



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Chris Burton

SUBJECT: 3315 Sierra Road
Residential Project

DATE: April 29, 2025

COUNCIL DISTRICT: 4

SUBJECT: PDC23-008, T24-033, PD24-018, & ER23-079 – Rezoning, Planned Development Zoning District, Vesting Tentative Map, Planned Development Permit of Certain Property Located at 3315 Sierra Road

RECOMMENDATION

On April 23, 2025, the Planning Commission, with a vote of 6-0-3 (Barocio, Cantrell, and Young absent), recommended that the City Council take all of the following actions:

1. Adopt a resolution adopting the Initial Study/Mitigated Negative Declaration for the 3315 Sierra Road Residential Project and the associated Mitigation Monitoring and Reporting Plan, in accordance with the California Environmental Quality Act, as amended; and
2. Approve an ordinance rezoning an approximately 2.71-gross-acre site from the A Agriculture Zoning District to an R-1-8(PD) Planned Development Zoning District.
3. Adopt a resolution, approving, subject to conditions, a Vesting Tentative Map to subdivide an existing lot into 25 single-family lots and five common area lots, including two private streets, on an approximately 2.71-gross-acre site.
4. Adopt a resolution approving, subject to conditions, a Planned Development Permit to allow the demolition of four existing warehouse/commercial buildings, a single-family house, and four accessory buildings, and the removal of 19 trees, including 11 ordinance-size trees, for the construction of 25 single-family homes, five of which include ADUs above detached garages, with extended construction hours to include Saturday 8:00 a.m. to 5:00 p.m on an approximately 2.71-gross-acre site.

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SUMMARY AND OUTCOME

If the City Council approves all the actions listed above as recommended by the Planning Commission, the applicant would be allowed to demolish four warehouse buildings, one single-family house, and four accessory buildings and remove 19 trees, including 11 ordinance-size trees, with a requirement for 59 replacement trees, and construct 25 single-family houses and five accessory dwelling units above detached garages, on an approximately 2.71-gross-acre lot.

BACKGROUND

On April 23, 2025, the Planning Commission held a public hearing to consider the Initial Study/Mitigated Negative Declaration, Planned Development Rezoning, Vesting Tentative Map, and Planned Development Permit. An overview of the public hearing is provided below. Commissioner Lardinois made a motion to approve the recommendation. Commissioner Oliverio seconded the motion. The motion passed 6-0-3 (Barocio, Cantrell, and Young absent). The Planning Commission recommended that the City Council adopt the IS/MND pursuant to CEQA and approve the Planned Development Rezoning, Vesting Tentative Map, and Planned Development Permit.

ANALYSIS

Analysis of the proposed CEQA clearance, Planned Development Zoning, Planned Development Permit, and Vesting Tentative Map, including conformance with the General Plan, Municipal Code, Single-Family Design Guidelines, and City Council Policies, are contained in the attached staff report.

Climate Smart San José Analysis

The recommendation in this memorandum aligns with Climate Smart San José Strategy 2.1, “Densify the city to accommodate our future neighbors,” and Strategy 2.2, “Make homes efficient and affordable for families.” The project would provide 25 three-story , single-family houses with four bedrooms each (and five with accessory dwelling units) on an approximately 2.71-gross-acre site where one house currently exists. The project provides will expand home ownership opportunities in San José by providing homes on smaller lots than are typically seen in single-family neighborhoods.

EVALUATION AND FOLLOW-UP

Should the City Council adopt the resolution adopting the Initial Study/Mitigated Negative Declaration, the Rezoning Ordinance, the resolution approving the Vesting

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Tentative Map, and the resolution approving the Planned Development Permit, the applicant would be allowed to develop the project as described above.

COORDINATION

The preparation of this memorandum has been coordinated with the City Attorney's Office.

PUBLIC OUTREACH

This memorandum will be posted on the City's Council Agenda website for the City Council hearing scheduled for May 20, 2025.

Staff followed Council Policy 6-30: Public Outreach Policy to inform the public of the proposed project. The required onsite sign has been posted on all project frontages since November 4, 2024. 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 staff report is also posted on the City website. Additionally, a notice of the public hearing was posted in a newspaper of record (San José Post Record) on April 1, 2025. Staff has been available to respond to questions from the public.

COMMISSION RECOMMENDATION AND INPUT

The project was heard at the Planning Commission hearing on April 23, 2025, on the consent calendar. Commissioner Lardinois made a motion to approve the item; the motion was seconded by Commissioner Oliverio. The motion passed 6-0-3 (Barocio, Cantrell, and Young absent).

CEQA

The City of San José, as the lead agency for the subject project, prepared an Initial Study/Mitigated Negative Declaration (IS/MND) in compliance with CEQA. The 3315 Sierra Road Residential Project IS/MND was circulated for public review and comment for 21 days from May 22, 2024 through June 12, 2024. Comments were received from four public agencies and organizations. Comments received requested clarifying information be added to the IS/MND. No comments required substantive changes to any CEQA analysis.

City staff prepared a Response to Comments document and made it available to all commenters and posted it on the project's page in the City's Environmental Review

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Documents website. The comments received on the IS/MND did not raise any new issues about the project's environmental impacts or provide information indicating the project would result in new environmental impacts or impacts substantially greater in severity than disclosed in the IS/MND. Minor revisions were added to the text of the IS/MND and are included in the Response to Comments document. The text revisions do not constitute a "substantial revision" pursuant to CEQA Guidelines Section 15073.5 and recirculation of the MND is not required.

The Initial Study concluded that the project would not result in any significant and unavoidable environmental impacts with implementation of identified mitigation measures. The MND includes impacts related to Biological Resources, Noise, Hazards and Hazardous Materials, and Transportation. The project includes a Mitigation Monitoring and Reporting Program to lessen the identified impacts to a less than significant level. Therefore, an EIR is not required, and an Initial Study/Mitigated Negative Declaration is the appropriate level of CEQA clearance for the project.

The entire IS/MND, Responses to Comments, and other related environmental documents are available on the Planning website at: <https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/negative-declaration-initial-studies/3315-sierra-road-residential-project-pdc23-008>.

PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/

Chris Burton

Secretary, Planning Commission

For questions, please contact John Tu, Division Manager, at john.tu@sanjoseca.gov or (408) 535-6818.

ATTACHMENT

Staff Report



Memorandum

TO: PLANNING COMMISSION

FROM: Christopher Burton

SUBJECT: File Nos. PDC23-008, PD24-018,
T24-033 & ER23-079

DATE: April 23, 2025

COUNCIL DISTRICT: 4

Type of Permit	Planned Development Rezoning (File No. PDC23-008), Vesting Tentative Map (File No. T24-033), and Planned Development Permit (File No. PD24-018)
Proposed Land Use	Single-Family Residential
New Residential Units	25
Additional Policy Review Items	None
Demolition	Four warehouse/commercial buildings, one single-family house, and four accessory buildings
Tree Removals	19 trees (11 ordinance-size, 8 non-ordinance-size, 59 replacement trees)
Project Planner	Kora McNaughton
CEQA Clearance	Initial Study/Mitigated Negative Declaration: 3315 Sierra Road Residential Project (File No. ER23-079)
CEQA Planner	Charlotte Yuen

RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council take all of the following actions:

1. Adopt a resolution adopting the Initial Study/Mitigated Negative Declaration for the 3315 Sierra Road Residential Project and the associated Mitigation Monitoring and Reporting Plan, in accordance with the California Environmental Quality Act, as amended; and
2. Approve an Ordinance rezoning an approximately 2.71-gross-acre site from the A Agriculture Zoning District to an R-1-8(PD) Planned Development Zoning District.
3. Adopt a Resolution, approving, subject to conditions, a Vesting Tentative Map to subdivide an existing lot into 25 single-family lots and five common area lots, including two private streets, on an approximately 2.71-gross-acre site.
4. Adopt a Resolution approving, subject to conditions, a Planned Development Permit to allow the demolition of four existing warehouse/commercial buildings, a single-family house, and four accessory buildings, and the removal of 19 trees, including 11 ordinance-size trees, for the

construction of 25 single-family homes, five of which include ADUs above detached garages, with extended construction hours to include Saturday 8:00 a.m. to 5:00 p.m on an approximately 2.71-gross-acre site.

PROPERTY INFORMATION

Location	North side of Sierra Road, approximately 190 feet northeast of Piedmont Road, with approximately 35 feet of frontage on Piedmont Road (3315 Sierra Road)
Assessor Parcel No. (APN)	595-10-067
Existing General Plan	Residential Neighborhood
Growth Area	Piedmont Road/Sierra Road Urban Village
Existing Zoning	A Agriculture
Proposed Zoning	R-1-8(PD) Planned Development
Historic Resource	No
Annexation Date	July 27, 1981 (Penitencia No. 59)
Council District	4
Acreage	Approximately 2.71 gross acres
Proposed Density	9.2 dwelling units per acre (net density)

PROJECT SETTING AND BACKGROUND

As shown on the Aerial Map below (Figure 1), the subject site is located on the north side of Sierra Road east of the intersection with Piedmont Road. The project site, previously used as an egg production facility, contains four warehouse/commercial buildings, one single-family house, and four



Figure 1. Aerial Map

accessory buildings. The project site is bounded by a fuel station to the west, multifamily residential to the north, a single-family house to the east, and single-family residential properties to the south.

SURROUNDING USES			
	General Plan	Zoning District	Existing Use
North	Residential Neighborhood	A(PD) Planned Development	Multifamily Residential
South	Residential Neighborhood	R-1-8 Single-Family Residence	Single-Family Residential
East	Rural Residential	A Agriculture	Single-Family Residential
West	Neighborhood/Community Commercial	CP Commercial Pedestrian	Fuel service station

On March 30, 2023, the applicant, Robson Homes, submitted an application on behalf of the property owner, Olivera Family Limited Partnership, for a Planned Development Rezoning (File No. PDC23-008) to rezone the approximately 2.71-gross-acre site from the A Agriculture Zoning District to the R-1-8(PD) Planned Development Zoning District.

Subsequently, on September 5, 2024, the same applicant submitted the following applications:

- Planned Development Permit (File No. PD24-018) to allow the demolition of four existing warehouse/commercial buildings, a single-family house, and four accessory buildings, and the removal of 19 trees including 11 ordinance-size trees, for the construction of 25 single-family homes, five of which include ADUs above detached garages, with extended construction hours to include Saturday 8 a.m. to 5 p.m. on an approximately 2.71-gross-acre site.
- Vesting Tentative Map (File No. T24-033) to subdivide a single lot into 25 single-family lots and five common area lots, including two private streets, on an approximately 2.71-gross-acre site.

PROJECT DESCRIPTION

The project consists of the redevelopment of the subject site with 25 single-family houses and two private streets. The Olivera Egg Ranch has operated on the site for approximately 50 years, primarily as a distribution center and retail front for the business. The site is currently developed with four warehouse/commercial buildings, one single-family residence, and four accessory buildings. The single-family house was constructed in 1935, while the warehouse and accessory buildings were built between the 1950s and the 1980s. A State Department of Parks and Recreation Primary Record prepared for the property by TreanorHL and dated September 19, 2022, found that neither the property nor the existing structures meet the significance criteria for listing on the local, state, or national registers for historical resources. All existing structures on the site will be demolished to facilitate the subject project.

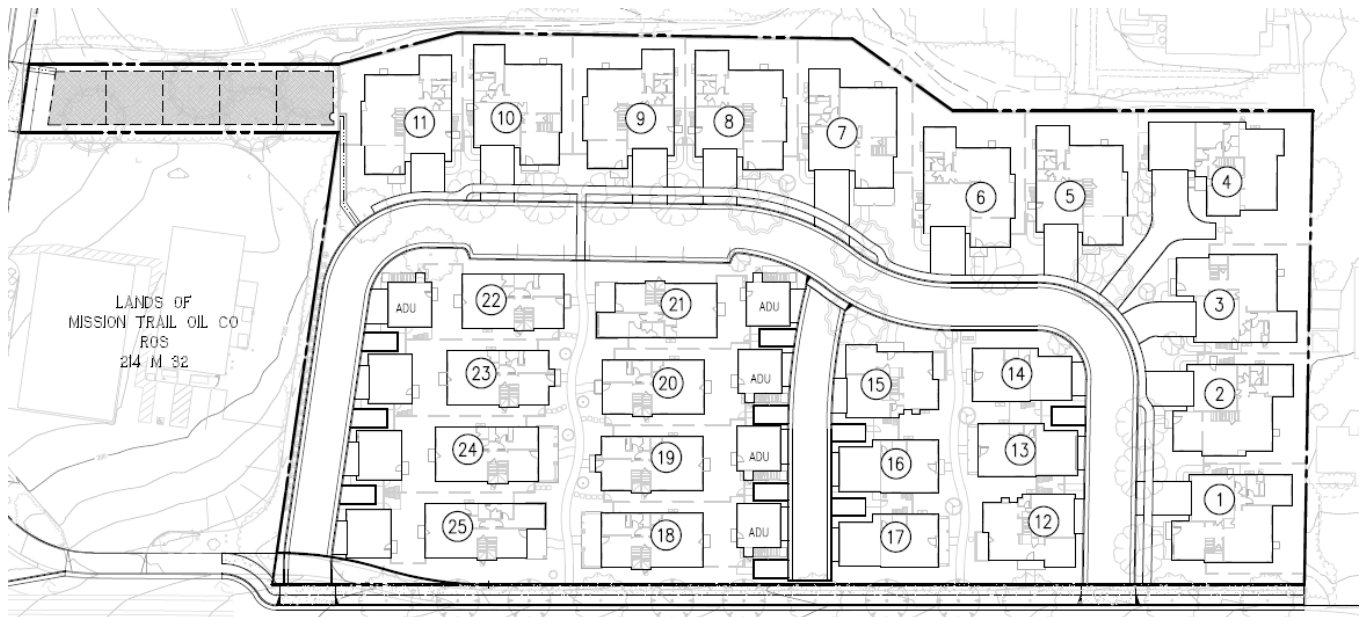


Figure 2. Site Plan

As shown in Figure 2 above, the project would redevelop the site with 25 two-story and three-story single-family houses. Seventeen of the houses have attached garages, and eight have detached garages. Of the eight detached garages, five would have a second-story accessory dwelling unit. The houses are varied in design, reflecting contemporary interpretations of traditional residential architectural styles seen in San José, such as Craftsman, Mediterranean, and Monterey Colonial. The project proposes 13 different floor plans. Each house would be required to provide two covered parking spaces in either an attached or detached garage. The development would be governed by a Homeowner's Association (HOA), which would be responsible for the maintenance and upkeep of the private streets and common areas.

The project site would be accessible from two 26-foot-wide driveways on Sierra Road (the area along the site's Piedmont Road frontage would be used for stormwater treatment), and each driveway would be connected to the private streets. Along the site's Sierra Road frontage, the project would be required to construct a 10-foot-wide sidewalk, and a 10-foot-wide sidewalk with tree wells would also be required on the Piedmont Road frontage. In addition, the project would require the construction of a 150-foot-long segment of a buffered bike lane on Piedmont Road.

The project includes the removal of 19 trees, including 11 ordinance-size trees and eight non-ordinance-size trees, resulting in a tree replacement requirement of 59 trees. To replace the trees that are removed, a total of four 15-gallon trees and 35 24-inch box trees (each equivalent to two 15-gallon trees) would be planted in common areas throughout the site. The site plan also includes two paseos to allow pedestrians to circulate on the site safely.

To facilitate the project's construction and associated public improvements, the project includes an application for a Vesting Tentative Map to subdivide the existing parcel into 30 lots. Of the 30 new lots, 25 would be buildable lots with areas ranging from 2,111 square feet to 5,537 square feet, and five would be common area lots.

ANALYSIS

The subject Planned Development Rezoning, Vesting Tentative Map, and Planned Development Permit, are analyzed with respect to conformance with:

1. Envision San José 2040 General Plan Conformance
2. Planned Development Zoning Conformance
3. Single-Family Design Guidelines Conformance
4. Permit Findings
5. California Environmental Quality Act (CEQA)

1. Envision San José 2040 General Plan Conformance

a. General Plan Land Use Designation

The project site has an [Envision San José 2040 General Plan](#) Land Use/Transportation Diagram designation of **Residential Neighborhood** (see the attached Exhibit B for a General Plan land use designation map).

Density: typically 8 DU/AC (match existing neighborhood character); FAR up to 0.7 (1 to 2.5 stories)

The intent of the designation is to preserve the existing character of these neighborhoods and limit development to infill projects that closely conform to the prevailing neighborhood character as defined by density, lot size and shape, massing, and neighborhood form and pattern. Infill projects where 50% or more of the development on the same block (both sides of the street) is developed at a density greater than 8 DU/AC, new development can match the prevailing density. For any new project to exceed 8 DU/AC, it is necessary that: (1) other policies in this Plan are met, (2) applicable design guidelines are met, and (3) development does not exceed 16 DU/AC.

Analysis: A density calculation was conducted for the blocks of Sierra Road and Piedmont Road, where the subject site is located, showing an average density of approximately 16 DU/AC. With 25 single-family homes on approximately 2.71 gross acres, the density of the Planned Development Zoning District is 9.2 DU/AC, which is consistent with the General Plan land use designation.

As discussed later in this section, the project is consistent with General Plan Major Strategy 3, Focused Growth, and General Plan policies that encourage subdivisions that are compatible with the surrounding area, rezoning of property to align with the General Plan, accessory dwelling units, and the use of Planned Development zoning districts to enable development of single-family homes at a density that is consistent with the neighborhood.

b. Piedmont Road/Sierra Road Urban Village

The subject site is within the Piedmont Road/Sierra Road Urban Village boundary, which does not have an adopted Urban Village Plan. Prior to the approval of an Urban Village Plan, the appropriate use and application of General Plan land use policies for the property is determined by the land use designation.

Analysis: As stated above, the subject project is consistent with the property's Residential Neighborhood land use designation.

c. General Plan Strategies and Policies

The rezoning to R-1-8(PD) Planned Development Zoning and the associated Planned Development Permit and Vesting Tentative Map are consistent with the following Envision San José 2040 General Plan strategy and policies:

- Major Strategy 3, Focused Growth: This strategy supports new growth in areas of San José that will enable achievement of City goals for economic growth, fiscal sustainability, and environmental stewardship. The Plan focuses new growth capacity in specifically identified Growth Areas.

Analysis: Major Strategy 3 encourages increased housing in growth areas, including urban villages such as the Piedmont Road/Sierra Road Urban Village, where the project site is located. The project would increase the number of dwelling units on the property from one to 30, including accessory dwelling units, consistent with the strategy.

- Policy LU-11.2: Support subdivisions of residential lots if the new lots reflect the established pattern of development in the immediate area, including lot sizes and street frontages. Discourage residential developments, such as courthomes or flag lots, that increase residential densities for an area or disrupt an established neighborhood pattern. Allow new development of a parcel, including one to be subdivided, to match the existing number of units on that parcel; design such subdivisions to be compatible with and, to the degree feasible, consistent with the form of the surrounding neighborhood pattern. Consider allowing secondary units (granny or in-law units) in lieu of creating flag lots, substandard lots, or parcels that disrupt an established neighborhood pattern.

Analysis: The density of the project, approximately 9.2 DU/AC, is consistent with the maximum allowable density (16 DU/AC) for the Residential Neighborhood land use designation and the average residential density in the neighborhood. The 25 single-family houses, five of which would have ADUs, would be compatible with the surrounding residential development, which consists of a mix of multifamily and single-family homes.

- Policy LU-11.8: Rezone Residential Neighborhood areas with existing nonconforming zoning designations to align with the Envision General Plan, taking existing uses into consideration. For areas where the Residential Neighborhood designation supports the development of single-family residences, a corresponding residential zoning designation that supports single-family use is appropriate.

Analysis: The project site is currently in the A Agriculture Zoning District, which is not a conforming zoning district of the Residential Neighborhood land use designation. The project would rezone the site to a Planned Development Zoning District with a base zone of R-1-8 Single-Family Residential. The base zoning district of R-1-8 is a conforming zoning district of the Residential Neighborhood land use designation.

- Policy H-1.1: Through the development of new housing and the preservation and rehabilitation of existing housing, facilitate the creation of economically, culturally, and demographically diverse and integrated communities.

Analysis: The project would provide 25 new single-family homes and five accessory dwelling units, expanding opportunities for home ownership in the City, consistent with the policy.

- Policy H-2.5: Facilitate second units on single-family residential lots, in conformance with our City's Secondary Unit Ordinance, to take advantage of a potential source of affordable housing.

Analysis: Five of the single-family homes would include detached garages with second-story ADUs, which is consistent with the policy.

- Policy IP-8.5: Use the Planned Development zoning process to tailor such regulations as allowed uses, site intensities and development standards to a particular site for which, because of unique circumstances, a Planned Development zoning process will better conform to Envision General Plan goals and policies than may be practical through implementation of a conventional Zoning District. These development standards and other site design issues implement the design standards set forth in the Envision General Plan and design guidelines adopted by the City Council. The second phase of this process, the Planned Development permit, is a combined site/architectural permit and conditional use permit which implements the approved Planned Development zoning on the property.

Analysis: The Planned Development Zoning allows for specifically tailored development standards to facilitate a project that is consistent with the Residential Neighborhood land use designation. The development standards of the R-1-8(PD) Zoning District will enable smaller lot sizes and setbacks than otherwise allowed in the R-1-8 Zoning District, enabling the project to achieve a density of 9.2 DU/AC, which is compatible with the residential density of the surrounding neighborhood.

2. Planned Development Zoning Conformance

- Land Use. As shown in the Zoning Map (see attached Exhibit C), the project site is located within the A Agriculture Zoning District. The project includes a Planned Development Rezoning to rezone the site to the R-1-8(PD) Planned Development Zoning District (File No. PDC23-008) to allow for the development of 25 single-family residences. Subject to the Development Standards (Exhibit K), the newly created R-1-8(PD) Zoning District would allow for permitted, special, and conditional uses that conform with the R-1-8 Single-Family Residence Zoning District, as amended, including single-family use.
- Development Standards. The project site is divided into two areas, Area A and Area B (see Figure 3 below), each with their own development standards.

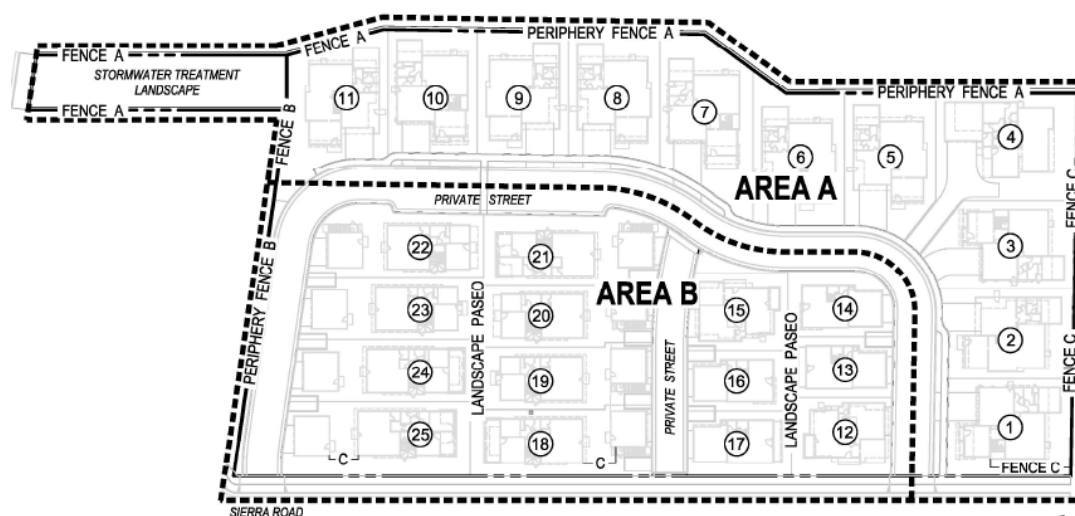


Figure 3. Area Plan

Below is a comparison of the R-1-8 Single-Family Residence Zoning District and the project's R-1-8(PD) Planned Development Zoning District development standards.

R-1-8(PD) Zoning District Development Standards: Area A

Development Standard	R-1-8 Requirement	R-1-8(PD) Requirement	Provided by Project
Height (maximum)	35 feet	35 feet	28 feet
Stories (maximum)	2.5	3	3
Lot size (minimum)	5,445 square feet	3,500 square feet (except common areas)	3,669 square feet
Setback, front yard (minimum)	20 feet	6 feet	8 feet
Setback, interior side yard (minimum)	5 feet	4 feet	4 feet
Setback, corner side yard (minimum)	12.5 feet	4 feet	10 feet 4 inches
Setback, rear yard (minimum)	20 feet	4 feet	5 feet

R-1-8(PD) Zoning District Development Standards: Area B

Development Standard	R-1-8 Requirement	Area B	Provided by Project
Height (maximum)	35 feet	35 feet	32 feet 2 inches
Stories (maximum)	2.5	3	3
Lot size (minimum)	5,445 square feet	2,000 square feet (except common areas)	2,111 square feet
Setback, front yard (minimum)	20 feet	2 feet (ground floor), 1 foot (second floor)	3 feet 4 inches
Setback, interior side yard (minimum)	5 feet	4 feet	4 feet
Setback, corner side yard (minimum)	12.5 feet	5 feet	8 feet
Setback, rear yard (minimum)	20 feet	3 feet	7 feet 7 inches

Analysis: As shown on the Planned Development Permit Plan Set (Exhibit J), the project conforms with the required height, lot size, and setback standards pursuant to the General Development Plan of the Planned Development Zoning District. The reduced setbacks, compared to the standard R-1-8 Zoning District, would allow the project to achieve a density consistent with the General Plan Land Use Designation of Residential Neighborhood, while maintaining consistency with the form and pattern of nearby residential neighborhoods.

- c. **Parking.** Pursuant to the General Development Plan, a minimum of two covered vehicle parking spaces per single-family house is required. Accessory dwelling units are not required to provide vehicle parking. The project is consistent with the requirement.

Analysis: Each single-family house will include an attached or detached two-car garage, consistent with the requirement.

3. Single-Family Design Guidelines Conformance

The project was analyzed for consistency with the Single-Family Design Guidelines, which are subjective in nature. Under State Law SB 330, California cities may not deny a project based on subjective standards (California Government Code Section 65589.5(j)(1), and may only apply objective General Plan, zoning, and policy standards. The project is consistent with the following key Single-Family Design Guidelines:

- Section 1.C.2: On blocks without a dominant pattern of porches, inclusion of front porches on

new houses is encouraged.

Analysis: There are 13 different floor plan designs for the 25 houses included in the project. Five of the house designs have front porches.

- Section 1.C.3: Main entries should be oriented to the street and in appropriate scale for the block (not extending above first-story eaves).

Analysis: All main entries are oriented toward the street and sized appropriately.

- Section 1.D.i: Garages should be located and sized consistent with the established pattern in the neighborhood.

Analysis: Most single-family houses in the surrounding neighborhood were developed in the 1960s and later and have attached garages at the front or side of the house. Based on the architectural plans, the attached garages are located at the front of the house, consistent with the neighborhood pattern.

- Section 1.E.i: Limit the “building profile” of the new house to an area generally consistent with the profiles of adjacent houses.

Analysis: Surrounding single-family houses in the neighborhood are one to two stories in height, while multifamily developments on adjacent properties to the north and south range from two to three stories. The project proposes heights up to three stories, which is generally consistent with the profile of adjacent development.

- Section 1.E.iii: Architectural style and massing compatibility should include elevation of floorplates.

Analysis: Floorplate elevations are similar to those seen in the surrounding neighborhood, consistent with the guideline.

- Section 2.A.3: Building forms should be varied enough to avoid monotony and to be compatible with surrounding houses but should be simple and elegant.

Analysis: The project proposes 13 different floor plans that draw on various architectural styles, including Craftsman, Monterey Colonial, and Mediterranean. There is significant variation in rooflines and roof heights, so the project would not have a monotonous development profile.

- Section 2.B.1.a: The overall style of each house should be consistent on all sides of the building.

Analysis: Use of materials, colors, and window and door shape and orientation are consistent across all house elevations.

4. Permit Findings

For this application to be approved, the City Council must be able to make all required findings for a Vesting Tentative Map, Planned Development Permit, Demolition Permit, and Tree Removal Permit.

Vesting Tentative Map Findings

In accordance with Section 66474 of the Government Code of the State of California, the City Council of the City of San José, in consideration of the subdivision shown on the Vesting Tentative

Map with the imposed conditions, shall deny approval of a Vesting Tentative Map, if it makes any of the following findings.

1. That the proposed map is not consistent with applicable General and Specific Plans as specified in Section 65451.
2. That the design or improvement of the proposed subdivision is not consistent with applicable General and Specific Plans.
3. That the site is not physically suitable for the type of development.
4. That the site is not physically suitable for the proposed density of development.
5. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Analysis: Based on the review of the subdivision into 25 buildable lots and five common area lots, the Director of Planning, Building and Code Enforcement of the City of San José (the Director) does not make any such findings to deny the project. As discussed in the General Plan Conformance section, the project is consistent with General Plan land use designation as well as strategies and policies related to Land Use and Housing. The General Plan land use designation of Residential Neighborhood allows the development of detached single-family houses. The project site is physically suitable for the single-family houses, and the residential density is consistent with the surrounding neighborhood. Furthermore, the project site does not contain historic resources, sensitive habitats, or wildlife. The project includes the construction of two private streets that would be accessible from Sierra Road. Additionally, as explained above, the project is consistent with the subject R-1-8(PD) Zoning District.

Subdivision Ordinance Findings

In accordance with San José Municipal Code Section 19.12.130, the Director may approve the Tentative Map if the City Council makes any of the findings for denial in Government Code Section 66474 and the City Council has reviewed and considered the information relating to compliance of the project with the California Environmental Quality Act and determines the environmental review to be adequate. Additionally, the City Council may approve the project if the City Council does not make any of the findings for denial in San José Municipal Code Section 19.12.220. Section 19.12.130 incorporates the findings for denial in Section 66474 of the Government Code specified in Findings Section 1 herein and also adds the additional requirement that the project obtain CEQA clearance.

Analysis: Based on the review of the subject subdivision, the Director of Planning, Building, and Code Enforcement is recommending approval of the Vesting Tentative Map. The map and the development's design are consistent with the San José Envision 2040 General Plan designation of Residential Neighborhood and the R-1-8(PD) Planned Development Zoning District (PDC23-008), as discussed above. The site is physically suitable for the subject development in that the residential

density and FAR over the entire site are consistent with the land use designation.

In accordance with the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration (MND) has been prepared for the project. The MND identifies potential project impacts related to migratory bird nesting, hazardous materials and vapors, noise, and vehicle miles traveled (VMT), which can be reduced to less than significant with mitigation measures. The City of San José shall adopt a Mitigation Monitoring and Reporting Program to ensure compliance with the mitigation measures identified in the MND. The project site is currently developed with structures and does not provide a natural habitat for either fish or wildlife. The subdivision and subsequent improvements are not likely to cause serious public health problems.

Planned Development Permit Findings

To make the Planned Development Permit findings pursuant to San José Municipal Code Section 20.100.940, and recommend approval to the City Council, the Planning Commission must determine that:

1. The Planned Development Permit, as issued, is consistent with and furthers the policies of the General Plan.

Analysis: As discussed in Section 3, General Plan Conformance, the project is consistent with the General Plan Land Use Designation of Residential Neighborhood as it would allow the construction of 25 detached single-family houses with a similar density to the surrounding residential neighborhoods to the north and south. All lots would have frontage on the new private streets. The rezoning to the R-1-8(PD) Planned Development Zoning District would allow for tailored development standards to reach the density of 9.2 DU/AC, which is consistent with the 16.2 DU/AC density of the surrounding area. The project is also consistent with General Plan Major Strategy #3, which encourages housing growth in urban villages, and policies to promote rezoning of properties where the existing zoning is inconsistent with the General Plan land use designation and encourage housing development.

2. The Planned Development Permit, as issued, conforms in all respects to the Planned Development Zoning of the property; and

Analysis: The project conforms with the Development Standards of the General Development Plan for the Planned Development Zoning District established for the site (File No. PDC23-008). The newly created R-1-8(PD) Planned Development Zoning District would allow for the construction of the single-family houses as uses that conform with the R-1-8 Zoning District, as amended. Permitted, Special, and Conditional Uses would be subject to the approval of a Planned Development Permit. As discussed in Section 4, Municipal Code Conformance, the project conforms with all required lot sizes, setbacks, heights, open space, and parking requirements of the Planned Development Zoning District. Additionally, as discussed in the Tree Removal Permit Findings below, the project is consistent with all tree removal replacement requirements.

3. The Planned Development Permit, as approved, is consistent with applicable City Council Policies, or counterbalancing considerations justify the inconsistency; and

Analysis: Staff followed City Council Policy 6-30: Public Outreach Policy to inform the public of the project. An onsite sign has been posted on the project frontage since November 4, 2024. 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. Additionally, a notice of the public hearing was posted in a newspaper of record (San José Post Record) on April 1, 2025. Staff has also been available to respond to questions from the public.

4. The interrelationship between the orientation, location, mass and scale of building volumes, and elevations of proposed buildings, structures, and other uses onsite are appropriate, compatible and aesthetically harmonious; and

Analysis: The interrelationship between the orientation, location, mass, and scale of the building volumes and elevations of the project buildings and other uses onsite are appropriate, compatible, and aesthetically harmonious. The 25 single-family houses have similar height, massing, and articulation, but the project uses a mix of different floor plans, including plans with attached and detached garages, and diverse architectural styles including contemporary interpretations of Mission Colonial, Mediterranean, and Farmhouse styles, among others, to avoid a monotonous development profile. Each of the houses has frontage on a private street, and primary entrances are also oriented toward the street. Lot size and setbacks would vary slightly to accommodate the different floor plans.

5. The environmental impacts of the project, including, but not limited to noise, vibration, dust, drainage, erosion, storm water runoff, and odor which, even if insignificant for purposes of the California Environmental Quality Act (CEQA), will not have an unacceptable negative effect on adjacent property or properties.

Analysis: All environmental impacts related to construction noise, vibration, dust, drainage, erosion, stormwater runoff, and odor would be temporary and would only occur during the construction period. An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for the project and includes mitigation measures to reduce impacts due to construction activity. The impacts of construction would be minimized through adherence to the Mitigation Monitoring and Reporting Program (MMRP) for the project and the standard permit conditions. The project includes extended construction hours on Saturdays from 8:00 a.m. to 5:00 p.m. The Planned Development Permit Resolution includes a condition of approval for the appointment of a Construction Disturbance Coordinator to address any construction-related complaints or concerns. Therefore, the project would not have an unacceptable impact on adjacent properties.

Demolition Permit Findings

Chapter 20.80 of the Municipal Code establishes evaluation criteria for the issuance of a permit to allow for demolition. These criteria are made for the project based on the above stated findings related to General Plan, Zoning and CEQA conformance and for the reasons stated below, and subject to the conditions set forth in the Resolution:

1. The failure to approve the permit would result in the creation or continued existence of a nuisance, blight or dangerous condition;
2. The failure to approve the permit would jeopardize public health, safety or welfare;
3. The approval of the permit should facilitate a project that is compatible with the surrounding neighborhood;

4. The approval of the permit should maintain the supply of existing housing stock in the City of San José;
5. Both inventoried and non-inventoried buildings, sites and districts of historical significance should be preserved to the maximum extent feasible;
6. Rehabilitation or reuse of the existing building would not be feasible; and
7. The demolition, removal, or relocation of the building without an approved replacement building should not have an adverse impact on the surrounding neighborhood.

Analysis: The project includes the demolition of four existing warehouse buildings, four accessory buildings, and a single-family house. The approval of the demolition permit would not result in the creation or continued existence of a nuisance, blight or dangerous condition nor would it jeopardize public health, safety or welfare, as it would allow for the improvement and redevelopment of the site with single-family houses that are consistent with the Residential Neighborhood General Plan land use designation and the R-1-8(PD) Planned Development Zoning District. The demolition permit would facilitate a redevelopment project that is compatible with the surrounding neighborhood. As previously discussed, the project is consistent with all applicable General Plan goals and policies, Planned Development Zoning requirements, applicable city council policies, and design guidelines. The project's 25 single-family houses and five ADUs would replace the one single-family house on the site. Based on the Senate Bill 330 Replacement Unit Determination conducted by the Housing Department, the project is not subject to any affordability requirements for the single-family house to be demolished.

As discussed in Section 2, Project Description, the existing single-family house was built in 1935, while the warehouse and accessory buildings were constructed between the 1950s and the 1980s. A historic evaluation of the property conducted by TreanorHL and dated September 19, 2022, found that neither the property nor the existing structures meet the criteria for historical significance at the local, state, or national level.

Tree Removal Permit Findings

Table: Tree Replacement Ratios				
Circumference of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Each Replacement Tree
	Native	Non-Native	Orchard	
38 inches or more	5:1	4:1	3:1	15-gallon
19 to 38 inches	3:1	2:1	None	15-gallon
Less than 19 inches	1:1	1:1	None	15-gallon
<p>x:x = tree replacement to tree loss ratio</p> <p>Note: Trees greater than or equal to 38-inch circumference measured at 54 inches above natural grade shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees. For Multifamily residential, Commercial and Industrial properties, a permit is required for removal of trees of any size.</p> <p>A 38-inch tree equals 12.1 inches in diameter.</p> <p>A 24-inch box replacement tree = two 15-gallon replacement trees</p>				

In order to make the Tree Removal findings pursuant to Section 13.32.100 of the San José Municipal Code and recommend approval to the City Council, Planning Commission must determine that:

1. That the condition of the tree with respect to disease, danger of falling, proximity to an existing or proposed structure, and/or interference with utility services, is such that preservation of the public health or safety requires its removal.
2. That the location of the tree with respect to a proposed improvement unreasonably restricts the economic development of the parcel in question.

Analysis: The project includes the removal of 11 ordinance-size and eight non-ordinance-size trees. The trees to be removed are located either within the building footprint or within the private streets, necessary driveways, or bioretention areas. The trees to be removed include Ash (3), Privet (1), Eastern Black Walnut (5), Plum (1), Almond (4), Coast Live Oak (1), Peruvian Peppertree (2), Avocado (1), and Olive (1). The removal of the onsite trees requires the planting of 59 (15-gallon) replacement trees onsite. Based on the plans provided, 29 15-gallon trees and 31 24-inch box trees (each equivalent to two 15-gallon trees) would be planted onsite, consistent with the requirement. The trees to be planted include a mix of Carolina Cherry Laurel (25), Boxelder Maple (4), Japanese Maple (4), Marina Strawberry (8), Oklahoma Redbud (4), Key Lime (1), Crape Myrtle, (8), Coast Live Oak (2), and Valley Oak (4).

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The City of San José, as the lead agency for the subject project, prepared an Initial Study/Mitigated Negative Declaration (IS/MND) in compliance with CEQA. The 3315 Sierra Road Residential Project IS/MND was circulated for public review and comment for 21 days from May 22, 2024, through June 12, 2024. Comments were received from four public agencies and organizations. Comments received requested clarifying information be added to the IS/MND. No comments required substantive changes to any CEQA analysis.

City staff prepared a Response to Comments document and made it available to all commenters and posted it on the project's page in the City's Environmental Review Documents website. The comments received on the IS/MND did not raise any new issues about the project's environmental impacts or provide information indicating the project would result in new environmental impacts or impacts substantially greater in severity than disclosed in the IS/MND. Minor revisions were added to the text of the IS/MND and are included in the Response to Comments document. The text revisions do not constitute a "substantial revision" pursuant to CEQA Guidelines Section 15073.5 and recirculation of the MND is not required.

The Initial Study concluded that the project would not result in any significant and unavoidable environmental impacts with implementation of identified mitigation measures. The MND includes impacts related to Biological Resources, Noise, Hazards and Hazardous Materials, and Transportation. The project includes a Mitigation Monitoring and Reporting Program to lessen the identified impacts to a less than significant level. Therefore, an EIR is not required, and an Initial Study/Mitigated Negative Declaration is the appropriate level of CEQA clearance for the project.

The entire IS/MND, Responses to Comments, and other related environmental documents are available on the Planning website at: <https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/negative-declaration-initial-studies/3315-sierra-road-residential-project-pdc23-008>

PUBLIC OUTREACH

City Council Policy 6-30

Staff followed Council Policy 6-30: Public Outreach Policy in order to inform the public of the project. An onsite sign has been posted on the project frontage since November 4, 2024. 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. Additionally, a notice of the public hearing was posted in a newspaper of record (San José Post Record) on April 1, 2025. The staff report is also posted on the City's website. Staff has also been available to respond to questions from the public.

Project Manager: Kora McNaughton

Approved by: /s/ John Tu, Division Manager for Christopher Burton, Planning Director

Please click on the title of each exhibit to view the document:

ATTACHMENTS:	
Exhibit A:	Aerial Map (Page 18)
Exhibit B:	General Plan Map (Page 19)
Exhibit C:	Zoning Map (Page 20)
Exhibit D:	Draft CEQA Resolution
Exhibit E:	Mitigation Monitoring and Reporting Program (MMRP)
Exhibit F:	Draft Planned Development Zoning Ordinance
Exhibit G:	Draft Vesting Tentative Map Resolution
Exhibit H:	Draft Planned Development Permit Resolution
Exhibit I:	Planned Development Zoning Plan Set
Exhibit J:	Vesting Tentative Map Plan Set
Exhibit K:	Planned Development Permit Plan Set
Exhibit L:	Draft Development Standards
Exhibit M:	Legal Description and Plat Map
Exhibit N:	Arborist Report

Applicant:	Owner
Robson Homes, LLC 2185 The Alameda San José, CA 95126	Olivera Family Limited Partnership PO Box 32126 San José, CA 95152

Exhibit A – Aerial Map



Exhibit B – General Plan Map

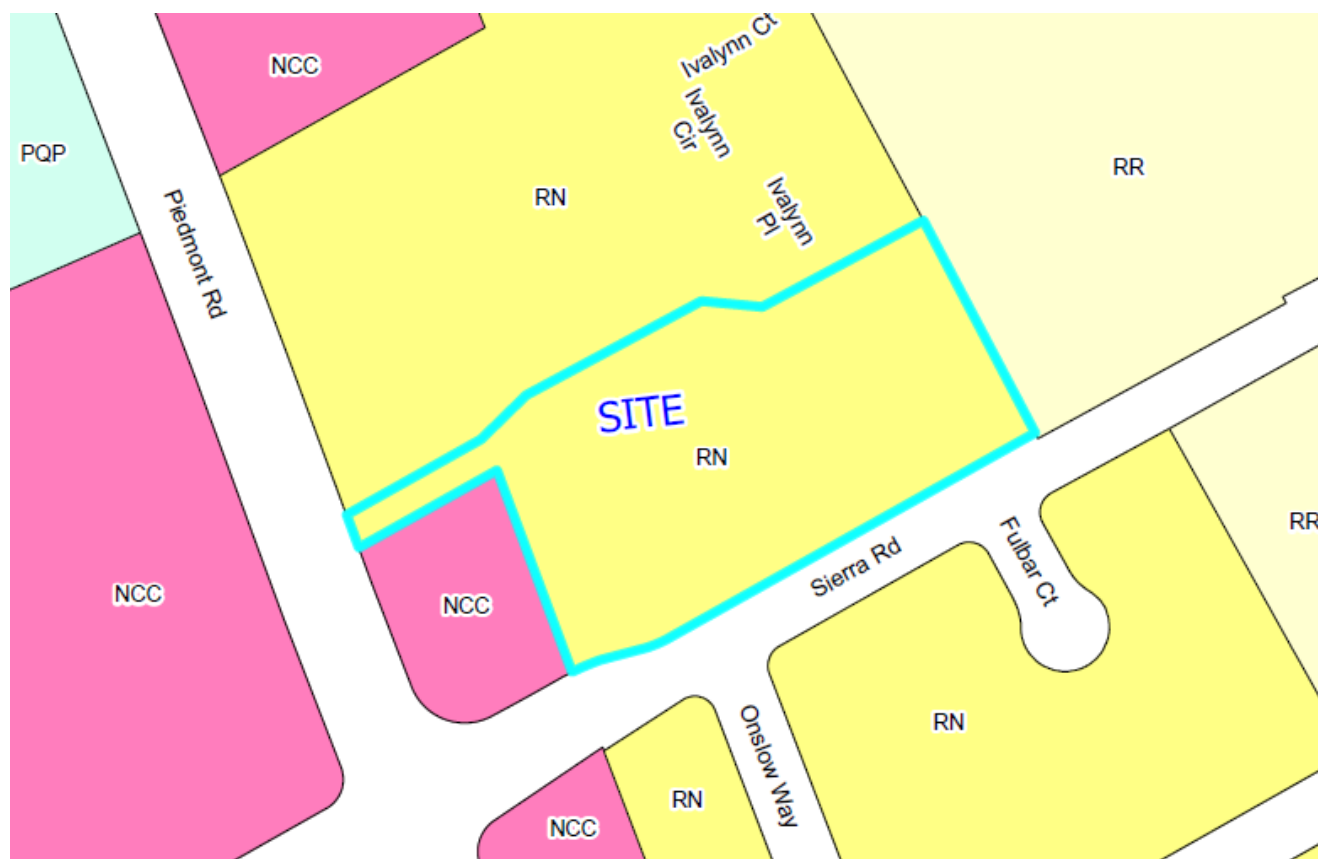


Exhibit C – Zoning Map

