Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

	Hearing Date/Agenda Number: P.C. 04/26/04 Item:
	File Number: GP04-05-01
	Council District and SNI Area: 5 – N/A
	Major Thoroughfares Map Number: 68
	Assessor's Parcel Number(s): 601-10-082, -083
	Project Manager: Elena Lee

GENERAL PLAN REPORT

2004 Spring Hearing

PROJECT DESCRIPTION:

General Plan amendment request to change the Land Use/Transportation Diagram designation from Medium Low Density Residential (8 DU/AC) to General Commercial with a Neighborhood Business District Overlay

LOCATION: East side of White Road, approximately 100 feet northerly of Alum Rock Avenue (12,16, and 18 N. White Road)	**ACREAGE:** 0.51

APPLICANT/OWNER:

The Lawrence Company/Dr. Michael Torrano

GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Medium Low Density Residential (8.0 DU/AC)

Proposed Designation: General Commercial with a Neighborhood Business District Overlay

EXISTING ZONING DISTRICT(S): R-1-8 Residential and CP Commercial Pedestrian

SURROUNDING LAND USES AND GENERAL PLAN DESIGNATION(S):

North: Single-Family Residential – Medium Low Density Residential (8 DU/AC)

South: Commercial – General Commercial

East: City Parking Lot, Commercial, Residential – General Commercial and Medium Low Density Residential (8 DU/AC)

West: James Lick High School – Public/Quasi Public

ENVIRONMENTAL REVIEW STATUS:

Mitigated Negative Declaration pending

PLANNING STAFF RECOMMENDATION:

General Commercial with Neighborhood Business District Overlay

Approved by:
Date:

PLANNING COMMISSION RECOMMENDATION:

CITY COUNCIL ACTION:

CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:

- Department of Transportation (DOT) – The proposed land use change would not result in a long-term traffic impact.
- Pacific Gas and Electric (PG&E) – PG&E has no comments.
- Department of Public Works (DPW) – The DPW, Development Services Division, indicated that there are no significant Public Works issues or constraints for this site.
- Santa Clara Valley Water District (SCVWD) –The SCVWD has no comments on the proposed amendment.
- Valley Transportation Agency (VTA) – VTA has no comments on the proposal.
- San Jose Redevelopment Agency – The Agency supports the expansion of the commercial land use and Neighborhood Business District overlay on the subject site.

GENERAL CORRESPONDENCE:

- None Received.

ANALYSIS AND RECOMMENDATIONS:

PROJECT DESCRIPTION

This a privately initiated General Plan amendment to change the San *Jose 2020 General Plan* Land Use/Transportation Diagram designation from Medium Low Density Residential (8 DU/AC) to General Commercial with a Neighborhood Business District overlay on 0.51 acres located at the east side of White Road, approximately 100 feet northerly of Alum Rock Avenue (12, 16, and 18 North White Road). Approval of this amendment could potentially allow redevelopment of the site including demolition of a vacant restaurant building and construction of a new commercial building. A rezoning approval and Site Development Permit would be required to allow new commercial construction. Currently, a rezoning application is on file for the subject site.

The existing General Plan designation, Medium Low Density Residential (8 DU/AC), is typified by 6,000-square-foot lots with single-family residences that are characteristic of residential neighborhoods throughout the City. The proposed General Commercial land use designation is a non-specialized

commercial designation intended to permit a wide range of commercial uses. It includes both strip commercial areas along major thoroughfares as well as freestanding commercial establishments. Business and professional office uses are also allowed under this designation. Uses that have both commercial and "industrial" characteristics (such as automobile lubrication, self-service warehousing, and other similar uses) may be permitted only if they are found to be compatible with the surrounding neighborhood.

Subject Site

The Neighborhood Business District overlay designation is applied on predominantly commercial land use designations, reflecting the City's and Redevelopment Agency's Neighborhood Business District Program. It applies to commercial areas that function in their neighborhoods and communities as central business districts, providing community focus and identity through the delivery of goods and services. Uses that are typical for Neighborhood Business Districts are neighborhood-serving businesses.

BACKGROUND

The subject site consists of two parcels that are occupied by a vacant commercial building that was damaged by a fire and a 4,000-square-foot medical office building. The proposed General Plan Amendment to General Commercial reflects the existing commercial uses on the site. Currently, there is a conforming rezoning application on file for the northern 0.34-gross-acre portion of the site to change the zoning designation from R-1-8 Residential to CP Commercial Pedestrian to allow commercial uses. The remainder of the amendment site already has a CP Commercial Pedestrian zoning designation.

Site and Surrounding Uses

As indicated above, the 0.51-acre site is comprised of two parcels with existing commercial uses and buildings on the site. The existing uses surrounding the site include a single-family residential neighborhood to the north, commercial uses and the Alum Rock Village area to the south, a City parking lot to the east and James Lick High School to the west.

Residential Uses to the North

Commercial Uses to the South

The site is located within the Santa Clara Street/Alum Rock Transit-Oriented Development Corridor and is immediately adjacent to the Alum Rock Avenue Business District, which encompasses the Alum Rock Village area. The Alum Rock Village area is the original retail center for East San Jose. It was developed after 1890 as a typical commercial node served by a local streetcar line. Retail uses and new housing investments are occurring along the length of the Alum Rock Neighborhood Business District.

The Alum Rock Parking Management Zone was established by the City in 2001 to support existing and new neighborhood serving businesses by allowing a reduced off-street parking requirement. The reduced parking requirement allows the intensification of uses within the Alum Rock Village, while maintaining more pedestrian friendly commercial uses. The Alum Rock Parking Management Zone is located along the northeast, southeast and southwest corner properties along North White Road and Alum Rock Avenue, including the subject site. The City parking lot located behind the project site provides parking for the village, reducing the need for each business to provide its own parking.

ANALYSIS

Policy Consistency

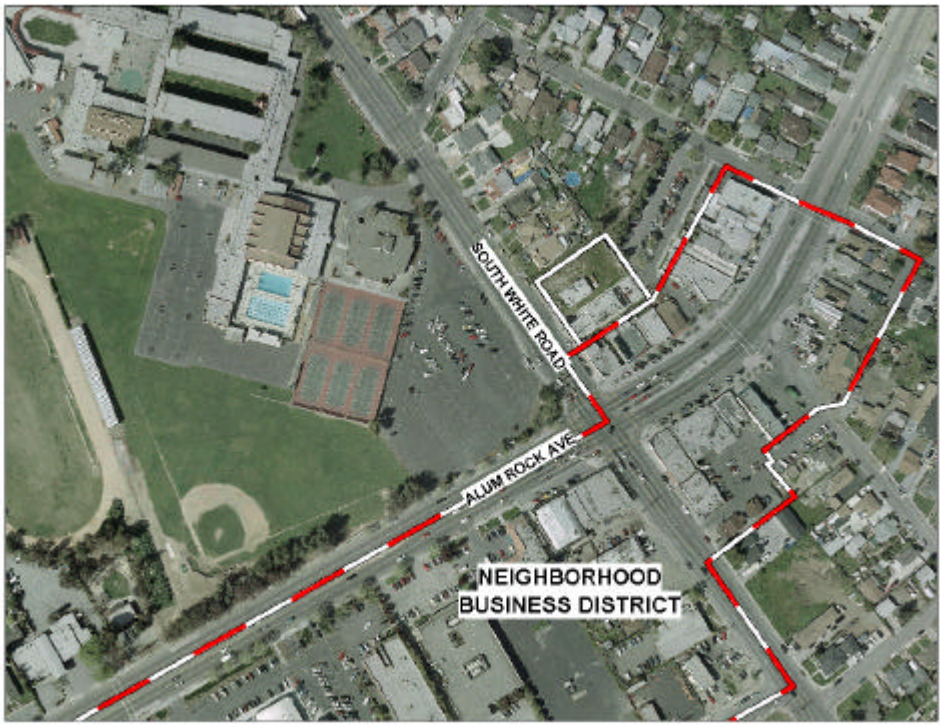
The applicant's proposal is consistent with the Major Strategies, goals, and policies of the *San Jose 2020 General Plan*. The General Plan has seven Major Strategies that identify the principles of the Plan. This amendment directly relates to two of the Major Strategies: Economic Development and Sustainable City.

The Economic Development Major Strategy supports a healthy community by encouraging more commercial growth to balance existing residential development, providing employment opportunities, and providing a strong economic base for San Jose. The Sustainable City Major Strategy encourages achieving a relative jobs/housing balance to reduce traffic congestion, pollution, wastefulness, and environmental degradation. Increasing the amount of land designated as General Commercial and

allowing new commercial uses should help to create jobs, which in turn furthers the intent of the Economic Development and Sustainable City Major Strategies.

The addition of the Neighborhood Business District (NBD) overlay is also appropriate to focus the variety of commercial uses to those that directly support the existing neighborhood, thereby enhancing neighborhood identity. The overlay also encourages a healthy mix of complementary uses. The NBD overlay is typically applied to areas within the City and Redevelopment Agency's Neighborhood Business District program. However, the program area is not proposed for expansion to include this site at this time. Nevertheless, the NBD overlay is appropriate for the subject site because it reinforces the direction for future development. New uses should serve the immediate neighborhood and encourage pedestrian activity within the Village and larger Neighborhood Business District. A substantial portion of the site is already on land that is zoned for commercial uses.

As previously noted, the site is located within a Transit-Oriented Development Corridor. These areas are designated by the City as suitable for higher residential densities, more intensive non-residential uses and mixed uses. The purpose of the Transit-Oriented Development Corridor designation is to acknowledge that this is a prime urban area where intensified uses and public transit would help create and support pedestrian-oriented neighborhoods. Allowing commercial uses on this site would implement the General Plan's goal of intensifying development in Transit-Oriented Development corridors, facilitating the greater use of public transit. Intensifying commercial uses on this property would also help further the goals of the Alum Rock Parking Management zone, which was established specifically to support commercial development in the area.



Aerial View

Land Use Compatibility

The proposed General Plan designations of General Commercial with a Neighborhood Business District overlay are compatible with the existing neighborhood. The General Commercial designation would permit a wide array of commercial uses that are compatible with the existing and planned land uses in the vicinity of the site. The Neighborhood Business District Overlay would focus the types of allowed uses to those that support the surrounding neighborhood. The site is directly adjacent to the existing Alum Rock Neighborhood Business District along the southern property line. Within the proposed designations, residential, commercial and other non-commercial uses are seen to be complementary uses. The overlay designation encourages a variety of uses to contribute to the neighborhood identity through the preservation, enhancement and revitalization of San Jose's older neighborhoods.

General Plan Urban Design Policy No.1 states that strong architectural and site design controls should be applied to protect and enhance neighborhood character by providing a proper transition between different land uses. Future commercial developments are subject to additional discretionary review and should be designed in conformance with the Commercial Design Guidelines, other City policies, and the Zoning Ordinance to address the relationship and to buffer commercial uses from the adjoining single-family neighborhood. Future development is required to be designed to provide a compatible interface with the adjacent residential neighborhood to the north. Given the past commercial activities on the site and the proximity to the Village, it is expected that this site could be developed with exemplary design in a compatible manner.

Environmental Issues

The proposed change in the General Plan land use designation on the subject site was analyzed in an Initial Study that resulted in a Mitigated Negative Declaration. The Initial Study determined that the change in land use would create a less than significant impact with mitigation measures in the following categories: Aesthetics, Cultural Resources, Geology and Soils, Hydrology, and Noise.

All of the mitigation measures consist of implementation of existing General Plan policies at the rezoning and development permit stages.

PUBLIC OUTREACH

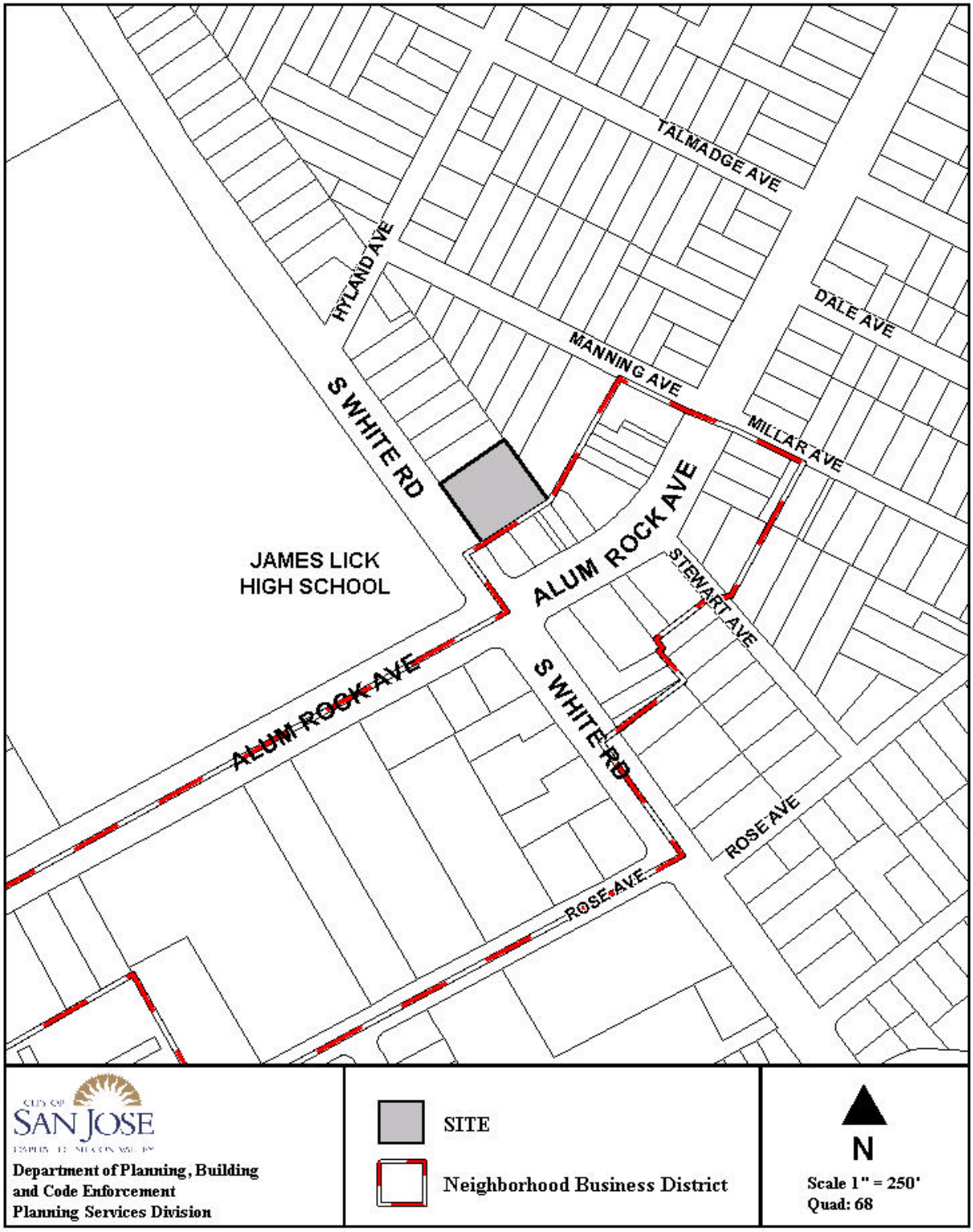
The property owners and occupants within a 1,000-foot radius were sent a newsletter regarding the two community meetings that were held on March 25th and 29th, 2004. They also received a notice of the Mitigated Negative Declaration and a notice of the public hearings to be held on the subject amendment before the Planning Commission on April 26 and City Council on June 1. Information regarding this amendment, the General Plan process, staff reports and hearing schedules were also made available to the public on the Department's web site. Staff has also been available to answer questions from the public. Staff has not received any written correspondence or phone calls from the public on this amendment.

RECOMMENDATION

Planning staff recommends the approval of the proposed change to the General Plan Land Use designation from Medium Low Density Residential (8 DU/AC) to General Commercial with a Neighborhood Business District overlay on 0.51 acres.

Attachments
PBCE002/GP_Team/2004Annual Review/Staff Reports/Spring Review/GP04-05-01.sr.doc

GP04-05-01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HYLAND AVE
DALE AVE
MANNING AVE
MILLAR AVE
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ALUM ROCK AVE
JAMES LICK
HIGH SCHOOL
STEWART AVE
ALUM ROCK AVE
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CITY OF
SAN JOSE
Department of Planning, Building
and Code Enforcement
Planning Services Division
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Neighborhood Business District
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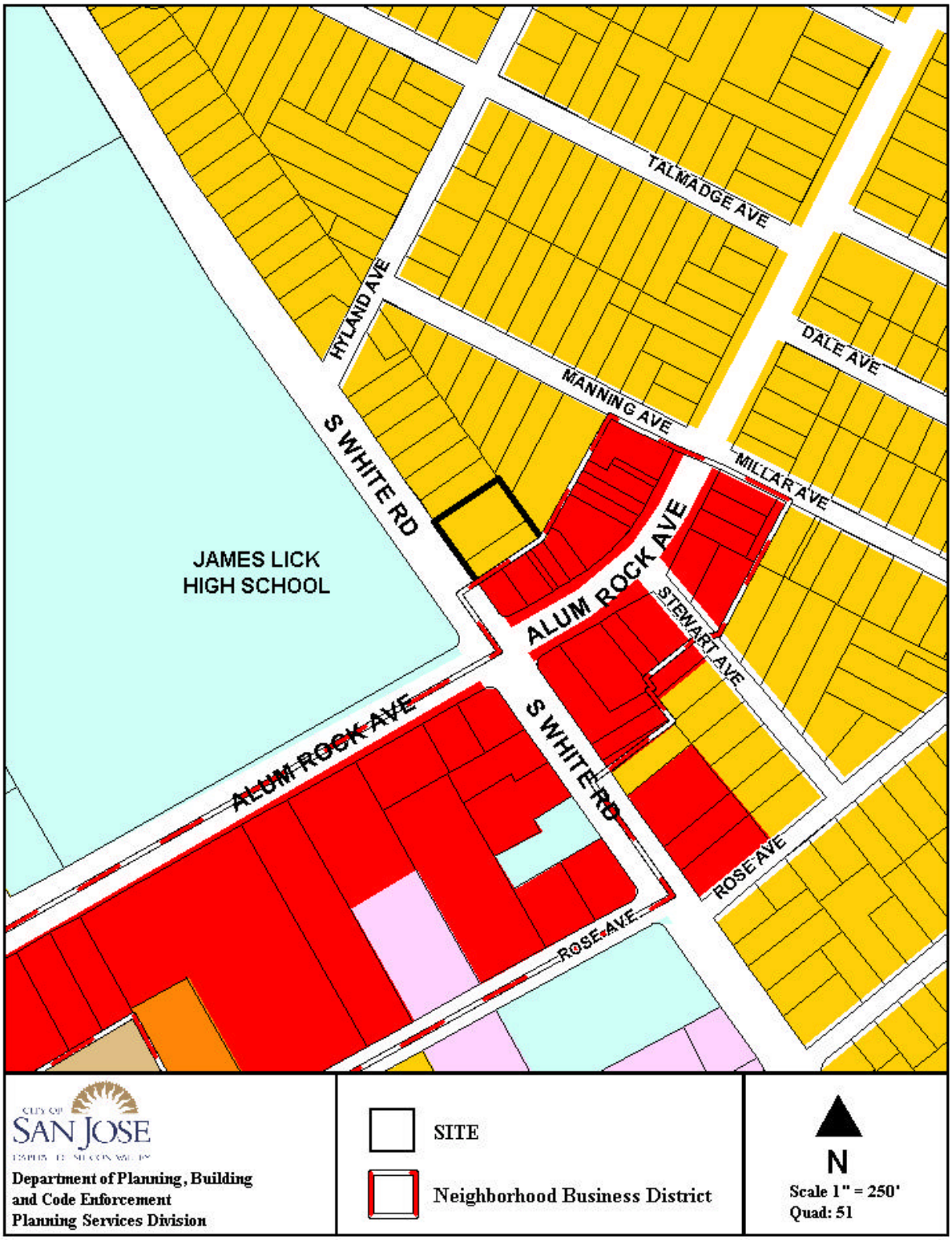
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