



Memorandum

TO: Historic Landmarks Commission

FROM: Sally Zarnowitz, AIA

SUBJECT: SEE BELOW

DATE: August 31, 2006

SUBJECT: CP06-034 CONDITIONAL USE PERMIT TO ALLOW CONVERSION OF A SINGLE-FAMILY RESIDENCE TO A RESIDENTIAL CARE FACILITY USE ON A 0.20 GROSS ACRE SITE LOCATED IN THE HENSLEY HISTORIC DISTRICT ON THE WEST SIDE OF NORTH FIFTH STREET (341 NORTH FIFTH STREET).

RECOMMENDATION

Planning staff recommends Historic Landmarks Commission review the project as an early informational item. Any exterior work performed on a property located in the Hensley City Landmark Historic District shall be governed by the provisions of Chapter 13.48 of Part 3 of Title 13 of the Municipal Code, the Historic Preservation Ordinance, that require issuance of a Historic Preservation Permit.

BACKGROUND

The applicants, Ini and Okon Uboh, are proposing a change of use from single-family residential to a residential care facility for a residence located at 341 North Fifth Street. The site is listed on the Historic Resources Inventory as a Contributing Structure to the Hensley City Landmark Historic District. The original construction date of the residence is 1905, and is referred to as "Eclectic Craftsman" on the National Register Nomination.

The site is zoned R-M Multiple Residence District and is designated Medium Density Residential (8-16 du/ac) on the adopted San Jose 2020 General Plan Land Use and Transportation Diagram. While a residential care facility for six or fewer persons is allowed by right, the Zoning Ordinance requires issuance of a Conditional Use Permit for a residential care facility for seven or more persons in the R-M Multiple Residence District. Exterior changes to the site proposed in conjunction with the Conditional Use Permit would require issuance of a Historic Preservation Permit.

ANALYSIS

At a community meeting held for the project on August 24, 2006, the neighborhood expressed a desire for the project to be reviewed by the Historic Landmarks Commission due to the property's previous alterations completed without benefit of permits and proposed external modifications to accommodate the residential care facility use, and its location in the Hensley City Landmark Historic District.

Alterations to the house that have occurred in the past without benefit of permits which would be required to be corrected under the HP Permit include the addition of a dormer on the side and the installation of a rectangular window in the front gable resulting from illegal conversion of the attic into living space.

The applicant is not proposing any changes to the interior of the building at this time. External modifications for the project include the construction of a fire escape currently proposed to be located on the south side of the structure, extending from the second floor to the ground, and visible from the street. The construction of a second exit would be required in order to satisfy fire code occupancy requirements. Alternative designs that do not affect the historic character of the residence, including but not limited to interior exit stairs located at the rear of the structure, will be considered as part of the Historic Preservation Permit.

The property includes a carriage house located at the rear of the property which was severely damaged by fire in 2001, resulting in a loss of integrity (see attached pictures). Planning Staff inspected the structure on August 21, 2006 and found the interior to be completely burned. Approximately 20 percent of the original building remains for salvage or reconstruction. The structure was converted into a living unit sometime between 1915 and 1950, but has not been inhabited since the fire. Use of the structure for other than accessory uses would be prohibited in the R-M Multiple Residence District. The Zoning Ordinance requires five parking spaces for 12 residents and two staff members. The applicant is proposing four open parking spaces at this time. Rehabilitation and/or reconstruction of the carriage house in conformance with the Secretary of the Interior's Standards would allow the project to meet parking requirements for the proposed project, while not precluding future single-family use of the property.

PUBLIC OUTREACH

A community meeting regarding the change of use of the project was held on August 24, 2006. Comments collected at a community meeting include concerns regarding the high number of group homes in the Hensley neighborhood, which may affect the integrity of the historic district. Additionally, comments included concern regarding management of this property, owner occupancy rates, resident safety, number of police calls, and parking issues in the neighborhood. Much of the Hensley is zoned R-M Multiple Residence District, in conformance with the Medium Density Residential (8-16 DU/AC) General Plan Land Use and Transportation Diagram designation.

A meeting reminder for the HLC meeting was sent via e-mail to residents who attended the community meeting or requested notification. As standard practice, Historic Landmarks Commission memorandums, as well as the hearing dates and agendas, are posted at City Hall and on the City and Planning Division website, and planning staff has been available to answer questions.

Sally Notthoff Zarnowitz, AIA
Historic Preservation Officer

Attachments
Photos