



PLANNING COMMISSION AGENDA

Thursday, June 2, 2005
6:00 p.m. Regular & General Plan Meeting

ADDENDUM

11. GOOD & WELFARE

- d. Add a 6:00 p.m. Regular & General Plan Meeting for Tuesday, June 7, 2005 on Planning Commission meeting schedule.



PLANNING COMMISSION AGENDA

Thursday, June 2, 2005

5:00 PM STUDY SESSION
Room 106E

Discussion of Jobs/Housing/Transportation Policy Update

6:00 p.m. Regular & General Plan Meeting
Council Chambers, Room 205, City Hall

801 North First Street
San Jose, California

Bob Levy, Chair
Bob Dhillon, Vice-Chair

Xavier Campos Jay James
Dang T. Pham
Christopher Platten James Zito

Stephen M. Haase, Director
Planning, Building and Code Enforcement

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE) or (408) 998-5299 (TTY) at least two business days before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good evening, my name is **Bob Levy** and I am the Chair of the Planning Commission. On behalf of the entire Planning Commission, I would like to welcome you to the Planning Commission Public Hearing of **Thursday, June 2, 2005**. Please remember to turn off your cell phones and pagers.

If you want to address the Commission, **fill out a speaker card (located on the table by the door or at the technician's station), and give the completed card to the technician. Please include the agenda item number for reference.**

The procedure for this hearing is as follows:

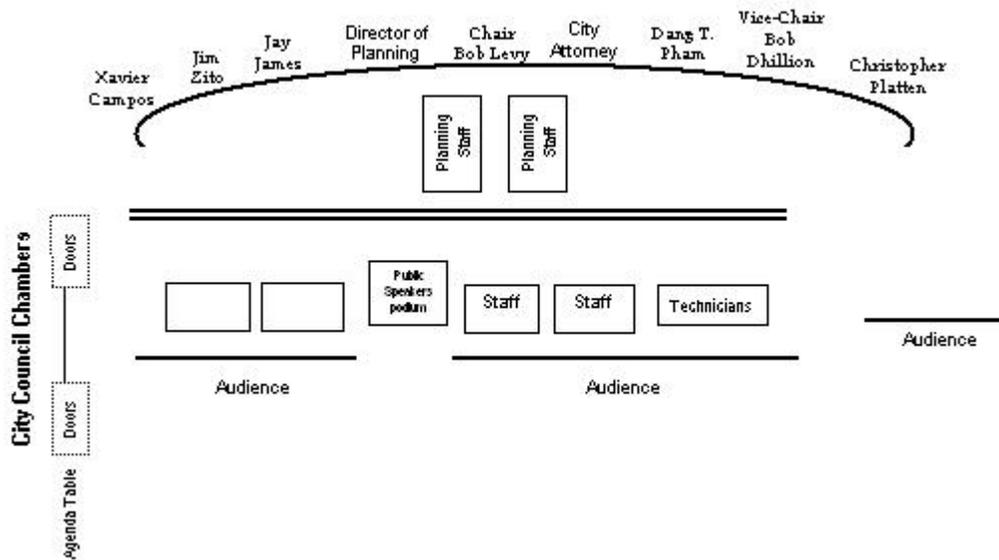
- After the staff report, applicants and appellants may make a 5-minute presentation.
- The chair will call out names on the submitted speaker cards in the order received.
- As your name is called, line up in front of the microphone at the front of the Chamber. Each speaker will have two minutes.
- After the public testimony, the applicant and appellant may make closing remarks for an additional five minutes.
- Planning Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- The public hearing will then be closed and the Planning Commission will take action on the item. The Planning Commission may request staff to respond to the public testimony, ask staff questions, and discuss the item.

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Commission's action on rezoning, prezonings, General Plan Amendments and Code Amendments is advisory only to the City Council. The City Council will hold public hearings on these items. Section 20.120.400 of the Municipal Code provides the procedures for legal protests to the City Council on rezonings and prezonings. The Planning Commission's action on Conditional Use Permit's is appealable to the City Council in accordance with Section 20.100.220 of the Municipal Code. Agendas and a binder of all staff reports have been placed on the table near the door for your convenience.

Note: If you have any agenda questions, please contact Olga Guzman at olga.guzman@sanjoseca.gov

The Planning Commission is a seven member body, appointed by the City Council, which makes recommendations to the City Council regarding the adoption, amendment, or repeal of general or specific plans, and regulation of the future physical land use development, redevelopment, rehabilitation or renewal of the City, including its Capital Improvement Programs. The recommendations to the Council regarding land use development regulations include, but are not limited to, zoning and subdivision recommendations. The Commission may make the ultimate decision on Conditional Use Permits, and acts as an appellate body for those persons dissatisfied with the Planning Director's decisions on land use and development matters. The Commission certifies the adequacy of Environmental Impact Reports.



The San Jose Planning Commission generally meets every 2nd and 4th Wednesday at 6 p.m., unless otherwise noted. The remaining meeting schedule is attached to this agenda and the annual schedule is posted on the web at <http://www.sanjoseca.gov/planning/hearings/index.htm> Staff reports, etc. are also available on-line. If you have any questions, please direct them to the Planning staff at (408) 277-4576. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

AGENDA
ORDER OF BUSINESS

1. **ROLL CALL**

2. **DEFERRALS**

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. A list of staff-recommended deferrals is available on the Press Table. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time.

3. **CONSENT CALENDAR**

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Planning Commission, staff or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **CP04-102**. Conditional Use Permit to allow the addition of a car wash to an existing gas station on a 0.68 gross acre site in the CN Neighborhood Commercial Zoning District located on northwest corner of Cahalan Avenue and Santa Teresa Boulevard (6095 CAHALAN AV) (Y B M Inc, Owner). Council District 10. SNI: None. CEQA: Exempt.

Staff Recommendation:

Approve a Conditional Use Permit to allow the addition of a car wash to an existing gas station as recommended by Staff.

The following items are considered individually.

4. **PUBLIC HEARINGS**

NONE

5. **CONTINUE PLANNING COMMISSION SPRING HEARING ON GENERAL PLAN AMENDMENTS FROM MAY 25, 2005**

6. **GENERAL PLAN CONSENT CALENDAR**

NONE

7. **GENERAL PLAN PUBLIC HEARING CALENDAR**

- a. Economic Overview Report for the Updates to the Transportation Impact Policy and North San Jose Area Development Policy and adoption of the Downtown Strategy Plan 2000.

Staff Recommendation:

Recommend that the Planning Commission accept the report and forward any comments to the City Council.

- b. Modifications to the City of San Jose’s Transportation Impact Policy (Traffic Level of Service (LOS) Policy).

1. **FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED MODIFICATIONS TO THE CITY OF SAN JOSE’S TRANSPORTATION IMPACT POLICY (PP02-178)**.

According to the proposed Traffic Impact Policy, a project’s traffic improvements would be unacceptable if future vehicular capacity-enhancing improvements would result in a physical reduction in the capacity and/or a substantial deterioration in the quality (aesthetic or otherwise) of any other planned or existing transportation facilities (such as pedestrian, bicycle and transit systems and facilities). In addition, the City has identified 13 intersections at which vehicular capacity improvements beyond those already built or under construction would result in potentially significant adverse impacts. Therefore, future development projects which result in level of service (LOS) impacts at these intersections would not be required to provide LOS traffic improvements; rather, these projects would be required to provide other improvements to the transportation network. The proposed project will have significant environmental effects regarding traffic, both in the project and the cumulative case (SCH #2002082001)

Staff Recommendation:

Certify the Final Environmental Impact Report prepared for this project and find it in compliance with the requirements of CEQA.

2. **THE PROPOSED MODIFICATIONS TO THE CITY OF SAN JOSE’S TRANSPORTATION IMPACT POLICY (PP02-178)**,

establishing a new “Transportation Impact Policy” and replacing previously adopted Council Policies 5-3, “Transportation Level of Service” and 5-4, “Alternate Traffic Mitigation Measures,” and allowing the exemption of certain intersections from traffic mitigation improvements if located within Transit Oriented Development Corridors, Transit Station Areas, Planned Communities, and Neighborhood Business Districts. CEQA: EIR Resolution to be adopted. Council District: Citywide. Planning, Building and Code Enforcement and Department of Transportation.

Staff Recommendation:

Consider the EIR prepared for the project. Recommend to the City Council approval of the proposed Transportation Impact Policy as recommended by staff.

- c. The following staff initiated items are located on 4,987 acres located south of State Route 237, east of the Guadalupe River and generally north and west of Interstate 880, but also including land along both sides of Murphy Avenue as far east as Lundy Avenue, otherwise known as North San Jose or Rincon de Los Esteros. (City of San Jose, Applicant/multiple property owners). Council Districts 3 and 4. SNI: None. CEQA: EIR Resolution to be adopted.
- 1. **CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT (EIR) for the NORTH SAN JOSE DEVELOPMENT POLICIES UPDATE PROJECT** for a General Plan Text Amendment, General Plan Land Use/Transportation Diagram Amendment, revision of the North San Jose Area Development Policy and revision to the North San Jose Deficiency Plan (File No. GPT04-04-06a, GPT04-04-06b, GP04-04-06a and GP04-04-06b) to allow intensification of development within the North San Jose Policy area. The proposed intensification would allow for the development of up to 26.7 million square feet of new industrial office/R&D space, up to 1.7 million square feet of new commercial space and up to 32,000 new residential units.

Staff Recommendation: Deferred, date to be determined at June 2nd Planning Commission Hearing

Certify the Final Environmental Impact Report prepared for the project and find it in compliance with the requirements of CEQA.

- 2. **PROPOSED UPDATE TO THE NORTH SAN JOSE AREA DEVELOPMENT POLICY** including numerous changes to the existing traffic level of service policy (Area Development Policy) for North San Jose. CEQA: EIR Resolution to be adopted.

Staff Recommendation: Deferred, date to be determined at June 2nd Planning Commission Hearing

Consider the EIR prepared for the project. Recommend to the City Council approval of the proposed revised North San Jose Area Development Policy as recommended by staff.

- 3. GPT04-04-06a. GENERAL PLAN TEXT AMENDMENT request to update the North San Jose Area Development Policy text and Golden Triangle Area Policy text to incorporate the Update to the North San Jose Area Development Policy, establishment of two new land use designations [Industrial Core and Transit/Employment Residential District Overlay (55+ DU/AC)] and proposed changes to maximum allowed building height limits. CEQA: EIR Resolution to be adopted.

Staff Recommendation: Deferred, date to be determined at June 2nd Planning Commission Hearing

Consider the EIR prepared for the project. Recommend to the City Council approval of the proposed text amendment.

4. [GPT04-04-06b](#). **GENERAL PLAN TEXT AMENDMENT** request to modify the description of an arterial roadway within Appendix E. CEQA: EIR Resolution to be adopted.

Staff Recommendation: Deferred, date to be determined at June 2nd Planning Commission Hearing

Consider the EIR prepared for the project. Recommend to the City Council approval of the proposed text amendment to modify the arterial roadway description in Appendix E.

5. [GP04-04-06a](#). **GENERAL PLAN AMENDMENT** to change the Land Use/Transportation Diagram designation from Industrial Park to Industrial Core Area on an approximately 600-acre area and to add the Transit/Employment Residential District (55+ Dwelling Units per Acre) and multiple Floating Park overlay designations to approximately 335 acres. CEQA: EIR Resolution to be adopted.

Staff Recommendation: Deferred, date to be determined at June 2nd Planning Commission Hearing

Consider the EIR prepared for the project. Recommend to the City Council approval of the proposed amendment to change the land use designation from Industrial Park to Industrial Core Area on 600 acres, and add the Transit/Employment Residential District and Floating Park overlay designations to 335 acres.

6. [GP04-04-06b](#). **GENERAL PLAN AMENDMENT** to change the designation of one arterial and two junctions on the General Plan Land Use/Transportation Diagram. CEQA: EIR Resolution to be adopted.

Staff Recommendation: Deferred, date to be determined at June 2nd Planning Commission Hearing

Consider the EIR prepared for the project. Recommend to the City Council approval of the proposed amendment to change the designation of one arterial and two junctions on the General Plan Land Use/Transportation Diagram.

8. CONTINUE PLANNING COMMISSION HEARING ON THE 2005 SPRING GENERAL PLAN AMENDMENTS FROM JUNE 2, 2005 TO JUNE 6, 2005

9. PETITIONS AND COMMUNICATIONS

- a. Public comments to the Planning Commission on nonagendized items. Please fill out a speaker's card and give it to the technician. Each member of the public may address the Commission for up to three minutes. The commission cannot take any formal action without the item being properly noticed and placed on an agenda. In response to public comment, the Planning Commission is limited to the following options:
1. Responding to statements made or questions posed by members of the public; or
 2. Requesting staff to report back on a matter at a subsequent meeting; or
 3. Directing staff to place the item on a future agenda.

10. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS OR OTHER AGENCIES

11. GOOD AND WELFARE

- a. Report from City Council
- b. Commissioners' reports from Committees:
- Norman Y. Mineta San Jose International Airport Noise Advisory Committee (Dhillon and James).
 - Coyote Valley Specific Plan (Platten)
- c. Review of synopsis

12. ADJOURNMENT

2005 PLANNING COMMISSION MEETING SCHEDULE

January 12	5:00 p.m. - 6:00 p.m.	<i>Study Session</i>	Room 400
		<i>Discussion of Meeting Logistics</i>	
January 12	6:00 p.m.	Regular Meeting	Council Chambers
January 26	6:00 p.m.	Regular Meeting	Council Chambers
Monday, February 7	4:45 p.m.	<i>Study Session</i>	Room 400
		<i>Discussion of Jobs/Housing Imbalance</i>	
Monday, February 7	6:00 p.m.	Regular Meeting	Council Chambers
February 23	6:00 p.m.	Regular Meeting	Council Chambers
March 9	4:45 p.m.	<i>Study Session</i>	Room 400
		<i>Discussion of General Plan Amendments/development projects</i>	
March 9	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
March 23	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
Monday, April 11	CANCELLED	<i>Study Session</i>	Room 400
		<i>Discussion of Alcohol sales</i>	
Monday, April 11	6:00 p.m.	Regular Meeting	Council Chambers
April 27	6:00 p.m.	Regular Meeting	Council Chambers
Monday, May 2	4:00 p.m.	<i>Study Session</i>	Room 216B
		<i>Review CIP</i>	
Monday, May 2	6:00 p.m.	Regular Meeting	Council Chambers
May 11	4:00 p.m.	<i>Study Session</i>	Room 400
		<i>Discussion of Parks planning strategy (Joint session with Parks Commission)</i>	
May 11	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
May 25	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
Thursday, June 2	5:00 p.m.	<i>Study Session</i>	Room 106E
		<i>Discussion of Jobs/Housing/Transportation Policy Update</i>	
Thursday, June 2	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
Monday, June 6	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
June 8	CANCELLED	Regular Meeting	Council Chambers
Wednesday, June 15	6:00 p.m.	Regular Meeting	Council Chambers
June 22	6:00 p.m.	Regular Meeting	Council Chambers
July 13	6:00 p.m.	Regular Meeting	Council Chambers
July 27	6:00 p.m.	Regular Meeting	Council Chambers
August 10	6:00 p.m.	Regular Meeting	Council Chambers
August 24	6:00 p.m.	Regular Meeting	Council Chambers
September 14	6:00 p.m.	Regular Meeting	Council Chambers
September 28	6:00 p.m.	Regular Meeting	Council Chambers
October 12	6:00 p.m.	Regular Meeting	Council Chambers
October 26	6:00 p.m.	Regular Meeting	Council Chambers
November 9	6:00 p.m.	Regular Meeting	Council Chambers
November 16	6:00 p.m.	Regular Meeting	Council Chambers
December 7	6:00 p.m.	Regular Meeting	Council Chambers