

4-19-05

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

1166

File Number
C05-011

Application Type
Conforming Prezoning

Council District
6

Planning Area
Central

Assessor's Parcel Number
277-14-046

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Hadasa Lev

Location: West side of Richmond Avenue approximately 150 feet north of Scott Street.

Gross Acreage: 0.13

Net Acreage: 0.82

Net Density: N/A

Existing Zoning: Unincorporated

Existing Use: vacant lot

Proposed Zoning: R-1-8 Residential District

Proposed Use: Single-family residential

GENERAL PLAN

Completed by: HLL

Land Use/Transportation Diagram Designation
Medium Low Density Residential (8.0 DU/AC)

Project Conformance:
 Yes No
 See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: HLL

North: Single Family Residential

R-1-8 Residence District

East: Single Family Residential

R-1-8 Residence District

West: Single Family Residential

R-1-8 Residence District

South: Single Family Residential

R-1-8 Residence District

ENVIRONMENTAL STATUS

Completed by: HLL

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: HLL

Annexation Title: Unincorporated

Date: n/a

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval
 Approval with Conditions
 Denial
 Uphold Director's Decision

Date: March 25, 2005

Approved by: *Susan Walton*
 Action
 Recommendation

OWNER

Leonard Lao
P.O. Box 730395
San Jose, CA 95173

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: HLL

Department of Public Works

None received

Fire

Not received

GENERAL CORRESPONDENCE

None received

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The property owner, Leonard Lao, is requesting a rezoning of the subject 0.13 gross-acre site from unincorporated County to R-1-8 Residence District to allow for a single-family detached use. The site is currently vacant. The site is vacant and is surrounded by single-family detached residential uses to the north, west, east and south. The applicant has filed an annexation application for the subject property.

ENVIRONMENTAL REVIEW

The environmental impacts of this project were addressed by a Final EIR entitled, "San José 2020 General Plan EIR," which was certified on August 16, 1994, by the City of San José City Council Resolution Number: 65459

GENERAL PLAN CONFORMANCE

The site is designated Medium Low Density Residential (8 DU/AC) on the San Jose 2020 General Plan Land Use/Transportation Diagram. The proposed R-1-8 Residence Zoning District is consistent with this designation.

ANALYSIS

The proposed rezoning to R-1-8 Residence District will bring the zoning into conformance with the General Plan and facilitate annexation of the site and implementation of uses that are consistent with the General Plan Land Use/Transportation Diagram and compatible with surrounding uses.

PUBLIC OUTREACH

A notice of the public hearing was published, posted on the City's web site and distributed to the owners and tenants of all properties located within 500 feet of the project site. Staff has been available to discuss the proposal with members of the public.

COORDINATION

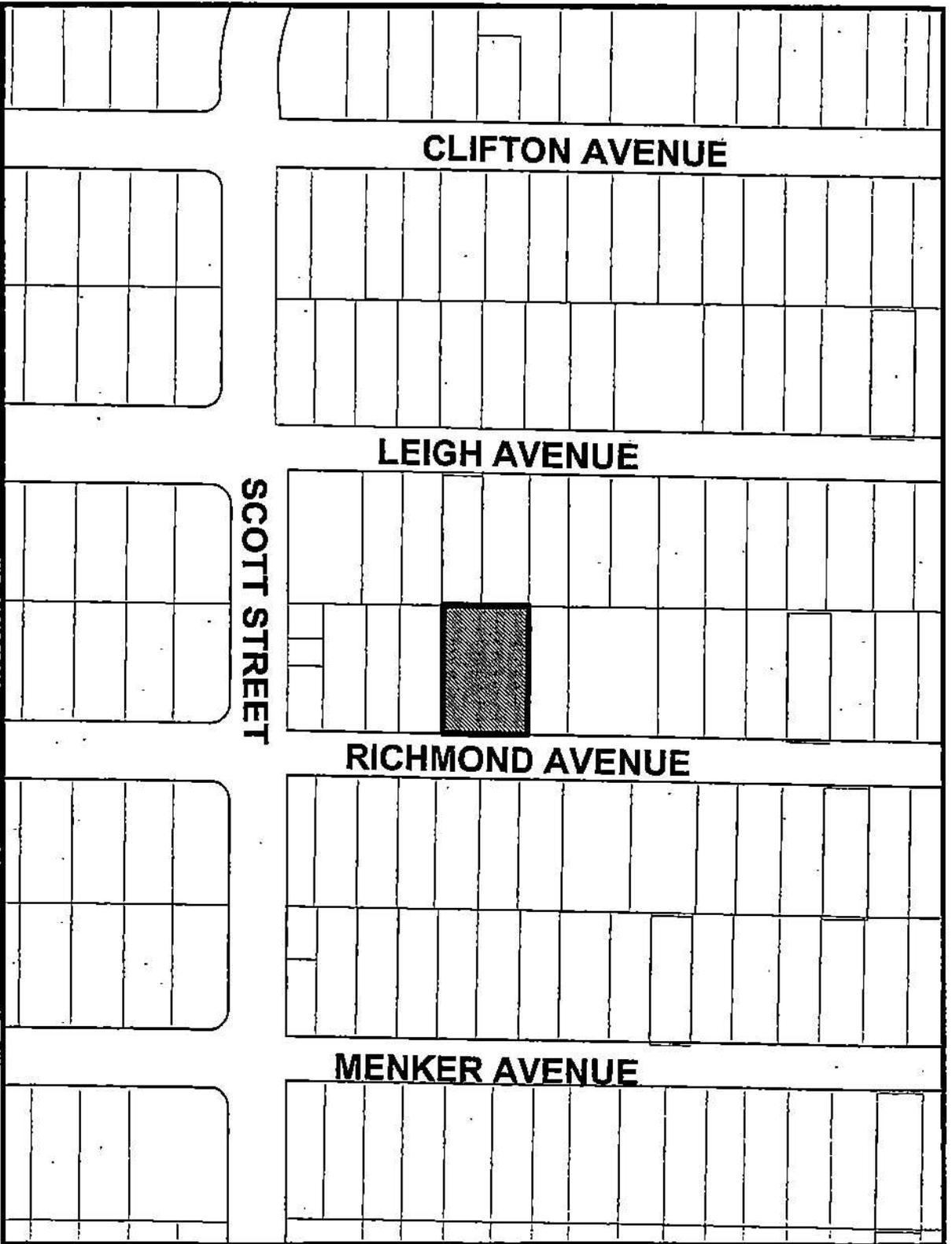
This project was coordinated with the Department of Public Works, Fire Department, Building Division, Environmental Services Department and the City Attorney.

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 Medium Low Density Residential (8 DU/AC).
2. The proposed rezoning will facilitate development of this site that is consistent with the General Plan and compatible with the surrounding uses.

CC: Leonard Lao
P.O. Box 730395
San Jose, CA 95173



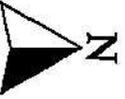
CLIFTON AVENUE

LEIGH AVENUE

SCOTT STREET

RICHMOND AVENUE

MENKER AVENUE



Scale: 1"=100'

Map Created On:
02/09/2005

File No: C05-011

District: 06

Quad No: 82

EXHIBIT "B": PLOT PLAN

Prepared on 09/26/04

BOUNDARY & TOPOGRAPHICAL SURVEY

BEING A SURVEY OF LOT 65
 MAP OF ORCHARD PARK SUBDIVISION
 FILED IN BOOK 1 OF MAPS, PAGE 62
 COUNTY OF SANTA CLARA, CALIFORNIA

SCALE: 1" = 10' SEPTEMBER 2004
 CONSULTING OF ONE SHEET

RB

American Baseline Company
 1000 Rutherford Drive, San Jose, CA 95128
 408/784-9700, www.americanbaseline.com

SURVEYOR'S STATEMENT:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE PROFESSION OF LAND SURVEYING AT THE REQUEST OF LEONARD LAO.

ROBERT G. HART, C.L.S. 7755
 EXP. DATE: DECEMBER 31, 2005

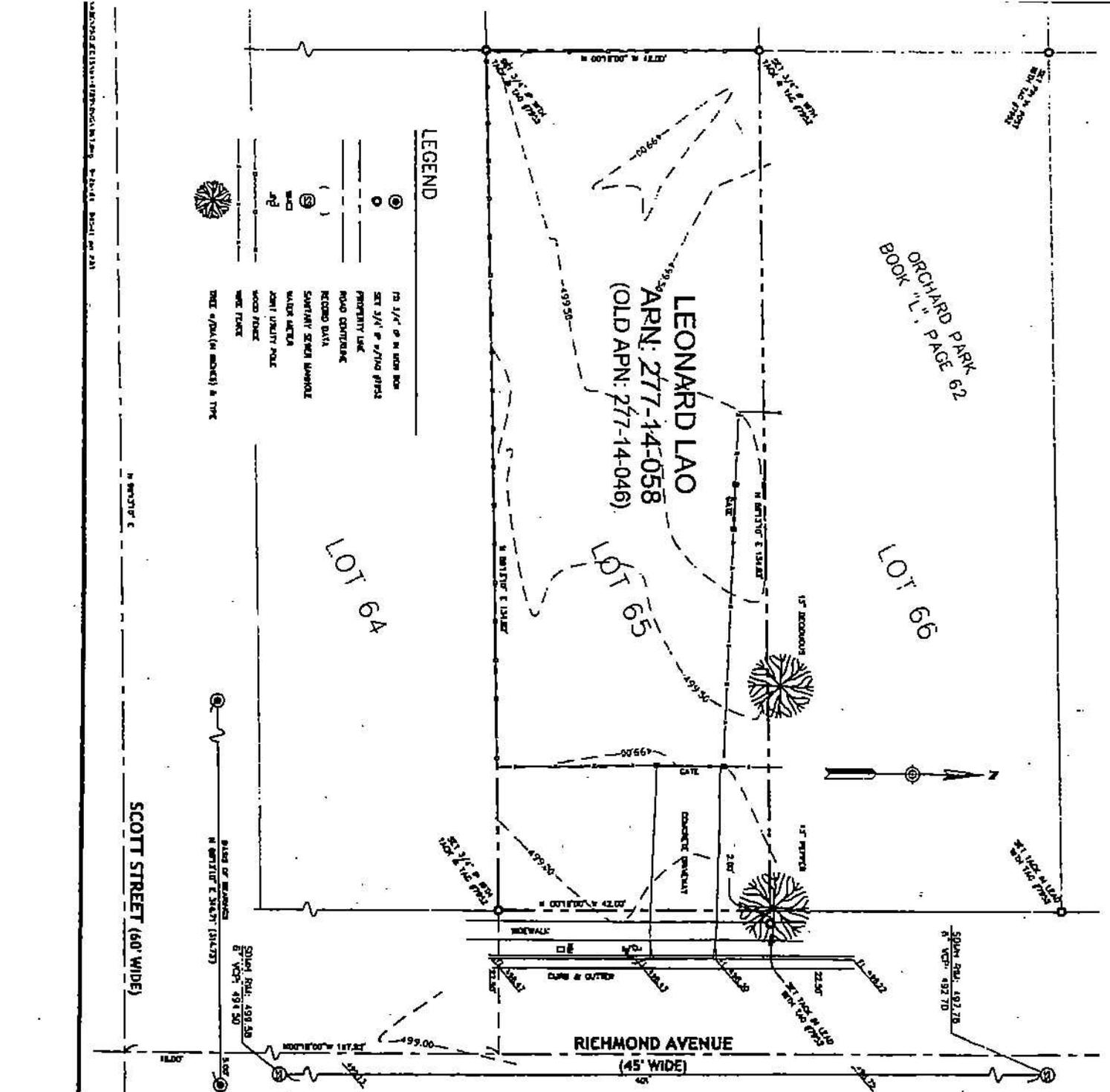


BASIS OF BEARINGS:

THE ADJACENT LINE OF SCOTT STREET AS SHOWN ON THAT RECORD OF SURVEY MAP FILED IN BOOK 448 OF MAPS, PAGE 11, SANTA CLARA COUNTY RECORDS, TADON AS NORTH 89°31'07" EAST WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.

REFERENCES

ORCHARD PARK (L & 60)
 P.L.S. (468 & 11)



LEGEND

- ① TO 1/4" OF AN INCH BOX
- ② SET 3/4" OF 2 1/2" DIA. PINS
- PROPERTY LINE
- ROAD CENTERLINE
- RECORD DATA
- SURVEYOR'S SIGNATURE
- WATER AREA
- ADJUT. UTILITY POLE
- WOOD FENCE
- WIRE FENCE
- DNE (DUAL) MOVES) & TRK

ORCHARD PARK
 BOOK "L", PAGE 62

SCOTT STREET (60' WIDE)

RICHMOND AVENUE (45' WIDE)

LEONARD LAO
 APN: 277-14-058
 (OLD APN: 277-14-046)