

**STAFF REPORT**  
**CITY COUNCIL**

**FILE NO.:** C12-016

**Submitted:** June 25, 2012

**PROJECT DESCRIPTION:**

Conforming Conventional Rezoning from LI Light Industrial Zoning District to CIC Combined Industrial/Commercial Zoning District to allow office uses on a 0.17 gross acre site.

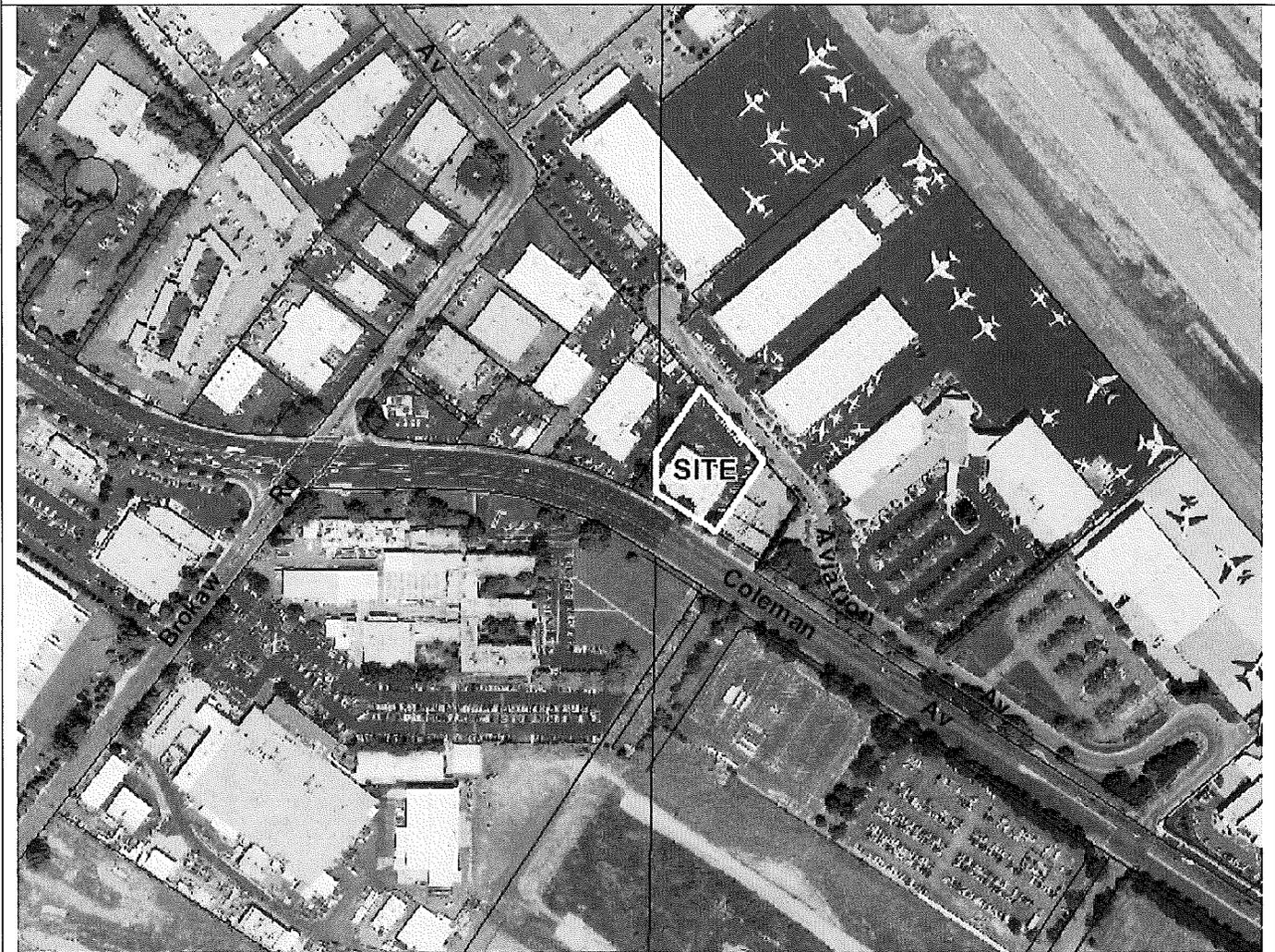
**LOCATION:**

North side of Coleman Avenue, approximately 740 feet easterly of Brokaw Road (1414 Meridian Avenue).

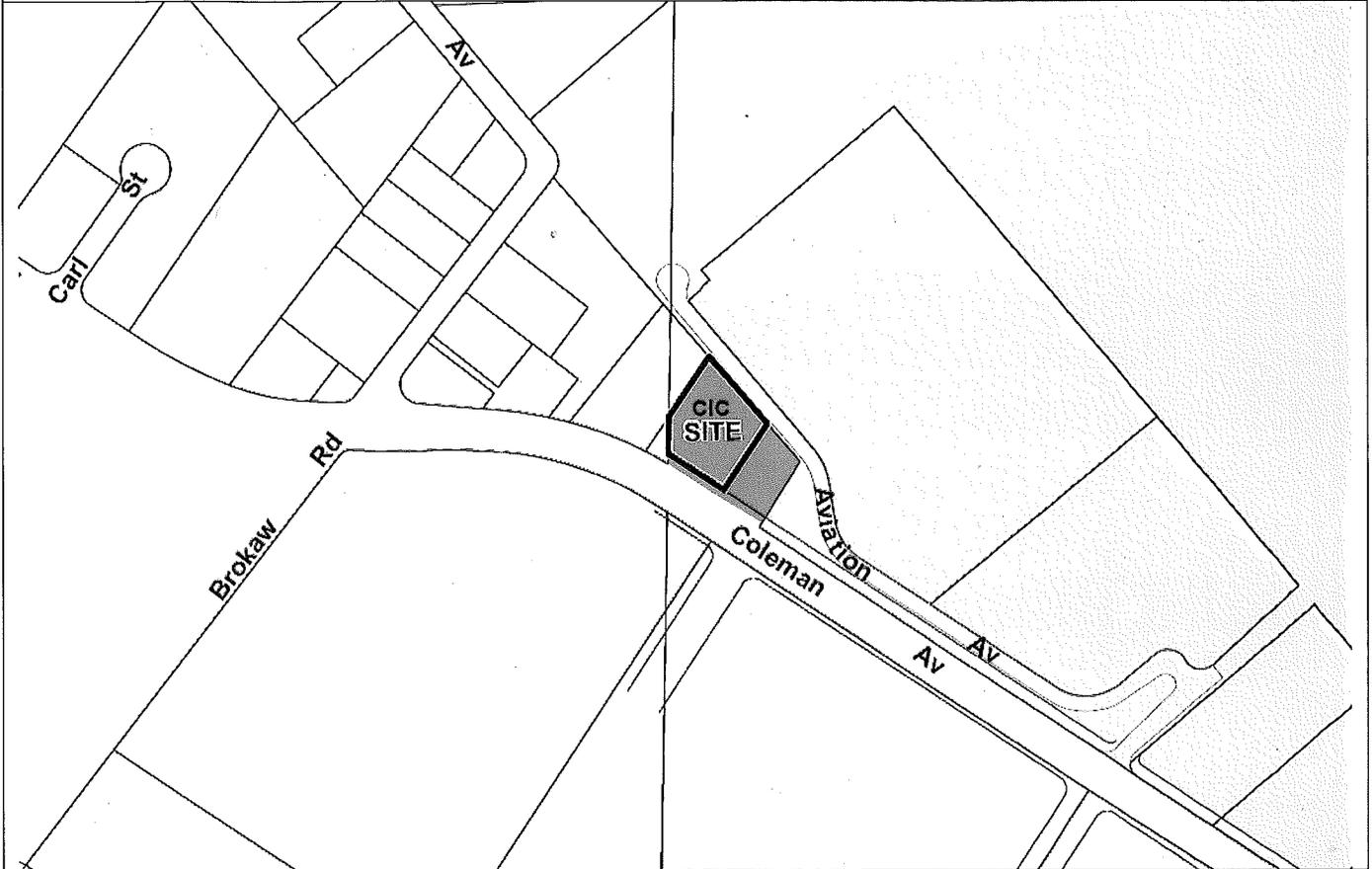
Zoning	LI Light Industrial
Proposed Zoning	CIC Combined Industrial/Commercial
Envision 2040 General Plan	Combined Industrial/Commercial
Council District	3
Annexation Date	12/08/1925
SNI	N/A
Historic Resource	N/A
Specific Plan	N/A

**Aerial Map**

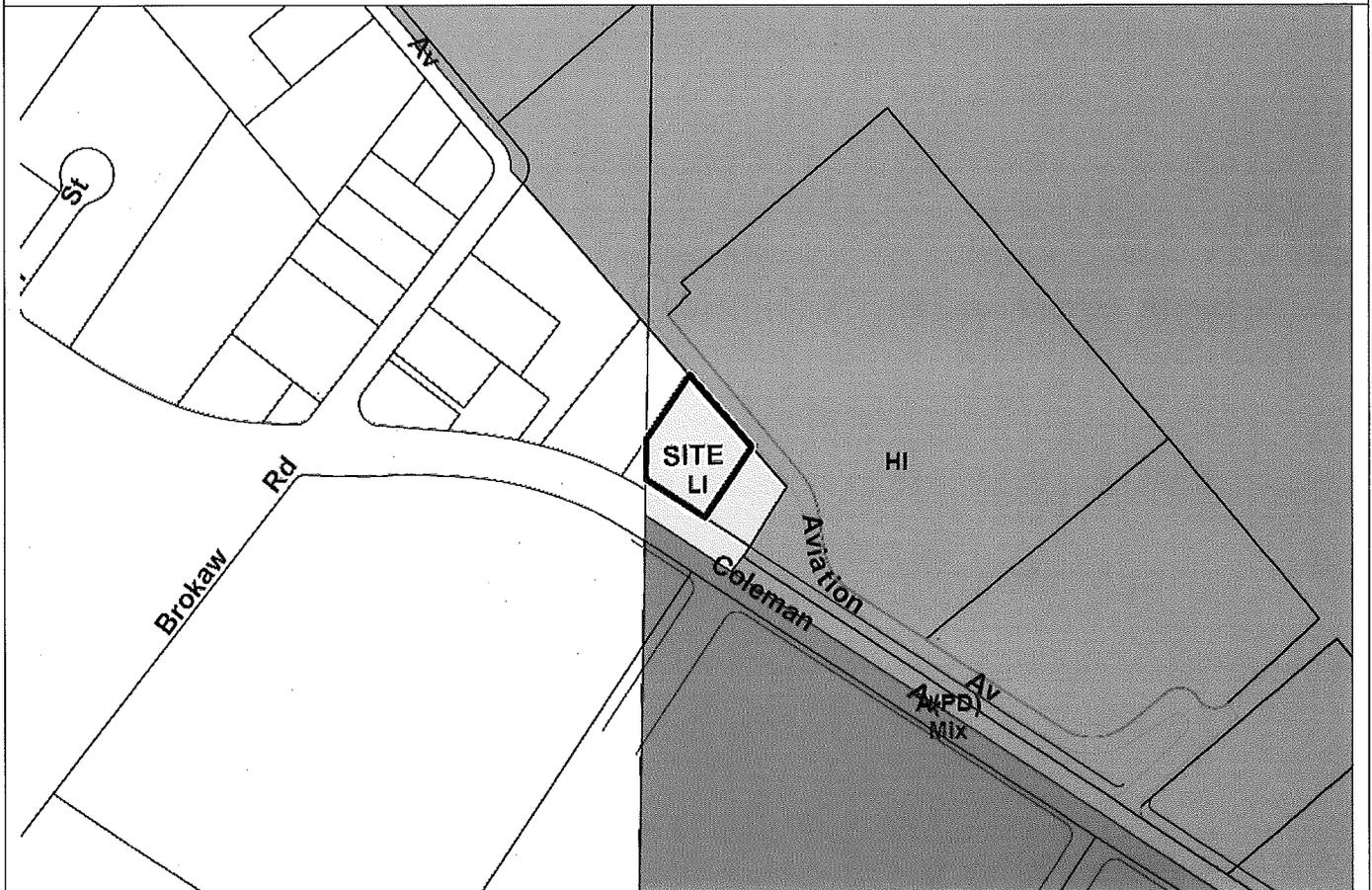
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ENVISION 2040 GENERAL PLAN



ZONING





## **RECOMMENDATION**

Planning staff recommends that the City Council approve the proposed Conforming Rezoning for the following reasons:

1. The proposed rezoning is in conformance with the Envision San José 2040 General Plan Land Use/Transportation Diagram's land use designation of Combined Industrial/Commercial for the subject site.
2. The proposed rezoning would allow commercial and industrial uses on the site that are compatible with the existing structure and surrounding uses.
3. The rezoning is in conformance with the California Environmental Quality Act (CEQA)

## **BACKGROUND & DESCRIPTION**

On November 1, 2011, the general plan designation for the subject site was changed to Combined Industrial/Commercial with the approval of the Envision San José 2040 General Plan. On June 25, 2012, the applicant, SCA Coleman LLC, requested a conventional rezoning of the subject property from the LI Light Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District to allow a broader range of office uses on the subject site.

### **Site and Surrounding Uses**

The 1.04 gross acre site is developed with an office building. The site is bounded by other office buildings. Access to the project site is provided from Coleman Avenue.

## **ANALYSIS**

The proposed conforming rezoning was analyzed with respect to the following: 1) conformance with the Envision San José 2040 General Plan, and 2) CEQA

### Conformance to the General Plan

In accordance with Section 20.120.110 of the San José Municipal Code, the proposed rezoning of the subject site to the CIC Combined Industrial/Commercial Zoning District conforms to the Envision San José 2040 General Plan Land Use/Transportation Diagram land use designation of Combined Industrial/Commercial (see Table 20-270 below).

<b>Table 20-270</b>	
<b>General Plan Designation</b>	<b>Conforming District</b>
All designations	OS, A
Open hillside	OS
Lower hillside (1 du/5 ac)	R-1-RR
Rural residential (2 du/ac)	R-1-1, R-1-2
Residential neighborhood	R-1-8, R-1-5
Urban residential, transit residential	R-M
Neighborhood/community commercial, urban village	CP, CN, CG
Transit employment center	IP
Regional commercial	CG
Industrial park	IP
Light industrial	LI
Heavy industrial	HI
Combined industrial/commercial	CIC

The Combined Industrial/Commercial land use designation allows a significant amount of flexibility for the development of a varied mixture of compatible commercial and industrial uses, including hospitals and private community gathering facilities. Properties with this designation are intended for commercial, office, or industrial developments or a compatible mix of these uses. This designation occurs in areas where the existing development pattern exhibits a mix of commercial and industrial land uses or in areas on the boundary between commercial and industrial uses. Development intensity can vary significantly in this designation based on the nature of specific uses likely to occur in a particular area. In order to maintain an industrial character, small, suburban strip centers are discouraged in this designation, although larger big-box type developments may be allowed because they mix elements of retail commercial and warehouse forms and uses.

### **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.

### **Conclusion**

Rezoning the subject site from the LI Light Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District would bring the zoning into conformance with the recently adopted general plan and would allow the use of the site for industrial purposes as well as facilitate future commercial uses.

### **PUBLIC OUTREACH/INTEREST**

Signage was posted at the site to inform the public about the proposed change. 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:** Lori Moniz    **Approved by:** /s/ \_\_\_\_\_    **Date:** October 12, 2012

Owner:	Applicant:	Attachments:
Tom Sartor and Ellyn M. Corey SCA Coleman LLC 319 Hawthorne Avenue Los Altos, CA 94022	Vincent E. Rivero VER Consultants, Inc. 1625 The Alameda San José, CA 95126	Exhibit "B"



**USE OF A PROGRAM EIR  
ENVISION SAN JOSE 2040 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 Envision San Jose 2040 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**

**C12-016. Conforming Rezoning from LI Light Industrial Zoning District to CIC Combined Industrial/Commercial Zoning District Zoning District to conform with the Envision San José 2040 General Plan Land Use/Transportation Diagram land use designation of Combined Industrial/Commercial for a project located on the north side of Coleman Avenue, approximately 740 feet easterly of Brokaw Road (1190 COLEMAN AVENUE) on a 1.04-gross-acre site.**

**Council District 6.**

**County Assessor's Parcel Number 230-05-063**

The environmental impacts of this project were addressed by a Final EIR entitled, "Envision San Jose 2040 General Plan," and 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 Jose General Plan, including an extension of the planning timeframe to the year 2035. The following impacts were reviewed and found to be adequately considered by the EIR:

Transportation	Geology and Soils	Noise and Vibration
Population & Housing	Hazardous Materials & Hazards	Land Use
Utilities & Service Systems	Air Quality	Aesthetics
Energy	Public Facilities & Services	Hydrology & Water Quality
Greenhouse Gas Emissions	Biological Resources	Cultural & Paleontological Resources

The proposed rezoning is covered by the Envision San Jose 2040 General Plan EIR because it does not involve any new impacts beyond those analyzed in the Final EIR in that the proposal brings the zoning into conformance with the Envision San José 2040 General Plan Land Use/Transportation Diagram land use designation of Neighborhood/Community Commercial. 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

10/15/2012  
Date

Joseph Horwedel, Director  
Planning, Building and Code Enforcement  
  
Deputy