

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 12/08/04 Item:3.j.

File Number
PDC04-046

Application Type
Planned Development Rezoning

Council District: 1

Planning Area
West Valley

Assessor's Parcel Number(s)
303-33-012

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Rebekah Lynn Ross

Location: Eastside of Cypress Avenue, approximately 260 feet southerly of Stevens Creek Boulevard (332 Cypress Avenue)

Gross Acreage: 0.23

Net Acreage: .23

Net Density: 17.39 DU/AC

Existing Zoning: CN Commercial
Neighborhood

Existing Use: Vacant, single-family detached residence

Proposed Zoning: A (PD) Planned
Development

Proposed Use: Up to four single-family detached 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: Retail Commercial

CN – Commercial Neighborhood

East : Single Family Attached Residential

RM – Multiple Residence District

South: Single-Family Attached

RM – Multiple Residence District

West: Commercial and Single-Family Detached

CN – Commercial Neighborhood

ENVIRONMENTAL STATUS

Completed by: RLR

Environmental Impact Report
 Negative Declaration circulated on November 19, 2004
 Negative Declaration adopted

Exempt
 Environmental Review Incomplete

FILE HISTORY

Completed by: RLR

Annexation Title: Winchester No. _6

Date: 07/19/1957

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval
 Approval with Conditions
 Denial
 Uphold Director's Decision

Date: _____

Approved by: _____
 Action
 Recommendation

 APPLICANT/OWNER/DEVELOPER

Mohammad Rahmani
940 Saratoga Avenue, #112
San Jose, CA 95129

Abdy Mirzadegan
PO Box 5026
Santa Clara, CA 95056

Farajollah Ettefagh
1802 Constitution Court
San Jose, CA 95124

 PUBLIC AGENCY COMMENTS RECEIVED

 Completed by: RLR

Department of Public Works

Please see attached memorandum.

Other Departments and Agencies

Please see attached memorandum from the Fire and Police Department.

 GENERAL CORRESPONDENCE

None received.

 ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant, Mohammad Rahmani, is requesting a rezoning from CN Commercial Neighborhood to A (PD) Planned Development to allow up to 4 single-family detached residential units on a 0.23 - acre site. A Planned Development rezoning is required because the developer proposes to subdivide and develop the property in a configuration that is not supported 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 (1) single-family detached residence currently unoccupied built circa 1961. The property is situated on the eastern side of South Cypress Avenue, approximately 353 feet south of Stevens Creek Boulevard and approximately 155 feet north of Alden Way. The subject site is located within the Stevens Creek/West San Carlos Street Transit Corridor.

Surrounding land uses include retail commercial businesses to the north, attached single-family residential uses to the east, a single-family residence to the south and a parking lot for a commercial center and single family house to the west.

Project Description

The proposed zoning would facilitate redevelopment of the existing 0.23-acre site to allow up to 4 single-family detached residences arranged in a courthome configuration. Two units are proposed along the front oriented to Cypress Avenue with two units placed at the rear of the site. All units obtain garage access via a common driveway in the middle of the property.

The average lot is approximately 2,483 square feet. The units range in size from 1,430 square feet of living area to 1,495 square feet of living area and include either three or four bedrooms. Each unit has at least 325 square feet of private open space.

ENVIRONMENTAL REVIEW

An Initial Study was prepared for this project, and the Director of Planning circulated a Mitigated Negative Declaration for public review on November 19, 2004. The key issues that were addressed in the Initial Study included the impacts of noise and the possible existence for archaeological resources on the site. The project includes mitigation measures that reduce any potentially significant impacts to a less than significant level.

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 at 17.39 DU/AC is consistent with this designation. The proposed courthome design is also consistent with this designation whose density is typified by a variety of housing types, including courthomes and rowhouses.

This proposal is also in conformance with the General Plan Residential Land Use Policies in that 1) 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, 2) the project provides higher density housing near established commercial development, 3) the project is located within an identified transit corridor, 4) the project is integrated with the surrounding uses to blend in with the neighborhood, 5) consistent architectural themes have been integrated into the design, and 6) 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 into four (4) single-family detached residences on individual lots. The primary issue associated with the proposed project is conformance with the Residential Design Guidelines with regards to site design and architecture.

Site Design

This project is subject to the development standards for “courthomes” as set forth by the Residential Design Guidelines (RDGs). The project’s proposed minimum building setbacks from adjacent residential uses conform precisely to the standards identified in the guidelines to provide appropriate buffering between the new units and existing adjacent uses. The guidelines generally recommend a 10-foot setback between the proposed units and property lines that are adjacent to incompatible uses such as commercial uses. Although a five (5) foot setback is proposed, this is deemed to be reasonable since the specific interface is along the backside of a small commercial building with no rear loading areas. In the event that the project interface was with a commercial parking lot, driveway or a loading area, a 10-foot setback (or more) would be more appropriate.

The guidelines recommend that courthome units provide at least 400 square feet of private open space per unit. While each of the units provides 325 to 352 square feet of ground level open space, each of the units also provided a second floor deck or balcony(s) that brings the total private open space square footage to 456 to 494 per unit. The Residential Design Guidelines indicate that such alternatives to meeting the recommended standards identified are permissible where appropriate compensating design measures are utilized. The second floor decks and balconies have been placed in locations that will better protect the privacy of adjacent private open space areas.

The driveways, garage entries and pedestrian elements have been designed to allow safe circulation throughout the site and at the same time minimizes the impact of the automobile and garage on both the streetscape and interior of the project. The use of a common driveway helps to maximize the landscape opportunities near the street. Each proposed unit has a two-car garage, and the project provides sufficient on-site and curbside parking for guests. All areas not covered by buildings, streets, driveways or parking shall be landscaped. The units are oriented to the street and have a strong street presence

Architecture

This project consists of four two-story buildings with stucco siding and tiled roofs. The style, materials, scale, and character of the proposed structures are compatible with other existing development in the neighborhood. Building facades are well articulated with one and two story elements and include adequate changes in plane. Each unit has an attractive front porch element. The tandem-style garages employed in the project minimize the amount of the units frontage that is taken up by garage doors, facilitating better architectural design and articulation and allows the developer to include more landscaping in the project than otherwise be possible. Additional design and detailing will be evaluated at the Planned Development Permit stage.

Conclusion

The proposed project would help facilitate redevelopment of an underutilized site. The proposed redevelopment would be consistent with the existing development and new development that has occurred within the neighborhood. As proposed, the project meets the intent of the guidelines included with the Residential Design Guidelines (RDG) pertaining to development of Courthomes.

PUBLIC OUTREACH

A notice of the public hearing and Draft Mitigated Negative Declaration was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website. The 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, including housing and growth management.

2. The proposed zoning is compatible with existing uses on the adjacent and neighboring properties.
3. The proposed zoning would help further the goals of the General Plan's Special Strategy Stevens Creek Boulevard/West San Carlos Street Transit Oriented Corridor Area.
4. The proposed project is in conformance with the Residential Design Guidelines.

Attachments