

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

Hearing Date/Agenda Number  
P.C. 12-06-06 Item # .  
C.C. 12-12-06

File Number  
PDC06-071

Application Type  
Planned Development Rezoning

Council District  
6

Planning Area  
West Valley

Assessor's Parcel Number(s)  
230-13-012

## STAFF REPORT

### PROJECT DESCRIPTION

Completed by: Sanhita Mallick

Location: Southwesterly side of Campbell Avenue 950 ft northwesterly of Newhall Street

Gross Acreage: 2.67 ac

Net Acreage: 2.67 ac Net Density: 15 DU/AC

Existing Zoning: LI- Light Industrial

Existing Use: Warehouse and light industrial

Proposed Zoning: A (PD) Planned  
Development

Proposed Use: Up to 40 single-family detached residences

### GENERAL PLAN

Land Use/Transportation Diagram Designation  
Medium High Density Residential (12-25 DU/AC)

Project Conformance:  
 Yes  No  
 See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

North: Campbell Avenue/ Single-family Detached Residences, Industrial A(PD) Planned Development, HI-Heavy Industrial

East: Warehouse LI-Light Industrial

South: Single-family Detached Residences R-2 Two Family Residence District

West: Light Manufacturing/Warehouse LI-Light Industrial

### ENVIRONMENTAL STATUS

Environmental Impact Report found complete (GP 2020 EIR certified 8/16/1994)  
 Negative Declaration circulated on November 15, 2006  
 Negative Declaration adopted on

Exempt  
 Environmental Review Incomplete

### FILE HISTORY

Annexation Title: College Park/Burbank Sunol

Date: 12/8/1925

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval  
 Approval with Conditions  
 Denial  
 Uphold Director's Decision

Date 11-29-06

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

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APPLICANT/OWNER/DEVELOPER

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Andre Hunt	Cobalt Associates
Santa Clara Development	333 West Santa Clara St Unit 280
2185 The Alameda	San Jose Ca 95113
San Jose Ca 95123	

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PUBLIC AGENCY COMMENTS RECEIVED

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Completed by: SM

Department of Public Works

See attached memorandum

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Other Departments and Agencies

See attached memoranda from the Fire Department, Environmental Services Department.

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GENERAL CORRESPONDENCE

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None received.

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ANALYSIS AND RECOMMENDATIONS

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## **SUMMARY**

Planning staff recommends that the Planning Commission recommend denial of the Planned Development Rezoning to the City Council for the following reasons: (1) severe lack of usable private and common open space, (2) lack of on-site parking in a neighborhood where on-street parking is already a concern and (3) poor interface with existing single-family rear yards at the rear of the subject property, and with adjacent industrial properties.

Staff believes that these issues cannot be addressed without a significant redesign of the project which would require a lower density development with the same product type, possibly below the minimum density specified by the General Plan, or a fully-revised project utilizing an attached product type.

## **BACKGROUND**

The applicant, Santa Clara Development, requests a Planned Development Rezoning from LI- Light Industrial District to A(PD) Planned Development Zoning District to allow up to 40 single-family detached residences, at a density of 15 dwelling units per acre (DU/AC).

A General Plan Amendment (File No. GP05-06-04), was approved by the City Council in June 2006, which changed the General Plan Land Use/ Transportation diagram designation of this site from Light Industrial to Medium High Density Residential (12-25 DU/AC). Planning staff had recommended approval of the proposed General Plan designation. This was the third General Plan Amendment (and third subsequent Planned Development rezoning) in the immediate vicinity on two sides of Campbell Avenue that have together converted approximately 18.9 acres of industrial land for residential uses. Two already-approved Planned Development rezonings have allowed 324 residential units in this area, now either under construction, or already occupied. A General Plan Amendment to change the Land Use/Transportation Diagram designation from Light Industrial to Transit Corridor Residential (20+ DU/AC) on a 7.08-acre site was filed in May 2005, and is pending on the adjacent site to the north-west of the subject proposal (File No. GP05-06-03).

At the public hearing for the General Plan amendment, the City Council provided direction for future action on the subject site and the surrounding area. The Council, supporting recommendations in a memorandum from Councilmembers Yeager and Chavez, identified several planning issues to be considered in the review of future residential projects in the immediate area, including continued closure of Campbell Avenue at Newhall Avenue and O'Brien Court, creation of public park space, appropriate interface with the single-family residences in the vicinity, and parking. The memorandum to the City Council regarding the project is attached to this report.

### **Site and Surrounding Uses**

A mix of residential and industrial land uses currently surround the site. The site is bounded by residential and industrial uses to the north across Campbell Avenue, industrial uses adjacent to the site to the east, single-family detached residences on Sherwood Avenue to the south, and industrial uses adjacent to the site to the west. The two residential parcels located to the north and across Campbell Avenue, the 7.6 gross acre Encanto project and 8.6 gross acre Altura project, are zoned A(PD) Planned Development. The Encanto project is under development/construction with single-family detached houses similar to the proposed project and the Altura project, consisting of three-story townhouse style condominiums, is mostly complete and already occupied. Both of these Planned Development Rezonings were approved in 2005 and total 324 dwelling units.

The site is located approximately 1,400 feet southerly of the Santa Clara Caltrain station located on El Camino Real and is approximately 3,000 feet away from the planned BART station. Campbell Avenue is an approximately 10,000 foot-long dead end street closed at its western end at Newhall Avenue. The closure was originally put in place to address the concerns of excessive industrial truck traffic through the neighborhood. The street is approached via El Camino Real/The Alameda from the City of Santa Clara.

The project site is rectangular in shape, totaling approximately 2.67 gross acres. The site is relatively flat and currently developed with a 30,000 square foot warehouse building, paved surfaces for storage, operations and parking and a fuel pump island. There are five trees on the site; the species include Privet, Birch, Italian Stone Pine and Coast Redwood. The Coast Redwood and the Stone Pines are ordinance size, with sizes ranging from 92 to 106 inches in circumference at two feet above grade. Per the proposed development plan, all the trees may be removed.

### **Project Description**

The project proposes demolition of the existing industrial building and the construction of 40 detached single-family houses. The conceptual site plan shows two- and three-story detached units clustered around five driveway alleys, each alley providing access to 8 houses. Pedestrian access to each of these houses is proposed to be provided via approximately 20 feet wide pedestrian paseos. The majority of the proposed houses are three-story structures with a maximum proposed height of 35 feet. The conceptual architectural plans indicate that the second and the third floor of a large number of units will be "stepped back" in height from the front of the building. The project proposes a mixture of three-bedroom and four-bedroom units ranging between 1,338 square feet and 1,945 square feet in size; many of the units also include a den/study room.

The project proposes to provide 108 on-site parking spaces and 5 off-site parking spaces along the project frontage on Campbell Avenue. All the units are proposed to have two-car garages, in a side-by-side configuration for the majority of the units, accessed from internal driveways at the ground level. Two units at the end of each driveway alley (10 units total) have two single-car garages located at right angles to each other, with one garage located at the end of the alley.

Private open space is provided in the form of patios and balconies, which range from 88 to 143 square feet per unit for the majority of the units. Most of the patios are located within the typical “side yard” area between single-family houses. The width of the majority of these private patios is 6 feet 6 inches. For the ten end units, the private open space is approximately 700 square feet in size. Approximately 2,100 square feet of common open space for the project has been proposed by the applicant in the form of a lawn area (15 feet by 140 feet). The Conceptual Landscape Plan depicts no amenities such as benches, play structures, or other recreational elements in this area (see Sheet L1.1 of the plan set).

Vehicular and pedestrian access to the site from Campbell Avenue would be provided by means of a 26-foot wide driveway located adjacent to the north-westerly boundary of the site. This driveway has sidewalk and park strip on one side, and parallel parking spaces on the other side. The eight driveway alleys receive access from this main driveway.

The proposed site plan shows possible locations of future pedestrian connections to the adjacent industrial sites on two sides of the site, when and if these parcels are developed with residential uses.

## **ENVIRONMENTAL REVIEW**

A Mitigated Negative Declaration circulated on November 15, 2006 indicates that the project will not result in a significant environmental impact when the identified project mitigations are incorporated. The Mitigated Negative Declaration addressed a range of environmental issues, the most salient of which are noise and hazardous materials. The complete Initial Study can be found online at <http://www.sanjoseca.gov/planning/eir/MND.asp>.

### **Hazardous Materials**

The following on-site and off-site hazardous materials issues have been identified for the project:

1. The rear tenant space of an industrial building across Campbell Avenue to the north of the site is currently occupied by a metal plating shop (Variety Metal Finishing). Variety Metal Finishing is subject to the California Accidental Release Prevention Program (CalARP), which is the Federal Risk Management Plan Program. The facility is subject to the CalARP program as a stationary source that stores and/or uses more than a threshold quantity of two regulated chemicals, nitric acid and potassium cyanide. As part of the CalARP Program, Variety Metal Finishing has a Risk Management Plan (RMP) in place. The intent of the RMP is to provide basic information that may be used by first responders in order to prevent or mitigate damage to the public health and safety and to the environment from a release or threatened release of a hazardous material; and to satisfy federal and state Community Right-to-Know laws. Based upon the RMP, two release scenarios were modeled for 1) the largest theoretical release (“worst-case release scenario”) and 2) a more likely release scenario

(“alternative release scenario”). According to federal and state programs, the worst-case release scenario is the total release of the largest quantity of a regulated substance from a single vessel or process line failure that results in the greatest distance to an endpoint under conservative meteorological conditions, which typically occur only at night. Worst-case release scenarios represent the failure modes that would result in the worst possible off-site consequences, however unlikely. The federal and state programs define the alternative release scenarios as those that are more likely to occur than the worst-case release scenario and that reach an endpoint offsite, unless no such scenario exists.

The risk assessment modeling data which projects the distance to toxic endpoint (the distance the substance could travel before dispersing into the atmosphere enough to no longer pose a hazard to the public) for the worse case scenario for nitric acid was a radius of 1,584 feet from the Variety Metals use, and for potassium cyanide was a radius of 1,056 feet. The modeled distance to endpoint for the alternative release scenario was a radius of 528 feet for both the chemicals. A portion of the subject site, as shown on the conceptual site plan (see Sheet C-4 of the plan set), falls within this 528 foot radius and affects the 12 units nearest to Campbell Avenue per the proposed site plan. The project’s mitigation measures include that no houses may be constructed within the alternative release scenario radius of this CalARP site (Variety Metals) or like users at that location.

2. The site has been historically used by a number of industrial companies. Three diesel and gasoline underground storage tanks (USTs) were formerly located on the site, which were removed from the site in 1996. Based on the concentrations of pollutants in the soil, the Santa Clara Valley Water District (SCVWD) concluded that the release from these tanks did not present a continuing threat to ground water, human health and the environment and the site was granted a closure to the site by the San Francisco Bay Regional Water Quality Control Board (RWQCB) in May 2004. The closure transmittal letter notes that residual contamination remains in soil and ground water at the site that could pose an unacceptable risk under certain site development activities. Per conditions of the closure letter, the SCVWD and RWQCB has been notified of the proposal of change in land use. Additionally, the existing underground storage tanks shall be removed per the closure procedure of the City of San José Fire Department (SJFD)(RWQCB) prior to issuance of any residential building permits.
3. A former industrial laundry facility operated between 1974 and 2003 at the site adjacent to the southeast of the subject site at 1173-1175 Campbell Avenue. The laundry facility used numerous caustic chemicals, organic solvents, acids and fungicides in the industrial cleaning process. As a result, the shallow ground water at the site has been impacted by chlorinated solvents and petroleum hydrocarbons. Contaminated groundwater from these pollutants could cause indoor air impacts to sites downgradient of the site. Although the project site is not directly downgradient of this site, one soil gas sample out of ten samples collected in 2005 showed a concentration of vinyl chloride above State screening levels. In June 2006, the Department of Toxic Substances Control (DTSC) issued a cleanup order to the owner/operator of the former Industrial Laundry. The proposed mitigation measure indicates that prior to obtaining a building or grading permit, a qualified hazardous material consultant shall monitor the DTSC- cleanup plan and depending upon the progress of the plan, shall complete further soil gas investigation. Pending the results of any additional investigation, installation of vapor barriers, crawlspaces and/or utility cut-off trenches in the project may be warranted.

## **Noise**

The noise environment at the project site exceeds the City's noise level goal for exterior noise (60 dBA DNL) as a result of transportation noise sources in the site vicinity (i.e., railroad, Campbell Avenue, and the Norman Y. Mineta San José International Airport). Noise generated with the operation of adjacent light industrial uses would also continue to contribute to the future noise environment. Exterior noise levels throughout the project site would exceed the "satisfactory" compatibility standard for residential land uses established by the City of San José. Although day/night average noise levels generated by these adjacent land uses are not anticipated to exceed 60 dBA DNL, noise would occasionally be audible and could be annoying.

Noise levels at the units' proposed front patios will be 60 dBA or lower further than 160 feet of Campbell Avenue. Therefore, front patios of the approximately 12 units that are proposed to be located within 160 feet of Campbell Avenue will be subject to noise levels of 60 dBA or higher. A 6-foot noise barrier around these patios would be necessary to reduce the noise to 60dBA or lower. Common open space could be provided with noise levels less than 60 dBA if it is located more than 160 feet from Campbell Avenue. This lower-noise common open space could provide recreational opportunities for the residents of these 12 front units if it is set back at least 160 feet from Campbell Avenue, and shielded by buildings. If such usable common open space is provided, staff believes that no noise barriers would be needed for the private open spaces within 160 feet of Campbell Avenue as six-foot surrounding walls would detract from the value of the small patio spaces proposed.

## **PUBLIC OUTREACH**

A community meeting was held at 1922 The Alameda (United Way Building) on October 17, 2006. Approximately 12 members of the community attended the meeting. Project-related concerns included additional traffic generated by the project, possible parking overflow onto the street, interface with the single-family homes at the rear of the site and the proposed height of the new houses. There were positive comments about the relatively low-density of the project.

Notices of the public hearing and the Draft Mitigated Negative Declaration were distributed to the owners and tenants of all properties located within 1000 feet of the project site. The Negative Declaration and this staff report have been posted on the City's web site. Staff has been available to discuss the project with members of the public. An on-site information sign was installed to provide information to the public about the project.

## **GENERAL PLAN CONFORMANCE**

On June 27, 2006, the City Council approved a General Plan Amendment on this site to change the General Plan Land Use/Transportation Diagram designation of the site from Light Industrial to Medium High Density Residential (12-25 DU/AC). The proposed project density is 15 DU/AC, which is within the density range of 12-25 DU/AC.

### Greenline/Urban Growth Boundary (UGB) and Housing Major Strategies

The proposed project also furthers the closely related Greenline and Housing Major Strategies of the General Plan. The Greenline/Urban Growth Boundary Strategy specifies that urban development should only occur within the Urban Service Area where urban services can be efficiently provided. The Housing Strategy promotes higher density infill housing, especially close to transit facilities, to ensure the efficient use of land, to reduce the pressure to build more housing at the fringe of the City, to reduce traffic congestion and to promote an adequate supply of housing for existing and future residents. The Housing Strategy recognizes that continued economic growth in the City and region could be adversely affected by an inadequate supply of housing.

The subject site is situated within the existing urbanized area of the City of San Jose, with retail commercial centers located nearby. Thus, the site provides an opportunity for infill development in support of the above-mentioned strategies. The current rezoning proposal has the potential to 1) increase the housing supply, 2) maximize the efficient use of existing infrastructure, and 3) reduce pressure for growth outside the UGB.

Based on this analysis, staff concludes that the rezoning conforms to the San Jose 2020 General Plan relative to land use.

### ANALYSIS

The key issue for the proposed project is consistency with the Residential Design Guidelines (RDG) standards. Below, staff has evaluated the project using the Residential Design Guidelines for Garden Townhouses relative to perimeter setbacks, parking, open space, and building design. Staff has also analyzed whether the project addresses the Council's direction at the time of approval of the General Plan Amendment to a residential designation.

The project proposes detached residences on individual lots; however the unit type has virtually no resemblance to a typical single-family house on a small lot for the following reasons: 1) the proposed units have no street frontage, but instead front on pedestrian paseos; 2) the lots do not provide 10 or 15 feet of front or rear setbacks; 3) the amount of private open space provided per unit is significantly less than recommended in the RDG, and; 4) the proposed houses are more than two stories and exceed 30 feet in height. With the separate circulation system for vehicles and pedestrians, the unit type is more similar to the Garden Townhouse housing type, which typically includes attached units with common paseos providing main pedestrian entrances to the units and private yards/patios serving each unit. The project was reviewed for compliance with the Residential Design Guidelines for Garden Townhouses, and the recommendations for small-lot single-family houses have also been provided for comparison.

### Perimeter Setbacks and Interface with Surrounding Uses

The Residential Design Guidelines specify that perimeter areas of projects should be designed to be compatible with existing adjacent residential uses and that the protection of the privacy of adjacent residents should be a major consideration in the design of new projects. The Guidelines suggest building setbacks based on adjacent uses and the height of proposed buildings. Per the

Guidelines, a 20-foot setback is recommended for one- and two-story building elements adjacent to single-family rear yards.

The Guidelines recommend up to two feet of setback for each foot of building height; up to 70 feet from the applicant's proposed three-story, 35-foot tall houses to the adjacent single-family residential property to the south-west (rear) of the site. Although staff believes that the maximum perimeter setback the Guidelines suggest is not practicable for this infill site, staff believes that a minimum 20-foot typical single-family setback should be provided for two-story buildings to bring the site plan into substantial compliance with the intent of the Guidelines. This would require the third stories of the rear units to be stepped back further. The corner unit (Lot 37 on the attached "Conceptual Site Plan") currently shows a setback of only 9 feet for the first floor and 14 feet for the second floor. Although per the proposed plan (Sheet C-7 of attached planset), this corner unit would only have two stories, it would not meet the Guidelines even as a two-story structure. This interface with the single-family homes was considered a primary concern by the Council at the time of approval of the General Plan Amendment, and was also raised by neighbors at the community meeting.

The Guidelines suggest a 10 to 15 foot setback from incompatible uses such as the adjacent industrial uses to the east and west to provide buffering between uses. The 25-foot setback provided from the industrial uses to the northeast exceeds the recommendation of the Guidelines and is acceptable. Although the currently proposed 10-foot setback for the three-story structures from the industrial use to the southwest does not meet the 15-foot setback recommended by the Guidelines, the applicant has indicated that they are prepared to accept a condition of approval of the Planned Development zoning requiring a 5-foot increase in this setback for the third story of these units. If a 7 foot-tall masonry wall is proposed along this property line and a 6- to 8-foot wide landscaping strip with screening trees is proposed, this setback could be adequate. The current conceptual plans do not show any landscaping in this area, and do not provide the wall.

Along Campbell Avenue, the proposed front setback of 10 feet for the patios and 18 feet for the two-story houses substantially conform to the Residential Design Guidelines recommendation of 10 feet and 20 feet respectively. The third story is proposed to retain the same 18 feet setback while the Guidelines recommend additional setback to 35 feet.

### **Open Space**

The project as proposed, does not provide adequate private or common open space. The approximately 2,100 square foot lawn area reflects a proposed common open space ratio of 52.5 square feet per unit, well below the 150 square feet of common open space per unit standard in the Guidelines for either Garden Townhouses or single-family detached houses. The Guidelines further state that common open space should include areas usable by residents for recreational activities. Staff believes that the proposed long common open space area, designed with 15 feet of width within an approximately 40-foot wide area between two rows of single-family detached houses, will not function as an open space amenity for the project since the area will only have limited recreational usability.

The Guidelines recognize that provision of additional private open space per unit can be a compensating factor to support a reduced common open space requirement. The Guidelines recommend 400 square feet of private open space for small lot single-family developments and 300 square feet of private open space for Garden Townhouses. Under either standard, the proposed

private open spaces of between 88 square feet and 168 square feet per unit are well below the minimums delineated in the Guidelines. Staff is very concerned about the quality and quantity of the private open space provided for the proposed project. For a majority of the units, the private open space is provided in the form of a 6.5 foot wide ground floor yard space located within the side setback of the units, sandwiched between two- to three-story tall walls on two sides. In rare occasions, a 48 square foot second floor balcony has been provided. The 6.5 foot-wide yards are significantly narrower than the 15-foot minimum dimension described in the Guidelines.

A somewhat generous open space has been proposed for the ten end units (Plan types 4X and 4XLR) in the side setback area immediately adjacent to industrial uses. The open space consists of an approximately 140 square feet of usable area in the front of the units, and a 3.5 to 6 foot by 40 feet long narrow space on the side. This area is within the perimeter setback area intended to buffer the project from adjacent industrial uses. Staff believes that the lack of separation between the existing industrial uses and the proposed single-family yards diminishes the value and utility of the 717 square foot yards depicted on the plans for these ten units.

For a typical single-family residence with a 400 square foot yard that is located near a park, the requirement for common-open space may be waived per the Guidelines. Although the project is located near a small future public park at the end of Campbell Avenue near Newhall, seventy-five percent (75%) of the units show private open space less than 168 square feet. The project does not qualify for the waiver. Staff believes that a usable on-site common open space area is vital for this development.

Staff believes that the provision of adequate private and common open space for the 40 proposed residential units would require significant redesign of the project, and possibly a different, likely attached, product type. To meet the common open space ratios identified in the Guidelines, 5,400 to 6,000 square feet of common open space would be needed and under the applicant's current design would require loss of a row of units. Although the applicant has indicated that the future residents of the subject development will have access to the recreational amenities located within the Encanto development across the street, these two developments will be owned and managed by two separate homeowner's association, and no mechanism exists that can guarantee that the future residents of the proposed project will be allowed to use the facilities at the other site. Additionally, the approved recreation facility at the Encanto project meets the requirement for 104 units approved as part of that project, and may not be used to incorporate the use of additional 40 units for the subject project, without either rezoning the site to amend the approved Development Standards or redesigning the site plan to increase the size of those recreational facilities.

Additionally, with the high noise impacts from the street and industrial uses, in absence of an adequate usable common open space, the patios of the three front-row units, and the units adjacent to the industrial uses, would need to be shielded with 6-foot tall noise barrier as indicated in the Environmental Review section above, which would further reduce the quality of those private spaces significantly.

From this analysis, planning staff concludes that the project is severely lacking in usable, quality private and common open space.

## **Parking**

The parking requirement per the Guidelines is 2.6 spaces per three-bedroom townhouse unit, 2.75 spaces per unit for four-bedroom townhouses, and 3.3 spaces per unit for single-family detached residential. This results in a maximum project parking requirement of 110 spaces based on bedroom count, assuming all units having four bedrooms, or 132 spaces based on typical single-family parking requirements. The proposed project conforms to the recommendations for townhouses by providing 108 on-site spaces, but is substantially lacking in conformance with the typical requirement for detached single-family houses. Off-site parking spaces, which could serve as guest parking, are given a credit of 0.5 per space, since these spaces are on the public street.

As indicated during the public outreach and review of the two previously approved projects in the vicinity and the current project, and as reflected in three previously issued/adopted memoranda by the Council during the approval of the three previously-approved General Plan Amendments, provision of sufficient on-site parking is an important issue for the neighborhood. The direction provided by the Council during the General Plan Amendment for the subject site included developing parking standards during the Zoning phase that respond to this concern. Planning staff believes that a parking ratio closer to the single-family standard would be appropriate for this project at this location.

## **Building Separation/Paseo Width**

The proposed front-to-front separation between two rows of houses (the pedestrian paseo width) is approximately 20 feet for the first story, while the second stories are set back from the paseo up to another 10 feet. The Guidelines' recommended separation for Garden Townhouses is 30 feet. No recommendations are provided for single-family houses, which are ordinarily expected to be located along streets, not paseos. Although with the massing of the majority of the buildings as shown on the conceptual drawings staff believes that this proposed separation is generally acceptable, staff is concerned about the patios projecting into these paseos and the massing of the Plan Type 1R which does not show a receding upper story.

## **Conclusion**

As discussed in the Analysis section, the project is severely lacking in usable common open space. The private open spaces proposed are inadequate and of low quality. The rear setbacks provided for the project do not provide enough privacy for the adjacent single-family rear yards. The project also lacks in on-site parking and provides only 5 off-site street spaces along the site's frontage. Staff believes that these issues cannot be addressed without a significant redesign of the project. To be within the approved density range of the recently-approved General Plan, a minimum of 33 units are required, or a General Plan Amendment will be necessary. The site is larger than 2 acres in size and therefore, use of the General Plan's Two-Acre Rule would not be possible even for an exceptionally well-designed lower density project. Additionally, there are a number of serious unresolved environmental issues that have been conditioned at different stages of the development process (prior to the Development permit, grading permit, building permit and actual on-site grading). Although the phasing will meet the requirements of the California Environmental Quality Act (CEQA)s, the mitigation measures will be difficult to administer and control. For the above-mentioned reasons, Planning staff recommends denial of the project as proposed.

## **RECOMMENDATION**

Planning staff recommends that the Planning Commission recommend denial of the Planned Development Rezoning to the City Council for the following reasons:

1. The proposed project lacks significantly in private open space and usable common open space
2. The proposed project does not provide adequate on-site parking
3. The proposed project does not provide adequate perimeter setbacks from adjacent single-family residences and incompatible industrial uses.

Attachments:

Location Map

Council Memorandum

Memoranda from Department of Public Works, Fire Department, ESD, Police Department, PRNS

Memorandum from Department of Transportation

Mitigated Negative Declaration

Plan Set