

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE DENYING THE APPLICATION FOR A GENERAL PLAN AMENDMENT TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM PUBLIC/QUASI-PUBLIC TO RESIDENTIAL NEIGHBORHOOD ON THE 2.7-GROSS-ACRE SITE LOCATED AT 1975 CAMBRIANNA DRIVE (ASSESSOR PARCEL NUMBER: 414-21-062)**

**Fall 2020 General Plan Amendment Cycle (Cycle 3)**

**GP20-003**

**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 November 1, 2011, the City Council adopted the General Plan entitled, "Envision San José 2040 General Plan, San José, California" by Resolution No. 76042, which General Plan has been amended from time to time (hereinafter the "General Plan"); and

**WHEREAS**, in accordance with Title 18 of the San José Municipal Code, all general and specific 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 December 9, 2020, the Planning Commission held a virtual public hearing to consider the proposed amendments to the General Plan, File No. GP20-003, at which hearing interested persons were given the opportunity to appear virtually 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 on the proposed General Plan Amendment to the City Council; and

**WHEREAS**, on January 26, 2021, and continued first to February 9, 2021, then to February 23, 2021, the Council held a duly noticed virtual public hearing to consider the General Plan Amendment File No. GP20-003; and

**WHEREAS**, a copy of the proposed General Plan Amendment is on file in the office of the Director of Planning, Building and Code Enforcement and is available electronically on the Department of Planning, Building and Code Enforcement website, with copies 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 January 26, 2021 at 1:30 p.m., continued to February 23, 2021, at 6:00 p.m., the Council would hold a virtual public hearing where interested persons could appear virtually, be heard, and present their views with respect to the proposed General Plan Amendment; and

**WHEREAS**, prior to making its determination on the General Plan Amendments, the Council reviewed and approved the Initial Study/Negative Declaration prepared for the Cambrian School District General Plan Amendment Project, in accordance with CEQA; and

**WHEREAS**, the Council desires to deny the application for the General Plan amendment because the requested change in the land use designation for the Subject Property from its current Public/Quasi-Public designation to Residential Neighborhood designation is inconsistent with the Council's land use goals and policies expressed in the General Plan; and

**WHEREAS**, the Council is the decision-making body for the proposed General Plan Amendment.

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE that (i) the City Council has fully considered the administered record before it; and (ii) the application for General Plan amendment to change the land use designation of the Subject Property from Public/Quasi-Public to Residential Neighborhood, File No. GP20-003, is hereby denied.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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SAM LICCARDO  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk