



Department of Planning, Building and Code Enforcement

JOSEPH HORWEDEL, DIRECTOR

## NOTICE OF PUBLIC HEARINGS

City of San Jose, City Hall

200 East Santa Clara Street, City Council Chambers, Wing 2<sup>nd</sup> Floor

### Spring 2009 Hearings on General Plan Amendments

**Planning Commission:** Wednesday, May 27, 2009, 6:30 p.m.

**City Council:** Tuesday, June 16, 2009, 7:00 p.m.

### General Plan Amendment (File No. GP08-07-01):

*Proposal to amend the General Plan land use designation on a 0.72-acre parcel on the southwest corner of Tully Road and McLaughlin Avenue (1100 Tully Road) from Medium Low Density Residential (8 dwelling units per acre) to General Commercial. Approval of this General Plan amendment could allow neighborhood-serving commercial uses including retail, office and services. Approval of this General Plan amendment would allow the City Council to consider the related rezoning application, File No. C08-047, for a Conventional Rezoning from A Agricultural Zoning District to CN Commercial Neighborhood Zoning District to allow commercial uses on a 0.72-gross acre site.*

You are invited to participate in the above public hearings. The Planning Commission will make a recommendation to the City Council, and the City Council will make the final decision on the proposed General Plan amendment. Please note that the *San Jose 2020 General Plan* reflects the long-range future growth for the City. A change in the General Plan land use designation would only affect the type and intensity of future development allowed on the subject property. The proposed amendment to the General Plan for the above referenced property would not change the zoning designation of the property. Zoning changes occur through the rezoning process, which is separate from the General Plan amendment process.

The General Plan amendment (File No. GP 08-07-01) being considered is a request to change the Land Use/Transportation Diagram designation from Medium Low Density Residential (8 DU/AC) to General Commercial on an approximately 0.72-acre site on the southwest corner of Tully Road and McLaughlin Avenue (1100 Tully Road). (Anita C. & John L. Borello, Owner) APN 499-20-001. Council District: 7 SNI: None (See explanation of existing and proposed General Plan designations on back.)

Comments and questions regarding this proposal or the General Plan amendment process are welcome, and should be referred to the Project Manager, Ed Schreiner, at (408) 535-7845.

Documents for this project are on file and available for review (M-F: 8 a.m. to 5 p.m) at: **Planning, Building and Code Enforcement, 200 E Santa Clara Street, San Jose, CA 95113**, or call (408) 535-3555. Reports and documents will also be available online at: [www.sanjoseca.gov/planning/](http://www.sanjoseca.gov/planning/) one week prior to the scheduled hearing.

Joseph Horwedel, Director  
Planning, Building and Code Enforcement

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Darryl Boyd, Principal Planner

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Date

## **PUBLIC HEARING NOTICE**

The Planning Commission and the City Council of the City of San José will consider a change in ZONING at a public hearing in accordance with the San José Municipal Code on:

**Planning Commission Hearing**

**Wednesday, May 27, 2009**

**6:30 p.m.**

**City Council Chambers**

**City Hall**

**200 East Santa Clara Street**

**San Jose, CA 95113**

**City Council Hearing**

**Tuesday, June 16, 2009**

**7:00 p.m.**

**City Council Chambers**

**City Hall**

**200 East Santa Clara Street**

**San Jose, CA 95113**

*The Planning Commission actions/synopsis will be available for review on our web-site 24-48 hrs after the hearing. Please visit: [www.sanjoseca.gov/planning/hearings/planning\\_com.asp](http://www.sanjoseca.gov/planning/hearings/planning_com.asp)*

[www.sanjoseca.gov/clerk/agenda.asp](http://www.sanjoseca.gov/clerk/agenda.asp)

The project being considered is:

**C08-047. Conventional Rezoning from the A Agricultural District to the CN Neighborhood Commercial District to permit the demolition of a gasoline service station and convenience store and the construction of a new gasoline service station and convenience store on a 0.72 gross acre site., located on the southwest corner Tully Rd and McLaughlin Av (1100 TULLY RD) (Borello John L And Anita C Trustee & Et Al, Owner). Council District 7. SNI: None. CEQA: Mitigated Negative Declaration.**

Reports, drawings, and documents are available for review from 9:00 a.m. to 5:00 p.m., Monday through Friday, and a draft staff report and recommendations will be available for review seven calendar days prior to the public hearing at:

Department of Planning, Building and Code Enforcement

200 East Santa Clara Street, 3<sup>rd</sup> Floor Tower

San José, CA 95113

(408) 535-7800

<http://www.sanjoseca.gov/planning/hearings/>

You are welcome to attend and to speak on this issue. To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call (408) 535-7800 or (408) 294-9337 (TTY) at least two business days before the meeting. **Muốn biết tin tức bằng tiếng Việt Nam về tờ thông tin này, xin quý vị liên lạc Trung Nguyen ở số (408) 535-7883 và đọc số dự án C08-047. Para información en Español acerca de esta solicitud, comuníquese con Juan Borrelli al (408) 535-7709, e indique el número de proyecto C08-047.**

*\* If you choose to challenge this land use decision in court, you may be limited to only those issues you, or someone else, raised and discussed at the public hearing or in written correspondence delivered to the City at or prior to the public hearing.*

Comments and questions are welcome and should be referred to the Project Manager, Ed Schreiner, at the e-mail address: [edward.schreiner@sanjoseca.gov](mailto:edward.schreiner@sanjoseca.gov) in the Department of Planning, Building and Code Enforcement. Please refer to the above file number for further information on this project.

Dated: April 28, 2009

Noticing Radius: 500ft

**Existing General Plan Designation:**

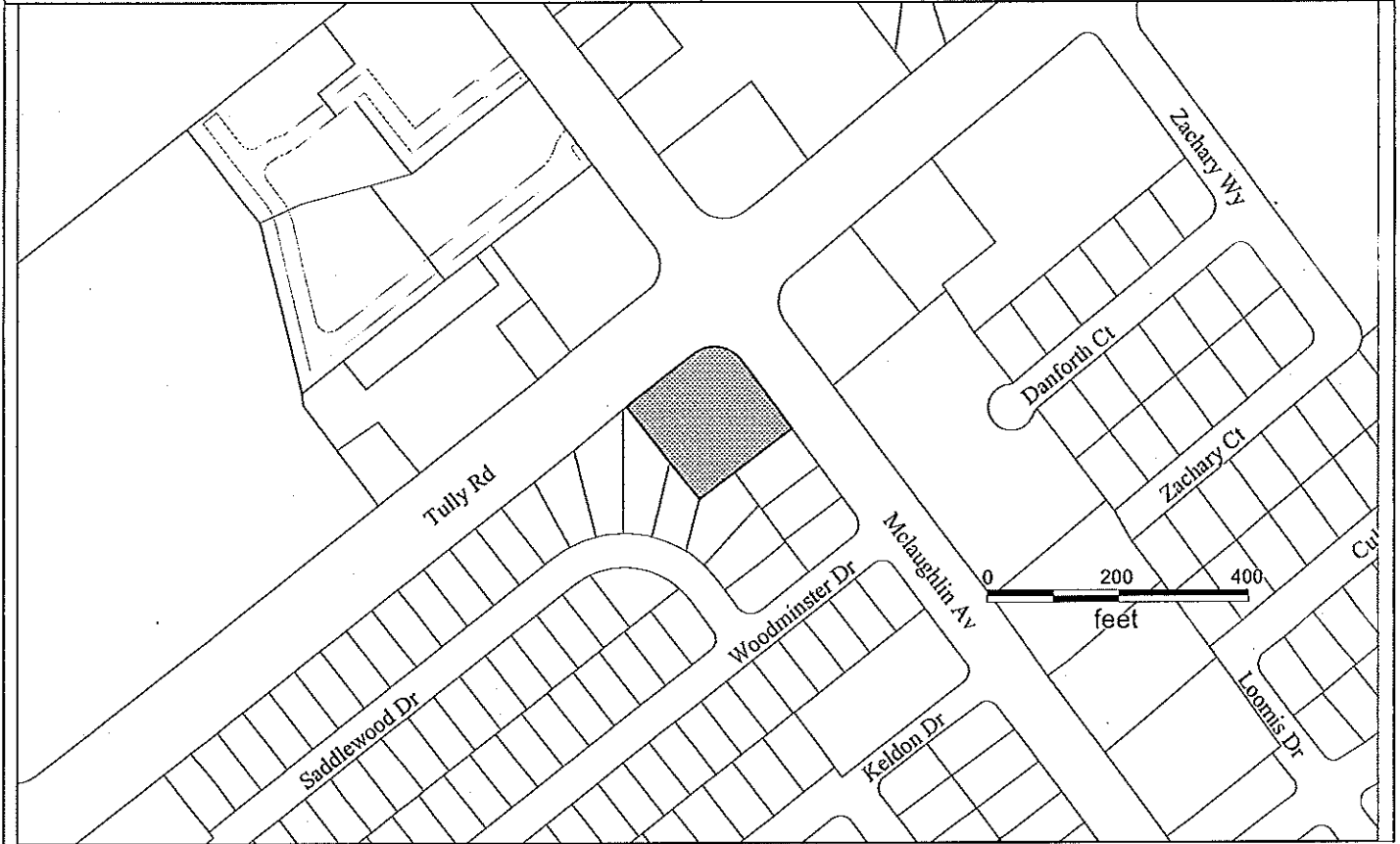
Medium Low Density Residential  
(8-16 Dwelling Units/Acre)

This density is typified by the 6,000 square foot subdivision lot which is prevalent in San José. It is characteristic of many residential neighborhoods, and is the density at which the majority of San José's single-family housing has been built.

**Proposed General Plan Designation:**

General Commercial

The General Commercial designation is a non-specialized commercial designation intended to permit miscellaneous commercial uses. It includes both strip commercial areas along major thoroughfares as well as freestanding commercial establishments.



To arrange an accommodation under the Americans with Disabilities Act to participate in these public hearings, please call (408) 294-9337 (TTY) at least 48 hours before the hearing. This document can be made available upon request in alternative formats such as Braille, large print, audio tape or computer disk. Requests can be made by calling (408) 535-3500 (Voice) or (408) 294-9337 (TTY).

If you choose to challenge this land use decision in court, you may be limited to only those issues that you or someone else raised and discussed at the public hearing or in written correspondence delivered to the City at or prior to the public hearing. Reports including the staff report and recommendation are available a week before the public hearing). Additionally, a public packet will be available for review at the hearing.

Muõ'n biêt tin tũ'c bảng tiê'ng Việ't Nam và đõn xin giấ'y phe'p này, xin qui' vj liên lạc Trung Nguyen ở số (408) 535-7883. Para información en Español acerca de esta solicitud, comuníquese con Juan Borrelli al (408) 535-3555.