



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Councilmember
Donald Rocha

SUBJECT: PDC14-042

DATE: March 24, 2015

Approved

Date

3/24/15

RECOMMENDATION

1. Approve the Planning Commission's recommendation that the City Council approve the requested Planned Development Rezoning for the subject property with the expectation that the following items, shown on the revised conceptual site plan attached to the supplemental staff report for this item dated March 24, will be implemented at the planned development permit stage:
 - a. The distribution of bedrooms between units will be consistent with the matrix on sheet A1 of the revised plans, summarized in the third column of the below table:

Number of bedrooms	Number of units (original plan)	Number of units (revised plan)
2	9	9
3	0	5
4	15	10
Total	24	24

- b. Notwithstanding the reduction in bedrooms, the project will provide at least 64 city-recognized parking spaces, as shown in the parking matrix on sheet A1 of the revised plans.
 - c. The trees planted along the eastern end of the rear property line shall be of a variety that will minimize tree debris dropping into the pool of the adjacent property owner and shall have a root block installed, as indicated on the preliminary landscape plan. The site shall be adequately screened with landscaping along all other property lines.
 - d. The garage doors shall include windows that allow vision into the garage. The developer has committed to include CC&Rs on the property that would require garages be kept clear for parking. While the City cannot impose or enforce CC&Rs, we can make it easier for a future HOA to enforce them by allowing vision into garages.

- e. The height of the 5-plex buildings shall be no more than 36' 11" and the height of the 4-plex buildings shall be no more than 37'5", as shown on the revised plans.
2. Direct staff to work with the developer to determine whether there may be an opportunity for the developer to assist with funding a "road diet" on Branham Ln., which would involve a reduction of Branham from six lanes to four lanes between Almaden Expressway and Vistapark Drive. This reduction would be consistent with the plan for Branham in the 2040 General Plan.

ANALYSIS

This project proposes 24 townhouses on a 1.19 acre site that fronts the north side of Branham Lane between Almaden Expressway and Pearl Ave. With Recommendation 1 above, I propose that the Council approve the project, while at the same time memorializing changes that have been made to the conceptual site plan (some of them as recently as March 20th) to ensure that they are fully implemented at the permit stage.

Neighborhood Context

There are a number of preexisting multifamily developments in the immediate vicinity of the project site. A row house development sits immediately to the west along Branham, and an apartment development sits immediately to the east. During the community outreach for this project, I've consistently heard concerns about parking spillover from these existing Branham Ln. developments onto the smaller residential streets that adjoin Branham, both to north and south. Many residents are concerned that the addition of 24 townhouses will increase the number of cars parked on their streets.

I know many of my colleagues on the Council hear similar concerns about parking spillover from their residents, and that heavily used on-street parking is not an unusual occurrence in San Jose. I would note for the Council, however, that the concern in this case is not just one of convenience, but also one of safety. As outlined in the Erikson Neighborhood Association letter dated February 9 (included in the Council packet) residents on the north side of Branham are known to jaywalk across Branham, a six lane street, to reach their cars parked on streets that adjoin Branham to the south. This is a preexisting safety concern larger than just the development before us now, but I do think it bears some thoughtful consideration.

Revised Conceptual Site Plan

On March 20, the applicant issued a revised conceptual site plan that makes changes to the project in response to the community's concern about parking. Specifically, it proposes to reduce the number of bedrooms in the project, while maintaining the same number of parking spaces (the parking requirement for any given residential unit is based on the number of bedrooms it contains.) I've memorialized this change in Recommendation 1 above to create the clear expectation that it will be implemented at the permit stage.

I've also noted two other revisions to the plans, made in response to neighborhood concerns prior to the March 20th revisions. They involve sensitivity to appropriate tree species along the rear property line and a reduction in the height of the project. These revisions should also be carried through to the permit stage.

Larger Approach to Safety on Branham

Beyond any revisions made to the project before us now, I believe the City should consider changes to Branham that would enhance safety. Branham is currently a six lane street between Almaden Expressway and Vistapark Drive; however, General Plan 2040 provides policy authority to reduce it from six lanes to four lanes. Implementing this lane reduction could have many positive effects. In addition to enhancing pedestrian safety, a lane reduction could potentially allow for more on-street parking while at the same time retaining or enhancing the existing bike lane. In Recommendation 2, I suggest that staff work with the developer to determine whether there may be an opportunity for them to support the lane reduction. Regardless of whether the developer contributes or not, this is a project that could be funded by the City in the future. My colleagues should expect that I will submit a budget request for this in the upcoming budget cycle.

Appropriate Project Density

In addition to the parking concern, I've heard a related concern from some nearby residents that the project is too dense for the neighborhood. I can understand their concern, but would point out that the project density of 20 units to the acre is well below the density of 30 units allowed under the General Plan. It's also fairly low density compared to other development occurring in other parts of the City. I'm sensitive to the concern that we should limit project density in suburban areas, but that concern needs to be balanced by an appreciation for the dire need for housing in our area. Housing prices are unreasonably high in part because supply does not meet demand. One small infill site is not going to solve that problem, but I do think it's an important principle of fairness that all parts of the City support housing growth at densities reasonably compatible with existing neighborhoods.

My one serious disappointment with this project is its failure to provide adequate common open space. The residential design guidelines require 3,600 square feet of common open space for a project of this size, but only 570 square feet are provided. I think it's a fair criticize this project for not eliminating one or more units to at least come close to meeting the open space standard. Even though staff did not as for the open space standard to be met, I would have like to have seen the developer step up and do more.