



PLANNING COMMISSION AGENDA

Wednesday, October 12, 2016

***Study Session / Public Hearing:
General Plan Performance Review***
Council Chambers
Commencing at 5:00 p.m.

Regular & General Plan Hearing

Commencing at 6:30 p.m.

Council Chambers

First Floor, City Hall Wing
200 East Santa Clara Street
San Jose, California

Ed Abelite, Chair

Nick Pham, Vice Chair

Peter Allen

Edesa Bit-Badal

Shiloh Ballard

Namrata Vora

Michelle Yesney

**Harry Freitas, Director
Planning, Building & Code Enforcement**

NOTE

To request an accommodation for City-sponsored meetings or events or an alternative format for printed materials, please call Support Staff at 408-535-5695 or 408-294-9337 (TTY) as soon as possible, but at least three business days before any meeting or event. If you requested such an accommodation, please identify yourself to the technician seated at the staff table. If you did not call in advance and do now need assistance, please see the technician.

SUMMARY OF HEARING PROCEDURES

If you want to address the Commission, please fill out a speaker card located on the table near the Audio Visual Technician and deposit the completed card in the basket. There are also speaker cards in the back of the Chambers and at the side entrance.

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. Speakers using a translator will have four 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. Response to Commissioner 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 rezonings, prezonings, General Plan Amendments and Code Amendments is only advisory 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 Permits 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.

AGENDA
ORDER OF BUSINESS

WELCOME

Welcome to the Planning Commission Meeting. Please remember to turn off your cell phones. The parking validation machine for the garage under City Hall is located at the rear of the Chambers.

SALUTE TO THE FLAG

ROLL CALL

SUMMARY OF HEARING PROCEDURES

1. PUBLIC COMMENT

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:

- Responding to statements made or questions posed by members of the public; or
- Requesting staff to report back on a matter at a subsequent meeting; or
- Directing staff to place the item on a future agenda.

2. DEFERRALS AND REMOVALS FROM CALENDAR

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.

Staff will provide an update on the items for which deferral is being requested. 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.

- a. The projects being considered are located on a 0.13-gross acre site in the R-M Multiple Residence Zoning District located on the west side of North 13th Street, approximately 200 feet north of Washington Street (421 North 13th Street) (John and Betty Licking, Owners). Council District 3. CEQA: Exempt per CEQA Guidelines Section 15301(a) for Existing Facilities. *Deferred from 9/28/16.*
PROJECT MANAGER, PATRICK KELLY

CP15-073 (Administrative Hearing). Conditional Use Permit to allow a 25-bed Residential Care Facility (23 client beds and two resident manager beds) within an existing 3,089-square foot single-family residence.

RA16-002 (Administrative Hearing). Request for Reasonable Accommodation to allow reduced parking for a 25-bed Residential Care Facility (23 client beds and two resident manager beds) located within an existing 3,089-square foot single-family residence.

Staff Recommendation:

1. Drop to re-notice per Staff request.

3. CONSENT CALENDAR

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.

Staff will provide an update on the consent calendar. If you wish to speak on one of these items individually, please come to the podium at this time.

- a. **CP15-049 (Administrative Hearing)**. Conditional Use Permit to allow a 1,600-square-foot Social Service Agency (food distribution storage and voucher sales) in an existing building on an approximately 1.0 gross acre site in the LI Light Industrial Zoning District located on the north side of Virginia Street, 120 feet east of South 3rd Street (143 East Virginia Street) (Levan Group Inc., Owner). Council District: 3. CEQA: Exempt per CEQA Guidelines Section 15301 for Existing Facilities. *Deferred from 9/14/16. PROJECT MANAGER, EDWARD SCHREINER*

Staff Recommendation:

1. Consider the Exemption in accordance with CEQA.
2. Approve a Conditional Use Permit Resolution as described above.

- b. **C16-007**. Conforming Rezoning from the R-1-2 Single-Family Residence Zoning District to the R-1-5 Single-Family Residence Zoning District on a 1.3-gross acre site located at the southeast corner of Almaden Road and Burnside Drive (18590 Almaden Road) (David Bertelsen, Owner). Council District: 10. CEQA: Negative Declaration for File No. GP16-002. *Deferred from 9/28/16. PROJECT MANAGER, PATRICK KELLY*

THIS ITEM TO BE HEARD TOGETHER WITH ITEM 7.B.

Staff Recommendation:

1. Consider the Negative Declaration for File No. GP16-002 in accordance with CEQA.
2. Recommend to the City Council the approval of a Conforming Rezoning Ordinance as described above.

- c. **C16-027**. Conventional Rezoning for three parcels with an R-M Multiple Residence Zoning District and two parcels with the LI Light Industrial Zoning District to the PQP Public/Quasi-Public Zoning District on five parcels totaling 1.45 gross acres, located on the east side of North 5th Street between Jackson Street & East Empire Street (APNs: 249-38-008, 249-38-024, 249-38-025, 249-38-026, 249-35-050) (Wesley United Methodist Church, Owner). Council District 3. CEQA: Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) and Supplemental Environmental Impact Report to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 77617). *PROJECT MANAGER, TRACY TAM*

Staff Recommendation:

1. Consider the Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) and Supplemental Environmental Impact Report to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 77617) in accordance with CEQA.
2. Recommend to the City Council the approval of a Conventional Rezoning Ordinance as described above.

- d. [CP16-034 \(Administrative Hearing\)](#). Conditional Use Permit to allow a public drinking establishment in conjunction with a public eating establishment and late night use until 2:00 a.m. in an approximately 5,000 square foot portion of an existing approximately 9,143 square foot building on a 0.64 gross acre site in the DC Downtown Primary Commercial Zoning District located on the west side of North San Pedro Street, approximately 220 feet southerly of West St. John Street (65 North San Pedro Street) (Cuczza Family Partnership, Owner). Council District 3. CEQA: Exempt per CEQA Guidelines Section 15301(a) for Existing Facilities. *PROJECT MANAGER, TRACY TAM*

Staff Recommendation:

1. Consider the Exemption in accordance with CEQA.
2. Approve a Conditional Use Permit Resolution as described above.

- e. [PD16-020 & ABC16-003](#). Planned Development Permit and Determination of Public Convenience or Necessity to allow the off-sale of a full-range of alcoholic beverages and an incidental public drinking establishment (tasting of beer, wine and spirits) in a 19,500-square foot commercial tenant space on 43.2-gross acre site, located at 5140 Cherry Avenue in the A(PD) Planned Development Zoning District (Almaden Ranch, LLC, Owner). Council District: 9. CEQA: Determination of Consistency with the Almaden Ranch Subsequent Environmental Impact Report, (Resolution No. 76168).

PROJECT MANAGER, JENNIFER PIOZET

Staff Recommendation:

1. Consider the Almaden Ranch subsequent Environmental Impact Report in accordance with CEQA.
2. Recommend to the City Council the approval of a Conditional Use Permit Resolution and Determination of Convenience or Necessity as described above.

4. PUBLIC HEARING

Generally, the Public Hearing items are considered by the Planning Commission in the order in which they appear on the agenda. However, please be advised that the Commission may take items out of order to facilitate the agenda, such as to accommodate significant public testimony, or may defer discussion of items to later agendas for public hearing time management purposes.

- a. [CP15-052 & ABC15-011 \(Administrative Hearing\)](#). Conditional Use Permit and Determination of Public Convenience or Necessity to allow the demolition of an existing gasoline service station and construct a 3,351-square foot retail building, including pump canopy, four fuel dispensers (eight gasoline fueling nozzles and four diesel fueling nozzles), three underground fuel tanks, off-sale of alcoholic beverages (beer and wine only in a 32-square foot area), and late night use (24-hour operation) on a 0.69-gross acre site, located at 875 Blossom Hill Road in the CP Commercial Pedestrian Zoning District (Chevron Products Company, Owner). Council District: 10. CEQA: Exempt per CEQA Guidelines Section 15302 for Replacement or Reconstruction.

PROJECT MANAGER, JENNIFER PIOZET

Staff Recommendation:

1. Consider the Exemption in accordance with CEQA.
2. Approve a Conditional Use Permit Resolution to allow the demolition of an existing gasoline service station and construct a 3,351-square foot retail building, including pump canopy, four fuel dispensers (eight gasoline fueling nozzles and four diesel fueling nozzles), three underground fuel tanks, and late night use (24-hour operation).

- b. **H16-015 (Appeal Hearing)**. APPEAL by the project applicant of the Planning Director's denial of a 10-foot electric fence and approval of a Site Development Permit to allow the construction of a 7 foot, wrought iron-like fence on a 1.86 gross acre site, in the HI Heavy Industrial Zoning District, located on the southwesterly corner of Rogers Avenue and Junction Avenue at 1705 Rogers Avenue (1705 Rogers LP, Owner). Council District: 3. CEQA: Exempt per CEQA Guidelines Section 15303(e) for New Construction or Conversion of Small Structures. *PROJECT MANAGER, LEA SIMVOULAKIS*

Staff Recommendation:

1. Consider the Exemption in accordance with CEQA.
2. Conduct an appeal hearing and deny the appeal and approve a Site Development Permit Resolution as described above.

- c. 1. **PDC15-028**. Planned Development Zoning to rezone from the CP Commercial Pedestrian Zoning District to the CG(PD) Planned Development Zoning District to allow up to 360,000 square feet of commercial space with 353,700 square feet of parking structures on 9.3-gross acre site. The project site is located on the north side of Samaritan Drive, approximately 700 feet east of the intersection of South Bascom Avenue and Samaritan Drive (2505-2577 Samaritan Drive) (Samaritan Properties LLC, Owner). Council District: 9. CEQA: Samaritan Medical Center Master Plan Project Environmental Impact Report. *Deferred from 9/28/16. PROJECT MANAGER, LEA SIMVOULAKIS*

THIS ITEM TO BE HEARD TOGETHER WITH ITEM 7.A.

Staff Recommendation:

1. Consider the Samaritan Medical Center Master Plan Project Environmental Impact Report and associated Mitigation, Monitoring, and Reporting program in accordance with CEQA.
 2. Recommend to the City Council the approval of a Planned Development Zoning Ordinance as described above.
2. **PDC15-029**. Planned Development Zoning to rezone from the CP Commercial Pedestrian Zoning District to the CO(PD) Planned Development Zoning District to allow up to 115,250 square feet of commercial space with a 141,040 square foot parking structure on a 3.7-gross acre site, located on the south side of the terminus of Samaritan Court (2506-2515 Samaritan Court) (Samaritan Medical LLC, Owner). Council District: 9. CEQA: Samaritan Medical Center Master Plan Project Environmental Impact Report. *Deferred from 9/28/16. PROJECT MANAGER, LEA SIMVOULAKIS*

THIS ITEM TO BE HEARD TOGETHER WITH ITEM 7.A.

Staff Recommendation:

1. Consider the Samaritan Medical Center Master Plan Project Environmental Impact Report and associated Mitigation, Monitoring, and Reporting program in accordance with CEQA.
2. Recommend to the City Council the approval of a Planned Development Zoning Ordinance as described above.

**5. OPEN THE GENERAL PLAN HEARING
(CONTINUED FROM SEPTEMBER 28, 2016)**

6. GENERAL PLAN CONSENT CALENDAR

- a. [GP16-008](#). City-initiated General Plan Amendment to change the Land Use / Transportation Diagram to Open Space, Parklands and Habitat land use designation on a 1.66 gross acre site, located along the western side of South 31st Street between Alum Rock Avenue and East San Antonio Street (City of San Jose, Owner). Council District: 5. CEQA: Negative Declaration for South 31st Street and Alum Rock Avenue Park. *PROJECT MANAGER, JARED HART*

Staff Recommendation:

1. Consider the Negative Declaration for South 31st Street and Alum Rock Avenue Park in accordance with CEQA.
2. Recommend to the City Council the approval of a General Plan Amendment Resolution as described above.

- b. [GP16-009](#). City-initiated General Plan Amendment to modify the Transportation Network Diagram to be consistent with the North San Pedro Streetscape Project improvements on West Julian Street between North San Pedro Street and Notre Dame Avenue, located on West Julian Street between North San Pedro Street and Notre Dame Avenue (City Of San Jose, Owner). Council District: 3. CEQA: Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that this activity is within the scope of the Final Program Environmental Impact Report for the Envision San José 2040 General Plan and Supplemental Environmental Impact Report to the Envision San José 2040 General Plan Environmental Impact Report, for which findings were adopted by City Council Resolution Nos. 76041 and 77517 respectively, that adequately describe the activity for the purposes of CEQA. *Deferred from 9/28/16. PROJECT MANAGER, JARED HART*

Staff Recommendation:

1. Consider the Determination of Consistency with the Final Program Environmental Impact Report for the Envision San José 2040 General Plan and Supplemental Environmental Impact Report to the Envision San José 2040 General Plan Environmental Impact Report, for which findings were adopted by City Council Resolution Nos. 76041 and 77517 respectively, in accordance with CEQA.
2. Recommend to the City Council the approval of a General Plan Amendment Resolution as described above.

- c. [GPT16-004](#). City-initiated General Plan Text Amendment to make minor modifications and clarifying revisions to the Envision San José 2040 General Plan. Council District: Citywide. CEQA: : Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that this activity is within the scope of the Final Program Environmental Impact Report for the Envision San José 2040 General Plan and Supplemental Environmental Impact Report to the Envision San José 2040 General Plan Environmental Impact Report, for which findings were adopted by City Council Resolution Nos. 76041 and 77517 respectively, that adequately describe the activity for the purposes of CEQA. *Deferred from 9/28/16. PROJECT MANAGER, KIMBERLY VACCA*

Staff Recommendation:

1. Consider the Determination of Consistency with the Final Program Environmental Impact Report for the Envision San José 2040 General Plan and Supplemental Environmental Impact Report to the Envision San José 2040 General Plan Environmental Impact Report, for which findings were adopted by City Council Resolution Nos. 76041 and 77517 respectively, in accordance with CEQA.

2. Recommend to the City Council the approval of a General Plan Text Amendment Resolution as described above.

d. **GPT16-005.** City-initiated General Plan Text Amendment to include text clarifying how an adopted Urban Village Plan's text, goals and policies can be amended. Council District: Citywide. CEQA: : Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that this activity is within the scope of the Final Program Environmental Impact Report for the Envision San José 2040 General Plan and Supplemental Environmental Impact Report to the Envision San José 2040 General Plan Environmental Impact Report, for which findings were adopted by City Council Resolution Nos. 76041 and 77517 respectively, that adequately describe the activity for the purposes of CEQA. *Deferred from 9/28/16 PROJECT MANAGER, KIMBERLY VACCA*

Staff Recommendation:

1. Consider the Determination of Consistency with the Final Program Environmental Impact Report for the Envision San José 2040 General Plan and Supplemental Environmental Impact Report to the Envision San José 2040 General Plan Environmental Impact Report, for which findings were adopted by City Council Resolution Nos. 76041 and 77517 respectively, in accordance with CEQA.
2. Recommend to the City Council the approval of a General Plan Text Amendment Resolution as described above.

e. **GPT16-006.** City-initiated General Plan Text Amendment to update the Growth Areas Planned Capacity by Horizon table in Appendix 5 to reflect approved residential unit entitlements since adoption of the General Plan and to make minor formatting revisions. Council District: Citywide. CEQA: Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that this activity is within the scope of the Final Program Environmental Impact Report for the Envision San José 2040 General Plan and Supplemental Environmental Impact Report to the Envision San José 2040 General Plan Environmental Impact Report, for which findings were adopted by City Council Resolution Nos. 76041 and 77517 respectively, that adequately describe the activity for the purposes of CEQA. *Deferred from 9/28/16 PROJECT MANAGER, KIMBERLY VACCA*

Staff Recommendation:

1. Consider the Determination of Consistency with the Final Program Environmental Impact Report for the Envision San José 2040 General Plan and Supplemental Environmental Impact Report to the Envision San José 2040 General Plan Environmental Impact Report, for which findings were adopted by City Council Resolution Nos. 76041 and 77517 respectively, in accordance with CEQA.
2. Recommend to the City Council the approval of a General Plan Text Amendment Resolution as described above.

f. **GPT16-007.** City-initiated General Plan Text Amendment to revise Urban Villages Design Policy CD-7.9 to allow more flexibility in building height step down in Urban Villages adjacent to single-family residential sites. Council District: Citywide. CEQA: : Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that this activity is within the scope of the Final Program Environmental Impact Report for the Envision San José 2040 General Plan and Supplemental Environmental Impact Report to the Envision San José 2040 General Plan Environmental Impact Report, for which findings were adopted by City Council Resolution Nos. 76041 and 77517 respectively, that adequately describe the activity for the purposes of CEQA. *Deferred from 9/28/16 PROJECT MANAGER, KIMBERLY VACCA*

Staff Recommendation:

1. Consider the Determination of Consistency with the Final Program Environmental Impact Report for the Envision San José 2040 General Plan and Supplemental Environmental Impact Report to the Envision San José 2040 General Plan Environmental Impact Report, for which findings were adopted by City Council Resolution Nos. 76041 and 77517 respectively, in accordance with CEQA.
2. Recommend to the City Council the approval of a General Plan Text Amendment Resolution as described above.

- g. **GPT16-008.** City-initiated General Plan Text Amendment to modify the Mixed Use Commercial land use designation to establish a minimum and maximum Floor Area Ratio (FAR) range from 0.5 to up to 4.5 FAR for residential/commercial mixed-use projects, and from 0.25 to up to 4.5 FAR for commercial projects. Council District: Citywide. CEQA: : Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that this activity is within the scope of the Final Program Environmental Impact Report for the Envision San José 2040 General Plan and Supplemental Environmental Impact Report to the Envision San José 2040 General Plan Environmental Impact Report, for which findings were adopted by City Council Resolution Nos. 76041 and 77517 respectively, that adequately describe the activity for the purposes of CEQA. *Deferred from 9/28/16*
PROJECT MANAGER, KIMBERLY VACCA

Staff Recommendation:

1. Consider the Determination of Consistency with the Final Program Environmental Impact Report for the Envision San José 2040 General Plan and Supplemental Environmental Impact Report to the Envision San José 2040 General Plan Environmental Impact Report, for which findings were adopted by City Council Resolution Nos. 76041 and 77517 respectively, in accordance with CEQA.
2. Recommend to the City Council the approval of a General Plan Text Amendment Resolution as described above.

7. GENERAL PLAN PUBLIC HEARING

- a. **GP15-014.** General Plan Amendment to change the Land Use/Transportation Diagram designation from Neighborhood/Community Commercial to Regional Commercial on a 9.3 gross acre site. The project site is located on the north side of Samaritan Drive, approximately 700 feet east of the intersection of South Bascom Avenue and Samaritan Drive (2505-2577 Samaritan Drive) (Samaritan Properties LLC, Owner). Council District: 9. CEQA: Samaritan Medical Center Master Plan Project Environmental Impact Report. *Deferred from 9/28/16.* **PROJECT MANAGER, LEA SIMVOULAKIS**

THIS ITEM TO BE HEARD TOGETHER WITH ITEMS 4.C.1 & 4.C.2

Staff Recommendation:

1. Recommend to the City Council the adoption of a Resolution certifying the Samaritan Medical Center Master Plan Project Environmental Impact Report, making certain findings, statements of overriding consideration, and adoption of the associated Mitigation, Monitoring, and Reporting program, all in accordance with CEQA.
2. Recommend to the City Council the approval of a General Plan Amendment Resolution as described above.

- b. [GP16-002](#). General Plan Land Use/Transportation Diagram Amendment from Rural Residential to Residential Neighborhood designation for residential uses on a 1.33 gross acre site, located on the southeast corner of Almaden Road and Burnside Drive (18590 Almaden Road) (David Bertelsen, Owner). Council District: 10. CEQA: Negative Declaration for File No. GP16-002. *Deferred from 9/28/16. PROJECT MANAGER, KIMBERLY VACCA*

THIS ITEM TO BE HEARD TOGETHER WITH ITEM 3.B.

Staff Recommendation:

1. Consider the Negative Declaration for File No. GP16-002 in accordance with CEQA.
2. Recommend to the City Council the approval of a General Plan Amendment Resolution as described above.

- c. [GP16-007](#). General Plan Amendment to the Land Use/Transportation Diagram from the Public Quasi-Public designation to the Neighborhood Community Commercial designation on a 27 gross acre site, located on the northeasterly corner of Yerba Buena Road and San Felipe Road (San Jose Evergreen Community College District, Owner). Council District: 8. CEQA: Negative Declaration for the Evergreen Valley Community College General Plan Amendment. *Continued from 9/28/16. PROJECT MANAGER, KIMBERLY VACCA*

Staff Recommendation:

1. Recommend to the City Council the consideration and approval of the Negative Declaration for the Evergreen Valley Community College General Plan Amendment in accordance with CEQA.
2. Recommend to the City Council the denial of the applicant's request to amend the Envision San José 2040 General Plan Land Use/Transportation Diagram designation from Public/Quasi-Public to Neighborhood/Community Commercial for the 27-acre as described above.
3. Recommend to the City Council the approval of the Resolution recommended by Staff amending the Envision San José 2040 General Plan Land Use/Transportation Diagram designation of Public/Quasi-Public to Neighborhood/Community Commercial for 14 acres of the 27-acre site as described above.

8. CLOSE THE GENERAL PLAN HEARING

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

No Items

10. GOOD AND WELFARE

- a. Report from City Council
- b. Review and Approve Action Minutes from [09-28-16](#)
- c. Subcommittee Formation, Reports, and Outstanding Business

- d. Commission Calendar and Study Sessions
- e. The Public Record

ADJOURNMENT

2016 PLANNING COMMISSION MEETING SCHEDULE

<u>Date</u>	<u>Time</u>	<u>Type of Meeting</u>	<u>Location</u>
January 13	6:30 p.m.	Regular & General Plan	Council Chambers
January 27	6:30 p.m.	Regular	Council Chambers
February 10	6:30 p.m.	Regular	Council Chambers
February 24	6:30 p.m.	Regular	Council Chambers
March 9	6:30 p.m.	Regular	Council Chambers
March 23	6:30 p.m.	Regular	Council Chambers
April 13	6:30 p.m.	Regular	Council Chambers
April 27	6:30 p.m.	Regular	Council Chambers
May 4	5:00 p.m.	<i>Study Session/Public Hearing:</i>	<i>Council Chambers</i>
<i>2016/2017 Capital Budget & 2017/2021 Capital Improvement Program</i>			
May 4	6:30 p.m.	Regular & General Plan	Council Chambers
May 11	6:30 p.m.	Regular & General Plan	Council Chambers
May 25	6:30 p.m.	Regular	Council Chambers
June 8	6:30 p.m.	<u>Cancelled:</u> Regular	Council Chambers
June 22	6:30 p.m.	Regular	Council Chambers
July 13	6:30 p.m.	Regular	Wing Room 118 & 119
July 27	6:30 p.m.	<u>Cancelled:</u> Regular	Wing Room 118, 119, & 120
August 10	6:30 p.m.	Regular	Council Chambers
August 24	6:30 p.m.	<u>Cancelled:</u> Regular	Council Chambers
September 14	6:30 p.m.	Regular	
September 28	6:30 p.m.	Regular	Council Chambers
October 12	5:00 p.m.	<i>Study Session:</i>	<i>Council Chambers</i>
<i>General Plan Performance Review</i>			
October 12	6:30 p.m.	Regular & General Plan	Council Chambers
October 14	8:45 a.m.	<i>Planning Commission Retreat</i>	<i>T-550</i>
October 26	6:30 p.m.	Regular	Council Chambers
November 2	6:30 p.m.	Regular	Council Chambers
November 16	6:30 p.m.	Regular	Council Chambers
December 7	6:30 p.m.	Regular	Council Chambers
December 14	6:30 p.m.	Regular	Council Chambers

ABOUT THE PLANNING COMMISSION

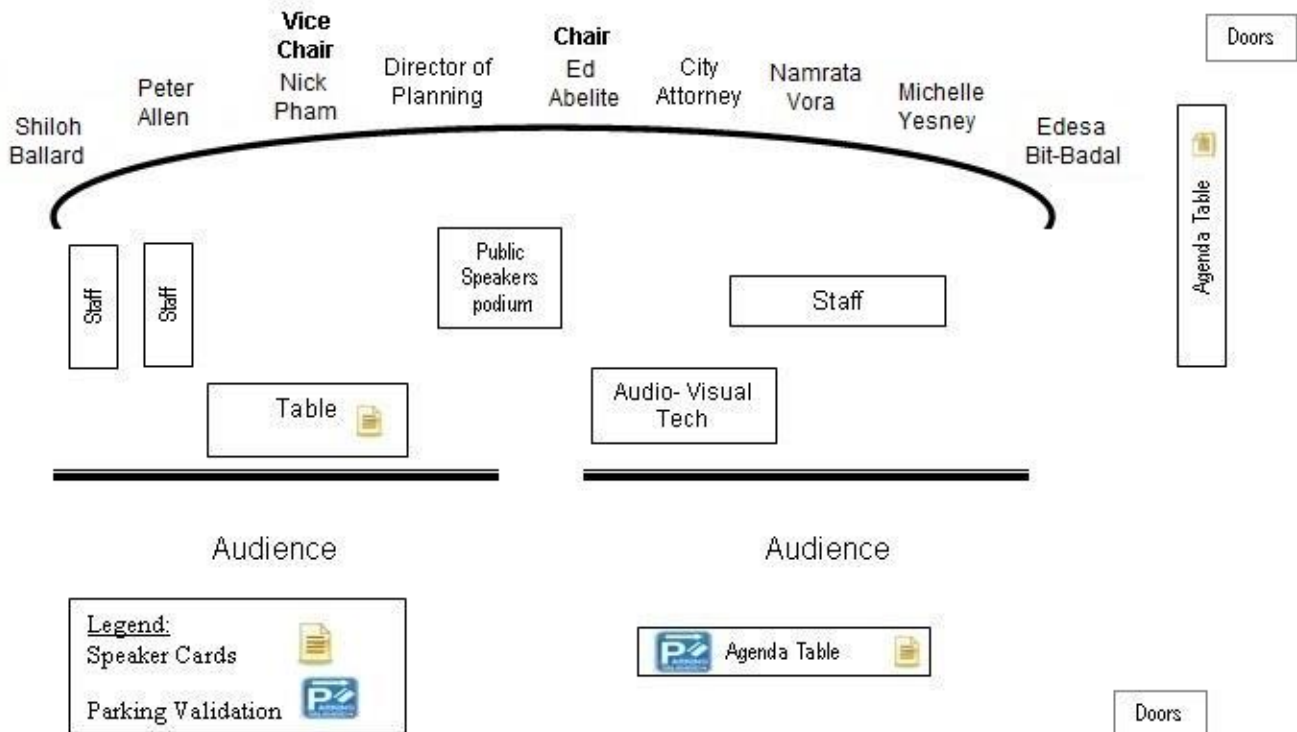
The Planning Commission is a seven-member body, appointed by the City Council, which performs two types of actions:

- One type is “Quasi-Legislative” in nature in which the Planning Commission makes recommendations to the City Council regarding the adoption, amendment, or repeal of general or specific plans, Zoning Code provisions, or regulations related to the land use development, redevelopment, rehabilitation or renewal of the City, including its Capital Improvement Programs.
- The second type of action is “Quasi-Judicial” in nature in which the Planning Commission applies previously adopted legislation to particular applications and acts as a decision-making or appellate body. Examples of these types of actions include Commission decisions on Conditional Use Permits, appeals of the Planning Director’s decisions on certain land use permits, and the certification of Environmental Impact Reports.

A notation of “Administrative Hearing” for an agenda item indicates that the item is a Quasi-Judicial action of the Commission in order to assist the public in understanding the role of the Planning Commission on a particular item.

To effectively manage the Planning Commission Agenda, and to be sensitive to concerns regarding the length of public hearing, the Planning Commission may determine to proceed with remaining agendized items past 11:00 p.m., or to continue this hearing to a later date, or to defer remaining items to the next regularly scheduled Planning Commission meeting date. The decision on how to proceed will be heard by the Planning Commission no later than 11:00 p.m.

Seating Chart within the City Council Chambers:



The San José Planning Commission generally meets every 2nd and 4th Wednesday at 6:30 p.m., unless otherwise noted. Agendas and Staff Reports for Planning Commission items may be viewed on the Internet at <http://www.sanjoseca.gov/index.aspx?nid=1764>

The City of San Jose is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public. The City Code of Ethics may be viewed on-line at <http://www.sanjoseca.gov/DocumentCenter/View/3818>

All public records relating to an open session item on this agenda, which are not exempt from disclosure, pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Planning, Building and Code Enforcement at San José City Hall, 200 E. Santa Clara Street, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body.

Planning Commission hearings are video recorded and broadcasted live. To view the live broadcast or past hearing recordings go to the Internet website: <http://www.sanjoseca.gov/index.aspx?nid=3431>

If you have any agenda questions, please contact Support Staff at (408) 535-5695 or email. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

FREQUENTLY USED ABBREVIATIONS

CEQA	California Environmental Quality Act
CP	Conditional Use Permit
DA	Development Agreement
PD	Planned Development Permit
PDC	Planned Development Zoning

CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Redevelopment Agency Board, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior, which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
 - No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

**CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN
THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D)**

3. Addressing the Council, Redevelopment Agency Board, Committee, Board or Commission:
- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
 - b) Meeting attendees are usually given two (2) minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
 - c) Speakers should discuss topics related to City business on the agenda, unless they are speaking during open forum.
 - d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners, or Staff in conversation will not be honored. Abusive language is inappropriate.
 - e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
 - f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
 - g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.