



SIERRA CLUB
LOMA PRIETA

Sierra Club Loma Prieta Chapter
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November 26, 2018

City of San Jose Planning Commission
[sent via email]

Subject: November 28, 2018 Item 8.a – GP17-010

Dear Chair Allen and Planning Commissioners,

The Sierra Club Loma Prieta Chapter is concerned about changing the General Plan Land Use/Transportation Diagram land use designation from Combined Industrial/Commercial to Downtown and Commercial Downtown on an approximately 10-gross acre site located at the intersection of Ryland Street and Santa Teresa Street between SR-87 and the Guadalupe River.

We attended a community meeting about this land use change on November 1, 2018 (which occurred after the Draft EIR comment period ended on October 22, 2018). Since that meeting, staff removed the proposed change to the General Plan Land Use/Transportation Diagram land use designation from Downtown to CIC Combined Industrial/Commercial on approximately 2.05 acres located on the north side of Ryland Street, east of SR-87, and south and west of Coleman Avenue.

This last-minute change shows that these Land Use/Transportation Diagram changes have not been adequately analyzed and considered. Aside from the timing of stakeholder outreach coming after the Draft EIR review period, the EIR also does not specifically analyze any impacts of this land use change. All analysis is general to the Downtown Strategy even though the 10-acre site proposed for Downtown development has many specific environmental constraints as discussed below.

Environmental stakeholders request the Planning Commission recommend that this land use change be deferred for further analysis and consideration for the following reasons.

1. Site constraints

The 10-acre site in question is not suitable for intensive development. The site is encumbered by a Water District easement along Guadalupe River to the west, a Caltrans easement for Highway 87 to the east, and a railroad easement along the south edge of the property. There is only one possible ingress and egress location on Ryland Ave. Ingress and egress concerns are heightened by the removal of the request to down-zone the 2.05-acre site from Downtown to Industrial/Commercial. That site will be developed as dense housing or mixed use which will impact traffic

in the vicinity of the 10-acre site. It is unrealistic to plan for another bridge over the Guadalupe River for ingress and egress – the Coleman Avenue bridge and the railroad bridge are already in close proximity and another bridge would further impact the river and riparian habitat. Clearly, any development at this site will require an additional bridge over the Guadalupe River. Therefore, the EIR should analyze the impacts of this additional bridge and not defer analysis to a segmented project-level review in the future.

2. Airport Land Use Considerations

The current land use designation for the 10-acre site (Combined Industrial/Commercial) was likely determined due to airport land use constraints. The site is within the 65 dB CNEL noise contour and within the Outer Safety Zone for San Jose International Airport, and also within the 162 to 212 feet structure height area, which is lower than most of downtown. The Comprehensive Land Use Plan (CLUP) for San Jose International Airport states:

The Land Use Compatibility Guidelines for Community Noise in the Goals and Policies Chapter of the San Jose 2020 General Plan, Figure 16, specifies a maximum interior noise quality level limit of 45 DNL and a long-range maximum exterior noise quality level of 55 DNL (equivalent to CNEL) for schools, hospitals, libraries and auditoriums, and a maximum exterior noise level limit of 60 DNL for residences, hotels, motels, retail and business areas, parks and playgrounds. (Page 3-3)

The CLUP also includes safety zone compatibility policies in Table 4-2 (page 4-8). In the Outer Safety Zone, the Maximum Population Density policy states “Nonresidential, maximum 300 people per acre (includes open area and parking area required for the building’s occupants and one-half of the adjacent street area)” and the Open Space Requirement is 20 percent of gross area. The Table 4-2 Land Use policy for the outer safety zone states “if non-residential uses are not feasible, allow residential infill to existing density.”

The airport land use constraints on this site expressly indicate that the location is not suitable for dense Downtown development. Furthermore, the requirement for 20 percent of the site to be open space supports an approach to land use on this site that protects the riparian habitat of the Guadalupe River, as described in more detail in the following paragraphs.

3. Riparian Corridor Enhancement Opportunity

Given the site and airport land use constraints this site has limited potential for intensive Downtown development. This situation offers an opportunity to use the Land Use/Transportation Diagram to protect the riparian corridor. The Santa Clara Valley Water District’s EIR comments about this issue elaborates on the need for riparian corridor and habitat protection (see comments C.3 and C.4 starting on page 12 of the EIR Amendment).

During the Community Meeting we asked staff about how the Riparian Corridor Policy and the setback requirements of the Habitat Plan would be implemented at this site. The response was that it would be taken into account when a development proposal is submitted. However, without strong direction developers will propose development as close to the Guadalupe River as possible, and are likely to request variances. Designating land use as Open Space at least 100’ back from

top of bank would prevent submittal of such proposals and at the same time provide enhanced riparian habitat on this highly impacted reach of the river (see proposed land use diagram below). A 150' foot section of Open Space would be preferable and would support the 20 percent open space required in the CLUP.



In conclusion, we are concerned about EIR deficiencies and the late timing of community outreach for this General Plan Amendment and therefore we request the Planning Commission recommend that the change to Downtown and Commercial Downtown on the 10-acre site should not be approved at this time and should be returned to staff for further analysis. In the community meeting, staff said there was no current development proposal for the site so we assume this change is staff-initiated. We are hard-pressed to understand the logic of staff's proposal given the constraints and issues mentioned above.

Sincerely,

Katja Irvin
Conservation Committee Co-Chair
Sierra Club Loma Prieta Chapter