



CITY COUNCIL STAFF REPORT

File No.	C18-004
Applicant:	Green Valley Corporation
Location	1302 North 4 th Street
Existing Zoning	LI Light Industrial
General Plan Land Use Designation	Combined Industrial/Commercial
Council District	3
Historic Resource	No
Annexation Date:	November 1, 1951
CEQA:	Determination of Consistency with the Envision San José 2040 General Plan EIR (Resolution No. 76041) and the Envision San José General Plan Supplemental EIR (Resolution No. 77617), and all addenda thereto

APPLICATION SUMMARY:

Conforming Rezoning from the LI Light Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District on a 1.2 gross acre site.

RECOMMENDATION:

Consideration of an ordinance of the City of San José rezoning an approximately 1.2 gross acre site located at 1302 North Fourth Street from the LI Light Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District (Owner: Green Valley Corporation).

PROJECT DATA

GENERAL PLAN CONSISTENCY			
General Plan Designation		Combined Industrial/Commercial <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent	
Consistent Policies		Implementation Policies IP-1.1, IP-1.6, and IP-8.2	
SURROUNDING USES			
	General Plan Land Use	Zoning	Existing Use
North	Combined Industrial/Commercial	LI Light Industrial and CN Commercial Neighborhood	Contractor office and workshop
South	Combined Industrial/Commercial	CN Commercial Neighborhood	Hotel
East	Light Industrial	LI Light Industrial	Offices
West	Urban Village	LI Light Industrial	Vehicle Storage Yard

PROJECT DESCRIPTION

On January 24, 2018, the applicant, Green Valley Corporation, applied for a Conforming Rezoning from the LI Light Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District on a 1.2 gross acre site. There are no pending development applications on file for the subject site at this time.

Site Description and Surrounding Uses

The subject site is located at the northeast corner of East Rosemary Street and North 4th Street and is currently developed with a vacant two-story office building. A similar structure is directly north of the subject site; a hotel is located to the south; offices are located to the east and a vehicle storage yard to the west. Interstate 880 is also south of the property (Figure 1).

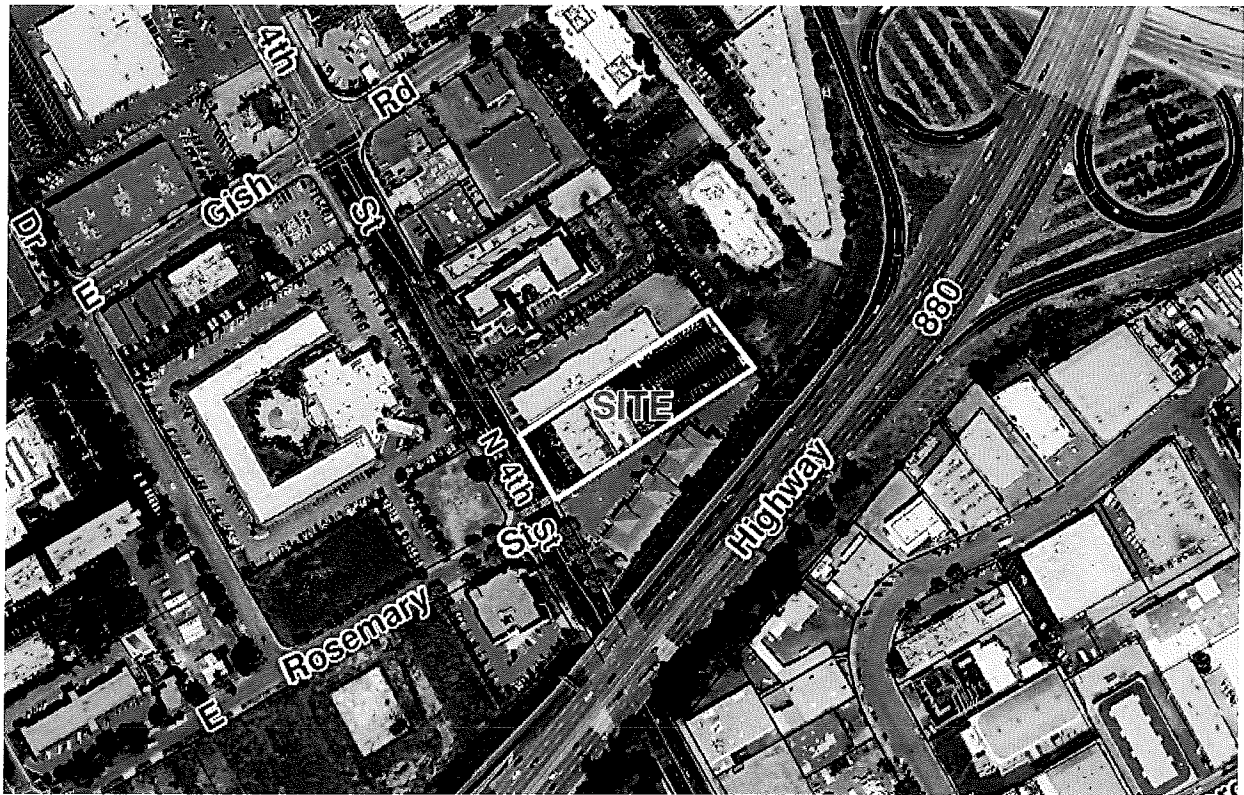


Figure 1: Aerial image of the subject site

Background

The subject property is zoned LI Light Industrial. The applicant requests a conforming rezoning to the CIC Combined Industrial/Commercial Zoning District, which would bring the zoning into conformance with the Combined Industrial/Commercial General Plan Land Use/Transportation Diagram land use designation. The Combined Industrial/Commercial Zoning designation allows a light manufacturing and commercial business development, such as business incubators and catering services to operate within a suitably zoned district consistent with the General Plan designation.

ANALYSIS

The proposed project was analyzed for conformance with the following: 1) the Envision San José 2040 General Plan; 2) the Zoning Ordinance; and 3) the California Environmental Quality Act (CEQA).

Envision San José 2040 General Plan Conformance

The subject site has an Envision San José 2040 General Plan Land Use/Transportation Diagram land use designation of Combined Industrial/Commercial (Figure 2).



Figure 2: General Plan Land Use/Transportation Diagram

The Combined Industrial/Commercial category allows a significant amount of flexibility for the development of a varied mix of compatible commercial and industrial uses. Properties with this designation are intended for commercial, office, or industrial developments, or a compatible mix of these uses. The proposed CIC Combined Industrial/Commercial Zoning District is consistent with the land use designation per Table 20-270, Section 20.120.110 of the San José Municipal Code.

The proposed rezoning is consistent with the following General Plan policies:

1. Implementation Policy IP-1.1 Land Use/Transportation Diagram: Use the Envision General Plan Land Use/Transportation Diagram designations to indicate the general intended land use providing flexibility to allow for a mix of land uses, intensities and development forms compatible with a wide variety of neighborhood contexts, and to designate the intended roadway network to be developed over the timeframe of the

Envision General Plan. Use the Zoning designation to indicate the appropriate type, form and height of development for specific properties.

2. Implementation Policy IP-1.6 Land Use/Transportation Diagram: Ensure that proposals to rezone and prezone properties conform to the Land Use/Transportation Diagram and advance Envision General Plan Vision, goals and policies.
3. Implementation Policy IP-8.2- Zoning: Use the City's conventional zoning districts, contained in its Zoning Ordinance, to implement the *Envision General Plan* Land Use/Transportation Diagram. These districts include a range of allowed land uses, development intensities, and standards within major land use categories (residential, commercial and industrial) together with zoning districts for other land uses, such as mixed-use and open space. The various ranges of allowed use and development intensity correspond generally to the respective *Envision General Plan* land use designations, while providing greater detail as to the appropriate land uses and form of development.

Analysis: Pursuant to Table 20-270 of the Zoning Ordinance, the CIC Combined Industrial Commercial Zoning District conforms to the General Plan Land Use Designation of Combined Industrial Commercial. The proposed rezoning allows commercial and small scale industrial operations to function within appropriate locations.

Zoning Ordinance Conformance

The proposed rezoning conforms with Table 20-270, Section 20.120.110 of the San José Municipal Code, which identifies the CIC Combined Industrial/Commercial Zoning District as a conforming district to the Combined Industrial Commercial General Plan Land Use/Transportation Diagram land use designation.



Figure 3: Zoning Map

The neighboring properties have a Combined Industrial Commercial General Plan designation and a mix of Commercial and LI Light Industrial Zoning designations. The adjacent LI Light Industrial properties are anticipated to be rezoned over time by property owners in conformance with the Combined Industrial/Commercial land use designation. This designation supports a very broad range of commercial activity, including neighborhood serving retail and services, commercial/professional office development, light manufacturing, and catering services.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that the proposed project is pursuant to, in furtherance of and within the scope of the Envision San José 2040 General Plan program, the impacts of which were analyzed and disclosed in the Final Environmental Impact Report for the Envision San José 2040 General Plan, for which findings were adopted by City Council Resolution No. 76041 on November 1, 2011, and Supplemental EIR adopted by City Council Resolution No. 77617 on December 15, 2015, and addenda thereto. The FPEIR, SEIR, and Addenda were 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.

There are no new or more significant environmental impacts beyond those identified in the Envision San Jose 2040 General Plan Final Program Environmental Impact Report (FPEIR), Supplemental EIR (SEIR), and Addenda that have been identified, nor have any new mitigation measures or alternatives, which are considerably different from those analyzed in the FPEIR, SEIR, and Addenda been identified.

PUBLIC HEARING NOTIFICATION

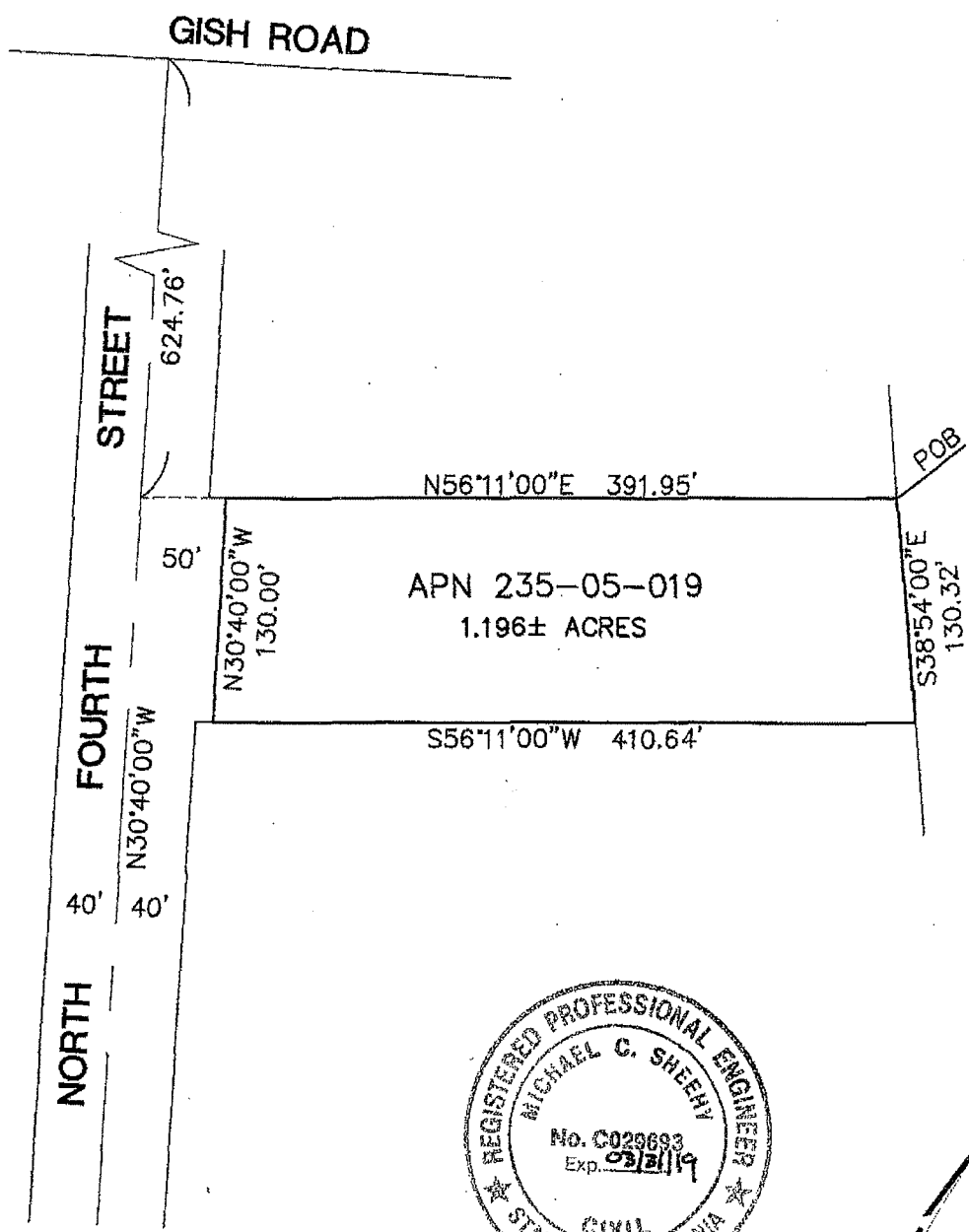
To inform the public of the proposed project, staff followed Council Policy 6-30: Public Outreach Policy. A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website. The staff report is also posted on the City's website. Staff has been available to respond to questions from the public. No public comment letters have been received to date.

/s/

Rosalynn Hughey, Acting Director
Planning, Building and Code Enforcement

For questions please contact Planning Official, Steve McHarris, at (408) 535-7819.

Attachment: Plat Map



C18-004

LEGEND:

POB POINT OF BEGINNING



0 50' 100'
GRAPHIC SCALE
1" = 100'

Drawing file: Q:\Civil\17926E\Dwg\Exhibits\ 2018-01-22 ZONING PLAT.dwg
Jan 22, 2018 - 2:12pm



RUTH AND GOING, INC.
Civil Engineering Land Surveying
2216 THE ALAMEDA SANTA CLARA, CA. 95050
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EXHIBIT "A"
ZONING PLAT

LANDS OF GREEN VALLEY CORP.
1302 N.4TH STREET
City of San Jose California

01-22-2018	17926E	Drawn: ATN
Dept.: Survey	Scale: 1" = 100'	Chkd.: MCS

EXHIBIT "B"
LEGAL DESCRIPTION
TO ACCOMPANY ZONING APPLICATION
LANDS OF GREEN VALLEY CORPORATION
1302 NORTH 4th STREET

All that real property situate in the City of San Jose, County of Santa Clara, State of California, being described as follows:

Being a portion of that certain 1.226 parcel of land shown on that certain Map entitled "Record of Survey of the Land of W. E. Kiersted", as said Map was filed for record in the office of the Recorder of the County of Santa Clara, State of California on November 28, 1966 in Book 216 of Maps at Page 52, being more particularly described as follows:

BEGINNING at the northeasterly corner of said Parcel; Thence southerly along the northeasterly line of said Parcel South 38° 54' East 130.32 feet to the southeasterly corner of said Parcel;

Thence westerly along the southeasterly line of said Parcel South 56° 11' West 410.64 feet to the southwesterly corner of said Parcel, said corner being a point on the northeasterly line of North 4th Street;

Thence northerly along said northeasterly line of North 4th Street and the southwesterly line of said Parcel North 30° 40' West 130.00 feet to the northwesterly corner of said Parcel;

Thence leaving said line of North 4th Street along the northwesterly line of said Parcel North 56° 11' East 391.95 feet, more or less, to the northeasterly corner of said Parcel and the POINT OF BEGINNING;

The Basis of Bearings for this description is the center line of North 4th Street (North 30° 40' West) as shown on the "Record of Survey of the Land of W. E. Kiersted", recorded in Book 216 of Maps at Page 52, Santa Clara County Records.

Containing 52,090 Square Feet (1.196 Acres), more or less.

APN 235-05-019

Prepared by: Ruth and Going, Inc.
PO Box 26460
San Jose, CA 95159
R+G Job # 17-926E
January 24, 2018



Note:

The purpose of the above legal description is to accompany the Rezoning Application for the property located at 1302 North 4th Street (File XX-XXX). The above legal description is based on record information and is not a resolved boundary survey.