



CITY COUNCIL STAFF REPORT

File No.	C19-044
Applicant:	Vince Vincent on behalf of Classic Glass, Inc.
Location	Southwest side of Coleman Avenue, approximately 200 feet northwest of Emory Street (821 Coleman Avenue)
Existing Zoning	R-2 Two Family Residence
Proposed Zoning	LI Light Industrial
APN	259-01-035
General Plan Land Use Designation	Light Industrial
Council District	3
Historic Resource	No
Annexation Date:	December 8, 1925 (College Park, Burbank Sunol)
CEQA:	Exempt Pursuant to CEQA Guidelines Section 15303(c) for New Construction or Conversion of Small Structures

APPLICATION SUMMARY:

Conforming Rezoning from the R-2 Two Family Residence Zoning District to the LI Light Industrial Zoning District on an approximately 0.23-gross acre site.

RECOMMENDATION:

Approve an ordinance rezoning an approximately 0.23-gross acre site, located on the southwest side of Coleman Avenue, approximately 200 feet northwest of Emory Street, at 821 Coleman Avenue, from the R-2 Two Family Residence Zoning District to the LI Light Industrial Zoning District.

PROJECT DATA

GENERAL PLAN CONSISTENCY			
General Plan Designation		Light Industrial <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 District	Existing Use
North	Light Industrial	LI Light Industrial	Towing office and yard

South	Light Industrial	LI Light Industrial	Union office building
East	Open Space, Parklands and Habitat	LI Light Industrial and R-2 Two Family Residence	Metal fabrication shop and vacant land
West	Light Industrial	R-2 Two Family Residence	Art Studio and corporation yard for a recycling building

RELATED APPROVALS	
Date	Action
12/8/1925	College Park, Burbank Sunol annexation
5/13/1969	Building Permit File No. 61359 to allow a vacant site with demolition of the existing residence at 821 Coleman Avenue
Pending	File No. H19-035: Site Development Permit to allow the construction of a 7,500-square foot industrial manufacturing building on a 0.23-acre parcel and exterior modifications to an existing 5,303-square foot manufacturing office building, and associated site improvements with removal of eight ordinance sized trees on an approximately 0.89-gross acre site.

PROJECT DESCRIPTION

On October 11, 2019, the applicant, Nelson Worldwide on behalf of owner Classic Glass, Inc., filed an application to rezone an approximately 0.23-gross acre site from the R-2 Two Family Residence Zoning District to the LI Light Industrial Zoning District.

Site Location:

The subject property is located on the southwest side of Coleman Avenue, approximately 200 feet northwest of Emory Street, at 821 Coleman Avenue (see Figure 1). The property consists of a surface parking lot (containing approximately 30 off-street parking spaces and mature trees) and is part of a larger overall 0.89-acre site containing two additional parcels, which includes an office located on the parcel to the east at 509 Emory Street.

There is currently one active development review application (File No. H19-035) on file which is a Site Development Permit to allow construction of a new industrial building on the subject property, upgrade exterior façade of the existing office building, as well as associated site improvements.

The subject property is surrounded by industrial uses. A towing office and yard is located to the north, a metal fabrication shop is located to the east across Coleman Avenue, a surface parking lot for the office building to the south, a tire shop further south across Emory Street, and an art studio and a corporation yard for a recycling building is located to the west of the subject site.



Figure 1: Aerial Map of the subject site

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 Light Industrial (see Figure 2).

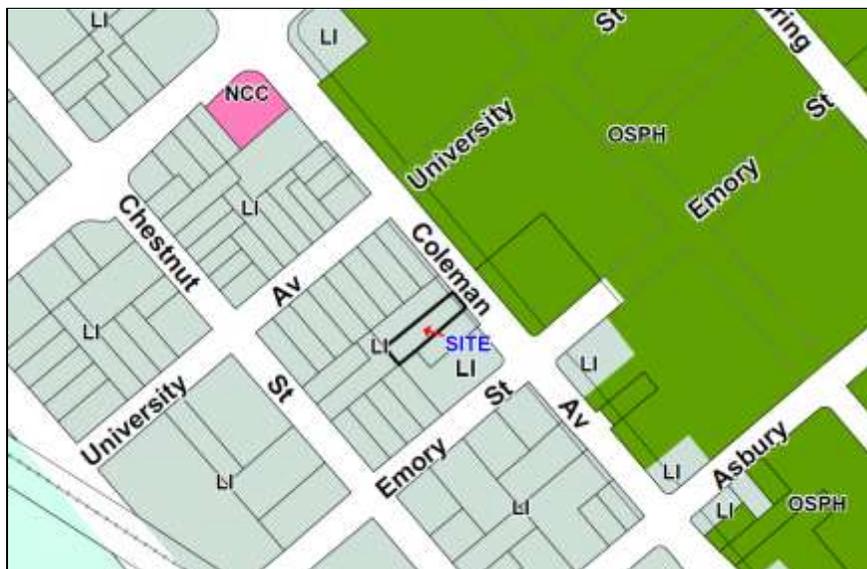


Figure 2: General Plan Map

This designation is intended for a wide variety of industrial uses and excludes uses with unmitigated hazardous or nuisance effects. Warehousing, wholesaling, and light manufacturing are examples of typical uses in this designation. The intent is to construct a new warehouse

building on the subject 0.23-acre site which is a light industrial use, in conformance with the General Plan.

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 particular 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: The subject 0.23-acre subject site is currently in the R-2 Two-Family Residence Zoning District, which does not allow industrial uses. Pursuant to Table 20-270 of the Zoning Ordinance, the LI Light Industrial Zoning District is listed as a conforming zoning district for the General Plan Land Use Designation of Light Industrial. The proposed rezoning from the R-2 Two Family Residence Zoning District to the LI Light Industrial Zoning District would bring the zoning into conformance with the General Plan and allow future development to be consistent with the zoning district. The future proposal is to develop a one-story 7,500-square foot warehouse building which will be required to conform to the development standards of the LI Light Industrial Zoning District, as discussed under the Zoning Conformance Section below.

Zoning Ordinance Conformance

The subject 0.23-gross acre site is currently in the R-2 Two Family Residence Zoning District (see Figure 3). The proposed rezoning of the property from the R-2 Two Family Residence Zoning District to the LI Light Industrial Zoning District (see Figure 4) will facilitate construction of an industrial warehouse building. A Site Development Permit is proposed for redevelopment of the larger 0.89-acre site.

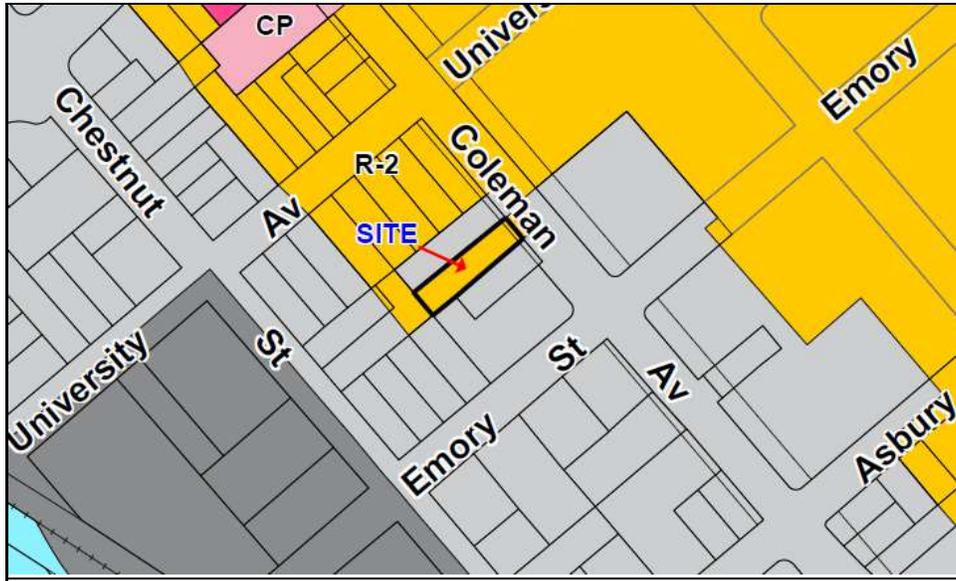


Figure 3: Existing Zoning Map

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

Rezoning the 0.23-acre site to the LI Light Industrial Zoning District would allow the property to be used and developed in accordance with the allowable uses in Section 20.50.100 and Table 20-110, which includes a range of light industrial, manufacturing and warehouse/storage uses.

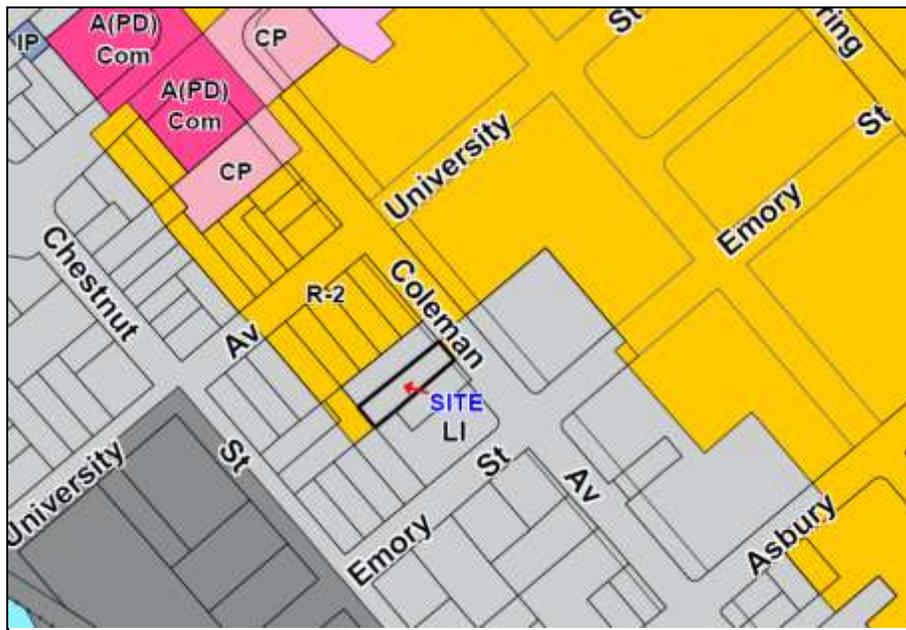


Figure 4: Proposed Zoning Map

Table 20-120 in Section 20.50.200 of the San José Municipal Code establishes the following development standards for the LI Light Industrial Zoning District, with respect to the subject property (see Table 1):

Development Standards	LI Light Industrial Zoning District
Lot Size (Minimum)	10,000 square feet
Front Building Setback (Minimum)	15 feet
Side Setback (Minimum)	Zero feet
Rear Setback (Minimum)	Zero feet
Height (Maximum)	50 feet

Table 1: Setbacks and Height

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Under the provisions of Section 15303(c) of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) as stated below, this project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended.

15303. New construction or Conversion of Small Structures

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structures.

The project includes construction of a new warehouse and manufacturing building for fabrication and storage of materials such as aluminum, glass and restroom partitions which are delivered to jobsites. There are no hazardous substances involved in the operation of the business. The total square footage of the proposed building is 7,500 square feet, which does not exceed 10,000 square feet in floor area and where all public services and facilities are available, in that the site is adequately served via ingress/egress driveways from both Coleman Avenue and Emory Street. This project also meets the criteria to be considered for small projects for transportation analysis, and no additional transportation analysis was required. Furthermore, the site is not on any list or located near an environmentally sensitive area, and, therefore, qualifies for CEQA exemption 15303(c). The project will not cause any adverse impacts to the adjacent sites and surroundings.

PUBLIC HEARING NOTIFICATION

To inform the public of the proposed project, staff followed Council Policy 6-30: Public Outreach Policy. Notices of the proposed rezoning application were posted on the site's three frontages. 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.

/s/

ROSALYNN HUGHEY, Director
Planning, Building and Code Enforcement

For questions, please contact Robert Manford, Deputy Director, at (408) 535-7900.

Attachments: Legal Description and Plat Map



EXHIBIT "A"
PUBLIC STREET EASEMENT

REAL PROPERTY in the City of San Jose, County of Santa Clara, State of California, being a portion of Parcels 2 & 3 as described in the Grant Deed recorded August 14, 2018, in Document No. 24002316 of Official Records, Santa Clara County Records, described as follows:

BEGINNING at the northerly corner of said Parcel 3 being on the general southwesterly line of Coleman Avenue;

Thence along said general southwesterly line the following two courses:

1. Thence South 40°18'27" East, 100.00 feet;
2. Thence South 49°58'34" West, 3.00 feet, to a line parallel with and 38 feet southwesterly of the centerline of Coleman Avenue;

Thence along said parallel line North 40°18'27" West, 100.00 feet, to the northwesterly line of said Parcel 3;

Thence along said northwesterly line, North 49°58'34" East, 3.00 feet, to the POINT OF BEGINNING.

Containing 300 square feet, more or less.

As shown on Exhibit "B" attached hereto and made a part hereof.

This legal description was prepared by me or under my direction in accordance with the Professional Land Surveyors Act.

Date: 12-20-19


Tracy L. Giorgetti, LS 8720





Page 1 of 1
Parcel Map Check

Parcel name: 559600PL02

S 40-18-27 E 100.00

29436.5728, 59066.8532

S 49-58-34 W 3.00

29360.3145, 59131.5422

N 40-18-27 W 100.00

29358.3851, 59129.2448

N 49-58-34 E 3.00

29434.6435, 59064.5559

29436.5728, 59066.8532

Perimeter: 206.00

Area: 300 Sq Ft 0.01 Ac.

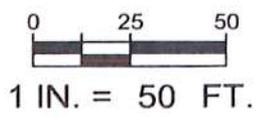
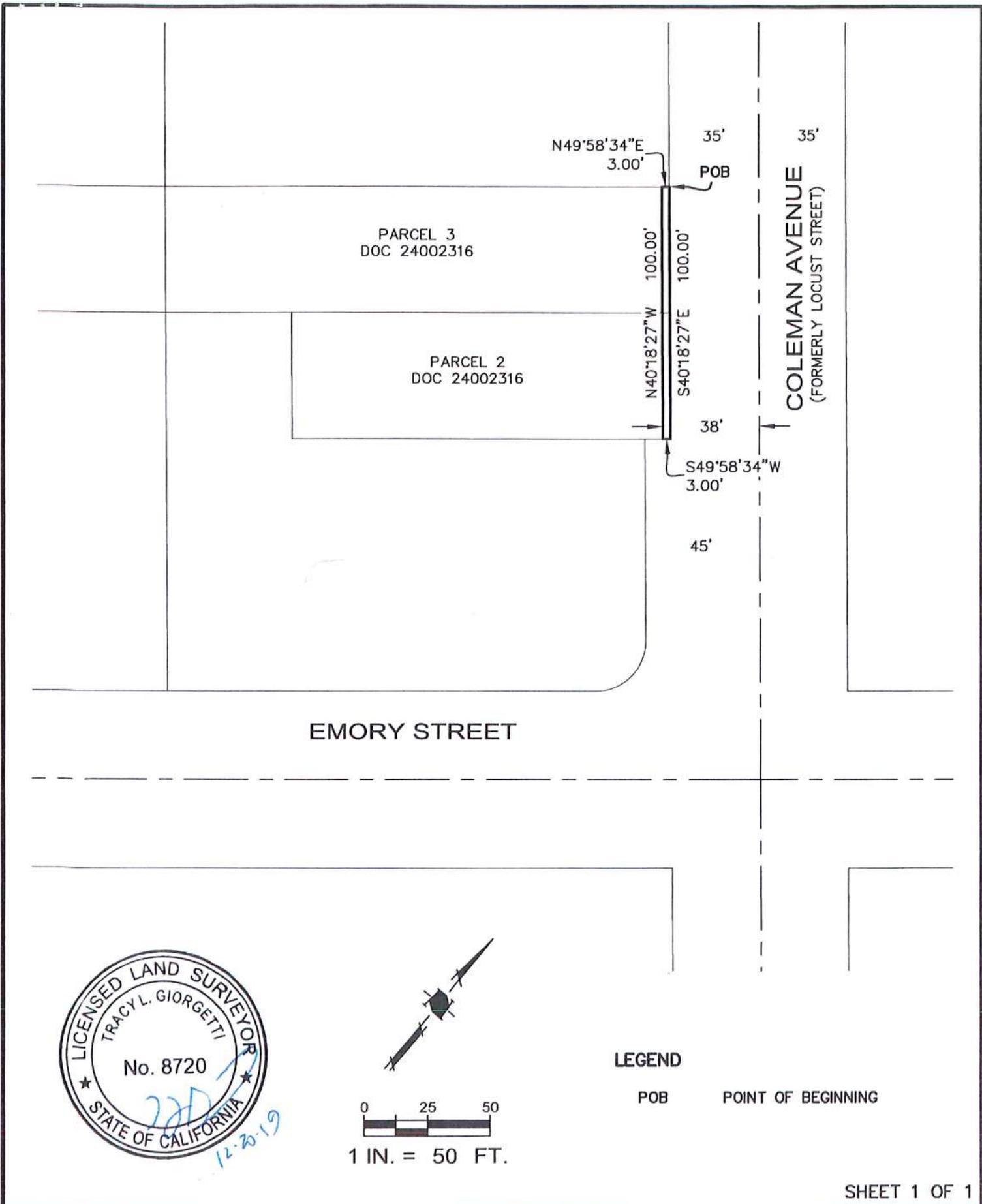
Mapcheck Closure - (Uses listed courses, radii, and deltas)

Total: 0.0000 S 90-00-00 E

Error (N, E) 0.00000, 0.00000

Precision 1:206,000,000.00





LEGEND

POB POINT OF BEGINNING

Date:	2019-12-20
Designed:	RCH
Drawn:	RF
Checked:	TG
Proj. Engr.:	BC
	559600PL02

1570 Oakland Road
 San Jose, CA 95131
 (408) 487-2200
 HMca.com

EXHIBIT "B"
PLAT TO ACCOMPANY DESCRIPTION:
PUBLIC STREET EASEMENT