

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
P.C. 11-15-05 Item No. 11.1(b)

STAFF REPORT

File Number
C05-089

Application Type
Conforming Conventional Rezoning

Council District
7

Planning Area
South San Jose

Assessor's Parcel Number(s)
497-34-005

PROJECT DESCRIPTION

Completed by: Lori Moniz

Location: South side of Umbarger Road, 300 feet westerly of Meadowfaire Drive (370 Umbarger Road)

Gross Acreage: 1.42

Net Acreage: 1.42

Net Density: N/A

Existing Zoning: IP Industrial Park

Existing Use: Former Business Office

Proposed Zoning: LI Light Industrial

Proposed Use: Light Industrial Uses

GENERAL PLAN

Completed by: LM

Land Use/Transportation Diagram Designation
Light Industrial

Project Conformance:
 Yes No
 See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: LM

North: Industrial

County

East: Industrial

IP Industrial Park

South: Industrial

IP Industrial Park

West: Industrial

LI Light Industrial

ENVIRONMENTAL STATUS

Completed by: LM

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

Exempt
 Environmental Review Incomplete

FILE HISTORY

Completed by: LM

Annexation Title: Franklin No. 40

Date: 07/08/81

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval
 Approval with Conditions

Date: 10-25-05

Approved by: 
 Action
 Recommendation

OWNER/APPLICANT

Umbarger, LLC
Attn: Robert Amos
1601 Little Orchard St., Suite E
San José, CA 95110

CONTACT PERSON

Vincent Rivero
HMH Engineers
1570 Oakland Road
San José, CA 95131

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: LM

Department of Public Works

No Comments.

Other Departments and Agencies

None received.

GENERAL CORRESPONDENCE

None received.

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant, Umbarger, LLC, is requesting a Conforming Conventional Rezoning of the subject 1.42 gross-acre site from IP Industrial Park to LI Light Industrial to allow the uses of the Light Industrial zoning district. There is no proposal to expand the existing facilities. The site is surrounded by industrial uses. Currently, there is an approximately 43 year old, 8,520 square foot building on the site. The subject property was previously owned by The Sheet Metal Workers' Local 104 and used as a business office. Umbarger, LLC purchased the property in 2004. The remainder of the site is paved. There are 4 perimeter trees, however no trees on the interior of the site. Future development will require the approval of a development permit. Currently, there are no applications for development permits on file.

GENERAL PLAN CONFORMANCE

The site is currently designated as Light Industrial on the General Plan Land Use/Transportation Diagram. The uses allowed under the proposed Light Industrial district are consistent with this General Plan designation.

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.

ANALYSIS

The proposed rezoning to Light Industrial is in conformance with the General Plan designation of Light Industrial. The uses allowed by right in the Light Industrial zoning district are industrial in nature and should be compatible with the surrounding area. Other uses may be allowed as an

independent use upon the issuance of and in compliance with a Conditional or Special Use permit. This rezoning does not approve any physical changes to the existing structures on-site or allow any new construction. Any changes to the existing development or redevelopment of the site would be subject to the approval of a subsequent development permit. The applicant plans to occupy the existing building. At this time, there is no proposal to redevelop the site.

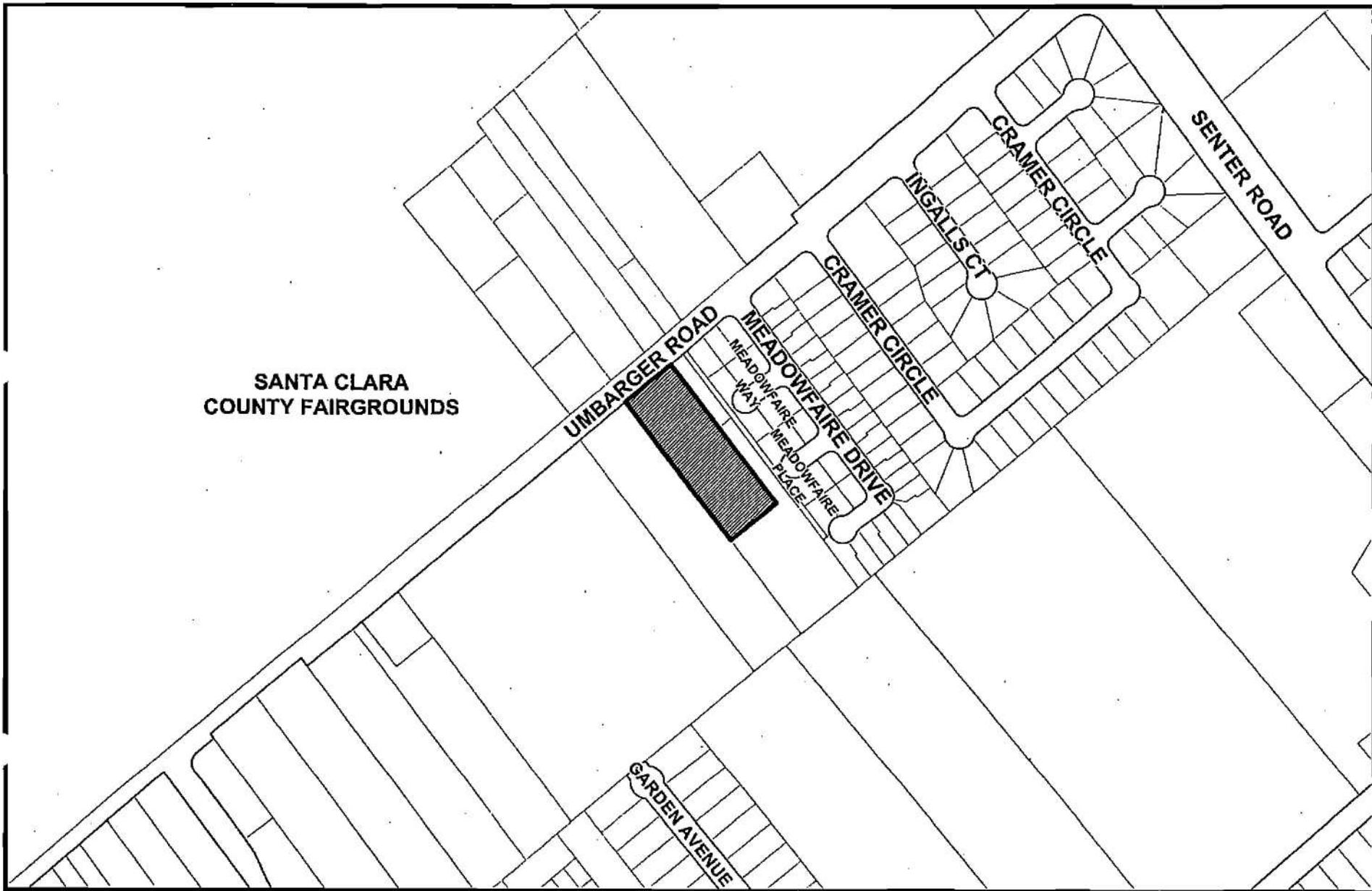
PUBLIC OUTREACH

A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site as well as published in the San José Post Record and the San José Mercury News. The City Council Agenda is posted on the City of San José web site with copies of the staff report. Staff has been available to discuss the proposal with members of the public.

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 Light Industrial.
2. The proposed rezoning is compatible with surrounding land uses.



SANTA CLARA
COUNTY FAIRGROUNDS



Scale: 1"= 350'

Map Created On: 09/09/2005

Noticing Radius: 500 feet

File No: C05-089

District: 7

Quad No: 100

UMBARGER ROAD

N49°45'37"E 147.50'

P.O.B.

S37°00'45"E 419.79'

N37°00'45"W 419.79'

S49°45'37"W 147.50'



GRAPHIC SCALE
1 INCH = 60 FT.

680-089

SHEET 1 OF 1

Date: 9-7-05
Scale: 1" = 60'
Designed: -
Drawn: TG
Checked: SD
Proj. Eng.: -
Dwg Name: 3492PL01

HMH
ENGINEERS &

San Jose
(408) 487-2200
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Plat to accompany description:
FOR REZONING PURPOSES

SAN JOSE

CALIFORNIA

20050907.1248



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

C05-089. Conforming Conventional Rezoning for a project located on the south side of Umbarger Road, 300 feet westerly of Meadowfaire Drive (370 Umbarger Road) on a 1.42-gross-acre site from IP Industrial Park Zoning District to LI Light Industrial Zoning District to allow industrial uses.

Council District 7.

County Assessor's Parcel Numbers 497-34-005

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.

Lori Moniz
Project Manager

Stephen M. Haase, AICP
Director, Planning, Building and Code Enforcement

10/19/05
Date

Atomi Amielgen
Deputy