

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

11.6

File Number
C05-024

Application Type
Conforming Rezoning

Council District
5

Planning Area
Alum Rock

Assessor's Parcel Number
599-16-116 and 599-16-117

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Hadasa Lev

Location: west side of Toyon Avenue approximately 370 feet south of Selby Lane.

Gross Acreage: 0.83

Net Acreage: 0.83

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	Unincorporated
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

Daniel & Rolly Dupree
20537 Verde Vista Lane
Saratoga, CA 95070

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 owners, Daniel & Rolly Dupree, are requesting a conforming rezoning of the subject 0.83 gross-acre site from Unincorporated County to R-1-8 Residence District to allow for a single-family detached residential use. 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.

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.

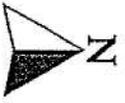
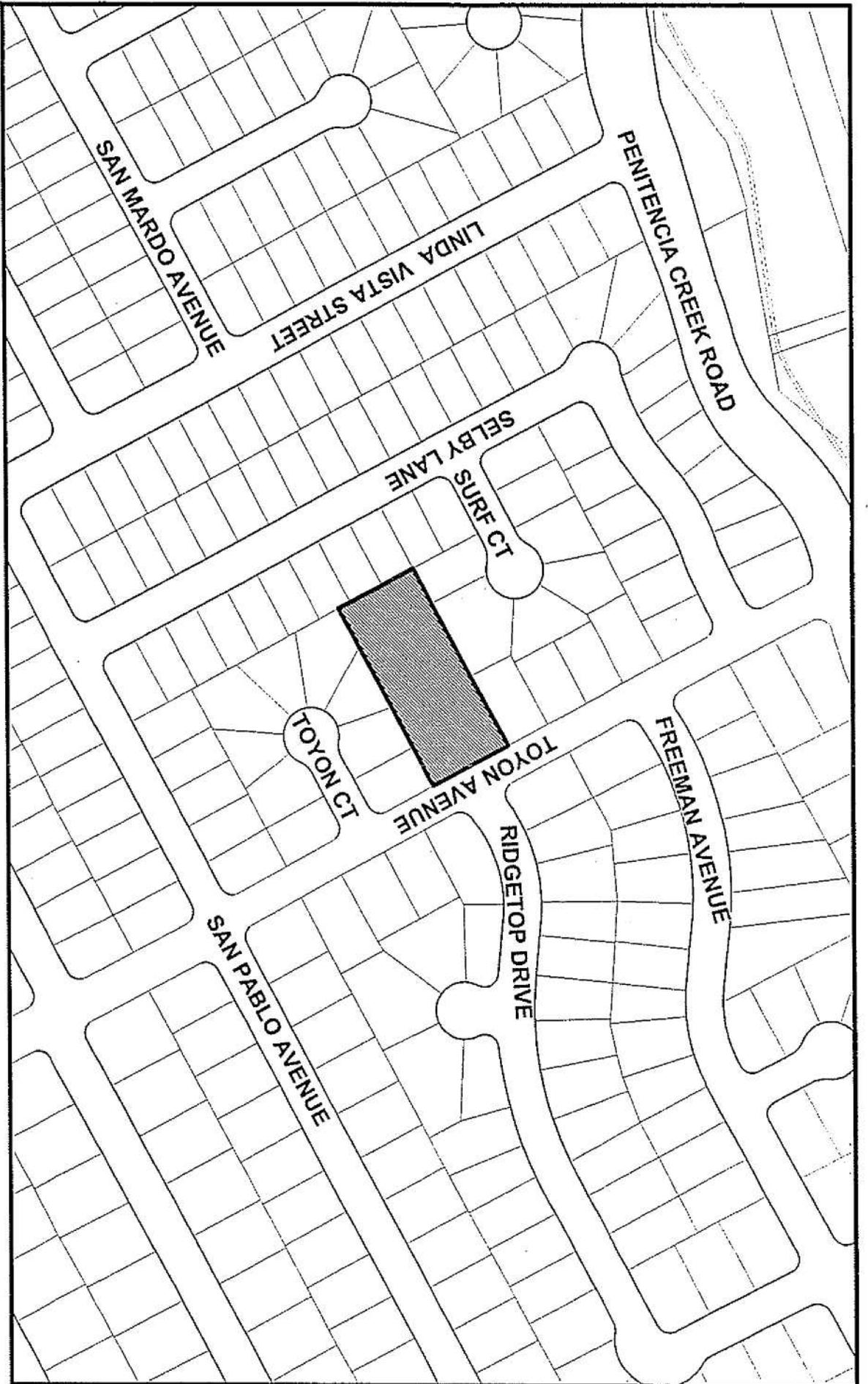
COORDINATION

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.



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

File No: C05-024

District: 05

Quad No: 52

