

FEBRUARY 8th AGENDA: Item 10.2 - 2905 Senter Rd. - GPA - Mixed-Use Development

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To: Jones, Chaddie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Perez, Raul <[REDACTED]> Carrasco, Magdalena <[REDACTED]> Arenas, Sylvia <[REDACTED]> Mahan, Matt <[REDACTED]> Luccardo, Sam <[REDACTED]> Cohen, David <[REDACTED]> Foley, Pam <[REDACTED]> Esparza, Maya <[REDACTED]> Davis, Dev <[REDACTED]>

3 attachments (1 MB)

2905 Senter Road - Urban Village Map.pdf; GP Task Force - Housing Building Permit Chart 081921 - Test.docx; 2905 Senter Road - Policy H2.9.docx

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Dear Mayor and City Council:

If a property owner wants to invest in their property by constructing a new mixed-use building with new housing over expanded commercial space, why would the City say no? Well, there is no logical reason to say no at this location on 2905 Senter Road. We are in a housing crisis that requires new thinking.

The Planning Commission recommends APPROVAL, applying logic and common sense to what could be built on this underutilized site. Unfortunately, the Planning Staff has taken their usual position of "No", making it difficult to achieve new residential development, which they have done for a decade now. Instead of looking at what truly makes sense on individual sites, the Staff clings to their one-size-fits-all, inflexible and extreme land use policy ideology. As a result, the Staff has overseen the slowest housing production in our City's modern history. (Please see below and attached the failing General Plan housing numbers. Remembering that the City Council's goal is 5,000 units per year.)

The Staff Report is inaccurate or misleading in a number of ways. Below are the reasons that residential and commercial mixed use make sense:

- 1) The site is clearly underutilized, with half the site totally vacant and only 6,550 square feet of existing commercial space. (Please see photo below.) The site is in an area of different uses, with commercial/retail to the north and south of the site. There is a range of housing types along Senter Rd., including single-family, garden apartments, and townhomes. The site has frontage on a major street - Senter Road. The site is a rectangular shape and of sufficient size to support a mixed-use building.
- 2) The site is more centrally located and closer to employment areas than many other designated urban village areas. (Please see map below and attached.) Residential on this site would result in fewer Vehicle Miles Traveled and lower greenhouse gas emissions than many other designated urban village areas. Simply look at the map of urban villages below. It can't be more clear.
- 3) The site IS within a half mile of transit. VTA bus route 73 runs down Senter Road with headways under 30 minutes. VTA bus route 70 runs down Capitol Expressway with headways under 30 minutes. And, VTA local bus route 42 can be accessed at Senter and Capitol. (Please see bus route map below.) Route schedules are here: <https://www.vta.org/go/routes/73> / <https://www.vta.org/go/routes/70> / <https://www.vta.org/go/routes/42>
- 4) 100% affordable housing with NO COMMERCIAL can be built on this site today, under the existing Neighborhood/Community Commercial designation. The site meets all of the criteria under General Plan Policy H-2.9, which allows 100% affordable with no commercial. (Please see policy language attached.) The proposed Mixed Use Commercial designation could actually preserve and expand the commercial space on site, since the designation requires a 0.5 FAR of commercial (22,869 square feet) if market-rate residential units are built. **The owner of the site wants to build mixed-use with market-rate housing, so the commercial space would increase.**
- 5) The proposed Mixed Use Commercial (MUC) and the existing Neighborhood/Community Commercial (NCC) are comparable in their allowed intensity of development. MUC allows up to 4.5 FAR and 6 stories. NCC allows up to 3.5 FAR and 5 stories. However, MUC has

a density cap of 50 units per acre, which means it is highly unlikely that a building would achieve the 4.5 FAR maximum. And, Citywide Design Guidelines and neighborhood compatibility requirements apply the same to both General Plan Designations.

6) The East Side of San Jose deserves new investment in market-rate housing. Without this General Plan change, the owner cannot pursue market-rate. The Staff's position will likely result in more low-income housing getting built in this already low-resource and low-income neighborhood. This is bad and unfair housing policy for the East Side.

We hope that the City Council will lead the way to a common sense approach, and recommend Mixed Use Commercial for this site.

Thank you for your consideration.
ERIK

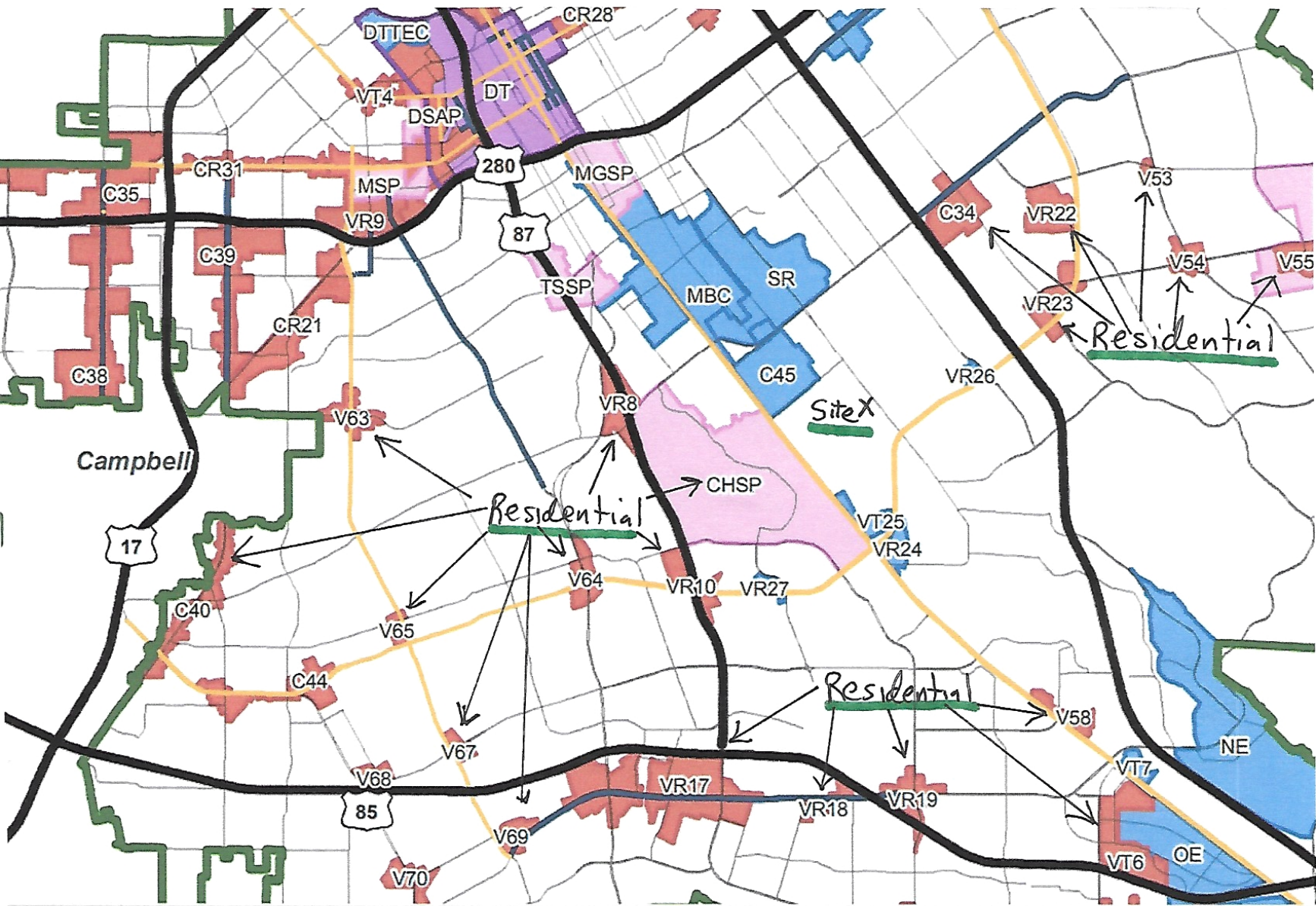
CITY OF SAN JOSE:

ANNUAL RESIDENTIAL BUILDING PERMITS BY TYPE – *ENVISION 2040 YEARS*

CALENDAR YEAR	SINGLE-FAMILY	% OF TOTAL	MULTI-FAMILY	% OF TOTAL	TOTAL
2012	186	5%	3,310	95%	3,496
2013	276	7%	3,429	93%	3,705
2014	394	9%	4,066	91%	4,460
2015	160	8%	1,860	92%	2,020
2016	226	11%	1,862	89%	2,088
2017	201	6%	2,896	94%	3,097
2018	315	11%	2,658	89%	2,973
2019	517		2,146		2,663
2020					1,375
2021					1,255

SOURCE: Department of Planning, Building, and Code Enforcement

2905 Senter Road is Closer to the Center of the City Than Most Urban Village Areas



H-2.9 To increase the supply of affordable housing, one hundred percent deed restricted affordable housing developments that are deed restricted by a public agency for a period not less than 55 years to low income residents (earning 80% or less of the Area Median Income) would be allowed on sites outside of the existing Growth Areas on properties with a Mixed Use Commercial or Neighborhood/Community Commercial land use designation if the development meets the following criteria:

1. The site is 1.5 gross acre or less.
2. The site is vacant (no buildings or structures) or underutilized.
"Underutilized" means the site is one of the following:
 - a. Standalone surface parking lot; or

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- b. Has a structure with a Floor Area Ratio (FAR) of 0.2 or less; or
 - c. If FAR is greater than 0.2, the structure or structures shall be vacant (no tenants) for five (5) years or more.
3. The site shares a property line with a parcel that has a residential General Plan Land Use / Transportation Diagram designation.
4. The site shall be at least 1,000-feet from any property with a Heavy Industrial or Light Industrial General Plan land use designation, and at least 500-feet from any property with a Combined Industrial Commercial or Industrial Park general plan land use designation.
5. The site is located within a one-half (0.5) mile of an existing transit line with a minimum of 30-minute peak headway.
6. The development shall adaptively reuse any existing structures on the site that are on, or are eligible for, inclusion on the City of San José's Historic Resources Inventory.
7. If the site has existing occupied rental dwelling units that are proposed to be removed, the project shall provide relocation assistance to those tenants, consistent with State and federal relocation laws and the City's Ellis Act Ordinance, as may be amended from time to time.