

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. 2/25/04 Item:

File Number
PDC03-055

Application Type
Planned Development Rezoning

Council District
1

Planning Area
West Valley

Assessor's Parcel Number(s)
303-33-001, -002

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Darren McBain

Location: East side of South Cypress Avenue approximately 70 feet northerly of Adra Avenue

Gross Acreage: 0.4

Net Acreage: 0.4

Net Density: 15 DU/AC

Existing Zoning: A(PD) Planned Development

Existing Use: One single-family detached residence, vacant

Proposed Zoning: A(PD) Planned Development

Proposed Use: Four single-family detached courthome units and two apartments

GENERAL PLAN

Completed by: DM

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: DM

North: Single-family detached residential

A(PD) Planned Development (approved for six units)

East: Single-family detached residential

R-M Residence

South: Single-family detached residential

A(PD) Planned Development

West: Attached unit senior housing, duplex

R-1-8 Residence, R-2 Residence

ENVIRONMENTAL STATUS

Completed by: DM

Environmental Impact Report found complete

Exempt

Negative Declaration circulated on

Environmental Review Incomplete

Re-use of a previously adopted Negative Declaration

FILE HISTORY

Completed by: DM

Annexation Title: Winchester No. 16

Date: November 13, 1959

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval

Date: _____

Approved by: _____

Approval with Conditions

Action

Denial

Recommendation

Uphold Director's Decision

APPLICANT/OWNER/DEVELOPER

E & H 1st FLP
Attn.: Emily Chen
21009 Seven Springs Parkway
Cupertino, CA 95014

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: DM

Department of Public Works

See attached memo

Other Departments and Agencies

See attached Fire Department memo

GENERAL CORRESPONDENCE

None received.

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant, Emily Chen, is proposing a Planned Development Rezoning from A(PD) Planned Development to A(PD) Planned Development to allow four single-family detached courthome residences and two apartments on a 0.34-acre site. The project consists of four separate buildings. Each of the two proposed rear buildings has a one-bedroom apartment unit located above the garage, for a total of six proposed units.

The project site is currently developed with a single-family detached, ranch-style residence that was built in the 1950s. The existing house is proposed to be demolished. The subject site and the adjacent parcel to the north (which is owned by the applicant for the current proposal) were previously rezoned for six single-family attached row house-type units (PDC99-052) but was never implemented. A subsequent Planned Development Rezoning was approved on the adjacent site to the north (PDC03-019) for a project nearly identical to the proposed project.

The site is bordered to the north by a single-family house that as noted above has been rezoned to allow six units similar to the proposed project. The site to the south (also under the same ownership as the subject site), on the corner of Cypress and Adra Avenues, is developed with four single-family detached houses that are currently under construction. Each of the two parcels to the east has a single-family detached house. A senior citizens' housing complex and a duplex are located across Cypress Avenue to the west.

Project Description

The proposal consists of four two-story court home-type residential units, two of which also include a secondary living unit on the second floor. The four main residential units are approximately 2,400 square feet in area, and the two secondary upstairs units are approximately 600 square feet. The secondary units have private entrances and are accessed from stairs on the outside of the main unit. Each of the main units has a private yard, and the secondary units have balconies. The main units have two-car garages. Parking for the secondary units and guests is provided by four on-site surface parking spaces and four on-street parking spaces. Subsequent to this approval, the applicant intends to subdivide the parcel into four (4) lots. Each of the secondary upstairs apartment units will be situated on the same parcel as the respective primary unit below.

As noted above, this project is essentially identical to a project that was approved in on the site next door. The key difference between the two projects is that the proposed project includes preservation of an ordinance-size Coast Live Oak tree on the site (see the Environmental Review and Analysis sections, below). The two projects are otherwise comparable in terms of unit type, site layout, architectural character, and other similar measures.

ENVIRONMENTAL REVIEW

This project is covered by the Negative Declaration (ND) adopted on May 22, 2001 for a previous project (File No. PDC99-052). This ND provided environmental clearance for up to 11 single-family attached residential units on this site and the adjacent parcel to the north. At the time that the ND was circulated for PDC99-052, the final unit type and unit count for that project had not yet been determined). The approved six-unit project to the north of the subject site (PDC03-019) was also covered by the ND for PDC99-052. The currently proposed project and PDC03-019, taken together, constitute a total of 12 units. Although the ND for PDC99-052 was for 11 units, the Director of Planning has determined that the ND adequately covers both projects, in that the total proposed unit count of eight single-family houses and four one-bedroom apartments would not generate more potential environmental impacts than the 11 single-family residences analyzed under the ND.

Trees

The key issue that was addressed in the Initial Study for the ND was the project's potential impact on trees that are present on the site. The proposed site includes preservation of an ordinance-size Coast Live Oak tree approximately 85 inches in circumference. Two ordinance-size Camphor trees in front of the project site are located in the public right-of-way between the sidewalk and the front property line. One of these trees is proposed to be removed in order to accommodate the driveway. The tree has been topped in the past because of its proximity to overhead utility lines, and therefore has a somewhat stunted appearance. Planning staff has no objection to removal of the tree. Because it is located in the public right-of-way, a Tree Removal Permit from the City Arborist is required prior to removal of the tree.

Existing House

In the City of San Jose, any building more than 50 years old is considered to be of potential historical interest and is further evaluated accordingly. The existing single-family ranch-style house on the site, which was built in 1954, was examined by Planning staff and was determined to have no historical significance for purposes of CEQA review.

GENERAL PLAN CONFORMANCE

The proposed project has a net density of 15 DU/AC, which conforms to the site's General Plan Land Use/Transportation Diagram designation of Medium High Density Residential (12-25 DU/AC).

ANALYSIS

The primary issues of concern in staff's analysis of the proposed rezoning are site design and architecture, as noted in greater detail below. The proposed rezoning will supersede a previously approved project on this site. The previous project consisted of seven (7) row house-type units accessed from both sides of a central driveway. The previous project had a relatively standard site layout, however has a slight design

disadvantage in that there was no building mass at the end of the driveway. It is staff's opinion that, in comparison to the previously approved project, the current proposal will present a more attractively designed appearance to the street. It will make more efficient use of the infill housing opportunities of the site's General Plan designation of 12 to 25 units per acre, in that six units are now being proposed on only half of the overall site area of the previously approved seven-unit project. With a density of 15 units per acre, the currently proposed project still falls within the midrange of the site's designation of 12-25 units per acre.

Site Design

Based on the following analysis, the proposed project is in substantial conformance with all of the development standards recommended in the City's *Residential Design Guidelines* for courthome units with regard to setbacks, parking, and open space.

Courtyard design

The Residential Design Guidelines recognize courthomes as a distinct and specialized unit type. Individual buildings in a courthome development have more of a sense of unity and cohesiveness than in typical developments. The courtyard is intended to be a significant site design element, amenity, and focal point, as opposed to an ordinary driveway and parking area. The courtyard for the proposed project substantially accomplishes the design objectives of the Residential Design Guidelines, in that:

- The four units in the two rear buildings (including two secondary units) have prominent entrances that are accessed from the courtyard;
- Internal separation between the units is minimized, and a visual terminus is provided at the end of the courtyard;
- Significant interior landscaping is provided along the edges of the courtyard;
- The balconies for the secondary unit' overlook the courtyard, providing activity and natural surveillance; and,
- All of the garage doors are accessed from the courtyard rather than from the street. Special courtyard paving treatment, specific landscaping details, and other appropriate upgrades to the treatment of the courtyard area will be reviewed at the Planned development Permit stage.

Setbacks

The project's site design includes a front setback of 11 feet from the front property line. However, there will be approximately 17 feet of front landscaping because the property line is located about six feet behind the back of the sidewalk. The proposed setback matches the units being built on the parcel to the south and is only slightly less, about two feet, than the approved units to be built on the parcel to the north.

The minimum internal side setbacks vary from three feet to five feet. The three-foot setback from the north property line will match the development on the adjacent site to the north. The five-foot setback along the south property line is less than the 20-foot minimum setback suggested by the Residential Design Guidelines for a new structure next to a single-family rear yard. However, it is comparable to what could be developed "by right" with a standard single-family house on this site. Conformance to the 20-foot setback recommendation in the Residential Design Guidelines would severely reduce the development potential of this site. The units in this part of the site have been designed to shift the two-story building mass away from

this property line. Window placement and other similar measures to improve the interface at this part of the site will be evaluated in greater detail at the Planned Development Permit stage.

The rear units have varying rear setbacks of five feet (for the first floor element) and 10 to 36 feet (two-story elements), backing up to the yards of two existing detached residential units on Bundy Drive. Again, these setbacks are generally less than the 20-foot minimum setback recommended by the Residential Design Guidelines for a new structure next to a single-family rear yard. However, the overall average is close to the 20-foot guideline, and the 5-foot portion is a very limited element of the overall building mass, due to the irregular shape of the back of this lot. As noted above, window placement and other similar measures to improve the interface at this part of the site will be evaluated in greater detail at the Planned Development Permit stage.

Private Open Space

Each of the main units has an enclosed yard space that is consistent with the 400 square-foot minimum that the Residential Design Guidelines recommend for courthomes. The upstairs second units have 60 square foot balconies overlooking the courtyard area that are consistent with the size typical provided for upper floor “cluster unit” apartment proposals.

Parking

The Residential Design Guidelines recommend that two covered spaces and 1.3 additional guest parking spaces be provided for each courthome unit. The Residential Design Guidelines recommend 1.5 spaces for each one-bedroom unit. The total number of parking spaces recommended for this project by the Residential Design Guidelines is 16.2.

The total number of parking spaces provided is 14, including two on-site surface parking spaces and four on-street spaces along the project’s street frontage. The limited number of guest parking spaces is due to the preservation of the ordinance-size Oak tree between two of the proposed buildings. The otherwise essentially identical project that was previously approved on the adjacent site to the north had two additional guest parking spaces in that area of the site.

Although the proposed parking is somewhat less than what the Residential Design Guidelines recommend, staff’s opinion is that the proposed amount of parking is adequate, given the atypical nature of the secondary units included in the project. These secondary units are fully equipped dwelling units but differ from a typical apartment, in that they are designed as secondary to a primary residence and seem likely to be used as an extension of the primary residence. If used as an extension of the primary residence, it is reasonable to expect less of a parking demand than a fully individual one-bedroom unit.

As additional support for the proposed amount of parking, additional street parking along the corner parcel to the south which has a single-family house that sides on to Cypress Avenue is available and has a good functional relationship to the proposed project. This on-street parking is expected to continue to be available in the long term, given the new development currently taking place on the corner parcel.

Architecture

This project consists of two-story units with a height of approximately 25 feet. The unit type and general style of the proposed structures are reasonably compatible with existing and approved development in this

rapidly changing neighborhood. However, some elements of the architecture as shown, such as the porch and second-story gable elements for unit type 1 should be further refined in order to appear as having a reduced height as well as reduced mass. As is typical at the Planned Development Rezoning stage, the architecture that is shown is considered “conceptual” and will undergo further review by staff at the following Planned Development Permit stage. Building materials, roofing, colors, and other details will be selected for their compatibility with the neighborhood development pattern.

PUBLIC OUTREACH

Pursuant to the City Council’s Public Outreach Policy, notices for the public hearing for this project were distributed to the owners and tenants of all properties located within 500 feet of the project site and published in the Mercury News.

CONCLUSION

The proposed site design and unit type will, in staff’s opinion, blend harmoniously with existing and approved development in this area of the city. The somewhat atypical “integrated secondary units” represent an opportunity to increase the unit count on this infill site, while still falling well within the site’s General Plan density range of 12 to 25 units per acre and without changing the basic architectural character of the project or the neighborhood. Furthermore, the secondary units will create a diverse mix of unit types on the site and provide an opportunity for a diverse mix of residents as well as unit affordability.

RECOMMENDATION

Planning staff recommends the Planning Commission forward a recommendation of approval and the City Council adopt an ordinance rezoning the subject site for the following reasons:

1. The proposed project conforms to the site’s General Plan Land Use/Transportation Diagram designation of Medium High Density Residential (12-25 DU/AC).
2. The proposed project conforms to the objectives of the Residential Design Guidelines.
3. The project furthers the goals and objectives of the City’s in-fill housing strategies.
4. The proposed rezoning is compatible with existing and proposed uses on adjacent properties.

Attachments:
Public Works memo
Location map
Plan set