



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Planning Commission

**SUBJECT:** SEE BELOW

**DATE:** August 21, 2008

**COUNCIL DISTRICT:** 1  
**SNI AREA:** N/A

**SUBJECT: PDC08-008 PLANNED DEVELOPMENT PREZONING FROM COUNTY OF SANTA CLARA TO R-2(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO ALLOW THREE SINGLE FAMILY DETACHED RESIDENCES ON 0.24 ACRES, LOCATED ON THE NORTH SIDE OF OLSEN DRIVE, APPROXIMATELY 100 FEET WEST OF CYPRESS AVENUE (3515 OLSEN DRIVE).**

## RECOMMENDATION

The Planning Commission voted 7-0-0 to recommend that the City Council adopt an ordinance to approve the subject Planned Development rezoning from County of Santa Clara to R-2(PD) Planned Development Zoning District to allow three single-family detached residences on 0.24 acres, located on the north side of Olsen Drive, approximately 100 feet west of Cypress Avenue (3515 Olsen Drive).

## OUTCOME

Should the City Council approve the Planned Development rezoning, up to three single-family residences could be developed on the site consistent with the Development Standards for the subject rezoning. This future development would be subject to a Planned Development Permit.

## BACKGROUND

On August 20, 2008, the Planning Commission held a public hearing to consider the proposed Planned Development rezoning. The item was pulled from the Consent Calendar at the request of Commissioner Do. The applicant's representative, Aman Dulay of AKS Design, was present and spoke regarding the time spent and revisions made to minimize the footprint of the units, provide more open space, and improve the overall conceptual design of the proposal. Ms. Dulay also made herself available for comments or suggestions from the Commission. No members of the community spoke on the project. Commissioner Do commented that he was in support of the proposal to allow three units but felt that the units were large and that the architecture and design of the units could be improved. Commissioner Jensen commented that the garages seemed small and that the space provided for ingress and egress of the site and "back out" for vehicles from the garages might not be

adequate for larger vehicles. Commissioner Kamkar expressed that he concurred with Commissioner Jensen's comments. The Planning Commission then voted 7-0-0 to forward to the City Council a recommendation to approve the project as recommended by staff.

### ANALYSIS

The project as proposed conforms to the San José General Plan Land Use/Transportation Diagram designation of Medium Density Residential (8-16 dwelling units per acre, DU/AC) in that single family residences are an allowed use for this designation and that the proposed density of 12.5 DU/AC is well within the allowed density range. The project as proposed is also consistent with the Residential Design Guidelines and the San José General Plan Growth Management and Housing Major Strategies and the Residential Land Use goals and policies.

For further analysis, please see attached Staff Report.

### EVALUATION AND FOLLOW-UP

The applicant will be required to secure a Planned Development Permit from the Planning Director in order to implement the subject rezoning.

### POLICY ALTERNATIVES

Should the Council not support the Planned Development rezoning to allow three single family detached residences as proposed, denial of the rezoning is an option. As part of the Winchester 42 County Pocket pending annexation to the City, denial of the proposed Planned Development rezoning would result in rezoning of the property to R-2 (Two Family Residence District) and would preclude the property owner from rezoning the site for two years. Staff has determined that the R-2 (Two Family Residence District) would be the appropriate alternative Zoning District for the site if the proposed Planned Development rezoning is not approved. The existing duplex on the site would be allowed, but the proposed redevelopment of three single-family detached residences could not occur under the conventional R-2 Residence District.

### PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

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For community outreach, staff followed Council Policy 6-30: Public Outreach Policy. The proposed project was discussed at a community meeting regarding the related pending County Pocket annexation on Wednesday, July 23, 2008. While the focus of this meeting was the larger annexation, comments from the community included concern regarding the scale, massing and compatibility of the proposed development with the surrounding neighborhood.

A sign identifying the proposed project was posted on-site. A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website. The rezoning was also published in a local newspaper, the Post Record. This memorandum and the staff report are also posted on the City's website. Staff has been available to respond to questions from the public.

### **COORDINATION**

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

### **FISCAL/POLICY ALIGNMENT**

This project is consistent with applicable General Plan policies and City Council approved design guidelines as further discussed in attached staff report.

### **CEQA**

CEQA: Exempt.

  
for **JOSEPH HORWEDEL, SECRETARY**  
Planning Commission

For questions please contact Susan Walton at 408-535-7800