

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: 03-18-08 Item No. 11.1(b)

File Number: C07-065

STAFF REPORT

Application Type:
Conforming Conventional Rezoning

Council District: 6

Planning Area:
Central

Assessor's Parcel Number:
274-17-085, -011, -012, -013

PROJECT DESCRIPTION

Completed by: Sanhita Mallick

Location: Northwest corner of West San Carlos and Brooklyn Avenue

Gross Acreage: 2.78

Net Acreage: 2.78

Net Density: N/A

Existing Zoning: Unincorporated County

Existing Use: Vacant

Proposed Zoning: CP Commercial Pedestrian, R-1-8
Single Family Residence District

Proposed Use: Retail

GENERAL PLAN

Land Use/Transportation Diagram Designation:
GC, General Commercial, Medium Low Density Residential (8.0
DU/AC)

Project Conformance:
 Yes No
 See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

North: Detached single-family residence

Unincorporated County

East: Retail Commercial

Unincorporated County

South: Commercial, West San Carlos Street

Unincorporated County

West: Commercial

Unincorporated County

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: August 22, 2007

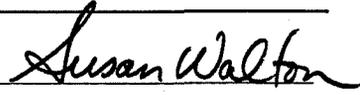
Annexation Title: Not Applicable

Date: Not Applicable

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval
 Approval with Conditions
 Denial
 Uphold Director's Decision

Date: 02-26-2008

Approved by: 
 Action
 Recommendation

OWNERS

Chase Jiannalone
99Cent only Stores
7 Evans Place
Orinda CA 94563

ARCHITECT

Martin Lakey
RHL Design Group
1550 140th Avenue STE 100
Bellevue WA 98005

PUBLIC AGENCY COMMENTS RECEIVED

Department of Public Works: None

Other Departments and Agencies: None

GENERAL CORRESPONDENCE: None received

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The property owner, 99 Cent Only Stores Inc., is requesting a conforming conventional rezoning of the subject property from the Unincorporated County to CP-Commercial Pedestrian and R-1-8 Single Family Residence Zoning District to allow commercial uses and an existing parking lot for the use of the existing retail building. Under the City-County agreement, the rezoning and subsequent annexation of the parcels to the City is necessary because of the façade and site modifications proposed for the existing retail development.

The "L-shaped" site is comprised of seven legal parcels (see attached Parcels map). Four parcels front on West San Carlos Street with approximately 167 feet of frontage. These parcels are proposed to be zoned CP-Commercial Pedestrian. The three parcels that front on Brooklyn Avenue with a 135 foot frontage, are proposed to be zoned R-1-8 Single Family Residence Zoning District.

The 0.87 gross acre developed site is currently developed with one approximately 13,600 square-foot commercial building constructed in 1924, and an approximately 13,000 square-foot parking lot to serve the commercial use. The building is currently vacant. Physical changes to the site and to the existing building are not considered as part of this application. A Site Development Permit, currently under review by staff, proposes façade modification and upgrade of the existing parking lot (File No. H07-049).

The site is surrounded by single-family detached residence to the north and retail-commercial use to the west, south and east.

GENERAL PLAN CONFORMANCE

The parcels fronting along West San Carlos Street have General Plan Land Use designation of General Commercial. The proposed rezoning to the CP-Commercial Pedestrian Zoning District is consistent with this designation of General Commercial in that this designation supports a wide variety of commercial uses, and allows development of pedestrian-friendly buildings along a major transit corridor.

The proposed rezoning to R-1-8 Single Family Residence Zoning District for the rear parcels conforms to the Plan Land Use designation of Medium Low Density Residential (8 DU/AC) for these parcels. The existing parking lot can be found to conform to this residential designation, and its compatibility with the adjacent residential will be enhanced through proposed site upgrades.

ENVIRONMENTAL REVIEW

The environmental impacts of this project were addressed by a Final EIR entitled, "San José 2020 General Plan," and certified on August 16, 1994, by the City of San José City Council.

ANALYSIS

The proposed rezoning to CP - Commercial Pedestrian Zoning District for the front parcels would facilitate commercial uses consistent with the General Plan designation of General Commercial, and will facilitate development in a manner consistent with the development pattern along West San Carlos Street, which is a major transit corridor. The zoning district of the nearby commercial developments on San Carlos is compatible with this proposal. The development standards of CP-Commercial Pedestrian Zoning District do not require a minimum front setback. This will facilitate the potential redevelopment of the subject with an urban development pattern supportive of pedestrians.

The proposed rezoning of the rear parcels to R-1-8 Single Family Residence District will facilitate future redevelopment of the parcels in a manner compatible to the surrounding predominantly residential uses. However, these parcels are currently developed with a parking lot associated with the retail use of the front parcels and would therefore be considered as a legal-nonconforming parking lot after rezoning. Some upgrade to the existing parking lot is proposed through the pending Site Development Permit.

Approximately 2 acres of West San Carlos Street and other minor streets in the vicinity will be annexed as part of the proposed annexation in compliance with the Road Policy of the Local Area Formation Commission (LAFCO). This annexation will connect two non-contiguous city-owned portions of San Carlos Street, located about 300 feet to the west of the property and 176 feet to the east of the property, as shown on the attached Annexation Area Map, to facilitate better service. The total area to be rezoned and ultimately annexed into the City is 2.78 acres, inclusive of these roadways.

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 and a copy of the public hearing notice have been posted on the City's web site. Signage has been posted at the site to inform the public about the proposed rezoning change. Staff has been available to discuss the proposal with interested members of the public. Staff has received no comments from 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 designations of General Commercial and Medium Low Density Residential (8 DU/AC).
2. This rezoning could facilitate a retail use on this property compatible to the existing and future development along a major transit corridor.

Attachments:

Location Map

Parcels Map

Annexation Area Map



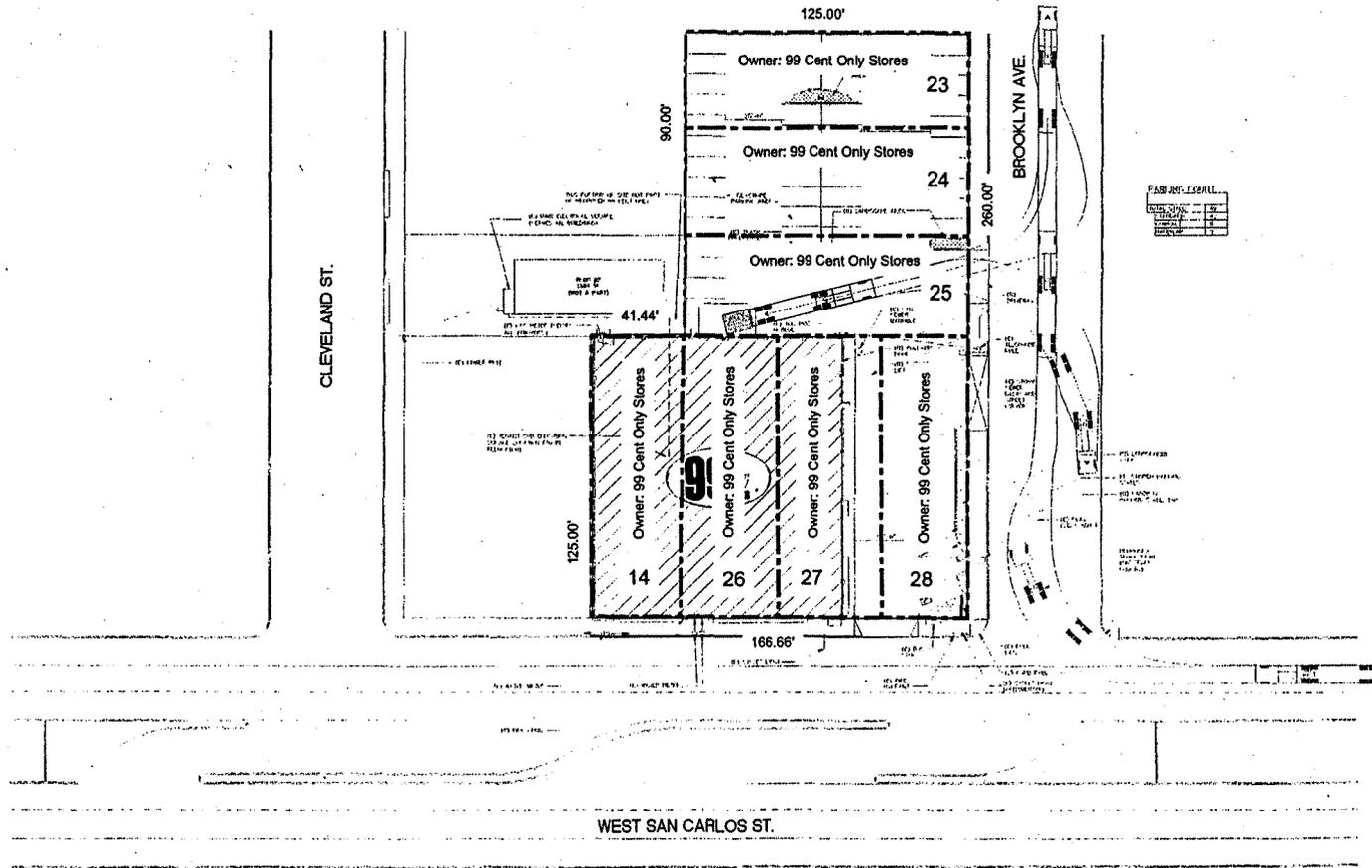
Approx. Scale: 1" = 300'
Map Created On: 02/25/2008
Noticing Radius: 500 feet

File No: C07-065

District: 6

Quad No: 82

EXHIBIT B



Plot Plan Prepared: October 1, 2007

*No known active or deactivated water wells on the property.



Group Inc.
 PROJECT:
 LOCATION:
 DATE:
 DRAWN BY:
 CHECKED BY:
 APPROVED BY:

NO.	DATE	REVISION

NO.	DATE	REVISION

TENANT IMPROVEMENT
 1915 W SAN CARLOS AVE
 SAN JOSE, CA

DATE	BY	REVISION

SITE PLAN

