

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

Hearing Date/Agenda Number  
C.C. 04-19-05

4-19-05  
11.5

## STAFF REPORT

File Number  
C05-008

Application Type  
Conforming Rezoning

Council District  
4

Planning Area  
North San Jose

Assessor's Parcel Number(s)  
237-29-001

### PROJECT DESCRIPTION

Completed by: **Sanhita Mallick**

Location: West side of Junction Avenue, approximately 600 feet southerly of Charcot Avenue

Gross Acreage: 4.45      Net Acreage: 4.45      Net Density: N/A

Existing Zoning: HI-Heavy Industrial      Existing Use: Research and Development/Manufacturing/Vacant

Proposed Zoning: IP- Industrial Park      Proposed Use: Office

### GENERAL PLAN

Completed by: **SM**

Land Use/Transportation Diagram Designation

Project Conformance:  
 Yes     No  
 See Analysis and Recommendations

Industrial Park

### SURROUNDING LAND USES AND ZONING

Completed by: **SM**

North: Industrial Use      LI(PD) Planned Development District

East: Industrial Use      HI-Heavy Industrial

South: Industrial Use      LI(PD) Planned Development District

West: Industrial Use      LI(PD) Planned Development District

### ENVIRONMENTAL STATUS

Completed by: **SM**

Environmental Impact Report found complete (GP 2020 EIR certified  
8/16/1994)  
 Negative Declaration circulated on  
 Negative Declaration adopted on

Exempt  
 Environmental Review Incomplete

### FILE HISTORY

Completed by: **SM**

Annexation Title: Orchard No. 29

Date: 6/23/1960

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval  
 Approval with Conditions  
 Denial  
 Uphold Director's Decision

Date March 30, 2005

Approved by: *Jean Hamill*  
 Action  
 Recommendation

### APPLICANT/OWNER/DEVELOPER

DMV Sub4 LLC.  
555 California Street  
San Francisco CA 94104

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**PUBLIC AGENCY COMMENTS RECEIVED**

Completed by: SM

Department of Public Works

See attached memo

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**Other Departments and Agencies****Fire Department : See attached memo**

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**GENERAL CORRESPONDENCE**

None received

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**ANALYSIS AND RECOMMENDATIONS**

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**BACKGROUND**

The property owner is requesting a Conforming Rezoning of the subject 4.45 gross-acre site from *HI-Heavy Industrial Zoning District* to *IP-Industrial Park Zoning District* to facilitate future uses that conform to the site's San Jose 2020 General Plan Land Use/Transportation Diagram designation of Industrial Park. Pursuant to chapter 20.120.100 of the Zoning Ordinance, a zoning application that the Planning Director determines conforms to the Land Use/Transportation Diagram of the General Plan, may be heard by the City Council without a recommendation by the Planning Commission

The Industrial Park zoning designation is an exclusive designation intended for a wide variety of industrial users such as research and development, manufacturing, assembly, testing, and offices. Industrial uses are consistent with this designation insofar as any functional or operational characteristics of a hazardous or nuisance nature can be mitigated through design controls. Areas exclusively for industrial uses may contain a very limited amount of supportive commercial uses, in addition to industrial uses, when those uses are of a scale and design providing support only to the needs of businesses and their employees in the immediate industrial area.

The existing HI Heavy Industrial district is intended for industrial uses with nuisance or hazardous characteristics which for reasons of health, safety, environmental effects, or general welfare are best segregated from other uses. Very limited scale retail sales and service establishments serving nearby businesses and their employees may be considered appropriate where such establishments do not restrict or preclude the ability of surrounding heavy industrial land from being used to its fullest extent and are not of a scale or design that depends on customers from beyond normal walking distances.

**Existing Uses**

The site is currently developed with two detached two-story buildings with a total area of 39,400 square feet. The building on the front portion of the site is currently used for Research and Development Manufacturing while the building on the rear is currently vacant. The site currently provides 286 parking spaces. No change in use is proposed at this time. There are no proposals associated with any major remodel, condominium-subdivision or expansion of the existing

buildings currently on file. Any such proposal would be subject to a subsequent review by the Department of Planning.

The uses surrounding the subject site include industrial uses to the north, south and west, and heavy industrial uses to the east. The neighborhood is generally characterized by predominantly industrial uses.

### **ENVIRONMENTAL REVIEW**

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

The City of San Jose may take action on the proposed project as being within the scope of the General Plan and uses of the Program EIR in that (1) the Final EIR is a Program EIR pursuant to CEQA and CEQA Guidelines Section 15168, (2) it is determined that no new significant impacts will occur from this proposed project, and no new mitigation measures would be required beyond those contained in the General Plan and Final EIR pursuant to CEQA Guidelines 15162.

### **GENERAL PLAN CONFORMANCE**

The site is designated Industrial Park in both the North San Jose Area Development Policy and the San Jose 2020 General Plan Land Use/Transportation Diagram. The Zoning Ordinance, pursuant to section 20.120.110, identifies that the proposed IP Industrial Park Zoning District is consistent with the General Plan Land Use/Transportation Diagram designation of Industrial Park.

### **ANALYSIS**

Planning staff is supportive of the proposed rezoning to IP Industrial Park as it will implement the San Jose 2020 General Plan by facilitating the use of the site which is consistent with the Industrial Park General Plan designation and surrounding area which is designated Industrial Park in the San Jose 2020 General Plan. Given the character of development on this and surrounding area, the IP -Industrial Park is appropriate at this location.

### **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. Staff has been available to answer questions and discuss issues with members of public.

### **COORDINATION**

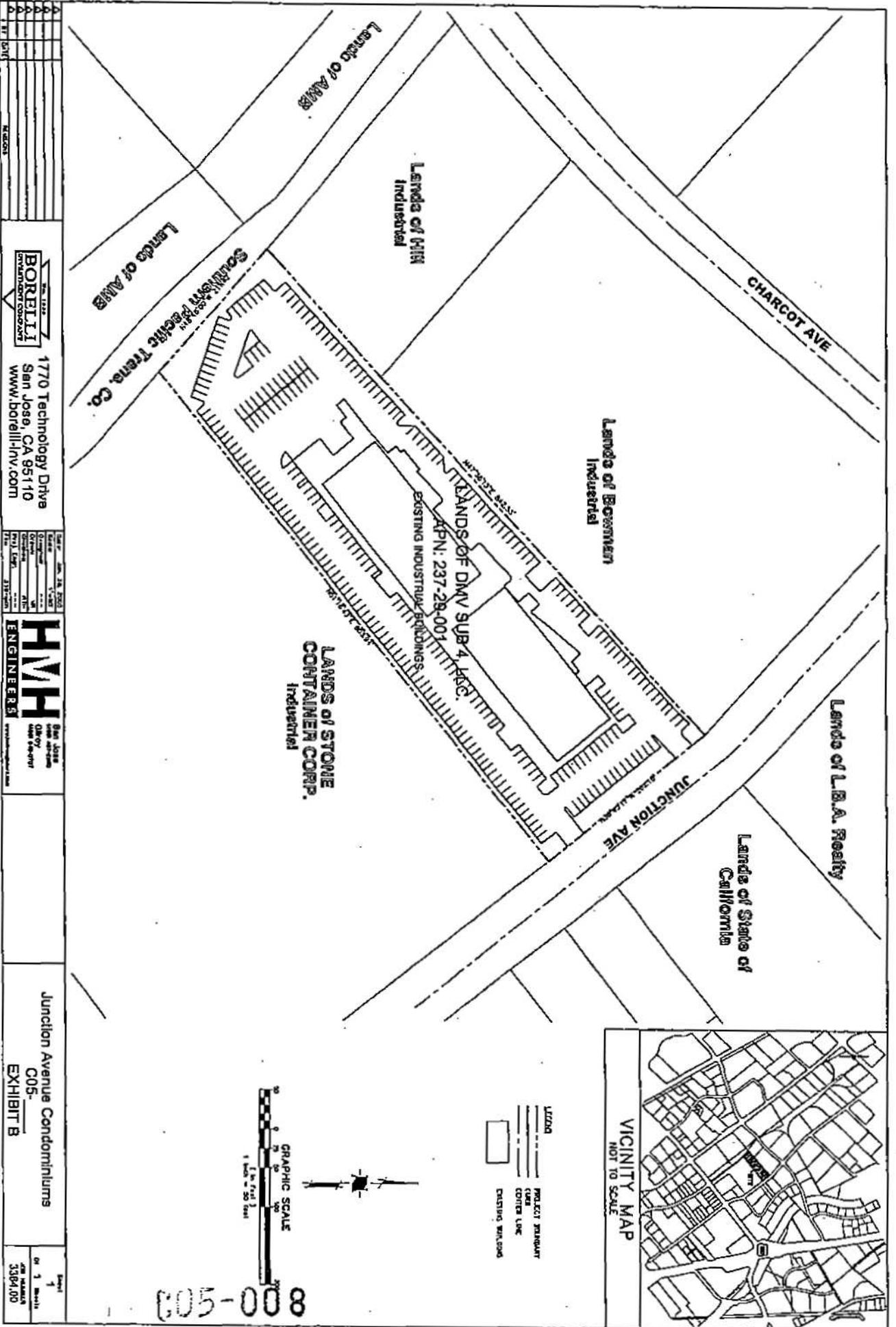
As a standard procedure in the development review process, this project was coordinated with the Department of Public Works, Fire Department, Police Department, Environmental Services Department, Airport Department and the City Attorney.

**RECOMMENDATION**

Planning staff recommends the City Council adopt an ordinance to approve 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 Industrial Park
2. The proposed rezoning is consistent with the North San Jose Development Policy.
3. The proposed rezoning will facilitate development of this site in a way that is compatible with the surrounding uses.

*Attachments:*



NO.	DATE	BY	REVISION
1	05/11/05	HWH	ISSUED FOR PERMITTING
2	05/11/05	HWH	REVISED PER COMMENTS
3	05/11/05	HWH	REVISED PER COMMENTS
4	05/11/05	HWH	REVISED PER COMMENTS
5	05/11/05	HWH	REVISED PER COMMENTS
6	05/11/05	HWH	REVISED PER COMMENTS
7	05/11/05	HWH	REVISED PER COMMENTS
8	05/11/05	HWH	REVISED PER COMMENTS
9	05/11/05	HWH	REVISED PER COMMENTS
10	05/11/05	HWH	REVISED PER COMMENTS
11	05/11/05	HWH	REVISED PER COMMENTS
12	05/11/05	HWH	REVISED PER COMMENTS
13	05/11/05	HWH	REVISED PER COMMENTS
14	05/11/05	HWH	REVISED PER COMMENTS
15	05/11/05	HWH	REVISED PER COMMENTS
16	05/11/05	HWH	REVISED PER COMMENTS
17	05/11/05	HWH	REVISED PER COMMENTS
18	05/11/05	HWH	REVISED PER COMMENTS
19	05/11/05	HWH	REVISED PER COMMENTS
20	05/11/05	HWH	REVISED PER COMMENTS

**BORELLI**  
ENVIRONMENTAL CONSULTANTS

1770 Technology Drive  
San Jose, CA 95110  
www.borelli-hv.com

**HWH**  
ENGINEERS

San Jose  
4000  
San Jose, CA 95128  
www.hwh-engineers.com

Junction Avenue Condominiums  
C05-  
EXHIBIT B

Sheet 1  
OF 1 SHEETS  
DATE PLOTTED  
3/24/05

005-008



**RECEIVED**  
FEB 17 2005  
CITY OF SAN JOSE  
PLANNING DIVISION

# Memorandum

**DATE:** 02/09/05

**TO:** Sanhita Mallick  
**FROM:** Nadiã Naum-Stoian

Re: Plan Review Comments

**PLANNING NO:** C05-008  
**DESCRIPTION:** Conforming Rezoning from HI Heavy Industrial Zoning District to IP Industrial Park Zoning District to allow research and development office uses on a 4.45 gross acre site  
**LOCATION:** west side of Junction Avenue, approximately 600 feet southerly of Charcot Avenue  
**ADDRESS:** west side of Junction Avenue, approximately 600 feet southerly of Charcot Avenue (2051 JUNCTION AV)  
**FOLDER #:** 05 003809 ZN

The Fire Department's review is limited to verifying compliance of the project to Article 9, Appendix III-A, and Appendix III-B of the 2001 California Fire Code with City of San Jose Amendments (SJFC). Compliance to all other applicable fire and building codes and standards relating to fire and panic safety shall be verified by the Fire Department during the Building Permit process.

1. The Fire Department does not recommend approval of the project at this time due to the following discrepancies:
  - Not enough information provided at this time for review.
2. Please advise the applicant to submit plans to the Fire Department that provide the following information:
  - a) Width, length, and grade of the fire apparatus access roads. Every portion of all building exterior walls shall be within 150 feet of an access road. The access roads shall:
    - be at least 20 feet wide;
    - have an unobstructed vertical clearance of not less than 14 feet;
    - be designed and maintained to support the loads of fire apparatus of at least 69,000 pounds;
    - have a minimum inside turning radius of 30 feet and an outside turning radius of 50 feet;
    - be provided with approved provisions for turning around of fire apparatus if it dead ends and is in excess of 150 feet

- Curbs are required to be painted red and marked as "Fire Lane - No Parking" under the following conditions:
  - i) Roads, streets, avenues, and the like that are 20 to less than 26 feet wide measured from face-of-curb to face-of-curb shall have curbs on both sides of the road painted and marked
  - ii) Roads, streets, avenues, and the like that are 26 to less than 32 feet wide measured from face-of-curb to face-of-curb shall have one curb painted and marked

b) Location of fire hydrants.

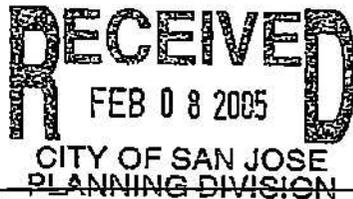
c) Available fire flow. Provide a copy of the letter from the \_\_\_\_\_ (water utility) that indicates the water flow available.

*Site flow requirement may be as high as 4,500 GPM.*

*Note: The plans shall be submitted to the Fire Department by appointment only (call Nadia Naum-Stoian) as soon as possible.*



Nadia Naum-Stoian  
Fire Protection Engineer  
Bureau of Fire Prevention  
Fire Department  
(408) 277-8754



# Memorandum

**TO:** Sanhita Mallick  
Planning and Building

**FROM:** Ebrahim Sohrabi  
Public Works

**SUBJECT: FINAL RESPONSE TO  
DEVELOPMENT APPLICATION**

**DATE:** 2/04/05

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**PLANNING NO.:** C05-008  
**DESCRIPTION:** Conforming Rezoning from HI Heavy Industrial Zoning District to IP Industrial Park Zoning District to allow research and development office uses on a 4.45 gross acre site  
**LOCATION:** west side of Junction Avenue, approximately 600 feet southerly of Charcot Avenue  
**P.W. NUMBER:** 3-05648

Public Works received the subject project on 01/31/05. We have no comments or requirements.

Please contact the Project Engineer, Mirabel Aguilar, at (408) 277-5161 if you have any questions.

Ebrahim Sohrabi  
Senior Civil Engineer  
Transportation and Development Services Division

ES:MA:vt  
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