



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Stephen M. Haase

SUBJECT: SEE BELOW

DATE: February 26, 2004

COUNCIL DISTRICT: 1

SUBJECT: PDC03-063. PLANNED DEVELOPMENT REZONING LOCATED ON THE EAST SIDE OF BOYNTON AVENUE, APPROXIMATELY 160 FEET NORTH UNDERWOOD DRIVE.

RECOMMENDATION

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

BACKGROUND

On January 25, 2004, the Planning Commission held a public hearing to consider a Planned Development rezoning from R-1-8 Single-Family Residence District to A(PD) Planned Development to allow the development of up to four single-family attached residential units.

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

Hammond Ku, the property owner, made a brief presentation on his reasons for proposing to rezone the site. He indicated that the proposed development would put more eyes on the street as well as make the site itself more visible from the street. He also stated that the existing single-family house is a rental unit and that the new units would be for sale.

Public testimony was then taken. There were eight community members who spoke in opposition to the proposed rezoning. All of them were from the adjacent Cabernet Vineyards Condominium project. The following is a summary of the comments received from the speakers:

- There is a shortage of parking in the area and there is a "no parking zone" that takes up a part of the sites frontage, which reduces the amount of available on-street parking.
- The project will increase the amount of traffic in an already congested area.
- The removal of existing landscaping and trees and the paving of the site will increase the amount of noise. The windows on the second story would also carry additional noise into the adjacent residential uses.
- The project will cause a significant loss of privacy and light.
- The project will destroy large ordinance size trees and eliminate the natural screening and noise buffer.

Staff responded to the comments given by the speakers by stating that the project, as proposed, conforms to the Residential Design Guidelines. In addition, the project provides the required 10 on-site parking spaces and that the "no parking zone" that partially covers the frontage of the site still allows for at least two on-street parking spaces. It was also stated there is adequate turn around space for cars on the site and that they would not be backing out onto Boynton Avenue.

In response to the comments that the project will result in a loss of light and privacy, staff stated that the five foot rear setback meets the recommendation of the Residential Design Guidelines and that the second story is set back 10 feet from the property line. This would make the distance between the second story of the proposed project and the second story of the adjacent condominium project 30 feet.

In response to the loss of trees staff stated that the project proposes to save all but one large ordinance size tree, which because of its location on the property will need to be removed and that further evaluation of this will occur at the Planned Development Permit stage.

The Planning Commission then closed the public hearing. The Commission had little discussion on the item. Commissioner Zito stated that the project conforms to the Residential Design Guidelines and that there was no legitimate reason to deny the project.

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. The project was also presented at the Blackford Strong Neighborhoods Initiative NAC meeting on February 5, 2004. Additionally, staff's report to the Planning Commission was posted on the Department's website in advance of the hearing.

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COORDINATION

This project was coordinated with the Department of Public Works, Fire Department, Police Department, Parks Department, Environmental Services Department and the City Attorney's Office.

CEQA

Exempt, File No. PDC03-063.

STEPHEN M. HAASE
Secretary, Planning Commission

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