

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. 5/11/05 Item: 4.d.
C.C. 6/7/05

File Number
PDC 04-092

Application Type
Planned Development Rezoning

Council District
6

Planning Area
Willow Glen

Assessor's Parcel Number(s)
434-01-036, 037, 038

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Ed Schreiner

Location: on the west side of Delmas Avenue at the terminus of Dorothy Avenue

Gross Acreage: 0.95

Net Acreage: 0.83

Net Density: 8.43 DU/AC

Existing Zoning: R-1-8 Residence District

Existing Use: Single-Family Detached Residential

Proposed Zoning: A(PD) Planned Development

Proposed Use: Single-Family Detached Residential

GENERAL PLAN

Completed by: ES

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

Project Conformance:
 Yes No
 See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: ES

North: Single-family Detached Residential

R-1-8 Single-family Residence District

East: Single-family Detached Residential

R-1-8 Single-family Residence District

South: Single-family Detached Residential/Railroad ROW

R-1-8 Single-family Residence District

West: Single-family Detached Residential

R-1-8 Single-family Residence District

ENVIRONMENTAL STATUS

Completed by: ES

Environmental Impact
 Negative Declaration circulated on April 21, 2005
 Negative Declaration adopted on

Exempt
 Environmental Review Incomplete

FILE HISTORY

Completed by: ES

Annexation Title: Willow Glen No. 11

Date: October 1, 1936

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval
 Approval with Conditions
 Denial

Date: _____

Approved by: _____
 Action
 Recommendation

APPLICANT/DEVELOPER/OWNER

Brandon Au, Stonebridge Development
1777 N Milpitas Blvd, Suite 338
Milpitas, CA 95035

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: ES

Department of Public Works

See attached memorandum

Other Departments and Agencies

See attached memoranda from the Environmental Services and Fire Departments

GENERAL CORRESPONDENCE

See attached electronic communication from Bob Pflederer, dated Monday, March 28, 2005.

ANALYSIS AND RECOMMENDATIONS**BACKGROUND**

The applicant is requesting a Planned Development Rezoning from R-1-8 Single-Family Residence District to A(PD) Planned Development District to allow the construction of seven single-family detached units on a 0.95 gross acre site. A Planned Development Zoning is required because the proposed residential development does not conform to the lot size, setback and other standards of the R-1-8 Residence District.

Site Conditions and Context

The site, made up of three existing lots, is triangular in shape with a 370-foot frontage on Delmas Avenue from which it takes access. Of the three existing lots, the two at the north end of the site are deep (ranging from 159 to 220 feet) but fairly conventional in width (50.5 feet), while the third forms a triangle with 263 feet of street frontage). An abandoned Union Pacific Railroad right-of-way runs along the southern boundary of the site. This abandoned railroad right-of-way is proposed to be converted to a trail that is intended to extend from Los Gatos Creek and Lincoln Avenue, to connect with the Highway 87 bike trail and ultimately to extend to Kelley Park. The site is relatively flat and is currently developed with three single-family residences (built in the mid-1920's to early 1930's) and accessory structures. Vegetation on the site includes orchard and landscape trees associated with the existing residences. A total of 20 trees exist on the site (13 of which are orchard trees), including 5 ordinance-size trees.

Surrounding Uses

The project site is located within an older single-family neighborhood consisting of mostly single-story, single-family houses representing a variety of architectural styles. Most of the existing houses were constructed in the 1920's and 30's, although an occasional Victorian era or modern house is included in the mix. Existing houses tend to be relatively small with front porches and detached garages that are located at the rear of the site. Parcel sizes in the neighborhood vary considerably (between roughly 5,000 and 12,000 square feet); lot frontages on Delmas Avenue are a fairly consistent 50 feet in width, although the lots depths vary significantly.

The site is located immediately adjacent to single-family residential uses to the north, east and west. The former Union Pacific Railroad right-of-way is located to the south, with single-family residences beyond.

Proposed Project

The applicant's proposed project consists of seven single-family detached units. Five of these front onto Delmas Avenue and the other two are oriented to a private street that extends from Delmas Avenue to the center of the site where it ends in a small cul-de-sac. The four-bedroom units are two stories and approximately 24 feet in height. They include conventional two-car garages. The proposed site plan shows guest parking spaces on the private street, at the rear of the site and on Delmas Avenue along the project frontage. All of the existing structures on the site are proposed for removal. All of the trees are proposed to be removed, including 5 ordinance-size trees.

ENVIRONMENTAL REVIEW

A Draft Negative Declaration was circulated for this project based on an Initial Study, which concluded that the project would not result in a significant environmental impact. An historic evaluation prepared for the site by Bonnie Bamburg, dated February 14, 2005, concludes that the existing residential structures on the site are not architecturally significant and are not associated with persons or events significant in San Jose history. While it appears that the structures may qualify for the historic inventory, the report does not provide evidence that they would qualify for landmark status. Standard mitigation has also been included in the project to ensure that construction does not result in impacts relative to noise, water and air quality. Trees proposed for removal will be replaced in conformance with the City's standard tree replacement ratios.

COMMUNITY OUTREACH

A community meeting was held for this project at the Gardner Community Center on December 2, 2004. Community members did not oppose development of the site but expressed concern that the project would change the character of the existing neighborhood (characterized by smaller homes with detached garages); that garages facing the street would not fit in with the pattern of the existing neighborhood; that the large size of the proposed homes and the "boxy" massing would not be compatible with the existing neighborhood and traditional architectural styles would be more appropriate; that adequate parking needs to be provided; that visual access should be provided to the trail behind the development (i.e., open fencing should be used); that the three existing houses should be preserved rather than demolished; that the private street should not prevent police from accessing the site; and that the density of the development is too high.

Notices of the community meeting, the Mitigated Negative Declaration and the public hearings were mailed to all property owners and tenants within 500 feet of the subject site. This staff report has been available for review on the City's web site and staff has been available to discuss the project with interested members of the public.

GENERAL PLAN CONFORMANCE

The subject site is designated *Medium-Low Density Residential (8 DU/AC)* on the City of San Jose 2020 General Plan Land Use/Transportation Diagram. The applicant's proposal includes a density of approximately 8.43 units per acre, which is slightly above the maximum density allowed under the existing General Plan designation. The Discretionary Alternate Use Policy Two-Acre Rule allows approval of an increased density if the project is compatible with existing and planned uses on adjacent and neighboring properties. In order to qualify for this Policy, projects should exceed the minimum standards of the Zoning Ordinance and adopted design guidelines. The General Plan also specifies that the Policy should be used infrequently in a neighborhood so as not to change the neighborhood character.

ANALYSIS

The primary issues associated with this project are conformance with the Single-Family House and Residential Design Guidelines and neighborhood compatibility.

Conformance with the Single-Family Design Guidelines

The Single Family Design Guidelines (SFDG) were adopted by the City Council to help maintain the high quality of San Jose's neighborhoods by providing guidance for the design of additions or new houses in existing neighborhoods. The SFDG emphasize that new single-family residences and single-family subdivisions should reflect the existing neighborhood pattern in regard to garage configuration, porches, setbacks, height/massing and architecture.

In regard to garage configuration, the SFDG specify that in neighborhoods with an established pattern of detached garages located in the rear yard, new garages should also be located at the rear of the house. The original Planned Development Zoning submittal for this site proposed seven houses, three on wide lots oriented to Delmas Avenue and four oriented to the proposed private street. The three lots oriented to Delmas were shallow with two-car attached garages and 20-foot-wide driveway aprons facing the street. After receiving comments from staff and the community on the garage placement issue, the applicant revised the site plan so that five of the seven houses are now proposed to front onto Delmas Avenue. All of these proposed houses have attached garages, but four of the five attached garages are located at the back of the houses so they are not highly visible from the street. The fifth house, which sits on an irregular-shaped parcel that is too shallow to allow a garage to be located at the rear of the site, includes a front-loaded attached garage. Staff has included a condition in the Draft Development standards for the fifth house that is intended to lessen the dominance of the garage by requiring that it be set back a minimum of 23 feet from the front property line while the remainder of the house can extend to within 15 feet. Staff believes that the modified lotting pattern and garage design, (as modified in the Draft Development Standards) are positive steps in maintaining the existing relationship of residences to Delmas Avenue in this neighborhood.

The SFDG specify that new houses should conform to the average of existing front setbacks on the block or on adjacent properties. The key issue for this proposal, which includes five new houses at the end of a row of existing houses, is the relationship of the proposed minimum setback to the immediately adjacent house. In this case, the applicant's site plan shows a minimum front setback of 15 feet for the most northerly house located immediately adjacent to an existing single-family residence. The setback of the adjacent residence is approximately 20 feet. In order to improve the relationship between the existing and proposed units, staff has included a condition in the Draft Development Standards requiring an increased minimum setback of 17 feet for the two new houses located north of the private drive. Staff believes that this will bring the proposed development into substantial conformance with the recommendations of the SFDG in regard to front setbacks.

The SFDG indicate that on a block with a dominant pattern of front porches, new houses should include front porches. The conceptual elevations indicate that porches are provided on some of the units, although porches are not reflected in the conceptual site plan. Staff will work with the applicant at the Planned Development Permit stage to ensure that porches are included in most units. Staff believes that the standard provision that allows porches to encroach 5 feet into the front setback, which has been included in the Development Standards, is sufficient incentive to ensure the provision of porches to reflect the existing pattern along Delmas Avenue.

The Draft Development Standards limit the height of the proposed houses to 30 feet in conformance with the height recommendations of the SFDG. (The applicant's conceptual elevations indicate building heights of approximately 24 feet.) For blocks with a predominant pattern of single-story houses, the SFDG recommend a menu of measures that are to be implemented to reduce the "perceived scale" of two-story units. These measures include setting the second story back from the first at the front and/or sides, limiting the size of the second story relative to the first, and placing 60 or 70 percent of the second story over the rear of the house. The conceptual site plan and elevations present houses that appear somewhat boxy. Staff will work with the applicant at the Planned Development Permit stage to ensure that the building massing is modified to blend appropriately with the existing residences in this vintage neighborhood.

The SFDG specify that architectural styles should be compatible with those found in the surrounding neighborhood and that compatibility can be achieved through use of an existing style found in the neighborhood, use of a style from the same era as styles commonly found in the neighborhood, or use of a contemporary style that employs building scale, massing, roof lines, materials and building orientations that are commonly found in the neighborhood. Staff will work with the applicant and the community through the Planned Development Permit stage to ensure that the building architecture is modified to appropriately reflect these recommendations.

Conformance with the Residential Design Guidelines (RDG)

The primary aspects of the RDG relevant to this project include guidance regarding perimeter setbacks, the design of private driveways/circulation, provision of private open space and parking.

The RDG recommend that two-story residences should be set back 20 feet from the adjacent rear yards of existing single-family residences. The conceptual site plan shows the westerly-most unit of the proposed development located 10 feet from the yard of the adjacent single-family residence. Although 20 feet is preferable, staff has included a reduced minimum setback of 15 feet in the Draft Development Standards in an effort to provide greater protection for the existing residence without causing the proposed project to eliminate a unit. Staff believes that the increased setback will have the added benefit of allowing two guest parking spaces to be added adjacent to this property line where they are not highly visible from the public street.

The RDG specify that entry driveways should not be dominated by parking and should have sidewalks on at least one side and street trees on both. Staff has included conditions in the Draft Development Standards that will improve the appearance of the street so that it looks and functions more like a pedestrian-oriented neighborhood street and less like a parking lot. These conditions include a restriction on parking on the driveway within 80 feet of Delmas Avenue, the requirement for a sidewalk on at least one side and park strips to accommodate street trees on both sides. Staff has also included a condition in the Development Standards requiring a minimum back-up space for existing the parking garages of 22 feet. The conceptual site plan indicates a minimum of 16 feet (which is 10 feet less than the 26-foot RDG recommendation), a distance that staff fears would not function acceptably. Staff's recommended minimum of 22 feet will keep pavement to a minimum while providing workable, if not optimal circulation in and out of the garages. In order to accommodate this increased circulation area, the building footprints will need to be modified. The Draft Development Standards allow smaller side setbacks than are currently shown on the site plan, which would allow the larger maneuvering area to be accommodated.

The proposed project can accommodate the 750 square feet of private open space recommended by the Residential Design Guidelines, although the configuration of this open space may be somewhat irregular.

Staff has included a condition in the Draft Development Standards that requires a portion of this private open space to be a minimum dimension of 15 feet by 15 feet (225 square feet) in order to ensure that each unit has a usable open space component.

The conceptual site plan shows the covered parking in conformance with the RDG and guest spaces far exceeding the RDG requirements. Seven guest spaces are provided on the site and at least nine are available along the public street frontage. Staff will work with the applicant at the Planned Development Permit stage to achieve a balance between the objective of providing ample parking and the need to ensure that parking does not squeeze out pedestrian facilities, street trees and open space.

Neighborhood Compatibility/General Plan Conformance

The density of the proposed zoning is compatible with that of surrounding development, which consists of single-family residences with a General Plan designation of Medium-Low Density Residential (8.0 DU/AC). The proposed development, with the private street netted out of the total acreage, has a density of 8.43 DU/AC, very slightly above the maximum range allowed by the General Plan. As discussed above, the proposed Development Standards provide for a development pattern that generally approximates that of the existing neighborhood and is in substantial conformance with the recommendations of the Single-Family and Residential Design Guidelines. Based on this analysis, staff concludes that the proposed project is compatible with the surrounding neighborhood and can be found to conform to the General Plan based on the Discretionary Alternate Use Policy, Two Acre Rule.

Conclusion

Based on the above analysis, staff concludes that the proposed Planned Development Zoning, as conditioned, offers an opportunity for redevelopment of an underutilized site in a manner that is supportive of the infill housing goals of the General Plan and compatible with the surrounding neighborhood.

RECOMMENDATION

Planning staff recommends the Planning Commission forward a recommendation of approval to the City Council for the following reasons:

1. Based on the Two-Acre Rule Discretionary Alternate Use Policy allowing for residential development at a density range compatible with surrounding uses, the proposed project is consistent with the San José 2020 General Plan.
2. The project furthers the goals and objectives of the City's infill housing strategies.
3. The proposed zoning provides for development that is consistent with the recommendations of the Single-Family and Residential Design Guidelines and compatible with the development pattern of the existing neighborhood.

Attachments