

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. 05-17-05

11.5

File Number  
C05-023

Application Type  
Conforming Rezoning

Council District  
5

Planning Area  
Alum Rock

Assessor's Parcel Number  
484-24-007

## STAFF REPORT

### PROJECT DESCRIPTION

Completed by: Hadasa Lev

Location: northwest corner of Wilbur Avenue and Nancy Lane

Gross Acreage: 0.31

Net Acreage: 0.31

Net Density: N/A

Existing Zoning: Unincorporated

Existing Use: Single family detached residence

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

Unincorporated

East: Single Family Residential

Unincorporated

West: Single Family Residential

R-1-8 Residential District

South: Single Family Residential

Unincorporated

### 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 26, 2005

Approved by: *Susan Walton*  
 Action  
 Recommendation

### OWNER

Christopher Bui  
2875 Wilbur Avenue  
San Jose, CA 95127

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**PUBLIC AGENCY COMMENTS RECEIVED**

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Completed by: HLL

Department of Public Works

None received

Fire

Not received

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**GENERAL CORRESPONDENCE**

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None received

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**ANALYSIS AND RECOMMENDATIONS**

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**BACKGROUND**

The property owner, Christopher Bui, is requesting a conforming rezoning of the subject 0.31 gross-acre site from Unincorporated County to R-1-8 Residence District to allow for single-family detached uses. The site currently has one single-family detached residence 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 and has indicated an intent to subdivide the property into two lots.

**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. Any subsequent subdivision of the property would require an additional City permit process.

**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:

Christopher Bui  
2875 Wilber Avenue  
San Jose, CA 95127



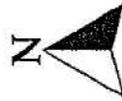
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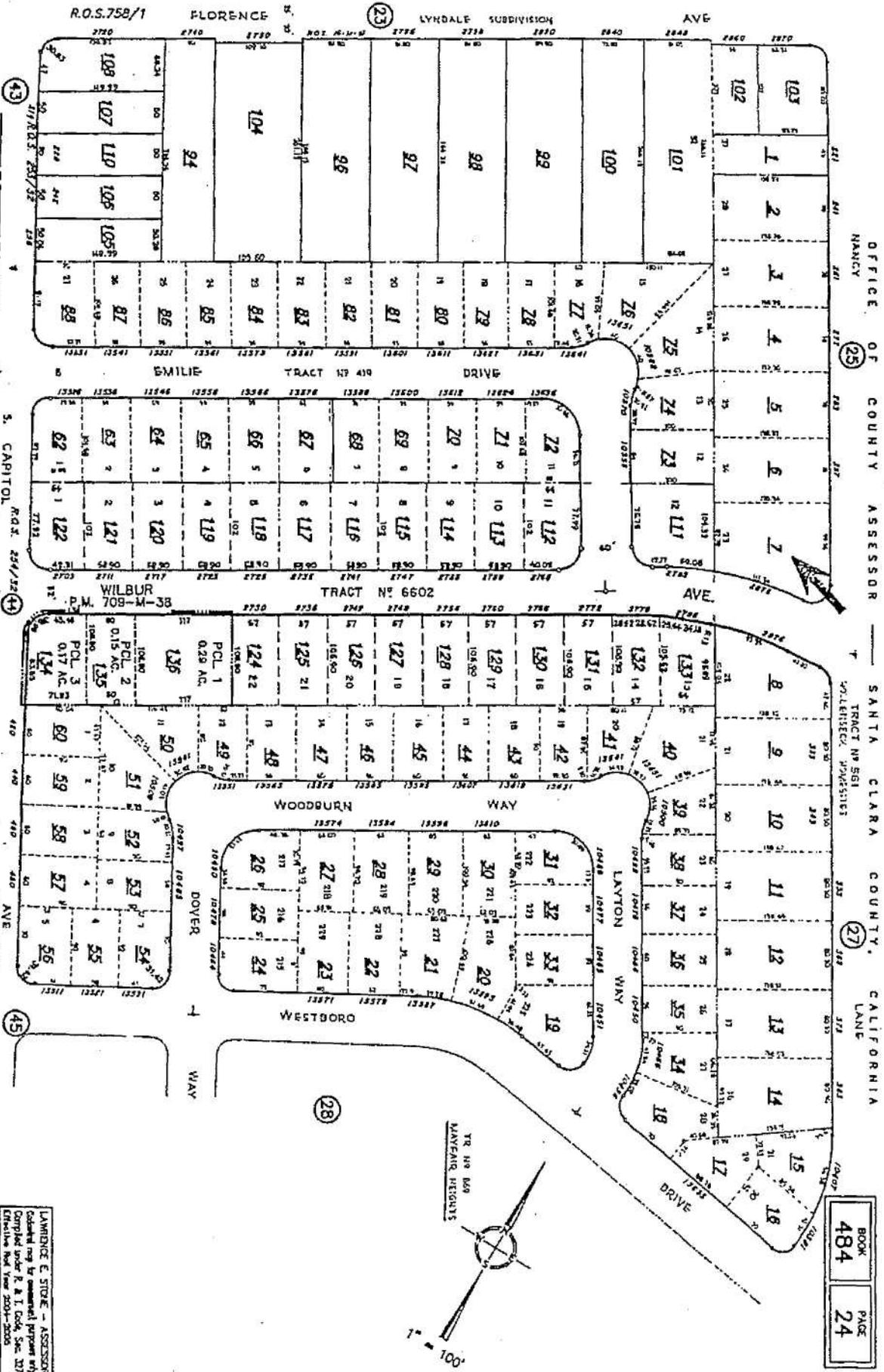
File No: C05-023

District: 05

Quad No: 68

Scale: 1"=200'  
Map Created On: 03/08/2005





OFFICE OF COUNTY ASSESSOR  
 NANCY  
 (25)  
 SANTA CLARA COUNTY, CALIFORNIA  
 TRACT NO 561  
 COLLETTA WAGNER  
 (27)  
 LANE

BOOK 484  
 PAGE 24

LAMBRIDGE E. STYZE - ASSESSOR  
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