

## **PLANNING COMMISSION**

March 9, 2022

Action Minutes

### **WELCOME**

### **ROLL CALL**

PRESENT: Commissioners Casey, Caballero, Cantrell, Garcia (arrived at 6:34 p.m.),  
Lardinois, Oliverio, Ornelas-Wise, Torrens, Young

ABSENT: Commissioners Bonilla and Montañez

## **1. CALL TO ORDER & ORDERS OF THE DAY**

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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

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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.

**No Items**

## 3. DEFERRALS AND REMOVALS FROM CALENDAR

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- a. **GPT21-003, PP21-008, & C21-018:** City-initiated General Plan Amendment to the Envision San José 2040 General Plan to remove or modify references to the North San José Area Development Policy which will no longer apply to future development in North San José, increase the minimum density within the Transit Employment Residential Overlay (TERO) General Plan land use designation from 55 dwelling units per acre to 75 dwelling units per acre, and remove the floor area ratio requirement; amendment of the North San Jose Area Development Policy to limit the application of the North San Jose Area Development Policy to projects that have received an approved land use entitlement and/or land use permit prior to the effective date of the General Plan and North San Jose Area Development Policy amendment resolutions described herein; an ordinance amending Title 20 of the San José Municipal Code (Zoning Ordinance) to add Chapter 20.65 Overlay Districts and Part 1 TERO Transit Employment Residential Overlay District, and amending the Zoning District Map to add the TERO Overlay District; and an ordinance amending Chapter 14.29 of the San José Municipal Code (North San Jose Traffic Impact Fee) to limit the application of the North San Jose Traffic Impact Fee to projects that have received an approved land use entitlement and/or land use permit prior to the effective date of the General Plan and North San Jose Area Development Policy amendment resolutions described herein. (Citywide). 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 to the Envision San José General Plan Final Program Environmental Impact Report (Resolution No. 77617) and Addenda thereto.

*PROJECT MANAGER, JOE SORDI*

**ACTION: COMMISSIONER TORRENS MADE A MOTION TO APPROVE THE STAFF RECOMMENDATION TO:**

1. **DEFER TO THE MARCH 23, 2022 PLANNING COMMISSION PER STAFF REQUEST.**

**COMMISSIONER CABALLERO SECONDED THE MOTION (9-0-2; BONILLA AND MONTAÑEZ ABSENT).**

## 4. CONSENT CALENDAR

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COMMISSIONER OLIVERIO WANTED ITEM 4.A, THE FEBRUARY 9, 2022 MINUTES, TO CLARIFY THAT NONE OF THE DOCUMENTS ON THAT AGENDA WERE ACCESSIBLE, INCLUDING THE CANNABIS ITEM.

**ACTION: COMMISSIONER TORRENS MADE A MOTION TO APPROVE CONSENT CALENDAR ITEM 4.A WITH COMMISSIONER OLIVERIO'S AMENDMENT.**

**COMMISSIONER LARDINOIS SECONDED THE MOTION APPROVING ITEM 4.A (9-0-2; BONILLA AND MONTAÑEZ ABSENT)**

**COMMISSIONER CABALLERO STATED THAT SHE WILL BE ABSTAINING FROM PARTICIPATING IN ITEM 4.B BECAUSE SHE IS EMPLOYED BY THE PROPERTY OWNER, THE COUNTY OF SANTA CLARA.**

**ACTION: COMMISSIONER TORRENS MADE A MOTION TO APPROVE CONSENT CALENDAR ITEM 4.B.**

**COMMISSIONER OLIVERIO NOTED THAT THE DOCUMENTS ON THIS ITEM WERE NOT ACCESSIBLE. WHOEVER IS PUBLISHING THE PDF DOCUMENTS, IS NOT MAKING THE DOCUMENT ACCESSIBLE; THE SPEECH READER CANNOT READ THE DOCUMENT. COMMISSIONER OLIVERIO WAS ENCOURAGED TO WORK WITH STAFF REGARDING THE SPECIFICS OF HIS CONCERNS.**

**COMMISSIONER LARDINOIS SECONDED THE MOTION (8-0-2-1; BONILLA AND MONTAÑEZ ABSENT, CABALLERO ABSTAINED)**

- a. Review and Approve Action Minutes from [February 9, 2022](#).
- b. [CP19-017 \(Administrative Hearing\)](#). Conditional Use Permit to allow the continued use of an existing 45-foot-high wireless monopole on an approximately 0.34-gross acre site located on the southwest corner of Parkmoor Avenue and Meridian Avenue (1510 Parkmoor Avenue) (County of Santa Clara, Owner). Council District: 6. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15301 for Existing Facilities.  
*PROJECT MANAGER, ALEC ATIENZA*
  1. **CONSIDER THE CATEGORICAL EXEMPTION IN ACCORDANCE WITH CEQA GUIDELINES SECTION 15301 FOR EXISTING FACILITIES; AND**
  2. **ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A CONDITIONAL USE PERMIT TO ALLOW THE CONTINUED USE OF AN EXISTING 45-FOOT-HIGH WIRELESS MONOPOLE ON AN APPROXIMATELY 0.34-GROSS ACRE SITE.**

**5. PUBLIC HEARING**

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No Items

**6. OPEN THE GENERAL PLAN HEARING (2022 CYCLE 2)**

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**7. GENERAL PLAN CONSENT CALENDAR**

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No Items

**8. GENERAL PLAN PUBLIC HEARING**

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No Items

**9. CONTINUE THE GENERAL PLAN HEARING (2022 CYCLE 2) TO MARCH 23, 2022**

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**ACTION: COMMISSIONER LARDINOIS MADE A MOTION TO CONTINUE THE GENERAL PLAN HEARING TO MARCH 23, 2022.**

**COMMISSIONER TORRENS SECONDED THE MOTION (8-0-3, BONILLA, CABALLERO, AND MONTAÑEZ ABSENT)**

## **10. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS, OR OTHER AGENCIES**

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No Items

## **11. GOOD AND WELFARE**

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a. Report from City Council

*The Commission Secretary reported on City Council actions taken on February 15, 2022*

b. Subcommittee Formation, Reports, and Outstanding Business

*CAO, Vera Todorov, announced her retirement from City employment at the end of the March 2022 and introduced Mark Vanni as the new legal counsel for the Commission.*

c. Commission Calendar and Study Sessions

*No items*

d. The Public Record

*None*

## **12. ADJOURNMENT**

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Meeting adjourned at 7:06 p.m.