

AMENDED

PLANNING COMMISSION

November 10, 2021

Action Minutes

WELCOME

ROLL CALL

PRESENT: Commissioners Bonilla, Casey, Caballero (arrived at 6:45p.m.), Cantrell (arrived at 7:55p.m.), Lardinois, Montañez (arrived at 6:40 p.m.), Oliverio (arrived at 6:41p.m.), Ornelas-Wise, Torrens, Young

ABSENT: Commissioner Garcia

1. CALL TO ORDER & ORDERS OF THE DAY

Meeting called to order at: 6:30 p.m.

Access the video, agenda, and related reports for this meeting by visiting the City's website at:
<https://www.sanjoseca.gov/your-government/departments/planning-building-code-enforcement/planning-division/commissions-and-hearings/planning-commission>

2. PUBLIC COMMENT

Public comments to the Planning Commission on non-agendized items. Please use the ‘raise hand’ feature in Zoom or click *9 to raise a hand to speak or contact 408-535-3505 to request to speak. Each member of the public may address the Commission for up to two 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.

Paul Soto Spoke about Equity and diversity in the city. he indicated that the consequences of the planning commission decision-making are gentrification, class and culture issues

3. 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 or removal.

Staff will provide an update on the items for which deferral and removal is being requested. If you want to change any of the deferral dates recommended, or speak to the question of deferring or removing these or any other items, please use the ‘raise hand’ feature in Zoom or click *9 to raise a hand to speak or contact 408-535-3505 to request to speak.

No Items

4. 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, please use the ‘raise hand’ feature in Zoom or click *9 to raise a hand to speak or contact 408-535-3505 to request to speak.

ACTION: COMMISSIONER LARDINOIS MADE A MOTION TO APPROVE THE CONSENT CALENDAR ITEM 4.A.

COMMISSIONER OLIVERIO SECONDED THE MOTION (8-0-3, CABALLERO, GARCIA, AND MONTAÑEZ ABSENT).

- a. [Review and Approve Action Minutes from October 27, 2021.](#)

5. 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.

No Items

6. CONTINUE THE GENERAL PLAN HEARING (2021 CYCLE 2)

7. GENERAL PLAN CONSENT CALENDAR

No Items

8. GENERAL PLAN PUBLIC HEARING

- a. [GPT21-001, GPT21-005, GP21-013, GPT21-006, and GPT21-007.](#) The following changes are being considered: File No. GPT21-001: General Plan Four-Year Major Review General Plan Amendment: Neighborhood Business District Overlay. File No. GPT21-005: General Plan Four-Year Major Review General Plan Amendment: Urban Village Text Amendments. File No. GP21-013: General Plan Four-Year Major Review General Plan Amendment: Growth Area Amendments. File No. GPT21-006: General Plan Four-Year Major Review General Plan Amendment: Vehicle Miles Traveled (VMT) Policy Text Amendments. File No. GPT21-007: General Plan Four-Year Major Review General Plan Amendment: Evergreen East Hill Development Policy Text Amendments. Council District: Citywide. **CEQA:** Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) and Supplemental Environmental Impact Report (Resolution No. 77517), and Addenda thereto.

PROJECT MANAGER, MICHAEL BRILLIOT

1. **ADOPT A RESOLUTION APPROVING 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 GENERAL PLAN FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT (RESOLUTION NO. 77617), AND ADDENDA THERETO IN CONFORMANCE WITH CEQA; AND

- 2. ADOPT A RESOLUTION APPROVING THE GENERAL PLAN TEXT AND DIAGRAM AMENDMENTS ASSOCIATED WITH THE ENVISION SAN JOSÉ 2040 GENERAL PLAN FOUR-YEAR REVIEW DESCRIBED ABOVE.**

ACTION: COMMISSIONER TORRENS MADE A MOTION TO APPROVE THE STAFF RECOMMENDATION WITH THE TASK FORCE RECOMMENDATION TO ELIMINATE THE COMMERCIAL REQUIREMENT FROM MIXED USE RESIDENTIAL DEVELOPMENT (POLICY 5-12) .

COMMISSIONER CABALLERO SECONDED THE MOTION (6-6-1; BONILLA, CASEY, OLIVERIO, ORNELAS-WISE, YOUNG OPPOSED; GARCIA ABSENT)

COMMISSIONER YOUNG MADE A SUBSTITUTE MOTION TO APPROVE THE STAFF RECOMMENDATION WITH NO CHANGES.

COMMISSIONER OLIVERIO SECONDED THE MOTION (MOTION FAILED 5-5-1; TORRENS, CABALLERO, CANTRELL, LARDINOIS, MONTAÑEZ OPPOSED; GARCIA ABSENT)

COMMISSIONER CABALLERO ASKED FOR A FRIENDLY AMENDMENT TO COMMISSIONER TORRENS ORIGINAL MOTION TO ACCEPT STAFF RECOMMENDATION WITH THE EXCEPTION OF APPROVING ALL OF THE TASK FORCE RECOMMENDATIONS IN INSTANCES WHERE THE TASK FORCE RECOMMENDATION DIFFERS FROM CITY RECOMMENDATION.

COMMISSIONERS TORRENS AND CABALLERO ACCEPTED THE AMENDMENT. (9-1-1, OLIVERIO OPPOSED; GARCIA ABSENT)

- 9. CONTINUE THE GENERAL PLAN HEARING (2021 CYCLE 2) TO DECEMBER 1, 2021**
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ACTION: COMMISSIONER LARDINOIS MADE A MOTION TO CONTINUE THE GENERAL PLAN HEARING (2021 CYCLE 2) TO DECEMBER 1, 2021. COMMISSIONER CABALLERO SECONDED THE MOTION (9-0-2, OLIVERIO AND GARCIA ABSENT)

- 10. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS, OR OTHER AGENCIES**
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11. GOOD AND WELFARE

- a. Report from City Council

No items

- b. Subcommittee Formation, Reports, and Outstanding Business

No items

- c. Commission Calendar and Study Sessions

No items

- d. The Public Record

Commissioner Montañez recommended that the General Plan Policy changes be reviewed for diversity, equity and race policies. Commissioner Caballero mentioned, “Can we make that recommendation for our decision-making?” and added that Zulma Marcia is Director of the Office of Racial Equity. Commissioner Montañez to connect with Council liaison Sergio Jimenez and City attorney Vera Todorov on placing the item on a future Planning Commission Agenda in early 2022.

Commissioner Bonilla honored his grandmother who passed away recently.

12. ADJOURNMENT

Meeting adjourned at 10:58 p.m.