

RESOLUTION NO. 75375

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE SPECIFYING THE COUNCIL'S DETERMINATIONS ON PROPOSED AMENDMENTS TO THE SAN JOSE 2020 GENERAL PLAN PURSUANT TO TITLE 18 OF THE SAN JOSE MUNICIPAL CODE

(Spring 2010 General Plan Amendments)

WHEREAS, the City Council is authorized by Title 18 of the San José Municipal Code and state law to adopt and, from time to time, amend the General Plan governing the physical development of the City of San José; and

WHEREAS, on August 16, 1994, the City Council adopted the General Plan entitled, "SAN JOSE 2020 GENERAL PLAN, San Jose, California," dated March, 1994, by Resolution No. 65460, which has since been amended by the Council; and

WHEREAS, the original copy of the General Plan and all amendments thereto (hereinafter collectively the "General Plan") are on file in the office of the Director of the Department of Planning, Building and Code Enforcement; and

WHEREAS, in accordance with Title 18 of the San José Municipal Code, all General Plan amendment proposals are referred to the Planning Commission of the City of San José for review and recommendation prior to City Council consideration of the amendments; and

WHEREAS, on April 7, 2010 the Planning Commission held a public hearing to consider the proposed amendments to the General Plan for the Spring 2010 cycle that are listed in Exhibit "A" hereto, at which interested persons were given the opportunity to appear and present their views with respect to said proposed amendments; and

WHEREAS, at the conclusion of the public hearing, the Planning Commission transmitted its recommendations to the City Council on the proposed Spring 2010 General Plan Amendments; and

WHEREAS, an original copy of the proposed Spring 2010 General Plan Amendments is on file in the office of the Director of Planning, Building and Code Enforcement of the City, with a copy submitted to the City Council for its consideration; and

WHEREAS, pursuant to Title 18 of the San José Municipal Code, public notice was given that on April 27, 2010, at 7:00 p.m. in the Council Chambers at City Hall, 200 East Santa Clara Street, San José, California, the Council would hold a public hearing where interested persons could appear, be heard, and present their views with respect to the proposed Spring 2010 General Plan Amendments; and

WHEREAS, on April 27, 2010, at 7:00 p.m., the Council held a duly noticed public hearing and gave all persons full opportunity to be heard and to present their views with respect to the proposed Spring 2010 General Plan Amendments; and

WHEREAS, the Council reviewed and considered each of the Negative Declarations for Project Nos. GP08-08-03, GP10-01-01, GP07-10-01, GP09-08-01, and GP09-08-03 prior to making its determination on the proposed Spring 2010 General Plan Amendments for Project Nos. GP08-08-03, GP10-01-01, GP07-10-01, GP09-08-01, and GP09-08-03; and

WHEREAS, the Council is the decision-making body for all of the proposed General Plan amendments;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE AS FOLLOWS:

SECTION 1. The Council's determinations regarding the Spring 2010 General Plan Amendments are hereby specified and set forth in Exhibit "A" attached hereto and incorporated herein.

SECTION 2. This Resolution and the Council's determinations on each of the Spring 2010 General Plan Amendments specified in Exhibit "A" shall take effect thirty (30) days following the adoption of this Resolution.

////

RD:VMT
05/19/10

75375

EXHIBIT "A" ATTACHED



Spring 2010 GENERAL PLAN REVIEW General Plan Land Use and Text Amendments

75375

Last Updated
4/15/2010

File Number	Location Description	Existing GP Designation	Proposed GP Designation	Staff Recommendation	Planning Commission Recommendation	Planning Commission Date	Planning Commission Vote	City Council Action	City Council Vote	City Council Date	Owner / Applicant	Project Manager	Environmental Status
District 1													
GP10-01-01	Both sides of Winchester Blvd., generally from Stevens Creek Blvd. to Impala Drive	Various	Add Neighborhood Business District overlay	Add Neighborhood Business District overlay	Add Neighborhood Business District overlay	April 07, 2010	7-0-0	Add Neighborhood Business District overlay	10-0-1 (Campos absent)	April 27, 2010	Various / Redevelopmen Agency	L. Prevettl	Negative Declaration
District 8													
GP08-08-03	East side of Dove Hill Road, approx. 500 feet north of Hassler Parkway (3 acre portion of a 21.1-acre site)	Non-Urban Hillside (Silver Creek Planned Residential Community)	Public/Quasi-Public (Silver Creek Planned Residential Community)	Public/Quasi-Public (Silver Creek Planned Residential Community)	Public/Quasi-Public (Silver Creek Planned Residential Community)	April 07, 2010	7-4-0	Defer to June 15, 2010 General Plan Hearing	11-0	May 18, 2010	Kunhne Stantlaus & Eleanor Trustee et al / Sal Caruso	L. Xavier	Negative Declaration
GP09-08-01	Southeast corner of Yeha Buena Road and Highway 101 (3.2 acres)	Public/Quasi-Public	Medium Low Density Residential (8 DU/AC)	Public/Quasi-Public	Medium Low Density Residential (8 DU/AC)	April 07, 2010	5-2-0 (Cahan and Jensen opposed)	Medium Low Density Residential (8 DU/AC)	8-2-1 (Kaira and Liccardo opposed; Campos absent)	April 27, 2010	Joey & Frances Lo / G. De Young	L. Xavier	Mitigated Negative Declaration
GP08-08-03	Northeast corner of Ruby and Mantlo Avenues (2.61 acres)	Very Low Density Residential (2 DU/AC)	Low Density Residential (5 DU/AC)	Very Low Density Residential (2 DU/AC)	Low Density Residential (5 DU/AC)	April 07, 2010	7-4-0	Low Density Residential (5 DU/AC)	8-2-1 (Oliveto and Liccardo opposed; Campos absent)	April 27, 2010	Mahmood Ghof / J. Strongis	L. Xavier	Mitigated Negative Declaration
District 10													
GP07-10-01	East side of Armand Expressway approximately 300 feet north of Fleetwood Drive (1.82 acres)	Very Low Density Residential (2 DU/AC)	Medium Low Density Residential (8 DU/AC)	Low Density Residential (5 DU/AC) and Private Open Space	Low Density Residential (5 DU/AC) and Private Open Space	April 07, 2010	7-4-0	Low Density Residential (5 DU/AC) and Private Open Space	10-0-1 (Campos absent)	April 27, 2010	Benjamin W. Mazzone Trustee et al	L. Xavier	Mitigated Negative Declaration