

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Planning Commission

SUBJECT: SEE BELOW

DATE: April 13, 2005

COUNCIL DISTRICT: 3

SUBJECT: PDC04-068. PLANNED DEVELOPMENT REZONING FROM HI HEAVY INDUSTRIAL TO A (PD) PLANNED DEVELOPMENT ZONING DISTRICT TO ALLOW UP TO 104 DETACHED SINGLE-FAMILY RESIDENTIAL UNITS ON A 7.6 GROSS-ACRE SITE ON THE NORTHEASTERLY SIDE OF CAMPBELL AVENUE, APPROXIMATELY 1000 FEET NORTHWESTERLY OF NEWHALL STREET.

RECOMMENDATION

The Planning Commission voted 4-2-1 (Commissioners Campos and James opposed, Commissioner Pham absent) to recommend conditional approval of the Planned Development rezoning from HI Heavy Industrial to A (PD) Planned Development zoning district to allow up to 104 single-family detached residential units on the subject site.

BACKGROUND

On April 11, 2005, the Planning Commission held a public hearing to consider a Planned Development rezoning from HI Heavy Industrial to A (PD) Planned Development zoning district to allow up to 104 single-family detached residential units.

The Director of Planning, Building and Code Enforcement recommended conditional approval of the proposed rezoning.

Supplemental Staff Report

Planning staff distributed a letter received on April 11, 2005 from Caltrain/Peninsula Corridor Joint Powers Board (Caltrain) and an accompanying article from the Los Angeles Times entitled *Near the Rails, On the Edge* to supplement the written staff report that had been distributed previously to the Planning Commission (see attached). Planning staff then made an oral presentation clarifying the content of that letter, including that Caltrain anticipates increased high speed train runs, that the VTA has bought proximate land for future BART maintenance yard, and that Caltrain had not received the environmental documentation for this project for review.

April 13, 2005

Subject: PDC04-068

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Staff further clarified that the potential for additional trains would not change the conclusions of the environmental review, as the number of existing train passbys already exceeds the FTA criteria and the project incorporates appropriate vibration setback as mitigation.

Planning staff restated its recommendation for conditional approval of the Planned Development rezoning based on the criteria outlined in the Planning staff report. Staff emphasized that its recommendation is an effective compromise between the developer's desire to provide a community of single-family detached units, and the City's goal of achieving a pleasant, safe, pedestrian-friendly, living environment for residents. Staff's recommendation also incorporates the criteria of review established by City Council during the General Plan amendment process, and incorporates the concerns of the current District 6 and District 3 residents and business owners.

Public Testimony

Mr. Mark Robson, representing the applicant, summarized the developer's proposal and goals for the project including creating a pedestrian-friendly neighborhood, establishing a sense of place, and maintaining compatibility with the existing neighborhood. Mr. Robson stated that the conceptual site design orients homes toward Campbell Avenue and private streets, creates a visual corridor toward the community building and swimming pool, creates a different product type for high-density residential by building the houses as detached units with modest square footages ranging from 1,195 to 1,320 square feet with a mixture of 2-story (82%) and 3-story homes, uses human-scale single-story elements with a 40-foot separation between second story elements, and includes seating walls (circular raised planter with a wide edge) in the pedestrian paseos as community gathering places. Mr. Robson stated that the proposed placement of private open space between the houses, but not in the paseos, would make the private open space feel more private and connected with the houses, because most of the dining rooms are proposed to open onto the private open space. For these reasons, Mr. Robson stated that he did not think the Planning Commission should adopt staff's recommendations.

Mr. John Urban, representing the Newhall Neighborhood Association, stated that he believed the density and architecture proposed are compatible with the existing neighborhood. He added that the existing warehouse on the site is run down, that parking and setbacks, as proposed, are adequate, and that the addition of the road parallel to Campbell Avenue and connecting to the two main private streets on site would help with area circulation. He stated that he thought the project would preserve the character of the neighborhood.

Commissioner Zito had questions regarding the reduction of the number of units from 104 to 96 to provide space to increase paseo widths and increase on-site parking. Mr. Robson stated that the reduction in units was a loss for the City, and that changes requested by staff were not needed, because the applicant's proposal is adequate.

Commissioners Campos and James had several questions regarding motor court and pedestrian paseo widths as well as private and common open space. Mr. Robson stated that the 30-foot vibration setback at the rear of the property is proposed as common open space. Mr. Robson also stated his belief that the 22-foot wide driveways (curb-to-curb) plus 3-foot driveway aprons in the motor courts were adequate for maneuvering automobiles in and out of garages. Mr. Robson used Cahill Park, a project with a 25-foot width garage door-to-garage door, as a comparable example. Additionally, Mr. Robson indicated that the turning templates show the width works for vehicle access to garages.

Deputy Director Horwedel noted that the 10-foot wide pedestrian paseos approved on another project actually had 34-foot wide building-to-building separations with 12 feet on each side of the common 10-foot wide path used as private open space, providing wide visibility for paseo users.

Staff stated that by removing four units on each side of the property, the space gained could be used to bring motor courts, pedestrian paseos, and private open space into better consistency with the *Residential Design Guidelines*. Staff stated that the Police Department memos and the applicant's turning templates illustrate issues regarding pedestrian safety in the 30-foot rear setback area and paseos, and reveal difficulties maneuvering vehicles in the applicant's proposed 22-foot wide motor courts. Staff's redesign would increase separation between buildings and provide opportunities for additional on-site parking and private open space needed to meet the *Residential Design Guidelines* standards.

Commissioner Campos indicated that he had received a letter from the applicant regarding discrepancies with parking space counts and common open space square footage. Staff explained that 19 of the applicant's 84 on-site parking spaces shown on the conceptual plans were not counted toward the total because they were located too close to the corners of the motor courts and private driveways. Staff stated that the ten feet closest to the corners is not typically allowed for parking in order to ensure visibility and an adequate turning radius for cars and trucks at these relatively tight intersections. Planning Deputy Director Horwedel explained that small project edges like the pedestrian paseos, the seat walls, and the 10-foot perimeter setbacks are not counted as common or private open space, because the small dimensions and dedication of space to circulation paths are not usable for recreational activities. Staff added that project plans indicate the 10-foot perimeter setback may be used for swales.

Commissioner Campos noted that the applicant's letter indicated that paseo widths were not an issue, especially considering the 40-foot second floor setback. Staff responded that the second floor setback had been taken into account in staff's review and resulted in a 5-foot reduction to 25 feet in building-to-building separation, from the *Residential Design Guidelines* standard of 30 feet. Staff noted that the Police Department memo stated the windows overlooking the paseos would provide an adequate source of natural surveillance. Staff also noted that, as indicated in the staff report and the included photographs of the Ravenna project, increased building-to-building separation provides the opportunity for greater private open space for every unit, as well as improving the probability that more windows would be open facing the paseos, thereby creating a safe environment for pedestrians.

Commissioner Platten made a motion to approve the project with staff-recommended conditions, including potentially reducing the unit count to 96 units to allow more parking on site, and wider paseos throughout the project as shown by staff. Commissioner Zito seconded the motion. The Planning Commission then voted 4-2-1 (Commissioners Campos and James opposed, Commission Pham absent) to recommend approval, with staff-recommended conditions, of the Planned Development rezoning from HI Heavy Industrial to A(PD) Planned Development zoning district.

OUTCOMES

City Council approval of PDC04-068 would rezone the subject property to allow up to between 96 and 104 single-family detached residences.

PUBLIC OUTREACH

A notice of the public hearing was distributed to the owners and tenants of properties located within 1,000 feet of the project site, and published in the newspaper. Staff has been available to respond to comments from the public.

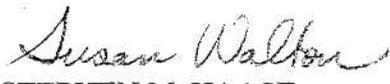
On October 6, 2004, the developer for the pending Planned Development rezoning presented the developer's proposal at a regular meeting of the Newhall Neighborhood Association at 1051 Morse Avenue (The Quaker House). The developer's representatives held their own community outreach meeting on November 18, 2004 at The Quaker House located at 1051 Morse Street.

COORDINATION

This project was coordinated with the Department of Public Works, Department of Transportation, City Attorney, Santa Clara Valley Transportation Authority, Pacific Gas and Electric, City of Santa Clara Planning Department, and the Santa Clara County Airport Land Use Commission.

CEQA

The Mitigated Negative Declaration for Planned Development rezoning PDC04-068 was adopted on December 8, 2004.


for STEPHEN M. HAASE
Secretary, Planning Commission

Attachments



BOARD OF DIRECTORS 2005

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EXECUTIVE DIRECTOR

April 11, 2005

Mr. Stephen Haase
Director of Planning, Building and Code Enforcement
City of San Jose
801 N. First Street, Room 400
San Jose, CA 95110

Re: Campbell Avenue/Santa Clara Development, PDC04-068 and PDC04-069

Dear Mr. Haase,

This letter is in response to the proposed development of 324 units of residential housing, by the Santa Clara Development Company, on approximately 17 acres near the intersection of Campbell and Newhall Streets in the City of San Jose (PDC04-068 and PDC04-069). Our Agency, the Peninsula Commuter Joint Powers Board, commonly known as Caltrain, is the owner of the approximately 100-foot wide railroad corridor abutting the eastern property line of the proposed development.

Only recently were we informed of this proposed housing project and have not received an environmental document (EIS or EIR) for this project.

The rail corridor immediately to the east of the proposed development is owned by Caltrain and has passenger operation by Caltrain, The Capitol Corridor, Altamont Corridor Express, and intercity Amtrak and freight operations by the Union Pacific Railroad. Combined daily train operations in the rail corridor between Santa Clara and San Jose are now over 130 and are projected to increase to over 200 daily trains in the next 10 years. These combined train operations occur 24 hours a day, 365 days a year, and at speeds of 80 mph. In addition to the through train moves, Caltrain utilizes the tracks next to the proposed residential housing development to conduct construction operations including loading and unloading of rail cars, constructing prefabricated track components, and staging of construction equipment on a 24-hour basis. These train and construction activities generate loud noises including back up alarms, train horn blowing, train car switching, screeching train brakes, metal against metal, and diesel generator sounds. During these operations, bright flood lights are used to illuminate the work areas during the evening hours.

PENINSULA CORRIDOR JOINT POWERS BOARD

1250 San Carlos Avenue - P.O. Box 3006
San Carlos, CA 94070-1306 (650) 508-6269

Mr. Stephen Haase
April 11, 2005
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The above mentioned activities are typical for an industrial or light industrial area. These activities have occurred on an ongoing basis for over the past 50 years and are anticipated to continue in the future. In addition, the property to the east of Caltrain's 100-foot wide rail corridor was recently sold to the VTA for a BART Maintenance Yard, and it is anticipated that the BART yard activities will be similar to those activities occurring on the Caltrain rail corridor.

In our opinion, the proposed housing development is not compatible with the past, existing, and future activities occurring within the rail corridor. We have also attached a recent relevant Los Angeles Times article dealing with the development of housing adjacent to rail corridors.

Sincerely,



Stephen Chao
Manager, Engineering
3rd Party Projects

SC:DJM/lmk

Attachment: L.A. Times Article on Housing Development near the Rails

cc: Mr. Mike Mean – City of San Jose
Ms. Dionne Early – City of San Jose
Mr. Erik Olafsson – Caltrain

<http://www.latimes.com/news/local/la-me-tracks6apr06,0,134570.story?coll=la-home-local>

Near the Rails, on the Edge

Southland residents near train tracks live with noise, dirt and danger -- and wonder why homes are allowed to be built so close.

By Caitlin Liu and Doug Smith
Times Staff Writers

April 6, 2005

When Theresa Marquez heard about the San Bernardino train derailment this week that forced more than 300 people to evacuate their homes, she experienced a dreaded *deja vu*.

In 1990, as the Pico Rivera woman washed dishes at her kitchen sink, she looked up in horror as a derailed freight train toppled and crushed her backyard garage.

Although she wishes she could afford to move, Marquez says she can't understand why new housing keeps sprouting up in Southern California next to where trains run night and day.

"There are so many problems being by railroad tracks — the noise, the dust, the trash that flies over ... what can happen when there is a train accident," said Marquez, 49, who was not injured in the crash. "They should have a zone ... a certain amount of distance so trains can't roll over into people's homes."

She is far from alone in her concerns. But officials say there are no easy answers in a crowded region where both transportation and housing needs have to be met.

Constructing homes next to railroad tracks "just sets you up for major community issues," said Wally Baker, senior vice president of Los Angeles County Economic Development Corp. "It's poor planning."

Houses have been built next to California railways since the first tracks were laid more than 130 years ago. With the advent of automobiles and freeways, city centers moved away from railroads. But housing continued to be planted alongside rail corridors — even as trains grew longer, heavier, faster and more bothersome to people nearby.

A Times analysis of census data shows that about half a million people in California live within 1,000 feet of active freight railroad tracks, their numbers growing as new rail-adjacent neighborhoods are added. Those figures do not include light-rail commuter tracks such as the Blue Line.

Rail companies say they don't like being next to homes because of the liabilities and community

outcry over derailments, car collisions and deaths of children playing on the tracks.

"In California, there are more homes closer to our tracks than any other state in which we operate, and that's because California is so built up," said Kathryn Blackwell, a spokeswoman for Union Pacific. "We get complaints about noise, complaints about whistles. We have gone on record to oppose having housing built so close" to the tracks.

But new housing next to tracks almost always gets approved, Blackwell and others say.

Across the Southland, new rail-adjacent houses are sprouting up in such places as Anaheim, Loma Linda and Palmdale. And in today's hot market, buyers are snapping them up.

"We're all sold out," said Randy Steinberg, a spokesman for John Laing Homes, which is constructing 20 luxury houses — starting at about \$600,000 — in Anaheim across from railroad tracks on Santa Ana Street near Anaheim Boulevard.

Anaheim is rezoning 40 acres of industrial land — some of it next to railroad tracks — to residential use to alleviate a housing shortage. In San Bernardino, residents near Monday's derailment are expected to be allowed back into their homes this morning. The accident caused a leak of a combustible liquid similar to paint thinner, and officials had feared that winds could blow the evaporated chemicals into residences.

Other recent major incidents in the region include an October 2004 derailment near Whittier that threw nearly three dozen cargo containers into backyards and damaged four homes. In June 2003, a runaway train crashed into a Commerce neighborhood, destroying several homes and injuring a dozen people.

The burdens and potential hazards of living next to a railroad have grown over the years.

Since the 1920s, the length of the average freight train has grown from 47 to 69 cars, according to the Assn. of American Railroads. Individual freight cars also have grown. A modern articulated car can carry 10 or more shipping containers and exceed 300 feet in length.

Since 1990, the national total volume of freight transported by rail has jumped by 60%. In the next 20 years, passenger and freight rail traffic through Los Angeles, Orange, San Bernardino and Riverside counties will more than triple, boosted by imports, according to the Los Angeles Economic Development Corp.

Marquez, who bought her Pico Rivera home two decades ago, said she didn't mind the trains at first. But now, the longer and heavier trains shake her house like small earthquakes. She estimates that rail traffic has tripled since she moved in.

"Just like how there are changes in train traffic, there should be changes in laws" to protect people who live near railroads, Marquez said. The Commerce and Whittier incidents prompted Los Angeles County Supervisor Gloria Molina to call on county agencies to — among other things — investigate creating buffer zones between tracks and houses.

In a December report, the county's attorneys deemed that a difficult, if not impossible, task because of property rights and potential conflicts with federal safety rules.

Molina plans to continue exploring the idea with local members of Congress, said her

spokeswoman, Roxane Marquez.

Like many places, Los Angeles County has no special zoning provisions for rail-adjacent housing. But more cities are imposing additional requirements.

Palmdale, for example, requires developers to conduct noise studies and install sound walls. Last year, the city made zoning-law changes that doubled the size of track-adjacent residential lots and more than doubled the minimum setback distances for houses, to at least 50 feet on each side.

"In a perfect world, we can say, 'We'll industrial-zone every track,'" said Jim Ledford, the mayor of Palmdale, where dozens of new homes will be constructed alongside tracks this year. "But landowners have certain rights as well."

For some Palmdale residents, the new requirements aren't enough.

"They shouldn't put *any* houses near railroad tracks. It should be against the law.... The setback minimum should be at least a block," said Jack Edwards, 45, whose Palmdale house sits about 100 feet from railroad tracks on a double-size lot near a grade crossing. "I've been here eight years. In eight years, I haven't slept a night through once!" Like many homeowners near tracks, Edwards said it would be too costly to move.

California law allows cities to consider a buffer zone for rail-adjacent housing, said Steve Preston, a past president of the California Planning Roundtable and a current national board member of the American Planning Assn. But he knew of no authority setting guidelines on what a reasonable buffer zone should be. "They're very, very difficult questions to answer," said Bob Spencer, spokesman for Pico Rivera. "What is a safety zone for railroads? If something catastrophic happens ... where is that train going to end up? Should we not build houses within 1,000 feet? Does it matter if a freight train is carrying poisonous gas?"

Over the last decade, the number of train derailments nationwide increased from 1,742 to 2,255, according to the Federal Railroad Administration. In California, the number of derailments rose from 74 in 1995 to 120 in 2004. Many involved no injuries or damages to nearby buildings.

But what worries nearby residents most are the derailments of trains that carry dangerous cargo.

According to the federal Surface Transportation Board, about 6% of all rail cars crossing Southern California contain hazardous freight, including liquefied petroleum gas, sodium hydroxide and chlorine gas.

Last June in Texas, a train carrying chlorine gas derailed in a rural area near San Antonio, leaking toxic fumes that killed four people, including its conductor and three residents.

Two of those residents lived within 100 yards of the tracks, and the third — a family member who happened to be visiting other relatives in a home less than 300 yards away — died a few months later. The airborne chemicals also killed dogs, melted stainless steel kitchen appliances inside homes and sickened dozens of others who lived near the tracks.

"Oh, it was just horrible," said Mary Hale, 65, who lives in a home near the San Antonio tracks and lost three family members to the toxic gas leak. For months after the accident, her husband was still sick in bed. "We still have a lot of problems breathing, coughing, sore throats," she said.

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. 05-03-05

1104

STAFF REPORT

File Number
C05-011

Application Type
Conforming Prezoning

Council District
6

Planning Area
Central

Assessor's Parcel Number
277-14-058

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: 0.13

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 April 13, 2005

Approved by: *Awan 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 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

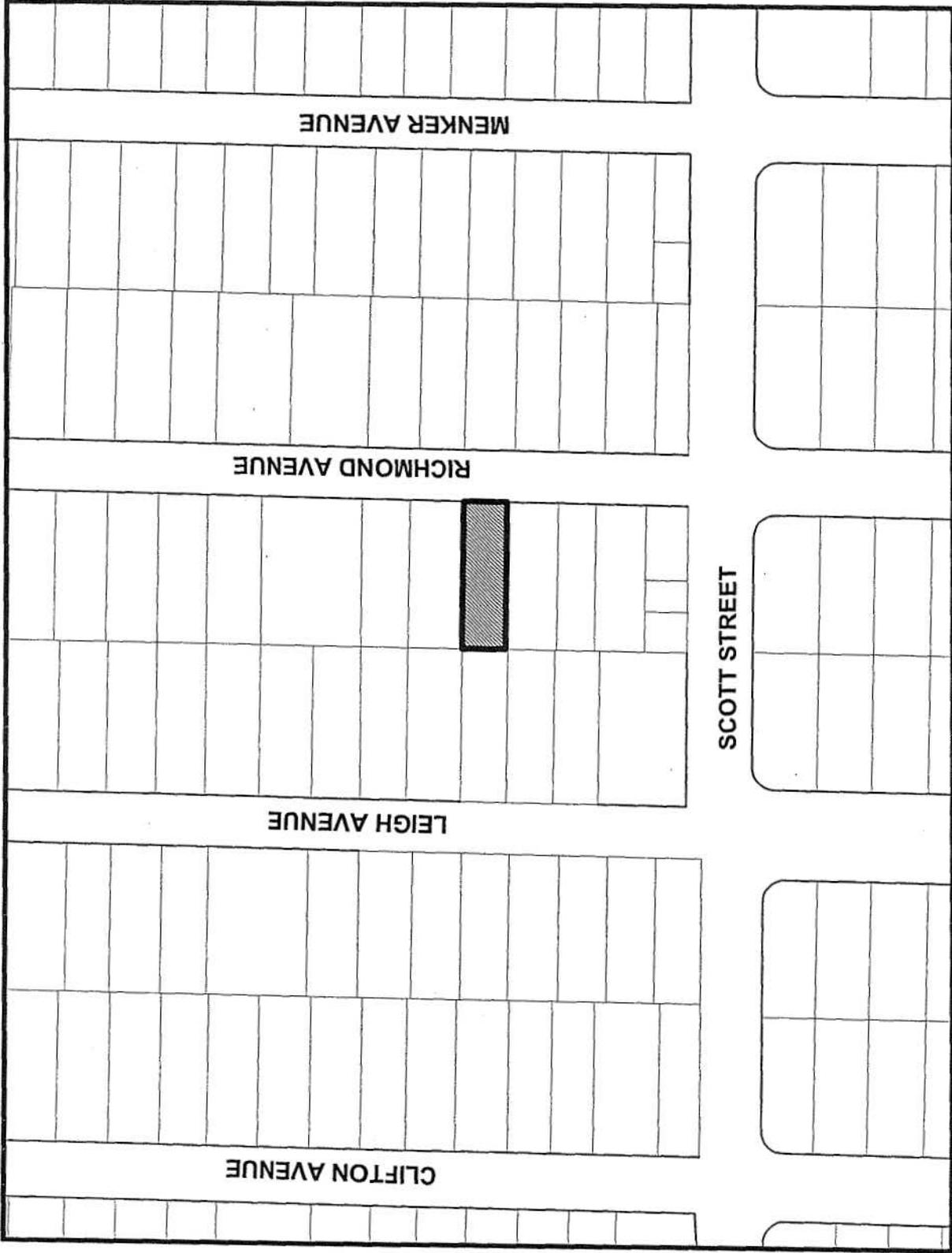
This project was coordinated with the Department of Public Works, Fire Department, Building Division, Environmental Services Department and the City Attorney.

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



File No: C05-011

District: 06

Quad No: 82

Scale: 1"=130'



Map Created On:
04/13/2005

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. 05-03-05

11.5

File Number
C05-016

Application Type
Conforming Rezoning

Council District
6

Planning Area
Central

Assessor's Parcel Number(s)
274-41-039

STAFF REPORT

PROJECT DESCRIPTION

Completed by: David Tymn

Location: South side of Bailey Avenue, 150 feet westerly of North Bascom Avenue (2216 Bailey Avenue)

Gross Acreage: 0.13

Net Acreage: 0.13

Net Density: N/A

Existing Zoning: CP Commercial Pedestrian District

Existing Use: Vacant

Proposed Zoning: R-1-8 Residence District

Proposed Use: Single-family residential

GENERAL PLAN

Completed by: DT

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

Completed by: DT

North: Single-family residence

Unincorporated and CP Commercial Pedestrian District

East: Office

CP Commercial Pedestrian District

South: Single-family residence

Unincorporated

West: Single-family residence

Unincorporated

ENVIRONMENTAL STATUS

Completed by: DT

Environmental Impact Report (GP2020 EIR certified 8-16-94)

Negative Declaration circulated on

Negative Declaration adopted on

Exempt

Environmental Review Incomplete

FILE HISTORY

Completed by: DT

Annexation Title: Cory No. 6

Date: July 28, 1961

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval

Approval with Conditions

Denial

Uphold Director's Decision

Date: April 13, 2005

Approved by:

Action

Recommendation

Susan Walton

OWNER

Hamid Abtahi
10650 S. Tantau Avenue
Cupertino, CA 95014

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: ES

Department of Public Works

None received

Other Departments and Agencies

None received

GENERAL CORRESPONDENCE

None received

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant is requesting to rezone the subject 0.13 gross-acre site from CP Commercial Pedestrian Zoning District to R-1-8 Residence Zoning District to allow a single-family residential use. The site is currently vacant.

The site is surrounded by single-family residential uses to the north, south, and west, and office uses to the east.

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

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 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 of the parcel into conformance with the General Plan and facilitate implementation of uses on the site that are consistent with the Medium Low Density Residential (8 DU/AC) General Plan designation and compatible with surrounding uses.

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 will be posted on the City's web site. Staff has been available to discuss the proposal with interested members of the public.

COORDINATION

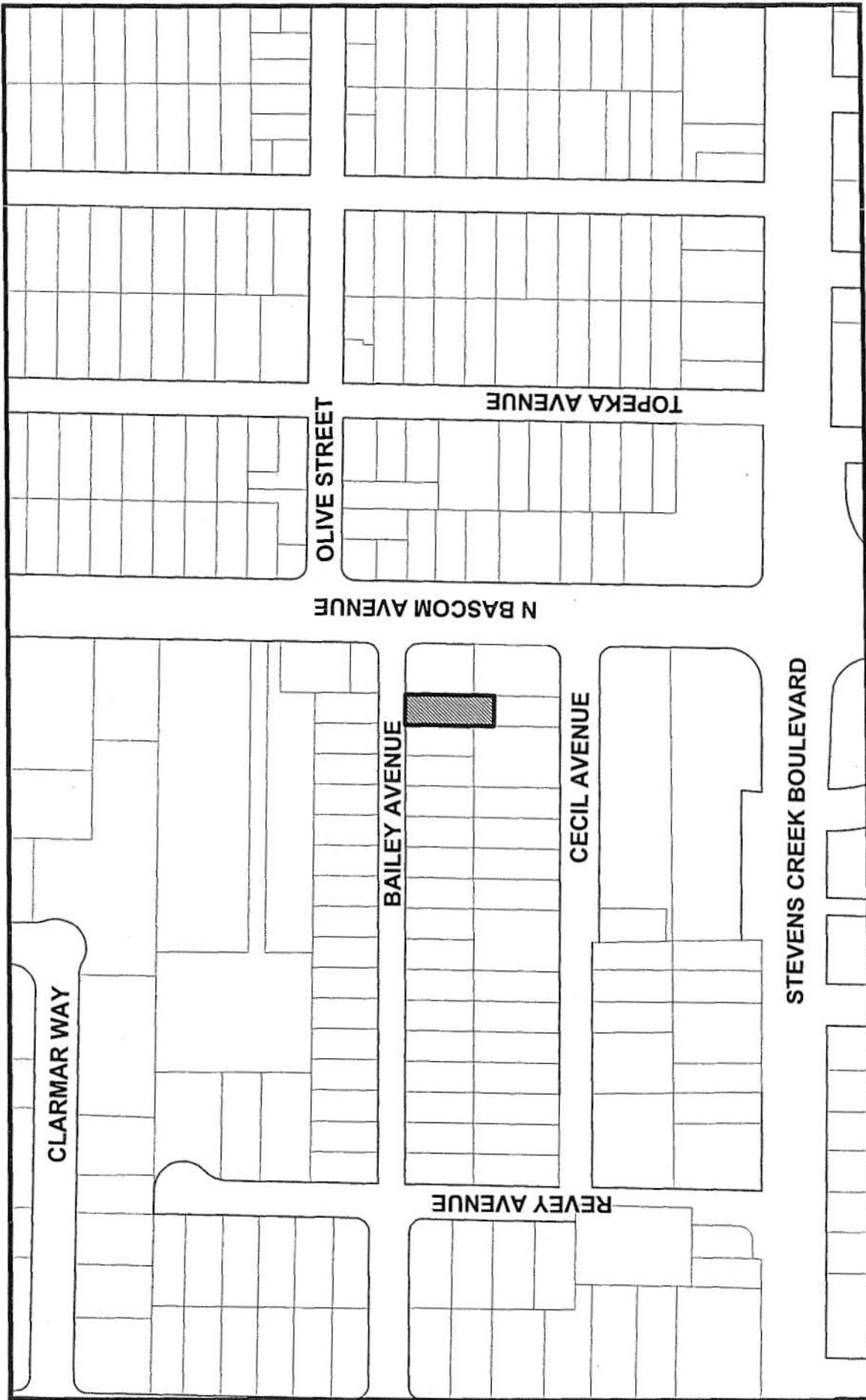
This project was coordinated with the Department of Public Works, Fire Department, Building Division, Environmental Services Department and the City Attorney.

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 a single-family residence at this site, which is compatible with the surrounding uses.

Attachments



File No: C05-016

District: 06

Quad No: 82

Scale: 1"=200'
Map Created On: 02/23/2005

