

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. 4/28/04 Item: 3.c.

File Number  
PDC 03-078

Application Type  
Planned Development Rezoning

Council District  
6

Planning Area  
Willow Glen

Assessor's Parcel Number(s)  
455-31-015

## STAFF REPORT

### PROJECT DESCRIPTION

Completed by: Carol Hamilton

Location: North side of Canoas Garden Avenue, 400 feet easterly of Almaden Road

Gross Acreage: 0.33

Net Acreage: 0.32

Net Density: 15.8 DU/AC

Existing Zoning: R-1-8 Residence

Existing Use: Single-Family Detached Residential

Proposed Zoning: A(PD) Planned Development

Proposed Use: Single-Family Detached Residential

### GENERAL PLAN

Completed by: CH

Land Use/Transportation Diagram Designation  
High Density Residential (25-50 DU/AC)

Project Conformance:  
 Yes [ ] No  
 See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

Completed by: CH

North: Multi-family Attached Residential

RM Residence

East: Single-family Attached Residential

RM(PD) Planned Development

South: Office

R-1-5 Residence

West: Multi-family Attached Residential

RM Residence

### ENVIRONMENTAL STATUS

Completed by: CH

Environmental Impact  
 Negative Declaration circulated on April 9, 2004  
 Negative Declaration adopted on

Exempt  
 Environmental Review Incomplete

### FILE HISTORY

Completed by: CH

Annexation Title:

Date:

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval  
 Approval with Conditions  
 Denial

Date: \_\_\_\_\_

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

### APPLICANT/DEVELOPER/OWNER

Shirley Lu Levitt  
P.O. Box 53785  
San Jose, CA

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**PUBLIC AGENCY COMMENTS RECEIVED**

Completed by: CH

**Department of Public Works**

See attached memo

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**Other Departments and Agencies**

See attached memorandum from the Environmental Services, Fire and Police Departments

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**GENERAL CORRESPONDENCE**

None received.

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**ANALYSIS AND RECOMMENDATIONS****BACKGROUND**

The applicant is requesting a Planned Development Rezoning to allow a total of five single-family detached units on a 0.33 gross acre site. The proposed project includes vehicular access to the units via a common driveway from Canoas Garden Avenue. Four units are proposed to be located parallel to the northerly property with private yards to the rear of each unit. The fifth unit and its private yard are located at the street frontage, west of the proposed driveway. The three-bedroom units are three-stories and approximately 33 feet in height. Five on-site guest parking spaces are proposed.

**Site Conditions and Context**

The site, trapezoidal in shape with a narrow 55-foot of frontage on Canoas Garden Avenue, is currently developed with a single-family detached residence constructed in the 1920's in the Craftsman bungalow style. A number of ornamental trees exist on the site, none of which are of ordinance size.

Multi-family residential uses are located to the north and west of the subject site. Single-family attached residences are located to the east and west and offices are located to the south.

**ENVIRONMENTAL REVIEW**

A Draft Negative Declaration was circulated for this project based on an Initial Study, which concluded that the project would not result in a significant environmental impact. An historic analysis prepared for the site by Daryl Allen, dated November 3, 2003, concludes that the residence is not architecturally significant and is not associated with any persons or events significant in San Jose history. The City's Historic Preservation Officer reviewed the report and concurs that the building is not of historic significance. Staff will work with the applicant to ensure that the building is offered for salvage prior to demolition. Due to the site's location within an area of archaeological sensitivity, monitoring of subsurface work by a qualified archaeologist will be implemented at the construction stage. Standard mitigation has also been included in the project to ensure that construction does not result in impacts relative to noise or water and air quality. Trees proposed for removal will be replaced in conformance with the City's standard tree replacement ratios.

## COMMUNITY OUTREACH

A community meeting was held for this project at the Labor Council building located across the street from the subject site. Community members generally indicated support for the proposal, but expressed concern that the project would exacerbate the existing parking shortage in the area and concern regarding the compatibility of the proposal with surrounding development. Notices of the community meeting, the Mitigated Negative Declaration and the public hearings were mailed to all property owners and tenants within 500 feet of the subject site.

## GENERAL PLAN CONFORMANCE

The subject site is designated *High Density Residential (25-50 DU/AC)* on the General Plan Land Use/Transportation Diagram. The applicant's proposal includes a density of approximately 15.8 units per acre, which is significantly below the minimum density allowed under the existing General Plan designation. The General Plan's Discretionary Alternate Use Policy, Two Acre Rule allows development of infill sites of less than two acres at a density range other than that specified by the General Plan designation, provided that the density is compatible with surrounding uses and the project is of exceptional design. See discussion of General Plan conformance in the *Analysis* section below.

## ANALYSIS

The primary issues associated with this proposal are conformance with the Residential Design Guidelines and General Plan conformance.

### Conformance with the Residential Design Guidelines

The primary issues relative to the Residential Design Guidelines are setbacks, landscaping/open space, parking and architecture. This project does not fit neatly into any of the housing categories addressed in the Residential Design Guidelines; consequently, staff has used relevant recommendations for courthomes, row houses and townhouses in the analysis of this project.

#### *Parking and Circulation*

The Residential Design Guidelines (RDG) recommend that courthomes and rowhouses provide 2 garage parking spaces and 1.3 additional spaces per unit. Staff believes that the small size of the proposed units (less than 1,700 square feet) argues for use of the townhouse parking standard, which, based on tandem for the individual units parking, would require a total of 2.8 spaces per three bedroom unit. This would result in the provision of a minimum of 4 guest parking spaces for the five proposed units. Staff believes that this will be adequate for the proposed project and has included these provisions in the attached Draft Development Standards.

The Land Use Plan for this project proposes a single-car garage and a carport/trellis-covered space for each unit. For the units located at the rear of the site, the carports are located within the rear yard of the residences and are accessed by driving completely through the garage. Staff is concerned that the proposed trellis space may not be used due to the need to open two garage doors and possibly move a car to access the space. Staff has addressed this issue in the attached Draft Development Standards by allowing tandem parking, but requiring that it be located within a garage. The proposed Development Standards also allow a single-story garage element to extend to within 5 feet of the northerly perimeter property line to facilitate the provision of a tandem garage instead of the garage/carport combination.

### *Landscaping/Open Space*

The RDG require that courthomes provide 200 square feet of landscaping per unit within the courtyard area. Rowhouses, which are typically located on a street, rather than a court, are required to have landscaped front yard setbacks. The proposed Land Use Plan provides for very little landscaping on the courtyard and the four rear units have no front-yard landscaping. Hardscape for circulation and parking dominates the site. Staff has address this concern by including in the Draft Development Standards a requirement for a minimum of 120 square feet of landscaping in front of each unit in addition to landscaping proposed elsewhere in the courtyard area. For the rear units, the landscaping would be located between the building face and the sidewalk connecting the units, greatly improving the appearance of the courtyard from the street.

The RDG do not require common open space for projects of this size, but do recommend 400 square feet of private open space for each unit. While the Land Use Plan currently shows 400 square feet per unit, staff has included a requirement in Draft Development Standards for a minimum of 350 square feet per unit, in order to allow some flexibility to accommodate the additional landscaping at the front of the units. Staff will work with the applicant at the Planned Development Permit stage to maintain the currently proposed 400 square-foot private yards if possible.

### *Setbacks*

The RDG recommend that three-story buildings be set back 35 feet from the public street. The applicant is proposing a minimum setback from Canoas Garden Avenue of 6 feet. A 35-foot setback would not be appropriate for this small lot, nor would it be consistent with the neighborhood pattern; however, staff has increased the proposed setback in the Draft Development Standards to 10 feet to allow more landscaping at the front of the project. The remaining perimeter setbacks as shown on the Land Use Plan are generally consistent with the recommendations of the RDG. Staff has included in the Draft Development Standards a minimum setback from the northerly property line of 15 feet for units 2 through 4 to allow slightly more flexibility for site design at the Permit stage. This setback conforms to the recommendations of the RDG. Staff has not included any required building setbacks for interior lot lines so that the single-family units can be either attached or detached.

### *Architecture*

The conceptual architecture for this project indicates building facades that appear flat and lacking in articulation. Staff will work with the applicant at the Planned Development Permit stage to ensure appropriate articulation, detailing and quality of materials for the proposed residential buildings.

Based on this analysis, staff concludes that the Planned Development Zoning, as conditioned, complies with the intent of the Residential Design Guidelines for compatible infill development.

### **General Plan Conformance**

The small size and awkward configuration of this site make it a poor candidate for development at the 25-50 dwelling unit per acre-density range specified for the High Density Residential General Plan designation. While parcel assemblage is often necessary to achieve a site large enough to accommodate higher density development that is not an option in this case as the surrounding properties are already developed with townhouses and apartments. Staff believes that it is appropriate to find General Plan Conformance for the proposed density of 15.8 units per acre based on the Two-Acre Rule Discretionary Alternate Use Policy, the stated intent of which is to facilitate infill development that is compatible with the surrounding neighborhood. The proposed density is compatible with surrounding development, which includes a somewhat higher density apartment project to the north and west and a lower density townhouse project to the east.

The current site plan does not reflect an exceptional project in that building and hardscape dominate the design. Staff has encouraged the applicant from the preliminary review stage and with review of this rezoning application to propose attached townhouses in an effort to provide more opportunity for on-site landscaping; however, this approach did not meet the applicant's objectives for the site and the current design shows five detached units. Staff believes that the proposed Draft Development Standards, with the requirements for increased landscaping and the townhouse parking standards, will allow for implementation of a project that conforms with the intent of the Residential Design Guidelines, regardless of whether the units are attached or detached. Based on this analysis, staff concludes that the proposed rezoning, as conditioned by the Development Standards, is consistent with the General Plan.

### **Conclusion**

This proposed Planned Development rezoning offers an opportunity for redevelopment of an underutilized site with housing that is compatible with surrounding uses, consistent with the intent of the Residential Design Guidelines and supportive of the infill housing goals of the General Plan.

### **RECOMMENDATION**

Planning staff recommends the Planning Commission forward a recommendation of approval to the City Council for the following reasons:

1. Based on the Two-Acre Rule Discretionary Alternate Use Policy allowing for residential development at a density range compatible with surrounding uses, the proposed project is consistent with the San José 2020 General Plan.
2. The project furthers the goals and objectives of the City's infill housing strategies.
3. The proposed rezoning is compatible with existing and proposed uses on the adjacent and neighboring properties.

### **Attachments**