

**FW: 5/21 City Council Meeting Item 10b**

City Clerk &lt;city.clerk@sanjoseca.gov&gt;

Mon 5/20/2024 12:16 PM

To: Agendadesk &lt;Agendadesk@sanjoseca.gov&gt;

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**From:** Scott <[REDACTED]>**Sent:** Monday, May 20, 2024 11:54 AM**To:** City Clerk <city.clerk@sanjoseca.gov>; Upadhyay, Ami <ami.upadhyay@sanjoseca.gov>; District9 <district9@sanjoseca.gov>**Subject:** 5/21 City Council Meeting Item 10b

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Dear San Jose Staff/City Council,

As a long-time resident of San Jose, I have a few questions and would like to express my concerns regarding the intended rezoning of certain parcels. Residentially-zoned churches and schools surrounded by residential uses should not be rezoned to PQP and instead the general plan designation should be amended to match the zoning.

Under a residential designation/zone district, churches and schools are still allowable uses along with many other uses compatible with the surrounding residential. PQP has a much greater potential for negative impacts on the adjacent residents with limited or no opportunities for public input such as:

- Permitted by-right land uses such as fuel cell facilities (who would feel safe living next to that?) and homeless shelters with no other nearby resources/services
- Development standards like a 65-foot maximum building height compared to 35-45 feet for residential

It's extremely disappointing that the City is choosing to go in this direction when there are better solutions instead of just unilaterally rezoning these parcels as a simpler fix.

**\*\*Can staff please explain:**

- How the residential to PQP parcels would result in a net gain of hundreds of residential units? Under what land use and how was the density determined?
- How is the rezoning to PQP consistent with the Planned Growth Areas in the general plan if it places intensive uses outside of these areas?

I appreciate your time.

Thank you,  
Scott

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## FW: 5/21 City Council Meeting Item 10.b Public Comment

City Clerk <city.clerk@sanjoseca.gov>

Tue 5/21/2024 7:59 AM

To:Agendadesk <Agendadesk@sanjoseca.gov>

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**From:** Scott <[REDACTED]>  
**Sent:** Monday, May 20, 2024 9:38 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** 5/21 City Council Meeting Item 10.b Public Comment

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Dear City Clerk, please distribute this email chain to the City Council as public comment and include it as part of the project record. Thank you

**From:** Scott [REDACTED]  
**Sent:** Monday, May 20, 2024 11:53 AM  
**To:** <city.clerk@sanjoseca.gov>; Upadhyay, Ami <ami.upadhyay@sanjoseca.gov>; District9 <district9@sanjoseca.gov>  
**Subject:** Re: 5/21 City Council Meeting Item 10.b

Dear San Jose Staff/City Council,

As a long-time resident of San Jose, I have a few questions and would like to express my concerns regarding the intended rezoning of certain parcels. Residentially-zoned churches and schools surrounded by residential uses should not be rezoned to PQP and instead the general plan designation should be amended to match the zoning.

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It's extremely disappointing that the City is choosing to go in this direction when there are better solutions instead of just unilaterally rezoning these parcels as a simpler fix.

**\*\*Can staff please explain:**

- How the residential to PQP parcels would result in a net gain of hundreds of residential units? Under what land use and how was the density determined?
- How is the rezoning to PQP consistent with the Planned Growth Areas in the general plan if it places intensive uses outside of these areas?

I appreciate your time.

Thank you,  
Scott

On Mon, May 20, 2024 at 12:40 PM Daniels, Justin <Justin.Daniels@sanjoseca.gov> wrote:

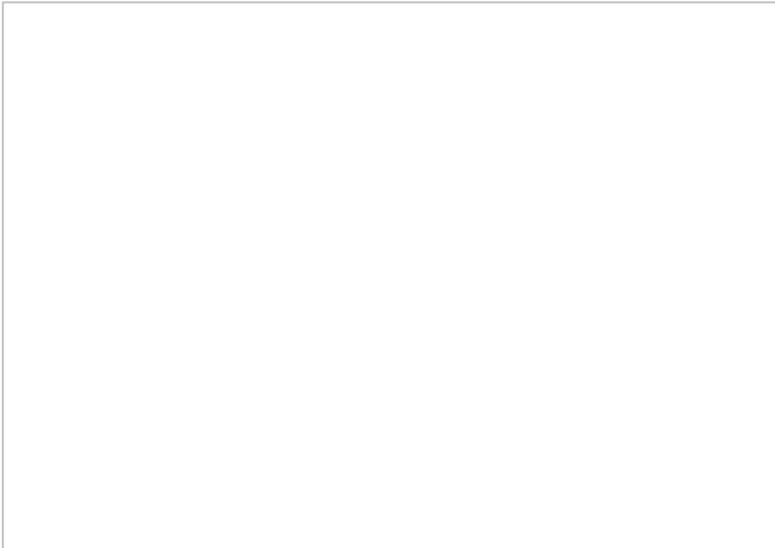
Hi Scott,

Thanks for reaching. Per Senate Bill 1333, charter cities such as San Jose are required to align a property's zoning with its General Plan Land Use Designation. Schools and religious institutions have had the PQP Public/Quasi-Public designation since our previous 2020 General Plan. The reason they have this designation is because they are public land uses. Below is the Public/Quasi-Public General Plan Land Use designation that is located in our General Plan. As you can see, PQP is used to designate public land uses, including, schools, colleges, homeless shelters, libraries, etc. Any new project must adhere to the PQP Development Standards and would most likely go through a public hearing process depending on the use. There are no projects associated with these rezonings and current uses can continue to operate. Below in red are the responses to your more specific questions.

Can staff please explain:

- How the residential to PQP parcels would result in a net gain of hundreds of residential units? Under what land use and how was the density determined? PQP allows supportive housing and we used previous project densities to determine the density. This is just for compliance with SB330, doesn't mean residential units will be built on these properties.
- How is the rezoning to PQP consistent with the Planned Growth Areas in the general plan if it places intensive uses outside of these areas? PQP allows for a wide range of uses that support areas outside of Planned Growth Areas. Schools, religious facilities, libraries, fire stations, etc are scattered throughout the city and there's a need for these services city wide.

Below is the Public/Quasi-Public section from the General Plan.



Please let me know if you have any questions.

Thank you,  
Justin Daniels  
Supervising Planner, Citywide Team  
(408) 535-7842

**From:** Scott <[REDACTED]>  
**Sent:** Monday, May 20, 2024 1:16 PM  
**To:** Daniels, Justin <[Justin.Daniels@sanjoseca.gov](mailto:Justin.Daniels@sanjoseca.gov)>  
**Cc:** Upadhyay, Ami <[ami.upadhyay@sanjoseca.gov](mailto:ami.upadhyay@sanjoseca.gov)>; District9 <[district9@sanjoseca.gov](mailto:district9@sanjoseca.gov)>  
**Subject:** Re: 5/21 City Council Meeting Item 10.b

Hi Justin, thanks for your response. Why are churches and schools (or any other nonresidential use) listed as allowable uses under residential zoning districts in the zoning code if you're saying they can only be zoned PQP?

Thanks,  
Scott

On Mon, May 20, 2024 at 1:49 PM Daniels, Justin <[Justin.Daniels@sanjoseca.gov](mailto:Justin.Daniels@sanjoseca.gov)> wrote:

PQP properties are very limited, so the Zoning Ordinance allows flexibility in other zoning districts for uses depending on the site. I just want to reiterate that these rezonings are per State Law and that we are required to do these rezonings.

Thank you,  
Justin Daniels  
Supervising Planner, Citywide Team  
(408) 535-7842

**From:** Scott [REDACTED]  
**Sent:** Monday, May 20, 2024 2:26 PM  
**To:** Daniels, Justin <[Justin.Daniels@sanjoseca.gov](mailto:Justin.Daniels@sanjoseca.gov)>  
**Cc:** Upadhyay, Ami <[ami.upadhyay@sanjoseca.gov](mailto:ami.upadhyay@sanjoseca.gov)>; District9 <[district9@sanjoseca.gov](mailto:district9@sanjoseca.gov)>  
**Subject:** Re: 5/21 City Council Meeting Item 10.b

The 2018 law? There hasn't been much urgency in complying that would prevent the City from changing the GP where it makes more sense, instead of arbitrarily rezoning them all at once. Land use decisions have considerable and long lasting effects. Residents deserve better than just a quick fix.

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