

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: 06-03-08 11.1(b)

File Number: C08-029

Application Type:

Conforming Conventional Rezoning

Council District:

4

Planning Area: Berryessa

SNI Area: N/A

Assessor's Parcel Number: 237-03-046, -
073, -074

PROJECT DESCRIPTION

Completed by: Ed Schreiner

Location: Northwest corner of East Brokaw Road and Oakland Road (1015, 1075 E Brokaw Road)

Gross Acreage: 8.5

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

Existing Zoning: IP - Industrial Park, LI - Light
Industrial, HI - Heavy Industrial

Existing Use: Industrial Office Buildings

Proposed Zoning: CN - Commercial Neighborhood

Proposed Use: Neighborhood Shopping Center

GENERAL PLAN

Land Use/Transportation Diagram Designation:

Industrial Park (GP Amendment to Combined Industrial Commercial
to be heard before City Council on 5/20)

Project Conformance:

Yes No
 See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

North: Industrial park offices

IP Industrial Park

East: Retail, single-family attached and multi-
family residential

A(PD) Planned Development

South: Brokaw Road, industrial park offices

HI Heavy Industrial/IP Industrial Park

West: Industrial park offices

IP Industrial Park

ENVIRONMENTAL STATUS

Environmental Impact Report (North San Jose EIR certified 6-21-05)

Negative Declaration circulated on

Negative Declaration adopted on

Exempt

Environmental Review Incomplete

FILE HISTORY

Date Filed: April 16, 2008

Annexation Title: Orchard No. 24A

Date: February 26, 1960

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval

Approval with Conditions

Denial

Uphold Director's Decision

Date: 05-12-08

Approved by:

Action

Recommendation

Susan Walton

OWNER/APPLICANT

Scott Atheam, Dollinger Properties
555 Twin Dolphin Dr Unit 600
Redwood City, CA 94065

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: E.Schreiner

Department of Public Works: None

Other Departments and Agencies: None

GENERAL CORRESPONDENCE:

None received

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The property owner, Dollinger Properties, is requesting a conforming rezoning of the subject property from the IP Industrial Park Zoning District to the CN Commercial Neighborhood Zoning District to facilitate a future neighborhood shopping center project.

The 8.5 gross acre site currently includes a number of existing one and two-story industrial office buildings. Any future alterations to the site would require a subsequent Site Development Permit or Conditional Use Permit.

The site is roughly triangular in shape, with approximately 750 feet of frontage along East Brokaw Road and 800 feet of frontage along Oakland Road. The site is surrounded by industrial office uses to the north, south and west and by single- and multi-family attached and retail to the east.

GENERAL PLAN CONFORMANCE

Currently the General Plan designation for the site is Industrial Park. However, a General Plan Amendment request (File No. GP07-04-02) is on file to change the land use designation to Combined Industrial/Commercial. This General Plan Amendment was recommended for approval by the Planning Commission on April 21, 2008, and is scheduled to be heard by the City Council on May 20, 2008. If the General Plan Amendment is approved by the City Council, the proposed rezoning to the CN Commercial Neighborhood Zoning District would be consistent with the site's General Plan Land Use/Transportation Diagram designation of Combined Industrial/Commercial in that this designation supports a variety of commercial uses.

ENVIRONMENTAL REVIEW

The environmental impacts of this project were addressed by an addendum to an EIR entitled, "North San José Development Policies Update." On June 21, 2005, the City Council adopted Resolution Number 72768 making findings for adoption of the North San José Development Policies Update. The addendum determined that with regard to traffic and circulation, the proposed change from the IP Industrial Park zoning district to the Commercial Neighborhood zoning district would not result in a significant change in peak hour trips.

ANALYSIS

The proposed rezoning to CN Commercial Neighborhood Zoning District would facilitate commercial uses consistent with the enumerated uses noted in the Zoning Ordinance and the Combined Industrial/Commercial General Plan land use designation.

The proposed rezoning to the CN Commercial Neighborhood Zoning District could facilitate the potential development of a neighborhood shopping center of approximately 100,000 square feet. A subsequent Site Development Permit or Conditional Use Permit is anticipated to be filed to construct this shopping center. The rezoning will allow for commercial uses to be developed on the site which would not be permitted under the existing industrial zoning designations.

PUBLIC OUTREACH

The property owners and occupants within a 500-foot radius were sent public hearing notices for the City Council hearing. This staff report has been posted on the City's web site. Signage has been posted at the site to inform the public about the proposed change. Staff has been available to discuss the proposal with interested members of the public.

COORDINATION

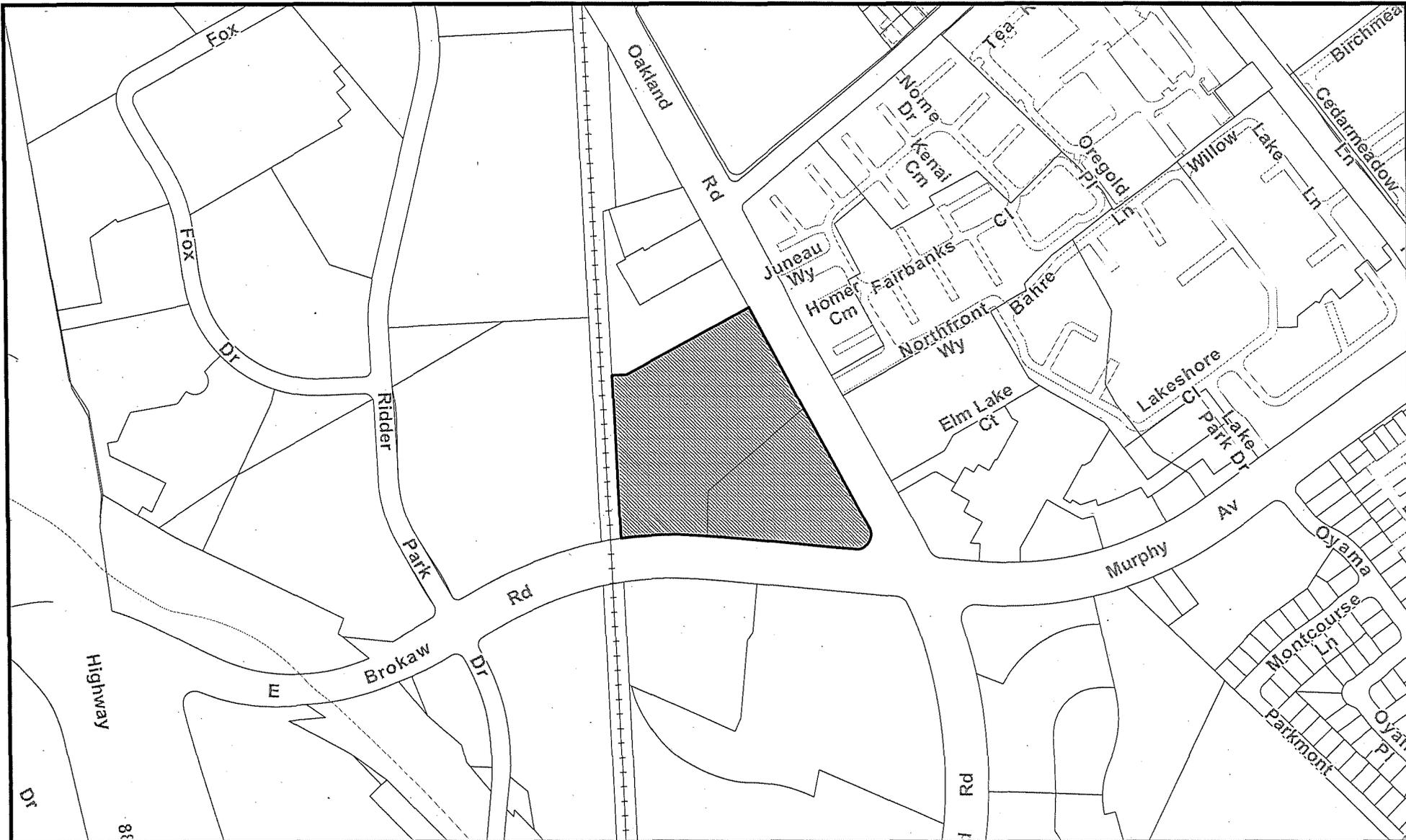
This project was coordinated with the Department of Public Works, Fire Department, Building Division, Environmental Services Department and the City Attorney.

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's designation of Combined Industrial/Commercial to be considered by the City Council on May 20, 2008.
2. The proposed rezoning would allow commercial uses on this site that are compatible with the surrounding uses.

Attachments:
Location Map



05/02/2008

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

File No: C08-029

District: 4

Quad No: 51