

STAFF REPORT
CITY COUNCIL

FILE NO.: C12-007

Submitted: March 23, 2012

PROJECT DESCRIPTION:

Conforming Rezoning request from the A-Agriculture Zoning District to the R-1-8 Single-Family Residence Zoning District on a 0.18 gross acre site.

LOCATION:

West side of Ringwood Avenue, approximately 310 feet southerly of McKay Drive (1719 Ringwood Avenue)

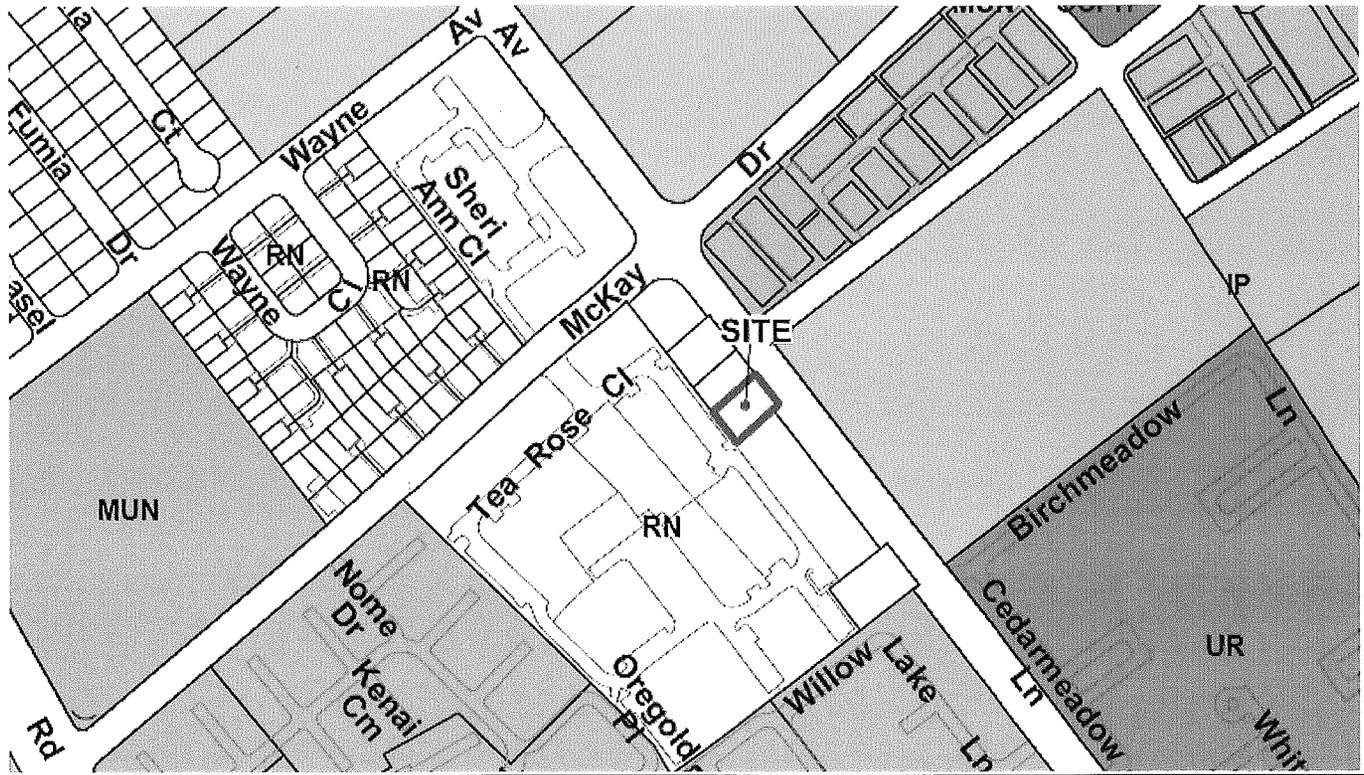
Zoning	A-Agriculture
Proposed Zoning	R-1-8 Single-Family Residence
General Plan	Residential Neighborhood
Council District	4
Annexation Date	December 17, 1990 (Orchard No. 144)
SNI	NA
Historic Resource	NA
Redevelopment Area	NA
Development Policy Area	North San Jose

Aerial Map

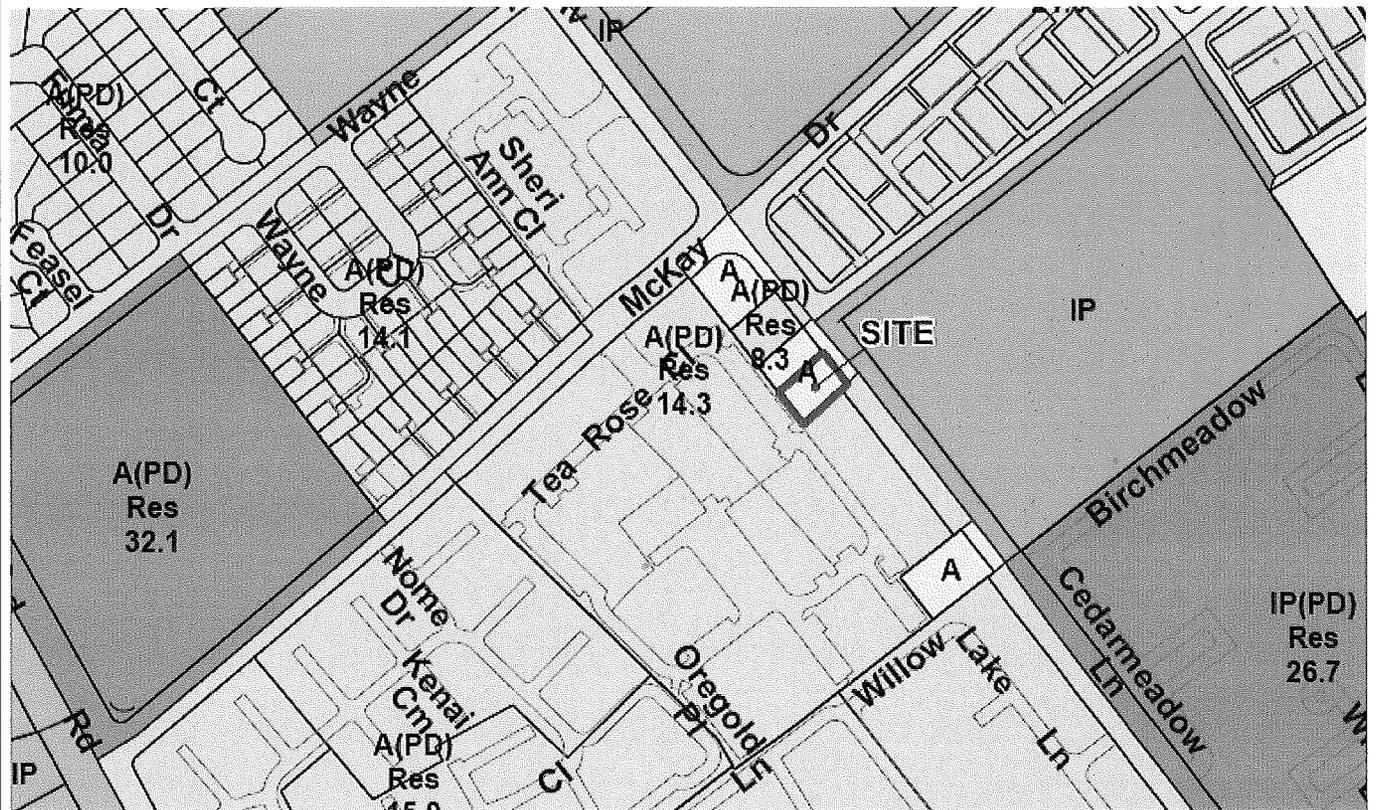
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GENERAL PLAN



ZONING



RECOMMENDATION

Planning staff recommends that the City Council find that the project is conformance with the California Environmental Quality Act (CEQA) and approve the proposed Conforming Rezoning on the subject site for the following reasons:

1. There is no substantial evidence that the project will have a significant effect on the environment. Pursuant to Section 15168 of the CEQA Guidelines, the proposed project is pursuant to or in furtherance of the Final Environmental Impact Report (EIR) for the Envision San Jose 2040 General Plan and does not involve new significant effects beyond those analyzed in this Final EIR.
2. The proposed Conforming Rezoning is consistent with the goals and policies of the Envision San Jose 2040 General Plan, specifically:
 - a. The zoning will comply with site's the Land Use/Transportation Diagram land use designation of Residential Neighborhood.
 - b. The proposed rezoning would allow single-family residential uses on the subject site that are compatible with the existing structure and surrounding uses.

BACKGROUND & DESCRIPTION

On March 23, 2012, the property owner, William Seet, applied for a Conforming Rezoning on the subject 0.18 gross acre site from the A-Agriculture District to the R-1-8 Single-Family Residence District to facilitate the conversion of the existing church to a single-family detached residence.

Site and Surrounding Uses

The subject site is relatively flat land developed with a one-story church building. The land uses surrounding the site include a single-family detached residence and a duplex to the immediate north, an industrial warehouse building across Ringwood Avenue to the east with a townhome development also across Ringwood Avenue to the northeast. A townhome development wraps around two sides of the site to the south and west.



View of the subject site looking from Ringwood Avenue towards the west.

ANALYSIS

The proposed conforming rezoning was analyzed with respect to: 1) conformance with the Envision San Jose 2040 General Plan and 2) the California Environmental Quality Act (CEQA).

Envision San Jose 2040 General Plan Conformance

The site's Residential Neighborhood land use designation, which has a typical maximum density of 8 dwelling units per acre, is applied broadly throughout the City to encompass most of the established, single-family residential neighborhoods. The intent of this designation is to preserve the existing character of these neighborhoods and to strictly limit new development to infill projects which closely conform to the prevailing existing neighborhood character as defined by density, lot size and shape, massing and neighborhood form and pattern. New infill development should improve and/or enhance existing neighborhood conditions by completing the existing neighborhood pattern and bringing infill properties into general conformance with the quality and character of the surrounding neighborhood.

Single-family attached townhomes, a single-family detached residence, a duplex, and industrial warehouse and office uses make up the character of the surrounding neighborhood. A change in zoning on the site from the A Agriculture District to the R-1-8 Single-Family Residence District will allow for the existing building, previously occupied by a church, to convert to a single-family residence. A single-family residence is consistent and compatible with the character of the neighborhood as the subject site is immediately adjacent to an existing single-family residence to the north and single-family attached townhomes to the south and west.

Additionally, the proposed R-1-8 Single-Family Residence Zoning District is a conforming District to the site's Residential Neighborhood General Plan land use designation, per the Zoning Ordinance.

California Environmental Quality Act (CEQA)

Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that the proposed rezoning is pursuant to or in furtherance of the Final Environmental Impact Report (EIR) for the Envision San José 2040 General Plan, which findings were adopted by City Council Resolution No. 76041 on November 1, 2011. The Program EIR was prepared for the comprehensive update and revision of all elements of the City of San José General Plan, including an extension of the planning timeframe to the year 2040, and does not involve new significant effects beyond those analyzed in this Final EIR.

PUBLIC OUTREACH/INTEREST

In addition to the development proposal notification signage posted at the site, 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. Staff has been available to discuss the proposal with interested members of the public.

Project Manager: Lesley Xavier

Approved by: /s/

Date: 04-25-12

Owner/Applicant:	Attachments:
Seet, Ding Shee, Trustee, et. al. 1809 McCluhan Way San Jose, CA 95132-1536	None.