



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Planning Commission

SUBJECT: SEE BELOW

DATE: November 17, 2011

COUNCIL DISTRICT: 6
SNI AREA: None

SUBJECT: PDC10-028. PLANNED DEVELOPMENT REZONING FROM THE R-M MULTIPLE RESIDENCE ZONING DISTRICT TO R-M(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO FACILITATE THE CONVERSION OF STORAGE ROOMS TO TWO (2) STUDIO APARTMENTS IN AN EXISTING 114-UNIT MULTIPLE-FAMILY RESIDENTIAL COMPLEX ON 3.87 GROSS ACRE SITE LOCATED ON THE SOUTHEAST CORNER OF SOUTHWEST EXPRESSWAY AND S. BASCOM AVENUE.

RECOMMENDATION

The Planning Commission voted 5-0-2 (Commissioners Kline and Kamkar absent) to recommend that the City Council approve the proposed Planned Development Rezoning from the R-M Multiple Residence Zoning District to R-M(PD) Planned Development Zoning District to facilitate the conversion of storage rooms to two studio apartments in an existing 114-unit multiple-family residential complex on 3.87 gross acre site located on the southeast corner of Southwest Expressway and S. Bascom Avenue.

OUTCOME

Should the City Council approve the Planned Development Rezoning, upon approval of a Planned Development Permit, the applicant would be allowed to develop the site as described above.

BACKGROUND

On November 16, 2011, the Planning Commission held a public hearing to consider the proposed Planned Development Rezoning. The project was on the consent calendar and there was no public testimony or Commission discussion on the item. The Commission then voted 5-0-2 (Kline and Kamkar absent) to recommend approval of the Planned Development Zoning as recommended by staff.

ANALYSIS

A complete analysis of the issues regarding this project, including General Plan conformance, is contained in the staff report (see attached).

EVALUATION AND FOLLOW-UP

A Planned Development Permit will be required to be filed to implement the proposed rezoning.

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although this item does not meet any of the above criteria, staff followed Council Policy 6-30: Public Outreach Policy. A sign has been posted on the project site. A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the property. The hearing notice, and staff report have been posted on the City website. The rezoning was also published in a local newspaper, the Post Record.

COORDINATION

This project was coordinated with the Fire Department and the City Attorney.

FISCAL/POLICY ALIGNMENT

This project is consistent with applicable General Plan policies and the Zoning Ordinance as further discussed in the staff report.

CEQA

Exempt

HONORABLE MAYOR AND CITY COUNCIL

November 17, 2011

Subject: PDC10-028

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/s/

JOSEPH HORWEDEL, SECRETARY
Planning Commission

For questions please contact Lori Moniz at 408-535-7841.

Attachments: Planning Commission Staff Report
Draft Development Standards

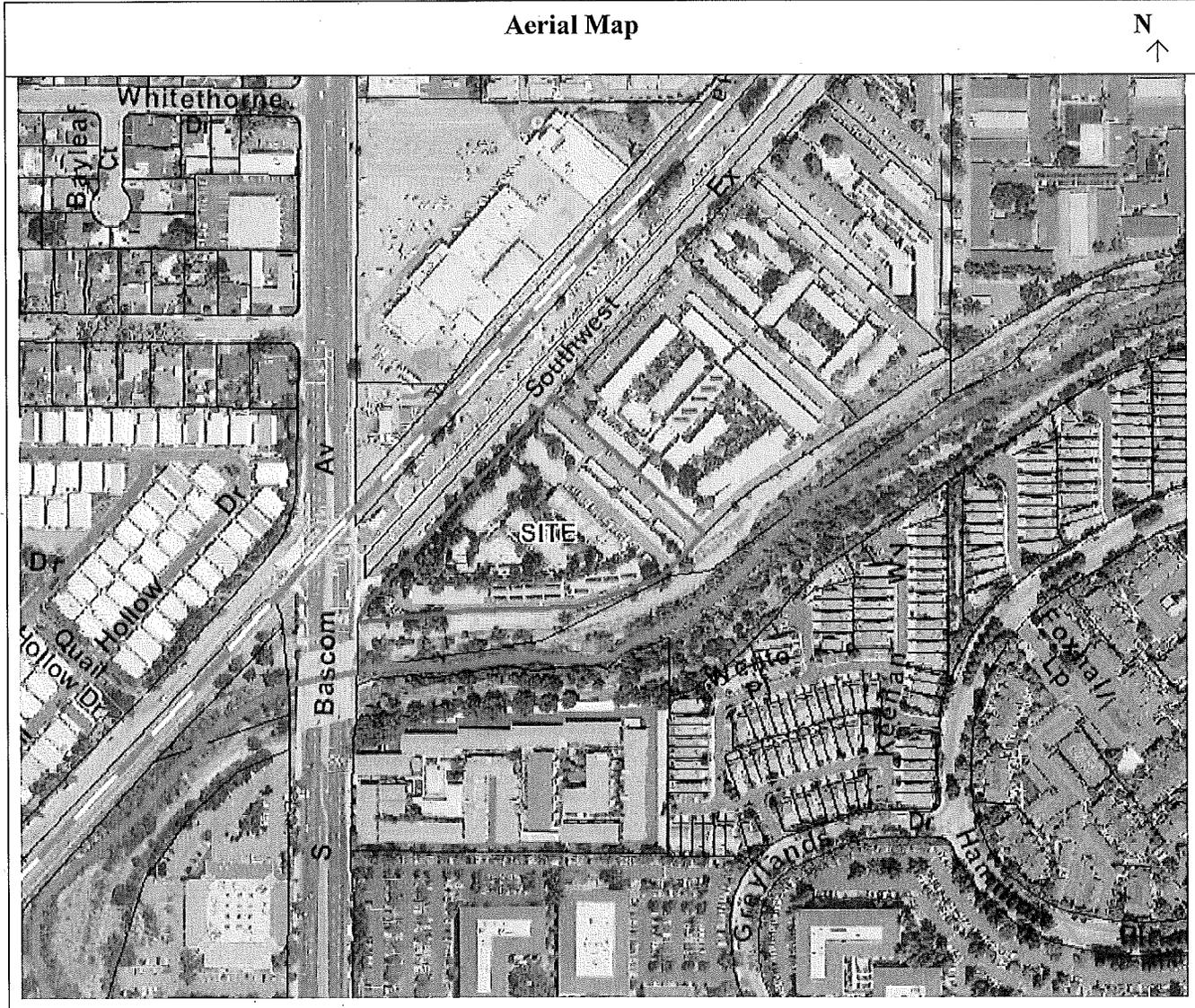
STAFF REPORT
PLANNING COMMISSION

FILE NO.: PDC10-028

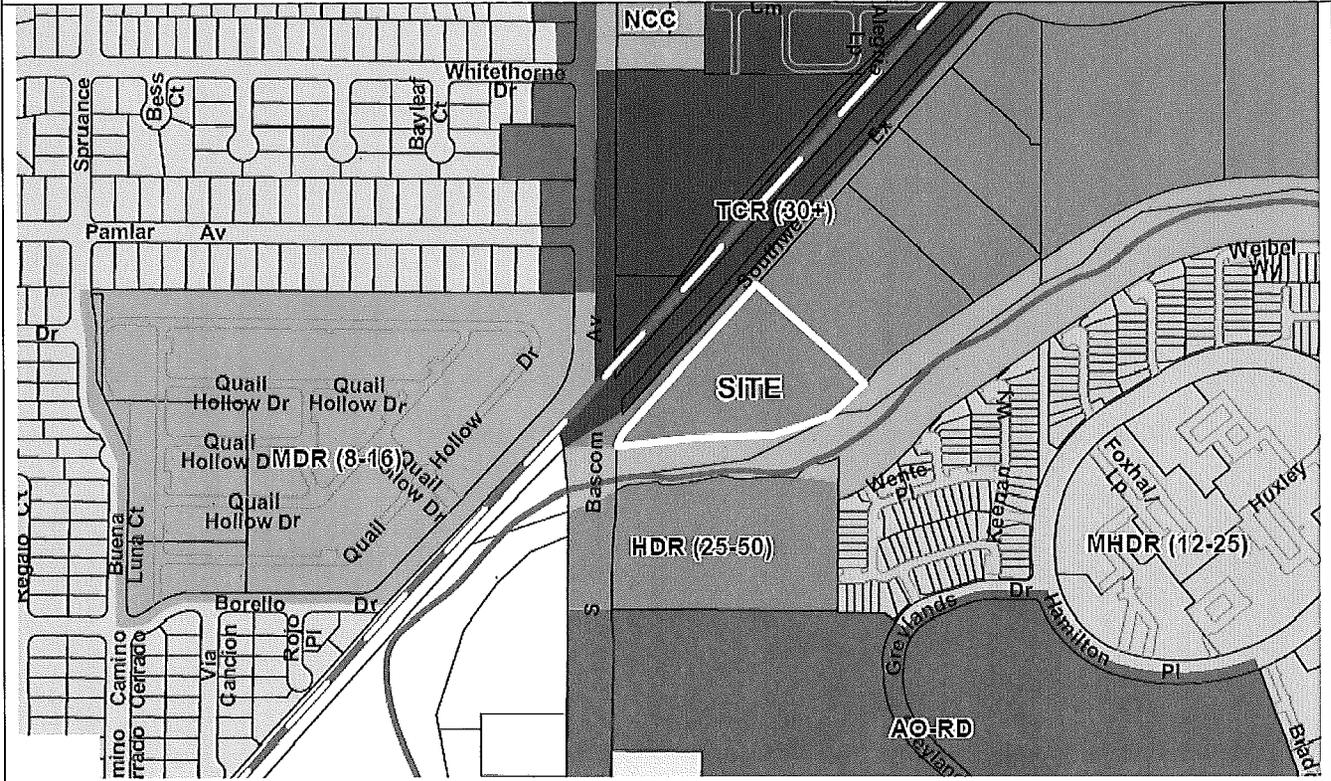
Submitted: 11/18/10

PROJECT DESCRIPTION: Planned Development Zoning from the R-M Multiple Residence Zoning District to R-M(PD) Planned Development Zoning District to facilitate the conversion of storage rooms to two (2) studio apartments in an existing 114-unit multiple-family residential complex on 3.87 gross acre site.
LOCATION: Southeast corner of Southwest Expressway and S. Bascom Avenue.

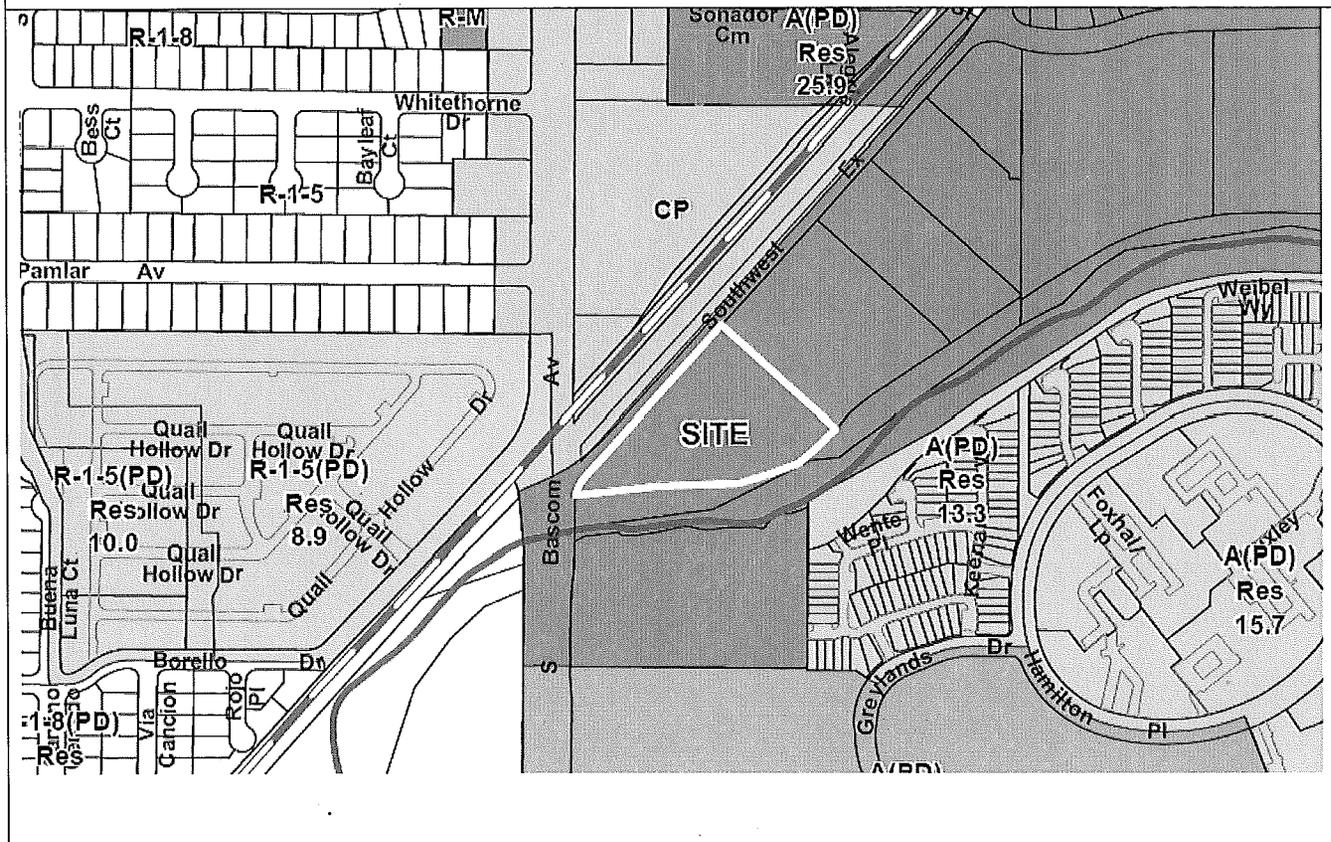
Existing Zoning	R-M Multiple Residence
Proposed Zoning	R-M(PD) Planned Development
General Plan	High Density Residential (25-50 DU/AC)
Council District	6
Annexation Date	08/25/1961
SNI	None
Historic Resource	No
Redevelopment Area	No
Specific Plan	N/A



GENERAL PLAN



ZONING



RECOMMENDATION

Planning staff recommends approval of the proposed Planned Development Rezoning for the following reasons:

1. The proposed project is consistent with the San José 2020 General Plan Land Use/Transportation diagram's designation of High Density Residential (25-50 DU/AC).
2. The proposed zoning is compatible with existing uses on the adjacent properties.
3. The proposed project is in conformance with the Residential Design Guidelines.

BACKGROUND

The applicant, KMF Santa Clara II, LLC, submitted a request for a Planned Development Rezoning from R-M Multiple Residence to R-M(PD) Planned Development to allow the conversion of a storage room to two (2) studio apartments in an existing multiple-family residential complex on 3.87 gross acre site. A Planned Development rezoning is required to because the proposal would not comply with the 1,750 lot area per living unit requirement as identified in the R-M Multiple Residence Zoning District.

A Site Development Permit (File No. H73-056) was approved in 1973 to allow the 114-unit apartment complex that exists on the subject property. On February 19, 2001, the R-M Multiple Residence Zoning District was established which included a minimum lot area of 1,750 square feet per living unit. This apartment complex is considered to be legal non-conforming with respect to lot area per living unit since it met all applicable development regulations at the time of construction. The proposed increase in units can only be accomplished through a rezoning to a Planned Development Zoning District with a reduced lot area per living unit requirement.

The subject property is located at the southeast corner of the Southwest Expressway and South Bascom Avenue. The triangular shaped parcel is adjacent to the VTA Light Rail Station/Vasona Corridor to the north across Southwest Expressway, multi-family residential to the east and Los Gatos Creek to the south of the site.

Project Description

The proposal is to increase the number of units at an existing apartment complex from 114 to 116 by converting existing storage rooms into two (2) studio apartments. The additional units are located on the second floor of an existing building within the center of the apartment complex above the laundry and boiler rooms. There are a total of eight buildings within the complex and all are two stories tall. Existing open parking spaces and carports are provided around the outside perimeter of the site. All open space areas are located within the interior of the site away from the parking areas. There is no physical expansion of buildings or modification to the site design proposed as part of this project.

ANALYSIS

Except for the requirement for 1,750 square feet of lot area for each unit, as prescribed under the R-M Multiple Residence Zoning District, the proposal complies with all other development standards of this conventional zoning district. The existing development is well maintained and landscaped. For this reason, the proposed development standards include those as already noted in the R-M Multiple Residence Zoning District with the one exception noted above.

The analysis section of this report focuses only on those issues more closely associated with the conversion of storage rooms to two studio apartment units including; 1) General Plan conformance with respect to project density, and 2) parking.

General Plan Conformance

The proposed rezoning to R-M(PD) Planned Development to allow the conversion of storage rooms to two (2) studio apartments in an existing multiple family residential complex is in conformance with the San Jose 2020 General Plan Land Use/Transportation Diagram designation of High Density Residential (25-50 DU/AC). This density is typified by three-to four-story apartments or condominiums over parking. The current project density for the existing 114 unit development is 29.5 DU/AC and would be increased to 30.0 DU/AC as a result of the addition of two new units. This is well within the density range established under the designation of High Density Residential (25-50 DU/AC)

This project is within the Transit-Oriented Development Corridors Special Strategy Area and is across the street from a light rail station (Vasona Corridor). The addition of two units furthers the goal to develop at higher densities within a reasonable walking distance of a passenger rail station.

Parking

The proposed development provides 188 parking spaces configured in an open parking arrangement in surface parking areas or within carports. The proposed addition of two studio units, in conjunction with the existing studio, one and two bedroom units requires that the project provide 185 parking spaces per the Zoning Ordinance. Therefore, under this proposal, the project would have a surplus of three parking spaces.

Environmental Review

Under the provisions set forth under Section 15301(a) of CEQA, this project is exempt from the environment review requirements of Title 21 of the San José Municipal Code implementing the California Environmental Quality Act of 1970, as amended. This exemption pertains to interior or exterior alterations of existing buildings involving internal partitions, plumbing and electrical conveyances. Under this proposal there is no physical expansion of the building or alterations of the site.

CONCLUSION

This project site is located within a close walking distance of the Bascom Avenue LRT station across Southwest Expressway. Increasing the density of the apartment complex furthers the City's goal of creating housing near passenger rail stations. This proposal will not sacrifice or reduce landscaping or open space amenities of the complex and will not impact parking since there are more than adequate spaces available.

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although this item does not meet any of the above criteria, staff followed Council Policy 6-30: Public Outreach Policy. Shortly after the application was filed, a sign was posted on the site. A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website. The rezoning was also published in a local newspaper, the Post Record. This staff report is also posted on the City's website and staff has been available to respond to questions from the public.

Project Manager: Lori Moniz

Approved by: 

Date: 10-21-11

Owner:	Applicant	Attachments:
KMF Santa Clara II, LLC Michael K. Curtis, V.P. Construction 10530 Linden Lake Plaza, Suite 100 Manassas, VA 20109	Erica Fernandez GP Residential Designs 829 South 7 th Street San José, CA 95112	Reduced Plan Set

GENERAL DEVELOPMENT PLAN NOTES

PDC10-028

The following notes are to be incorporated on the Final General Development Plan upon City Council approval. The notes forwarded to the City Council will reflect any modifications recommended by the Planning Commission and shall replace all other notes currently identified on said plans.

In any cases where the graphic plans and text may differ, the text below takes precedence.

Allowed Uses: All permitted uses as allowed in the R-M Multiple Residence District Zoning District per Title 20 of the San Jose Municipal Code, as amended.

Conditional Use and Special Uses of the R-M Multiple Residence District Zoning District may be considered through the Planned Development Permit or Amendment process, as stated in Chapter 20.100 of the Zoning Code, as amended.

Parking Requirements: All land uses shall provide on-site parking in conformance with Chapter 20.90 (Parking and Loading) of the City of San Jose, Municipal Code, as amended.

Development Standards: Per the R-M Multiple Residence District Zoning District per Title 20 of the San Jose Municipal Code, as amended.

Minimum Lot Area per living unit (square feet): 1,400 square feet

Number of Units: 97 to 116

Design Guidelines: The proposed development shall conform to the Residential Design Guidelines, to the satisfaction of the Director of Planning.

Water Pollution Control Plant Notice: Pursuant to part 2.75 of chapter 15.12 of the San José Municipal Code, no vested right to a building permit shall accrue as the result of the granting of any land development approvals and applications when and if the city manager makes a determination that the cumulative sewage treatment demand on the San José – Santa Clara water plant will cause the total sewage treatment demand to meet or exceed the capacity of the San José – Santa Clara water pollution control plant to treat such sewage adequately and within the discharge standards imposed on the city by the state of California regional water control board for the San Francisco Bay region. Substantive conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approving authority.

CONVERTING EXISTING STORAGE INTO LIVING SPACE FOR SEQUOIA GLEN APARTMENTS

PROJECT INFORMATION

APN#: 284-24-015
 OCCUPANCY: R-2
 CONSTRUCTION TYPE: VB
 ZONING: R-M
 LOT SIZE: 168,408 SQ. FT.

SCOPE OF WORK

CONVERT EXISTING STORAGE (SECOND FLOOR)
 INTO A TWO STUDIO APARTMENT

PARKING COUNT

EXISTING:
 18 STUDIOS x 1.5 = 27.0
 60 1 - BED / BATH x 1.5 = 90.0
 36 2 - BED / BATH x 1.8 = 64.8
 NEW:
 2 STUDIOS x 1.5 = 3
 PARKING STALLS REQUIRED = 184.8
 PARKING STALLS PROVIDED = 188.0

TABLE OF CONTENTS

- 1 TITLE SHEET
- 2 SITE PLAN
- 3 EXISTING FLOOR PLAN
- 4 PROPOSED FLOOR PLAN



DATE	ISSUED FOR

SEQUOIA GLEN APARTMENTS
 2130 SOUTHWEST EXPRESSWAY
 SAN JOSE, CA 95126

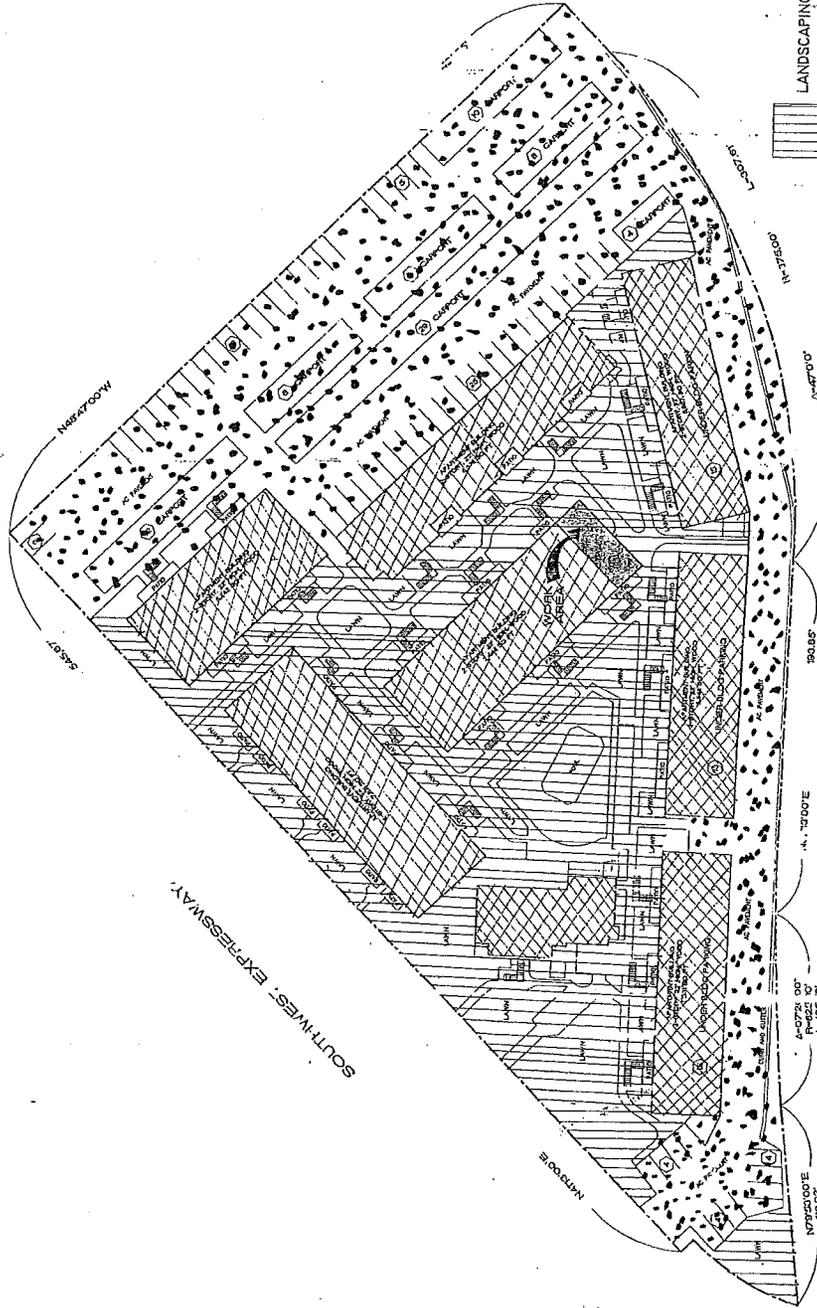
DATE: 02/22/11
 Scale: AS NOTED
 Drawn: J.K.
 Job: 11-031

TITLE SHEET

1

PDC10-028

GENERAL DEVELOPMENT PLAN



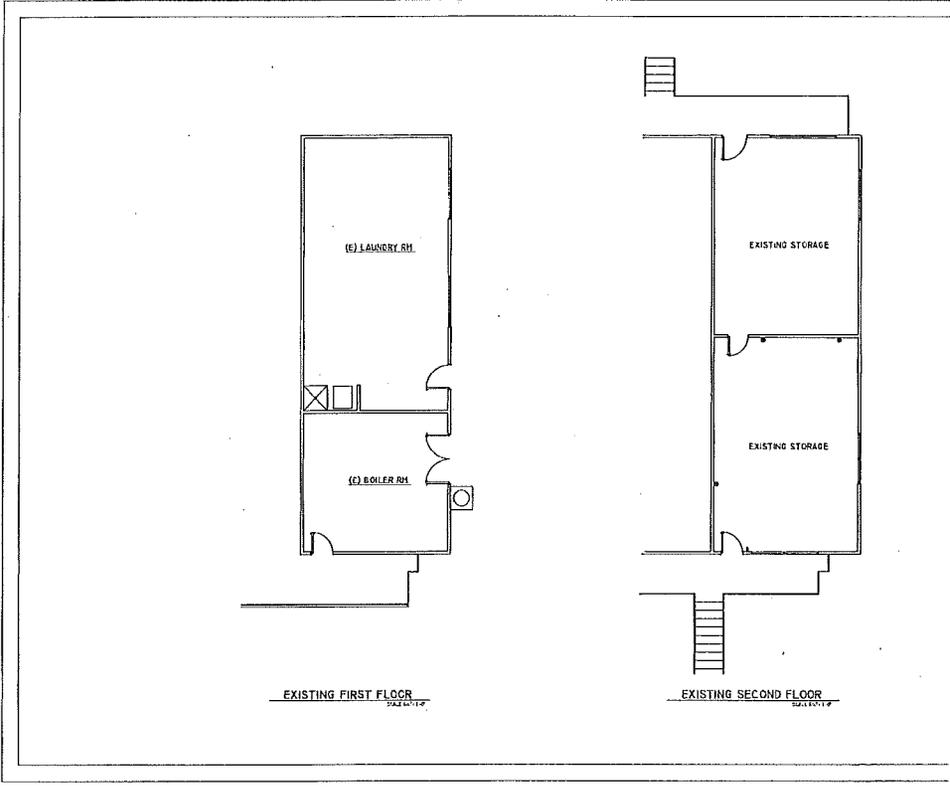
- LANDSCAPING
- BUILDINGS
- PARKING & CIRCULATION

1 SITE PLAN
SCALE 1" = 50'

SEQUOIA GLEN APARTMENTS
2130 SOUTHWEST EXPRESSWAY
SAN JOSE, CA 95126

Date: 06/24/81
Scale: AS NOTED
Drawn: J.A.
Job: 11-031

NO.	DATE	BY	DESCRIPTION



EXISTING FIRST FLOOR
SCALE: 1/4" = 1'-0"

EXISTING SECOND FLOOR
SCALE: 1/4" = 1'-0"

Sequoia Glen Apartments

Photo # 7- Second Floor Storage Area 1



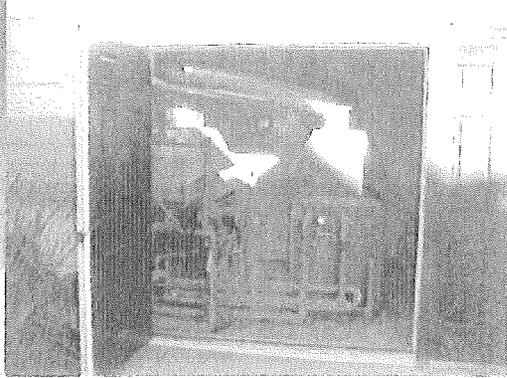
Photo # 8- Entry to Storage 1



Photo #9- Maint. shop below storage 1



Photo #10- Mech. Room below Storage 1



Sequoia Glen Apartments

Photo #11- Second Floor Storage Area 2

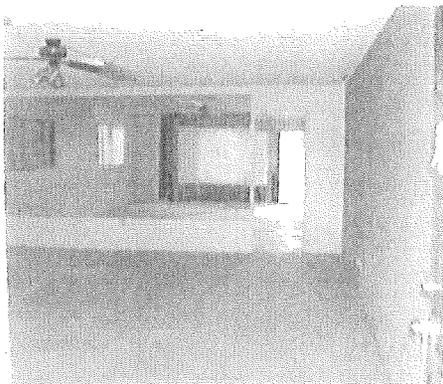


Photo # 12- Entry to Storage 2



Photo #13- Laundry Room below Storage 2



Photo #14- Side of Building at Storage Areas



ORDINANCE NO.

AN ORDINANCE OF THE CITY OF SAN JOSÉ REZONING CERTAIN REAL PROPERTY SITUATED AT THE SOUTHEAST CORNER OF SOUTHWEST EXPRESSWAY AND S. BASCOM AVENUE FROM THE R-M MULTIPLE FAMILY RESIDENCE ZONING DISTRICT TO THE R-M(PD) PLANNED DEVELOPMENT ZONING DISTRICT.

WHEREAS, all rezoning proceedings required under the provisions of Chapter 20.120 of Title 20 of the San José Municipal Code have been duly had and taken with respect to the real property hereinafter described; and

WHEREAS, under the provisions of Section 15301 (a) of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), this project is exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended. The project will not have a significant adverse effect on the environment; and

WHEREAS, the Council is the decision-making body for the proposed subject rezoning to A(PD) Planned Development; and

WHEREAS, The Department of Fish and Game has determined the proposed project will have no adverse effect on wildlife resources, as defined in Section 711.2 of the California Department of Fish and Game Code.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. All that real property hereinafter described in this section, hereinafter referred to as "subject property," is hereby rezoned as R-M(PD) Planned Development. The base zoning district of the subject property shall be the R-M Residence District (Multiple Unit/Lot) Zoning District. The Planned Development zoning of the subject property shall be that development plan for the subject property entitled, "Converting Existing Storage into Living Space for Sequoia Glen Apartments," **last revised November 4, 2011.**

Said General Development Plan is on file in the office of the Director of Planning and is available for inspection by anyone interested therein, and said General Development Plan is by this reference adopted and incorporated herein the same as if it were fully set forth herein.

The subject property referred to in this section is all that real property situated in the County of Santa Clara, State of California, described in Exhibit "A" attached hereto and incorporated herein by this reference.

DRAFT

SECTION 2. The district map of the City is hereby amended accordingly.

SECTION 3. The land development approval that is the subject of City File No. PDC10-028 is subject to the operation of Part 2.75 of Chapter 15.12 of Title 15 of the San José Municipal Code. The applicant for or recipient of such land use approval hereby acknowledges receipt of notice that the issuance of a building permit to implement such land development approval may be suspended, conditioned or denied where the City Manager has determined that such action is necessary to remain within the aggregate operational capacity of the sanitary sewer system available to the City of San José or to meet the discharge standards of the sanitary sewer system imposed by the California Regional Water Quality Control Board for the San Francisco Bay Region.

PASSED FOR PUBLICATION of title this _____ day of _____, 2011 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

CHUCK REED
Mayor

ATTEST:

DENNIS HAWKINS, CMC
City Clerk