

## Section 3.11 Land Use

### Introduction

This section discusses the effect of the proposed alternatives on existing land use, including consistency with airport height restrictions and applicable regional planning goals and policies. The information in this section relies upon and updates information from the April 2005 Capitol Expressway Corridor Final EIR and the August 2007 Supplemental EIR (collectively referred to as the “prior EIRs”). A summary of this information can also be found in the Capitol Expressway Corridor Background Report, which is available upon request.

### Existing Conditions

#### EXISTING LAND USES

The primary land use (refer to Figure 3.11-1) in the study area (roughly defined as the Capitol Expressway between Florence Avenue in the north and Quimby Avenue in the south) is residential. Residential land uses occur in various densities and are usually separated from the expressway by a wall or frontage road. In addition, industrial, commercial, and public uses, as well as vacant lots, are scattered along the expressway. Generally, commercial uses are located at major intersections.

Notable non-residential land uses in the corridor include the Reid-Hillview Airport, Lake Cunningham Park (which includes Raging Waters), Eastridge Transit Center and Eastridge Shopping Mall (refer to Figures 3.11-2 through 3.11-5).

The Reid-Hillview Airport is a general aviation airport owned by the County, located on the west side of the corridor, between Ocala Avenue and Tully Road. It has two runways and serves small, private planes. Lake Cunningham Park is located directly across Capitol Expressway from the airport, to the east. This regional park, which is part of the City of San Jose park system, includes a large artificial lake and Raging Waters. Southwest of the airport is the Eastridge Transit Center. This VTA transit center is a bus terminal that serves the Eastridge Mall. It includes shelters, a parking lot, and bicycle lockers. The Eastridge Mall is located within walking distance from this bus terminal, directly to the west.

#### PLANNED FUTURE LAND USES AND APPROVED PROJECTS

The City of San Jose website lists two future annexations of unincorporated County islands in the study area (Capitol No. 57, along the east side of Capitol Avenue roughly between Alum Rock Avenue and Story Road). These unincorporated areas are almost entirely developed with residential uses.

## Environmental Consequences

### APPROACH AND METHODOLOGY

The analysis of effects related to land use was based on a qualitative assessment that included evaluation of land use compatibility and consistency of the proposed alternatives with applicable plans, programs, and policies pertaining to land use in the Capitol Expressway Corridor.

### EFFECTS AND MITIGATION MEASURES

#### *No-Build Alternative*

The No-Build Alternative is not anticipated to result in an adverse land use impacts.

#### *Light Rail Alternative*

##### **Impact: Incompatibility with Adjacent Land Uses**

Utility towers that would be relocated to the east side of Capitol Expressway would be placed within the right-of-way, near Lake Cunningham Park and commercial uses at Tully Road, and a 40-foot aerial easement would be required for wire sway. This should not affect the existing land uses, but new structures would be prohibited within these easements.

A TPSS is proposed at the southwest corner of the Capitol Expressway/Ocala Avenue intersection, on undeveloped airport property that is designated for commercial or transit-related use. This would not result in any existing or planned land use conflicts.

In terms of the FAA's height restrictions in the vicinity of an airport, VTA submitted a Notice of Proposed Construction or Alteration on March 31, 2011, in accordance with the FAA's 14 CFR 77. On May 13, the FAA responded that the project is not a hazard to aviation. This documentation can be found in Appendix I.

The Eastridge Transit Center is subject to the density limits discussed in the RH-CLUP (600 persons based on the 6-acre site). The total boardings at this transit center are anticipated to be 1,541 in 2035, which is more than the 600-person limit, but these boardings are anticipated to be distributed throughout the day, with no conflict with the RH-CLUP requirements.

In 2008 the City of San Jose prepared a feasibility study for the Lake Cunningham Park that includes a regional trail along the Capitol Expressway from Tully Road to Cunningham Avenue. This trail would



Aerial view of the Capitol Expressway Corridor

Source: Google Earth 2009

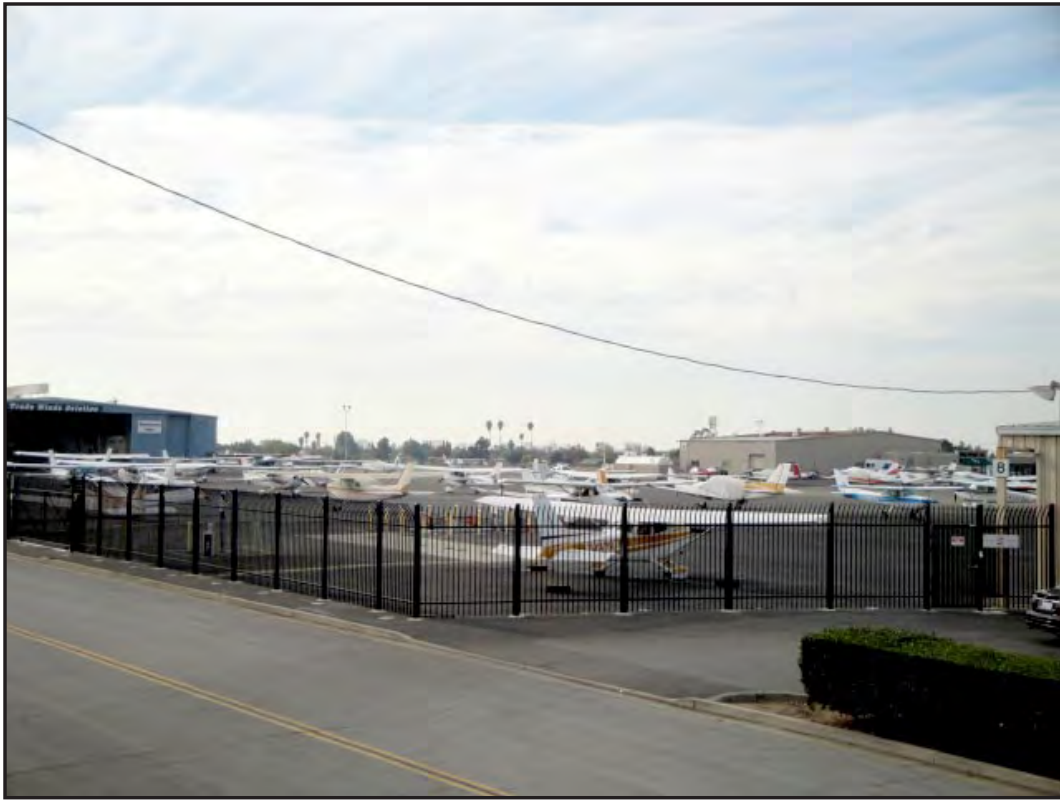


Residential Development



Commercial Development

**Figure 3.11-1**  
**Typical Land Uses**



3.11-2a. Reid-Hillview Airport



3.11-2b. Reid-Hillview Airport Ballfield and Hanger



3.11-3a. Lake Cunningham Picnic Area



3.11-3b. Raging Waters



3.11-4. Eastridge Transit Center



3.11-5. Eastridge Shopping Mall

link the future Lower Silver Creek Trail to the Thompson Creek Trail. Construction of this trail is anticipated for late 2011.<sup>1</sup> The 115kv poles adjacent to Thompson Creek between Tully Road and Quimby Road would be relocated as part of this alternative.

It is anticipated that with the introduction of the Light Rail Alternative and with the development or redevelopment of parcels, land use in and around transit hubs along the corridor will intensify.

**No adverse effects. No mitigation required.**

**Impact: Inconsistent with Applicable Regional Goals and Policies**

The San Jose 2020 General Plan, which governs land use decisions within the Capitol Expressway Corridor, supports TOD and the expansion and enhancement of existing transportation corridors. The Light Rail Alternative would be consistent with the TOD section of the general plan because it would enhance mass transit along an existing transportation corridor and would not involve low-intensity development or auto related uses. The San Jose Zoning Ordinance and zoning maps do not designate permitted uses for the Capitol Expressway median. The Light Rail Alternative would extend the Capitol Light Rail Line and consequently connect residential, industrial, and commercial zones throughout San Jose. Therefore, the Light Rail Alternative would be consistent with permitted land uses and goals, and will be a beneficial change in land use supporting future development and redevelopment in these areas.

The Light Rail Alternative would be in compliance with the East Valley/I-680 and West Evergreen Neighborhood Improvement Plans, which were developed as part of the SNI. The plans contain goals and action items for making quality of- life improvements. In particular, the Light Rail Alternative would be in compliance with East Valley Plan/I-680's Goal 2, which is to improve connections in the area so that community members can safely and easily travel to work, school, home, and leisure activity destinations. The *Valley Transportation Plan 2035* (VTP 2035) (VTA 2009) provides policies and programs for roadways, transit, intelligent transportation systems, bicycle and pedestrian facilities, and land use for Santa Clara County. It includes programs to coordinate with local governments regarding land use and transportation decisions. The land use goals and objectives section in Chapter 3, *Planning Initiatives*, of VTP 2035 outlines goals and objectives for future transportation and development in Santa Clara County. The Light Rail Alternative would be in compliance with

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<sup>1</sup> 2008 Lake Cunningham Regional Park Feasibility Report, prepared by Callander Associates, for the City of San Jose.



several of these objectives. In particular, placing the light rail alignment within the Capitol Expressway median would protect Santa Clara County's natural resources by using existing rights-of-way, infrastructure, and paved areas. Furthermore, the Light Rail Alternative would better serve both existing and planned residential communities and reduce the need for automobile use between residential neighborhoods, shopping, and other business districts.

The Santa Clara County Airports Master Plan is used as the basis for future development of the Palo Alto, Reid-Hillview, and South County Airports. Reid-Hillview Airport is adjacent to a portion of the Capitol Expressway Corridor near Cunningham Avenue. Although the Light Rail Alternative would encroach on existing airport land, VTA and airport authorities would implement an agreement of use of the LRT line in this portion of the corridor that would ensure that there would not be any conflicts with the airport's existing policies or programs and that the Light Rail Alternative would be in compliance with Federal Aviation Administration regulations. VTA would also work with the County to minimize any conflicts with the master plan update that is currently being prepared. As a result, there would not be any substantial adverse effects resulting in conflicts with applicable plans, policies, or programs related to land uses under this alternative. Overall, the Light Rail Alternative would be in compliance with the applicable local plans, programs, and policies related to land use. There would be no adverse effect.

**No adverse effects. No mitigation required.**

### Project Options

The above discussion is inclusive of the Light Rail Alternative options.

## **CUMULATIVE EFFECTS**

### *No-Build Alternative*

The No-Build Alternative would not contribute to cumulative impacts on land use.

### *Light Rail Alternative*

The Light Rail Alternative in combination with other reasonably foreseeable projects would not require or result in any changes in land use or zoning designations. For these reasons, the Light Rail Alternative will not result in cumulative adverse effects to land use.