



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Planning Commission

**SUBJECT:** SEE BELOW

**DATE:** July 21, 2008

**COUNCIL DISTRICT:** 7  
**SNI AREA:** N/A

**SUBJECT: C08-027. CONVENTIONAL REZONING FROM LI LIGHT INDUSTRIAL ZONING DISTRICT TO CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT TO ALLOW COMMERCIAL USES ON A 0.61 GROSS ACRE SITE LOCATED ON THE SOUTHEAST CORNER OF MONTEREY ROAD AND OLD TULLY ROAD (2400 MONTEREY ROAD).**

## RECOMMENDATION

The Planning Commission voted 6-0-1 with Commissioner Platten absent to recommend that the City Council approve the proposed rezoning as recommended by staff.

## OUTCOME

Should the City Council approve the Rezoning, the permitted, special and conditional uses for the CN-Commercial Neighborhood zoning district may be allowed on the subject 0.61 gross acre site. Conditional and special uses and any modifications to the site will be subject to further development permits.

## BACKGROUND

On July 16, 2008, the Planning Commission held a public hearing to consider a conventional rezoning from LI Light Industrial Zoning District to CN Commercial Neighborhood Zoning District to allow commercial uses on a 0.61 gross acre site. The Director of Planning recommended approval of the proposed project.

The rezoning was recommended for approval as part of the consent calendar. No one spoke in favor of or in opposition to the proposed project.

### ANALYSIS

This project would facilitate further development of this site that is compatible with the surrounding uses and accommodate allowed uses. See original staff report for additional discussion.

### EVALUATION AND FOLLOW-UP

Not Applicable

### POLICY ALTERNATIVES

Not Applicable

### PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although this item does not meet any of the above criteria, staff followed Council Policy 6-30; Public Outreach Policy. A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website. The rezoning was also published in a local newspaper, the Post Record. This staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

### COORDINATION

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

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**FISCAL/POLICY ALIGNMENT**

This project is consistent with applicable General Plan policies and City Council approved design guidelines as further discussed in attached staff report.

**COST SUMMARY/IMPLICATIONS**

Not applicable.

**BUDGET REFERENCE**

Not applicable.

**CEQA**

Exempt.

*for Susan Walton*  
JOSEPH HORWEDEL, SECRETARY  
Planning Commission

For questions please contact Susan Walton at 408-535-7800.

cc: Local Motive Development, LLC, Attn: Angie Ceraolo, 5752 Country Club Parkway, San José,  
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