



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Planning Commission

**SUBJECT:** SEE BELOW

**DATE:** April 13, 2005

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**COUNCIL DISTRICT:** 9

**SUBJECT: PDC04-080 PLANNED DEVELOPMENT REZONING LOCATED ON THE WEST SIDE OF DENT AVENUE, APPROXIMATELY 320 FEET SOUTHERLY OF BRANHAM LANE.**

## RECOMMENDATION

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

## BACKGROUND

On April 11, 2005, the Planning Commission held a public hearing to consider a Planned Development rezoning from R-1-2 Single-family Residence to the A(PD) Planned Development Zoning District to allow 12 single-family attached residential dwelling units on a 0.63 gross acre site.

Staff received a letter from the adjacent property owner(s) and the tenant, Challenger School, in opposition of the proposed rezoning, which was forwarded to the Commissioners. The letter expressed concerns regarding whether the capacity of the residential street, Dent Avenue, would be able to handle additional traffic as a result of the proposed residential development.

Public Works staff prepared a response which was distributed to the Planning Commissioners prior to the meeting. The study concluded that the proposed project would have no Level of Service (LOS) impact and is categorically exempt from the current LOS policy based on the size of the proposal. Public Works staff analyzed this project for any operational impacts and determined that there are no potential safety impacts created by the additional 9 peak-hour trips anticipated to be generated by this proposal. However, Public Works will coordinate with the Department of Transportation to investigate the possibility of modified parking restrictions to assist the concerns of the neighborhood.

Commissioner Zito asked the applicant to explain the design of the project, indicating he felt excessive "hardscape" was shown in the conceptual project design. The applicant responded that most of the "hardscape" would be pavers, and that it would not only be porous, but add to the visual design element from the street. He also stated that adequate landscaping would be provided in the perimeter setbacks and in the paseo areas.

Commissioner Zito then asked staff to explain as what made the project "unique" in character. Staff explained the setting of the project with the surrounding high-density apartment buildings on all three sides with long carports and that when compared to these designs, this project exemplifies the single-family characteristics in an attached garden townhouse concept, "internalizes" the garages so they are not visible from the street, and provides front doors and pedestrian amenities on Dent Avenue.

No one from the public requested to speak in favor or in opposition on the item.

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

The Planning Commission then closed the public hearing.

### **OUTCOME**

Upon City Council approval of the rezoning File No.PDC04-080, this 0.63 gross acre site will be rezoned to allow up to 12-single-family attached residences.

### **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 Planning Commission Agenda is posted on the City of San Jose website, which includes a copy of the staff report. Staff has been available to discuss the project with interested members on the public.

### **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.

### **CEQA**

Mitigated Negative Declaration was adopted on April 11, 2005.

  
STEPHEN M. HAASE  
Secretary, Planning Commission