



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Planning Commission

SUBJECT: SEE BELOW

DATE: December 8, 2017

COUNCIL DISTRICT: 9

SUBJECT: PDC17-049, PD17-023, PT17-050. PLANNED DEVELOPMENT REZONING FROM THE R-M MULTIPLE RESIDENCE DISTRICT TO THE R-M(PD) PLANNED DEVELOPMENT ZONING DISTRICT, PLANNED DEVELOPMENT PERMIT TO DEMOLISH FOUR SINGLE-FAMILY RESIDENCES, APPROXIMATELY 2,380 SQUARE FEET AND TWO ACCESSORY BUILDINGS, TOTALING APPROXIMATELY 1,110 SQUARE FEET, TO CONSTRUCT SIX SINGLE-FAMILY RESIDENCES, TOTALING APPROXIMATELY 8,500 SQUARE FEET, TO REMOVE 6 ORDINANCE-SIZED TREES AND ONE NON-ORDINANCE SIZED TREE AND TO UTILIZE UNIFORM SIZED PARKING SPACES, AND A TENTATIVE MAP TO RECONFIGURE ONE LOT INTO SIX RESIDENTIAL CONDOMINIUMS ON A 0.48 GROSS ACRE SITE.

RECOMMENDATION

The Planning Commission voted 6-0-1 (Ballard absent) to recommend that the City Council (i) adopt a resolution adopting the 15980 Carlton Avenue Residential Project Mitigated Negative Declaration, for which an Initial Study was prepared, in conformance with the California Environmental Quality Act, as amended, and adopt a related Mitigation Monitoring and Reporting Program; (ii) adopt an ordinance rezoning an approximately 0.48 gross acre site located on the south side of Carlton Avenue, approximately 290 feet westerly of National Avenue (15980 Carlton Avenue) from the R-M Multiple Residence Zoning District to the R-M(PD) Planned Development Zoning District; (iii) adopt a Planned Development Permit Resolution allowing the demolition of four single-family residences, totaling approximately 2,380 square feet, and two accessory buildings, totaling approximately 1,110 square feet, constructing six single-family residences, totaling approximately 8,500 square feet, removing six ordinance sized trees and one non-ordinance sized tree, and utilizing uniform sized parking spaces; (iv) approve the Development Standards as modified by staff, to remove R-1 Single-Family Residence Zoning District and R-2 Two-Family Residence Zoning District language from the building height section for clarity; and (v) adopt a Tentative Map Resolution allowing the reconfiguration of one lot into six residential condominiums on an approximately 0.48 gross acre site.

OUTCOME

Should the City Council approve the Mitigated Negative Declaration and adopt the Mitigation Monitoring and Reporting Program, Planned Development Zoning District, Planned Development Permit, and Tentative Map, the applicant will be able to implement the zoning and pursue building permits to demolish four existing single-family residences, two accessory buildings, remove six ordinance sized trees and one non-ordinance sized tree, construct six single-family residences, utilize uniform parking spaces, and create six residential condominiums consistent with the proposed Development Standards and the General Plan Land Use/Transportation Diagram of Residential Neighborhood.

BACKGROUND

On December 6, 2017, the Planning Commission held a public hearing to consider the Planned Development Zoning District, Planned Development Permit, and Tentative Map. The item was on the consent calendar and no members of the public spoke in support or opposition to the proposed project. Staff provided two clarifications on the project to correct the number of trees proposed for removal (six ordinance sized and one non-ordinance sized), as the Planning Commission Staff report and project Resolutions were inconsistent. Staff also clarified the building height language in the draft development standards and clarified that the R-1 Single-Family Residence Zoning District and R-2 Two-Family Residence District language should be removed from the building height section, because the project is requesting a Planned Development Zoning District and will have its own height standards.

The Planning Commission voted 6-0-1 (Ballard absent), noting the two staff requested changes to recommend approval, as recommended by staff, to City Council as part of the consent calendar with no separate discussion.

ANALYSIS

A complete analysis of the issues regarding this project are contained in the attached Planning Commission Staff Report.

EVALUATION AND FOLLOW UP

If the Rezoning, Planned Development Permit, and Tentative Map are approved, the applicant will be able to move forward with building permit plans, demolition, and construction of the proposed project.

PUBLIC OUTREACH/INTEREST

Staff followed Council Policy 6-30: Public Outreach Policy. The property owners and occupants within a 500-foot radius were sent public hearing notices for the Planning Commission and City Council hearing. Signage has been posted at the site to inform the public about the proposal. The Planning Commission agenda was posted on the City of San Jose website, which included a copy of the staff report, and staff has been available to discuss the project with members of the public.

COORDINATION

Preparation of this memorandum was coordinated with the City Attorney's Office.

CEQA

An Initial Study (IS) and Mitigated Negative Declaration (MND) were prepared by the Director of Planning, Building and Code Enforcement for the subject Planned Development Rezoning and Planned Development Permit. The documents were circulated for public review from November 8, 2017 to November 28, 2017. There were no public comments submitted.

A Historical Resources evaluation of the four structures was conducted by Archives & Architecture on January 13, 2017. Results of the evaluation indicated that: (i) the four buildings on this site are approximately 75 years in age; (ii) the property has not been previously evaluated, listed, or designated as a part of any local, state, or national survey of historic resources; (iii) the buildings are not representative of any important patterns of development within San José or its environs; (iv) the use has not been identified as important within the history of the city, and the rural characteristics of the neighborhood disappeared during the early 1950s; and (v) the property is not bound by any consistent thematic or physical attributes. The property therefore is not associated with significant patterns, persons, and/or events, and would not qualify for the California Register of Historic Resources or as a San José City Landmark under this criterion.

The final IS/MND states that the proposed project will not have a significant effect on the environment. The primary environmental issues addressed in the final Initial Study include potential impacts on the physical development of the site on: biological resources, hazards and hazardous materials, noise and vibration.

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The MND includes mitigation measures that would reduce any potentially significant project impacts to nesting birds, construction worker exposure to hazardous materials and from construction noise to a less-than-significant level. In addition to other environmental conditions, the mitigation measures would be included in the Planned Development permit as project conditions and in a Mitigation Monitoring and Reporting Program (MMRP). The entire IS/MND and related environmental documents are available on the Planning web site at: <http://www.sanjoseca.gov/index.aspx?NID=2165>.

/s/

ROSALYNN HUGHEY, SECRETARY
Planning Commission

For questions please contact Steve McHarris, Planning Official, at (408) 535-7819.

Attachments: Revised Development Standards
Planning Commission Staff Report with attachments

FILE NO. PDC17-049
15980 CARLTON AVENUE DRAFT DEVELOPMENT STANDARDS

In any cases where the graphic plans and text may differ, this text takes precedence.

ALLOWED USES

- Up to 6 single-family detached residential units
- Permitted, Special, and Conditional uses of the R-M Multiple Residence Zoning District of Title 20 of the San José Municipal Code, and as may be as amended in the future. Special and Conditional uses as identified in the R-M Multiple Residence District shall be subject to approval of a Planned Development Permit or Amendment by the Planning Director.

DEVELOPMENT STANDARDS

BUILDING HEIGHT

The maximum height of any buildings shall be 45 feet. The maximum height of a chimney, weather vane or other similar architectural embellishment mounted on a building and having a horizontal cross section of no more than twenty square feet may be increased to forty feet, provided that it does not exceed the height of the building on which it is mounted by more than five feet, as contained in Title 20 Section 20.30.300 (Maximum Height—Exception for Chimneys or Architectural Embellishments) of the San Jose Municipal Code as may be amended.

SETBACKS

All building setbacks are from the back of the public right-of-way (where private property meets public right-of-way).

Perimeter Setbacks

- Front setback:
 - Porch: 11 feet
 - Building: 15 feet
- Side setbacks: 5 feet
- Rear setback: 25 feet
- Minor architectural projections such as but not limited to awnings, balconies, eaves, and bay windows may project into any setback by up to 2 feet for a length not to exceed 75% of the frontage subject to approval by the Director of Planning. Such projections may be considered with a Permit Adjustment/Amendment if not shown on the Planned Development Permit Plans.

Building Separation

- Minimum 7 feet 6 inches between exterior building wall faces.

OFF STREET PARKING REQUIREMENTS

Vehicular Parking Requirements:

- Multi-Family Residential:
 - 2 covered parking spaces per residential unit
 - 0.5 guest parking spaces per unit
- Parking exceptions and an alternative parking arrangement as specified in Chapter 20.90 of the San Jose Municipal Code (Title 20—Zoning Ordinance), as may be amended, may be considered with a Permit Amendment.

Bicycle Parking Requirements:

- Per Chapter 20.90 of the San Jose Municipal Code (Title 20—Zoning Ordinance), as may be amended.

ARCHITECTURAL & SITE DESIGN

- Projects shall be consistent with the Residential Design Guidelines, as may be amended.
- Multiple materials and façade variations shall be utilized to increase visual interest. Private open space shall be provided at 400 square feet per unit. The minimum width of all private open space areas shall be 15 feet, however a minor reduction in that width may be considered by the Director of Planning at the Planned Development Permit stage if the overall size of open space area is increased beyond the overall minimum area requirements.

PERFORMANCE STANDARDS

- In accordance with Chapter 20.30 of the City of San José Municipal Code (Title 20 - Zoning Ordinance), as may be amended.

ENVIRONMENTAL MITIGATION

Implement the mitigation measures identified in the adopted Mitigation Negative Declaration for 15980 Carlton Avenue (File No. PDC17-049) and Mitigation Monitoring and Reporting Program, as may be amended.