



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Planning Commission

**SUBJECT:** SEE BELOW

**DATE:** September 15, 2008

**COUNCIL DISTRICT:** 10  
**SNI AREA:** Not Applicable

**SUBJECT: PDC07-012. PLANNED DEVELOPMENT REZONING FROM THE R-1-2 SINGLE FAMILY RESIDENCE ZONING DISTRICT TO THE A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO ALLOW UP TO EIGHT (8) SINGLE FAMILY DETACHED AND ATTACHED RESIDENTIAL UNITS ON A 0.52 GROSS ACRE SITE**

## 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 the R-1-2 Single Family Residence Zoning District to the A(PD) Planned Development Zoning District to allow eight (8) single family attached and detached residential units as recommended by staff.

## OUTCOME

Should the City Council approve the Planned Development Rezoning, up to eight single-family attached and detached residences could be built on the subject 0.52 gross acre site, consistent with the development standards for the subject rezoning. The development standards would allow six attached duet units and two detached residential units. The future development would be subject to a Planned Development Permit.

## BACKGROUND

On February 2, 2007, the applicant, Kevin Stinson, filed an application for a rezoning from R-1-2 Single Family Residence to A(PD) Planned Development to allow up to eight single-family attached and detached residences on a 0.52 gross acre site. The development standards would allow six units to be attached in duet pairs, and two units would be detached. A Planned Development Rezoning is required because the applicant has proposed to subdivide and develop the property in a configuration that is not supported in any of the City's conventional residential zoning districts. Specifically, the project proposes a minimum lot area per living unit that is smaller than what is allowed by a conventional residential zoning district and proposes development in a configuration that cannot be accomplished through a conventional zoning district.

The applicant's architect spoke in favor of the proposal, noting that they had worked extensively with staff to ensure that the project met the Residential Design Guidelines with regards to setbacks, parking, and open space. Commissioner Kamkar inquired of the architect as to whether the two tandem garages on the site could be converted to side-by-side configuration, and the architect replied that staff suggested the tandem design to improve aesthetics of the entry drive. Commissioner Jensen stated later that the two tandem garages, in this instance, were a nice addition to the project.

One member of the community, Robert Gonzalez, spoke on behalf of himself and Blossom Hill Homes HOA. Mr. Gonzalez raised concerns regarding traffic, particularly regarding the turn and traffic back-up associated with residents leaving from the intersection of Entrada Cedros and Blossom Hill Road. Mr. Gonzalez felt that additional units may exacerbate the existing traffic circulation issues and requested that Public Works or another City department evaluate the traffic pattern on Entrada Cedros. Staff noted that these concerns were raised at the community meeting for the project and that those concerns were relayed to Public Works and the Council Offices. Commissioner Kamkar inquired as to whether a right-only turn onto Entrada Cedros would be feasible, and the architect was reluctant to support this without the owner's agreement.

The motion to approve the project as recommended by staff passed 7-0-0.

### **ANALYSIS**

This site has a designation of Medium High Density Residential (12-25 DU/AC) on the adopted San José 2020 General Plan Land Use/Transportation Diagram. The residential density associated with this application is 15.7 DU/AC, which falls within the range of the existing designation. The project is surrounded by multi-family residential and some commercial development, and it proposes a density that is comparable to the development in the area. The development to the north is also 15.7 DU/AC, and the other surrounding projects have slightly higher densities. The project also furthers the Housing and Growth Management Major Strategies of the General Plan because it proposes infill housing in an urban area already served by public utilities and services.

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**

Denial of the proposal would mean that the project would remain in the R-1-2 Single Family Residence Zoning District, and the subject project could not be developed under that zoning district.

### **PUBLIC OUTREACH/INTEREST**

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 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)**
- Criteria 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)**

Although this item does not meet any of the above criteria, staff followed Council Policy 6-30; Public Outreach Policy. 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. A sign was posted on-site to notify neighbors of the proposed development. The rezoning was also published in a local newspaper, the Post Record and the San Jose Mercury News. This staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

On August 18, 2008, the project was presented at a community meeting. Approximately eight members of the community were in attendance. Community members were concerned with parking and traffic on a neighborhood level. They stated an urgent need for increased signage and traffic calming in their neighborhood along Entrada Cedros and Giuffrida Avenue, and expressed frustration with a perceived lack of attention from the City on these issues. Planning staff responded that these concerns would be forwarded through the staff report summary, but that this particular project could not be required to do improvements to the public right-of-way that was not adjacent to their project site.

### **COORDINATION**

This project was coordinated with the Department of Public Works, Fire Department, Police Department, Environmental Services Department 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.

### **COST SUMMARY/IMPLICATIONS**

Not applicable.

### **BUDGET REFERENCE**

Not applicable.

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**CEQA**

Mitigated Negative Declaration

*Andrew Curbice*  
for JOSEPH HORWEDEL, SECRETARY  
Planning Commission

For questions please contact Jeannie Hamilton at 408-535-7800.

cc: