, to have all the characteristics necessary to function as a formally designated Neighborhood Business District (NBD) in the San José 2020 General Plan. Currently, the Zoning Code provides for reduced parking requirements within NBDs. However, modest intensification or redevelopment of smaller commercial

nodes could be encouraged if some exceptions or alternatives to parking standards were considered for some of the lots in this business corridor.

This proposed text amendment would be the policy basis for establishing a process to allow areas such as these commercial nodes along Winchester Boulevard to be eligible for minor exceptions in complying with identified development standards, such as parking requirements.

Potential Implementation Options

Under the proposed policy language in the General Plan, several options could be available to provide appropriate flexibility for development of business areas in support of economic development, and should include both a process to identify business areas with potential, and determination of the "minor exceptions" that could apply to application of development standards in those areas.

Business Area Identification

Many of the existing NBDs were identified on the General Plan Land Use/Transportation Diagram by the City Council through the General Plan amendment process. Currently, the City Council typically considers amendments to the General Plan only twice a year, which is appropriate for significant policy discussions, but has limited responsiveness to the more immediate needs of smaller-scale business nodes which are also vital to support the General Plan's economic development goals. To allow a more timely response, staff is reviewing an option to establish a process for the City Council to identify targeted business areas in support of the proposed General Plan policy language through adoption of a resolution, which action could be agendaized and acted upon by the City Council at any hearing throughout the year. Alternatively, the City Council could adopt criteria for identifying business area nodes where flexibility in standards to encourage economic development could be appropriate, and provide the Director of Planning, through the development permit process, the authority to apply them per those criteria. Identified business areas or nodes would then be eligible for flexibility in the application of some identified development standards through the use of "minor exceptions or alternatives" as applications for redevelopment or intensification in those areas are considered in the development review process.

Development Standards and Minor Exceptions

The City's Zoning Ordinance currently allows reduced parking requirements for sites that are located in proximity to passenger rail stations, Neighborhood Business Districts that are designated in the General Plan, Downtown Zoning Districts, and in some approved Planned Development Zoning Districts. The Zoning Ordinance also provides criteria for some alternative parking arrangements through the Special Use Permit process. An amendment to the Municipal Code, including a public hearing process, would be necessary to define what would constitute a "minor exception or alternative" and how an exception would be applied by the Director of Planning through the Development Review process. The proposed General Plan text states that a "minor exception" should be a deviation of less than fifty percent from the standard requirement.

Consistency with Existing City Priorities and Policies

The text amendment is intended to achieve the following objectives:

1. Encourage intensified development of uses that further economic development in medium- to high-intensity developed areas of the City.

2. Implement City Council direction to streamline processing of development entitlements by providing additional methods for approving minor exceptions to development standards in the Zoning Ordinance.

In addition, the text amendment request furthers all seven Major Strategies in the General Plan, including Economic Development, Growth Management, Downtown Revitalization, Urban Conservation/ Preservation, The Greenline, Housing, and Sustainable City, by encouraging the efficient allocation and development of new uses that further economic development within the City.

Proposed Text of General Plan Amendment

The proposed text changes are shown as underlined text for additions as follows:

CHAPTER 4: GOALS AND POLICIES, Page 61

Commercial Land Use Policies:

1. Commercial land in San José should be distributed in a manner that maximizes community accessibility to a variety of retail commercial outlets and services and minimizes the need for automobile travel. New commercial development should be located near existing centers of employment or population or in close proximity to transit facilities and should be designed to encourage pedestrian and bicycle access through techniques such as minimizing building separation from the street, providing safe, accessible, convenient and pleasant pedestrian connections, secure bike storage, etc. Employee intensive uses should be encouraged to locate along multi-modal Transit Corridors. On sites or areas that the City has designated for intensification for economic development purposes, minor exceptions to development standards in the Zoning Ordinance may be appropriate to allow flexibility in achieving a desired urban form for the area. Minor exceptions may include, but are not limited to the ability to modify setbacks or parking requirements. Generally, a minor exception could allow a deviation from the standard requirements by up to fifty percent. Such modifications should be determined through the development permit process in compliance with the Zoning Ordinance or by City Council resolution.

CHAPTER 5: LAND USE/TRANSPORTATION DIAGRAM, Page 233

Commercial

New commercial development is planned to take place primarily on lands already planned and zoned for this use. The amount of existing land planned and zoned for commercial use in San José generally fulfills this purpose. The commercial land use categories described below identify the types of uses allowed under each category. The standards for commercial development are addressed in the Urban Design section (see Chapter IV, Goals and Policies) and in the City's Zoning Code. Unless otherwise defined within a specific commercial land use category, the Citywide average commercial development intensity is expected to have an approximate Floor Area Ratio (FAR) of 0.40. Citywide employment densities, excluding the Downtown Core and Downtown Frame Areas, should average 45 employees per acre. Because variations from these averages are expected on a project-by-project basis, they should not be regarded as maximum limits. These averages are intended to illustrate the development intensities that may be possible but do not indicate what each development project can necessarily achieve. The requirement to comply with the Urban Design, Transportation Level of service and other General Plan policies may dictate less intensive development in many instances.

To further economic development, many sites and areas in the City are appropriate for intensification, including, but not limited to those areas located on Transit Corridors, Major Collectors, or Arterials. On sites or areas that the City has designated for commercial intensification, modifications to standard parking ratios in the Zoning Ordinance may be appropriate. Such modifications should be determined through the use permit process or by City Council resolution in compliance with the Zoning Ordinance.

ENVIRONMENTAL REVIEW

The proposed General Plan text amendment is covered by Use of the San José 2020 General Plan Final Environmental Impact Report, certified by the City Council on August 16, 1994, Resolution No. 65459.

PUBLIC OUTREACH

- 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. Notice of the Fall 2009 hearings on the General Plan was published in the San José Post-Record. A description of the proposed General Plan text amendment was posted on the Planning Division web page. The proposed text amendment was presented at the Neighborhood Roundtable on August 18, 2009, and the Developers Roundtable on August 28, 2009, for review and comments. A notice of the public hearings was posted on the City website, and distributed by e-mail to City-maintained neighborhood and development lists on October 23, 2009. The public was also notified by e-mail and web posting about the availability for review of the staff report prior to the Planning Commission hearing.

The Neighborhood Roundtable participants and members of the public voiced concerns that the minor exception could allow too much flexibility in complying with development standards and thereby compromise neighborhood livability. Members of the public submitted correspondence (attached) that discusses these issues as well.

Staff has included proposed text as explained in the Analysis section of this staff report to respond to these comments. Additional limitations can be included in the Council resolutions or permit conditions for specific sites or areas proposed for such minor exceptions to development standards. Staff also corrected a typographic error by changing the phrase "any sites and areas in the City are appropriate for intensification" to "many sites and areas in the City are appropriate for intensification."

Project Manager: Jenny Nusbaum **Approved by:** Susan Walton **Date:** 10/28/09

From: bgoldmace@aol.com [mailto:bgoldmace@aol.com]

Sent: Monday, October 26, 2009 4:01 PM

To: Nusbaum, Jenny

Subject: Re: GP09-T-03 Director-initiated General Plan Text Amendment Request for Economic Development Areas -- Planning Commission Hearing 11/4/09 and City Council Hearing 12/01/09

Hi Jenny

I have a question about the email below. How does staff define "minor exceptions to development standards"? Several residents in my area have expressed concern that these proposed changes would mean that commercial development would override all other criteria in determining land use both within transit corridor/major collectors/major arterials and also within other areas, since this policy is not limited only to major arterials or transit corridors. It would be helpful to have a definition of "minor" so that residents will know what to expect if these changes are enacted. It looks like one example of a modification would be parking, but it also states below that "to further economic development, any sites and areas in the City are appropriate for intensification, including, but not limited to those areas located on transit corridors, Major Collectors, or Arterials." Does this allow for commercial development intensification anywhere in the City even if it is currently not designated as commercial on the General Plan? It's a bit confusing, and so I'd appreciate some clarification. Thanks. Bonnie

-----Original Message-----

From: Nusbaum, Jenny <Jenny.Nusbaum@sanjoseca.gov>

Sent: Fri, Oct 23, 2009 3:49 pm

Subject: GP09-T-03 Director-initiated General Plan Text Amendment Request for Economic Development Areas -- Planning Commission Hearing 11/4/09 and City Council Hearing 12/01/09

To strengthen goals and policies for intensifying economic development areas including, but not limited to those areas located on transit corridors, Major Collectors, or Arterials the Director of PBCE has proposed the following text changes to the San Jose 2020 General Plan:

1. Add text to Chapter 4, Commercial Land Use Policies, stating: "On sites or areas that the City has designated for intensification for economic development purposes, minor exceptions to development standards in the Zoning Ordinance may be appropriate to allow flexibility in achieving a desired urban form for the area. Such modifications should be determined through the development permit process in compliance with the Zoning Ordinance or by City Council resolution."
 2. Add text to Chapter 5, the definition of the Commercial Land Use/Transportation Diagram, stating: "To further economic development, any sites and areas in the City are appropriate for intensification, including, but not limited to those areas located on transit corridors, Major Collectors, or Arterials. On sites or areas that the City has designated for commercial intensification, modifications to standard parking ratios in the Zoning Ordinance may be appropriate. Such modifications should be determined through the use permit process or by City Council resolution in compliance with the Zoning Ordinance."
- Applying the revised policy language to specific areas of the City would require a separate notification and hearing process.
 - Please contact the Project Manager, Jenny Nusbaum, by e-mail at jenny.nusbaum@sanjoseca.gov or by phone at 408-535-7872 if you have questions or comments regarding File No. GP09-T-03

The staff report is scheduled to be posted for review at the following web address prior to the Planning Commission Hearing on November 4, 2009 at 6:30 PM:

http://www.sanjoseca.gov/planning/hearings/planning_com.asp

-----Original Message-----

From: matt bruensteiner [mailto:matt_brueinsteiner@yahoo.com]

Sent: Saturday, October 24, 2009 9:56 AM

To: Nusbaum, Jenny

Subject: Re: GP09-T-03 Director-initiated General Plan Text Amendment Request for Economic Development Areas -- Planning Commission Hearing 11/4/09 and City Council Hearing 12/01/09

Hi Jenny,

Is there a typo in item 2?

Your quotation says, "any sites and areas in the City are appropriate for intensification". Does this include city parks and other greenspaces? Historic districts?

Or is the wording supposed to be "many sites and areas" or "any designated sites and areas" or something else?

Thanks,

Matt

In each case, the design team has prepared three alternative plan concepts for the development of each of the four clusters. For each strategy there is one 'near-term' option that could occur within the next ten years and two 'long-term' options that could occur within the time frame of the General Plan for 2040.

1. The first scheme, known as the 'near-term' option, is the least ambitious of the three alternatives. In the 'near-term' options, the design team tried to re-use or adapt existing buildings where possible and practical, respected existing property ownership boundaries where practical and attempted to meet the parking demand of the combined new and existing developments with on-site surface parking in generously landscaped pedestrian-friendly urban plazas.
2. The second and third schemes for each of the clusters are both referred to as 'long-term' options, and in each case take two different approaches to development at a more ambitious, higher-density scale. The vision for these schemes represent the clusters as an urban node with vertical mixed-use (i.e. commercial/office space and/or residential units above ground floor retail premises) and with shared mixed-use parking that includes one or more multi-story parking structures conveniently located within the cluster.

CLUSTER I

**FIGURE 29:
VISION FOR
NEAR-TERM
DEVELOPMENT**

The near-term plan assumes that three existing cinema operations on-site could be consolidated into the largest existing building. The removal of the smaller two buildings would allow for new development. This is a predominantly low-density scheme, with building heights of one or two stories tall, horizontally-mixed land uses, and surface parking lots.

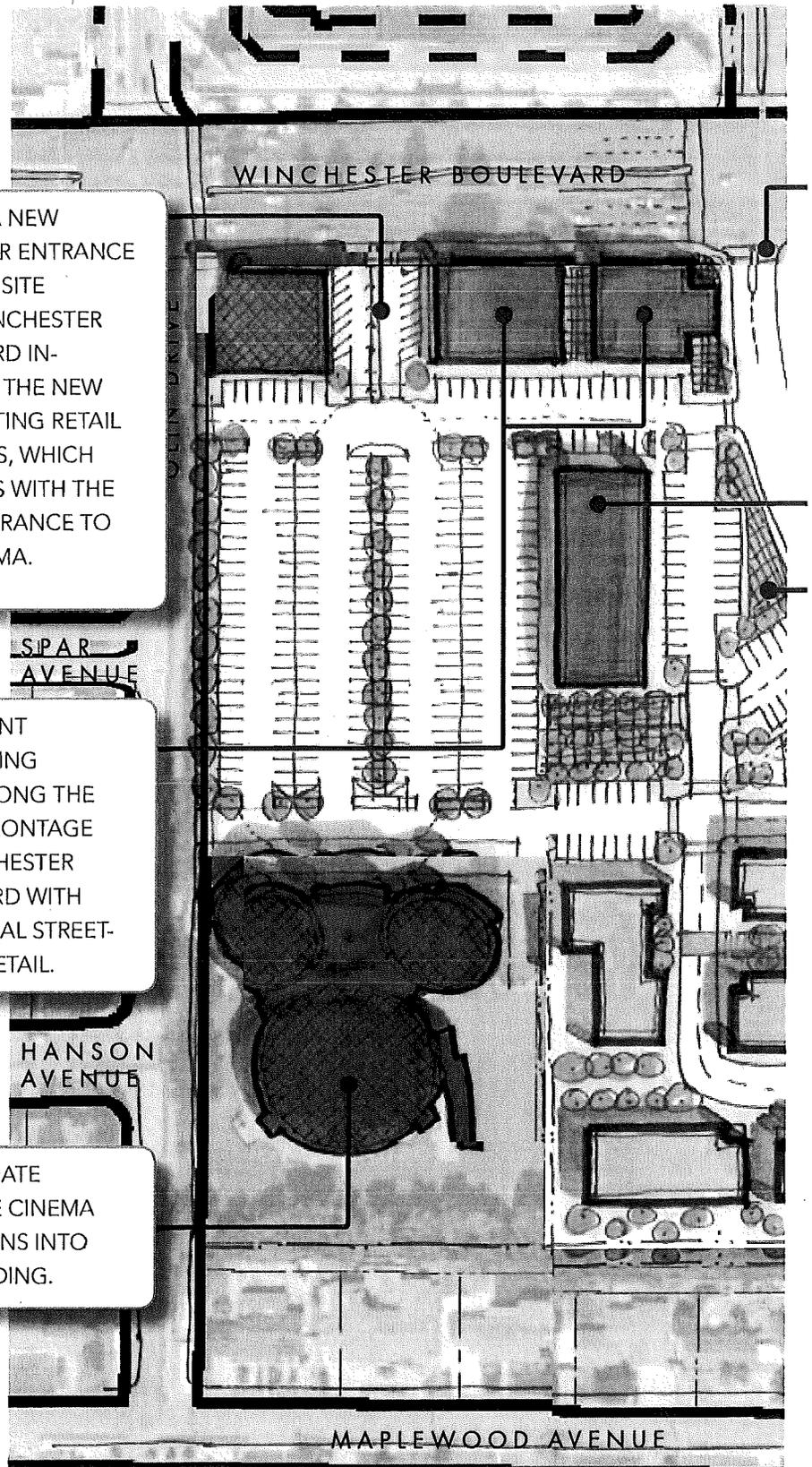
PROVIDE A NEW VEHICULAR ENTRANCE INTO THE SITE FROM WINCHESTER BOULEVARD IN-BETWEEN THE NEW AND EXISTING RETAIL BUILDINGS, WHICH IS ON AXIS WITH THE MAIN ENTRANCE TO THE CINEMA.

SUPPLEMENT THE EXISTING RETAIL ALONG THE STREET FRONTAGE ON WINCHESTER BOULEVARD WITH ADDITIONAL STREET-FACING RETAIL.

CONSOLIDATE ALL THREE CINEMA OPERATIONS INTO ONE BUILDING.

LEGEND

-  RETAIL
-  OFFICE
-  RESIDENTIAL
-  PUBLIC PLAZA
-  LANDSCAPING
-  PARKING
-  MONUMENT
-  EXISTING



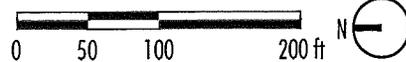
IMPROVE THE PEDESTRIAN ENVIRONMENT. PROVIDE NEW SIDEWALKS THROUGHOUT THE SITE. ENHANCE CROSSWALKS AT WINCHESTER BOULEVARD FOR BETTER ACCESS TO/FROM SANTANA ROW.

PROVIDE AN ADDITIONAL RETAIL BUILDING WITHIN THE SITE TO HELP DEFINE A SHARED PARKING PLAZA FOR THE CINEMA/RETAIL ON THE NORTH SIDE.

PROVIDE A NEW PUBLIC PLAZA WITH IMPROVED ACCESS AND CONNECTIONS TO/FROM THE WINCHESTER MYSTERY HOUSE.

PROVIDE A SERIES OF SMALL NEW COMMERCIAL/OFFICE BUILDINGS PLACED TO SCREEN A DEDICATED SURFACE PARKING LOT.

MAKE A PEDESTRIAN CONNECTION FROM OLSEN DRIVE TO MAPLEWOOD AVENUE FOR ACCESS TO AND FROM THE RESIDENTIAL NEIGHBORHOOD TO THIS CLUSTER.



CLUSTER I

**FIGURE 30:
VISION FOR
LONG-TERM
DEVELOPMENT
- OPTION I**

The plan for this long-term option for development considers the possibility of new land uses in this location replacing the three cinema domes. This option contains the new building frontage directly on Winchester Boulevard, reflecting the scale of buildings across the street at Santana Row. Spar and Hansen Avenues are also continued through the site to meet Olsen Drive creating a new grid of streets.

LEGEND

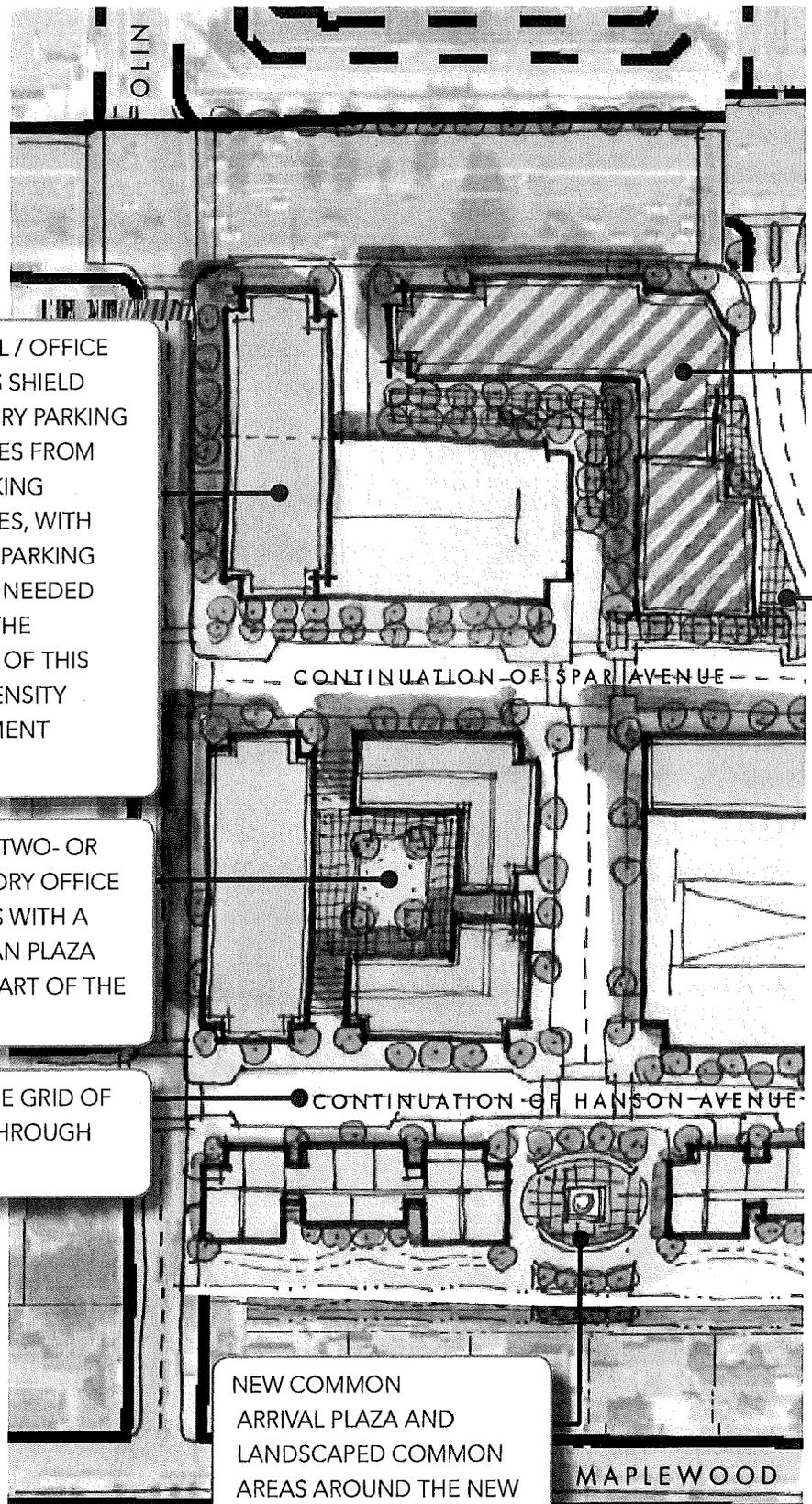
-  RETAIL
-  OFFICE
-  RESIDENTIAL
-  PUBLIC PLAZA
-  LANDSCAPING
-  PARKING
-  MONUMENT
-  EXISTING

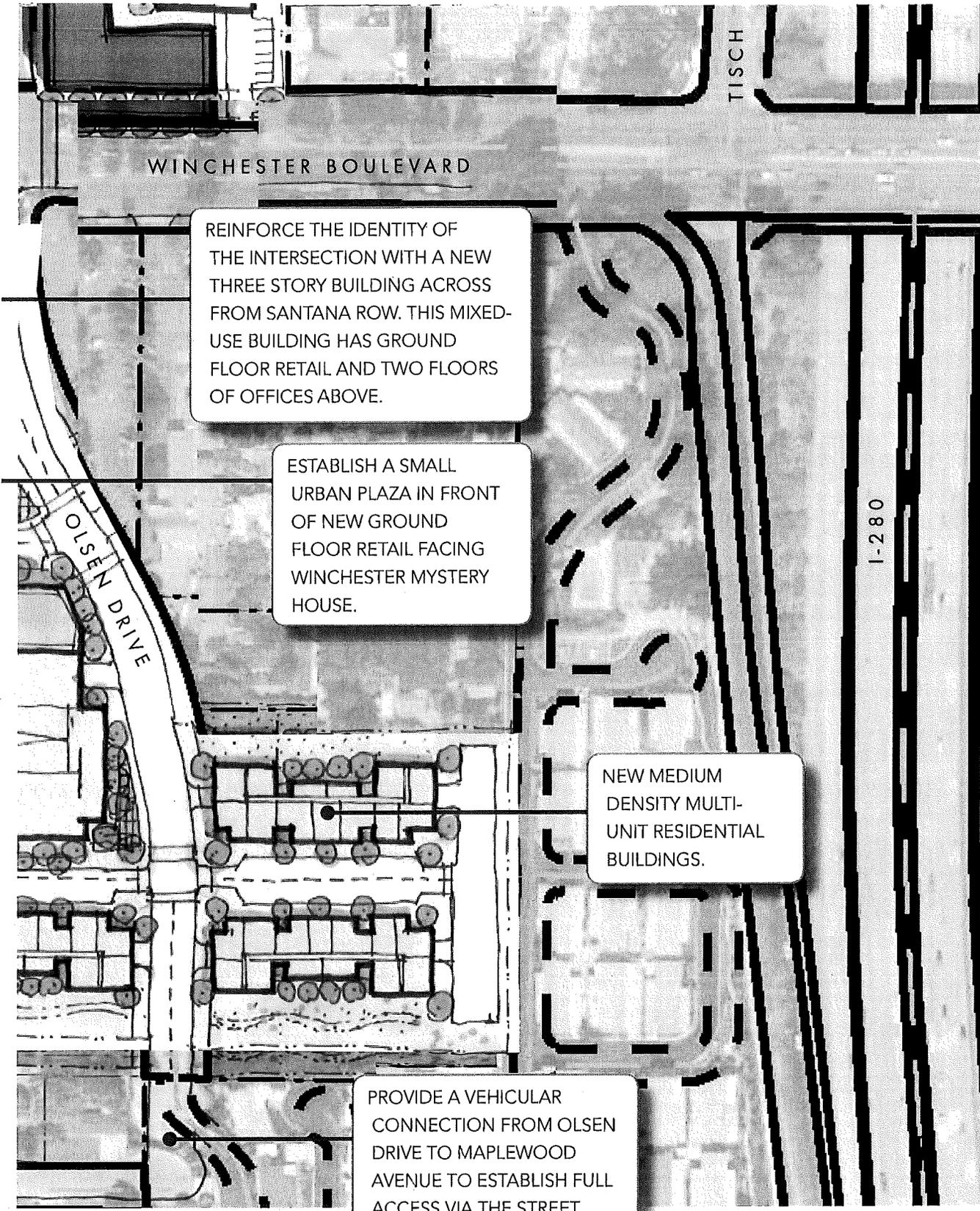
NEW RETAIL / OFFICE BUILDINGS SHIELD MULTI-STORY PARKING STRUCTURES FROM VIEW. PARKING STRUCTURES, WITH A SHARED PARKING PLAN, ARE NEEDED TO MEET THE DEMANDS OF THIS HIGHER DENSITY DEVELOPMENT OPTION.

TWO NEW TWO- OR THREE-STORY OFFICE BUILDINGS WITH A PEDESTRIAN PLAZA AT THE HEART OF THE COMPLEX.

EXTEND THE GRID OF STREETS THROUGH THE SITE.

NEW COMMON ARRIVAL PLAZA AND LANDSCAPED COMMON AREAS AROUND THE NEW RESIDENTIAL BUILDINGS.





WINCHESTER BOULEVARD

TISCH

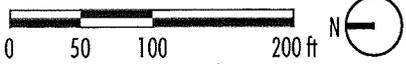
REINFORCE THE IDENTITY OF THE INTERSECTION WITH A NEW THREE STORY BUILDING ACROSS FROM SANTANA ROW. THIS MIXED-USE BUILDING HAS GROUND FLOOR RETAIL AND TWO FLOORS OF OFFICES ABOVE.

ESTABLISH A SMALL URBAN PLAZA IN FRONT OF NEW GROUND FLOOR RETAIL FACING WINCHESTER MYSTERY HOUSE.

NEW MEDIUM DENSITY MULTI-UNIT RESIDENTIAL BUILDINGS.

PROVIDE A VEHICULAR CONNECTION FROM OLSEN DRIVE TO MAPLEWOOD AVENUE TO ESTABLISH FULL ACCESS VIA THE STREET NETWORK.

I-280



CLUSTER I

**FIGURE 31:
VISION FOR
LONG-TERM
DEVELOPMENT
- OPTION 2**

The plan for this long-term option proposes a multiplex-type replacement cinema on Winchester Boulevard and a higher density development on the sites vacated by the existing cinema domes. It also includes the realignment of Olsen Drive to create a new grid of streets within the site.

LEGEND

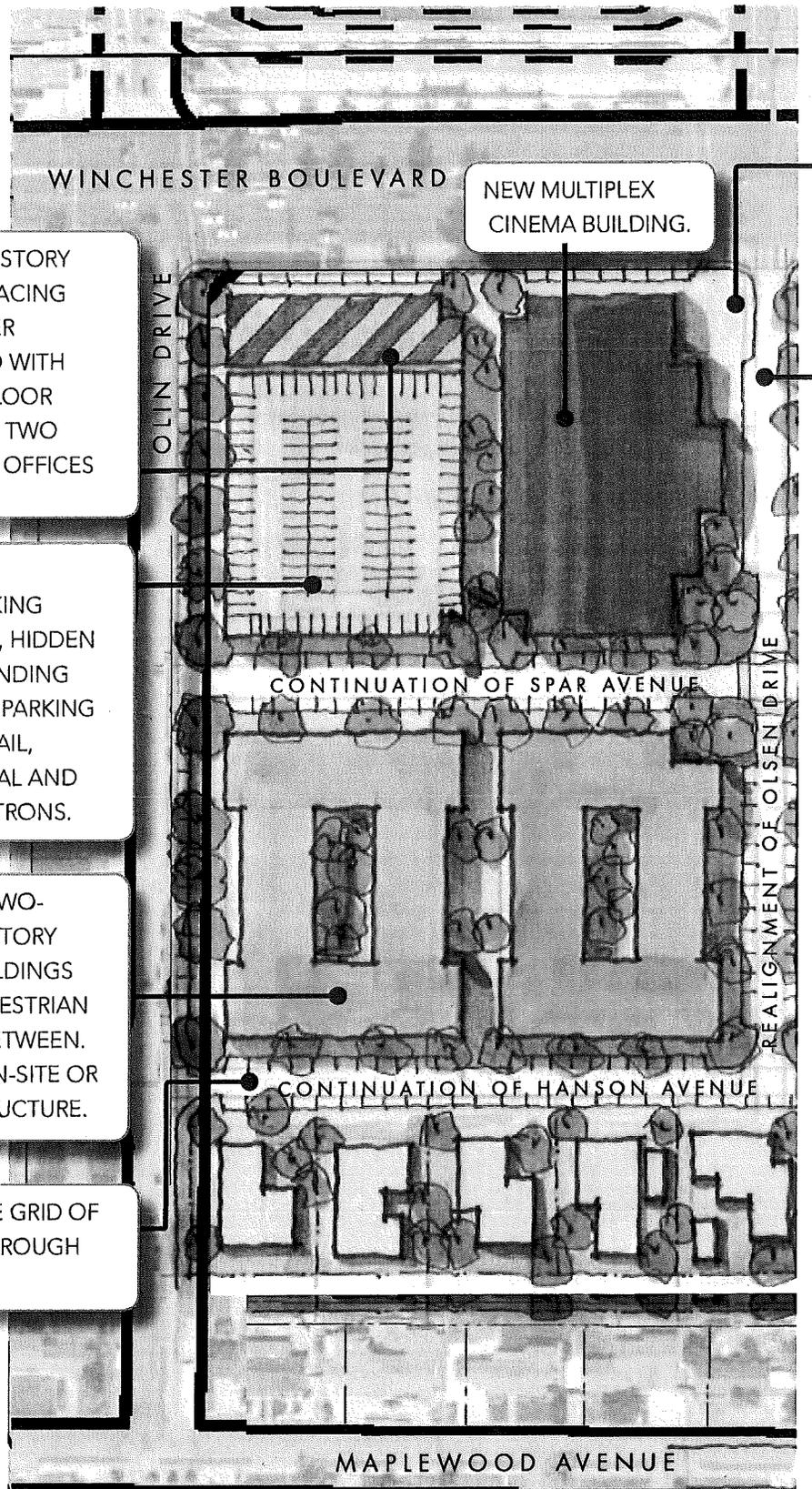
-  RETAIL
-  OFFICE
-  RESIDENTIAL
-  PUBLIC PLAZA
-  LANDSCAPING
-  PARKING
-  MONUMENT
-  EXISTING

NEW THREE STORY BUILDING FACING WINCHESTER BOULEVARD WITH GROUND FLOOR RETAIL AND TWO FLOORS OF OFFICES ABOVE.

NEW MULTI-STORY PARKING STRUCTURE, HIDDEN BY SURROUNDING BUILDINGS. PARKING SERVES RETAIL, COMMERCIAL AND CINEMA PATRONS.

TWO NEW TWO-OR THREE-STORY OFFICE BUILDINGS WITH A PEDESTRIAN PLAZA IN BETWEEN. PARKING ON-SITE OR WITHIN STRUCTURE.

EXTEND THE GRID OF STREETS THROUGH THE SITE.



IMPROVE THE PEDESTRIAN ENVIRONMENT. PROVIDE NEW SIDEWALKS THROUGHOUT THE SITE. ENHANCE CROSSWALKS AT WINCHESTER BOULEVARD FOR BETTER ACCESS TO/FROM SANTANA ROW.

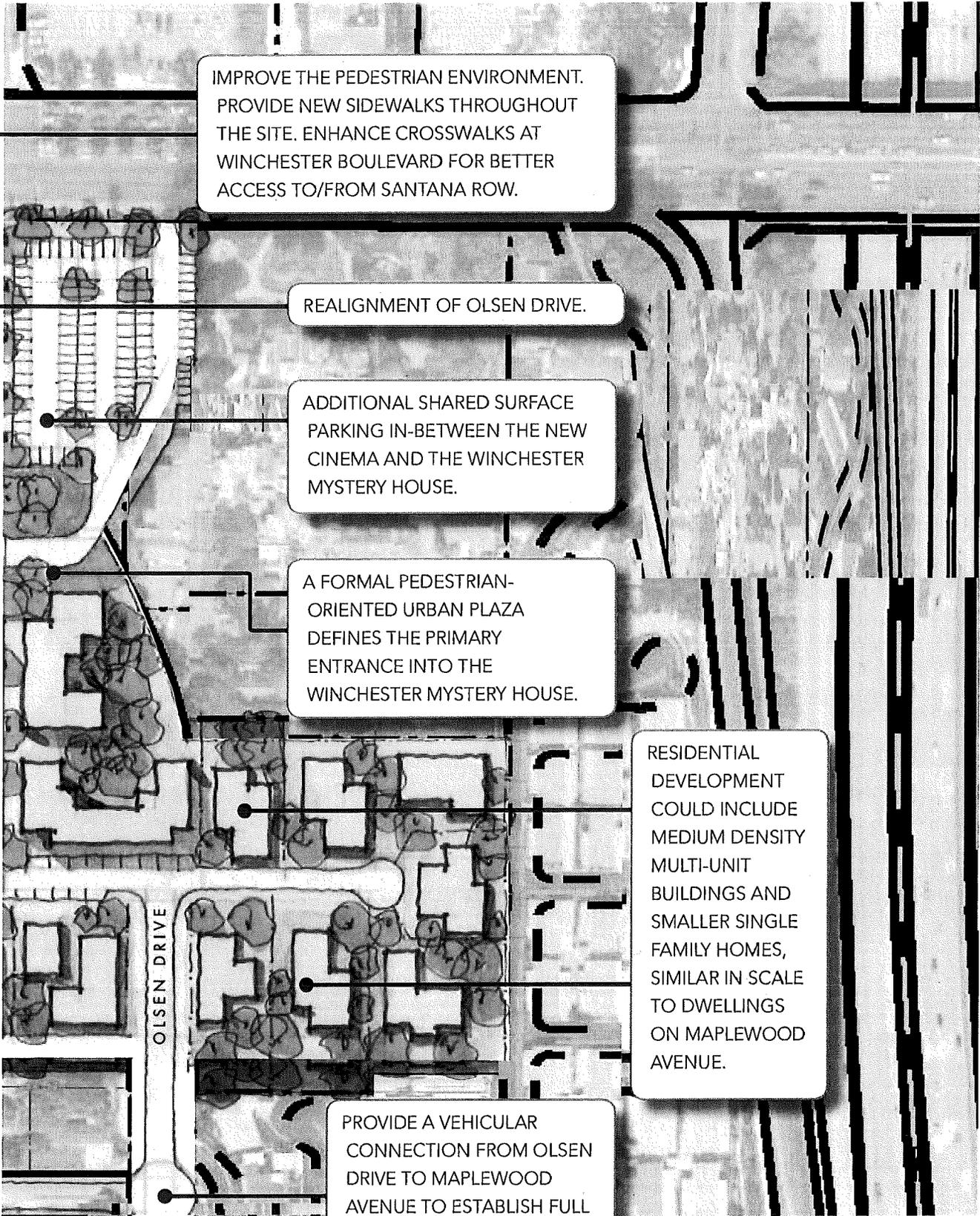
REALIGNMENT OF OLSEN DRIVE.

ADDITIONAL SHARED SURFACE PARKING IN-BETWEEN THE NEW CINEMA AND THE WINCHESTER MYSTERY HOUSE.

A FORMAL PEDESTRIAN-ORIENTED URBAN PLAZA DEFINES THE PRIMARY ENTRANCE INTO THE WINCHESTER MYSTERY HOUSE.

RESIDENTIAL DEVELOPMENT COULD INCLUDE MEDIUM DENSITY MULTI-UNIT BUILDINGS AND SMALLER SINGLE FAMILY HOMES, SIMILAR IN SCALE TO DWELLINGS ON MAPLEWOOD AVENUE.

PROVIDE A VEHICULAR CONNECTION FROM OLSEN DRIVE TO MAPLEWOOD AVENUE TO ESTABLISH FULL ACCESS VIA THE STREET NETWORK.



CLUSTER 2

**FIGURE 33:
VISION FOR NEAR-TERM
DEVELOPMENT**

The near-term plan assumes that (1) the existing Cinema 24 could be consolidated into the Cinema 21 in Cluster #1 and (2) that smaller sites adjacent to the Moorpark exit could be consolidated with the Cinema and Toys-R-Us site for new development. This near-term option retains and remodels the Toys-R-Us building and also keeps the two recently completed mixed-use buildings that are located at the edge of Winchester Boulevard. This is a predominantly low density scheme, with building heights of 1 or 2 stories, horizontally mixed land uses, and surface parking lots.

NEW RETAIL
ON BOTH SIDES
OF THE STREET
CREATES A
STRONGER
CORNER IDENTITY
AND A BETTER
GATEWAY FOR
WINCHESTER
BOULEVARD,
SOUTH OF I-280.

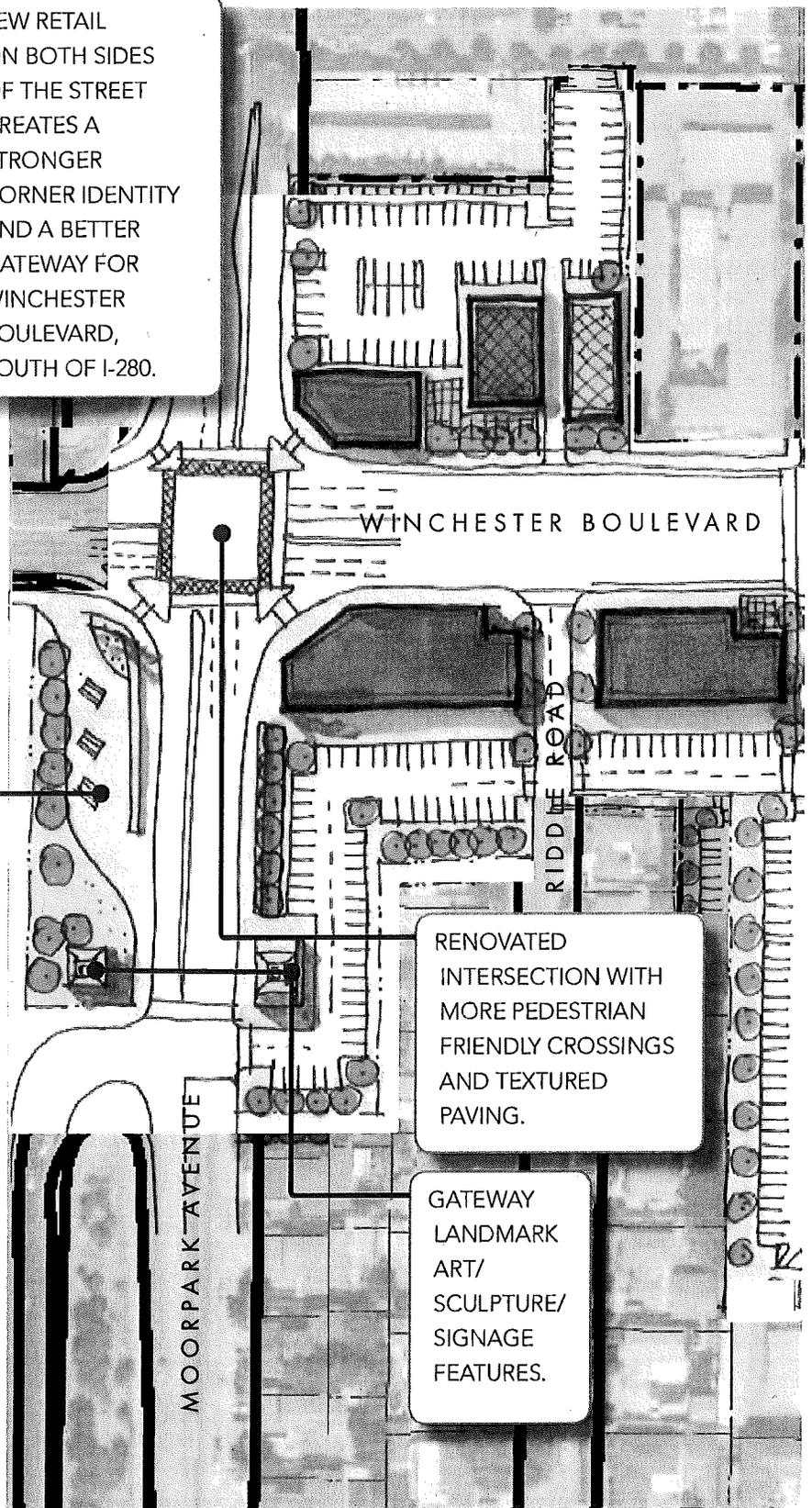
IMPROVED
LANDSCAPING.

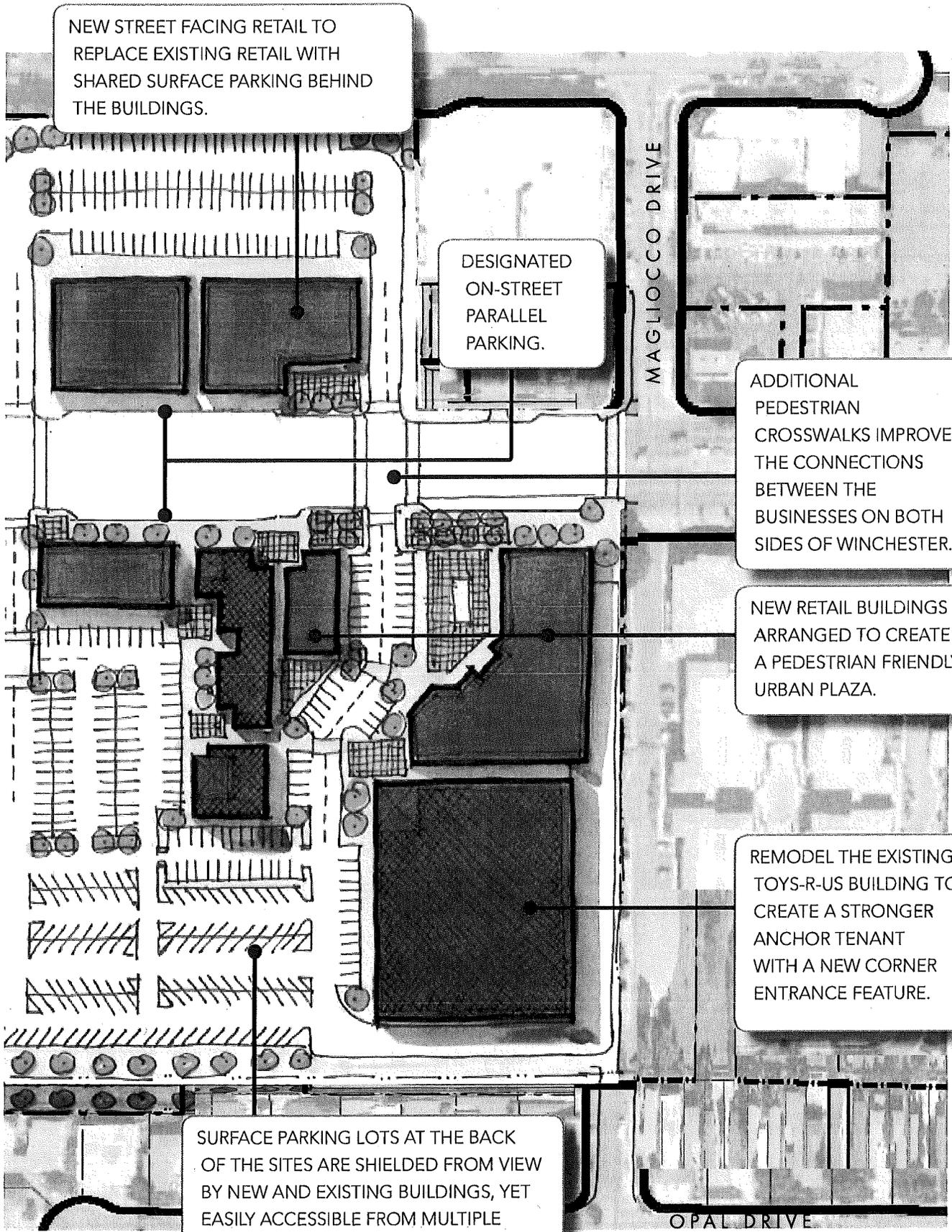
RENOVATED
INTERSECTION WITH
MORE PEDESTRIAN
FRIENDLY CROSSINGS
AND TEXTURED
PAVING.

GATEWAY
LANDMARK
ART/
SCULPTURE/
SIGNAGE
FEATURES.

LEGEND

- RETAIL
- OFFICE
- RESIDENTIAL
- PUBLIC PLAZA
- LANDSCAPING
- PARKING
- MONUMENT
- EXISTING





NEW STREET FACING RETAIL TO REPLACE EXISTING RETAIL WITH SHARED SURFACE PARKING BEHIND THE BUILDINGS.

DESIGNATED ON-STREET PARALLEL PARKING.

ADDITIONAL PEDESTRIAN CROSSWALKS IMPROVE THE CONNECTIONS BETWEEN THE BUSINESSES ON BOTH SIDES OF WINCHESTER.

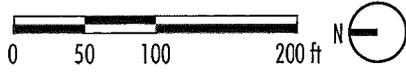
NEW RETAIL BUILDINGS ARRANGED TO CREATE A PEDESTRIAN FRIENDLY URBAN PLAZA.

REMODEL THE EXISTING TOYS-R-US BUILDING TO CREATE A STRONGER ANCHOR TENANT WITH A NEW CORNER ENTRANCE FEATURE.

SURFACE PARKING LOTS AT THE BACK OF THE SITES ARE SHIELDED FROM VIEW BY NEW AND EXISTING BUILDINGS, YET EASILY ACCESSIBLE FROM MULTIPLE INTERSECTIONS AND ACCESS POINTS.

MAGLIOCCO DRIVE

OPAL DRIVE



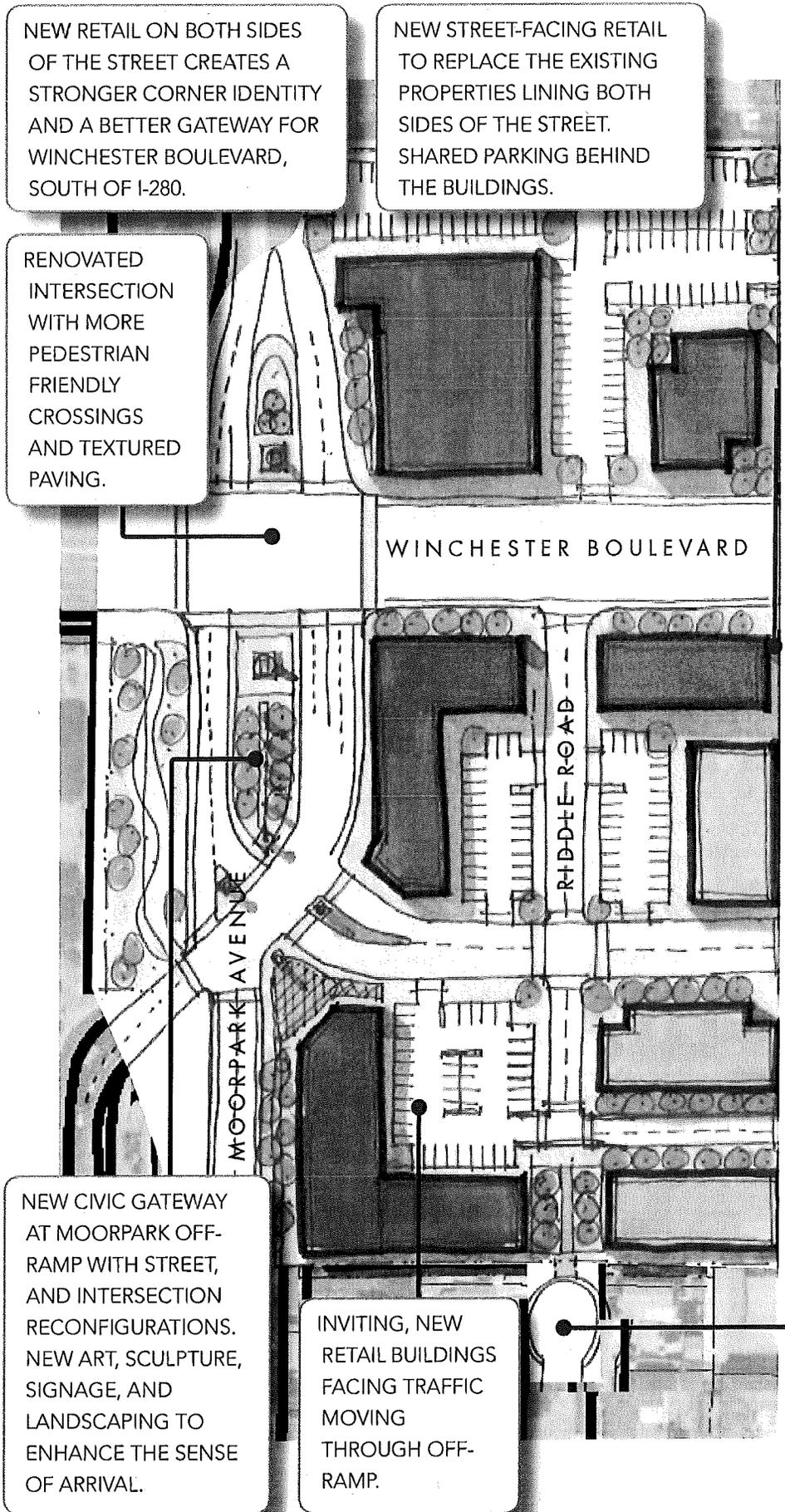
CLUSTER 2

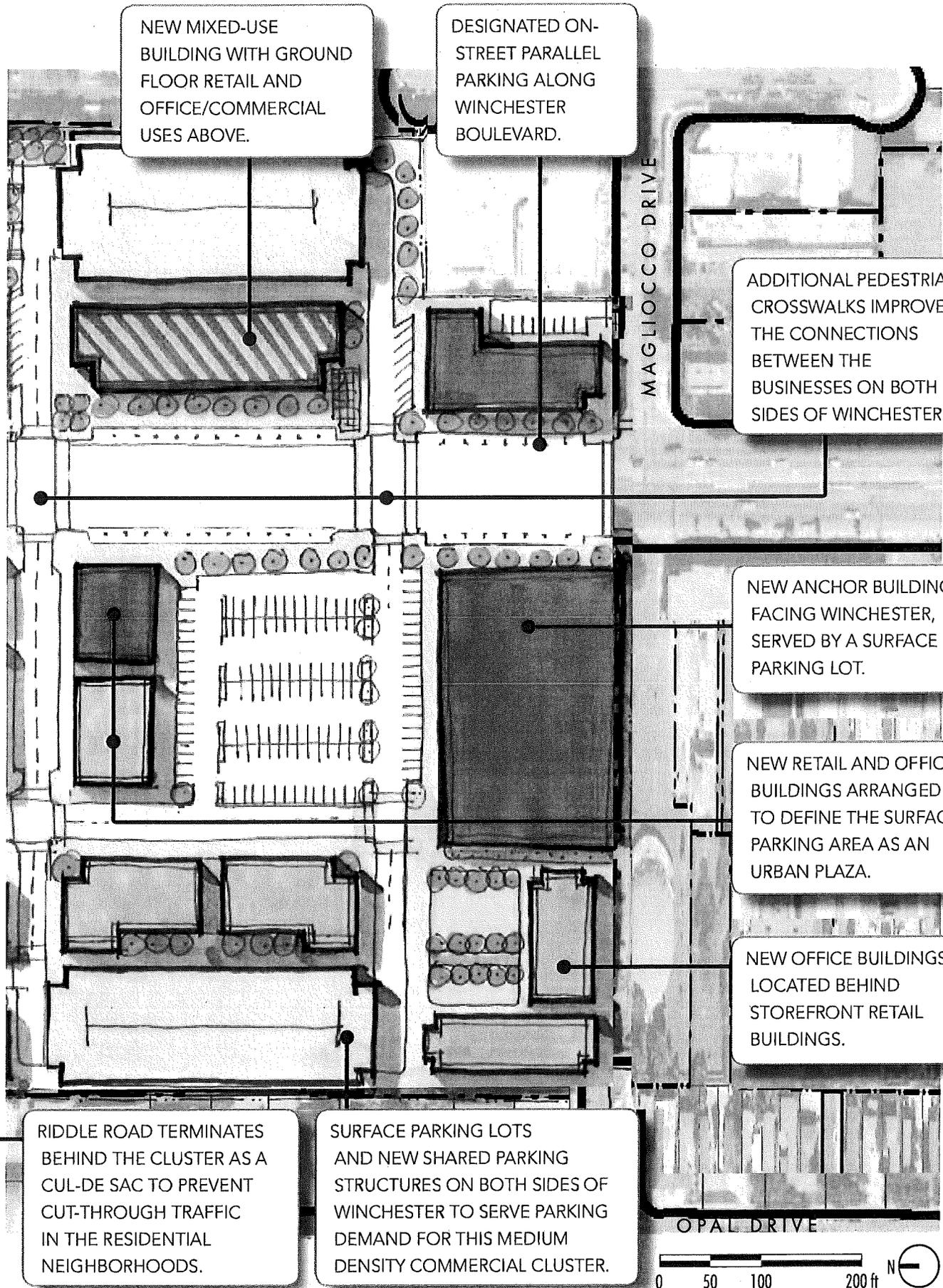
**FIGURE 34:
VISION FOR LONG-
TERM DEVELOPMENT
- OPTION 1**

This long-term option assumes that all of the sites on both sides of Winchester will be developed with new construction in accordance to current zoning requirements, which includes both commercial and residential land uses. An ambitious reorganization of the I-280 off-ramp and the Moorpark/ Winchester intersection is also proposed in this long-term option to create stronger sense of arrival to the district.

LEGEND

-  RETAIL
-  OFFICE
-  RESIDENTIAL
-  PUBLIC PLAZA
-  LANDSCAPING
-  PARKING
-  MONUMENT
-  EXISTING





NEW MIXED-USE BUILDING WITH GROUND FLOOR RETAIL AND OFFICE/COMMERCIAL USES ABOVE.

DESIGNATED ON-STREET PARALLEL PARKING ALONG WINCHESTER BOULEVARD.

ADDITIONAL PEDESTRIAN CROSSWALKS IMPROVE THE CONNECTIONS BETWEEN THE BUSINESSES ON BOTH SIDES OF WINCHESTER.

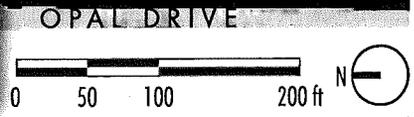
NEW ANCHOR BUILDING FACING WINCHESTER, SERVED BY A SURFACE PARKING LOT.

NEW RETAIL AND OFFICE BUILDINGS ARRANGED TO DEFINE THE SURFACE PARKING AREA AS AN URBAN PLAZA.

NEW OFFICE BUILDINGS LOCATED BEHIND STOREFRONT RETAIL BUILDINGS.

RIDDLE ROAD TERMINATES BEHIND THE CLUSTER AS A CUL-DE SAC TO PREVENT CUT-THROUGH TRAFFIC IN THE RESIDENTIAL NEIGHBORHOODS.

SURFACE PARKING LOTS AND NEW SHARED PARKING STRUCTURES ON BOTH SIDES OF WINCHESTER TO SERVE PARKING DEMAND FOR THIS MEDIUM DENSITY COMMERCIAL CLUSTER.



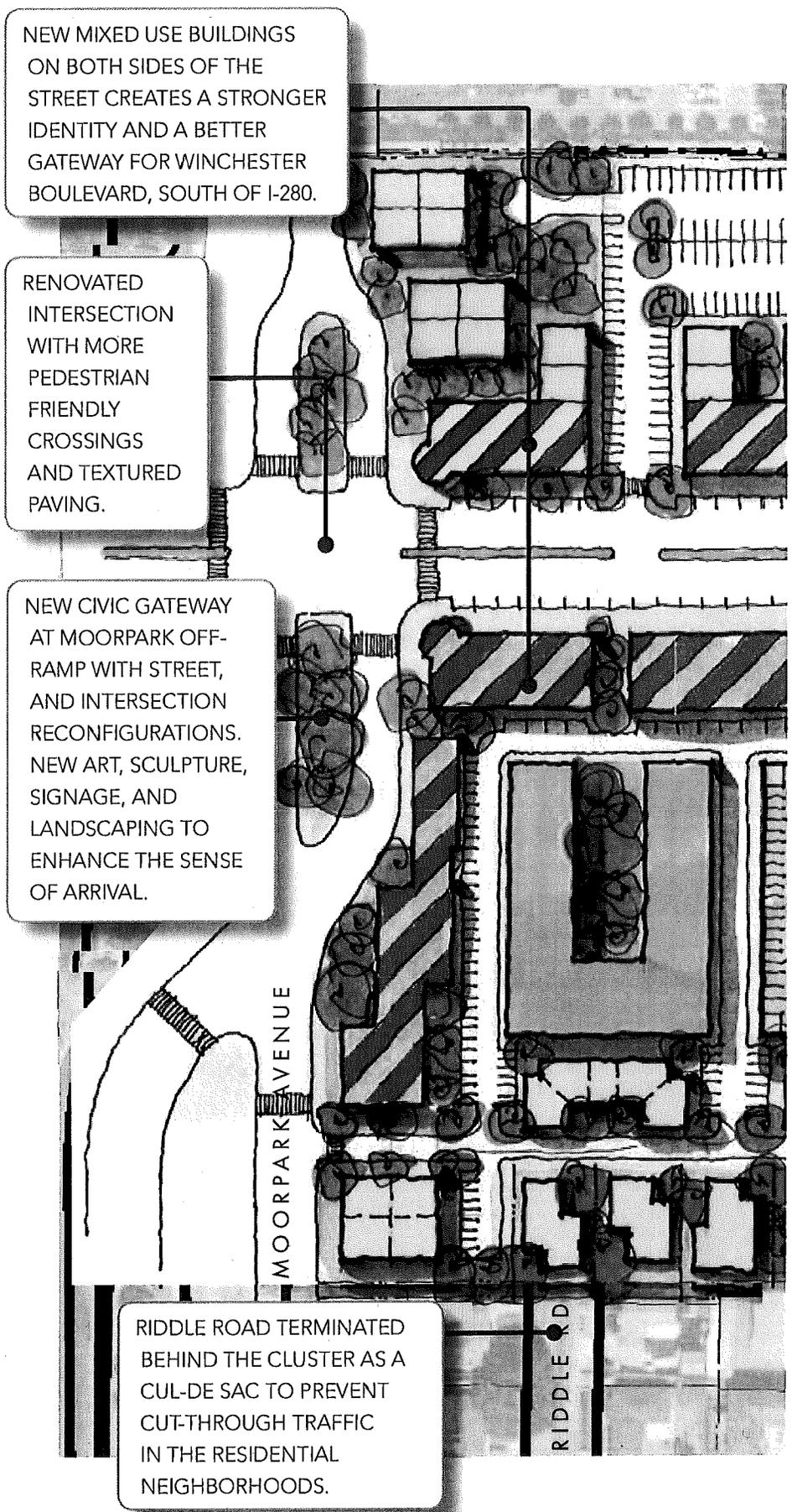
CLUSTER 2

**FIGURE 35:
VISION FOR LONG-
TERM DEVELOPMENT
- OPTION 2**

This long-term plan shows the possibility of all new construction on both sides of Winchester Boulevard within the limits of current zoning for the area. The identity of Winchester Boulevard is strengthened with new three-story mixed-use buildings at the edge of the street. Office and residential uses are located behind and above the mixed-use buildings. This scheme also proposes an ambitious reorganization of the I-280 off-ramp at the Moorpark/Winchester intersection to create a stronger sense of arrival at this intersection.

LEGEND

-  RETAIL
-  OFFICE
-  RESIDENTIAL
-  PUBLIC PLAZA
-  LANDSCAPING
-  PARKING
-  MONUMENT
-  EXISTING



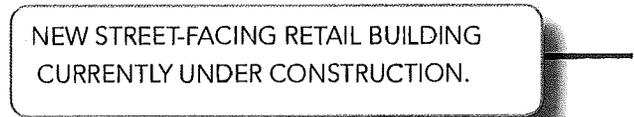
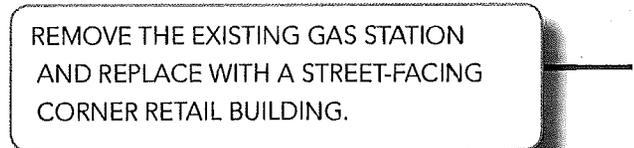
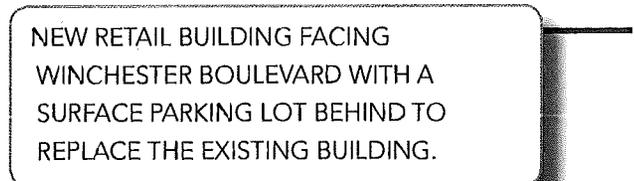
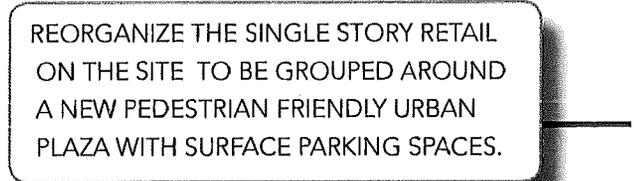
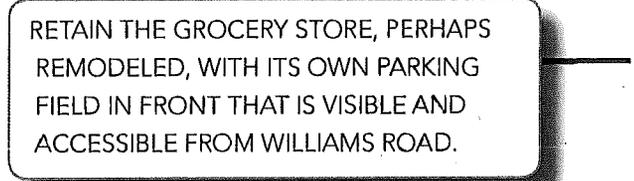
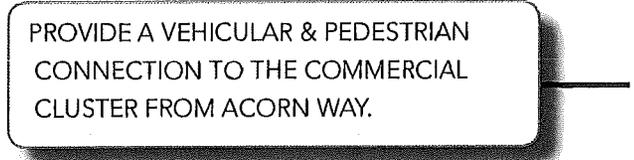
CLUSTER 3

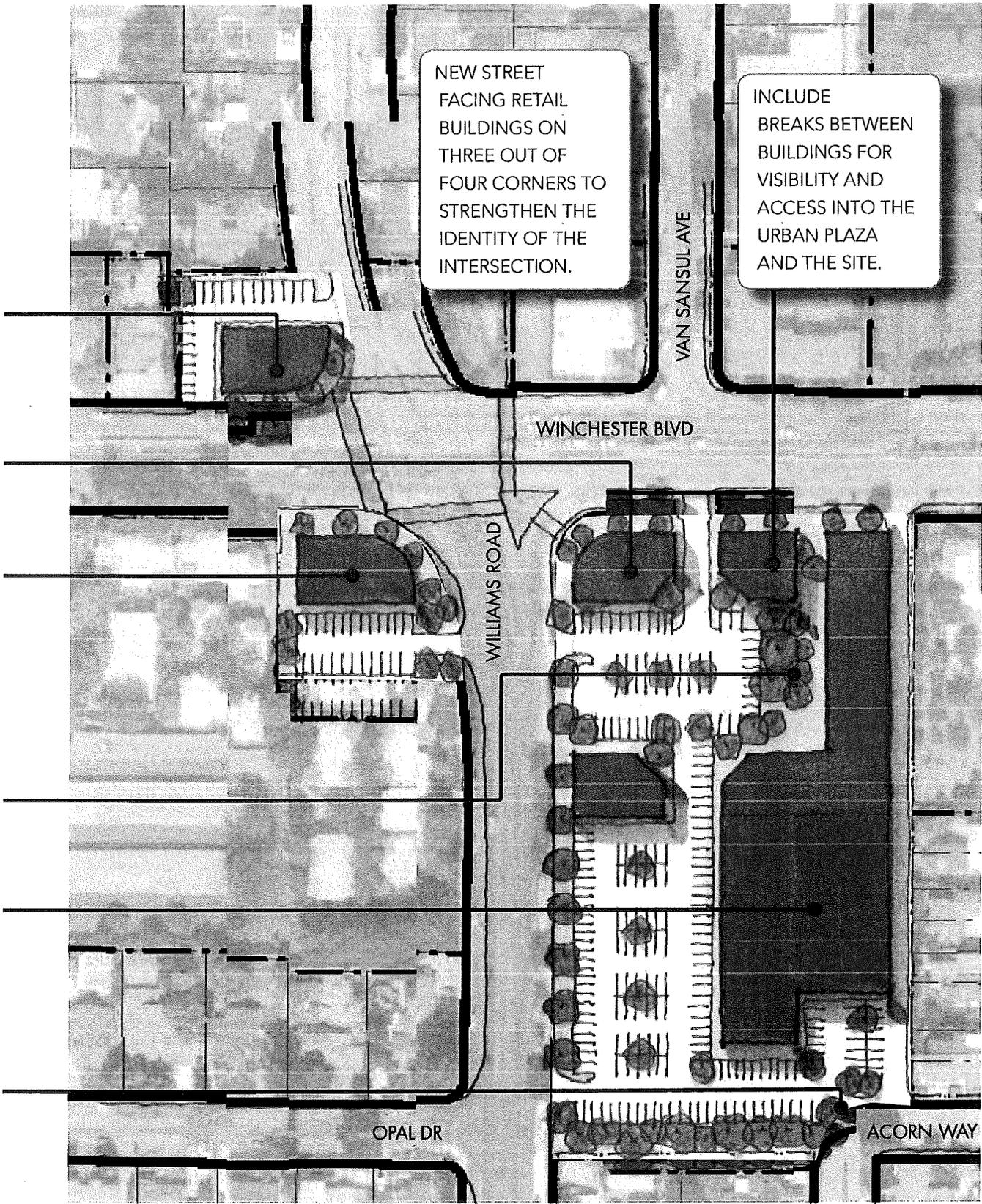
**FIGURE 38:
VISION FOR NEAR-TERM
DEVELOPMENT**

The near-term plan aims to make pedestrian improvements through a modest reorganization of the existing buildings. It also suggests that three out of the four corners of the intersection are available for development, with one of those corners currently under construction. This is a low-density development scheme, with single story buildings served by surface parking lots.

LEGEND

-  RETAIL
-  OFFICE
-  RESIDENTIAL
-  PUBLIC PLAZA
-  LANDSCAPING
-  PARKING
-  MONUMENT
-  EXISTING

-  NEW STREET-FACING RETAIL BUILDING CURRENTLY UNDER CONSTRUCTION.
-  REMOVE THE EXISTING GAS STATION AND REPLACE WITH A STREET-FACING CORNER RETAIL BUILDING.
-  NEW RETAIL BUILDING FACING WINCHESTER BOULEVARD WITH A SURFACE PARKING LOT BEHIND TO REPLACE THE EXISTING BUILDING.
-  REORGANIZE THE SINGLE STORY RETAIL ON THE SITE TO BE GROUPED AROUND A NEW PEDESTRIAN FRIENDLY URBAN PLAZA WITH SURFACE PARKING SPACES.
-  RETAIN THE GROCERY STORE, PERHAPS REMODELED, WITH ITS OWN PARKING FIELD IN FRONT THAT IS VISIBLE AND ACCESSIBLE FROM WILLIAMS ROAD.
-  PROVIDE A VEHICULAR & PEDESTRIAN CONNECTION TO THE COMMERCIAL CLUSTER FROM ACORN WAY.



NEW STREET FACING RETAIL BUILDINGS ON THREE OUT OF FOUR CORNERS TO STRENGTHEN THE IDENTITY OF THE INTERSECTION.

INCLUDE BREAKS BETWEEN BUILDINGS FOR VISIBILITY AND ACCESS INTO THE URBAN PLAZA AND THE SITE.

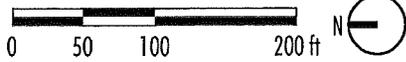
WINCHESTER BLVD

VAN SANSUL AVE

WILLIAMS ROAD

OPAL DR

ACORN WAY



CLUSTER 3

**FIGURE 39:
VISION FOR LONG-TERM
DEVELOPMENT - OPTION 1**

This long-term plan includes a grocery store as an anchor tenant for the commercial cluster. The grocery store might be new or remodeled with the entrance reoriented toward the east. This reorientation allows for new or existing retail to be concentrated closer to Winchester Boulevard for more visibility. This reorganization allows for new commercial development and a shared parking structure to the rear of the site. The long-term plan also suggests possible future development at all four corners of the intersection as permitted by the current zoning ordinance.

LEGEND

-  RETAIL
-  OFFICE
-  RESIDENTIAL
-  PUBLIC PLAZA
-  LANDSCAPING
-  PARKING
-  MONUMENT
-  EXISTING

NEW STREET-FACING RETAIL BUILDINGS ON ALL FOUR CORNERS STRENGTHENS THE IDENTITY OF THE INTERSECTION.

DESIGNATED ON-STREET PARALLEL PARKING.

RECONFIGURED INTERSECTION ELIMINATES RIGHT TURN LANE FROM WILLIAMS ROAD, REPLACES IT WITH AN IMPROVED SIDEWALK AND LANDSCAPING, AND IMPROVES CROSSWALKS.

NEW RETAIL BUILDING FACING WINCHESTER BOULEVARD WITH A SURFACE PARKING LOT BEHIND TO REPLACE THE EXISTING BUILDING.

ADDITIONAL NEW RETAIL TO COMPLEMENT THE GROCERY STORE, GROUPED AROUND A NEW PEDESTRIAN FRIENDLY URBAN PLAZA WITH SURFACE PARKING SPACES.

PROVIDE A PEDESTRIAN CONNECTION TO THE OFFICE PLAZA & COMMERCIAL CLUSTER FROM ACORN WAY.

NEW STREET-FACING RETAIL BUILDING CURRENTLY UNDER CONSTRUCTION.

REMOVE THE EXISTING GAS STATION AND REPLACE WITH A STREET-FACING CORNER RETAIL BUILDING.

INCLUDE BREAKS BETWEEN BUILDINGS FOR VISIBILITY AND ACCESS INTO THE URBAN PLAZA AND THE SITE.

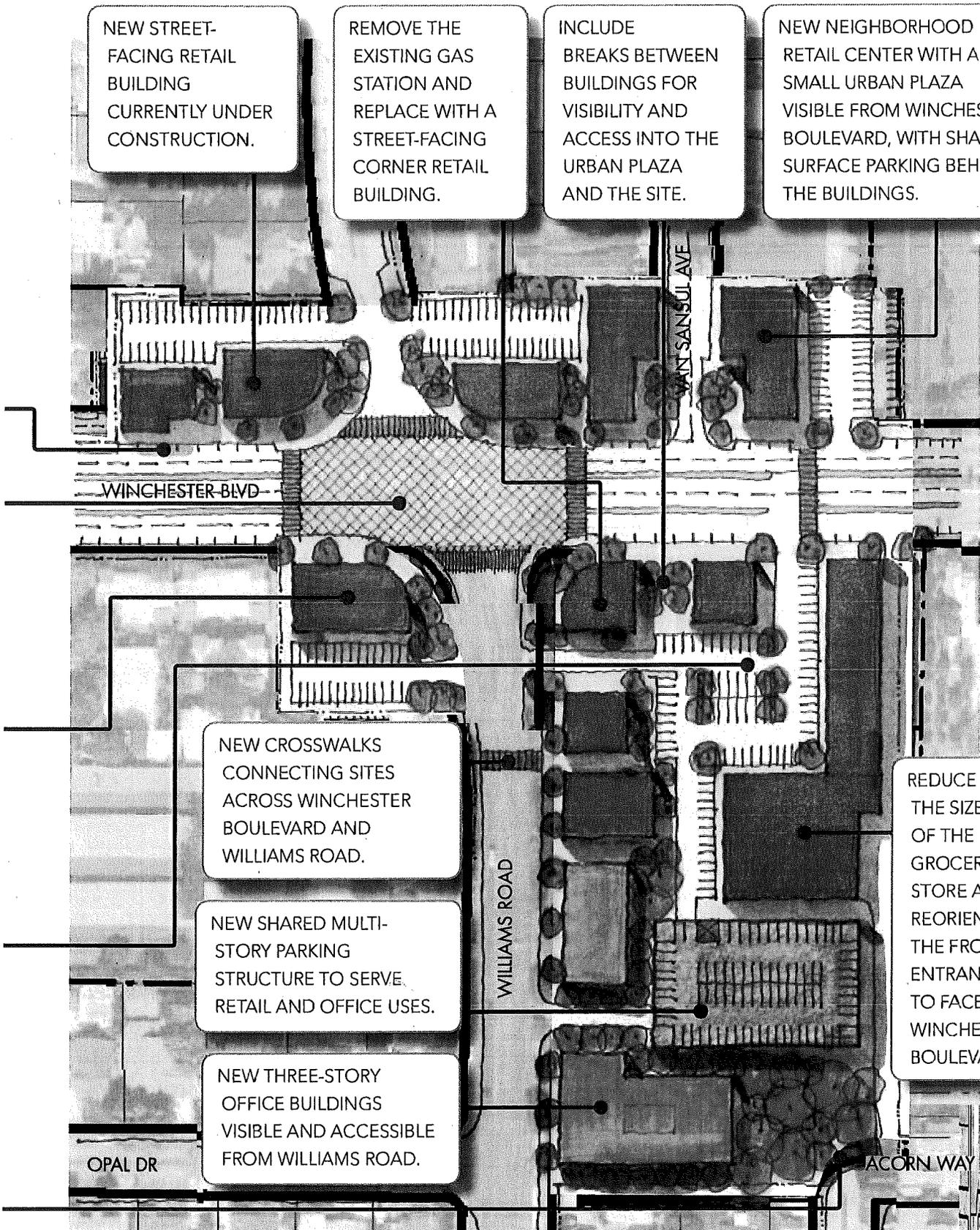
NEW NEIGHBORHOOD RETAIL CENTER WITH A SMALL URBAN PLAZA VISIBLE FROM WINCHESTER BOULEVARD, WITH SHARED SURFACE PARKING BEHIND THE BUILDINGS.

NEW CROSSWALKS CONNECTING SITES ACROSS WINCHESTER BOULEVARD AND WILLIAMS ROAD.

NEW SHARED MULTI-STORY PARKING STRUCTURE TO SERVE RETAIL AND OFFICE USES.

NEW THREE-STORY OFFICE BUILDINGS VISIBLE AND ACCESSIBLE FROM WILLIAMS ROAD.

REDUCE THE SIZE OF THE GROCERY STORE AND REORIENT THE FRONT ENTRANCE TO FACE WINCHESTER BOULEVARD.



CLUSTER 3

**FIGURE 40:
VISION FOR LONG-TERM
DEVELOPMENT - OPTION 2**

This long-term development plan shows a commercial cluster that retains the existing grocery store in its current configuration with new retail around a new urban plaza. The cluster would be served by surface parking oriented towards Williams Road. The frontage along Winchester Boulevard includes new mixed-use development. Mixed-use buildings facing the street have retail on the ground floor and residential or commercial uses above. A shared parking structure hidden in the middle of the site would serve these buildings. The long-term plan also suggests possible future development at all four corners of the intersection as permitted by the current zoning ordinance.

LEGEND

-  RETAIL
-  OFFICE
-  RESIDENTIAL
-  PUBLIC PLAZA
-  LANDSCAPING
-  PARKING
-  MONUMENT
-  EXISTING

NEW STREET-FACING RETAIL BUILDINGS ON ALL FOUR CORNERS TO STRENGTHEN THE IDENTITY OF THE INTERSECTION.

DESIGNATED ON-STREET PARALLEL PARKING.

RECONFIGURED INTERSECTION THAT ELIMINATES RIGHT TURN LANE FROM WILLIAMS ROAD AND REPLACED WITH AN IMPROVED SIDEWALK, CROSSWALKS AND LANDSCAPING.

NEW RETAIL BUILDING FACING WINCHESTER BOULEVARD WITH A SURFACE PARKING LOT BEHIND TO REPLACE THE EXISTING BUILDING.

NEW MEDIUM DENSITY RESIDENTIAL BUILDINGS ARRANGED IN PAIRS WITH SHARED LANDSCAPED COURTS.

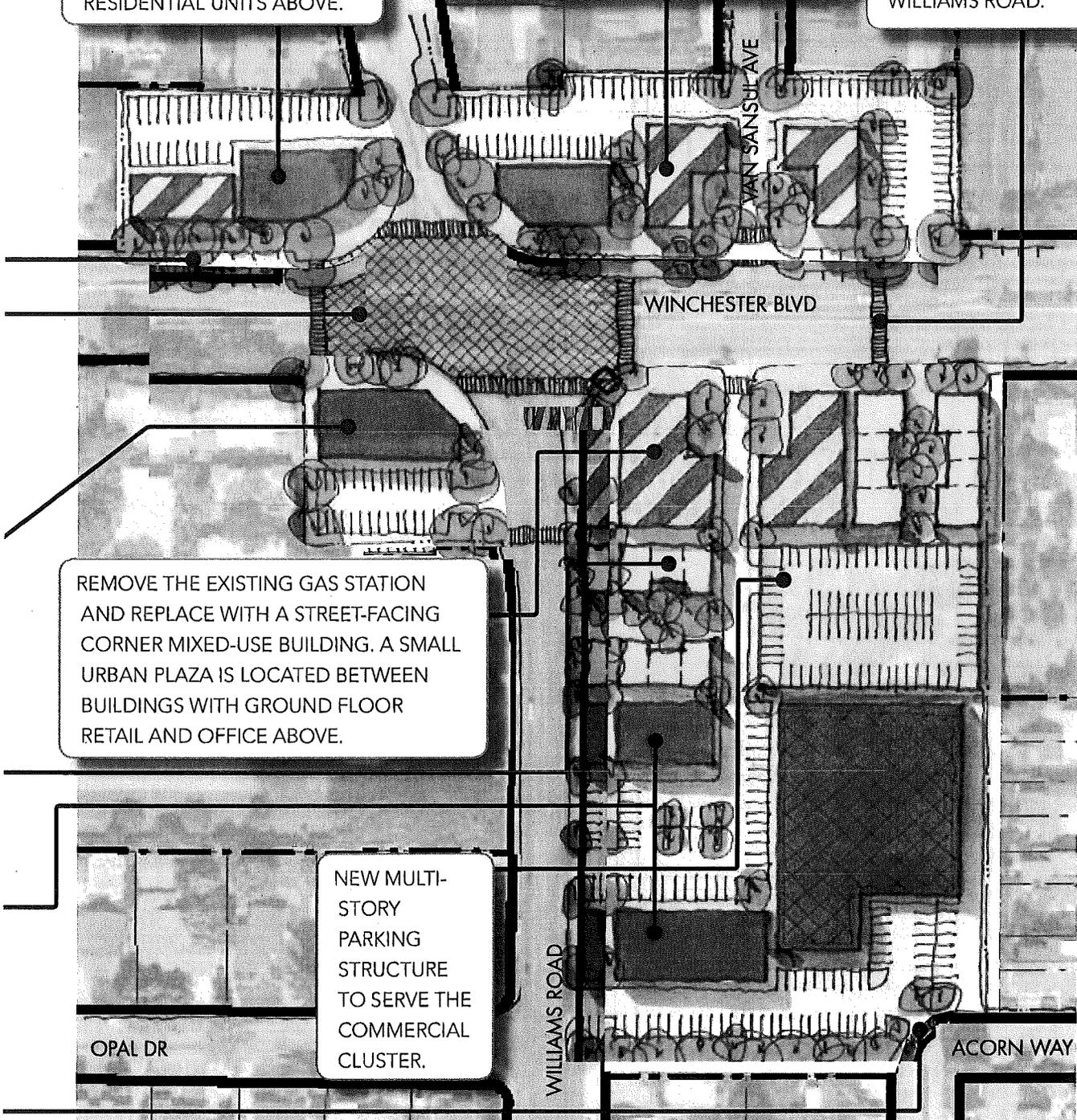
ADDITIONAL NEW RETAIL TO COMPLEMENT THE GROCERY STORE, GROUPED AROUND AN URBAN PLAZA WITH SURFACE PARKING SPACES FACING WILLIAMS ROAD.

PROVIDE A PEDESTRIAN AND VEHICULAR CONNECTION TO THE OFFICE PLAZA AND COMMERCIAL CLUSTER FROM ACORN WAY.

NEW STREET-FACING RETAIL BUILDING (CURRENTLY UNDER CONSTRUCTION) AND NEW MIXED-USE BUILDING WITH GROUND FLOOR RETAIL AND RESIDENTIAL UNITS ABOVE.

NEW MIXED-USE NEIGHBORHOOD CENTER WITH A SMALL URBAN PLAZA VISIBLE FROM THE STREET. SHARED SURFACE PARKING LOT BEHIND BUILDINGS WITH GROUND FLOOR RETAIL AND RESIDENTIAL UNITS ABOVE.

ADDITIONAL CROSSWALKS CONNECTING THE VARIOUS SITES ACROSS WINCHESTER BOULEVARD AND WILLIAMS ROAD.



REMOVE THE EXISTING GAS STATION AND REPLACE WITH A STREET-FACING CORNER MIXED-USE BUILDING. A SMALL URBAN PLAZA IS LOCATED BETWEEN BUILDINGS WITH GROUND FLOOR RETAIL AND OFFICE ABOVE.

NEW MULTI-STORY PARKING STRUCTURE TO SERVE THE COMMERCIAL CLUSTER.



CLUSTER 4

FIGURE 41:
VISION FOR NEAR-TERM
DEVELOPMENT

This near-term plan proposes some modest reorganization of the existing buildings to improve the pedestrian environment at Westpark Plaza. It also suggests that the existing gas station, at the corner of Winchester Boulevard and Payne Avenue, would be replaced with a new retail building that faces the street and better defines the corner. This is a low density development scheme with single story buildings served by surface parking lots.

LEGEND

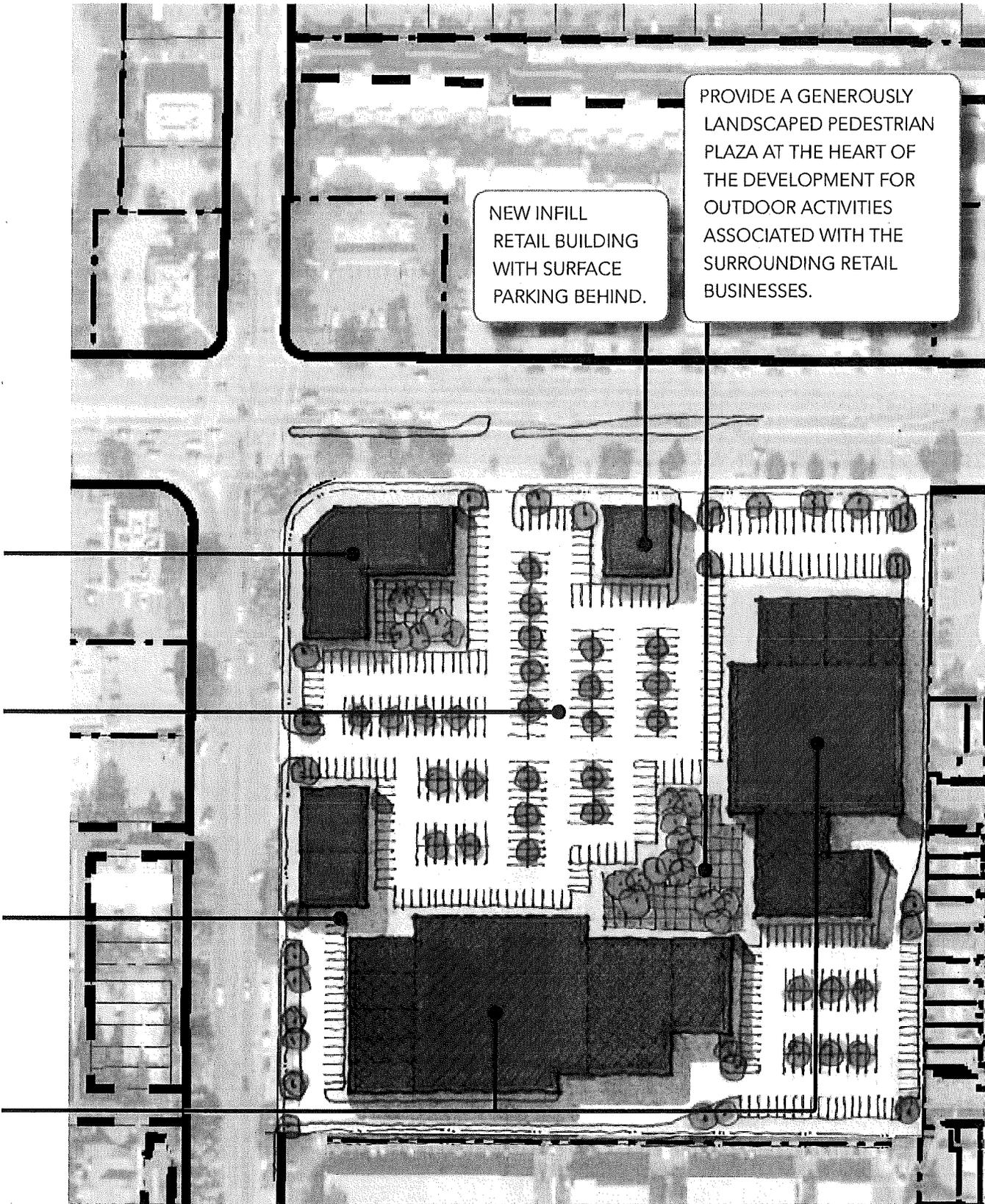
- RETAIL
- OFFICE
- RESIDENTIAL
- PUBLIC PLAZA
- LANDSCAPING
- PARKING
- MONUMENT
- EXISTING

REMOVE THE EXISTING GAS STATION ON THE CORNER OF WINCHESTER BOULEVARD AND PAYNE AVENUE, AND REPLACE THIS WITH A STREET-FACING CORNER RETAIL BUILDING AND A SMALL URBAN PLAZA FACING INTO THE SITE.

RECONFIGURE THE EXISTING SURFACE PARKING LAYOUT TO IMPROVE EFFICIENCY.

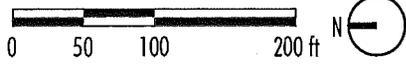
INCLUDE BREAKS BETWEEN THE RETAIL BUILDINGS FACING ONTO WINCHESTER BOULEVARD AND PAYNE AVENUE FOR ACCESS AND VISIBILITY INTO THE SITE AND THE URBAN PLAZA.

RETAIN THE GROCERY STORE AND PHARMACY, PERHAPS REMODELED, AND REORGANIZE THE SINGLE STORY RETAIL AROUND IT SUCH THAT THE BUSINESSES ARE GROUPED AROUND A NEW PEDESTRIAN FRIENDLY URBAN PLAZA WITH SOME SURFACE PARKING SPACES.



NEW INFILL
RETAIL BUILDING
WITH SURFACE
PARKING BEHIND.

PROVIDE A GENEROUSLY
LANDSCAPED PEDESTRIAN
PLAZA AT THE HEART OF
THE DEVELOPMENT FOR
OUTDOOR ACTIVITIES
ASSOCIATED WITH THE
SURROUNDING RETAIL
BUSINESSES.



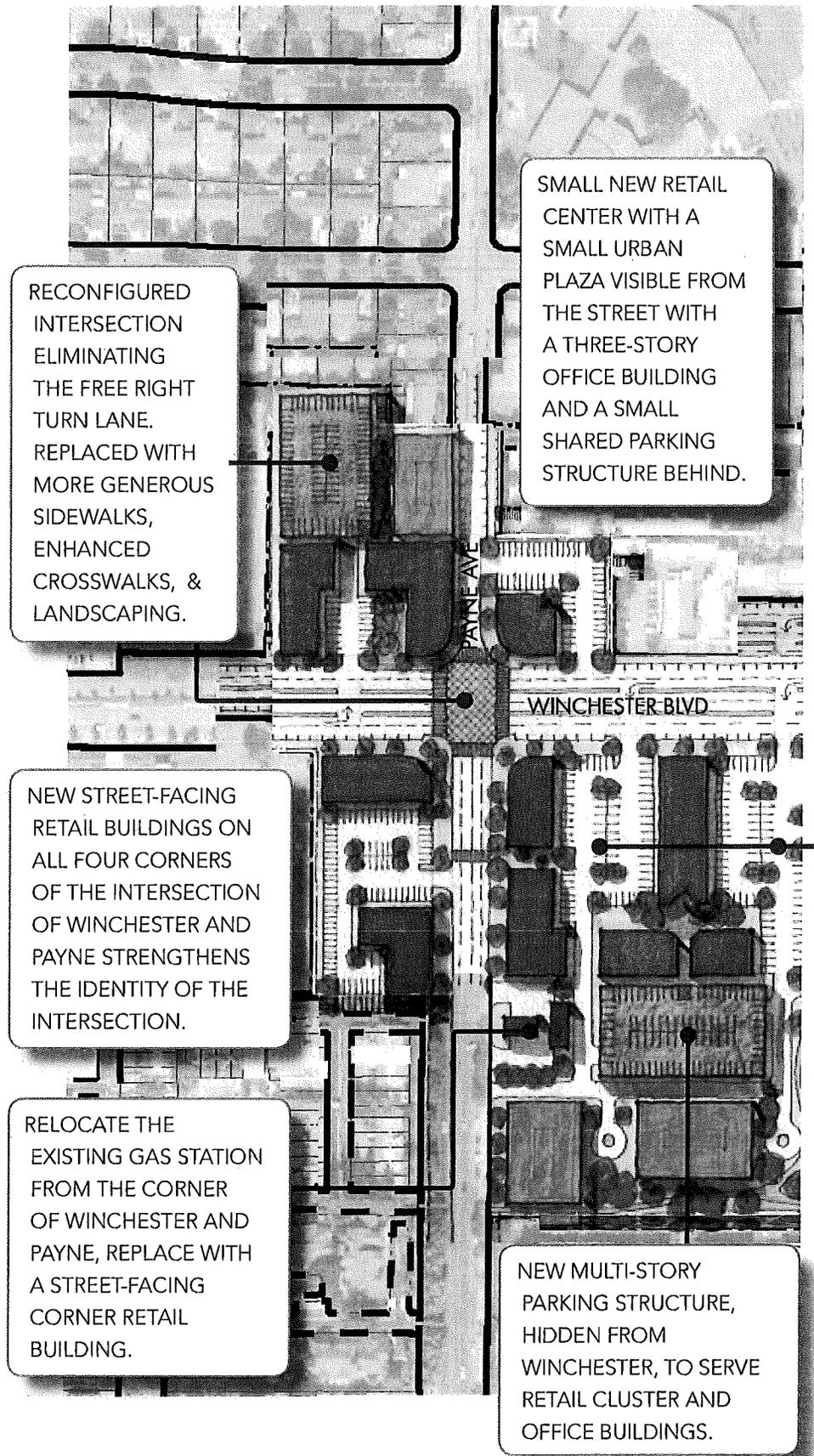
CLUSTER 4

**FIGURE 43:
VISION FOR LONG-
TERM DEVELOPMENT
- OPTION I**

This long-term development option retains the existing pharmacy, remodeled. This option suggests removing or relocating the grocery store and the gas station to another location along Payne Avenue. New retail, closer to Winchester Boulevard, would help shape two small urban plazas. Commercial development and a shared parking structure utilize the rest of the site. The long-term plan suggests possible future development on all corners of the intersection, extending south, to include Driftwood Drive on the east side of Winchester, as permitted by the current zoning ordinance.

LEGEND

-  RETAIL
-  OFFICE
-  RESIDENTIAL
-  PUBLIC PLAZA
-  LANDSCAPING
-  PARKING
-  MONUMENT
-  EXISTING



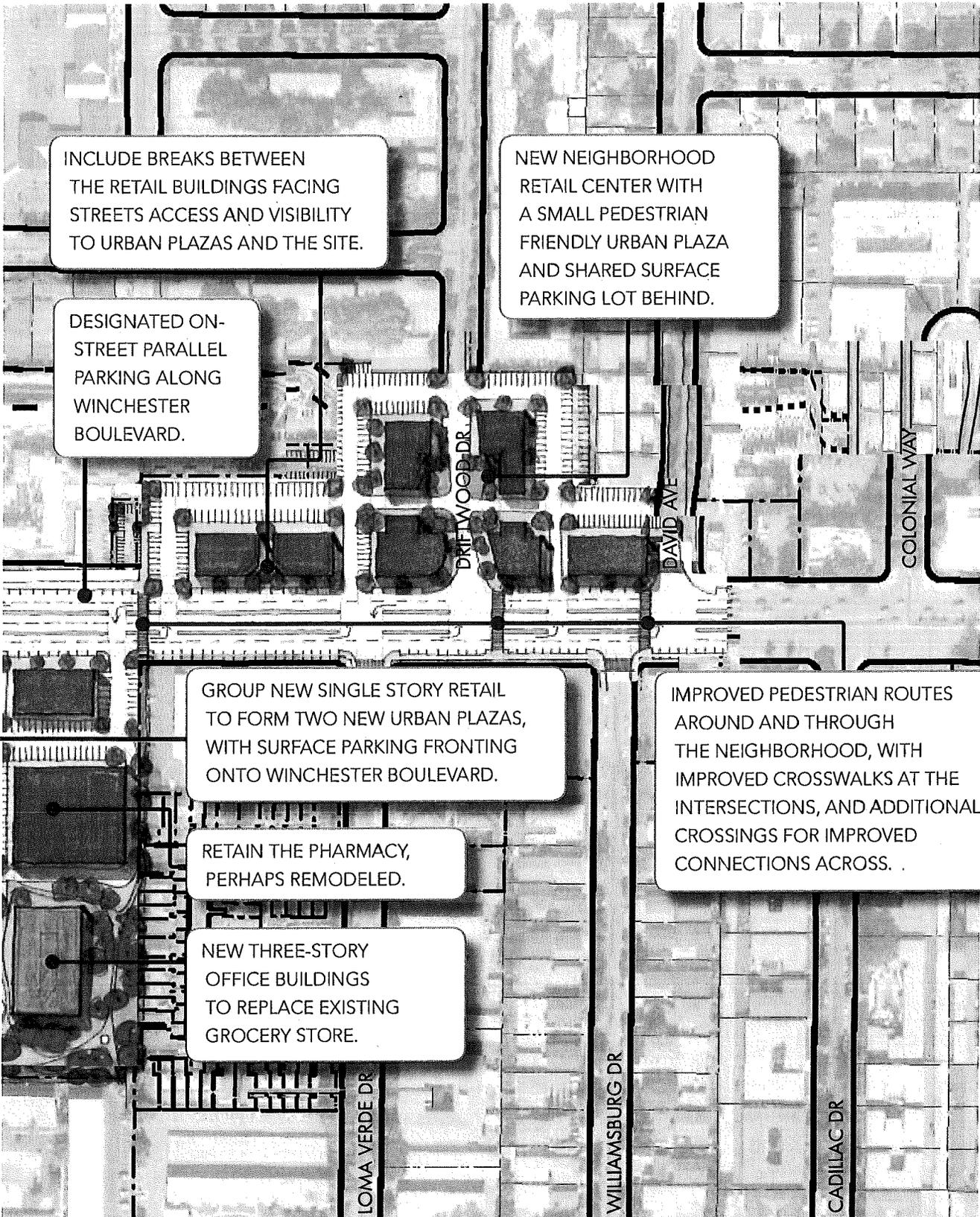
RECONFIGURED INTERSECTION ELIMINATING THE FREE RIGHT TURN LANE. REPLACED WITH MORE GENEROUS SIDEWALKS, ENHANCED CROSSWALKS, & LANDSCAPING.

SMALL NEW RETAIL CENTER WITH A SMALL URBAN PLAZA VISIBLE FROM THE STREET WITH A THREE-STORY OFFICE BUILDING AND A SMALL SHARED PARKING STRUCTURE BEHIND.

NEW STREET-FACING RETAIL BUILDINGS ON ALL FOUR CORNERS OF THE INTERSECTION OF WINCHESTER AND PAYNE STRENGTHENS THE IDENTITY OF THE INTERSECTION.

RELOCATE THE EXISTING GAS STATION FROM THE CORNER OF WINCHESTER AND PAYNE, REPLACE WITH A STREET-FACING CORNER RETAIL BUILDING.

NEW MULTI-STORY PARKING STRUCTURE, HIDDEN FROM WINCHESTER, TO SERVE RETAIL CLUSTER AND OFFICE BUILDINGS.



INCLUDE BREAKS BETWEEN THE RETAIL BUILDINGS FACING STREETS ACCESS AND VISIBILITY TO URBAN PLAZAS AND THE SITE.

NEW NEIGHBORHOOD RETAIL CENTER WITH A SMALL PEDESTRIAN FRIENDLY URBAN PLAZA AND SHARED SURFACE PARKING LOT BEHIND.

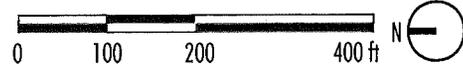
DESIGNATED ON-STREET PARALLEL PARKING ALONG WINCHESTER BOULEVARD.

GROUP NEW SINGLE STORY RETAIL TO FORM TWO NEW URBAN PLAZAS, WITH SURFACE PARKING FRONTING ONTO WINCHESTER BOULEVARD.

RETAIN THE PHARMACY, PERHAPS REMODELED.

NEW THREE-STORY OFFICE BUILDINGS TO REPLACE EXISTING GROCERY STORE.

IMPROVED PEDESTRIAN ROUTES AROUND AND THROUGH THE NEIGHBORHOOD, WITH IMPROVED CROSSWALKS AT THE INTERSECTIONS, AND ADDITIONAL CROSSINGS FOR IMPROVED CONNECTIONS ACROSS.



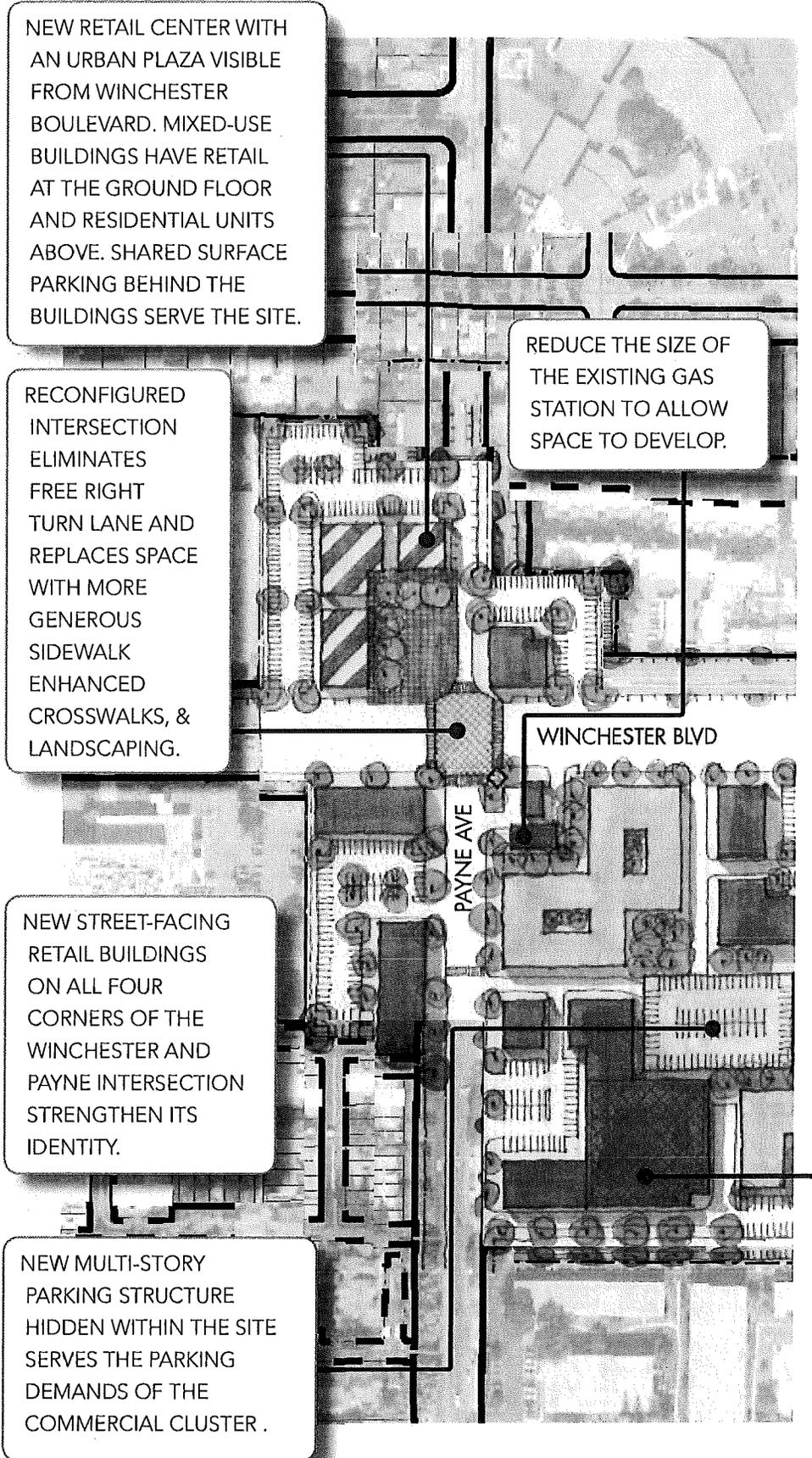
CLUSTER 4

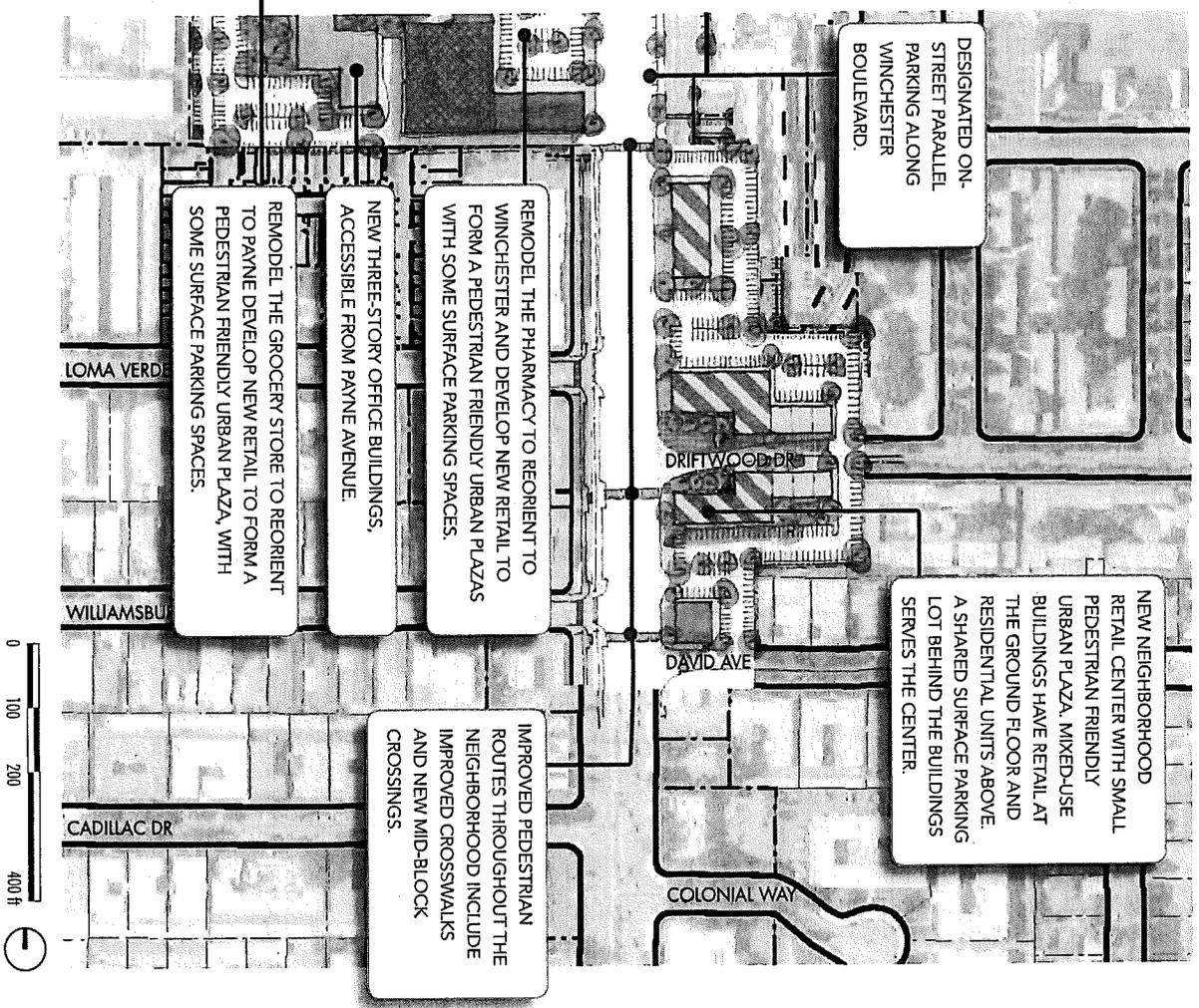
**FIGURE 44:
VISION FOR LONG-
TERM DEVELOPMENT
- OPTION 2**

This long-term option retains both the grocery store and the pharmacy but suggests that they are remodeled and reoriented to create small urban plazas facing Payne Avenue and Winchester Boulevard. The existing gas station is reduced in size to be more efficient in layout. This allows for new three-story office buildings and a centrally located shared parking structure that could serve the entire cluster. Possible future development is envisioned on all corners of the intersection, extending south, to Driftwood Drive on the east side of Winchester Boulevard, as permitted by the current zoning ordinance.

LEGEND

-  RETAIL
-  OFFICE
-  RESIDENTIAL
-  PUBLIC PLAZA
-  LANDSCAPING
-  PARKING
-  MONUMENT
-  EXISTING





Summary

The long term vision of Winchester Boulevard and its neighborhood area can be shaped in many ways. The overall vision for future development on Winchester Boulevard, generated from community participation and feedback from the workshops, is summarized in this final illustration of the entire project area. The long-term vision for each cluster is included as well as some ideas for places in between the clusters. The suggested development of sites continues to serve as a starting point that may inspire potential collaborations for the future of Winchester Boulevard.

**FIGURE 45 (FOLD OUT):
ILLUSTRATION DEPICTING A LONG-TERM
VISION OF WINCHESTER BOULEVARD AND THE
NEIGHBORHOOD AREA**

- DEVELOPMENT OF BAREC SITE**
- 165 senior housing units
 - 110 single family homes
 - 385 parking spaces
 - 1 acre public park

- POTENTIAL NEW COMMERCIAL CLUSTER #1**
- Retail, commercial, medium-density residential and shared parking structure
 - Improved connectors to Santana Row and the Winchester Mystery House
 - Enhanced landscaping
 - New street grid extending Spar and Hansen Avenues
 - Olsen connected to Maplewood Avenue

- IMPROVED CONNECTION ACROSS I-280**
- Pedestrian enhancements
 - Art / signage / sculpture linkages
 - Additional crosswalks and improved pedestrian amenities at intersections
 - Reconfigured I-280 off-ramp with additional landscaping

- POTENTIAL NEW COMMERCIAL CLUSTER #2**
- Retail, commercial, medium-density, residential and shared parking structures
 - Enhanced landscaping at 'urban plaza'
 - New street grid with improved access from I-280 off-ramp
 - New pedestrian connection from Opal Drive
 - Stronger linkages across Winchester Boulevard
 - 'Gateway' buildings at Moorpark and Winchester

- SANTANA ROW EXPANSION**
- Additional street-facing retail / office and parking structure on current surface parking lot

- VALLEY FAIR EXPANSION**
- Planned improvements
 - 550,000 sf new retail
 - 2,400 new parking spaces

