

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. 8-29-06

File Number
 C 06-046

Application Type
 Director Initiated Prezoning

Council District
 6

Planning Area
 Willow Glen

Assessor's Parcel Number
 264-05-026, -027, -028, -029, -030, -032,
 -033, -034, -035, -036, -037, -059, -067

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Erin Morris

Location: North side of Paula Street, south of Interstate 280, east of Northrup Street and west of Lincoln Avenue

Gross Acreage: 3.6

Net Acreage: n/a

Net Density: n/a

Existing Zoning: Unincorporated

Existing Use: Residential and industrial uses

Proposed Zoning R-M Multiple Residence Zoning District

Proposed Use: No change

GENERAL PLAN

Land Use/Transportation Diagram Designation
 Medium High Density Residential (12-25 DU/AC)

Project Conformance:
 Yes No
 See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

North: Multi-family attached residences and Interstate 280 A(PD) Planned Development Zoning District

East: Multi-family residences, commercial, and industrial uses CO Commercial Office, HI Heavy Industrial, CN Commercial Neighborhood, and LI Light Industrial

West: Multi-family residences and single-family detached residences A(PD) Planned Development Zoning District and Unincorporated County

South: Multi-family residences and church R-M Multiple Residence Zoning District

ENVIRONMENTAL STATUS

Environmental Impact Report - Use of 2020 General Plan EIR
 Negative Declaration circulated on
 Negative Declaration adopted on

Exempt
 Environmental Review Incomplete

FILE HISTORY

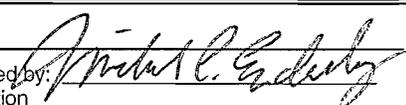
Annexation Title: SUNOL 75

Date: Pending

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval
 Approval with Conditions
 Denial
 Uphold Director's Decision

Date: August 8, 2006

Approved by: 
 Action
 Recommendation

OWNERS

APPLICANT

Various

City of San Jose

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: Erin Morris

See attached memorandum from Public Works

OTHER CORRESPONDENCE

None received

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

On April 26, 2006, the City Council voted to provide direction to City staff to proceed with a County island annexation program which involves the annexation of all unincorporated County pockets less than 150-acres in size. The subject project is a Planning Director-initiated rezoning which is being done in preparation for the annexation of the 3.6-acre area referred to as Sunol 75 (one of the 59 unincorporated County islands or "pockets" scheduled for annexation).

The subject site, bounded by Interstate 280 to the north, Northrup Street to the west, Paula Street to the south, and Lincoln Avenue to the east, is developed with a mixture of residential, commercial, and industrial uses (recycling collection facility) and is surrounded by commercial, industrial, and residential uses. The site consists of 13 properties. The subject site is within 2000 feet of the Race Street Light Rail Station.

Rezoning is the process of assigning City of San Jose zoning district designation to a property in advance of annexation so that the property will have an appropriate zoning designation once the annexation is effective. All of the unincorporated island sites are within the City of San Jose's Sphere of Influence and thus currently have a General Plan Land Use/Transportation Diagram designation. The proposed rezoning designation should be consistent with the City's General Plan and also address existing uses on the subject property and surrounding sites. In this case, staff is recommending that the property be zoned R-M Multiple Residence District in conformance with the Medium High Density Residential (12-25 dwelling units per acre) General Plan designation.

No changes are proposed to the existing land uses on the subject properties. Any legal aspects of the existing condition that would no longer be in conformance after annexation into the City of San Jose and after the new zoning district is adopted, shall become legal nonconforming. Any changes to the legal nonconforming aspects of the property would be subject to the provision of Chapter 20.150 of the San Jose Municipal Code.

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 High Density Residential (12-25 dwelling units per acre) on the San Jose 2020 General Plan Land Use/Transportation Diagram. Two-story apartments and condominiums with surface parking typify this density, although structures of greater height with compensating amounts of open space may be possible. Medium to high density residential uses are planned primarily for locations on major streets and near major activity centers. The General Plan envisions that properties located within a reasonable walking distance of a planned or existing rail station should be developed at a minimum density of 20 units per acre under this designation. The subject site is located within 2000 feet of the Race Street Light Rail Station. The proposed R-M Multiple Residence Zoning District would allow the existing land uses to remain while guiding future development in a manner consistent with the General Plan residential density.

ANALYSIS

The proposed R-M Multiple Residence Zoning District will allow residential uses consistent with the Zoning Code, the existing neighborhood and the existing uses on the subject property. As discussed above, the proposed rezoning will also bring the zoning into conformance with the General Plan.

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 300 feet of the project site. Information on the County Pocket annexation program is available on the Planning Divisions website on the areas proposed for annexation and general information on what current county residents can expect upon the annexation of their property to the City of San Jose. 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 rezoning for the following reasons:

1. The proposed rezoning is in conformance with the General Plan Land Use/Transportation Diagram designation of Medium High Density Residential (12-25 DU/AC).
2. The proposed rezoning will facilitate the annexation and continued use or redevelopment of this site with a use that is consistent with the General Plan and compatible with the surrounding land uses.



Memorandum

TO: Rebekah Ross
Planning and Building

FROM: Ebrahim Sohrabi
Public Works

**SUBJECT: FINAL RESPONSE TO
DEVELOPMENT APPLICATION**

DATE: 05/16/06

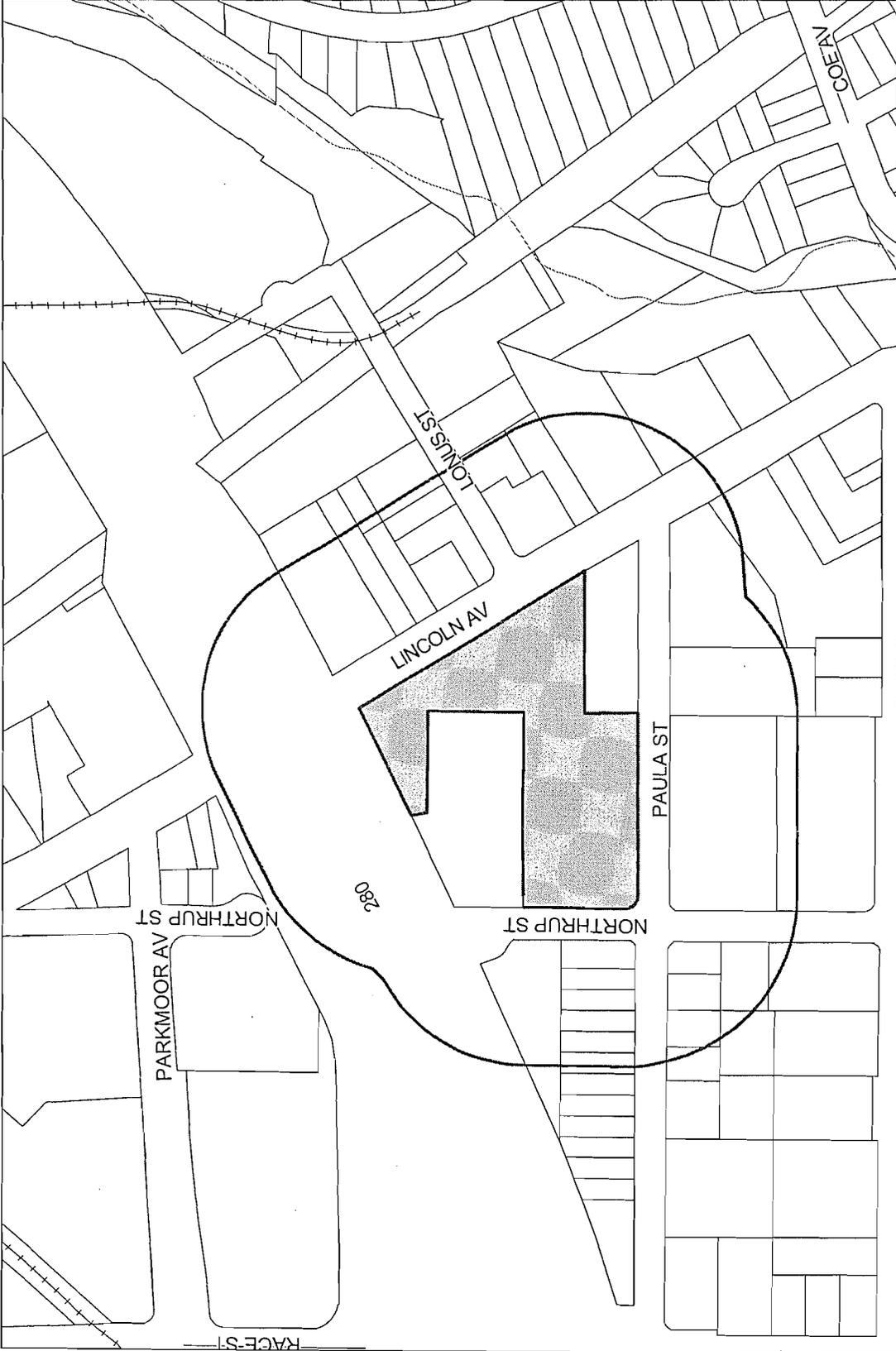
PLANNING NO.: C06-046/SUNOL 75
DESCRIPTION: Planning Director Initiated Rezoning from unincorporated county to R-M Multiple Residence Zoning District for multi family residential purposes on an approximately 3.6 gross acre area consisting of 13 parcels
LOCATION: North side of Paula Street east of Northrup Street and the west side of Lincoln Avenue south of Interstate 280 and north of Paula Street
P.W. NUMBER: 3-09999

Public Works received the subject project on 05/11/06. We have no comments or requirements.

Please contact the Project Engineer, Winnie Pagan, at (408) 535-6824 if you have any questions.

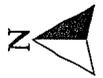
Ebrahim Sohrabi
Senior Civil Engineer
Transportation and Development Services Division

ES:WP:jk
FILENAME.DOC



File No: C06-046
District: 06
Quad No: 83, 99

Scale 1 in = 300 ft 1:3600
Noticing Radius: 300 ft



Map Created On:
5/9/2006





USE OF A PROGRAM EIR
SAN JOSE 2020 GENERAL PLAN FINAL EIR

Pursuant to Section 15168 of the CEQA Guidelines, the City of San Jose has determined that the project described below is pursuant to or in furtherance of the Final Environmental Impact Report (EIR) for the San Jose 2020 General Plan and does not involve new significant effects beyond those analyzed in this Final EIR. Therefore, the City of San Jose may take action on the project as being within the scope of the Final EIR.

PROJECT DESCRIPTION AND LOCATION

C06-046. Conforming Conventional Rezoning for a project located on the north side of Paula Street south of Interstate 280 east of Northrup Street and west of Lincoln Avenue on a 3.6-gross-acre site with a San Jose 2020 General Plan Land Use/Transportation Diagram Designation of Medium High Density Residential (12-25 DU/AC) from unincorporated County to R-M Multiple Residence District.

Council District 6 County Assessor's Parcel Numbers 264-05-026, -027, -028, -029, -030, -032, -033, -034, -035, -036, -037, -059, -067

The environmental impacts of this project were addressed by a Final EIR entitled, "San Jose 2020 General Plan," and findings were adopted by City Council Resolution No. 65459 on August 16, 1994. The Program EIR was prepared for the comprehensive update and revision of all elements of the City of San Jose General Plan, including an extension of the planning timeframe to the year 2020. The following impacts were reviewed and found to be adequately considered by the EIR:

- Traffic and Circulation, Cultural Resources, Urban Services, Energy, Open Space, Vegetation and Wildlife, Soils and Geology, Hazardous Materials, Air Quality, Facilities and Services, Schools, Noise, Land Use, Aesthetics, Water Quality/Resources, Drainage and Flooding

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.

Erin Morris
Project Manager

Joseph Horwedel, Acting Director
Planning, Building and Code Enforcement

8/9/06
Date

Apari O'Connell
Deputy