

CITY OF SAN JOSÉ, CALIFORNIA  
Department of Planning, Building and Code Enforcement  
801 North First Street, Room 400  
San José, California 95110-1795

Hearing Date/Agenda Number  
P.C. 11/13/02 Item #: 3.c.

File Number  
PDC02-022

Application Type  
Planned Development Rezoning

Council District  
5

Planning Area  
Alum Rock

Assessor's Parcel Number(s)  
601-03-064 and portion of 601-03-005

## STAFF REPORT

### PROJECT DESCRIPTION

Completed by: Susan Walsh

Location: East side of North White Road, approximately 800 feet southerly of McKee Road (242 and 246 North White Road)

Gross Acreage: 0.66

Net Acreage: 0.62

Net Density: 19 Dwelling units per acre

Existing Zoning: R-2 Residence

Existing Use: One single-family detached residence

Proposed Zoning: A(PD) Planned Development

Proposed Use: Up to twelve single-family attached residences

### GENERAL PLAN

Completed by: SBW

Land Use/Transportation Diagram Designation  
Medium Density Residential (8-16 DU/AC)

Project Conformance:  
 Yes  No  
 See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

Completed by: SBW

North: Multiple Family Attached Residential

A(PD) Planned Development

East: Multiple Family Attached Residential

R-2 Residence

South: Multiple Family Attached Residential

R-2 Residence

West: Commercial

R-1-8 Residence

### ENVIRONMENTAL STATUS

Completed by: SBW

Environmental Impact Report found complete  
 Negative Declaration circulated on  
 Negative Declaration adopted on October 8, 2002

Exempt  
 Environmental Review Incomplete

### FILE HISTORY

Completed by: SBW

Annexation Title: Boynton No. 34

Date: 4-23-1965

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval  
 Approval with Conditions  
 Denial  
 Uphold Director's Decision

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_  
 Action  
 Recommendation

### APPLICANT/DEVELOPER/OWNER

Mike Miroyan and Terry Szewczyk,  
T.S. Civil Engineering, Inc.  
P.O. Box 3181  
Saratoga, CA 95070

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**PUBLIC AGENCY COMMENTS RECEIVED**

Completed by: SBW

**Department of Public Works**

See attached memo

**Other Departments and Agencies**

None received

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**GENERAL CORRESPONDENCE**

None received

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**ANALYSIS AND RECOMMENDATIONS**

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**BACKGROUND**

The applicant, T.S. Civil Engineering, Inc., is proposing a Planned Development Rezoning from the R-2 Residence Zoning District to A (PD) Planned Development Zoning District to allow up to twelve single-family attached residences on a 0.66-gross-acre site located at 242 and 246 North White Road

The site is currently developed with a single story home built in 1938 which is in good condition, and a detached garage of the same vintage. The site has a relatively narrow and deep rectangular shape, and is generally flat. The surrounding area is characterized by multiple family attached residential use with commercial use across North White Road, to the west.

The proposed project consists of the demolition of the existing residence and garage and the construction of twelve two- and three-story single family attached residential units. The units would be arranged in two groups with 5 two-bedroom units at the rear and seven three-bedroom units along the north side of the site. The units would each have two-car tandem garages and would share three open parking spaces provided along the entry driveway. For each unit there will be a fenced private yard space and about 200 square feet of landscaped common open space.

**ENVIRONMENTAL REVIEW**

A Mitigated Negative Declaration was adopted for this project on November 1, 2002. The primary environmental issues that were addressed were noise, biotic (loss of trees), and historic impacts.

Noise

A Noise Report concluded that with noise mitigation, including acoustically-effective solid fencing and balcony railings, the project would not result in any significant noise impacts.

Trees

Eighteen trees of various sizes and species are located on the site. Of these, four are ordinance-size (greater than 56 inches in circumference). The applicant is proposing to remove all but two ordinance-sized trees from the site. The driveway has been designed so that two trees will be retained (including a European Olive Tree and an Orange). The loss of the trees is not considered a significant environmental impact for purposes of CEQA. The project would include replacement of all removed trees at established rates, which include 4:1 replacement for ordinance-size trees and 1:1 or 2:1

replacement for smaller trees. A specific tree replacement plan will be developed at the subsequent Planned Development Permit stage. Street trees will also be added along the project frontage.

### Historic

The Historic Report concluded that the demolition of the single-family residence and the detached garage would not result in any significant historic impacts since the structures are not eligible for the status of a City Landmark or for the California Historic Register.

## **GENERAL PLAN CONFORMANCE**

The proposed project has a net density of 19 DU/AC, which is consistent with the General Plan Land Use/Transportation Diagram designation of Medium Density Residential (8-16 DU/AC) by use of the Discretionary Alternate Use Policy which allows development at the next higher residential density range on properties of two acres or less if the project is compatible with the existing and planned uses on the adjacent and neighboring properties, and exceeds the City's Residential Design Guidelines(RDGs).

## **ANALYSIS**

The primary issue for the project is conformance to the City's Residential Design Guidelines (RDGs), including site design and architecture.

### **Street Access**

The project is a hybrid design, combining elements of both "rowhouse" and "cluster" design projects. The Guidelines state that, in order to foster an urban streetscape, rowhouses and similar units should typically be oriented toward a public street. In this case however, the project includes two clusters of five and seven units accessed from a private driveway. The project meets the RDGs' intent, however, in that its design and configuration allow for the greatest degree of street "presence," given the narrow width of the site and the multiple family attached residential character of the surrounding neighborhood. The development of a new street on this site for such a small project would be difficult or impossible to accommodate, and counterproductive in terms of reasonably maximizing the density and infill development opportunity of the site. The project driveway resembles a narrow street in that it has a sidewalk on one side and parallel parking spaces on the other side with canopy shade trees and landscaping on both sides.

### **Site Design**

The proposed project substantially meets or exceeds the development standards recommended in the Residential Design Guidelines for setbacks, parking, open space and landscaping. The proposed site design generally responds well to the challenges posed by long, narrow lots such as this site. Infill projects on long narrow sites like this one have the potential to appear overly repetitive from the street, with similar units lined up along one side of the site in a long continuous row and the view from the street dominated by the driveway terminating at a rear fence. The proposed project addresses that problem by providing five narrower units clustered at the rear of the property, oriented out toward the street, reducing the length of the driveway and providing a greater degree of visual interest from the street. This project will also provide canopy shade trees on both sides of the driveway, in front of every unit, to provide the look of a narrow tree-lined street.

**Setbacks**

The project includes an average 17-foot front setback from North White Road which approximates that of the existing multiple family attached residential projects immediately to the north and to the south. The units at the rear of the site would be set back 20 feet from the adjacent rear yards of the duplexes to the east. The side setbacks for the group of five units at the rear is 20 feet on the south to match the rear yards of the duplexes to the south, and 10 feet on the north to match the side yards of the existing apartment project to the north. The rear yard setbacks of the 7-unit building vary from 15-20 feet which is greater than the 10-foot setback on the adjoining multiple family attached residential project to the north.

**Parking**

The project will provide two covered tandem parking spaces per unit and seven apron parking spaces. There will also be three additional open parking spaces on the site and two on-street spaces for guest parking.

Each unit would have a private yard of approximately 350 square feet, and access to a shared 2,400 square foot area of common open space (200-sq. ft. per unit) including a tot lot on the south side of the site.

**Conceptual Architecture**

The project buildings are designed with stucco siding, tiled roofs, and a covered entry porches . The style, materials, scale, and character of the proposed structures are compatible with those used in the existing development in the neighborhood.

The 5-unit building is designed to provide a two-story element at the rear as transition to the adjacent duplexes to the east and the south, and a three-story element facing the street. The 7-unit three-story building located along the northerly portion of the site is located adjacent to a two-story multiple family attached residential project to the north. Per the City's Guidelines, the 7-unit three-story building is set back 2 feet for every one foot of height from the one single-family residence adjacent to the site to the south, and therefore development at three stories would not result in an undesirable interface..

Although the overall building height is acceptable, the appearance of the buildings is taller and more "massive" than desirable, due to the lack of a second- and third-story setback. The RDG's call for an average second-floor setback of four feet greater than that of the first floor. This setback concept should also be carried out with the design of the third floor as well in order to reduce the blockiness and overall mass of the building. The general architectural character of the buildings is appropriate, but the building design should be modified at the Planned Development Permit stage to reduce the building mass and to provide greater vertical and horizontal roof articulation, more façade articulation, and more prominent front porches along the driveway. The front building elevation along North White Road should also be revised to provide the appearance of the front of a residence rather than a side view, and should include more windows, more architectural detailing, and more building plane articulation.

The final design of the units will undergo additional review and modification at the Planned Development Permit stage to ensure that the project will be an attractive asset to the streetscape.

**Conclusion**

The project has been found to be consistent with the criteria of the Discretionary Alternate Use Policy Two-Acre rule provided for in the General Plan, which allows development at a higher density range if the development is compatible with the neighborhood. The proposed 19 DU/AC density will be compatible with the surrounding multiple residential uses for the following reasons: the project design presents itself well to the street with a covered porch entry and a view down a tree-lined driveway to the 5-unit building in the rear of the site. The project also includes a partial 2-story elevation at the rear to provide better transition to the adjacent duplexes to the east and the south of the site. The project has exceeded the design guidelines in that it proposes additional common open space, beyond the Guideline standards, including a tot lot with play equipment for children, dense landscaping in front of the units facing the driveways, use of custom-designed garage doors for all of the units to enhance the view from the street, and a densely landscaped tree-lined driveway with canopy shade trees on both sides to help to soften the view of the pavement from the street.

**PUBLIC OUTREACH**

A community meeting was held on August 20, 2002, at which five members of the public were in attendance. The community generally expressed support for the project. The issues that were discussed included traffic and project design. Notices for the public hearing were distributed to the owners and tenants of all properties located within 500 feet of the project site. A notice of the rezoning was also published in the San Jose Post Record, in accordance with the City Council's Public Outreach Policy. Staff has been available to discuss the project with members of the public.

**RECOMMENDATION**

Planning staff recommends the Planning Commission forward a recommendation of approval, and the City Council adopt an ordinance rezoning the subject site, for the following reasons:

1. The proposed rezoning conforms to the subject site's General Plan Land Use/Transportation Diagram designation of Medium Density Residential (8-16 DU/AC) by use of the Discretionary Alternate Use Policy which allow for use of the next higher density range on parcels of two acres or less if the project is compatible with the neighborhood and is in substantial conformance with the Residential Design Guidelines.
2. The project is in substantial conformance or exceeds with the City's Residential Design Guidelines.
3. The project furthers the goals and objectives of the City's in-fill housing strategies.
4. The proposed rezoning is compatible with existing and proposed uses on the adjacent and neighboring properties.