

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  
May 12, 2004 Item 3.b.

File Number  
PDC03-036

Application Type  
Planned Development Rezoning

Council District  
5

Planning Area  
Alum Rock

Assessor's Parcel Number(s)  
484-02-008-016, -038, -039, -054, -055

## STAFF REPORT

### PROJECT DESCRIPTION

Completed by: Elena Lee

Location: Southeast corner of Jackson Avenue and Madden Avenue

Gross Acreage: 2.3

Net Acreage: 2.3

Net Density: 81 DU/AC and 50 DU/AC

Existing Zoning: A(PD) Planned Development and R-1-8  
Residence

Existing Use: Detached single-family residences and vacant

Proposed Zoning: A(PD) Planned Development

Proposed Use: Up to 160 attached single-family attached residential units  
and 0.31 gross acre public park

### GENERAL PLAN

Completed by: EL

Land Use/Transportation Diagram Designation  
High Density Residential (25-50 DU/AC) and Transit Corridor Residential (20+)

Project Conformance:  
 Yes  No  
 See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

Completed by: EL

North: Office and Multi-family residential

A(PD) Planned Development and CO Commercial Office

East: Single-family and Multi-family residential

A(PD) Planned Development and R-M Residential

South: Multi-family residential

A(PD) Planned Development and R-M Residential

West: Office and Multi-family residential

CO Commercial Office and R-M Residential

### ENVIRONMENTAL STATUS

Completed by: EL

Environmental Impact Report found complete  
 Negative Declaration circulated on February 26, 2003  
 Negative Declaration adopted on April 14, 2004

Exempt  
 Environmental Review Incomplete

### FILE HISTORY

Completed by: EL

Annexation Title: Alum Rock No. 5

Date: 9/17/71

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval  
 Approval with Conditions  
 Denial  
 Uphold Director's Decision

Date:

Approved by: \_\_\_\_\_  
 Action  
 Recommendation

### APPLICANT/OWNER/DEVELOPER

Falk Construction  
Attn: David Falk  
80 Tanforan Avenue, Suite 15  
South San Francisco, CA 94080

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**PUBLIC AGENCY COMMENTS RECEIVED**

Completed by: EL

**Department of Public Works**

Please see attached memorandum

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**Other Departments and Agencies**

Please see attached memorandum from the Police Department, the Environmental Services Department, Santa Clara Water District, Santa Clara County, the Fire Department and the Valley Transportation Agency

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**GENERAL CORRESPONDENCE**

None received.

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**ANALYSIS AND RECOMMENDATIONS**

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**BACKGROUND**

The applicant, Falk Construction, is requesting a Planned Development Rezoning from R-1-8 Residential Zoning District and A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District to allow up to 160 single-family attached dwelling units and a 0.31 acre public park on the subject property. The rezoning would allow a building height of up to 65 feet.

The subject site consists of three rectangular parcels and is approximately 2.3 gross acres in size. A Planned Development Zoning (PDC02-078) was approved on May 20, 2003 for a 65 unit single-family attached project for the western portion of the project. This expansion of the project and proposed park dedication is a result of the applicant's recent acquisition of the adjacent parcels. The project site is currently developed with twelve single-family residences and accessory structures. The site is bounded by Madden Avenue to the north, Jackson Avenue to the east, multi-family development to the south and single-family attached dwellings to the east. The uses across Madden Avenue to the north include office and multi-family residential. The Regional Medical Center of San Jose and associated office uses are located to the west across Jackson Avenue. The site is within close proximity to the Downtown/East Valley Transit Project, which is located within the Santa Clara Street/Alum Rock Avenue Transit-Oriented Development Corridor (TOD). Although station locations for this TOD have not been finalized, the subject site is within one-quarter mile of the proposed Jackson Station. The general area is developed with a mix of office, single-family residences and multi-family residences.

**Project Description**

The proposed project would include up to 160 single-family attached dwelling units in a single building. The majority of the building would be 5 stories tall above sub-grade parking garage on a podium. Some portions of the building along the perimeter elements would be 3-4 stories tall to break up the massing and to provide a more appropriate interface to less intensive adjacent uses. Vehicular access to the parking level would be provided by two driveways from Madden Avenue. The ground level units have individual stoop entries from the street. The interior units face a landscaped courtyard area. The project also includes a 0.31 acre public park that will be dedicated to the City. The applicant is currently in discussion with the Department of Parks, Recreation, and Neighborhood Services on the design of the proposed park.

The Parks Department has submitted a memorandum, which has been attached to this staff report, acknowledging that a tentative agreement has been reached with the applicant on the proposed park. As a turn-key park, the park will be developed by the applicant and will be dedicated to the City at a future date through an agreement.

## **ENVIRONMENTAL REVIEW**

A Mitigated Negative Declaration was adopted for the project on April 14, 2004. The primary environmental issues that were addressed include 1) noise and 2) historic impact. The noise report prepared for the project concluded that the proposed project, with standard mitigation included, would not be subjected to significant noise impacts from traffic along Madden Avenue and Jackson Avenue. A historic report was prepared for the single-family residences proposed for demolition. The report concluded that the structures are not historically significant.

## **GENERAL PLAN CONFORMANCE**

The proposed project conforms to the City of San Jose's adopted San Jose 2020 General Plan Land Use/Transportation Diagram designation of Transit Corridor Residential (20+ DU/AC) and High Density Residential (25-50 DU/AC). The project site consists of two General Plan Land Use/Transportation Diagram designations. The 1.37-acre Transit Corridor Residential portion consists of the majority of the western portion of the project and will contain up to 113 units, for a density of 83 dwelling units per acre. The City Council approved a General Plan Amendment on April 15, 2003 to change the Land Use/Transportation diagram designation from High Density Residential (25-50 DU/AC) to Transit Corridor Residential (20+ DU/AC) to allow higher density on the site on the western portion of the site. The City Council also approved an associated General Plan Text Amendment increasing the maximum building height from 50 feet to 75 feet.

The 0.94-acre High Density Residential portion located to the west, including the area that will be dedicated as a public park, will have a maximum of 46 units, for an overall density of 50 dwelling units per acre. Because a portion of the property will be dedicated as a park, the applicant has transferred the units that would have been built on the park portion to the remaining residential piece to the east. The proposed rezoning would have a density of 50 dwelling units per acre.

## **ANALYSIS**

The primary issues with this project are conformance to the *Residential Design Guidelines* (RDG) and compatibility with the neighborhood.

### Residential Design Guidelines

The proposed project substantially conforms with the recommendations of the *Residential Design Guidelines* for a podium cluster project in regards to building design/architecture, setbacks/perimeter treatment, landscaping, parking and open space, as discussed below.

The RDG recommends that podium cluster housing be designed to provide a well articulated façade and maintain a pedestrian scale if it is located in an urban setting. The project will be articulated with a variation in height from 2-5 stories and with a variety of roof forms. Metal canopies and cornices along

the windows provide some architectural detailing. Pedestrian scale stoop entries are also included to reflect the location's urban character. The building utilizes a variety of materials, including wood outriggers, brick accents, and stone to provide visual interest. The building has been designed to be architecturally complementary to the adjacent uses and in particular with the Mexican American Community Services Agency (MACSA) building, located across Madden Avenue.

The project incorporates a 15-foot setback along Madden Avenue and a 15-foot setback along Jackson Avenue, both slightly less than recommended by the Guidelines. However, there are several circumstances that make reduced setbacks appropriate for this site. The reduced setbacks are appropriate to increase the urban street presence of the development. The reduced setback enables the placement of stoop entries, which gives building a more urban look and which will encourage transit use. The 15-foot setback is roughly comparable to the front setbacks of the surrounding uses, include the MACSA building. The smaller front setbacks for this corner site also will allow the building to be designed to include a larger common open space area in the interior, which will provide more privacy and a less noisy recreation environment for the residents.

The project will include landscaping along the edges of its perimeter, including the edge of the driveway on Madden Avenue and the rear that is adjacent to the apartment complex. The rear (south) setback, which faces the parking stalls of the adjacent apartment complex, will be 5 feet, as recommended by the RDG. The eastern building setback will be 10 feet, which matches the setbacks of the adjacent structures and exceeds the minimum recommended by the RDG for perimeters that face driveways. The RDG recommends a driveway setback of 10 feet. Due to the design constraints of the site, it may be difficult to provide a 10-foot setback. The development will be required to provide a minimum 5-foot setback with lush landscaping. However, the applicant has stated that an effort will be made to provide the recommended 10-foot setback. The conceptual landscaping plan shows very minimal landscaping along the edges of the patios along the perimeter of the site. Staff will work with the applicant at the Planned Development Permit stage to increase the amount of landscaping for a more appropriate interface.

The project will also conform to the maximum building height requirements of the appropriate General Plan Designations. The 1.37-acre western Transit Corridor portion has been proposed for a maximum height of 63 feet, which is below the maximum of 75 feet. The 0.94 acre eastern parcel will have a maximum height of 50 feet, which is the maximum allowed in the High Density Residential designation.

The development will provide a landscaped internal courtyard above the podium structure. The courtyard landscaping is of sufficient quality to conform the RDG's recommendation to mask the artificial character of the podium. Common and private open space will be provided at the recommended square footage: 60 square feet of private open space in the form of balconies/porches and 6,500 square feet of common open space. Parking will also be provided per the Residential Design Guideline's recommendation.

### Neighborhood Compatibility

The proposed single-family attached development will be compatible with the existing neighborhood, which contains a mix of densities and uses. This project also provides an opportunity to increase the density on an underutilized site through infill development. Landscaping along the property lines will provide an adequate buffer to protect the privacy of the adjacent dwellings. As mentioned above, the zoning will require that the roof mass will be gradually stepped back from any adjacent single-family

uses along the eastern boundary to respect the lower density use. The project will include a 0.31-acre public park in an area that is generally deficient in large common open spaces. The project will act as an appropriate transition between lower density residential projects and the commercial development along Jackson Avenue. Staff will work with the applicant at the Planned Development stage to ensure a high quality architectural treatment and landscaping to address the potential visual impacts from the reduced setbacks.

## **PUBLIC OUTREACH**

A community meeting for the project was held on May 3, 2004. The meeting was held at the Mexican American Community Services Agency building across from the project site. The meeting was held at the Mexican American Community Services Agency (MACSA) building across from the project site. The attendees generally expressed support for the project.

Notices for the Draft Mitigated Negative Declaration and the public hearing were distributed to the owners and tenants of all properties located within 1,000 feet of the project site and posted on the City web site. Staff has been available to discuss the project with members of the public.

## **RECOMMENDATION**

Planning staff recommends that the City Council approve the subject rezoning for the following reasons:

1. The proposed project is consistent with the anticipated San Jose 2020 General Plan Land Use/Transportation Diagram designation of Transit Corridor Residential (20 + DU/AC) and High Density Residential (25-50 DU/AC).
2. The proposed project conforms to the Residential Design Guidelines.
3. The project furthers the goal and objectives of the City's infill housing strategy and will promote transit usage.
4. The proposed zoning is compatible with existing and proposed uses on the adjacent and neighboring properties.

### **Attachments**

cc: HMH Engineers, Inc. Attn: John Moniz. 1570 Oakland Road, Suite 200. San Jose, CA 95131.  
Kurt Anderson. 18420 Hernandez Ave., Monte Sereno, CA 95030.