

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building and Code Enforcement
200 East Santa Clara Street
San José, California 95113

Hearing Date/Agenda Number
CC: 3-18-2008 11.1(a)

File Number: C08-007

Application Type:
Conforming Conventional Rezoning

Council District:
1

Planning Area: West Valley
SNI Area: N/A

Assessor's Parcel Number: 296-27-003 &
004

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Ed Schreiner

Location: South side of Stevens Creek Boulevard, approximately 300 feet easterly of Loma Linda Drive

Gross Acreage: 0.96

Net Acreage: N/A Net Density: N/A

Existing Zoning: CG – Commercial General

Existing Use: Auto Sales

Proposed Zoning: CN – Commercial Neighborhood

Proposed Use: Auto Sales

GENERAL PLAN

Land Use/Transportation Diagram Designation:
General Commercial

Project Conformance:
 Yes No
 See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

North: Commercial

City of Santa Clara

East: Retail

CG Commercial General

South: Single Family Detached

R-1-8 Single Family Residence

West: Retail/Vehicle Sales

CG Commercial General

ENVIRONMENTAL STATUS

Environmental Impact Report (GP2020 EIR certified 8-16-94)
 Negative Declaration circulated on
 Negative Declaration adopted on

Exempt
 Environmental Review Incomplete

FILE HISTORY

Date Filed: January 30, 2008

Annexation Title: Moreland No. 3

Date: May 18, 1955

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval
 Approval with Conditions
 Denial
 Uphold Director's Decision

Date: 2-25-08

Approved by: 
 Action
 Recommendation

OWNERS

APPLICANTS

Tronis Stevens Cr Tully Props Fam Lp
2618 12th Avenue
Kingsburg, CA 95307

David Meese, British Motors
901 Van Ness Avenue
San Francisco, CA 94109

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: E.Schreiner

Department of Public Works: None

Other Departments and Agencies: None

GENERAL CORRESPONDENCE:

None received

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The property owner is requesting a conforming rezoning of the subject property from the CG Commercial General Zoning District to the CN Commercial Neighborhood Zoning District to allow for a smaller front setback for a proposed building and parking area.

The 0.96 gross acre site is currently composed of two parcels and developed with a used car lot with one small, approximately 1,100 square foot building constructed in 1964. Any future alterations to the site would require a subsequent Site Development Permit or Conditional Use Permit.

The site is almost square in shape, with approximately 200 feet of frontage along Stevens Creek Boulevard. The site is surrounded by a commercial uses to the north, east and west and by single-family detached residential to the south.

GENERAL PLAN CONFORMANCE

The proposed rezoning to the CN Commercial Neighborhood Zoning District is consistent with the site's San Jose 2020 General Plan Land Use/Transportation Diagram designation of General Commercial in that this designation supports a variety of commercial uses including retail automobile sales.

ENVIRONMENTAL REVIEW

The environmental impacts of this project were addressed by a Final EIR entitled, "San José 2020 General Plan EIR." On August 16, 1994, the City Council adopted Resolution Number 65459 making findings for adoption of the San Jose 2020 General Plan.

ANALYSIS

The proposed rezoning to CN Commercial Neighborhood Zoning District would facilitate commercial uses consistent with the enumerated uses noted in the Zoning Ordinance and the General Commercial General Plan designation.

The proposed rezoning to the CN Commercial Neighborhood Zoning District will facilitate the potential construction of a new automobile dealership for Smart Car. A Conditional Use Permit (File No. CP08-011) is on file with the City for this proposed automobile dealership which will include a new 8,108 square foot sales/service building. The rezoning will allow a smaller setback for building and parking adjacent to Stevens Creek Boulevard. The current zoning would require a 25-foot front setback. The smaller front setback allowed by the CN Zoning District would be consistent with existing development on both sides of Stevens Creek Boulevard in San Jose and Santa Clara.

PUBLIC OUTREACH

The property owners and occupants within a 500-foot radius were sent public hearing notices for the City Council hearing. This staff report has been posted on the City's web site. Signage has been posted at the site to inform the public about the proposed change. Staff has been available to discuss the proposal with interested members of the public.

COORDINATION

This project was coordinated with the Department of Public Works, Fire Department, Building Division, Environmental Services Department and the City Attorney.

RECOMMENDATION

Planning staff recommends approval of the proposed zoning for the following reasons:

1. The proposed rezoning is in conformance with the General Plan Land Use/Transportation Diagram designation of General Commercial.
2. The proposed rezoning would allow commercial uses on this site which are compatible with the surrounding commercial and residential uses.

Attachments:
Location Map



Approx. Scale: 1" = 300'

Map Created On: 01/30/2008

Noticing Radius: 500 feet

File No: C08-007, CP08-011

District: 1

Quad No: 81