

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

Hearing Date/Agenda Number
P.C. 06-09-04, Item: 4.e.
C.C. 06-15-04 Item 11.6

STAFF REPORT

File Number
PDC 03-057

Application Type
Planned Development Rezoning

Council District
7

Planning Area
South

Assessor's Parcel Number(s)
477-20-021, 026, 050, and 132

PROJECT DESCRIPTION

Completed by: Jeff Roche

Location: Easterly side of Senter Road, approximately 600 feet southerly of Needles Drive

Gross Acreage: 7.20 Net Acreage: 4.50 Net Density: 48 DU/AC

Existing Zoning: A-Agriculture & LI-Light Industrial Existing Use: Former ranch/agriculture and vacant

Proposed Zoning: A(PD) Planned Development Proposed Use: Up to 218 affordable, attached residential units and associated parking garages and improvements, and approximately 8,500 square feet of residential support uses.

GENERAL PLAN

Completed by: JR

Land Use/Transportation Diagram Designation
Public Park/Open Space and High Density Residential (25-50 DU/AC)
Project Conformance:
 Yes No
 See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: JR

North:	Office and Industrial Park	IP Industrial Park
East:	Coyote Creek and High School	A Agriculture
South:	Elementary School and Industrial Park	A (PD) Planned Development
West:	Detached Residential and Office	I Light Industrial and A(PD) Planned Development

ENVIRONMENTAL STATUS

Completed by: JR

Environmental Impact Report Exempt
 Draft Negative Declaration circulated for public review on May 7, 2004 Environmental Review Incomplete

FILE HISTORY

Completed by: JR

Annexation Title: McKinley Nos. 83, 89 and 93 Date: 11/21/1979, 7/27/1981, and 2/1/1986

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval Date: _____ Approved by: _____
 Approval with Conditions Action
 Denial Recommendation

APPLICANTS

City of San Jose
Attn: Thomas Zia
Supervising Real Estate Agent
84 West Santa Clara Street, Suite 460
San Jose, CA 95113

OWNERS

Carroll, Ril & Gene Trust
Attn: Eugene Carroll
1896 Senter Road
San Jose, CA 95112

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: JR

Department of Public Works

See attached memoranda.

Other Departments and Agencies

See attached memoranda from the City of San Jose Fire Department, Police Department, Environmental Services Department, Department of Transportation, and Parks, Recreation and Neighborhood Services Department.

See attached letters from the Santa Clara Valley Water District, Santa Clara Valley Transportation Authority, County of Santa Clara, Roads and Airports Department, State of California, Department of Fish & Game, US Fish and Wildlife Service, and the Great Oaks Water Company.

GENERAL CORRESPONDENCE

See attached emails and letters from the project developer, attorneys representing the Sheet Metal Worker's Union, and a member of the neighborhood.

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicants, the City of San Jose and the Carroll Trust, on behalf of the project developers, Charities Housing Development and Core Development are requesting a Planned Development Rezoning from the A Agriculture and IP Industrial Park Zoning Districts to A (PD) Planned Development, to allow the development of up to 218 affordable, attached residential units and approximately 8,500 square feet of residential support uses on approximately 7.20 gross acres, resulting in a density of 48 units per acre. Potential tenants for the community-serving space are a Grandparent Caregiver Resource Center and the American Indian Educational Center Alliance.

The site is approximately 7.2 acres in size and has been used for agricultural purposes for a number of years. The existing character of the project site is that of a former ranch, with three residential structures, remnants of an orchard, agricultural buildings and sheds, garages, horse-stables, barns, and miscellaneous equipment. The site slopes gently towards from Senter Road to Coyote Creek to the east. Mature trees from the remnant orchard and grassy vegetation are located in the center of the site. Access to the site is currently from several small, gravel/dirt driveways along Senter Road

Surrounding land uses include single-family detached residential and office uses to the west, office and industrial park uses to the north, and Coyote Creek and a high school (across Coyote Creek) to the east, and an elementary school and industrial park uses to the south.

Project Description

The project proposes a maximum of 218 affordable, attached residential units that wrap around two parking garages. The project site will be divided by a new, private driveway that splits the site into northerly and southerly halves. An above ground, five-level parking garage is located on either side of the driveway. Wool Creek Drive currently terminates at the northeasterly and southeasterly corners of the project site. The project proposes to connect Wool Creek Drive through the site providing a frontage road along the Coyote Creek. The proposed garages are surrounded by residential units so that they are not visible from adjoining properties or public streets. Community serving/residential support uses are proposed along both sides of the new private driveway. Additional surface parking is proposed along the northerly and southerly sides of the new private drive. The residential units that surround the internal parking structures are four-story buildings, with a five-level garage in the middle of each of them.

Landscaped pedestrian connections provided within the development proposal connect to Senter Road and Wool Creek Drive. Bus lines that serve the site include: Santa Clara Valley Transportation Authority VTA Route No. 73 (Snell & Capitol to Downtown San Jose), Route No. 25 (Story to De Anza College), and Route No. 26 (Eastridge to Sunnyvale/Lockheed Martin). The VTA has requested that the developer provide a new bus stop along the easterly side of the project's frontage on Senter Road, northerly of the new private driveway. The requirement for a bus stop has been included in the Draft Development Standards for the project.

Primary vehicular access to the property will be from Senter Road via a new private driveway located in the middle of the site. Wool Creek Drive will provide a second public street access to the site and will allow families to the north (parents and children) to access George Shirakawa Elementary School to the southeast, by vehicle or on foot, without having to travel through the industrial park uses to the south of the project site. The existing portion of Wool Creek Drive running through the school site is closed with bollards, and there are no plans to open it as a through street.

Given the site's proximity to Coyote Creek, the lowest floors of the development are proposed to be elevated. Building support systems such as HVAC, electrical, plumbing and air conditioning equipment will be elevated above the base flood elevation or protected from possible flood damage.

PUBLIC OUTREACH

A community meeting was held on March 25, 2004 (see attached flier). The majority of the 40 citizens in attendance expressed opposition to the project. Concerns included traffic congestion, parking, school crowding, reduction in property values and rents, the appropriateness of high-density housing, and the adequacy of community services such as parks and libraries. The project was also presented at the February 4, 2004, Tully/Senter Strong Neighborhood Coalition (SNC) Meeting.

Notices of the public hearing before the Planning Commission and City Council were published, posted on the City of San Jose web site and distributed to the owners and tenants of all properties located within 1,000 feet of the project site. Additionally, a Draft Mitigated Negative Declaration was mailed to all owners and tenants of property within 1,000 feet of the project site and posted on the City web site. Both the Draft Mitigated Negative Declaration and the Hearing Notice were mailed to all those who placed their name and addresses on the mailing lists for the community and SNC meetings. Staff has been available to discuss the project with members of the public.

ENVIRONMENTAL REVIEW

The environmental impacts of this project were addressed in an Initial Study and Mitigated Negative Declaration circulated by the Director of Planning, Building and Code Enforcement on May 7, 2004. Based on the traffic study prepared for the rezoning, the Public Works Department determined that the project conforms to the City's Transportation Level of Service Policy and that no mitigation is required. Mitigation has been included in the project to ensure that the project does not result in significant impacts in the areas of air quality, biological resources, special status plant and animal species, archaeological/cultural resources, geology, water quality and noise. This mitigation consists of dust control during construction, replacement trees and landscaping, implementation of a detailed riparian restoration plan, avoidance for plants and animals, standard mitigation measures for archaeological resources during subsurface construction, preparation of detailed geo-technical studies, erosion and dust control during construction and sound attenuation. Based on this mitigation, the Negative Declaration concludes that the project will not result in a significant environmental impact.

GENERAL PLAN CONFORMANCE

The subject property is designated *Public Park/Open Space and High Density Residential (25-50 DU/AC)* on the City of San Jose 2020 General Plan Land Use/Transportation Diagram. The residential designation was approved by the City Council through a General Plan Amendment (File No. GP 02-07-05). The easterly portion of the site adjacent to Coyote Creek is designated Public Park and Open Space. This area coincides with the area shown on the plans as dedicated to the Santa Clara Valley Water District (SCVWD) with an easement to the City for parks and access purposes. The balance of the site is designated High Density Residential (25-50 DU/AC) and is proposed for development at a density of 48 DU/AC, consistent with this designation. The community support uses on the first floor of the proposed development are consistent with the High Density Residential designation's provision for ground floor commercial uses. The project furthers the goals and strategies of the General Plan for high-density, infill housing within the Urban Service Area.

The General Plan contains Housing Policies, which encourage a diversity of housing types and socioeconomic strata throughout the City to avoid an over-concentration of a single socioeconomic group in one area of the City. For this reason, the General Plan specifies that affordable housing should be dispersed throughout the City and promotes equitable distribution of affordable housing.

Since Fiscal Year (FY) 2000, land use applications have been submitted for approximately 5,617 affordable units citywide which are at various stages of the approval or construction process. Approximately 44 percent of the total affordable units for which applications were filed between FY 2000 through FY 2004 are located in Council District 7. While the subject project alone will not result in an over-concentration of affordable housing, continuation of the current trend threatens to focus the City's affordable housing in a limited area and reinforce the existing socioeconomic inequities among Council Districts. This issue should be considered carefully in the planning process for future affordable housing projects.

ANALYSIS

The primary issues associated with this proposal are site design/neighborhood connectivity and conformance with the Residential Design Guidelines.

Site Design, Neighborhood Connectivity and Security

A primary site design consideration for this project has been the need to connect the two ends of Wool Creek Drive that currently stub into the northerly and southerly boundaries of the site. The project, as proposed by the applicant, now provides for construction of the street through the site. Completion of this connection is important to avoid the creation of an isolated residential enclave. The street will connect the project and the residential neighborhoods to the north and provide a vehicular and pedestrian connection to the elementary school located to the south of the project site. Currently, children living north of the site must walk along Senter Road and through the industrial park to access the school. The street will provide a safer and more direct pedestrian route to the school for children of the project and the surrounding area and better integrate the proposed project with the neighborhood.

The street connection will also provide a frontage road along Coyote Creek in conformance with the recommendations of the General Plan and Riparian Corridor Policy. The frontage road will serve as a buffer between the proposed development and the Creek, improve safety of the riparian corridor by increasing visual surveillance of the area, and provide the public visual access to the beauty of the riparian corridor. Because the existing ends of Wool Creek Drive are fixed points, the street connection will result in the need for some work within the Creek channel. The biotics report and Initial Study provide for on-site re-vegetation and other measures to mitigate these impacts. Based on this analysis, staff concludes that the connection of Wool Creek Drive through the site furthers the City's goals for development adjacent to riparian corridors and provides significant benefits to the project and the surrounding neighborhood.

The project developers have been working to address potential security issues as identified in the attached correspondence. They have proposed property management and maintenance personnel on the site during the day and a resident on-site manager available in each building during the evening and nighttime hours. Details of on-site project security measures will continue to be reviewed by the Police Department as part of the Planned Development (PD) Permit process.

Conformance with the Residential Design Guidelines (RDG)

The primary issues for this project relative to the Residential Design Guidelines include: 1) structured parking; 2) pedestrian/transit orientation & open space; and 3) land use compatibility/neighborhood interface.

Structured Parking

Parking for vehicles and bicycles will be provided at ratios that meet or exceed the recommendations of the Residential Design Guidelines. The proposed parking garages include a total of over 414 parking spaces in two structures which take access from the proposed private driveway. Access between the garages and the residential units is provided by interior hallways that surround the parking structures and connect them with the residential buildings. Guest parking is provided on the first level of each parking garage. An intercom system at each garage entry gate will allow guests to enter and park within the garage. A trash compactor and recycling bins will be located within each parking structure. The bins will be moved to designated areas on the private drive for trash pick up. Signage will be provided to prevent parking in these areas on trash pick-up days.

The proposed design, which wraps the garages with housing units and community serving uses, greatly reduces the visibility of these large structures from within the site and provides an appropriate interface with the existing neighborhood.

Pedestrian/Transit Orientation and Open Space

The Residential Design Guidelines (RDG) specify that projects should include direct and attractive pedestrian access to nearby transit stops and stations, and that sidewalks and walkways should be wide and bordered by attractive landscaping. The project proposes pedestrian connections to both adjoining public streets, including wide pedestrian walkways the full length of the new driveway. Pedestrian circulation will be reviewed in greater detail as part of the Planned Development Permit process.

Several common open space areas (including a workout area, tot lot, and pool) are proposed within the project, in addition to private open space areas in the form of balconies and patios. All the common open space areas are linked with a system of walkways. The Draft Development Standards include open space requirements in conformance with the Residential Design Guidelines.

Land Use Compatibility/Neighborhood Interface

Setbacks

The Draft Development Standards for the project require a minimum 30-foot setback along the westerly side of the site, adjacent to Senter Road. The minimum building setback along the northerly and southerly sides of the site are 20 feet and 16 feet respectively. Minimum setbacks of 25 feet are proposed from Wool Creek Drive, along the easterly side of the site.

Office and industrial park uses currently exist on the northerly (APN's 477-20-133, 147, and 148) and southerly (APN's 477-20-122, 123, 124, and 125) sides of the site (see attached Assessor Parcel Map). For purposes of building setbacks, these uses are treated as incompatible uses in the Guidelines. The project exceeds the minimum setback of 15 feet along both these interfaces. The Guidelines require a minimum 35-foot setback along both Senter Road and the extension of Wool Creek Drive. Given the urban nature of the area and the unusual shape of the site, staff has concluded that the reduced setbacks of 30 feet (west) and 25 feet (east) are appropriate and in keeping with the character of the neighborhood.

A single-family detached residential property, with a home occupation (APN 477-20-030), is located immediately west of the subject site along the Senter Road frontage. The Guidelines call for setback from single-family residential uses of two feet for every foot of building height, resulting in a 100 foot setback along the interface with this parcel. Staff believes that such a setback would be inappropriate in this situation, given the High Density General Plan designation of the area, and that the proposed setback of 14 to 20 feet, is adequate. Staff will work with the developer at the Planned Development Permit stage to ensure that appropriate landscaping is provided in the setback area to provide maximum buffering between the properties.

Pedestrian Connectivity

A General Plan Amendment request for the property to the north of the subject site (File No. GP 03-07-09) proposes to change the Land Use Transportation/Diagram from Industrial Park to High Density

Residential (25-50 DU/AC). A similar request is expected on the property to the south and on the small single-family property between the subject site and Senter Road. Approval of these amendments would provide opportunities to create a more integrated residential neighborhood in an area that now includes rather isolated residential enclaves. In an effort to keep options open for neighborhood connectivity, staff has included a condition to the Draft Development Standards requiring that the applicant to provide easements to these properties for pedestrian access if they are developed with residential uses. This would allow the walkways along the northerly and southerly boundaries of the site to become paseos serving units on both sides of the property line, creating safer and more active pedestrian connections to Senter Road and Wool Creek Drive and ensuring that the future residential projects are not isolated from one another.

Conclusion

Based on the above analysis, staff concludes that the proposed project provides a significant opportunity to further important goals and strategies of the General Plan for transit-oriented, affordable, high-density, infill development within the Urban Service Area. Staff further concludes that the project conforms to the Residential Design Guidelines and is compatible with the surrounding neighborhood, will provide new and improved connectivity within the neighborhood, and conforms to the City's Riparian Corridor Policy.

RECOMMENDATION

Planning staff recommends that the City Council approve the subject rezoning for the following reasons:

1. The proposed project is consistent with the San José 2020 General Plan Land Use/Transportation Diagram designation of High Density Residential (25-50 DU/AC).
2. The proposed project conforms to the Residential Design Guidelines.
3. The project furthers the goals and objectives of the City's infill housing strategies and promotes transit usage.
4. The proposed rezoning is compatible with existing and proposed uses on the adjacent and neighboring properties.

c: Dan Wu, Director Housing Development, Charities Housing Development, 465 South First Street, San Jose, CA 95113

Paul Ring, Core Development, 470 South Market Street, San Jose, CA 95113

Brad Brown / Dave Mitchell, City of San Jose, Parks, Recreation and Community Services Department

Tom MacRostie, City of San Jose, Housing Department

Patrice Shaffer, Planning (SNI)

Scott Reese, Deputy Director, Community Facilities Development, Parks, Recreation and Heighorhood Services Department, 170 West San Carlos Street, San Jose, CA 95113

Officer Bill Miller, Police Department

Servando Perez, Santee Neighborhood Action Center, 1313 Audubon Drive, San Jose, CA 95122

Martin Renteria, 1386 McQuesten Drive # D, San Jose, CA 95122

Jodi Starbird / Judy Shanley, David J. Powers & Associates, Inc., 1885 The Alameda, Suite 204, San

Jose, CA 95126

Kevin Wilcox, David Baker and Partners, 461 Second Street, Suite C 127, San Francisco, CA 94107

Mark Helton, Guliani & Kull, 4880 Stevens Creek Boulevard, Suite 205, San Jose, CA 95129

Gregory Lewis, Landscape Architect, 736 Park Way, Santa Cruz, CA 95065

Kiet Tran, 1960 Senter Road, San Jose, CA 95112-2603

Samuel Yung, Santa Clara Valley Water District, 5750 Almaden Expressway, San Jose, CA 95118-3686

Zohary Bassett, Adams Broadwell Joseph and Cardoza, Attorneys at law, 651 Gateway Boulevard, Suite 900, South San Francisco, CA 94080