

CITY OF SAN JOSÉ, CALIFORNIA  
Department of Planning, Building and Code Enforcement  
200 E. Santa Clara Street  
San José, California 95113-7905

Hearing Date/Agenda Number  
P.C. 12/06/06 Item No.:  
C.C. 01/09/07

File Number  
PDC06-041

Application Type  
Planned Development Rezoning

Council District SNI  
3 NA

Planning Area  
Central

Assessor's Parcel Number(s)  
467-06-090; -089

## STAFF REPORT

### PROJECT DESCRIPTION

Completed by: Lesley Xavier

Location: West side of North 26<sup>th</sup> Street, approximately 40 feet north of E. Saint John Street

Gross Acreage: 0.23

Net Acreage: 0.23

Net Density: 13 DU/AC

Existing Zoning: R-2 Two-Family Residence  
District

Existing Uses: One single-family detached residence

Proposed Zoning: A(PD) Planned Development

Proposed Use: 3 Single-family detached residential units

### GENERAL PLAN

Completed by: LX

Existing Land Use/Transportation Diagram Designations

Medium Density Residential (8-16 DU/AC)

Project Conformance:

Yes  No

See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

Completed by: LX

North: Single-Family Residences

R-2 Two-Family Residence

East: Single-Family Residences

R-2 Two-Family Residence

South: Single-Family Residences

R-2 Two-Family Residence

West: Single-Family Residences

R-2 Two-Family Residence

### ENVIRONMENTAL STATUS

Completed by: LX

Environmental Impact Report found complete

Negative Declaration circulated on August 29, 2006

Negative Declaration adopted on

Exempt

Environmental Review Incomplete

### FILE HISTORY

Completed by: LX

Annexation Title: East San Jose

Date: 12/01/1911

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Recommend Approval

Recommend Approval with Conditions

Recommend Denial

Date \_\_\_\_\_

Approved by: \_\_\_\_\_

CURRENT OWNER	ARCHITECT	
Silva Family Trust 593 Vasona Avenue Los Gatos, CA 95038	MBA Architects Attn: Maia Gendreau 1176 Lincoln Avenue San Jose, CA 95125	

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: LX

- Public Works memo attached.

Other Departments and Agencies

- None.

GENERAL CORRESPONDENCE

- None received.

ANALYSIS AND RECOMMENDATIONS

## **BACKGROUND**

The applicant, Augie Silva of the Silva Family Trust, is proposing a Planned Development Rezoning from R-2 Two-Family Residence District to A(PD) Planned Development Zoning District on a 0.23 gross acre site located on the west side of North 26<sup>th</sup> Street, approximately 40 feet north of E. Saint John Street. The proposed project would allow the demolition of one single-family detached residence on the site, and the development of up to three single-family detached residential units. The subject site is level and rectangular in shape. Single-family detached residences surround the subject site to the north, south, east, and west.

## **Project Description**

The proposed project would allow the demolition of one single-family detached residence, and the construction of three single-family detached residences. Two of the units would front onto N. 26<sup>th</sup> Street separated by a common driveway that provides access to all three units. The third unit is located at the rear of the lot visible at the end of the driveway. Each unit would have a two-car garage. The two front units would each have an attached garage. The rear unit would have a detached garage not visible from the street, and one guest parking space on the driveway apron. The two front units would each have one on-street parking space for guests. Private open space is accommodated in the form of a 1,080 square foot rear yard for the rear unit, and 400 square foot yards for the two front units.

## **ENVIRONMENTAL REVIEW**

A historic evaluation was completed for the existing single-family structure on the site. The analysis concluded that the structure was originally constructed in 1907 with building additions in 1915, 1940's, and 1968. The additions and alterations have destroyed the architectural and historical integrity of the originally residence. Therefore, the structure is not eligible for the National Register of Historic Places or the California Register of Historic Resources. In addition, the structure is not eligible for listing on the City of San Jose's Historic Resources Inventory based on the City's historic evaluation criteria.

The Director of Planning, Building, and Code Enforcement has determined the project is exempt from the environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303(a). Section 15303 (a) exempts the construction and location of limited numbers of new, small facilities or structures including, but not limited to, one single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption. The proposed project qualifies for this exemption in that the project involves the permitting of three new single-family residences within an urbanized area.

### **GENERAL PLAN CONFORMANCE**

The subject site is designated Medium Density Residential (8-16 DU/AC) on the *San Jose 2020 General Plan* Land Use/Transportation Diagram. This land use designation is typified by townhouses, duplexes, and single-family residences on small lots. The Land Use/Transportation Diagram designates residential land uses by density rather than housing types. Therefore, both single-family detached and attached residential uses would be envisioned under this land use category subject to overall density limits. The proposed project density of 13 DU/AC conforms to the General Plan because the residential land use falls within density range of 8-16 DU/AC.

The proposed project also furthers the General Plan Housing and Growth Management Major Strategies by providing housing opportunities on an infill site served by existing urban services within the City's Urban Service Area.

### **ANALYSIS**

#### **Project Design**

This proposal most similarly relates to the courthome unit type of the *Residential Design Guidelines*. Therefore, the project has been analyzed based on the development standards recommended for courthomes in the *Residential Design Guidelines* with respect to setbacks, height, and parking, private and common open space, and building architecture.

#### ***Site Design/Interface***

The guidelines recommend perimeter setbacks from adjacent uses and public streets which are intended to ensure that new development is compatible with adjacent uses and relates appropriately to the surrounding streets. For this project, the guidelines recommend (1) a front setback of 20 feet from a collector residential street (26<sup>th</sup> Street), with an exception that the setback must at least match the average setbacks of existing residential buildings, adjacent and across the street, within 100 feet; (2) a side setback of 20 feet with the exception that the setback may match the setback of existing similar structure or use; and (3) a rear setback of 20 feet to the adjacent single-family residential rear yard.

The project provides (1) a front setback of 12 feet from 26<sup>th</sup> Street consistent with the adjacent buildings and the buildings in the neighborhood within 100 feet, (2) a side setback of five feet consistent with the adjacent single-

family residences to the north and south, and (3) a rear setback of 20 feet from the adjacent single-family residence.

In addition, the Guidelines recommend that the separations between adjacent buildings in the same court should be a maximum of 8 feet for at least 10 feet of the length of the adjacent walls to help achieve the close knit appearance between units. The distance between the rear unit and the front unit is 10 feet consistent with the intent of this guideline. Separations between buildings facing each other across a courtyard should vary to avoid a street like appearance. The building footprints of the front two units are mirrored across the 16-foot wide driveway, which dead ends into the front porch of the third rear unit. The driveway design looks like a driveway or courtyard and not like a street because it is narrow, has a short length of approximately 74 feet, and terminates adjacent to the front porch of the third rear unit.

### ***Building Height***

The Zoning Ordinance specifies a maximum building height of 35 feet and 2.5 stories in the R-1 Single-Family Residence District and R-2 Two-Family Residence District. The project proposes a maximum building height of 35 feet and two stories. The maximum building height of the conceptual elevations is 28 feet and two stories. The proposed building height is consistent with the maximum building height in the surrounding neighborhood in the R-2 Two-Family Residence District.

### ***Parking***

The Guidelines recommend that courthomes provide two covered parking spaces per unit plus one additional guest parking space within 150 feet of each unit. Units without a driveway apron require 1.3 guest parking spaces per unit, which can be accommodated by on street parking. The proposed project provides each unit with a two-car garage. The rear unit has a driveway apron for one guest parking space. The two front units provide one on-street parking space each in front of their respective units on 26<sup>th</sup> Street. The proposed project would provide 0.6 or one space less than the 2.6 guest parking spaces specified by the Residential Design Guidelines for the two front units. The proposed project would contribute only slightly to the on-street parking demand in the surrounding neighborhood. Staff feels that the inclusion of an additional parking space on the site would negatively affect the landscaping opportunities in the areas visible from the street.

### ***Open Space***

The Guidelines recommend that each unit provide a minimum of 400 square feet with a minimum dimension of 15 feet. The proposed project provides each of the front two units with approximately 400 square feet of private open space in the form of an enhanced side yard with a width of 15 feet. The rear unit provides a rear yard of 1,080 square feet with a minimum dimension of 20 feet. In addition, the Guidelines recommend an average of 200 feet of landscaping per unit within the courtyard area, which the project does provide.

### ***Architectural Design***

This project consists of three two-story units, all with front porches in a traditional architectural style that is compatible with existing older structures in the neighborhood. The architectural design of the buildings utilizes gables and sloped roofs with composition shingle roofing. The buildings are clad in horizontal and board-and-batten siding. Building entries utilize a porch with a gabled roof. Fenestration consists of double hung windows with sills and trim. The proposed structures are compatible with existing development in the neighborhood because of their design and height. As is typical for a Planned Development Rezoning, the architecture that is shown is considered “conceptual” and will undergo further review by staff at the Planned Development Permit

stage. Building materials, roofing, colors, and other details will also be selected for their quality and compatibility with buildings in the surrounding neighborhood.

### **COMMUNITY OUTREACH**

The applicant presented the proposed project at the September 26, 2006 Five Wounds/Brookwood Terrace Neighborhood Advisory Committee (NAC) meeting. Planning staff presented the project to the NAC and community members. Community members in attendance at the meeting were generally supportive of the proposed project. However, some concern was expressed about the additional parking demand and the existing lack of available on-street parking. Others wanted assurance that the applicant would follow through on the project design. Persons said past projects presented good design features that are compatible with the neighborhood only to change architectural details when the projects were actually built.

This Staff Report has been available on the Planning Divisions web site, and staff has been available to discuss the project with interested members of the public.

### **RECOMMENDATION**

Planning staff recommends that the Planning Commission forward a recommendation to the City Council to approve the proposed Planned Development Rezoning for the following reasons:

1. The proposed project is consistent with the San José 2020 General Plan Land Use/Transportation Diagram designation of Medium Density Residential (8-16 DU/AC).
2. The proposed project furthers the goals and objectives of the San Jose 2020 General Plan Housing and Growth Management Major Strategies.
3. The proposed project is consistent with the Residential Design Guidelines.
4. The proposed project is compatible with existing and planned uses on the adjacent and neighboring properties.