

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
C.C. 05-01-07
11.1(a)

File Number
C04-106

Application Type
Conforming Conventional Rezoning

Council District
4

Planning Area
Alum Rock

Assessor's Parcel Number
592-07-062

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Chris Burton

Location: southeast corner of North Capitol Avenue and Grandview Drive

Gross Acreage: 0.57

Net Acreage: 0.57

Net Density: N/A

Existing Zoning: Unincorporated County

Existing Use: Single-family residence

Proposed Zoning R-1-8 Single Family Residence District

Proposed Use: Single-family residence

GENERAL PLAN

Land Use/Transportation Diagram Designation
Medium Low Density Residential (8 DU/AC)

Project Conformance:
 Yes No
 See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

East: Single family residential

R-1-8 Single Family Residence Zoning District

South: Single family residential

R-1-8 Single Family Residence Zoning District

North: Multi Family Residential

A(PD) Planned Development Zoning District (23.0 DU/A)

West: Multi Family Residential

A(PD) Planned Development Zoning District (39.0 DU/A)

ENVIRONMENTAL STATUS

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

Annexation Title: McKee 129

Date: Pending

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval
 Approval with Conditions
 Denial
 Uphold Director's Decision

Date: 4-10-07

Approved by: *Susan Walton*
 Action
 Recommendation

OWNER/APPLICANT

Ms. Li Lin
652 N. Capitol Avenue
San Jose, CA 95133

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: Chris Burton

Department of Public Works

Attached

Fire

Attached

OTHER CORRESPONDENCE

None Received

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The property owner is requesting a Conforming Prezoning of the subject 0.57 gross-acre site from *Unincorporated County* to *R-1-8 Residence District* to facilitate annexation and future uses that conform to the site's San Jose 2020 General Plan Land Use/Transportation Diagram designation of Medium Low Density Residential (8 DU/AC). The site has an existing single-family detached house and some accessory structures. The property is surrounded by multi-family residential uses on the north and west and by single-family residential uses on the south and east. The applicant has also submitted an application for annexation (File No. McKee 129) which would be completed following prezoning approval.

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.

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.

GENERAL PLAN CONFORMANCE

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

ANALYSIS

The proposed prezoning to R-1-8 Single-Family Residence Zoning District is in conformance with the General Plan Land Use/Transportation Diagram land use designation and will allow development that is 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.

RECOMMENDATION

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

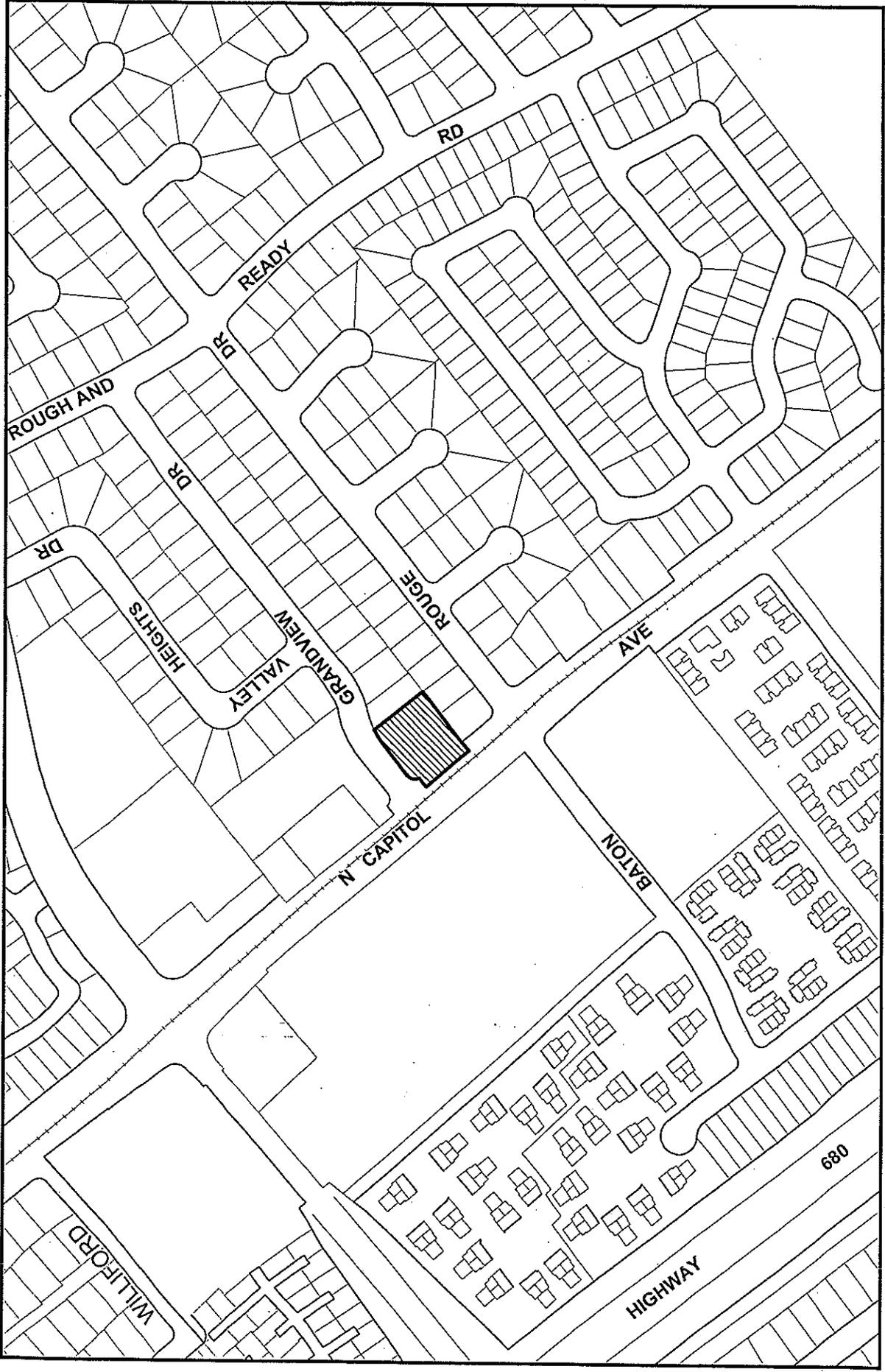
1. The proposed rezoning is in conformance with the General Plan Land Use/Transportation Diagram designation of Medium Low Density Residential (8 DU/AC).
2. The proposed rezoning will facilitate development of this site with a use that is consistent with the General Plan and compatible with the surrounding land uses.

Attachment:

Maps

Fire Department Memo

Public Works Memo



File Number: C-04-106
Council District: 4
Quad Number: 52

Scale: 1"= 300'



Subject Site





Memorandum

TO: Sanhita Mallick
Planning and Building

FROM: Ebrahim Sohrabi
Public Works

**SUBJECT: FINAL RESPONSE TO
DEVELOPMENT APPLICATION**

DATE: 12/03/04

PLANNING NO.: C04-106
DESCRIPTION: Conforming Conventional Rezoning from County to R-1-8 Residential Zoning District to allow for 2 single-family detached residential units on a 0.57 gross acre site
LOCATION: southeast corner of North Capitol Avenue and Grandview Drive
P.W. NUMBER: 3-16794

Public Works received the subject project on 12/03/04. We have no comments or requirements.

Please contact the Project Engineer, Gerry de Guzman, at (408) 277-5161 if you have any questions.

Ebrahim Sohrabi
Senior Civil Engineer
Transportation and Development Services Division

GD
EB:GD:mo
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JAN 08 2005

Memorandum

TO: Elena Lee
Planning and Building

FROM: Nadia Naum-Stoian
Fire Prevention Engineer
San Jose Fire Department

SUBJECT: INITIAL RESPONSE TO
DEVELOPMENT APPLICATION

DATE: 12/16/04

Approved

Date n/a

PLANNING NO.: C04-106
DESCRIPTION: Conforming Conventional Rezoning from County to R-1-8 Residential Zoning District to allow for 2 single-family detached residential units on a 0.57 gross acre site
LOCATION: southeast corner of North Capitol Avenue and Grandview Drive
ADDRESS: southeast corner of North Capitol Avenue and Grandview Drive (652 N CAPITOL AV)
FOLDER #: 04 133966 ZN

The San Jose Fire Department did not receive enough information to make comments at this time.

- Comply with comments from the Building/Fire Departments at the plan review stage.
- A permit must be obtained from the Building and Fire Departments. Submit three (3) sets of construction plans to the Building Department, one (1) of those sets of plans will be routed to the San Jose Fire Department for review and comments.
- We reserve the right to make comments at a future date.

If you have any questions regarding these items, please contact me at (408) 277-8754.

BY: Nadia Naum-Stoian FPE
Bureau of Fire Prevention
San Jose Fire Department