

CITY OF SAN JOSÉ, CALIFORNIA  
Department of Planning, Building and Code Enforcement  
200 East Santa Clara Street  
San José, California 95113

## STAFF REPORT

Hearing Date/Agenda Number  
CC 09-25-2007 Item 11.1(e)

File Number: C07-032

Application Type  
Conforming Conventional Rezoning

Council District: 3

Planning Area: Central SNI: None

Assessor's Parcel Number:  
261-13-048

### PROJECT DESCRIPTION

Completed by: Michelle Stahlhut

Location: North side of University Avenue approximately 240 westerly of The Alameda

Gross Acreage: 0.38

Net Acreage: N/A Net Density: N/A

Existing Zoning: R-1-8 Single-Family  
Residential

Existing Use: Office

Proposed Zoning: CO- Commercial Office

Proposed Use: No change

### GENERAL PLAN

Land Use/Transportation Diagram Designation: Office

Project Conformance:

Yes  No

See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

North: Commercial

A(PD) Planned Development

East: Commercial

A(PD) Planned Development

South: Commercial

A (PD) Planned Development

West: Residential

R-1-8 Single-Family Residential

### ENVIRONMENTAL STATUS

Environmental Impact Report GP 2020 EIR Certified 8-16-1994

Exempt

Negative Declaration circulated on

Environmental Review Incomplete

Negative Declaration adopted on

### FILE HISTORY

Date Application Filed: May 9, 2007

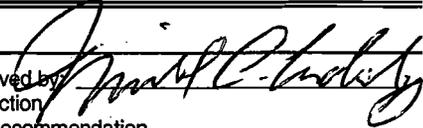
Annexation Title: College Park/Burbank Sunol

Date: 12/01/1911

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval

Date: 07-23-07

Approved by: 

Approval with Conditions

Action

Denial

Recommendation

Uphold Director's Decision

### OWNER/ APPLICANT

Tim Redd  
Silicon Valley Land Surveyors  
1093 North Fifth Street  
San Jose CA 95112

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**PUBLIC AGENCY COMMENTS RECEIVED**

Completed by: Michelle Stahlhut

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Department of Public Works: See Attached

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Other Departments and Agencies: N/A

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**GENERAL CORRESPONDENCE:** None received.

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**ANALYSIS AND RECOMMENDATIONS**

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**BACKGROUND**

The property owner is requesting a Conforming Conventional Rezoning of the western half of the subject 1.46 gross acre site from the R-1-8 Single-Family Residential District to the CO-Commercial Office Zoning District to allow a trash enclosure to be built on the site. The portion of the subject property fronting The Alameda is in the A(PD) Planned Development Zoning District, while the portion of the subject property fronting University Avenue is in the R-1-8 Single-Family Residence Zoning District. Both parcels have a General Plan Land Use/Transportation Diagram designation of Office. Properties fronting on The Alameda between Highway 880 and Race were part of a City Council Initiated Rezoning approved in 1985 to facilitate the preservation of older structures and the unique character of this historic grand boulevard.

The subject site is rectangular in shape and is surrounded by commercial office uses to the north, east, and south, and by residential uses to the west. The site is developed with a commercial office building and parking structure with frontage on The Alameda.

**PUBLIC OUTREACH**

Notices of the public hearing were distributed to the owners and tenants of all properties located within 500 feet of the project site, and a notice was published in a local newspaper, the Post Record. The staff report has been posted on the City's web site and staff has been available to discuss the project with members of the public. Staff has not received any inquiries from the public regarding this proposal.

**ENVIRONMENTAL REVIEW**

The environmental impacts of this project were addressed by a Final EIR entitled, "San José 2020 General Plan EIR." On August 16, 1994, the City Council adopted Resolution Number: 65459 making findings for adoption of the San Jose 2020 General Plan.

**GENERAL PLAN CONFORMANCE**

The subject site is designated as Office on the San Jose 2020 General Plan Land Use/Transportation Diagram. The proposed rezoning of the property to the CO – Commercial Office Zoning District is consistent with the Office General Plan land use designation in that commercial uses may be permitted provided that they comply with the commercial development standards, and do not adversely impact nearby residential neighborhoods.

## **ANALYSIS**

The CO – Commercial Office Zoning District is designed to support the goals and policies of the General Plan in that it is intended to allow business and professional offices on the margins of residential neighborhoods.

The site is currently developed with an office building and associated parking structure. If the rezoning of the property is approved, the applicant proposes to construct a trash enclosure on a portion of the parking structure. Construction of a trash enclosure will be required to conform to the Development Standards of the CO – Commercial Office Zoning District. No additional development is anticipated. Staff supports the proposed rezoning application to promote this type of development on the site in that construction of a trash enclosure supports the existing commercial office development.

The proposed rezoning to the CO – Commercial Office Zoning District will also allow the continuation of an existing commercial office building on the property consistent with the commercial development pattern along The Alameda.

Residential uses abut the site at the western property line of the site. It is not expected that the continuation of the existing commercial uses would negatively affect this residential area.

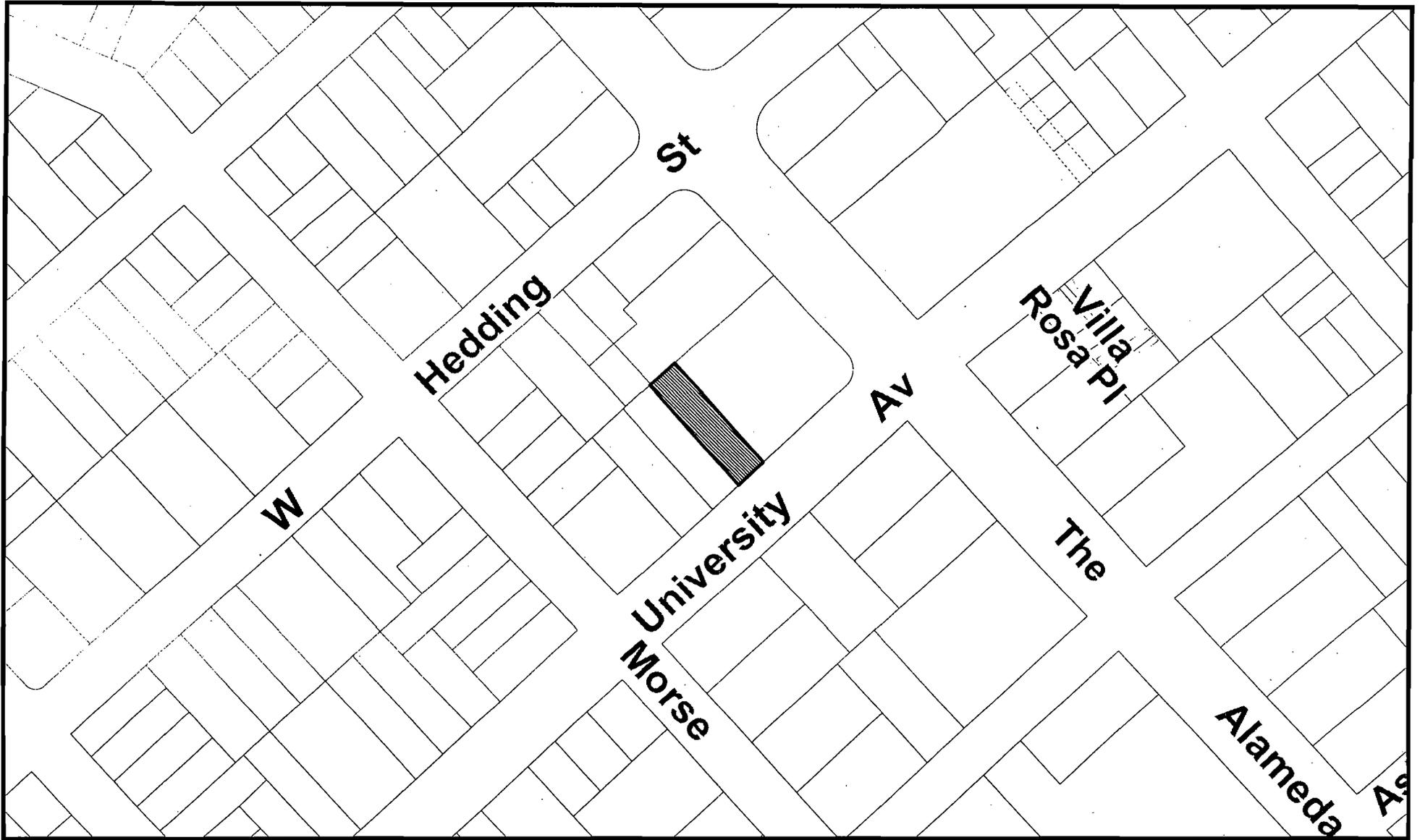
## **COORDINATION**

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 that the City Council approve the subject rezoning for the following reasons:

1. The proposed rezoning is consistent with the San José 2020 General Plan Land Use/Transportation Diagram designation of Office.
2. The proposed rezoning is compatible with existing and proposed uses on the adjacent and neighboring properties.



05/14/2007

Scale: 1"= 200'  
Noticing Radius: 500 feet

File No: C07-032

District: 6

Quad No: 82

# PARCEL MAP

BEING LOTS 1 & 2, BLOCK 3 OF THE  
CHAPMAN & DAVIS TRACT, VOL. A OF MAPS  
PAGE 18.

## CITY OF SAN JOSE

SANTA CLARA COUNTY CALIFORNIA

ROBERT L. KENEFFICK  
CIVIL ENGINEER

SANTA CLARA, CALIFORNIA

SCALE 1" = 50'

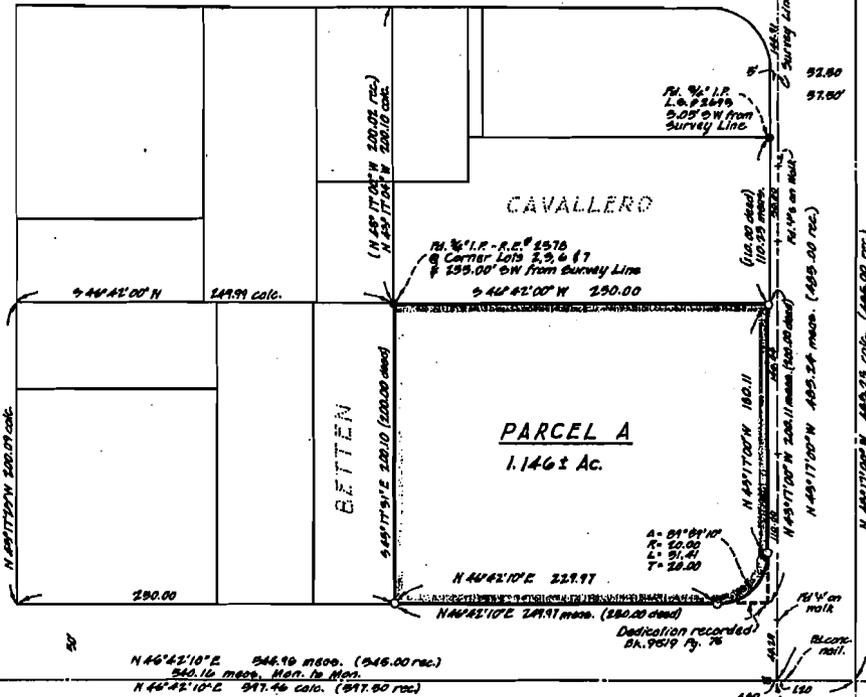
MARCH 1971

CHAPMAN STREET

### HEDDING STREET

MORSE STREET

THE ALAMEDA



### CITY ENGINEER'S CERTIFICATE

This map has been examined for conformance with the requirements of Section 11675 of the Subdivision Map Act this 12<sup>th</sup> Day of March, 1971.

A. R. Terterick  
City Engineer

By Deputy J. E. Pester

### SURVEYOR'S CERTIFICATE

This map was prepared by me or under my direction and is based upon a field survey in conformance with the requirements of the Subdivision Map Act of the request of Carl N. Emerson Co., Inc. & Dr. Joseph L. Price in March 1971. I hereby certify that it conforms to the approved tentative map and the conditions of approval thereof; that all provisions of applicable state law and local ordinances have been complied with.

Robert L. Kenefick

R.C.E. No. 12640

### RECORDER'S CERTIFICATE

Filed this 18<sup>th</sup> day of February, 1971, at 3:22 P.M. in Book 291 of Maps of Page 27 of the request of Carl N. Emerson Co., Inc. & Joseph L. Price

\$500  
George E. Foates  
County Recorder

By Deputy Daniel L. Jones

### UNIVERSITY AVENUE

### BASIS OF BEARING

The bearing, N 43° 17' 00" W, of the Northeastery line of The Alameda as shown on the "Record of Survey of a portion of Lot 4, Block 3, Map of the University Grounds," recorded in Book 120 of Maps of Page 38 Santa Clara County Records was taken as the basis of bearings shown on this map.

### LEGEND

- indicates found Monument - Brass Pin & Cone.
- ⊕ indicates found Granitic Monument with 2 1/2" hole.
- indicates set 3/4" I.P. with R.C.E. Tag 12540.
- indicates found Iron Pipe.
- rec. indicates record.
- meas. indicates measured.
- calc. indicates calculated.

All distances and dimensions are shown in feet and decimals thereof.

C07-032

29/  
27



RECEIVED

MAY 24 2007



CITY OF SAN JOSE  
DEVELOPMENT SERVICES

*Memorandum*

**TO:** Lee Butler

**FROM:** Nadia Naum-Stoian

**DATE:** 05/23/07

**SUBJECT: FINAL RESPONSE TO  
DEVELOPMENT APPLICATION**

Re: Plan Review Comments

PLANNING NO: C07-032

DESCRIPTION: Conventional Rezoning from R-1-8 to the A(PD) Zoning District on a 0.91 gross acres site.

LOCATION: north side of University Ave, approximately 240 feet westerly of The Alameda

ADDRESS: north side of University Ave, approximately 240 feet westerly of The Alameda (1871 THE ALAMEDA)

FOLDER #: 07 014769 ZN

The Fire Department's review was limited to verifying compliance of the project to Article 9, Appendix III-A, and Appendix III-B of the 2001 California Fire Code with City of San Jose Amendments (SJFC). Compliance with all other applicable fire and building codes and standards relating to fire and panic safety shall be verified by the Fire Department during the Building Permit process.

The application provided does not include adequate information for our review; Fire Department staff will provide further review and comments when additional information is received as part of subsequent permit applications.

Nadia Naum-Stoian  
Fire Protection Engineer  
Bureau of Fire Prevention  
Fire Department  
(408) 535-7699



# Memorandum

**TO:** Lee Butler  
Planning and Building

**FROM:** Ebrahim Sohrabi  
Public Works

**SUBJECT: FINAL RESPONSE TO  
DEVELOPMENT APPLICATION**

**DATE:** 05/22/07

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**PLANNING NO.:** C07-032  
**DESCRIPTION:** Conventional Rezoning from R-1-8 to the A(PD) Zoning District on a 0.91 gross acres site.  
**LOCATION:** north side of University Ave, approximately 240 feet westerly of The Alameda  
**P.W. NUMBER:** 3-99999

Public Works received the subject project on 05/17/07. We have no comments or requirements.

Please contact the Project Engineer, Amit Mutsuddy, at (408) 535-6828 if you have any questions.

Ebrahim Sohrabi  
Senior Civil Engineer  
Transportation and Development Services Division

ES:AM:tw  
6000-14919848028.DOC