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
PC 11/09/2005 Item:
CC 12/06/2005 Item:

STAFF REPORT

File Number
PDC05-009

Application Type
Planned Development Rezoning

Council District: 1

Planning Area
West Valley

Assessor's Parcel Number:
303-48-021

PROJECT DESCRIPTION — Completed by: Rebekah Lynn Ross

Location: West side of Boynton Avenue, approximately 520 feet northerly of Akron Way

Gross Acreage: 0.27 | Net Acreage: 0.25 | Net Density: 16.0 DU/AC

Existing Zoning: RM Multiple Residential | Existing Use: Single-family detached residence

Proposed Zoning: A (PD) Planned Development | Proposed Use: Up to four single-family attached residential units

GENERAL PLAN — Completed by: RLR

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 — Completed by: RLR

North:	Multiple-family residential	A(PD) Planned Development
East :	Multiple-family residentail	R-M Multiple Residence
South:	Multiple-family residential	A(PD) A Planned Development
West:	Duplexes	R-2 Two-Family Residence

ENVIRONMENTAL STATUS — Completed by: RLR

[☐] Addendum to Negative Declaration

[☒] Exempt
[☐] Environmental Review Incomplete

FILE HISTORY — Completed by: RLR

Annexation Title: Boynton No.6 | Date: 12/20/1956

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

[☒] Approval
[☐] Approval with Conditions
[☐] Denial
[☐] Uphold Director's Decision

Date:

Approved by: _____
[☐] Action
[☒] Recommendation

APPLICANT/OWNER/DEVELOPER

Owner	Developer
James X. Wang	James Wang – Easy Construction
489 Boynton Avenue	377 Creekside Drive
San Jose, CA 95117	Palo Alto, CA 94306

PUBLIC AGENCY COMMENTS RECEIVED	Completed by: RLR
Department of Public Works Please see attached memorandum.	
Other Departments and Agencies N/A	
GENERAL CORRESPONDENCE	
None received.	
ANALYSIS AND RECOMMENDATIONS	

BACKGROUND

The applicant, James X. Wang, is requesting a rezoning from RM Multiple Residence to A(PD) Planned Development to allow the demolition of an existing single-family residence and the construction of up to four (4) single-family attached residential units on a 0.27 gross acre site. A Planned Development Rezoning is required because the developer proposes to subdivide and develop the property in a configuration that is not consistent with the development regulations set forth in any of the City's conventional residential zoning districts. Specifically, the project proposes lot sizes, frontages and setbacks that are smaller than what is typified by conventional residential zoning districts and required the City's Subdivision Ordinance (Title 19).

The subject site is currently developed with one single-family detached residence, built circa 1950, that was found not to be historically significant. Additionally, the project site includes several large trees. Surrounding land uses include apartments and condominiums to the east, south and north of the subject site. Duplexes are located behind the site to the west.

Project Description

The proposed zoning would facilitate redevelopment of the existing 0.27-acre site to allow up to four (4) attached single-family residences. The units are proposed to be arranged as two pairs of two attached units. All units obtain garage access via a common driveway along the southern property line.

Unit one is oriented to Boynton Avenue at the front of the subject site. Unit two is paired with unit one and is oriented towards the private driveway. Paired units three and four are situated parallel to the rear property line and are oriented towards the common driveway.

The units range in size from 1,567 to 2,006 square feet and include either three or four bedrooms. Each unit has at least 400 square feet of private open space. Units 1 & 2 have a two car 'side-by-side' garage and units 3 & 4 have a tandem two-car garage.

ENVIRONMENTAL REVIEW

Under the provisions of Section 15303(b) of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), this project is found to be exempt from the environmental review in that the project is for a development consisting of no more than four dwelling units. As previously indicated, the existing house was determined not to be a historic resource, therefore the demolition of this structure is not deemed to be a significant impact as defined by CEQA.

The site includes several large trees. Special measures were taken during the design of this project to preserve and protect the five ordinance size trees on the site. A certified arborist has prepared specific tree protection specifications that will help to ensure that all existing trees, including the two Deodar Cedar and one Monterey Pine trees located at the front of the lot and the California Bay tree located on the northern property line, will be preserved and adequately protected during construction. One ordinance size 'tree-of-heaven' could not be preserved in its original location and will be relocated if possible in accordance with the arborist's recommendations to a common landscape area along the southern property line. One non-ordinance size Glossy Privet will be removed due to the current poor condition of the tree. The loss of this tree does not constitute a significant environmental impact.

GENERAL PLAN CONFORMANCE

The subject property has a land use designation of Medium High Density Residential (12-25 DU/AC) on the San Jose 2020 General Plan Land Use/Transportation Diagram. The proposed development with a density of 16.0 DU/AC is consistent with this designation.

This proposal is also in conformance with the General Plan Community Identity, Neighborhood, and Residential Land Use Policies in that 1) the City should encourage the development pattern of a compact, cohesive pattern of urbanization within boundaries that create a sense of community identity, 2) the land to be used for the future development will be fully and efficiently utilized to maximize the potential to add to the housing stock, 3) the project is integrated with the surrounding uses to blend in with the neighborhood, and 4) the building scale does not overwhelm the neighborhood.

The project conforms to the General Plan Housing Major Strategy, which seeks to provide a variety of housing opportunities, and the Growth Management Major Strategy, which encourages infill development within urbanized areas to achieve the most efficient use of urban facilities and services.

ANALYSIS

The proposed Planned Development Rezoning would facilitate redevelopment of an underutilized parcel with four (4) single-family attached units consistent with the site's General Plan Land Use Transportation Diagram designation. The primary issue associated with the proposed project is conformance with the Residential Design Guidelines in regard to site design and architecture.

<u>Site Design</u>

Setbacks

The perimeter setbacks of the project have been designed to conform to the Residential Design Guidelines, be compatible with the adjacent multi-family residences, and preserve large trees. At no point shall any portion of the living area have a setback less than 15 feet from the front property

line. This setback was established to be consistent with adjacent development and to protect the three ordinance size trees located at the front of the lot. Special tree protection measures that have been outlined in a report from a certified arborist will be taken to ensure the survival of these mature trees.

Along the northern property line a 5 to10 foot setback separates the existing townhouses from the property line of the subject site. The design guidelines allow for new developments to match the setbacks of the existing development. In the center areas, designated to be private open space for units one and two, a minimum 10-foot setback along a length of 62 feet, will be maintained. An existing ordinance size California Bay tree will be protected and preserved within its existing location.

Two one-story duplexes with a 25-foot rear setback are adjacent to the west of the subject site. The Residential Design Guidelines recommend a 5-foot setback for new one story building elements and a 10-foot setback for two-stories when adjacent to private open space of attached residential units. In this case, the recommended minimum setbacks are proposed. Portions of the proposed building near this property line actually propose a 16-foot setback to accommodate a better private open space area for the rear units. Additionally, an existing row of mature trees located along the western property line will be preserved to provide additional privacy for both the proposed and adjacent units.

The adjacent townhouses to the south are setback five feet from the subject site's property line. The proposed southern setback for the project is also five feet for the closest unit. The majority of the project will have a setback of about 24 feet from this side to accommodate the common driveway.

Driveways, Parking and Circulation

The driveways, garage entries, and pedestrian elements have been designed to allow safe and efficient circulation throughout the site, minimize the visual impact of the garages from off-site, and maximize the landscape opportunities. The location of the common driveway is proposed along the interior southern property line so that an ordinance size Deodar Cedar tree can be preserved. Each proposed unit has an enclosed two-car garage either side-by-side or tandem, and the project provides sufficient on-site and curbside parking for guests.

Architecture

The proposed project is adjacent to a unique attached housing development built in the 1980's with an architectural design that varies substantially between units. Design elements from this development, as well as elements from other surrounding buildings, have been incorporated into the façade to create a new residential development that blends in with the character of the southern property but does not clash with the modern townhouses to the north and the less modern multi-family structures to the east. Each unit has an attractive front porch that is visible from the public areas. The proposed buildings' proportions are of a similar scale and mass with the development to the north and south. Additional refinement to the design and detailing of the architecture will be evaluated at the Planned Development Permit stage.

Conclusion

The proposed project will help facilitate redevelopment of an underutilized site. The proposed redevelopment will be consistent with the existing development and new development that has occurred within the neighborhood. As proposed, the project meets the intent of the Residential Design Guidelines pertaining to development of Rowhouses.

PUBLIC OUTREACH

A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website. Copies of this staff report have also been made available from the website. This rezoning was also published in a local newspaper, the Post Record. Staff has been available to respond to questions from the public.

RECOMMENDATION

Planning staff recommends approval of the proposed Planned Development Rezoning for the following reasons:

1. The proposed project is consistent with the San Jose 2020 General Plan Land Use/Transportation designation of Medium High Density Residential (12–25 DU/AC) and supports several of the General Plan goals and policies as well as major strategies.

2. The proposed rezoning is compatible with existing uses on the adjacent and neighboring properties.

3. The proposed project is in conformance with the Residential Design Guidelines.

Attachments