



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Planning Commission

**SUBJECT:** SEE BELOW

**DATE:** October 9, 2008

**COUNCIL DISTRICT:** 3  
**SNI AREA:** N/A

**SUBJECT: PDC07-081. PLANNED DEVELOPMENT REZONING FROM HI HEAVY INDUSTRIAL TO A(PD) PLANNED DEVELOPMENT ZONING DISTRICT FOR TO ALLOW UP TO 255 MULTI-FAMILY RESIDENTIAL UNITS ON A 5.18 GROSS ACRE SITE.**

## RECOMMENDATION

The Planning Commission voted 7-0-0 at their October 8, 2008 hearing to recommend that the City Council adopt an ordinance approving the subject Planned Development Rezoning to allow up to 255 multi-family residential units on a 5.18 gross acre site.

## OUTCOME

Should the City Council approve the subject rezoning, the future construction of up to 255 multi-family residential units could occur. A separate Planned Development Permit approval from the Director of Planning, Building, and Code Enforcement would be required to implement the rezoning, should it be approved.

## BACKGROUND

On October 7, 2007, Sobrato Development submitted an application to rezone the subject site, approximately 5.18 gross acres in size, from HI Heavy Industrial to A(PD) Planned Development to allow up to 259 multi-family residential dwelling units. The site is currently developed with an industrial building constructed circa 1992. The site is located on the east side of Campbell Avenue approximately 400 feet southeasterly of El Camino Real. Land uses surrounding the site include the CalTrain rail corridor along the eastern edge of the site, light industrial uses along the southern edge of the site, office/R&D uses along the northern edge, and a baseball stadium for the University of Santa Clara Broncos across the street to the west. A majority of the site is within the City of San Jose with a small corner at the northwesterly portion of the site within the City of Santa Clara.

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South along Campbell Avenue from the project there has been a transition underway from industrial to residential uses, with three recently-approved and constructed projects on both the east and west sides of the street. Another site in the City of San Jose on the west side of Campbell Avenue was the subject of a recent General Plan amendment from industrial to residential land use. This area of Campbell Avenue is also within proximity to the Santa Clara CalTrain Depot and a future BART Station; hence, it is included within the Santa Clara Station Area Plan currently being developed jointly by the Cities of San Jose and Santa Clara through a grant from the Metropolitan Transportation Commission.

### **Project Description**

The project was proposed to allow for the development of up to 259 multi-family units on a podium with units wrapping the podium and fronting along Campbell Avenue. Parking is provided within a secure parking garage, and along the edge of the site in a predominately single-loaded parking aisle/drive. The unit mix is approximately half one-bedroom units and half two-bedroom units. The design of the building includes an interior common open space that includes resident amenities such as a pool, sitting areas, and barbeque areas.

The building itself is proposed to be approximately 60-65 feet in height, including four stories of living area above the podium parking garage. Minor architectural projections could extent up to 70' in height. The exception to this height is along Campbell Avenue where there are townhouse units at ground level that have front entryways along street, thus creating the look of a five story building along Campbell Ave.

### **Cross-jurisdiction Issues**

As identified above, the project site falls within the jurisdictions of the Cities of San Jose and Santa Clara, with a majority of the development within the City of San Jose. Coordination of the proposal has been ongoing between the two cities, and the developer has a rezoning on file with the City of Santa Clara for that portion of the project that is within that jurisdiction. In addition to coordinating the environmental review and the project design, staff in both cities have been working on a Memorandum of Agreement relating to the building permitting and plan check responsibilities. This Agreement, however, has no bearing on the merits of the project and is scheduled to be forwarded to the City Council at its November 18, 2008 hearing. Longer-term issues related to the cross-jurisdictional situation will be addressed through subsequent actions involving the developer and the respective cities.

### **ANALYSIS**

This section contains a synopsis of the Planning Commission hearing. A comprehensive analysis of the project and its conformance with applicable policies and guidelines can be found in staff's report to Planning Commission (see attached).

A public hearing was held before the Planning Commission on the evening of October 8, 2008. Planning staff gave a brief report, followed by Tim Steele, who gave a brief statement on behalf of the applicant, Sobrato Development Corporation.

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Two members of the public spoke, John Urban and Mara Craggs. Mr. Urban's comments focused on traffic. He expressed concerns with the existing and future design of the intersection of Campbell Avenue and El Camino Real. Staff responded that the City is taking the lead on developing a plan for the intersection, and that design is already underway with the City's Departments of Transportation and Public Works. Staff also noted that the applicant would be required to pay a fair share contribution towards improvements at the intersection of Campbell and El Camino Real.

John Urban also raised concerns regarding the proposed driveway location nearest the northwest corner of the site, stating that left turns into that driveway could create operational impacts. In the applicant's closing remarks, Tim Steele noted that operational issues were not anticipated from the left turn into the driveway nearest the intersection, but that nonetheless, the function of the left-in movement would be evaluated after occupancy, and the allowance of a left-hand-turn into that driveway could be eliminated if operational issues occurred.

Mara Craggs, the second speaker, raised four issues. She stated that no more housing is needed in San Jose right now, that the structure is too massive, that the density is too high, and that BART may not come to San Jose. In response, staff first noted that the Housing and Growth Management Major Strategies in the General Plan promote infill housing development. Second, staff noted that the massing of the structure is comparable with what is anticipated by the High Density Residential (25-50 du/ac) General Plan designation. Staff also noted that this structure would relate more to the commercial and mixed use development that is anticipated immediately northwest of the site as part of the Draft Santa Clara Station Area Plan, and smaller, three-story massing is already developed southeast of the site, as the larger massing of this structure transitions to the single-family neighborhood. In response to Ms. Craggs' third point, staff confirmed the net acreage after frontage dedication and noted a reduction in the maximum number of units to 255 (down from the 259 of the original project description), with which the applicant concurred. The first page of the Draft Development Standards has been updated to reflect the decrease in the number of units. This revised page is attached, and the other pages remain unchanged. Staff concluded by stating that the density proposed is needed to support a future BART station, and while staff firmly believes BART will proceed to this location, the existing CalTrain, bus lines, Santa Clara University, and nearby commercial, all support a high-density project at this site.

The public hearing was then closed. Commissioners Kamkar and Jensen encouraged the applicant to use green building practices. Commissioner Jensen encouraged a reduction in parking and easy access for future residents from the site towards the future BART station. Commissioner Do commented on the physical appearance of the structure beyond where the residential units wrap and disguise the at-grade parking along Campbell Avenue, as shown in the conceptual elevations, and he encouraged staff to pursue quality architecture around the entire perimeter. Commissioner Kalra made a motion to recommend approval of the proposed project for up to 255 units with Draft Development Standards as recommended by staff.

#### **EVALUATION AND FOLLOW-UP**

Not applicable.

### **POLICY ALTERNATIVES**

Denial of the subject rezoning would mean that the site's zoning would remain as HI Heavy Industrial. The proposed residential project could not be constructed in the current zoning district.

### **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. On July 30, 2008, a noticed community meeting was held for the proposed rezoning and associated development permit. The staff report to Planning Commission outlines the community feedback at that meeting. A notice of the public hearing was distributed to the owners and tenants of all properties located within 1,000 feet of the project site and posted on the City website. The rezoning was also published in a local newspaper, and this staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

### **COORDINATION**

This project was coordinated with the Department of Public Works, Department of Transportation, Fire Department, Police Department, Environmental Services Department and the City Attorney.

### **FISCAL/POLICY ALIGNMENT**

This project is consistent with applicable General Plan policies and City Council approved design guidelines as further discussed in attached staff report.

### **COST SUMMARY/IMPLICATIONS**

Not applicable.

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**BUDGET REFERENCE**

Not applicable.

**CEQA**

CEQA: Mitigated Negative Declaration

  
JOSEPH HORWEDEL, SECRETARY  
Planning Commission

For questions please contact Susan Walton at 408-535-7800.

Attachment: First page of draft Development Standards

cc: Sobrato Development Co., Attn: Tim Steele, 10500 N. De Anza Blvd., Suite 200, Cupertino, CA  
95014

DRAFT  
**PDC07-081**

**LAND USE PLAN DEVELOPMENT STANDARDS**  
**(updated 10/8/08)**

**DEVELOPMENT STANDARDS**

**Permitted Uses:**

Up to 259 255 multi-family residential units.

**Building Height:**

- Height- 65 feet maximum, with minor architectural projections, building elements related to elevators, etc. not to exceed 70 feet.

**Perimeter Building Setbacks:**

Minimum Front Setbacks (Campbell Avenue)

- Minimum 10 feet

Minimum Rear Setbacks (curved property line along rail line)

- Minimum 35 feet

Minimum Side Setbacks (adjacent to southern property line)

- Minimum 30 feet

**Private/Common Open Space Combined**

A combination of common and private open space at a ratio of at least 160 square feet per unit.

**Parking**

Parking ratios for vehicles and bicycles as below:

Automobile/motorcycle:

Living Unit Size	Type of Parking Facility		
	All Open Parking	One-Car Garage	Two-Car Garage
0 Bedroom (Studio)	1.5	1.6	2.2
1 Bedroom	1.5	1.7	2.3
2 Bedroom	1.8	2.0	2.5
3 Bedroom	2.0	2.2	2.6
Each Additional Bedroom	0.15	0.15	0.15

Bicycle: 1 space per 4 dwelling units.

A reduction in the required off-street parking spaces of up to ten percent (10%) may be authorized with a Planned Development Permit.