



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Stephen M. Haase

**SUBJECT:** SEE BELOW

**DATE:** October 13, 2004

**COUNCIL DISTRICT:** 7  
**SNI AREA:** West Evergreen

**SUBJECT: A PLANNED DEVELOPMENT REZONING AND ASSOCIATED DEVELOPMENT PERMIT AND TENTATIVE SUBDIVISION MAP FOR A 9.91 GROSS ACRES SITE LOCATED ON THE WEST SIDE OF SOUTH KING ROAD, APPROXIMATELY 780 FEET NORTHERLY OF ABORN ROAD, MORE SPECIFICALLY DESCRIBED AS FOLLOWS:**

- 1. PDC04-025. PLANNED DEVELOPMENT REZONING FROM R-1-2 RESIDENCE ZONING DISTRICT TO THE A (PD) PLANNED DEVELOPMENT ZONING DISTRICT TO ALLOW THE CONTINUED USE OF A RADIO STATION TRANSMISSION FACILITY AND A NEW 158,650 SQUARE FOOT MINI-STORAGE FACILITY USE THAT INCLUDES OUTDOOR STORAGE FOR RECREATIONAL VEHICLES (RV) AND BOATS.**
- 2. PDC04-019. PLANNED DEVELOPMENT PERMIT TO ALLOW THE CONSTRUCTION OF THE ABOVE MENTIONED STORAGE FACILITY.**
- 3. PT04-024. TENTATIVE MAP ON THE SUBJECT SITE TO ALLOW THE SUBDIVISION AND RECONFIGURATION OF THREE EXISTING PARCELS INTO SIX PARCELS.**

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The Planning Commission voted 6-0-1 (Commissioner Pham absent) to recommend that the City Council approve the proposed Planned Development Rezoning, Planned Development Permit, and Tentative Map.

## **BACKGROUND**

On October 13, 2004, the Planning Commission held a public hearing to consider three applications concurrently initiated by Bay Area Storage including a rezoning from R-1-2 Residence Zoning District to the A(PD) Planned Development zoning district, and the associated Planned Development Permit and Tentative Map. The rezoning application would allow the continued use of an existing radio station transmission facility and a new 158,650 square foot mini-storage facility use that includes outdoor storage for recreational vehicles (RV) and boats. The Planned Development Permit application would implement the zoning and allow the construction of the storage facility along with the continued use of the radio station transmission facility. The Tentative Map would facilitate the reconfiguration and subdivision of three existing parcels into six parcels. The Director of Planning, Building and Code Enforcement recommended approval of these applications.

Mike Walsh, representing Bay Area Storage spoke on behalf of the project. Mr. Walsh stated that the Bay Area Storage proposal was designed to maintain the existing radio transmission towers, radio transmission facility, as well as provide for 150 boat and RV storage spaces and one caretaker's office/residence. He also stated that the project had initially proposed the conversion and dedication of the existing radio station office building to a City community center. However, during the review process the operator of the radio station, Entravision Communications Corporation, has decided to retain the facility for the continued use for the radio station. Mr. Walsh informed the Commission that a presentation including the revised proposal had been made at the September 27, 2004 West Evergreen Strong Neighborhoods Initiative Neighborhood Advisory Committee (NAC). As an alternative to the initial dedication proposal, Mr. Walsh informed the Commission of his discussions with Councilman Gregory's and Councilman Cortese's offices for a donation of \$250,000 by the Bay Area Self Storage to the City for park purposes.

Commissioner Campos questioned when would be the busiest days during the week for the operation of the storage facility. Mr. Walsh responded by stating that the busiest days would typically be Mondays, Thursdays, Fridays, Saturdays, and Sundays. Mr. Campos then questioned if the traffic analysis took into account the impacts on existing traffic and whether this would push the threshold more than one-half percent (0.5%) increase to any given signalized intersection. Public Works staff responded by explaining that the in-house traffic analysis looked at critical or peak traffic movements in order to determine a worst case scenario. The results of the evaluation showed that, based on the Evergreen Development Policy level of service standards, the project would not result in significant impacts during typical peak morning and evening commute hours as required by the policy.

Commissioner Zito questioned Mr. Walsh about the hours of operation of the storage facility.

Mr. Walsh responded by stating that the permit allows for hours from 6:00 a.m. through 12:00 midnight, but that the actual hours of operation would most likely be limited to 7 a.m. to 9:00 p.m. Monday through Saturday and 12:00 noon through 5 p.m. on Sundays.

Commissioner Zito asked if there were any upgrades proposed to Towers Lane. Mr. Walsh responded that there would be street dedication to facilitate a connection from Camarena Place to Towers Lane. Public Works staff stated that the project would be required to provide the related improvements. The applicant would be required to either build or bond for the construction of said improvements.

Commissioner Zito expressed concern about the creation of the residual area on the inside curve of the proposed street improvement. Planning staff stated that the size of this area, in conjunction with the designated remainder from the adjacent residential parcel, was collectively adequate in size to accommodate the creation of an additional residential lot of similar size to the parcels within the adjacent housing tract.

Commissioner James asked about the relationship between the radio transmission operation and Bay Area Storage. Mr. Walsh explained that the owner of the radio transmission towers will retain ownership of the antenna parcels and transmission facility. Appropriate easements will be put in place to ensure adequate access. Commissioner James questioned if there was an electrical generator on the site. Mr. Walsh responded that there is an existing electrical generator outside the transmission building with outside storage.

Commissioner Levy expressed concern over the interface between the existing adjacent residences and the proposed storage facility buildings, in particular the 10-foot perimeter wall. Planning staff indicated that the building was designed to be as low as possible and that the placement as such would better mitigate potential noise impacts by placing the truck loading activities further from the property line than they might otherwise be the case.

Commissioner Dhillon requested clarification regarding the parcel arrangement of the landlocked parcels and expressed concerns about potential changes in ownership or use. Planning staff explained that the Tentative Map ensures proper access easements. Additionally, the permitted use of those parcels was limited to a radio station transmission facility, and if a change in use were ever proposed in the future, a subsequent rezoning would be required.

The Planning Commission then closed the public hearing.

### **PUBLIC OUTREACH**

Notices of the public hearing were distributed to the owners and tenants of all properties located within 1000 feet of the subject site as well as published in the San Jose Post Record. The Planning Commission and City Council agendas are posted on the City of San Jose website with

copies of the staff report and City Council memo. In addition, the Planning Division's website contains information regarding the planned development zoning process, and the *San José 2020 General Plan*, as well as information on this proposed rezoning, planned development permit, and tentative map application, including staff reports and public hearing schedule. Staff has also been available to discuss the subject project on an individual basis with property owners and members of the public.

Copies of the Initial Study and Mitigated Negative Declaration were made available at the Dr. Martin Luther King, Jr. Main Library and Evergreen Branch Library as well as posted on the City's website.

On September 27, 2004 the developer presented their revised proposal at a regular meeting of the West Evergreen Strong Neighborhoods Initiative Neighborhood Advisory Committee (NAC). In both cases the community was supportive of the project.

Staff has been available to discuss the project with interested members of the public.

### COORDINATION

As standard procedure in the development review process, this project was coordinated with the Department of Public Works, Fire Department, Police Department, Environmental Services Department and the City Attorney.

### CEQA

Mitigated Negative Declaration, City File No. PDC04-025.



STEPHEN M. HAASE  
Secretary, Planning Commission