



# *Memorandum*

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Joseph Horwedel

**SUBJECT:** SEE BELOW

**DATE:** January 12, 2006

---

**COUNCIL DISTRICT:** 7

**SUBJECT: PDC05-071. PLANNED DEVELOPMENT REZONING FROM A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO ALLOW UP TO 72 SINGLE-FAMILY ATTACHED RESIDENTIAL UNITS ON A 2.93 GROSS ACRE SITE LOCATED ON THE EAST SIDE OF MONTEREY HIGHWAY, APPROXIMATELY 600 FEET SOUTHERLY OF UMBARGER ROAD (2774 MONTEREY HIGHWAY)**

## **RECOMMENDATION**

The Planning Commission voted 6-0-1 (Commissioner Platten absent) to recommend that the City Council approve the proposed rezoning.

## **BACKGROUND**

On January 11, 2006, the Planning Commission held a public hearing to consider a Planned Development rezoning from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District to allow up to 72 single family attached residential units on a 2.93 gross acre site.

The Director of Planning, Building and Code Enforcement recommended approval of the proposed rezoning.

Erik Schoennauer spoke on behalf of the proposed rezoning.

Commissioner Zito asked several questions including whether or not an affordability component would be included in the project. Mr. Schoennauer responded that since this site is not in a redevelopment area, there are no such mandated requirements and therefore no special provisions for affordability. Further, Commissioner Zito expressed concern about the proposed five-foot setback for the units closest to the animal shelter to the north with respect to potential noise impacts or redevelopment of the adjacent property. The applicant indicated that noise levels inside the proposed residential structures will be appropriately mitigated and not perceptible. Staff indicated that the animal shelter is a new facility and is unlikely to be

**Subject: PDC05-071**

Page 2

redeveloped with another use in the foreseeable future, therefore the five-foot setback is appropriate.

Commissioner Zito questioned the logic behind changing the General Plan designation to General Commercial rather than High Density Residential (25-50 DU/AC). Staff indicated that the project could be accommodated under either scenario, but it was advantageous to change the designation to General Commercial and subsequently use the Discretionary Alternate Use Policy because it would require a better quality design than might otherwise be proposed. Further, the General Commercial designation maintains the flexibility to reconsider commercial uses on the site in the event that the subject project does not move forward.

Commissioner James asked if the fence at the southern end of the site would be replaced. The applicant responded that it was their intent to replace the entire existing fence.

The Planning Commission then closed the public hearing, then recommended approval of the proposed rezoning.

### **PUBLIC OUTREACH**

Notices for the public hearing were distributed to the owners and tenants of all properties located within 500 feet of the project site and published in the San Jose Post record in conformance with the City's Public Outreach Policy. The Planning Commission Agenda, which is posted on the City of San Jose's web site includes a copy of the staff report for this project. Staff has also been available to answer questions from the public.

A neighborhood meeting was held on September 29, 2005 at the Chateau La Salle Community Club House (2681 Monterey Road). This meeting was held to discuss both the subject Planned Development Rezoning and the previously approved General Plan Amendment. The applicant coordinated with Council District 7 when organizing the meeting. Meeting notices were sent to residents and occupants within the 500-foot radius of the subject site. Approximately 10 people from the public attended the meeting. Attendees had questions and comments regarding traffic related to the proposed development. One member of the public asked whether a new signal would be provided at the project entrance. The applicant responded that there would be a new signal at Monterey/Goble Lane, which will be installed by the Goble Lane project. The proposed project entrance would be designed as right-in/out only. This attendee commented that the design would require people to make U-turns at other intersections and would make traffic worse. No one spoke against the proposed General Plan amendment.

### **COORDINATION**

As standard procedure in the development review process, this project was coordinated with the Department of Public Works, Fire Department, Police Department, Environmental Services Department and the City Attorney.

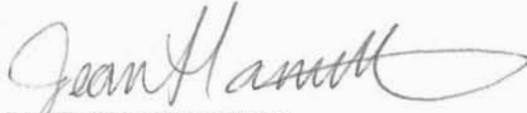
HONORABLE MAYOR AND CITY COUNCIL

Subject: PDC05-071

Page 3

CEQA

Addendum to a Mitigated Negative Declaration, File No. PDC00-051.



JOSEPH HORWEDEL  
Secretary, Planning Commission

PLANNING COMMISSION  
APPROVED  
JAN 13 2005