



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Planning Commission

**SUBJECT:** SEE BELOW

**DATE:** May 3, 2019

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**COUNCIL DISTRICT: 3**

**SUBJECT: FILE NO. GP18-015 and PDC18-038: GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE/TRANSPORTATION DIAGRAM LAND USE DESIGNATION FROM LIGHT INDUSTRIAL TO TRANSIT RESIDENTIAL AND A PLANNED DEVELOPMENT ZONING TO ALLOW THE DEVELOPMENT OF 295 RESIDENTIAL UNITS AND 20,000 SQUARE FEET OF COMMERCIAL OFFICE SPACE ON THE 3.0-GROSS ACRE SITE LOCATED ON THE EASTERLY SIDE OF CAMPBELL AVENUE, APPROXIMATELY 1,660 FEET NORTHERLY OF NEWHALL STREET.**

## **RECOMMENDATION**

The Planning Commission voted (4-2-1; Commissioners Leyba and Oliverio opposed, Commissioner Yesney absent) to recommend that the City Council allow continued processing of the proposed General Plan Amendment to the Envision San José 2040 General Plan Land Use/Transportation Diagram and Planned Development Zoning for consideration during the 2019 General Plan Annual Review hearing cycle.

## **OUTCOME**

The Early Consideration process is utilized when staff determines that a proposed General Plan Amendment request is fundamentally inconsistent with the Major Strategies, goals and policies of the General Plan. Through the Early Consideration process, the City Council has two options: (1) deny the proposed General Plan Amendment application, or (2) direct staff to continue processing the application to be considered by the Planning Commission and Council during the fall General Plan Annual Review hearing.

Should the City Council deny the proposed General Plan Amendment during this Early Consideration process, the site would retain its current Land Use/Transportation Diagram designation of Light Industrial.

Should the City Council provide direction to continue processing the application for further consideration, staff would complete the development review process for the proposed General Plan Amendment, including environmental analysis of the proposed project pursuant to CEQA, and bring the request forward during the General Plan Annual Review hearing in the fall of 2019. At that time, the City Council would consider the adequacy of the environmental review and would determine whether to approve or deny the requested change to the site's General Plan Land Use/Transportation Diagram land use designation from Light Industrial to Transit Residential and the Planned Development Zoning.

## **BACKGROUND**

The Planning Commission held a public hearing on April 10, 2018, to consider the proposed General Plan Amendment. Planning staff recommended denial of the General Plan Amendment requested by the applicant because the project is fundamentally inconsistent with the Major Strategies, goals, and policies of the General Plan. The Planning Commission made a recommendation to the City Council to continue processing the application for further consideration during the General Plan Annual Review hearing cycle.

### **Staff Presentation**

Planning Staff presented a summary of the applicant's request for the General Plan Amendment including a description of the proposed project. Staff stated that the proposed Amendment is in direct conflict with General Plan Major Strategies, goals and policies prohibiting the conversion of industrial designated lands to non-industrial uses. Staff also presented a summary of Major Strategy #4 – Innovation/Regional Employment Center Major strategy, which described the fiscal impacts resulting from a jobs/housing imbalance and scarcity of Heavy and Light Industrial lands. Staff concluded that the proposed project is fundamentally inconsistent with the Major Strategies, goals and policies critical to achieve fiscal sustainability in the City of San José.

### **Public Testimony**

The applicant spoke against staff's recommendation and discussed the regional need for housing and the intent for Santa Clara University ("SCU") to develop the property as affordable housing for faculty, in partnership Bellarmine College Preparatory (Bellarmine) and Cristo Rey Jesuit High School. The applicant stated SCU and Bellarmine are finding it more difficult to recruit and retain staff due to high housing cost and low availability of affordable options.

Regarding the subject site, the applicant stated that the site was incompatible for industrial uses due to the proximity of residential uses, and while recognizing the importance of industrial lands within the City, requested flexibility from General Plan policies prohibiting conversion of land designated for industrial uses to non-industrial uses. Further, the applicant stated that the City would benefit from the additional residential units and would receive job growth from the proposed technology incubator space. The applicant added that SCU and Bellarmine faculty would be provided affordable, below market rate units and benefit from shorter commute that



utilize biking, walking and public transit. The applicant requested that the Planning Commission recommend to the City Council to continue processing the proposed General Plan Amendment and Planned Development Zoning.

Eleven members of the public spoke which included residents, teachers, and staff and faculty of SCU and Bellarmine. Seven members of the public spoke in support of the proposed project while three members spoke against the proposed project, and one member was neutral. The seven members of public were all employed by SCU or Bellarmine stating that the proposed project would benefit them by providing an affordable housing option that is within walking distance of SCU. The speakers reiterated the applicant's statements regarding difficulties of retention and recruitment due to the high cost of living and lack of affordable housing in the Bay Area. The director of the Center of Innovation and Entrepreneurship at SCU stated the proposed technology incubator would create local jobs and attract talented students, faculty, and local entrepreneurs. Faculty of SCU shared their experience with super commutes and displacement due to the high cost of living and expressed their support for an affordable housing option near transit.

Three members of public spoke against the project and were residents near the subject site. They believe the project would increase traffic and were concerned that the project provided inadequate amounts of parking for vehicles. Further the residents stated the proposal is too dense and requested the project be lowered in height, stating it would be incompatible with the surrounding residential developments. One member of the public was neutral but believed that the proposed General Plan Amendment would allow for higher density and believed the proposed development would not support transit use because the project lacked capacity for jobs. She believed residents would walk or bike to SCU nearby and the project provided literally commercial to support transit. She requested guarantees from the applicant that a certain number of affordable units be reserved for faculty and a certain amount of commercial space be reserved for startup companies.

The Interim Provost and Dean of the Law School stated that the proposed project would commit 15% of the units as low-income and the remaining 85% would be below market rate. She stated that SCU is exploring various possible methods to guarantee affordability but does not yet know how SCU will insure affordability. She reiterated that the project would be critical for retention and quality of life for faculty and stated that there would be no subsidies requested from the City. She also stated that the units would house other university employees, not entirely teachers. The Chief Financial Officer for Bellarmine, stated that there are existing programs within Bellarmine that provide housing where lower income individuals are chosen. He stated that the proposed project is not seeking to maximize returns but trying to provide housing for faculty and staff.

#### Planning Commission Discussion

Commissioner Ballard asked about the existing conditions of the site. The applicant responded that the site is currently vacant but was formerly a plumbing warehouse facility. Commissioner Allen asked how many jobs would be created and replaced by the proposed use. The applicant responded that approximately 120 jobs would be located at the subject site replacing the former warehouse facility where approximately 10 jobs existed. Commissioner Griswold asked how the

affordable housing program would be implemented, and asked the City Attorney to clarify if the City would be unable to condition affordable units to be made exclusively available to students and faculty. The City Attorney clarified that there are different mechanisms that may allow the housing to be reserved for faculty including if the housing was part of the compensation package received by the employee from the school. However, if the housing was rented on the open market it would be subject to California Fair Housing laws. The applicant's representative, Erik Schoennauer, further added that the applicant intends to bring a development permit application together with the existing application if the project is continued to the Annual Review Hearing, where the City could also consider the affordability of the housing and the incubator use.

Commissioner Leyba sought clarification about the existing use and ownership of the Light Industrial designated property across the street along Campbell Avenue. The applicant clarified that the existing tenant, Custom Spaces, sublets to various businesses for warehousing and storage, and the applicant confirmed their ownership of the property. Commissioner Leyba expressed concern regarding the remaining Light Industrial designated properties on Campbell Avenue, and questioned how to prevent a domino effect that would result in the City converting the remaining Light Industrial lands along the street. The applicant responded that they have an existing ten-year lease with Custom Spaces, and SCU currently has no intention of converting the land across the street.

Commissioner Vora asked how the applicant plans to address the cumulative effects of parking. The applicant responded that they believed the subject site would not require more parking because there are many opportunities for overflow parking on campus. Commissioner Griswold questioned whether underground parking could be utilized. The applicant responded that due to financial constraints underground parking was not an option. She expressed her desire for additional commercial and additional affordable housing units given the large demand for housing and desire for office near transit. Lastly, she asked if staff had available data regarding the square footage of Light Industrial buildings converted in contrast to land area designated for Mixed-Use and the resulting net change in employment or jobs. Staff responded that the data could be analyzed, but reminded the Commission that Light and Heavy industrial lands are very limited, and the Light Industrial land use designation allow specific uses that are not entirely allowed in other employment areas or land use designations

Commissioner Oliverio asked the applicant whether alternative sites on Santa Clara University were considered for potential residential development. The applicant responded that this was the best available site given the size and density of development. Lastly, Commissioner Leyba asked whether the proposed project would pay the assessed property tax value. The applicant responded that a full package to the City needs to be discussed and developed and more investigation will need to be conducted before the hearing in November.

#### Staff Response to Public Testimony

Staff recognized the importance of affordability and stated that the General Plan does provide significant housing growth through the Focus Growth and Urban Village Major Strategies. Since the adoption of the General Plan in November 2011, 19,000 thousand units have been entitled

within the designated Growth Areas and 7,000 units are under review. Staff clarified that the Planning Commission is reviewing the proposed General Plan Amendment and Rezoning, and no affordability restriction could be placed on the property until a Site Development Permit is submitted. Staff supported the technological incubator but encourage the use to be located on the current campus or site designated for such land use. Staff added that an environmental remediation company is currently located on the subject site which employs approximately 30-35 employees. Following the hearing, Staff and the applicant confirmed the existence of the environmental company and confirmed that the site was not vacant.

Commissioner Allen thanked all speakers and expressed appreciation for their attendance. He believed the proposed project is unique and expressed appreciation for staff's analysis. Further, he stated that the proposed project deserves to have a full vetting and analysis, and the Planning Commission did not have full information related to parking, circulation and full analysis of the project. Commissioner Oliverio spoke in support of staff and reiterated policies of the General Plan that strictly prohibit the conversion of Light Industrial uses and made a motion to recommend to the City Council denial of the proposed project. Commission Leyba seconded the motion. The Planning Commission voted 2-4-1 (Commissioner Allen, Griswold, Ballard and Vora opposed, Commissioner Yesney absent) and the motion failed.

Commissioner Vora then made a motion to recommend to the City Council the continuation of processing the application of the proposed project to the General Plan Annual Review Hearing in fall 2019. Commissioner Leyba spoke in opposition, citing the City's imbalance of jobs to employed residents, and policies against conversion of employment and industrial lands. He spoke in appreciation of educators, but expressed that the project may not be best for the City of San José. The Planning Commission voted 4-2-1 (Commissioner Leyba and Oliverio opposed, Commissioner Yesney absent) to recommend to the City Council to continue processing of the proposed project.

## **ANALYSIS**

For a complete analysis, please see the Planning Commission staff report (attached).

## **EVALUATION AND FOLLOW UP**

If the SCU's application for a General Plan Amendment and Planned Development Zoning is continued as recommended by the Planning Commission, the proposed applications will continue to be processed by staff and brought to Planning Commission and City Council for consideration during the General Plan Annual Review hearing cycle in fall 2019.

### **PUBLIC OUTREACH/INTEREST**

Staff followed Council Policy 6-30: Public Outreach Policy in order to inform the public of the proposed project. 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 Planning Commission agenda was posted on the City of San José website, which included a copy of the staff report, and staff has been available to discuss the project with members of the public.

### **COORDINATION**

Preparation of this memorandum has been coordinated with the City Attorney's Office.

### **CEQA**

Under the provision of Section 15270 of the California Environmental Quality Act Guidelines, a project is exempt from environmental review requirements if the public agency disapproves of the project. This statutory exemption is intended to allow an initial screening of projects on the merits for quick disapprovals prior to the initiation of the CEQA process where the agency can determine that the project cannot be approved. If Council directs staff to continue processing the application, staff will perform appropriate environmental review as required by CEQA.

/s/  
Rosalynn Hughey, Secretary  
Planning Commission

For questions please contact Jared Hart, Division Manager, at 408-535-7896.

Attachment: Planning Commission Staff Report



# Memorandum

**TO:** PLANNING COMMISSION

**FROM:** Rosalynn Hughey

**SUBJECT:** File No. GP18-015 and PDC18-038

**DATE:** April 10, 2019

**COUNCIL DISTRICT:** 3

<b>Type of Permit</b>	General Plan Amendment
<b>Project Planner</b>	Robert Rivera
<b>CEQA Clearance</b>	Statutory Exempt pursuant to CEQA Guidelines section 15270 Projects Which are Disapproved.
<b>CEQA Planner</b>	Robert Rivera

## PROPERTY INFORMATION

<b>Location</b>	1202 and 1250 Campbell Avenue
<b>Assessor Parcel No.</b>	230-14-004 and 230-14-009
<b>Existing General Plan</b>	Light Industrial
<b>Proposed General Plan</b>	Transit Residential
<b>Existing Zoning</b>	Heavy Industrial
<b>Proposed Zoning</b>	A(PD)
<b>Historic Resource</b>	No
<b>Annexation Date</b>	December 12, 1925 (College Park/Burbank Sunol)
<b>Council District</b>	3
<b>Acreage</b>	3.0-gross acres
<b>Owner/ Applicant:</b>	Santa Clara University 500 El Camino Real Santa Clara, CA 95050
<b>Applicant's Representative</b>	Erik Schoennauer 90 Hawthorn Way San Jose, CA 95110

## RECOMMENDATION

Staff recommends that the Planning Commission recommend the City Council to:

1. Consider the Statutory Exemption in accordance with CEQA; and

2. Recommend that the City Council **deny** the applicant's request to amend the Envision San José 2040 General Plan Land Use/Transportation Diagram designation from Light Industrial to Transit Residential on the 3.0-gross acre site.
3. Recommend that the City Council **deny** the applicant's request to rezone the subject to a Planned Development Zoning to allow 295 residential units and 20,000 square feet of commercial office.

## PROJECT BACKGROUND

On March 07, 2018, the applicant submitted an application for a General Plan Amendment to change the Land Use/Transportation Diagram land use designation from Light Industrial to Transit Residential and a Planned Development Rezoning to allow 295 residential units and 20,000 square feet of commercial office use on a 3.0-gross acre site located on the easterly side of Campbell Avenue, approximately 1,660 feet northerly of Newhall Street.

### Site Location

As shown on the attached [vicinity map \(Figure 1\)](#), the subject 3.0 gross-acre site is comprised of two parcels and includes three main buildings totaling approximately 53,542 square feet and surface parking lots. The building located on 1250 Cambell Avenue is currently used as an office for an environmental remediation company. The office has approximately 36-40 employees with 14 vehicles. The building located on 1202 is currently vacant but was used in the past as a kitchen and bath showplace. A medium density residential development (University Villas) is situated on the northwest end of the project site and residential town homes are situated on the southeast end of the subject site. Across Campbell Avenue, south of the subject site, is Stephen Schott Stadium and surface parking. Caltrain railroad tracks are located north of the site.

SURROUNDING USES			
	General Plan	Zoning District	Existing Use
North	Combined Industrial/Commercial	Heavy Industrial	VTA Rail Road
South	City of Santa Clara	City of Santa Clara	Stadium
East	Mixed Use Neighborhood	A(PD)	Multi-family Residential
West	Urban Residential	A(PD)	Multi-family Residential

### Early Consideration Process

The Early Consideration process is utilized when a proposed land use amendment to the Envision San José 2040 General Plan is fundamentally inconsistent with the Major Strategies, goals and policies of the General Plan. The Administration brings the amendment to the Planning Commission for Early Consideration of a recommendation to the City Council for either denial or continued processing during the 2019 General Plan Annual Review. Staff recommends the Planning Commission recommend to the City Council denial of the General Plan Amendment request and associated Planned Development Zoning because the proposal is a conversion of a job generating industrial land use, and is fundamentally inconsistent with the Major Strategies, goals, and policies of the General Plan.

## Background

A Major Strategy of the General Plan is to support San José's growth as an innovation/regional employment center. San José is the only U.S. city with a population over 500,000 that is a bedroom community, meaning that the City acts as a net exporter of workers within the region. The imbalance between residents and jobs in San José has led to significant fiscal, environmental and quality of life impacts for San José.

Acknowledging this imbalance, the City continues to grow and recognizes the regional need for housing. To accommodate new housing and jobs, the General Plan includes the Focused Growth Major Strategy which concentrates significant new residential and commercial growth into specifically identified Growth Areas to reduce congestion, improve the City's fiscal health and preserve established neighborhoods. Since the adoption of the General Plan in 2011, the City has entitled approximately 19,000 units within established Growth Areas.

Staff from Planning Division and the Office of Economic Development provided a Land Use study session to the City Council in April 2015 that detailed the history of employment land conversions in San José and fiscal impacts of land use. A study session on the same topic was also provided to the Planning Commission in June 2015. As noted in the study sessions, since 1980, approximately 2,300 acres of employment lands have been converted to non-employment uses, resulting in an estimated loss in job capacity between 52,000 and 110,000 jobs. Overall, employment lands and light/heavy industrial lands in particular make up a small percentage (2.7%) of the city's overall land portfolio. Additionally, industrial space vacancy rates are currently low in San Jose (approximately 2%) and demand is high. For more information, staff's presentation, including a video of the Land Use study session to the City Council is available on the City's website (<http://www.sanjoseca.gov/index.aspx?nid=5673> –April 14, 2015 study session).

Industrial businesses provide many quality employment opportunities that do not require a college degree, paying non-management hourly wages ranging from \$15 to \$35 per hour. Many vital services including industrial suppliers, light manufacturing, warehousing, and wholesaling are allowed in Light Industrial designated lands. Since light and heavy industrial lands tends to have lower assessed value than other land use designations, the likelihood of new light or heavy industrial land being established through landowners seeking a General Plan amendment is highly unlikely. This economic reality necessitates the need for the City to preserve its stock of Light and Heavy Industrial designated lands.

To address the preservation and creation of employment lands, the General Plan has established the Innovation/Regional Employment Center Major Strategy. This Major Strategy and its objectives inform the City's land use policies and designations. The General Plan recognizes the retention of existing employment lands as well as the development of new employment lands as necessary to meet this objective.

The subject site has a land use designation of Light Industrial. The residential sites northwest and south east of the project were formerly industrial sites similar to the subject site. In 2004 and 2006, the City Council approved a General Plan Amendment to convert these industrial lands to medium-density and high-density residential designations. **History of Industrial Conversion, (Figure 5)** Such conversion of industrial land to residential uses served as a catalyst to develop strong 2040 General Plan strategies, goals, and policies that discourage the conversion of industrial land for residential uses.

The proposed Transit Residential designation supports high-density, mixed-use residential development, and intensive commercial employment uses, such as office, retail, and hotels. While the Planned Development Zoning proposes 20,000 square feet of office, this only represents a 0.15 FAR of commercial uses on a site currently designated for employment uses. Furthermore, the proposed Transit Residential land use designation is in direct conflict with the General Plan's industrial land retention goals and policies as describe below.

In September 2017, the Mayor issued a memorandum entitled "Responding to the Housing Crisis." This memo established a goal to construct or approve 25,000 homes, including 10,000 affordable by 2022. While the Mayor's memo focused on, and identified policy actions to accelerate housing production in San Jose, it also acknowledged that San José remains the city with the worst jobs-housing ratio of any major city in the nation, and stated that "it remains fiscally irresponsible and environmentally unsustainable for San José to exacerbate its imbalance." ([http://sanjose.granicus.com/MetaViewer.php?meta\\_id=667033](http://sanjose.granicus.com/MetaViewer.php?meta_id=667033)) In April 2018, City Council accepted the Housing Crisis Workplan brought forward by staff, which includes strategies to facilitate the development of 25,000 housing units, without worsening the City's jobs-housing balance. The proposed General Plan Amendment is not consistent with any of the work items in the Housing Crisis Workplan approved by the City Council. (<https://sanjose.legistar.com/View.ashx?M=F&ID=6283519&GUID=7876EF17-254F-4AF4-9002-7E5DE39A946C>)

## ANALYSIS

The proposed General Plan Amendment application is analyzed with respect to conformance with:

- 1) Envision San José 2040 General Plan
- 2) Title 20 of the Municipal Code (Zoning Ordinance)
- 3) California Environmental Quality Act (CEQA)

### Envision San José 2040 General Plan Conformance

#### *Existing and Proposed Land Use Designations*

As shown in the attached **General Plan map (Figure 2)**, the subject site has an Envision San Jose 2040 General Plan designation of **Light Industrial**.

#### **Light Industrial**

This designation is intended for a wide variety of industrial uses and excludes uses with unmitigated hazardous or nuisance effects. Warehousing, wholesaling, and light manufacturing are examples of typical uses in this designation. Light Industrial designated properties may also contain service establishments that serve only employees of businesses located in the immediate industrial area. Office and higher-end industrial uses, such as research and development, are discouraged in order to preserve the scarce, lower cost land resources that are available for companies with limited operating history (start-up companies) or lower cost industrial operations.

Because of the limited supply of land available for industrial suppliers/services firms in the city, Land Use Policies in the *Envision General Plan* restrict land use changes on sites designated Light Industrial. Design controls for this category of use are not as stringent as for the "Industrial Park" uses.

The applicant's proposed amendments to the Envision San José 2040 General Plan Land Use/Transportation Diagram Designation Map are shown in the attached **General Plan map (Figure 3)**.



## Transit Residential

This is the primary designation for new high-density, mixed-use residential development sites that are near transit, jobs, amenities, and services. Allowable density for residential projects is 50 – 250 dwelling units per acre. This designation may also be appropriate for some sites within Urban Village areas as identified through an Urban Village Planning process. This designation also supports intensive commercial employment uses, such as office, retail, hotels, hospitals, and private community gathering facilities. To help contribute to “complete communities,” commercial uses should be included with new residential development in an amount consistent with achievement of the planned job growth and Urban Village Plan for the relevant Urban Village area. The allowable density/intensity for mixed-use development will be determined using an FAR 2.0 to 12.0 to better address the urban form and potentially allow fewer units per acre if in combination with other uses such as commercial or office. The allowable density for this designation is further defined within the applicable Zoning Ordinance designation and may also be addressed within an Urban Village Plan or another policy document.

The applicant’s proposal to change the land use designation from Light Industrial to Transit Residential is consistent to with the following key General Plan policies:

1. **Housing Goal H-1:** Provide housing throughout our City in a range of residential densities, especially at higher densities, and product types, including rental and for-sale housing, to address the needs of an economically, demographically, and culturally diverse population.

**High Quality Housing and Great Places Policy H-3.3:** Situate housing in an environment that promotes the health, safety, and well-being of the occupants and is close to services and amenities.

*Analysis: The proposed General Plan Amendment would allow residential uses on the subject site, which is adjacent to the Santa Clara Transit Center and nearby the Santa Clara University and other various neighborhood serving commercial uses. Up to 295 dwelling units could be developed on the site, thereby furthering Goal H-1.*

2. **Compatibility Policy CD-4.3:** Promote consistent development patterns along streets, particularly in how buildings relate to the street, to promote a sense of visual order, and to provide attractive streetscapes.

**Compatibility Policy CD-4.4:** In non-growth areas, design new development and subdivisions to reflect the character of predominant existing development of the same type in the surrounding area through the regulation of lot size, street frontage, height, building scale, siting/setbacks, and building orientation.

**Residential Neighborhoods Policy LU-11.6:** For new infill development, match the typical lot size and building form of any adjacent development, with particular emphasis given to maintaining consistency with other development that fronts onto a public street to be shared by the proposed new project. As an exception, for parcels already developed with more than one dwelling unit, new development may include up to the same number of dwelling units as the existing condition. The form of such new development should be compatible with and, to the degree feasible, consistent with the form of the surrounding neighborhood pattern.

*Analysis: The proposed project site is adjacent to medium density multifamily residences to the northwest, and townhomes to the southeast because of industrial land conversions along Campbell Avenue in 2004 and 2006. The proposed General Plan Amendment request would allow residential development of a similar scale to the adjacent residential projects. However, there are other active industrial businesses with Light Industrial General Plan designations directly across the street and just east of the subject site. The proposed General Plan amendment request would further erode the viability of adjacent employment uses by introducing additional incompatible residential uses.*

3. **Consumption and Increase Efficiency Policy MS-14.1:** Promote job and housing growth in areas served by public transit and that have community amenities within a 20-minute walking distance.

*Analysis: The proposed project would convert the site from Light Industrial to Transit Residential to facilitate mixed-use residential development. The project site is located approximately one-half mile from the Santa Clara Caltrain Station. However, the proposal would also result in a loss of employment designated lands within an area served by public transit. There would be a trade-off of employment lands in close proximity to public transit for primarily residential in close proximity to public transit.*

The applicant's proposal to change the General Plan Land Use designation from Public/Quasi-Public to Residential Neighborhood is inconsistent with the following General Plan Major Strategies, goals, and policies:

1. **Focused Growth Major Strategy:** A Major Strategy of the General Plan is to focus new growth capacity in specifically identified Growth Areas, while the majority of the City is not planned for additional growth or intensification. Because the City is largely built-out within its city limits and the General Plan does not support the conversion of industrial areas to residential use.

*Analysis: The proposed General Plan amendment is inconsistent with and in direct conflict with the Focused Growth Major Strategy because it proposes to convert industrially designated lands to a non-industrial use, and is located outside of a specified Growth Area.*

2. **Innovation/Regional Employment Center Major Strategy:** The Innovation/Regional Employment Center Major Strategy emphasizes economic development within the City to support San José's growth as center of innovation and regional employment. San José is the only large city within the US that acts as a net exporter of workers within the region, and through multiple General Plan updates, San José has identified improvement of the City's jobs/housing balance as a critical objective to address multiple City goals. The Plan recognizes that all existing employment lands add value to the City overall and therefore establishes goals and policies to preserve those employment lands and promote the addition of new employment lands.

*Analysis: The proposed General Plan amendment is inconsistent with and in direct conflict with the Innovation/Regional Employment Center Major Strategy because it proposed to convert employment lands to primarily residential use.*

3. **Fiscally Strong City Major Strategy:** The Fiscally Strong City Major Strategy establishes a land use planning framework that promotes fiscal balance of revenue and costs to allow the City to deliver high-quality municipal services, consistent with community expectations. A component of this Major Strategy is to provide adequate land for uses that generate revenue for the City.

*Analysis: Conversion of the proposed site from a Light Industrial designation to Transit Residential designation is inconsistent and in direct conflict with the Fiscally Strong City Major Strategy.*

4. **Industrial Preservation Goal LU-6:** Preserve and protect industrial uses to sustain and develop the city's economy and fiscal sustainability.

**Industrial Preservation Policy LU-6.1:** Prohibit conversion of lands designated for light and heavy industrial uses to non-industrial uses.

**Industrial Preservation Policy LU-6.2:** Prohibit encroachment of incompatible uses into industrial lands, and prohibit non-industrial uses which would result in the imposition of additional operational restriction and/or mitigation requirements on industrial users use to land use incompatibility issues.

**Industrial Preservation Policy LU-6.4:** Encourage the development of new industrial areas and the redevelopment of existing older or marginal industrial areas with new industrial uses, particularly in locations which facilitate efficient commute patterns.

**Industrial Preservation Policy LU-6.5:** Maintain and create Light Industrial and Heavy Industrial designated sites that are at least one acre in size in order to facilitate viable industrial uses.

**Industrial Preservation Policy LU-6.8:** Reserve industrial areas for industrial and compatible support uses, while recognizing that industrial uses come in a variety of types and forms. Allow non-industrial uses which are only incidental to and totally compatible with primary industrial uses in exclusively industrial areas. Consider allowing supportive, non-industrial activities, such as retail sales of materials manufactured or stored on site.

**Promote Fiscally Beneficial Land Use Policy FS-4.5:** Maintain and expand the total amount of land with either Light Industrial or Heavy Industrial designation. Do not add overlays or other designations that would allow for non-industrial, employment uses.

*Analysis: The Envision San José 2040 General Plan includes many goals and policies related to the preservation and creation of industrial lands within San José, including the prohibition of converting heavy and light industrial lands to non-industrial uses. While the proposed General Plan Amendment and Rezoning include commercial office space, the proposed project would convert Light Industrial land uses along with the vital and diverse jobs associated with those uses. The proposed project is a conversion of lands designated for light industrial uses to non-industrial uses, and is prohibited by the General Plan.*

*Additionally, the 2004 and 2006 Industrial land conversions in the project site vicinity have already placed constraints on the future operation of the subject site. These former conversions to residential uses do not justify the proposal to continue conversion of industrial land to non-industrial uses. As stated in Land Use Policy 6.8, industrial uses come in a variety of types and forms. As such, the subject 3.0-acre site could be currently occupied by an industrial user and could be viable for future light industrial users while still remaining compatible with the surrounding residential properties. The proposed General Plan amendment and rezoning would remove 3.0-acres of light industrial lands from the City's light/heavy industrial land use inventory, and eliminate the possibility for industrial uses on this site in the future.*

5. **Land Use and Employment Goal IE-1:** Proactively manage land uses to provide and enhance economic development and job growth in San Jose.

**Land Use and Employment Policy IE-1.1:** To retain land capacity for employment uses in San José, protect and improve the quantity and quality of all lands designated exclusively for industrial uses, especially those that are vulnerable to conversion to non-employment uses.

**Innovative Economy Policy IE 1.2:** Plan for the retention and expansion of a strategic mix of employment activities at appropriate locations throughout the city to support a balanced economic base, including industrial suppliers and services, commercial/retail support services, clean technologies, life sciences, as well as high technology manufacturers and other related industries.

*Analysis: The General Plan policies above promote the management, enhancement and protection of jobs and industrial lands within San José. The proposed land use change and rezoning would allow non-industrial uses on the subject site and would continue and encourage other industrial properties nearby to request conversions of their General Plan land use designations, further eroding industrial uses in the area.*

6. **Broad Economic Prosperity Policy IE-6.2:** Attract and retain a diverse mix of businesses and industries that can provide jobs for the residents of all skill and education levels to support a thriving community.

*Analysis: The General Plan seeks to maintain and retain a diverse mix of businesses and industries that can provide jobs for residents of all skill and education levels. The Light Industrial General Plan land use designation supports a wide variety of industrial uses including warehousing, wholesaling, and light manufacturing. These types of uses can provide well-paying job opportunities that are accessible to all residents. By converting the subject site from a Light Industrial land use designation to a Transit Residential designation, the General Plan Amendment request is inconsistent with the above policy.*

7. **Growth Areas Policy LU-2.3:** To support the intensification of identified Growth Areas, and to achieve various goals related to their development throughout the City, restrict new development on properties in non-Growth Areas.

**High Quality Living Environments Policy LU-9.17:** Limit residential development in established neighborhoods that are not identified growth areas to projects that conform to the site's Land Use /Transportation Diagram designation and meet Urban Design policies in this Plan.

**Zoning Policy IP-8.5:** Use the Planned Development zoning process to tailor such regulations as allowed uses, site intensities and development standards to a particular site for which, because of unique circumstances, a Planned Development zoning process will better conform to Envision General Plan goals and policies than may be practical through implementation of a conventional Zoning District. These development standards and other site design issues implement the design standards set forth in the Envision General Plan and design guidelines adopted by the City Council.

*Analysis: The General Plan focuses new housing and job growth in identified Growth Areas, such as Downtown and Urban Villages to preserve established neighborhoods and reduce environmental and fiscal impacts of development. The proposed General Plan Amendment would allow new residential growth on a site that is located outside of an identified Growth Area and not currently designated for residential development. The proposed land use designation and rezoning would allow 295 units to be constructed, these units would need to be shifted from a surrounding Urban Village's planned housing growth capacity. Furthermore, the General Plan, with limited exceptions for affordable housing, only supports residential development outside of Growth Areas on properties that are already designated for residential uses, which is not applicable for the subject site.*

## **Zoning Ordinance Conformance**

The subject site is currently zoned HI Heavy Industrial, **Zoning District map (Figure 4)**. The HI zoning district would not permit the proposed development, as residential mixed-use projects are not allowed in the HI Heavy Industrial Zoning District. As part of the project, the site is proposed to be rezoned from the HI Zoning District to A(PD) Planned Development Zoning District.

The A(PD) Planned Development Zoning District would allow a residential mixed-use development. Commercial uses and development standards would conform to the uses identified in the proposed development standards, **see attached Development Standards**.


**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Under the provisions of Section 15270 of the State Guidelines for Implementation of the California Environmental Quality Act, the General Plan Amendment is found to be 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 (CEQA), if the public agency disapproves of the project. Section 15270 is intended to allow an initial screening of projects on the merits for quick disapprovals prior to the initiation of the CEQA process where the agency can determine that the project cannot be approved. This section shall not relieve an applicant from paying the costs for an EIR or Negative Declaration prepared for his project prior to the Lead Agency's disapproval of the project after normal evaluation and processing.

**PUBLIC OUTREACH**

Staff followed Council Policy 6-30: Public Outreach Policy in order to inform the public of the proposed project. 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 staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

**Project Manager:** Robert Rivera

**Approved by:**  Deputy Director for Rosalynn Hughey, Planning Director

<b>Owner/ Applicant:</b>	<b>Applicant's Representative:</b>
Santa Clara University 500 El Camino Real Santa Clara, CA 95050	Erik Schoennauer 90 Hawthorn Way San Jose, CA 95110

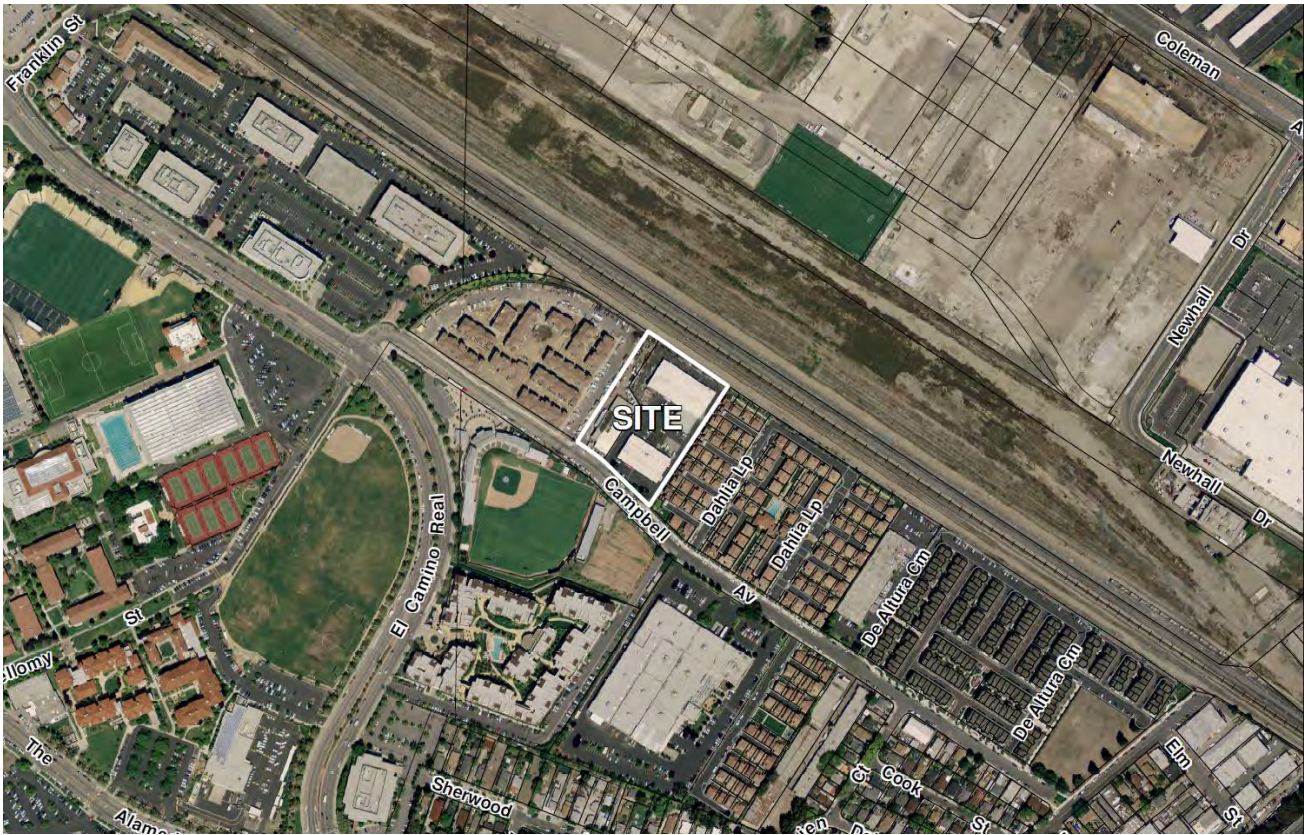
**ATTACHMENTS:**

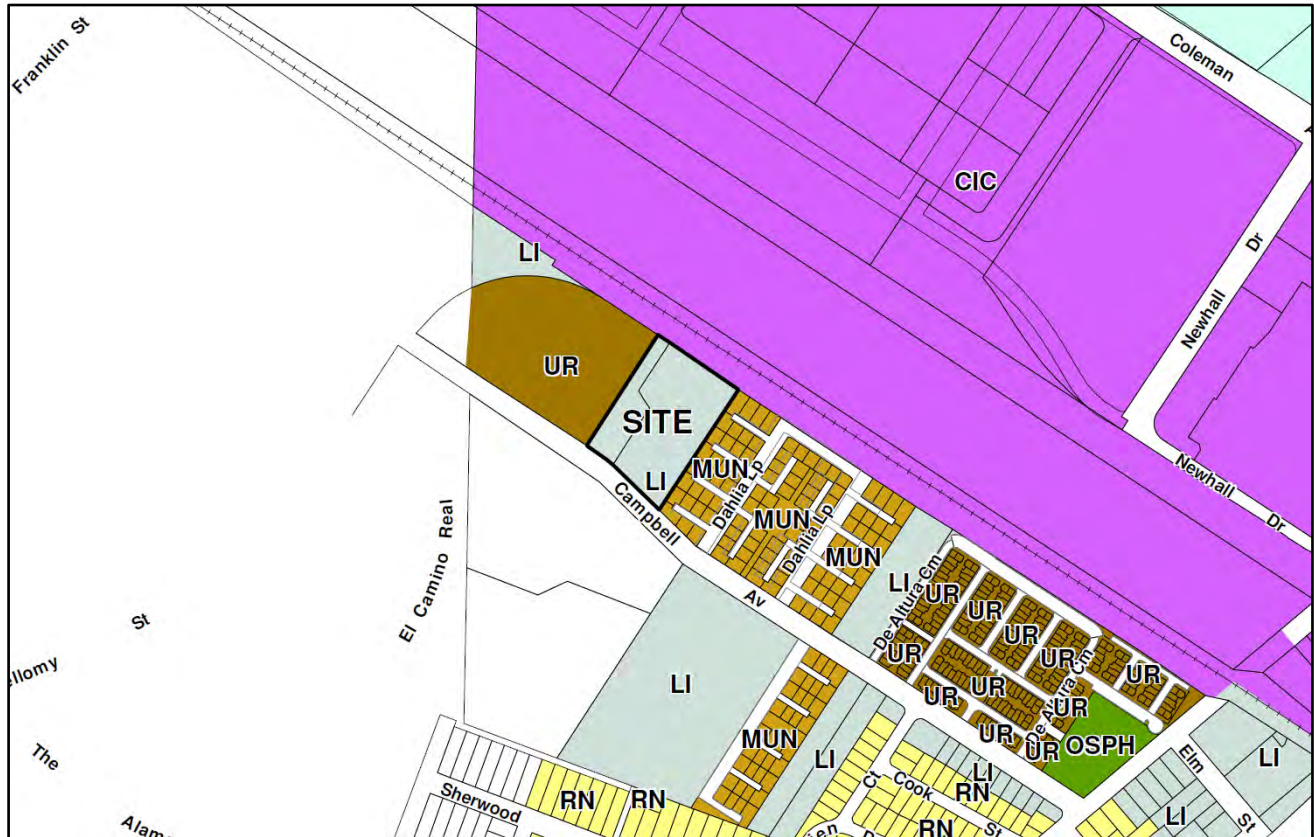
Exhibit A: Proposed Planned Development Zoning Plan Set

Exhibit B: Public Correspondence



Figure 1: Aerial of Site



**Figure 2: Existing General Plan Land Use/Transportation Diagram Designation Map**



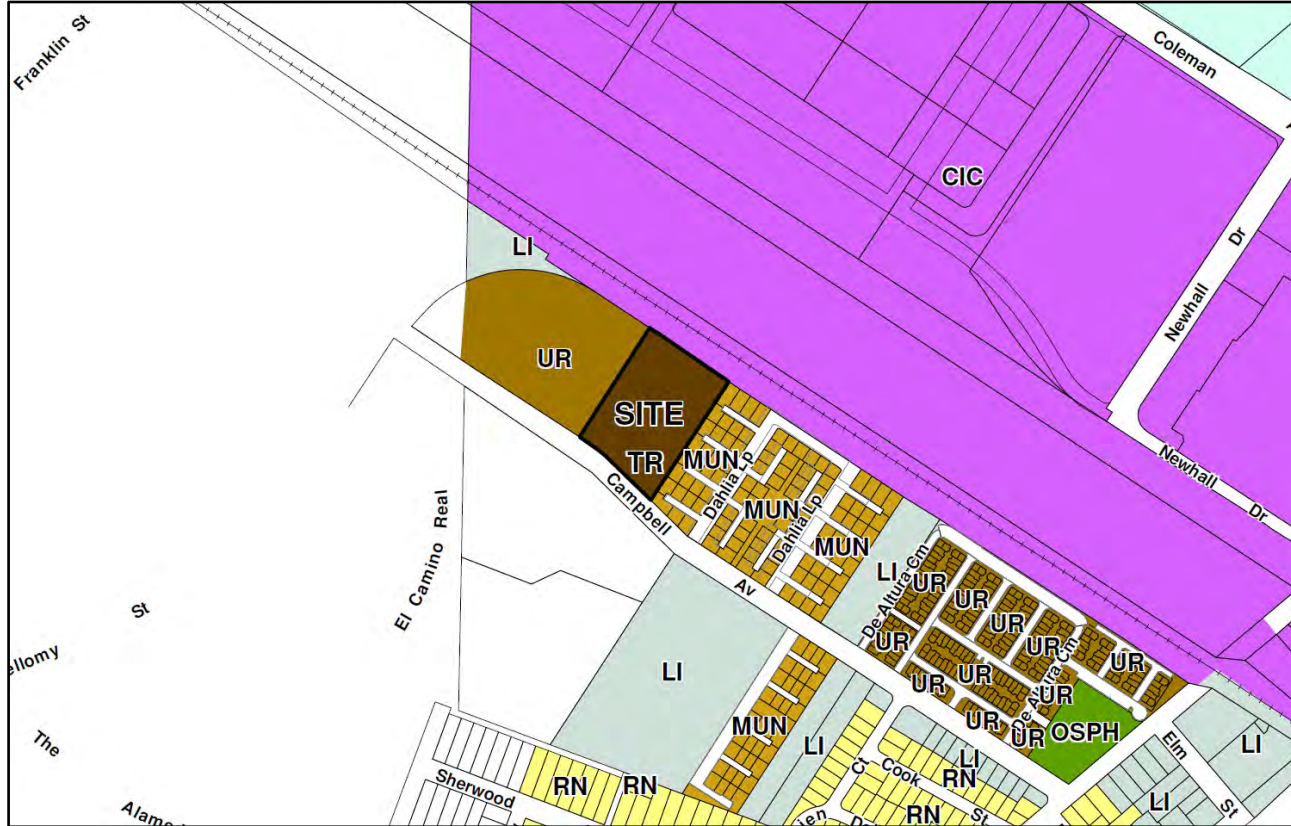
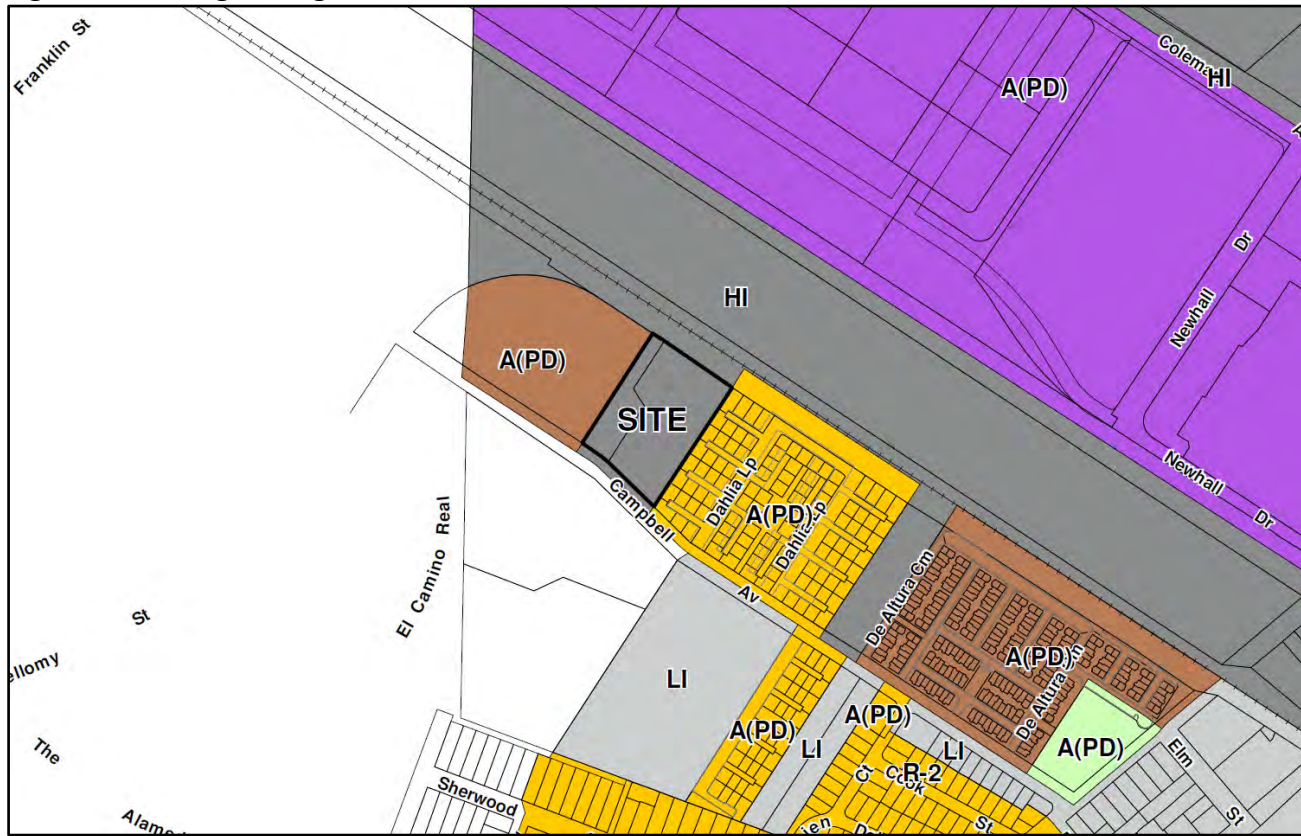
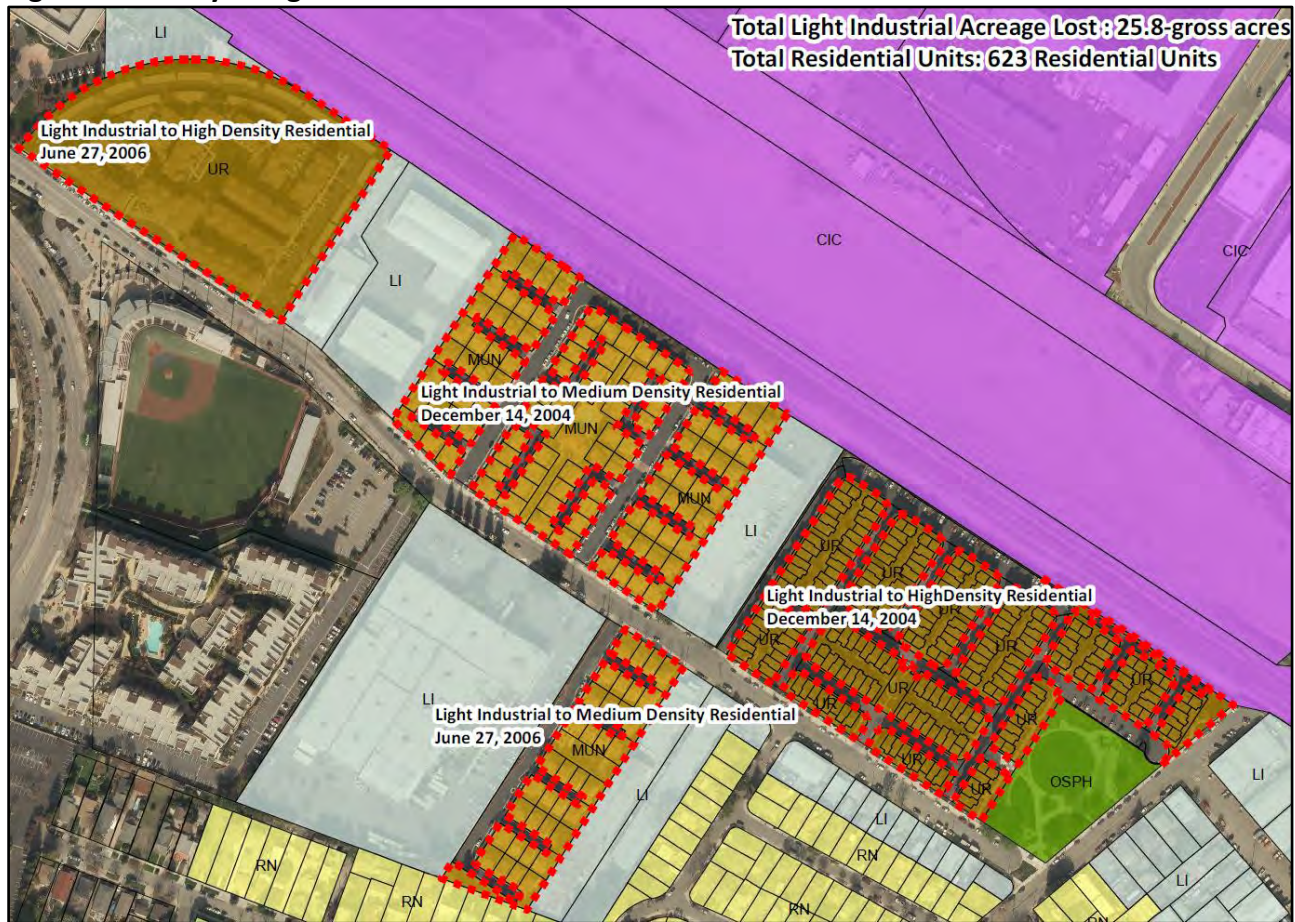
**Figure 3: Applicants Proposed General Plan Land Use/Transportation Diagram Designation Map**



Figure 4: Existing Zoning District



**Figure 5: History of Light Industrial Conversion**







**SANTA CLARA UNIVERSITY - EDUCATOR TECHNOLOGY INNOVATION CENTER & FACULTY/STAFF HOUSING**

PLANNED DEVELOPMENT ZONING APPLICATION | NOVEMBER 1, 2018







## PROJECT DESCRIPTION

Redevelopment of two parcels located at 1200/1202 and 1250 Campbell Avenue, San Jose from the current use to a mixed use project that would include up to 295 housing units and 20,000 square feet of technology incubator space. The residential housing portion of the project is intended to provide affordable housing options for faculty and staff at SCU and other Jesuit educational institutions.

## PROJECT TEAM



Santa Clara University

**Client:**  
Santa Clara University  
455 Guadalupe Hall  
Santa Clara, CA 95053  
Contact: Chris Shay  
cshay@scu.edu



**Architect:**  
Studio T-SQ., Inc.  
304 12th Street, Suite 2A  
Oakland, CA 94607  
Contact: Chek Tang  
ctang@studiot-sq.com  
kculver@TGP-INC.com



The Guzzardo Partnership Inc.

**Landscape Architect:**  
The Guzzardo Partnership Inc.  
181 Greenwich Street  
San Francisco CA 94111  
Contact: Paul Lettieri  
plettieri@TGP-INC.com



Sandis Civil Engineers  
Surveyors Planners

**Civil Engineer:**  
Sandis Civil Engineers  
Surveyors Planners  
1700 S. Winchester Blvd, Suite 200  
Campbell, CA 95008  
Contact: Chad Browning  
cbrowning@sandis.net

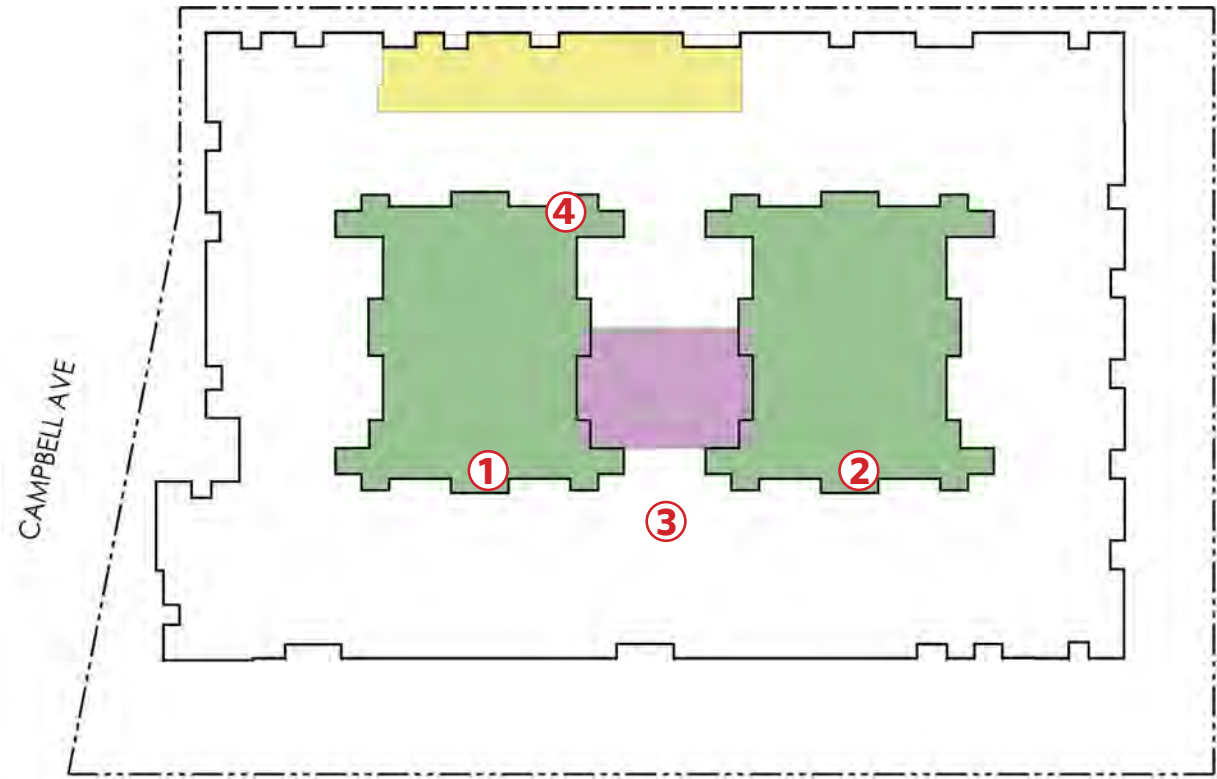
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L-2.0	Typical Irrigation Equipment Schedule

## OPEN SPACE REQUIREMENT



- ① Courtyard1 (1,0200 SF, 3rd)
- ② Courtyard2 (1,0200 SF, 3rd)
- ③ Clubroom (2,800 SF, 3rd)
- ④ Roof Deck (4,400 SF, Roof)

## OPEN SPACE REQUIREMENT

REQUIRED			SF
COMMON OPEN SPACE	Min. 140 sf/d per unit		40600
PRIVATE OPEN SPACE	Min. 60 sf per unit		

\* a) Private Open Space: Minimum of 60 square feet per residential unit, with a minimum dimension of six feet.  
i) If usable private open space is not feasible at all units due to the site's urban location and high density, the Director may grant an exception to allow the elimination of private open space for up to 50-percent of the units during the Planned Development Permit process.  
b) Common Open Space: Minimum of 80 square feet per residential unit

COMMON AREA PROGRAM		SF
Courtyard		17000
Club rooms		2400
Roof Deck		5180
Private Space		17400
Total Open Space Provided		41980

## PROJECT DATA

**Address:** 1200, 1202, 1250 Campbell Ave, San Jose CA  
**APN:** 230-14-009, 230-14-004  
**Site Area:** 2.99 AC  
**Density:** 96.7 DU/AC  
**FAR** 3.18  
**Current General Plan Designation:** Heavy Industrial  
**Proposed General Plan Designation:** Transit Residential  
**Zoning Designation:** PD  
**Proposed Program:** Commercial/Residential  
**Building Height:** Maximum 100'

## PROJECT SUMMARY

OFFICE			Type I (1-story)
OFFICE AREA SF	PKG RATIO PROVIDED	PARKING PROVIDED	
20,000	1.0/1000 sf	20	

APARTMENTS							Type III (5-story)
UNIT TYPE	QUAN.	SF	UNIT MIX	SF	PKG RATIO PROVIDED	PARKING PROVIDED	
1A	61	732	21%	44,652			
Total 1-bedroom units	61	732	21%	44,652	1.00	61	
2A	115	1090	40%	125,350			
2B	16	1156	6%	18,496			
2C	6	878	2%	5,268			
2D (outside corner)	28	1222	10%	34,216			
2E (inside corner)	40	1083	250%	43,320			
LOFT	6	1083	2%	6,498			
Total 2-bedroom units	211	1105	73%	233,148	1.00	211	
3A	16	1473	6%	23,568			
Total 3-bedroom units	16	1473	6%	23,568	1.00	16	
Total	290	1043	100%	302,440		290	

PARKING SUMMARY			Type I (2-story)
REQUIRED PER SAN JOSE MUNICIPAL CODE	1/UNIT 1/1000sf		310
Structured Parking	2 level		317

PARKING SUMMARY				Type I (2-story)
PARKING TYPE	REQUIREMENT	REQUIRED	PROVIDED	
Stuctured Parking Provided	2 level	1 per 1 unit /1 per 1000 :	310	317
Bike Parking Provided		1 per 4 units /1 per 4000 sf	78	80
Motorcycle Parking Provided		1 per 4 units /1 per 50 required parking spaces	80	80

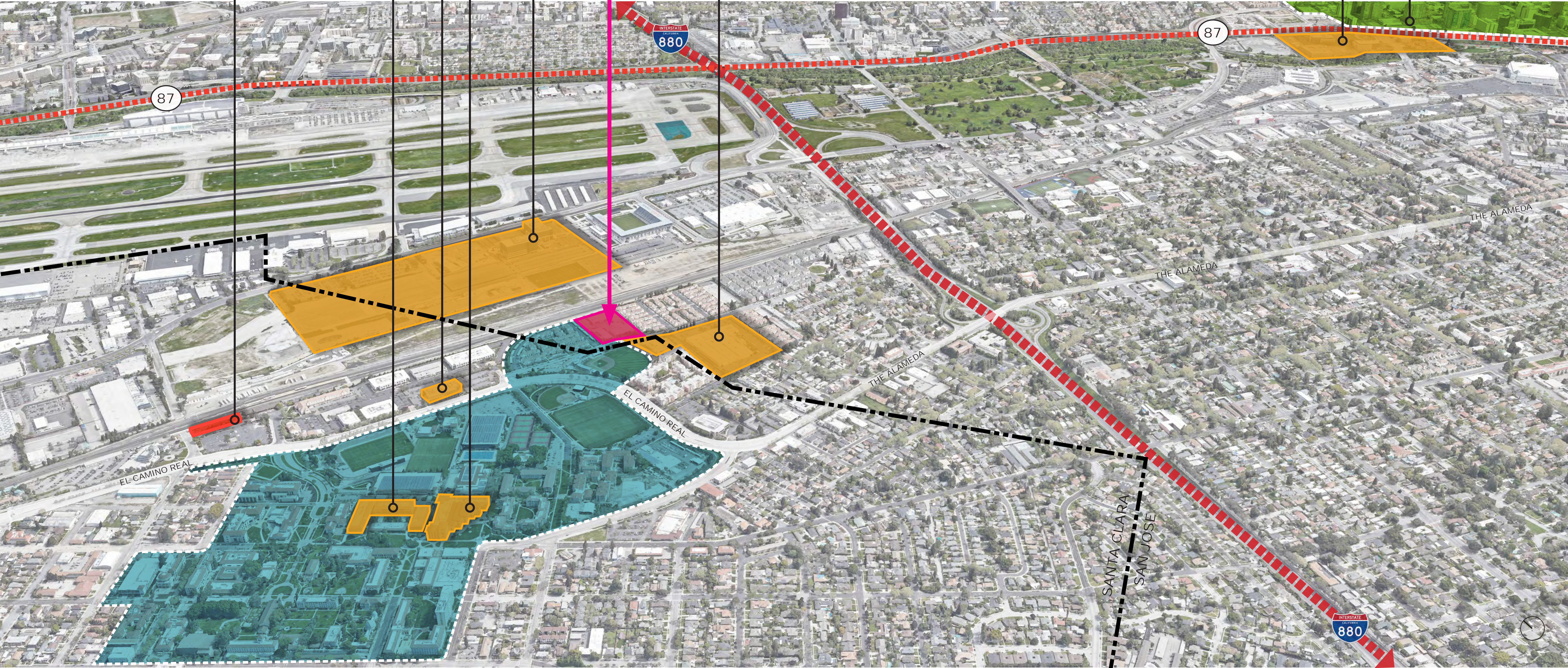


SITE CONTEXT  
INNOVATION NETWORK

LEGEND

- PROJECT SITE
- SAN JOSE & SANTA CLARA DIVISION
- SANTA CLARA UNIVERSITY

- 1 REGIONAL TRANSIT HUB (CALTRAIN, VTA, AMTRAK, ACE, BUSES, SJC CONNECT, FUTURE BART)
- 2 SOBRATO CAMPUS FOR DISCOVERY AND INNOVATION
- 3 PROFESSIONAL GRADUATE ENGINEERING - SCU (MAKER, FRUGAL INNOVATION, ROBOTICS)
- 4 SANTA CLARA UNIVERSITY LIBRARY
- 5 COLEMAN HIGHLINE
- 6 CORPORATE FABRICATION + TECHNOLOGY CENTER
- 7 FUTURE TECH COMPANY CAMPUS
- 8 DOWNTOWN SAN JOSE







1 EXISTING BUILDINGS BY CAMPBELL AVE



2 SOUTH ALLEY VIEW TO EAST



3 VIEW TO CAMPBELL AVENUE



4 VIEW TOWARDS STEPHEN SCHOTT STADIUM



5 NORTH WEST VIEW TOWARDS CALTRAIN



7 VACANT AREA IN THE MIDDLE OF THE SITE

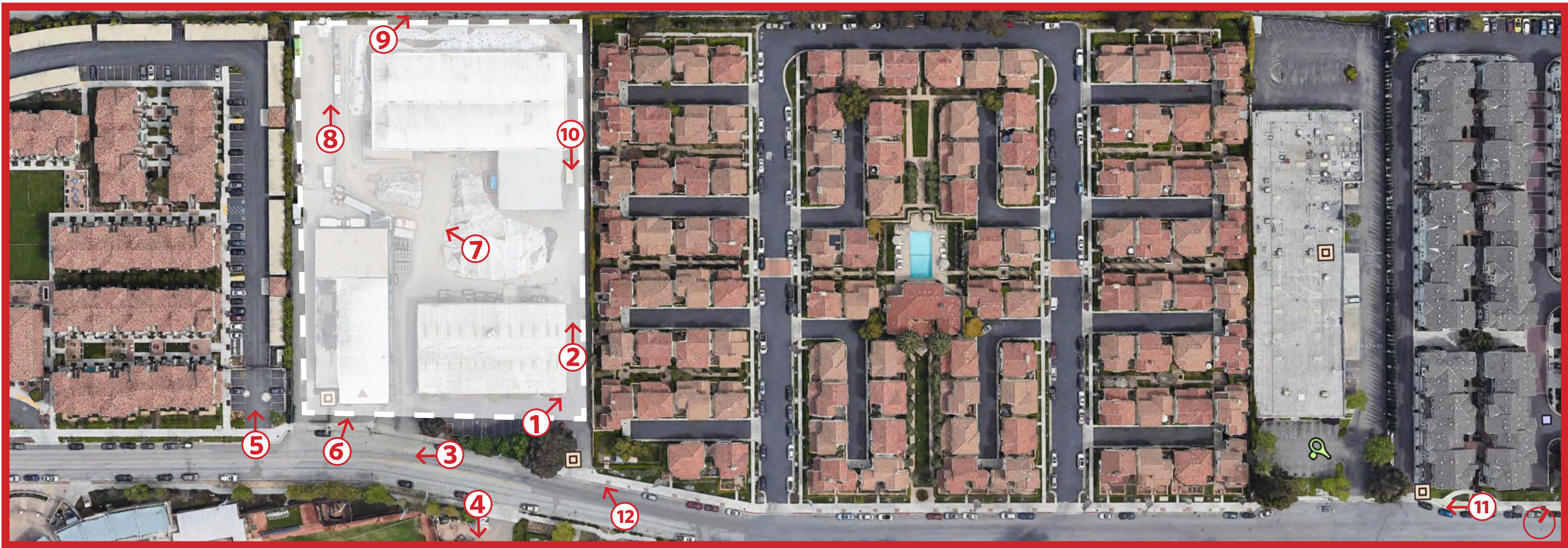


PHOTO KEY MAP



6 EXISTING BUILDING ON SITE AT 1250 CAMPBELL AVENUE



12 VIEW FROM CAMPBELL AVE



11 STREET VIEW LOOKING NORTH



10 SOUTH ALLEY VIEW TOWARDS CAMPBELL AVENUE



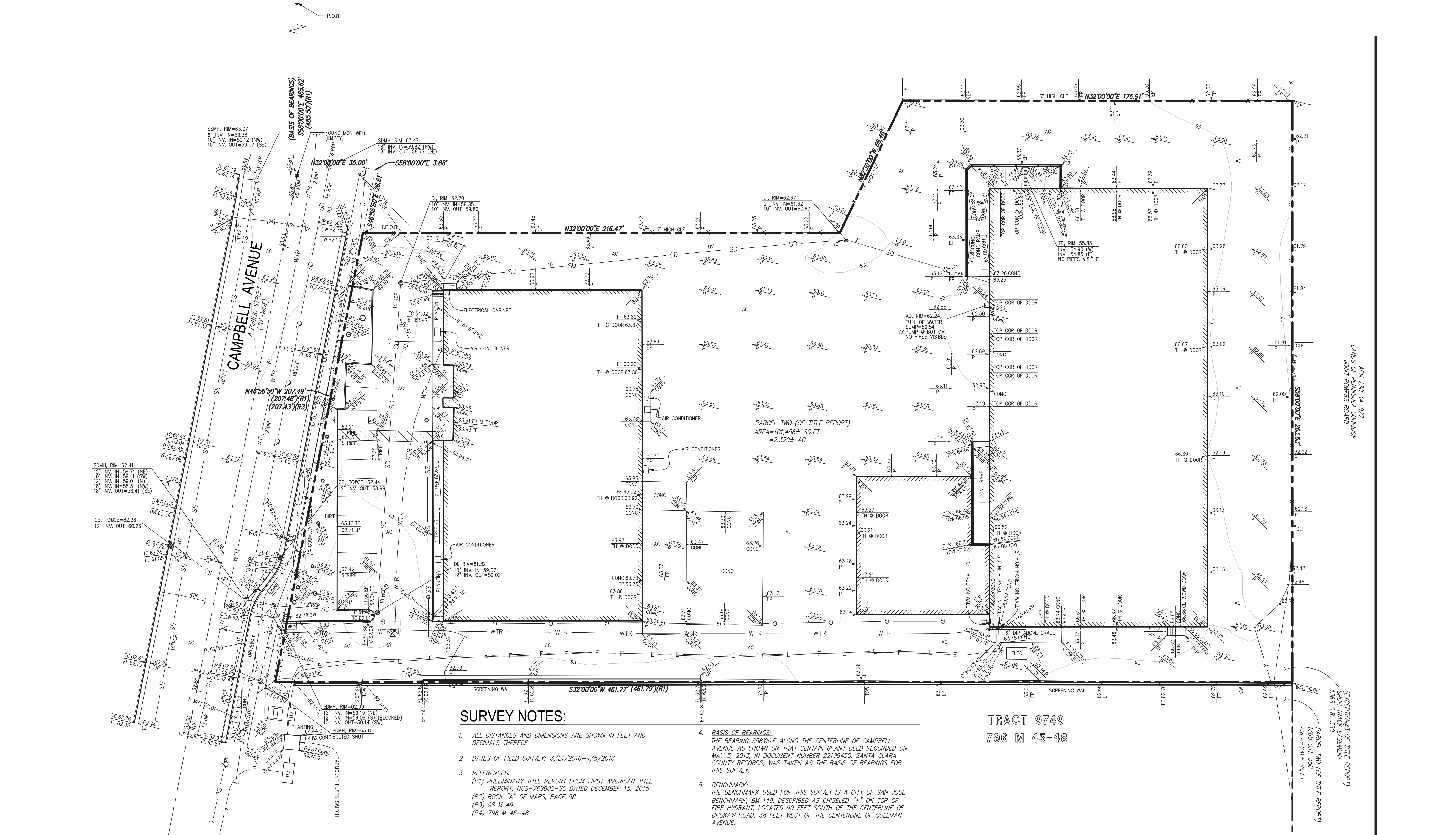
9 EASTERN PROPERTY EDGE



8 EASTERN NORTH VIEW FACING CALTRAIN

## EXISTING SITE PHOTOS





EXISTING SITE PLAN (TOPOGRAPHIC SITE SURVEY)  
APN # 23014009

SURVEY NOTES:

- ALL DISTANCES AND DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
- DATES OF FIELD SURVEY: 3/21/2016-4/5/2016
- REFERENCES:  
(R1) PRELIMINARY TITLE REPORT FROM FIRST AMERICAN TITLE REPORT, NCS-789902-SC DATED DECEMBER 15, 2015  
(R2) BOOK "A" OF MAPS, PAGE 88  
(R3) 98 M 49  
(R4) 796 M 45-48
- BASIS OF BEARINGS:**  
THE BEARING S58°00'E ALONG THE CENTERLINE OF CAMPBELL AVENUE AS SHOWN ON THAT CERTAIN GRANT DEED RECORDED ON MAY 5, 2013, IN DOCUMENT NUMBER 22199450, SANTA CLARA COUNTY RECORDS, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS SURVEY.
- BENCHMARK:**  
THE BENCHMARK USED FOR THIS SURVEY IS A CITY OF SAN JOSE BENCHMARK, BM 149, DESCRIBED AS CHISELED "4" ON TOP OF FIRE HYDRANT, LOCATED 90 FEET SOUTH OF THE CENTERLINE OF BROKAW ROAD, 38 FEET WEST OF THE CENTERLINE OF COLEMAN AVENUE.

TRACT 9749  
796 M 45-48







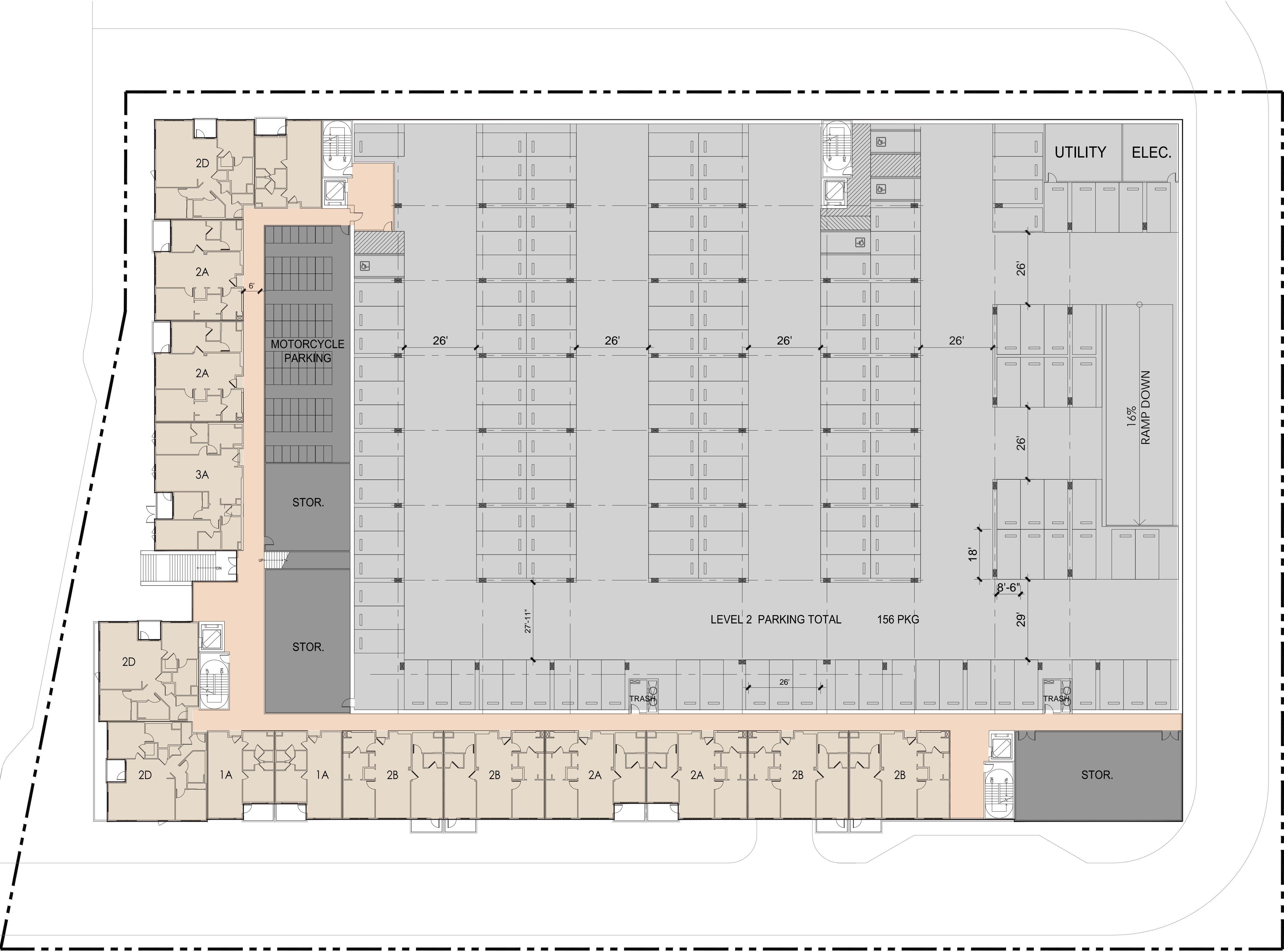




GROUND LEVEL PLAN







SECOND LEVEL PLAN





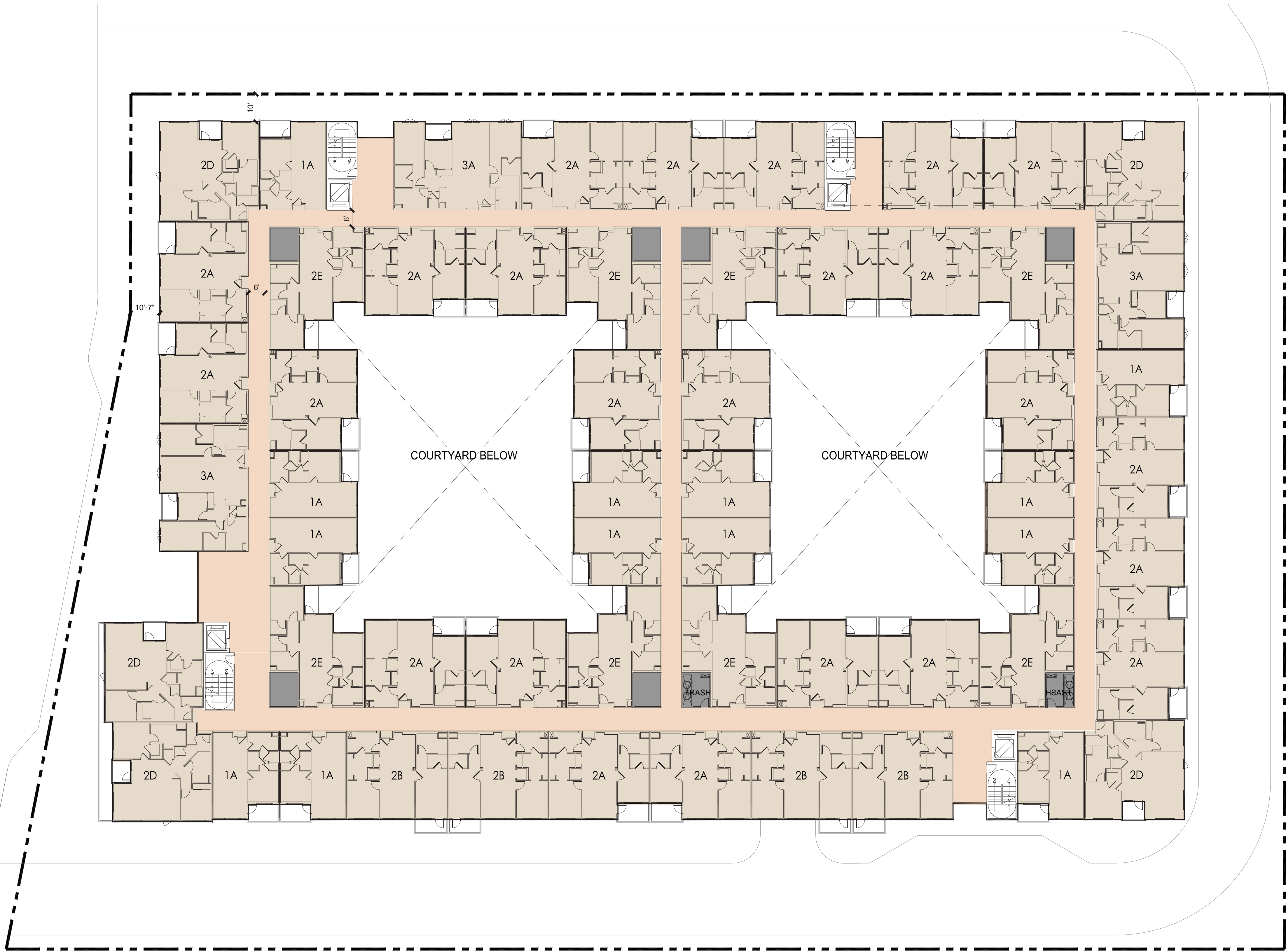


THIRD LEVEL PLAN



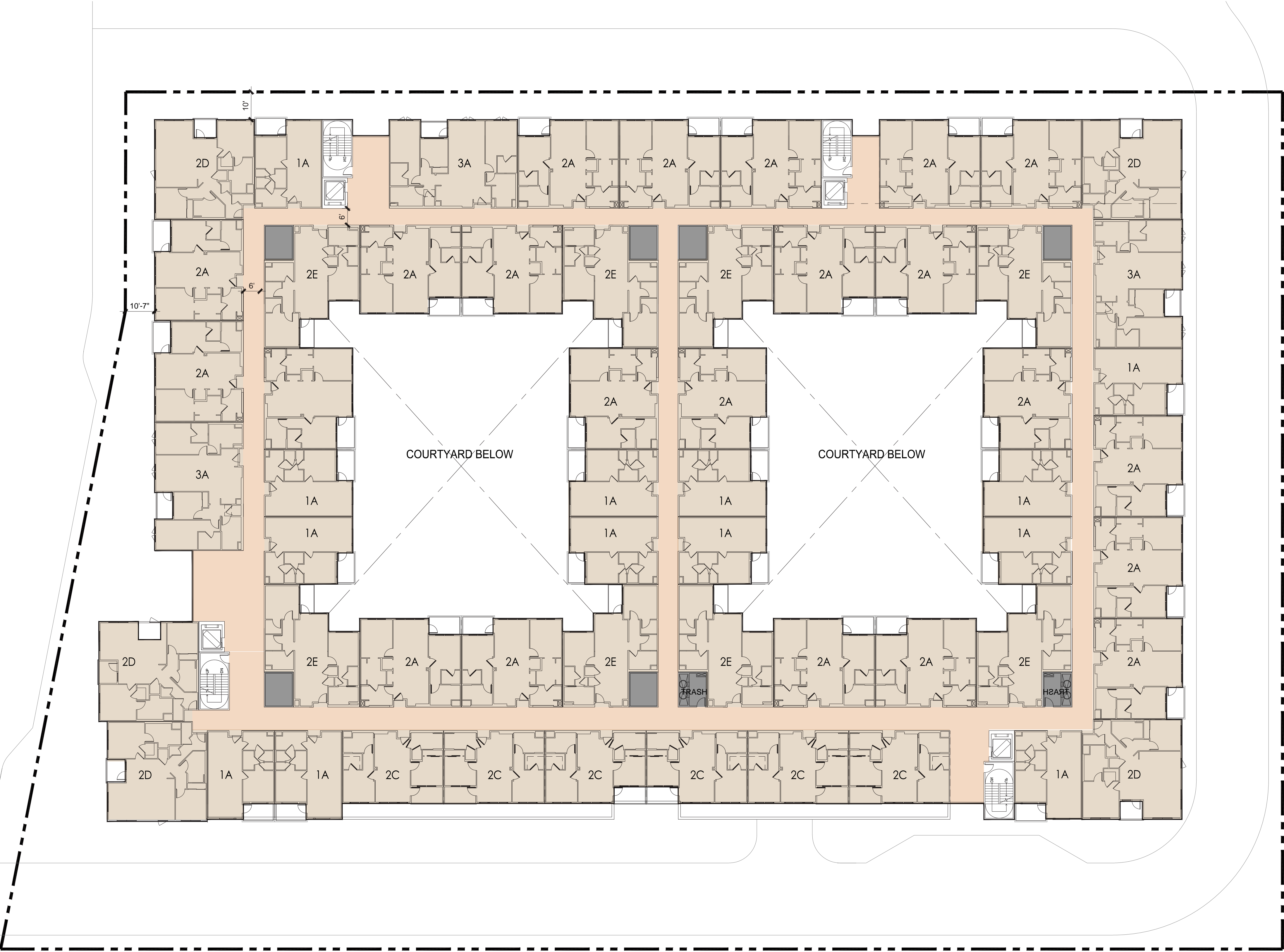






FIFTH LEVEL PLAN

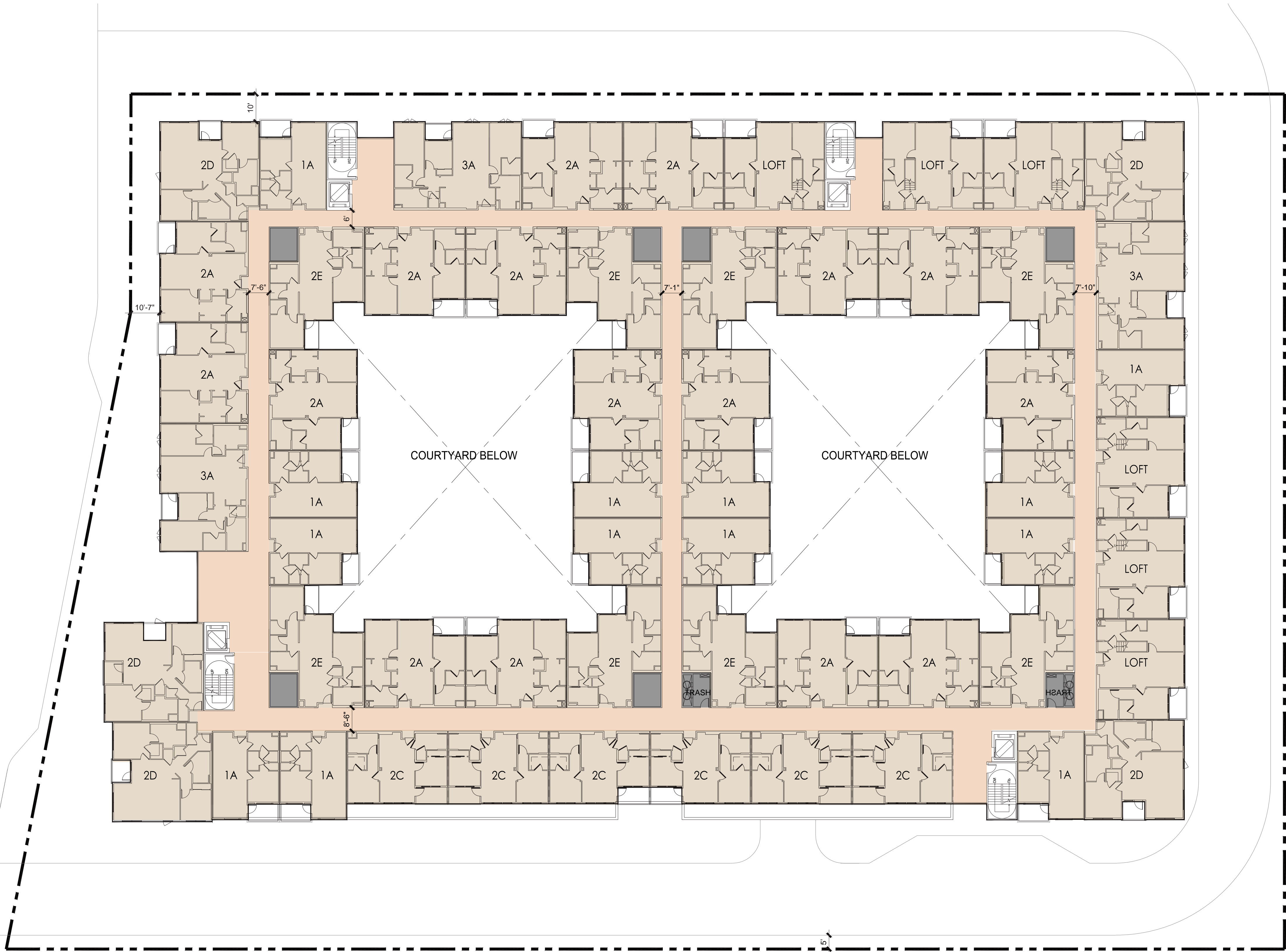




SIXTH LEVEL PLAN

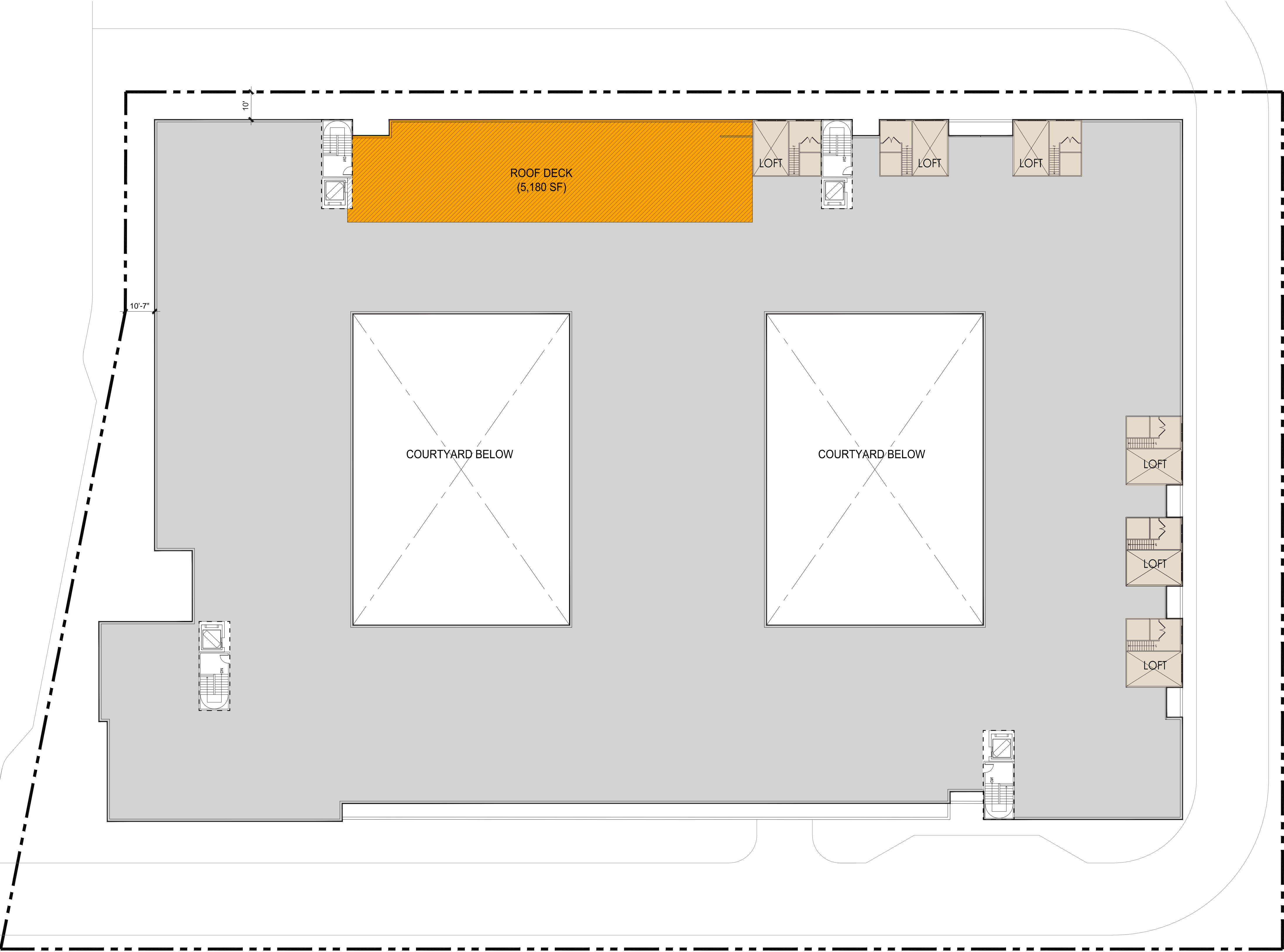






SEVENTH LEVEL PLAN





ROOF LEVEL PLAN







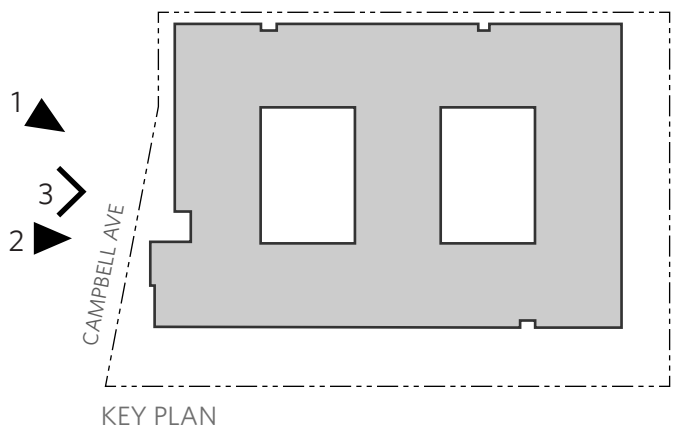
1 | PERSPECTIVE



2 | PERSPECTIVE



3 | WEST (CAMPBELL AVENUE) ELEVATION  
SCALE : 1" = 20'







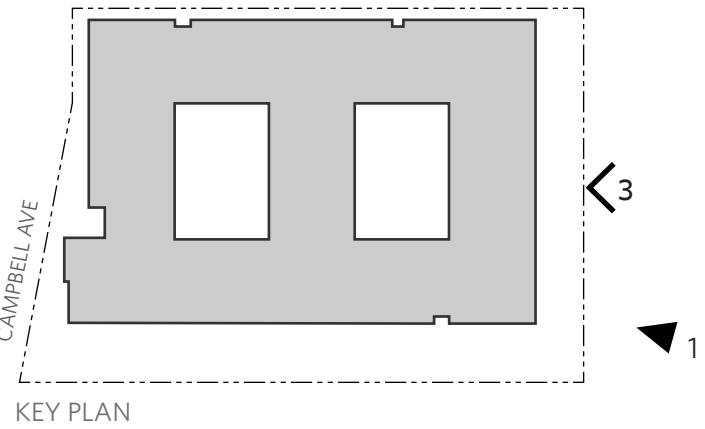
1 | PERSPECTIVE



2 | INSPIRATIONAL IMAGES - CALIFORNIA MISSION STYLE ARCHITECTURE



3 | EAST (CALTRAIN) ELEVATION  
SCALE : 1" = 20'







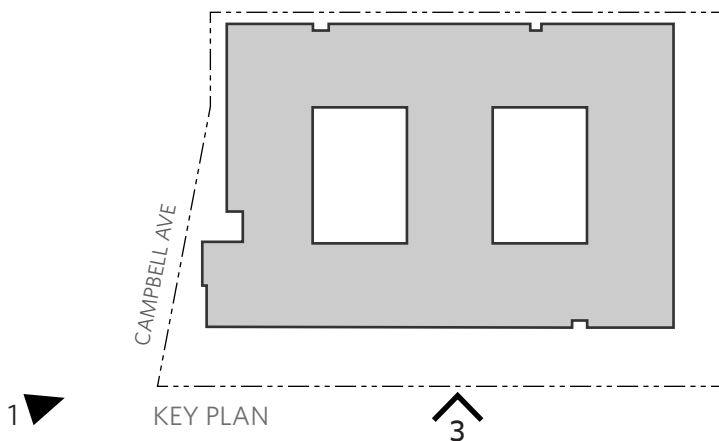
1 | PERSPECTIVE



2 | INSPIRATIONAL IMAGES - ARCHITECTURAL DETAILS



3 | SOUTH ELEVATION  
SCALE : 1" = 30'







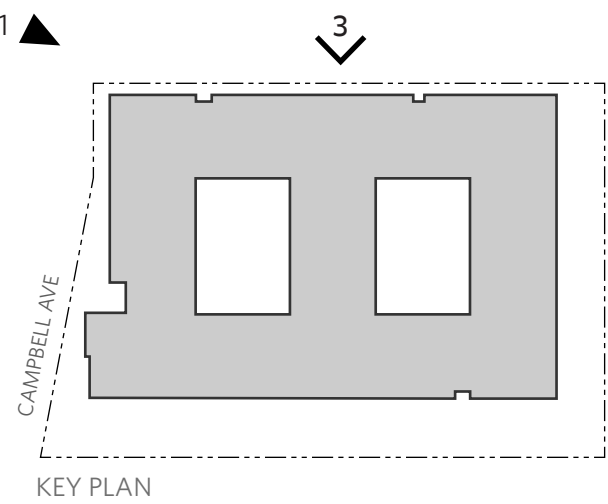
1 | PERSPECTIVE



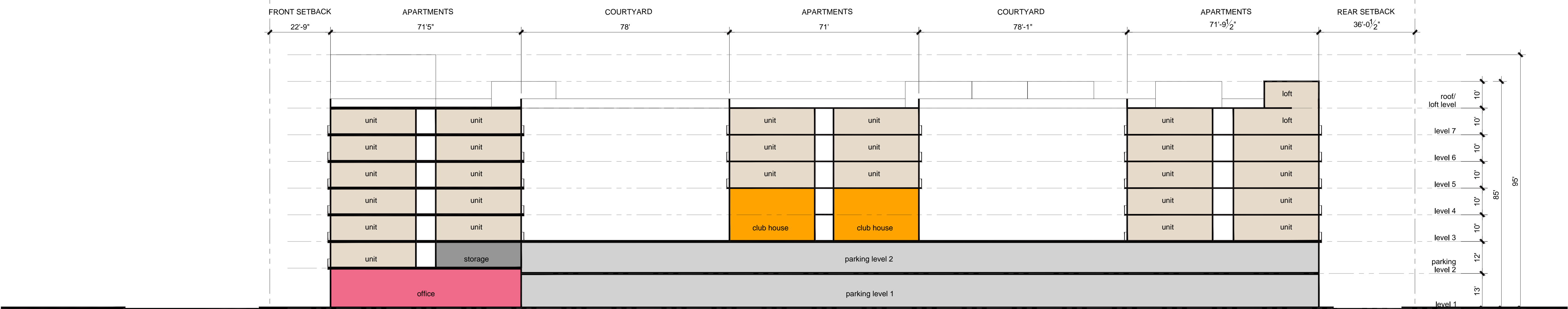
2 | INSPIRATIONAL IMAGES - COMMUNITY OPEN SPACE



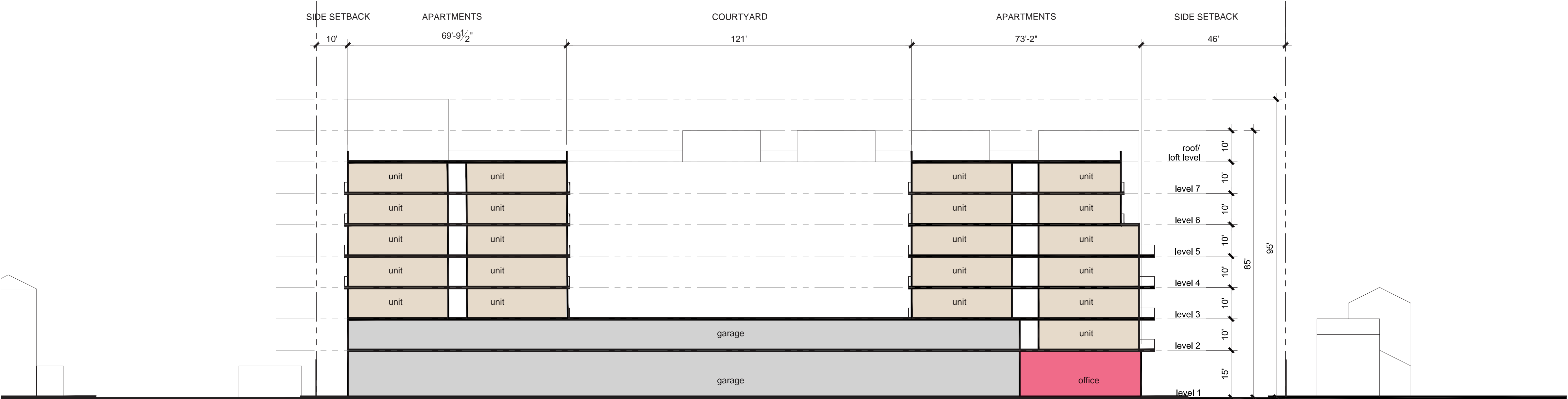
3 | NORTH ELEVATION  
SCALE : 1" = 30'



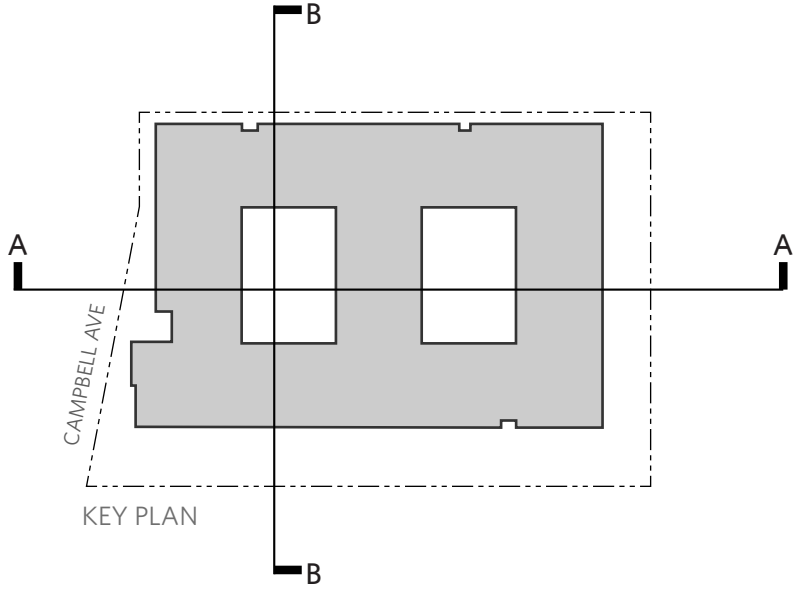




1 | BUILDING SECTION A-A



2 | BUILDING SECTION B-B



## GRADING PLAN LEGEND

- ASPHALT CONCRETE PAVING
- CONCRETE PAVING
- LANDSCAPE AREA
- BIO-RETENTION AREA
- ACCENT PAVING
- PROPERTY LINE
- GRADE BREAK
- FLOOD ZONE AH ELEV. 63 FT.
- EX. TREE TO BE REMOVED
- OVERLAND RELEASE FLOW
- DRAINAGE FLOW
- NEW TREES. SEE LANDSCAPE PLANS

## GRADING NOTES

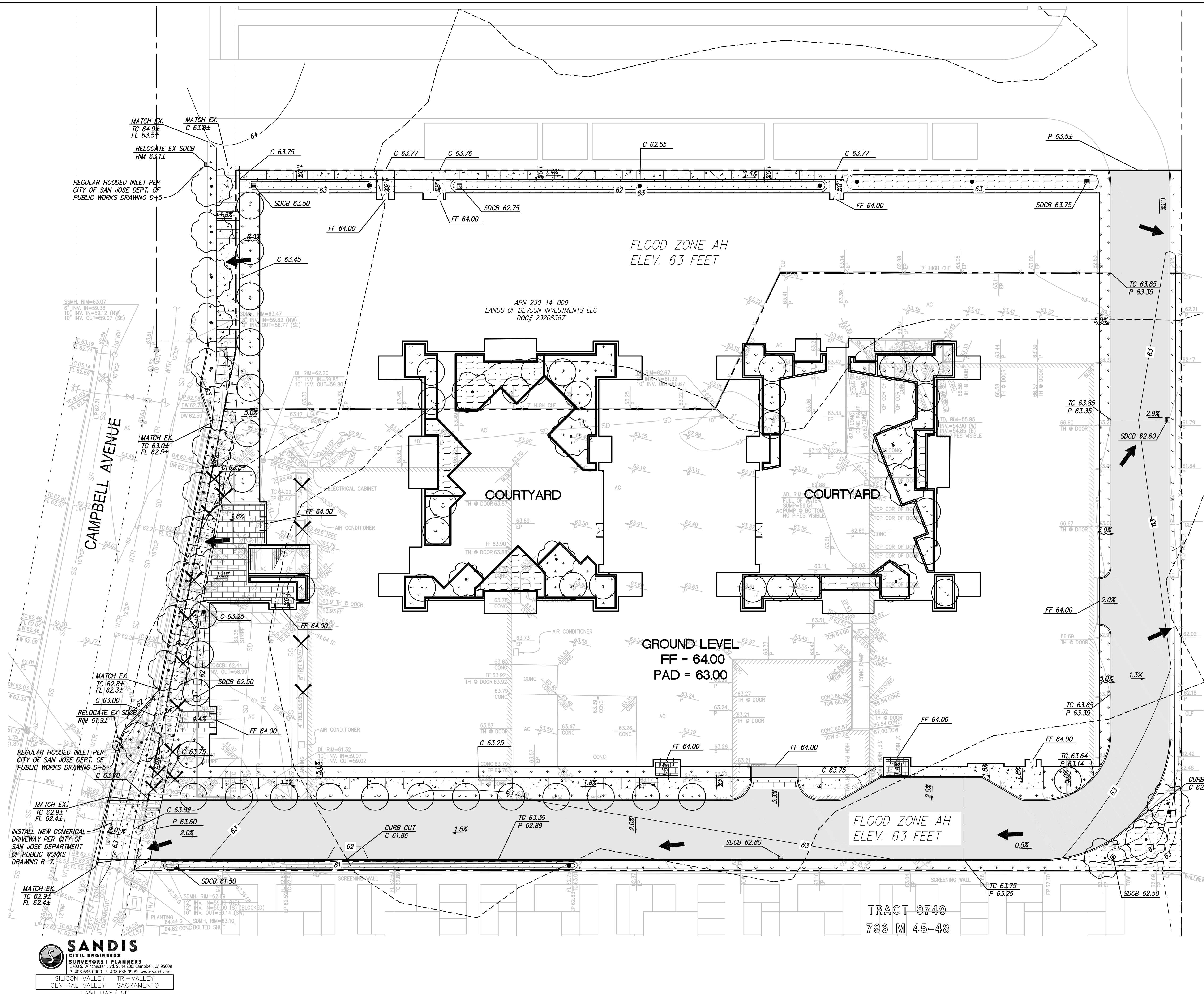
- PROVIDE POSITIVE SURFACE DRAINAGE AWAY FROM ALL STRUCTURES BY SLOPING ALL HARDSCAPE SURFACES AT 2% AND LANDSCAPE SURFACES AT 5% AWAY FROM STRUCTURES UNLESS OTHERWISE NOTED ON PLANS.
- STRUCTURE WALLS: PER CBC 2304.11.2.2 (WOOD SUPPORTED BY FOUNDATION) PROVIDE 8" MINIMUM CLEAR TO EXTERIOR GRADE.
- ROUGH GRADING TO BE WITHIN 0.1' AND FINISH GRADES ARE TO BE WITHIN 0.05', HOWEVER CONTRACTOR SHALL NOT CONSTRUCT ANY IMPROVEMENTS THAT WILL CAUSE WATER TO POND OR NOT MEET REQUIREMENTS IN GRADING NOTE #1 OR THE ADA REQUIREMENTS BELOW. DO NOT ADJUST GRADES ON THIS PLAN WITHOUT PRIOR WRITTEN APPROVAL OF THE ENGINEER/ARCHITECT.
- THE CONTRACTOR SHALL EXERCISE EXTREME CARE TO CONFORM TO THE LINES, GRADES, SECTIONS, AND DIMENSIONS AS SET FORTH ON THESE PLANS. ALL GRADED AREAS SHALL CONFORM TO THE VERTICAL ELEVATIONS SHOWN WITH A TOLERANCE OF ONE-TENTH OF A FOOT. WHERE GRADED AREAS DO NOT CONFORM TO THESE TOLERANCES, THE CONTRACTORS SHALL BE REQUIRED TO DO CORRECTIVE GRADING, AT NO EXTRA COST TO THE CLIENT.
- IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONFIRM THE GROUND ELEVATIONS AND OVERALL TOPOGRAPHY OF THE SITE PRIOR TO THE START OF CONSTRUCTION AS TO THE ACCURACY BETWEEN THE WORK SET FORTH ON THESE PLANS AND THE WORK IN THE FIELD. ANY DISCREPANCIES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE CONSTRUCTION MANAGER AND CIVIL ENGINEER IN WRITING PRIOR TO START OF CONSTRUCTION WHICH MAY REQUIRE CHANGES IN DESIGN AND/OR AFFECT THE EARTHWORK QUANTITIES.
- ALL GRADING SHALL CONFORM TO APPROVED SPECIFICATIONS PRESENTED HEREON OR ATTACHED HERETO. ALL GRADING WORK SHALL BE OBSERVED AND APPROVED BY THE SOILS ENGINEER. THE SOILS ENGINEER SHALL BE NOTIFIED AT LEAST 48 HOURS BEFORE BEGINNING ANY GRADING. UNOBSERVED AND UNAPPROVED GRADING WORK SHALL BE REMOVED AND REDONE AT THE CONTRACTORS EXPENSE.
- AREAS LACKING TOPOGRAPHIC INFORMATION (ELEVATIONS) HAVE BEEN INTERPOLATED USING STANDARD ENGINEERING METHODS. CONTRACTOR SHALL FIELD VERIFY ALL ELEVATIONS AT CONFORMS PRIOR TO COMMENCEMENT OF CONSTRUCTION AND REPORT BACK ANY DISCREPANCIES TO THE CIVIL ENGINEER.
- ADJUST ANY MANHOLE OR UTILITY STRUCTURES TO PROPOSED GRADE PRIOR TO INSTALLING FINAL LIFT OF AC OR POURING CONCRETE.

## ADA NOTES

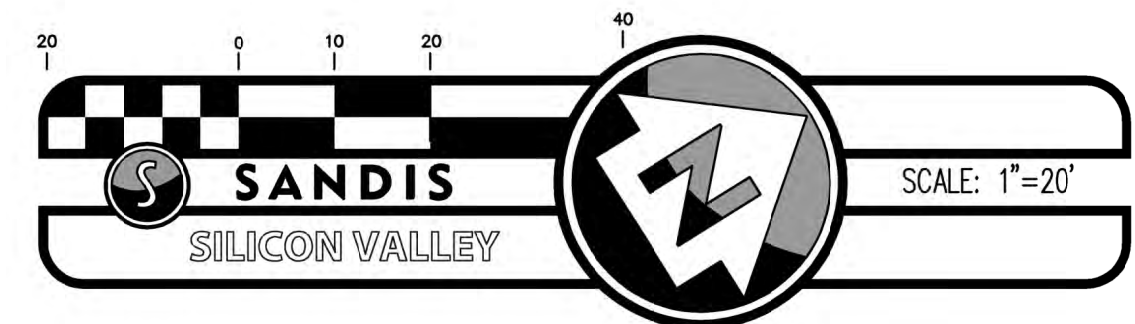
- ALL HARDSCAPE ALONG THE ADA PATH OF TRAVEL SHALL BE IN CONFORMANCE WITH TITLE 24 OF THE CALIFORNIA ADMINISTRATIVE CODE.
- SLOPED WALKS ALONG THE DESIGNATED ADA PATH OF TRAVEL SHALL NOT EXCEED A SLOPE OF 1:20 (5%) WITHOUT HANDRAILS. THE MAXIMUM SLOPE WITH HANDRAILS OR FOR CURB RAMPS IS 1:12 (8.33%). LEVEL LANDINGS ARE REQUIRED AT THE TOP AND BOTTOM OF ALL SLOPED WALKWAYS AND RAMPS.
- WALKWAYS ON ANY PATH OF TRAVEL SHALL HAVE A MINIMUM WIDTH OF 48". WALKWAYS AND ADA PARKING STALLS OR LOADING ZONES SHALL HAVE A 2% MAXIMUM CROSS SLOPE.
- A LEVEL LANDING (2% MAX SLOPE) SHALL BE PROVIDED AT ALL ACCESSIBLE ENTRANCES TO BUILDINGS. THE LANDINGS SHALL HAVE A MINIMUM WIDTH OF 60" AND A MINIMUM DEPTH OF 60" WHEN THE DOOR OPENS INTO THE BUILDING, AND 42" PLUS THE WIDTH OF THE DOOR WHEN THE DOOR OPEN ONTO THE LANDING.
- RAMPS GREATER THAN 1:20 SLOPE AND EXCEEDING 30" IN VERTICAL ELEVATION CHANGE SHALL HAVE INTERMEDIATE LEVEL LANDINGS.

## FLOODZONE

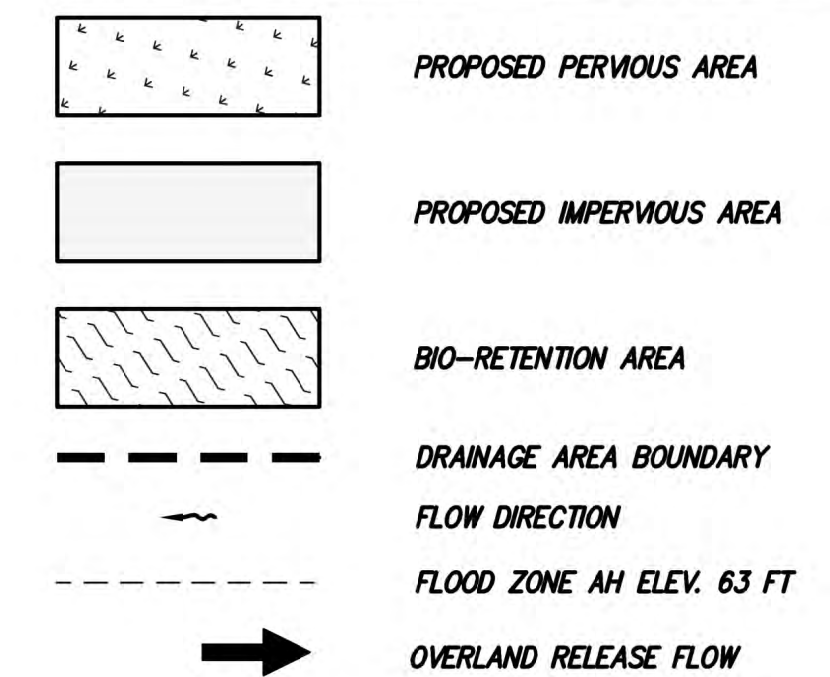
- THIS PROJECT IS IN FLOOD ZONE AH: AREAS SUBJECT TO INUNDATION BY 1.0% ANNUAL CHANCE OF SHALLOW FLOODING. INFORMATION OBTAINED FROM THE FLOOD INSURANCE RATE MAP (FIRM) NO. 06085C0231H DATED MAY 18, 2009 PRODUCED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).







## STORMWATER MANAGEMENT PLAN LEGEND



## HYDROMODIFICATION NOTE:

THE PROJECT IS EXEMPT FROM HYDROMODIFICATION REQUIREMENTS PER THE SANTA CLARA C.3 TECHNICAL GUIDANCE DOCUMENT. THE PROJECT IS EXEMPT FROM HYDROMODIFICATION DUE TO THE SITE NOT BEING LOCATED IN A GREEN 'SUBWATERSHED AREA LESS THAN 65% IMPERVIOUS' AREA ON THE HM APPLICABILITY MAP.

## SITE TREATMENT AREA NOTE:

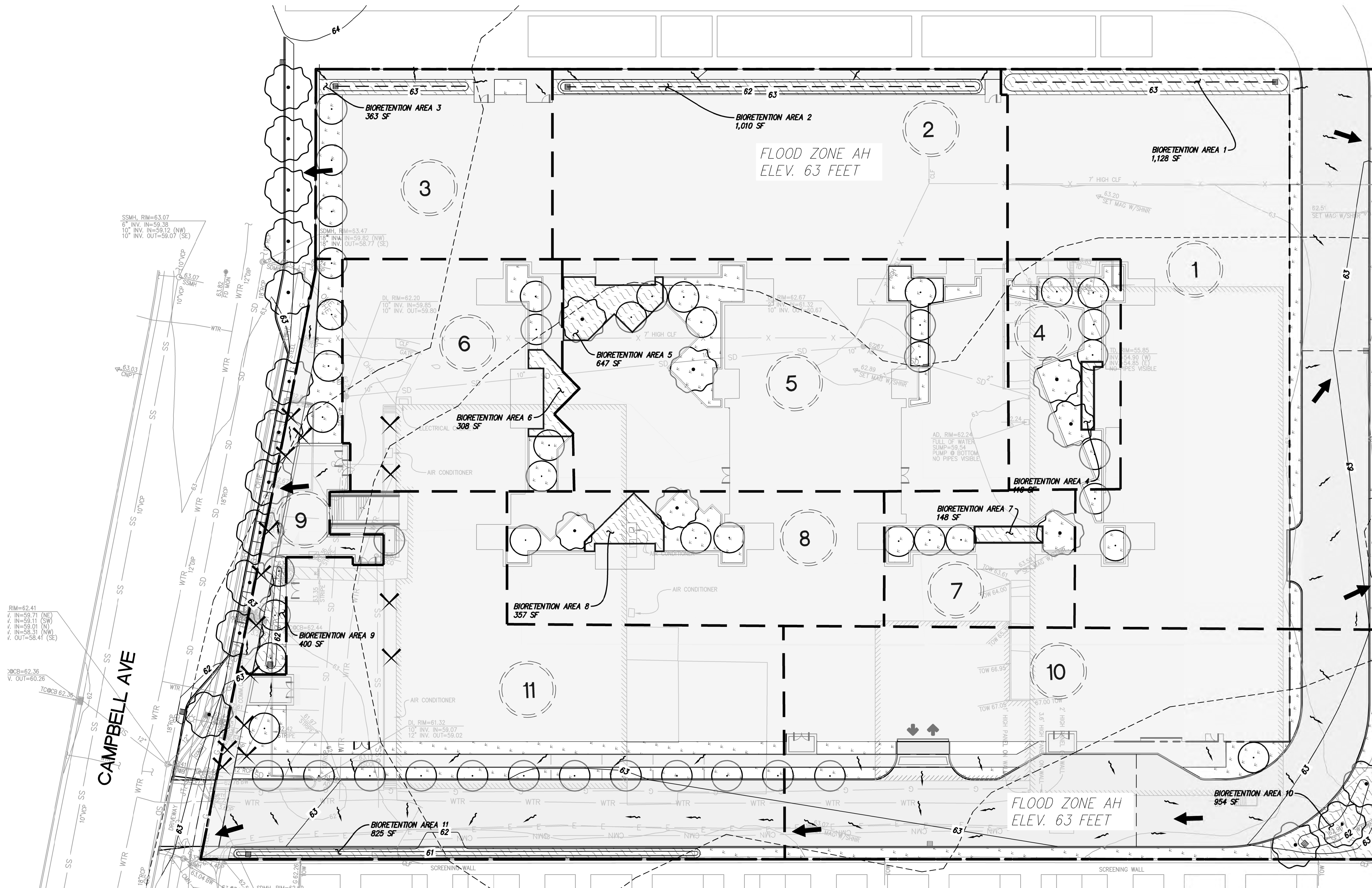
THIS PROJECT IS REPLACING MORE THAN 50% OF THE EXISTING IMPERVIOUS AREA AND THEREFORE MUST TREAT THE ENTIRE SITE.

## STORMWATER MANAGEMENT NOTES:

- THIS PLAN PRESENTS METHODS AND CALCULATIONS FOR COMPLYING WITH THE REQUIREMENTS OF PROVISION C.3 OF THE MUNICIPAL REGIONAL STORMWATER PERMIT IN ACCORDANCE WITH THE SANTA CLARA COUNTY PROGRAM AND THE CITY OF SAN JOSE REQUIREMENTS.
- THE FOLLOWING TREATMENT MEASURES ARE PROPOSED TO REGULATE THE QUALITY OF STORM WATER LEAVING THE SITE.
  - BIO-RETENTION AREA - RUNOFF IN THIS AREA IS DIRECTED TO A BIO-RETENTION PLANTER/AREA FOR FILTRATION, INFILTRATION AND EVAPOTRANSPIRATION PRIOR TO EXITING THE SITE. PLANTING AND SOIL REQUIREMENTS APPLY. SEE DETAIL 1 ON C-5.1.

## FLOODZONE

- THIS PROJECT IS IN FLOOD ZONE AH: AREAS SUBJECT TO INUNDATION BY 1.0% ANNUAL CHANCE OF SHALLOW FLOODING. INFORMATION OBTAINED FROM THE FLOOD INSURANCE RATE MAP (FIRM) NO. 06085C0231H DATED MAY 18, 2009 PRODUCED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).



BMP Summary Table								
BIO-RETENTION AREAS	TOTAL AREA		IMPERVIOUS AREA		PERVIOUS AREA		Percent Impervious	4% rule - Treatment Area Required (sf)
	sq. ft.	Ac.	sq. ft.	Ac.	sq. ft.	Ac.		
AREA 1	26606	0.61	23513	0.54	3093	0.07	88.4%	941
AREA 2	13202	0.30	12192	0.28	1010	0.02	92.3%	488
AREA 3	6864	0.16	5845	0.13	1019	0.02	85.2%	234
AREA 4	3967	0.09	2747	0.06	1220	0.03	69.2%	110
AREA 5	15707	0.36	14200	0.33	1508	0.03	90.4%	568
AREA 6	7913	0.18	7106	0.16	807	0.02	89.8%	284
AREA 7	3969	0.09	3328	0.08	641	0.01	83.9%	133
AREA 8	7698	0.18	6483	0.15	1216	0.03	84.2%	259
AREA 9	3275	0.08	2023	0.05	1252	0.03	61.8%	81
AREA 10	21147	0.49	17959	0.41	3187	0.07	84.9%	718
AREA 11	23576	0.54	20321	0.47	3255	0.07	86.2%	813
TOTAL	133,923	3.07	115,715	2.66	18,208	0.42	86.4%	4629





SITE DESIGN MEASURES	SOURCE CONTROL MEASURES	TREATMENT SYSTEMS
<b>PROTECTION MEASURES</b> <ul style="list-style-type: none"> <li>■ Protect existing trees, vegetation, and soil.</li> <li>■ Protect riparian and wetland areas/ buffers.</li> <li>■ Preserve open space and natural drainage patterns.</li> <li>■ Rainwater harvesting and use (e.g., rain barrel, cistern connected to roof drains) <sup>1</sup></li> </ul>	<ul style="list-style-type: none"> <li>■ Beneficial landscaping <sup>3</sup></li> <li>■ Use water efficient/irrigating systems.</li> <li>■ Good housekeeping, e.g., sweep pavement and clean catch basin.</li> <li>■ Label storm drains.</li> <li>■ Connect to the sanitary sewer: <sup>2</sup> <ul style="list-style-type: none"> <li>● Covered trash/recycling enclosures</li> <li>● Interior parking structures</li> <li>● Wash area/racks</li> <li>● Pools, spas, fountains</li> <li>● Covered loading docks and maintenance bays</li> <li>● Pumped groundwater</li> </ul> </li> <li>■ Fueling areas must (all required):           <ul style="list-style-type: none"> <li>- Be graded to prevent ponding.</li> <li>- Use a concrete surface.</li> <li>- Be separated from the site by a grade break to prevent run-on.</li> <li>- Have a canopy cover extending at least 10 feet from each pump.</li> </ul> </li> <li>■ Industrial, outdoor material storage, and recycling facilities must (all required):           <ul style="list-style-type: none"> <li>- Stockpile material on an impervious surface or under a permanent roof or covering.</li> <li>- Direct ponded water to the sanitary sewer; <sup>2</sup> an on-site treatment system, or off-site disposal.</li> <li>- Install berms or curbs to prevent runoff from the storage/processing areas.</li> <li>- Segregate pollutant-generating activities into a distinct drainage management area and provide treatment.</li> </ul> </li> <li>■ Other: _____</li> </ul>	<b>LID TREATMENT</b> <ul style="list-style-type: none"> <li>■ Impervious surfaces drain to a self-retaining area that is sized per the design criteria listed in the C.3 Stormwater Handbook.</li> <li>■ Rainwater harvest and use (e.g., cistern or rain barrel sized for C.3.d treatment)</li> <li>■ Infiltration basin</li> <li>■ Infiltration trench</li> <li>■ Exfiltration trench</li> <li>■ Underground detention and infiltration system (e.g. pervious pavement drain rock, large diameter pipe)</li> </ul> <b>BIOTREATMENT</b> For use when Infiltration and Rainwater Harvest and Use is proven infeasible <ul style="list-style-type: none"> <li>■ Bioretention area</li> <li>■ Flow-through planter</li> <li>■ Tree box with bioretention soil <sup>4</sup></li> <li>■ Other: _____</li> </ul> <b>OTHER TREATMENT METHODS</b> <b>SPECIAL PROJECTS ONLY <sup>5</sup></b> <ul style="list-style-type: none"> <li>■ Proprietary tree box filter</li> <li>■ Media filter (sand, compost, or proprietary media)</li> </ul> <b>MULTI-STEP PROCESS ONLY <sup>6</sup></b> <ul style="list-style-type: none"> <li>■ Vegetated filter strip</li> <li>■ Dry detention basin</li> </ul>
<b>LANDSCAPE DESIGN MEASURES</b> <ul style="list-style-type: none"> <li>■ Direct runoff from roofs, sidewalks, patios to landscaped areas.</li> <li>■ Plant trees adjacent to and in parking areas and adjacent to other impervious areas.</li> </ul>		
<b>DESIGN MEASURES TO MINIMIZE IMPERVIOUS SURFACE AREA</b> <ul style="list-style-type: none"> <li>■ Reduce existing impervious surfaces.</li> <li>■ Cluster structures/pavement.</li> <li>■ Create new pervious areas:           <ul style="list-style-type: none"> <li>● Landscaping</li> <li>● Parking stalls</li> <li>● Walkways and patios</li> <li>● Emergency vehicle access</li> <li>● Private streets and sidewalks</li> </ul> </li> <li>■ Install a Green Roof on all or a portion of the roof.</li> <li>■ Parking:           <ul style="list-style-type: none"> <li>● On top of or under buildings</li> <li>● Not provided in excess of Code</li> </ul> </li> <li>■ Other: _____</li> </ul>		

*continued*

## SITE DESIGN MEASURES AND SOURCE CONTROL MEASURES AND TREATMENT SYSTEMS

page 2 of 4

2.d. Total area of site that will be disturbed: 3.07 acres

COMPARISON OF IMPERVIOUS AND PERVIOUS SURFACES AT PROJECT SITE		Existing Surface Area Disturbed sq. ft.	Proposed Surface		RESET CALCULATION
			To Be Replaced sq. ft. <sup>1</sup>	New sq. ft. <sup>2</sup>	
2.e. IMPERVIOUS SURFACES					Total Proposed Impervious Surface (replaced + new)
	Roof Area	47,928	86,892		
	Parking	2,977			
	Sidewalks, Patios, Driveways, Etc.	81,612	28,823		
	Public Streets				
	Private Streets				
Online form auto-calculates	<b>Impervious Surfaces Total</b>	e.1. 132,518	e.2. 115,715	e.3. 0	e.4. 115,715
2.f. PERVIOUS SURFACES					Total Proposed Pervious Surface (replaced + new)
	Landscaped Area	1,439	1,439	16,769	
	Pervious Paving				
	Green Roof and other Pervious Surfaces				
Online form auto-calculates	<b>Pervious Surfaces Total</b>	f.1. 1,439	f.2. 1,439	f.3. 16,769	f.4. 18,208

<sup>1</sup> *Proposed Replaced Impervious Surface:* Replacement of an existing impervious surface with another impervious surface.

<sup>2</sup> *Proposed New Impervious Surface*: New impervious surface that will cover an existing pervious surface.

## BIORETENTION AREA MAINTENANCE PLAN

Property Address: \_\_\_\_\_ Property Owner: \_\_\_\_\_

Treatment Measure No.: \_\_\_\_\_ Date of Inspection: \_\_\_\_\_ Type of Inspection: Monthly After heavy runoff Pre-Wet Season  
Other: \_\_\_\_\_ End of Wet Season

Inspector(s): \_\_\_\_\_

Defect	Conditions When Maintenance Is Needed	Maintenance Needed? (Y/N)	Comments (Describe maintenance completed and if needed maintenance was not conducted, note when it will be done)	Results Expected When Maintenance Is Performed
1. Standing Water	Water stands in the bioretention area between storms and does not drain within 2-3 days after rainfall.			There should be no areas of standing water once storm event has ceased. Any of the following may apply: sediment or trash blockages removed, improved grade from head to foot of bioretention area, or added underdrains.
2. Trash and Debris Accumulation	Trash and debris accumulated in the bioretention area.			Trash and debris removed from bioretention area and disposed of properly.
3. Sediment	Evidence of sedimentation in bioretention area.			Material removed so that there is no clogging or blockage. Material is disposed of properly.
4. Erosion	Channels have formed around inlets, there are areas of bare soil, and/or other evidence of erosion.			Obstructions and sediment removed so that water flows freely and disperses over a wide area. Obstructions and sediment are disposed of properly.
5. Vegetation	Vegetation is dead, diseased and/or overgrown.			Vegetation is healthy and attractive in appearance.
6. Mulch	Mulch is missing or patchy in appearance. Areas of bare earth are exposed, or mulch layer is less than 2 inches in depth.			All bare earth is covered, except mulch is kept 6 inches away from trunks of trees and shrubs. Mulch is even in appearance, at a depth of 2 inches.
7. Miscellaneous	Any condition not covered above that needs attention in order for the bioretention area to function as designed.			Meets the design specifications.

## BIORETENTION AREA INSPECTION AND MAINTENANCE CHECK LIST

## II. Use of Pesticides

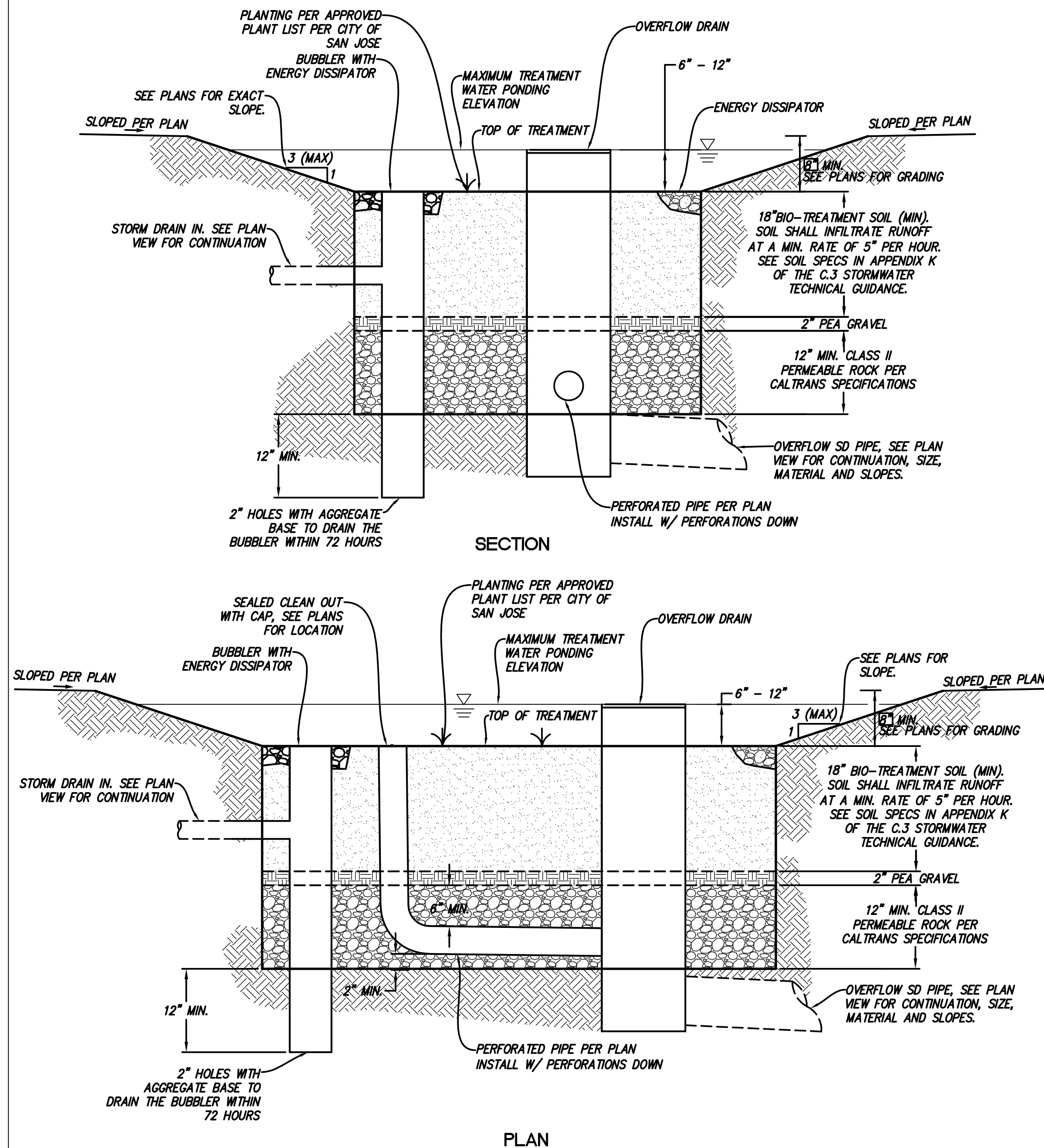
The use of pesticides and quick release fertilizers shall be minimized, and the principles of integrated pest management (IPM) followed:

1. Employ non-chemical controls (biological, physical and cultural controls) before using chemicals to treat a pest problem.
2. Prune plants properly and at the appropriate time of year.
3. Provide adequate irrigation for landscape plants. Do not over water.
4. Limit fertilizer use unless soil testing indicates a deficiency. Slow-release or organic fertilizer is preferable. Check with municipality for specific requirements.
5. Pest control should avoid harming non-target organisms, or negatively affecting air and water quality and public health. Apply chemical controls only when monitoring indicates that preventative and non-chemical methods are not keeping pests below acceptable levels. When pesticides are required, apply the least toxic and the least persistent pesticide that will provide adequate pest control. Do not apply pesticides on a rescheduled basis.
6. Sweep up spilled fertilizer and pesticides. Do not wash away or bury such spills.
7. Do not over apply pesticide. Spray only where the infestation exists. Follow the manufacturer's instructions for mixing and applying materials.
8. Only licensed, trained pesticide applicators shall apply pesticides.
9. Apply pesticides at the appropriate time to maximize their effectiveness and minimize the likelihood of discharging pesticides into runoff. With the exception of pre-emergent pesticides, avoid application if rain is expected.
10. Unwanted/unused pesticides shall be disposed as hazardous waste.

Standing water shall not remain in the treatment measures for more than five days, to prevent mosquito generation. Should any mosquito issues arise, contact the Santa Clara Valley Vector Control District (District). Mosquito larvicides shall be applied only when absolutely necessary, as indicated by the District, and then only by a licensed professional or contractor. Contact information for the District is provided below.

Santa Clara Valley Vector Control District  
1580 Berger Dr.  
San José, California 95112  
Phone: (408) 918-4770 / (800) 675-1155 - Fax: (408) 298-6356  
[www.sccgov.org/portal/site/vector](http://www.sccgov.org/portal/site/vector)

The attached Bioretention Area Inspection and Maintenance Checklist shall be used to conduct inspections monthly (or as needed), identify needed maintenance, and record maintenance that is conducted.



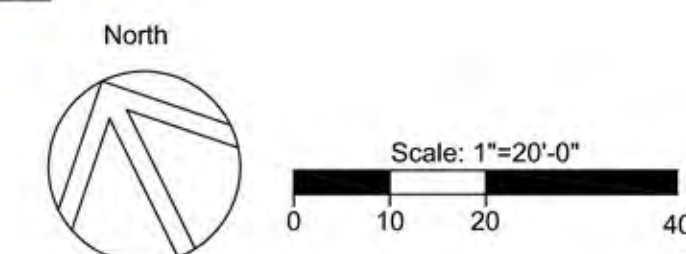
## INFILTRATING WITH PIPE BIORETENTION AREA

1





**THE GUZZARDO PARTNERSHIP INC.**  
 Landscape Architects • Land Planners  
 181 Greenwich Street  
 San Francisco, CA 94111  
 T 415 433 4672  
 F 415 433 5003



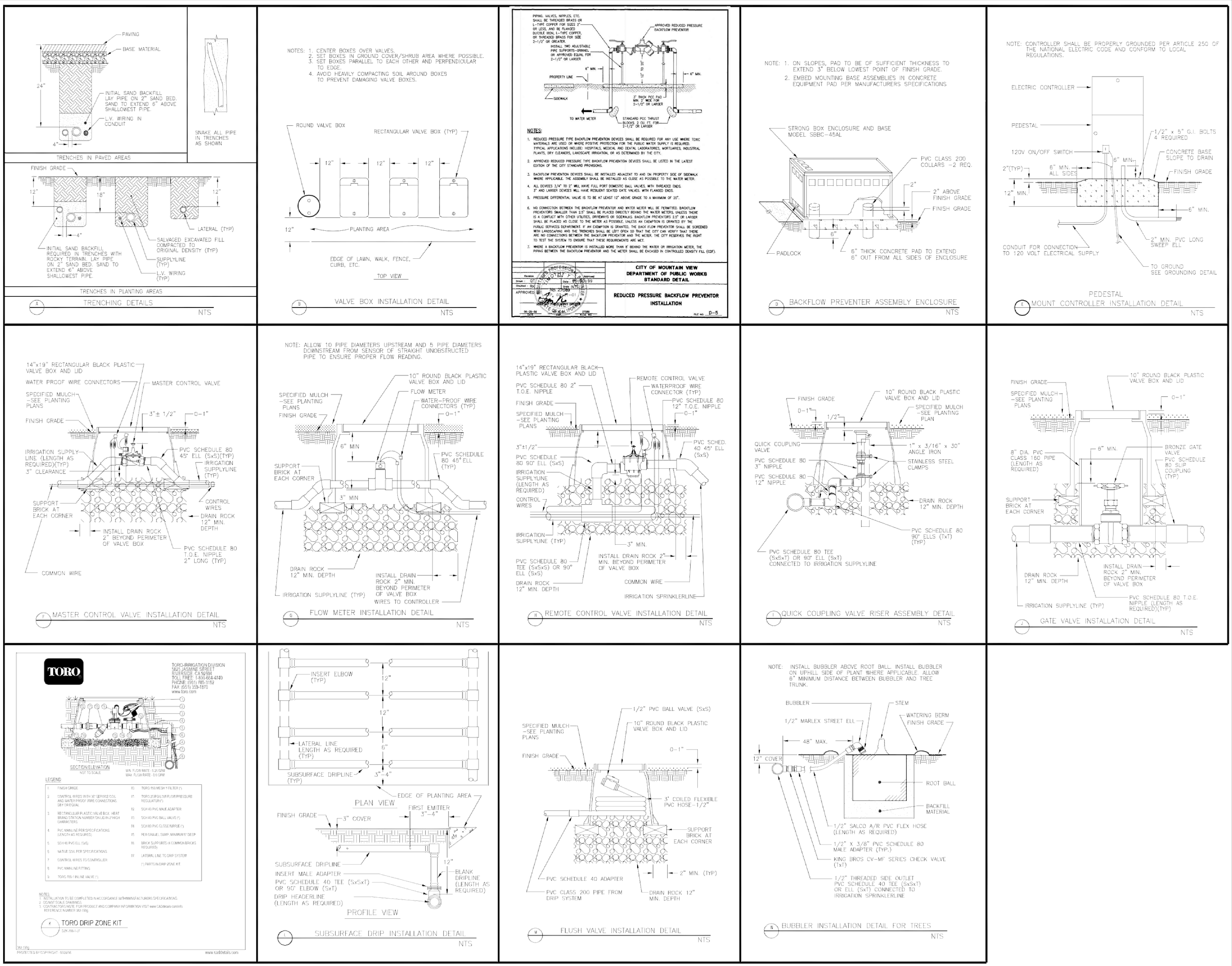


IRRIGATION NOTES

The contractor shall include in his bid, a proposal to install efficient individual landscape irrigation systems for the new planting areas indicated in the planting plans. All proposals shall meet the requirements of the outlined specifications below, and requirements by the City of San Jose:

Irrigation Specifications

- a. The Irrigation system is to meet all City of San Jose standards and requirements.
- b. An efficient irrigation system is to be provided for the project.
- c. The installing contractor shall provide as-built plans once the Irrigation system has been installed. An Irrigation zone chart is to be provided within all controller box locations.
- d. The installing contractor is to provide a smart controller with weather sensing system.
- e. The installing contractor is to properly maintain all existing Landscape areas beyond the Landscape limit of work that is affected during installation of the new system.
- f. The installing contractor is to submit a conceptual irrigation design diagram outlining zone program. Zones are to be established by hydrozones & environmental factors.
- g. Drip irrigation is to be provided at all planting areas. Bubblers are to be provided for all tree locations –these are to be operated off of separate valves.
- h. A master valve is to be provided, as well as any support equipment needed for the smart controller.
- i. Quick couplers are to be provided off of the irrigation mainline at a maximum distance of 75’ O.C.
- j. All Irrigation laterals underneath pedestrian paving are to be sleeved.
- k. All irrigation valves are to be installed within valve boxes, and are to be labeled accordingly.
- l. The installing contractor is to connect the new Irrigation system into existing water source.
- m. The installing contractor is to provide a dedicated Irrigation meter or submeter to track all Irrigation water.





The following  
items were  
received after  
packets were  
distributed.



March 27, 2019

Rosalynn Hughey  
Director, Planning Department  
City of San Jose  
200 E. Santa Clara Street  
San Jose, CA 95113

Attention: GP18-015/PDC18-038

Dear Rosalynn,

We are writing to express our disappointment, confusion, and concern about the City of San Jose Planning Department's decision to move our project to an early rejection on behalf of the 290 individuals and families from Santa Clara University, Bellarmine College Prep and other San Jose based Jesuit institutions who would rely on this project to live and work in the San Jose/Santa Clara area.

As you very well know, housing in Silicon Valley is in crisis. The City of San Jose, County of Santa Clara and State of California has made it perfectly clear in multiple ways and venues that we are in a housing crisis of epic proportions. Projections show that San Jose will not meet its housing goals until between 2080 and 2086, right around the time Santa Clara University's class of 2100 is born.

For Santa Clara University, a major employer of 2,101 in the area, this crisis significantly and negatively impacts our ability to recruit accomplished educators driven to teach the next generation. These educators are employees who would live, work, and spend their money in the area, but only if they can afford to live here. Having our faculty and staff be accessible and proximate to our students is the bedrock of our Jesuit model of education.

Our hope is the Planning Department's decision to reject our proposal was based upon a misunderstanding, as this project uniquely meets its stated criteria. In addition to suitable housing for people who work in the area, the project includes the development of a business accelerator designed to inspire and support the launch of start-ups in the San Jose community. Santa Clara University's local economic impact is approximately \$1.2 billion to our local economy\* every year. Through this business accelerator and retaining more workforce dollars in our community, our impact has the potential to grow exponentially as both a job and revenue multiplier.

## **HOUSING**

In its simplest form, we propose housing 290 families on our property adjacent to our campus that will support Santa Clara University, Bellarmine College Prep (San Jose), and Cristo Rey Jesuit High School (San Jose) employees. The vast majority of these families will walk to SCU,

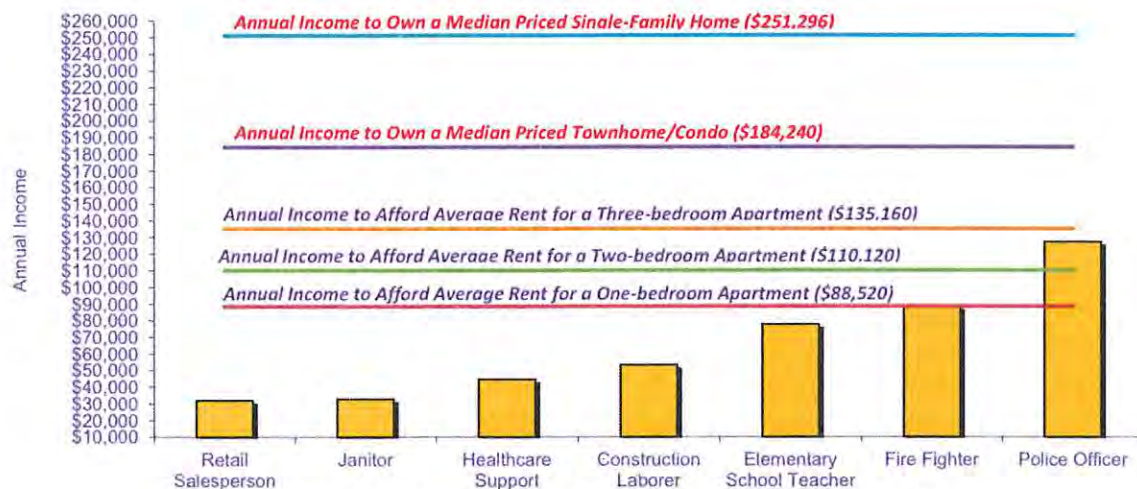


bike to Bellarmine or take BART to Cristo Rey. Their partners can also shorten their commutes by using the multi-modal Santa Clara train station located 0.2 miles away. If we do not build this facility, these educators will have to drive great distances, quit the Valley or leave the state. World class education can afford none of these outcomes, nor can we wait until the year 2100 for a solution.

Simply put, we cannot continue to serve San Jose and the Valley without ensuring that our staff and faculty can live closer to work and have suitable housing they can afford. The City of San Jose's policies of preventing transit-oriented design and ensuring area employees are forced into 90 minute "super commutes" directly contradicts our shared desires to build a better community and retain our future leaders.

The City's Q2 2018 housing report is an excellent example of how the system is failing. Per your figures, 292 housing units were approved in the City with zero being affordable. Our project assumes 15% of the 290 units will meet the definition of affordable by the City. The remaining 85% will purposefully be designed to be cost effective (priced as low as possible).

## Housing is Out of Reach for Many San José Workers



City of San Jose Housing Data Report for Q2 2018

### BUSINESS AND JOB ACCELERATION


Moreover, this project supports the City's desire to continue growing jobs within the borders of San Jose. That is why we are replicating the most powerful job creation program available within this particular project and right here in San Jose. The University will launch a business accelerator at 1200 Campbell as part of our mixed use plan. A similar accelerator at UC Berkeley is currently incubating over 120 companies, including success stories such as LimeBikes. Similar efforts at Stanford resulted in the birth of Google, which is currently planning to create 20,000 jobs in downtown San Jose. Our goal as the Jesuit University in Silicon Valley is to replicate this success right here in our backyard. Our commitment of space is larger than UC Berkeley's vaunted SkyDeck program and can support even more startups.

In short, this project provides cost effective housing for Santa Clara University, Bellarmine College Prep, Cristo Rey teachers and educational support staff. It creates jobs and is located near transit. It meets the City's affordable housing criteria and should be allowed to move forward. We look forward to working with the City's Planning Staff where appropriate to ensure the project complies with City goals. Too many students, residents, employees, and others depend on the project's success.

Sincerely,



John Ottoboni  
Chief Operating Officer  
Santa Clara University



Michael Crowley  
V.P. Finance & Administration  
Santa Clara University

\* 2015 Economic Impact Study by ICF International using IMPLAN Methodology



## APPENDIX A

The 1200 Campbell Avenue Teacher-Faculty-Staff housing project meets everyone of SPUR's recent recommendations to help alleviate the worst of our housing crisis.

1. Change the zoning to allow higher-density housing. Place the greatest densities where the transit is best. But also allow small-scale buildings like accessory dwelling units, duplexes and corner-lot apartment buildings everywhere. **The project is located immediately adjacent to the electrified Caltrain as well as the soon to be built BART line. At \$1 Billion per BART station, not inserting high density housing in this location is extremely wasteful of tax-payer funds.**

2. Use new development to improve livability, making neighborhoods more walkable and adding amenities. **The project is specifically built to improve the neighborhood. The current Industrial designation has caused significant quality of life issues for the residents of the Newhall neighborhood.**

3. Fund affordable housing so that low-income people can live here too. Invest heavily in programs to build up a permanently affordable housing stock at a scale that exists almost nowhere in the U.S. **The project will exceed the City of San Jose's minimum to provide below market housing for the entire project. SCU commits the land and ensures that there is no ongoing developer, nor desire to seek additional market rate profits for this project.**

4. Protect residents in their homes, either by buying units and making them permanently affordable or by using regulations to protect tenants from rapid rent increases, which is especially important during economic booms. **This project will add 290 permanently below market units to the area inventory. While the institutions involved (Santa Clara University, Bellarmine College Prep, Cristo Rey) will have an opportunity to live near their work, this extends an opportunity for all of our employees partners, children and grandparents to live and work near our employers.**



## Bellarmino College Preparatory

Office of the President

April 3, 2019

Chairman Allen and Fellow Planning Commissioners  
Planning Commission, City of San José  
200 E. Santa Clara Street  
San José, CA 95113

Attn: GP18-015/PDC18-038

Dear Chairman Allen and Fellow Members of the Planning Commission:

I am writing to you on behalf of Bellarmine College Preparatory, the oldest secondary school in the United States west of St. Louis, to address a matter that gets to the very heart of our ability to continue to thrive here in San José, and that is the issue of housing for our employees. While we work hard to provide a competitive wage to our faculty and staff members, the high cost of living here in San José makes it impossible for many of our employees to live nearby. As you know, traffic continues to get worse, and commuting from long distances is not a viable long-term solution for our employees. Currently, we have two employees who live north of Sacramento and commute to school every day, several in Oakland, one in San Francisco, two in Santa Cruz, and a number in the South Valley communities of Morgan Hill and Gilroy. While there are some public transportation options that make these commutes viable, the hours spent every day on the train or in the car have caused our turnover rates in faculty and staff to be higher in the past couple of years than we have experienced previously in our 168-year history.

The housing proposal referenced above, which is being championed by Santa Clara University in partnership with Bellarmine and Cristo Rey San José, provides an outstanding solution to these issues. It would provide a sustainable solution for our teachers and our staff, especially those who are looking to establish themselves in the area. Moreover, the close proximity to Bellarmine would allow many of our employees to walk or bike to work, or take the very short train ride. As several have expressed to me, the time they would save in not having to commute is critical to their long-term job satisfaction. Moreover, this proximity is very much in line with our efforts to be a green employer, doing all that we can to care for the environment.

Education is a profession that requires a great deal of training, mentoring, and coaching to empower faculty to perform at their highest level – a level that has served some of the future and past leaders of San José very well for many generations. We need to be able to attract and retain the best faculty and staff possible in order to continue our mission of helping to form young “men for and with others.” I implore you to approve this project so that we will be able to do just that.

Sincerely,

Chris Meyercord '88

President, Bellarmine College Preparatory

Catholic Jesuit Education Since 1851



From: Rivera, Robert

Sent: Wednesday, April 10, 2019 4:10 PM

To: Planning Commission 1 <PlanningCom1@sanjoseca.gov>; Manford, Robert <Robert.Manford@sanjoseca.gov>; Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>

Cc: Planning Commission 3 <PlanningCom3@sanjoseca.gov>; Provedor, Jennifer <jennifer.provedor@sanjoseca.gov>

Subject: RE: Questions regarding SCU Educator Tech Innovation Ctr + Staff Housing GP18-015 and PDC18-038

Hi Commissioner Leyba,

Thank you for your comments and questions. Please see below for the response.

The applicant is proposing a 20,000 square foot tech incubator and 295 dwelling units.

Will these dwelling units generate property taxes to the City of San Jose?

Does staff or subsidized housing in general pay property taxes to the City of San Jose?

If so, would it be at full assessed value or with a discount given the affordable use?

The proposed use would pay property taxes based on its full assessed value. The proposed project is not considered an affordable housing project and is not proposing to deed restrict any portion of the 295-units. The units would be market-rate units and the project would not be subsidized by the City of San José and would not receive any discounts or waivers usually reserved for affordable housing. Further, the proposed project would not be able to limit the units to faculty or students only because of California Fair Housing laws.

If the project were later changed to student or graduate student dormitory housing, would that use pay property taxes if it remains associated with SCU?

Yes, our assumption is that the property taxes would still be collected; however, we will confirm with Housing Department staff. The proposed project would need to apply for a Conditional Use Permit to be approved at Planning Commission for the new enumerated use.

Does SCU have a campus police / security office? Would it function here?

Or would police / fire / other public safety all be provided by the City of San Jose to this segment of the SCU community?

Regarding police and security, the proposed project may hire their own private security but would not be required to provide their own security services. If the project moves forward with a Planned Development Permit, staff could condition the project to provide additional security. Usually apartment complexes and mixed-use projects utilize electronic key fobs and a minimal security staff. SCU has a Campus Safety Services office that includes safety officers, however, San José Police Department would still serve the area for emergencies and any emergency related incidents.

Is there a rule of thumb for how many additional students would be “generated” for the local schools from a site of this size (290 DUs)?

What district and schools are impacted? How close are those facilities from the project site?

Do residential developments pay any sort of offset or impact fee to the school district? Is this fee different for affordable units or staff housing?

The average housing hold size according to recent data from the state, is approximately 2.3 persons per household. The project is proposing approximately 61 – one bedroom, 211 – two bedroom, and 16 – three bedroom apartments. The subject site sits within the San José Unified School District boundaries and would pay school impact fees related to the proposed development. The project is approximately 1.9 miles away from Hester Elementary School, 1 mile away from Herbert Hoover Middle School, and 1.5 miles away from Lincoln High School. The project would not receive any fee waivers or exemptions because the project would be considered market rate housing.

As for the neighborhood context – I see on the broadsheet plan set page 3, that location #6 across Campbell Avenue has a “corporate fabrication + technology center.” This appears significantly larger than the subject property, and it is also zoned LI. How large is that parcel? Who owns that site and what is/are the businesses or current uses there?

The parcel is approximately 7 acres and is owned by Santa Clara University. The existing use is a large industrial warehouse that is occupied by various business. Transports Guerra Express, Nvigen Inc, Gourmet Electronics LTD, Limited Development Group LLC, Paloma Services Inc., Pottery by Levine Acquestions, Bay Area Mitigation Inc., New Sky Tree Service and Bayfresh Greenery LLC are current tenants.



How many acres of Light Industrial land are remaining in the Campbell Avenue corridor, including the subject property?

Please confirm that the total on Page 14 – 25.8 gross acres – represents the two prior land-use conversions (2004 + 2006) on the four sites along Campbell Avenue.

Approximately 19.8 acres of Light Industrial lands are remaining within the corridor. The 25.8 gross acres represent the total industrial land use conversions that occurred in 2004 and 2006.

Is it possible for an applicant to request annexation to an adjacent city? Has this been discussed with the applicant or the City of Santa Clara?

Although it is possible to request an annexation, it would be very unlikely that LAFCO would approve the annexation of the subject property because the subject site does not meet annexation requirements because annexation would create a pocket or island within the City of San Jose. This option has not been discussed with the City of Santa Clara or the applicant.

Hope this answers your questions. See you tonight at the hearing.

Thanks,

Robert

---

From: Planning Commission 1

Sent: Tuesday, April 9, 2019 4:01 PM

To: Rivera, Robert <robert.rivera@sanjoseca.gov>; Manford, Robert <Robert.Manford@sanjoseca.gov>; Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>

Cc: Planning Commission 1 <PlanningCom1@sanjoseca.gov>; Planning Commission 3 <PlanningCom3@sanjoseca.gov>; Provedor, Jennifer <jennifer.provedor@sanjoseca.gov>

Subject: Questions regarding SCU Educator Tech Innovation Ctr + Staff Housing GP18-015 and PDC18-038

Hello Mr. Rivera,

I read your memo / staff report for GP18-015 and PDC18-038 – Early Consideration of the SCU – Education Technology Innovation Center & Faculty / Staff Housing, as well as the letters from Mr. Schoennauer and the SCU representatives.

I have a few questions about the proposal, especially in the context of the city's employment lands shortage, conversion policies, and fiscal implications to the City of San Jose. There is some "background" to most of these – please feel free to correct me if any of my understanding is wrong.

The applicant proposes a 26,000 sf mixed-use tech incubator, approx. 0.15FAR on the site. Presumably this is like a commercial or light industrial use. Would such a use pay property taxes to the City of San Jose?

The applicant also proposes 290 subsidized / affordable / below market rate residential units.

Will these dwelling units generate property taxes to the City of San Jose?

Does staff or subsidized housing in general pay property taxes to the City of San Jose?

If so, would it be at full assessed value or with a discount given the affordable use?

A conditional question:

If the project were later changed to student or graduate student dormitory housing, would that use pay property taxes if it remains associated with SCU?

I seem to recall that affordable units receive a discount on San Jose's PDO/PIO fees for parks.

Would this project receive such a PDO/PIO discount?

In some private university campus contexts, a local "university police" or security office provides all but the most serious police services.

Does SCU have a campus police / security office? Would it function here?

Or would police / fire / other public safety all be provided by the City of San Jose to this segment of the SCU community?

Staff housed at the site (whether SCU, BCP, or CRHS) may have children to enroll in public schools.



Is there a rule of thumb for how many additional students would be “generated” for the local schools from a site of this size (290 DUs)?

What district and schools are impacted? How close are those facilities from the project site?

Do residential developments pay any sort of offset or impact fee to the school district? Is this fee different for affordable units or staff housing?

As for the neighborhood context – I see on the broadsheet plan set page 3, that location #6 across Campbell Avenue has a “corporate fabrication + technology center.” This appears significantly larger than the subject property, and it is also zoned LI.

How large is that parcel? Who owns that site and what is/are the businesses or current uses there?

As this project risks continuing prior precedent, we should understand the gross acreage of LI in the area. How many acres of Light Industrial land are remaining in the Campbell Avenue corridor, including the subject property?

Please confirm that the total on Page 14 – 25.8 gross acres – represents the two prior land-use conversions (2004 + 2006) on the four sites along Campbell Avenue.

This site is on the border with Santa Clara. Is it possible for an applicant to request annexation to an adjacent city? Has this been discussed with the applicant or the City of Santa Clara?

Thank you very much for your time. As there is not a lot of time remaining prior to the hearing, I completely understand if you are unable to respond in writing. However, please expect that I will likely ask most of these questions at the hearing. As the decision will go to City Council, it’s important that we review the full context of the project and applicable policies.

Best regards,

--John

-----

John S. Leyba

Planning Commissioner 2018-2022

City of San Jose, California

phone: 408-926-5646 (personal)

email: PlanningCom1@sanjoseca.gov

web: <http://www.sanjoseca.gov/index.aspx?NID=1764>