

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

STAFF REPORT

Hearing Date/Agenda Number
C.C. 03-16-04 Item No.

File Number
PDC03-106

Application Type
Conforming Planned Development Rezoning

Council District
4

Planning Area
Berryessa

Assessor's Parcel Number(s)
241-08-018

PROJECT DESCRIPTION

Completed by: Caleb Gretton

Location: North side of Berryessa Road approximately 50 feet easterly of Mabury Road (929 Berryessa Road)

Gross Acreage: 5.18

Net Acreage: 5.17

Net Density: N/A

Existing Zoning: A(PD) Planned Development

Existing Use: Incubator industrial and warehouse

Proposed Zoning: A(PD) Planned Development

Proposed Use: Incubator industrial

GENERAL PLAN

Completed by: CG

Land Use/Transportation Diagram Designation
Heavy Industrial/ North San Jose Development Policy Area

Project Conformance:
 Yes No
 See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: CG

North: Industrial

HI Heavy Industrial

East: Industrial

HI Heavy Industrial

South: 101 Freeway/ Animal Hospital

HI Heavy Industrial

West: Industrial

HI Heavy Industrial

ENVIRONMENTAL STATUS

Completed by: CG

Environmental Impact Report
 Negative Declaration circulated on May 2, 2001

Exempt
 Environmental Review Incomplete

FILE HISTORY

Completed by: CG

Annexation Title: Orchard No. 41

Date: 9-13-1965

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval
 Approval with Conditions

Date: _____

Approved by: _____
 Action
 Recommendation

OWNER/ DEVELOPER/ APPLICANT

Borelli Investment Corp.
Ralph Borelli
1770 Technology Dr.
San Jose, CA 95110

PUBLIC AGENCY COMMENTS RECEIVEDCompleted by:CG

See Memorandum

Other Departments and Agencies

See memos from, the San Jose Fire Department, and Environmental Services Department

GENERAL CORRESPONDENCE

None received.

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

On December 17, 2003, the applicant, Borelli Investment Company, filed a Planned Development Rezoning application for a 5.18 gross acre site located on the north side of Berryessa Road approximately 50 feet easterly of Mabury Road. A Planned Development rezoning is required to expand the permitted uses of an existing building, which is limited to warehouse use only under the current Planned Development zoning district.

The applicant is requesting the rezoning to expand the range of permitted uses of the existing warehouse building to include medium and heavy manufacturing, and storage, in addition to warehouse use. The proposal includes only those uses that are consistent with the site's HI Heavy Industrial General Plan Land Use/Transportation diagram designation, and that generate a number of vehicle trips equal to or less than the number of vehicle trips generated by the existing warehouse use. This use restriction is necessary in order to conform to the requirements of the North San Jose Area Development Policy (see analysis below).

The site is developed with seven incubator industrial buildings totaling 81,057 square feet and one 9,943 square foot warehouse building. The site is fully improved with surface parking and landscaping that meet the current industrial development standards per the previously approved Planned Development permit (File No. PD01-062).

The site is surrounded by primarily industrial uses, with the exception of an animal shelter to the south across Berryessa Road. To the north, east and west are industrial uses, including a construction yard, incubator industrial, outdoor storage, and manufacturing.

Permit History

On June 26, 2001, a Planned Development Rezoning (File No. PDC00-124), was approved by the City Council to allow construction of up to 81,057 square feet of heavy industrial uses and 9,943 square feet of warehouse use on the subject property. A subsequent Planned Development Permit (PD01-062) was issued to effectuate this zoning and allow construction of the eight buildings.

General Plan Land Use/Transportation Diagram Conformance

The site has a designation of HI Heavy Industrial on the San Jose 2020 General Plan Land Use/Transportation Diagram. The proposed A(PD) Planned Development zoning district is consistent with this Land Use designation.

ENVIRONMENTAL REVIEW

The environmental impacts of this project were addressed by a Negative Declaration prepared for essentially the same project, File No. PDC00-124 and adopted on May 22, 2001.

ANALYSIS

The key issue for this Planned Development rezoning is compliance with the North San Jose Area Development Policy. To improve the traffic conditions in northern Santa Clara County, the City of San Jose adopted an Area Development Policy for North San Jose. This policy establishes a maximum Floor Area Ratio (FAR) “cap” for all industrial development within the policy area. The “cap” provides for an average 0.40 FAR for industrial lands within 2,000 feet of transit stations, and an average of 0.35 for all other lands. Uses which support the prevailing industrial uses, and both internalize trips and encourage ride sharing or transit usage, are exempt from being considered in the calculation of the FAR, and therefore are exempt from the “cap.” These uses include retail and service commercial, branch banks, restaurants, hotels, and residential. Warehouses are exempted if they have enforceable restrictions (such as through a PD zoning), which preclude conversion to a more intense use.

The proposed rezoning would allow some additional use of the existing warehouse structure; however, the permitted uses will be limited to only those uses that generate the same or fewer vehicle trips than the existing warehouse use. Public Works applies technical standards for trip generation, which show that all manufacturing and storage uses generate fewer vehicle trips than warehouse uses. Warehouse uses typically generate 5 trips per 1,000 square feet of space, manufacturing uses generate 4 trips per 1,000 square feet of space, and storage uses generate 3 trips per 1,000 square feet. Therefore, the proposed rezoning would not allow a use that is more intense with regards to traffic generation than the existing warehouse, and therefore, meets the intent of the North San Jose Area Development Policy.

Conclusion

The proposed rezoning would permit an existing industrial structure to be used for manufacturing, storage and warehouse uses. The new permitted uses will not generate additional vehicle trips than the existing allowed warehouse use, and are consistent with the General Plan designation of Heavy Industrial. Planning staff supports the proposal and recommends that the City Council approve the rezoning based on the proposed project’s consistency with the General Plan, and the goals and policies of the North San Jose Area Development Policy.

PUBLIC OUTREACH

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 has been published in the local newspaper. Staff has been available to discuss the proposal with members of the public.

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 Heavy Industrial.
2. The proposed rezoning is compatible with surrounding land uses.
3. The proposed rezoning is consistent with the goals of the North San Jose Area Development Policy.