



## CITY COUNCIL STAFF REPORT

|                          |                                                                                                                                                                                                          |
|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>File No.</b>          | C23-115                                                                                                                                                                                                  |
| <b>Applicant/Owner:</b>  | Raymond S & Barbara S Debenedetto Living Revocable Trust                                                                                                                                                 |
| <b>Location</b>          | Northwest corner of Hayes Avenue and Endicott Boulevard (15 Cottle Road, APN 690-02-003)                                                                                                                 |
| <b>Existing Zoning</b>   | IP Industrial Park                                                                                                                                                                                       |
| <b>Council District</b>  | 2                                                                                                                                                                                                        |
| <b>Historic Resource</b> | None                                                                                                                                                                                                     |
| <b>Annexation Date:</b>  | August 30, 1970 (Oak Grove No. 36)                                                                                                                                                                       |
| <b>CEQA:</b>             | 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 Addenda thereto |

### APPLICATION SUMMARY:

Conforming Rezoning of an approximately 0.94-gross-acre site located on the northwest corner of Hayes Avenue and Endicott Boulevard (15 Cottle Road, APN 690-02-003) from the IP Industrial Park Zoning District to the LI Light Industrial Zoning District.

### RECOMMENDATION:

1. Approve an ordinance rezoning the certain real property of an approximately 0.94-gross-acre site located on the northwest corner of Hayes Avenue and Endicott Boulevard (15 Cottle Road, APN 690-02-003) from the IP Industrial Park Zoning District to the LI Light Industrial Zoning District.

**PROJECT DATA**

| GENERAL PLAN CONSISTENCY |                                              |                                                                                                          |                                                                   |
|--------------------------|----------------------------------------------|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| General Plan Designation |                                              | Light Industrial<br><input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent |                                                                   |
| Consistent Policies      |                                              | Implementation Policies IP-1.7 and IP-8.2                                                                |                                                                   |
| SURROUNDING USES         |                                              |                                                                                                          |                                                                   |
|                          | General Plan Land Use                        | Zoning                                                                                                   | Existing Use                                                      |
| North                    | Residential Neighborhood                     | R-1-8(PD), File No. PDC75-058                                                                            | Single-family Residential and Railroad Track                      |
| South                    | N/A (Public Right of Way) & Mobile Home Park | N/A (Public Right of Way)                                                                                | Mobile Home Park & Public Right of Way (ramp and landscape areas) |
| East                     | N/A (Public Right of Way)                    | IP Industrial Park                                                                                       | Railroad Track                                                    |
| West                     | Mobile Home Park                             | A(PD), File No. PDC76-047                                                                                | Mobile Home Park                                                  |

| <b>RELATED APPROVALS</b> |                        |
|--------------------------|------------------------|
| <b>Date</b>              | <b>Action</b>          |
| N/A                      | No previous approvals. |

**PROJECT DESCRIPTION****Site Description and Surrounding Uses**

As shown in the vicinity map/aerial (Attachment A), the subject site, approximately 0.94-gross-acre, is located on the northwest corner of Hayes Avenue and Endicott Boulevard. The site is currently developed with an approximately 1,638-square-foot building and an expansive paved area used for outdoor storage, parking, and circulation. The previous tenant moved out of the site in February 2026, and it is now unoccupied. Surrounding uses include a mobile home park to the west and south, single-family residences to the north across Hayes Avenue, a railroad corridor to the east across Hayes Avenue, and the Blossom Hill Road ramp to the southeast.

**Background**

On October 30, 2023, Olivia Bergin from HMH Inc. on behalf of the applicant, Sunbelt Rentals Inc. (previous tenant), submitted a Conforming Rezoning application, File No. C23-115, and a Conditional Use Permit application, File No. CP24-001. The Conforming Rezoning is to rezone the site from the IP Industrial Park, which allows a wide variety of industrial uses such as research and development, manufacturing, assembly, testing, and offices, to the LI Light Industrial Zoning District. The Conditional Use Permit application was to allow the construction of an approximately 5,000-square-foot building

to support the construction equipment sale and lease use on site, and the demolition of an existing 1,638-square-foot building on this site.

In February 2026, Sunbelt Rentals vacated the property and is no longer pursuing the Conditional Use Permit, which remains vacant. The property owner, Raymond S & Barbara S Debenedetto Living Revocable Trust, has determined to proceed with the Rezoning without a development permit in order to allow future uses on site consistent with the LI Light Industrial General Plan land use designation, which allows for a wide variety of industrial uses such as warehousing, wholesaling, and light manufacturing, and excludes uses with unmitigated hazardous or nuisance effects.

## ANALYSIS

The proposed rezoning was analyzed for conformance with the following: 1) the Envision San José 2040 General Plan, 2) the Zoning Ordinance, 3) Senate Bill 330 Compliance, and 4) the California Environmental Quality Act (CEQA).

### Envision San José 2040 General Plan Conformance

As shown in the General Plan Land Use Map (Attachment B), the subject site has an Envision San José 2040 General Plan<sup>1</sup> land use designation of LI Light Industrial. 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. Office and higher-end industrial uses, such as research and development, are discouraged in order to preserve the scarce, lower cost land resources that are available for companies with limited operating history (startup companies) or lower cost industrial operations.

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

1. Implementation (Land Use/Transportation Diagram) Policy IP-1.7: Ensure proposals to rezone and pre-zone properties conform to the Land Use/Transportation Diagram, and advance *Envision General Plan* vision, goals, and policies.  
*Analysis: The LI Zoning District is a conforming district to the LI land use designation, pursuant to Section 20.120.110<sup>2</sup> of the San José Municipal Code.*
2. Implementation (Zoning) Policy IP-8.2: 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

<sup>1</sup> <https://www.sanjoseca.gov/home/showpublisheddocument?id=22359>

<sup>2</sup> [https://library.municode.com/ca/san\\_jose/codes/code\\_of\\_ordinances?nodeId=TIT20ZO\\_CH20.120ZOC\\_HAM\\_PT2ORCOGEPL\\_20.120.110COGEPL](https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT20ZO_CH20.120ZOC_HAM_PT2ORCOGEPL_20.120.110COGEPL)

*Envision General Plan* land use designations while providing greater detail as to the appropriate land uses and form of development.

*Analysis: Any future use and development at the subject site would be required to conform with the development standards of the LI Zoning District. The allowed uses and development standards of the LI Zoning District generally correspond to the LI land use designation and would implement the Envision General Plan Land Use/Transportation Diagram.*

### **Zoning Ordinance Conformance**

The rezoning to the LI Light Industrial Zoning District (Attachment C and Attachment D) conforms with Table 20-270 in Section 20.120.110<sup>3</sup> of the San José Zoning Code, which identifies the LI Light Industrial Zoning District as a conforming district to the General Plan Land Use/ Transportation Diagram land use designation of Light Industrial.

### **Use Regulations**

The LI Light Industrial Zoning District would allow the property to be used and developed in accordance with the allowable uses in Table 20-110 in Section 20.50.100.<sup>4</sup> This rezoning would facilitate the future redevelopment of the site to be consistent with the Light Industrial General Plan land use designation.

### **Development Standards**

Table 20-120 in Section 20.50.200<sup>5</sup> establishes the development standards for the LI Zoning District. Any future development would be required to adhere to the development standards set forth in Table 20-120 and all other applicable Municipal Code regulations and evaluated under CEQA.

### **Senate Bill 330 Compliance**

The Housing Crisis Act of 2019 (Senate Bill 330, 2019) limits the manner in which local governments may reduce the capacity for residential units that can be built on sites within the local agency's jurisdiction, including actions such as downzoning, changing general or specific plan land use designations to a less intensive use, reductions in height, density or floor area ratio, or other types of increased requirements that work to reduce the amount of housing capacity in the jurisdiction. An exception to this limitation is that a property may be allowed to reduce intensity of residential uses if changes in land use designations or zoning elsewhere in the jurisdiction ensure there is no net loss in residential capacity within the jurisdiction.

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<sup>3</sup>[https://library.municode.com/ca/san\\_jose/codes/code\\_of\\_ordinances?nodeId=TIT20ZO\\_CH20.120ZOC\\_HAM\\_PT2ORCOGEPL\\_20.120.110COGEPL](https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT20ZO_CH20.120ZOC_HAM_PT2ORCOGEPL_20.120.110COGEPL)

<sup>4</sup>[https://library.municode.com/ca/san\\_jose/codes/code\\_of\\_ordinances?nodeId=TIT20ZO\\_CH20.50INZODI\\_PT1GE\\_20.50.010INZODI](https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT20ZO_CH20.50INZODI_PT1GE_20.50.010INZODI)

<sup>5</sup>[https://library.municode.com/ca/san\\_jose/codes/code\\_of\\_ordinances?nodeId=TIT20ZO\\_CH20.50INZODI\\_PT3DERE\\_20.50.200DEST](https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT20ZO_CH20.50INZODI_PT3DERE_20.50.200DEST)

*Analysis: Neither the current IP Zoning District nor the proposed LI zoning allow residential uses. Therefore, the rezoning would not reduce the capacity for residential units within the City.*

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Pursuant to Section 15168(c)(2) of the CEQA Guidelines, the City of San José has determined that the 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 FEIR, 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.

No new or more significant environmental impacts beyond those identified in the Envision San José 2040 General Plan Final Program Environmental Impact Report (FPEIR), Supplemental EIR (SEIR), and Addenda have been identified, nor have any new mitigation measures or alternatives which are considerably different from those analyzed in the FPEIR, SIER and Addenda been identified. The proposed rezoning to the LI Light Industrial Zoning District is consistent with the LI Light Industrial General Plan land use designation. Therefore, a Determination of Consistency has been prepared and is the appropriate clearance for this conforming rezoning.

### **PUBLIC HEARING NOTIFICATION**

Staff followed City Council Policy 6-30: Public Outreach Policy to inform the public of the project. Two on-site signs have been posted on the project frontages since January 24, 2024. 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 have been available to respond to questions from the public. No public comments have been submitted as of the date of preparation of this report.

/s/

Christopher Burton, Director  
Planning, Building and Code  
Enforcement

HONORABLE MAYOR AND CITY COUNCIL

May 26, 2026

**Subject: File No. C23-115 – Rezoning of Real Property Located at 15 Cottle Road**

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For questions, please contact Manira Sandhir, Deputy Director, Planning, Building and Code Enforcement at (408) 535-7900.

**ATTACHMENTS:**

Attachment A – Vicinity Map/Aerial Map

Attachment B – General Plan Land Use Map

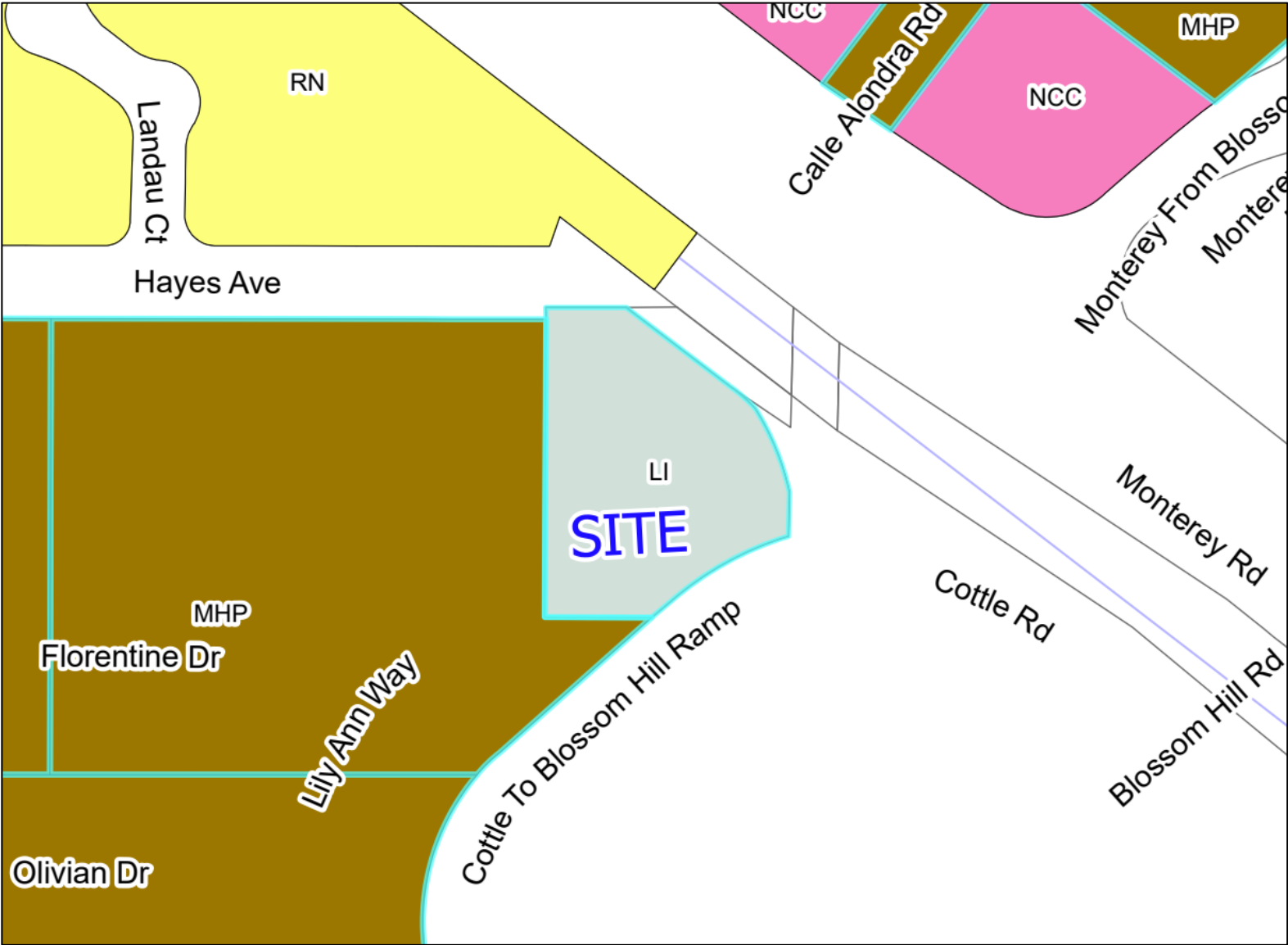
Attachment C – Existing Zoning Map

Attachment D – Proposed Zoning Map

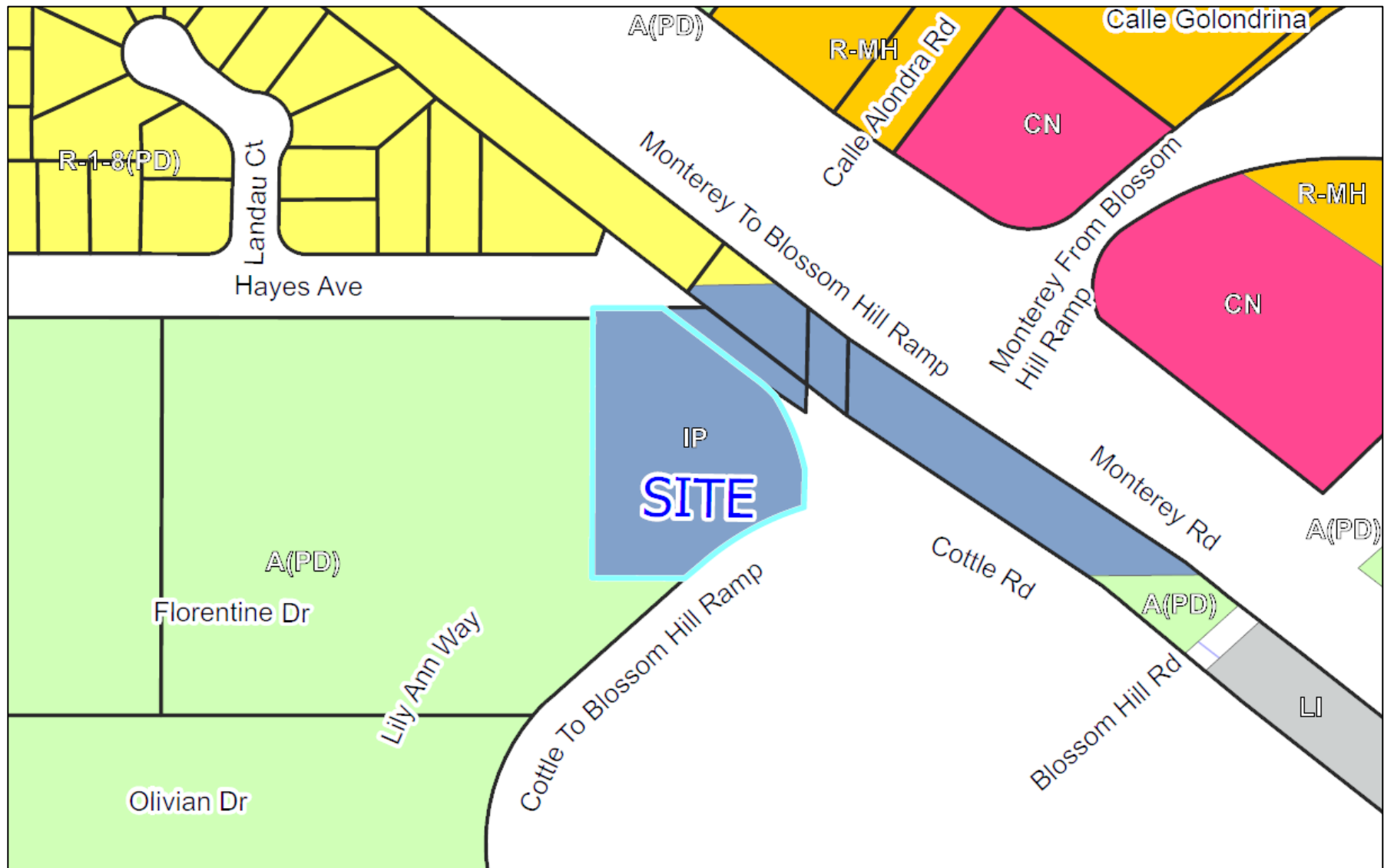
Attachment A: Vicinity Map/Aerial



Attachment B: General Plan Land Use Map



## Attachment C: Existing Zoning Map



Attachment D: Proposed Zoning Map

