

## **PLANNING COMMISSION**

October 12, 2022

Action Minutes

### **WELCOME**

### **ROLL CALL**

PRESENT: Commissioners Oliverio, Lardinois, Ahluwalia, Barocio, Cantrell, Casey, Garcia, Rosario, Young

ABSENT: Commissioner Ornelas-Wise

### **SUMMARY OF HEARING PROCEDURES**

#### **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.

*Eddie stated that there are broken sidewalks throughout the City that need to be fixed.*

*Jose Mexicano appreciates the work that the City has done in east San Jose near Alum Rock Avenue and White Road.*

## 3. DEFERRALS AND REMOVALS FROM CALENDAR

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No items

## 4. CONSENT CALENDAR

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- a. Review and Approve Action Minutes from [September 28, 2022](#).

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

**COMMISSIONER CANTRELL SECONDED THE MOTION (9-0-1; ORNELAS-WISE ABSENT).**

- b. [CP22-007/ER22-058 \(Administrative Hearing\)](#). Conditional Use Permit to allow the removal of an existing 57-foot-high monopole wireless communication facility and associated ground equipment for the construction of a new 60-foot-high mono-pine wireless communication facility with associated ground equipment on an approximately 21.48-gross acre site (925 Piedmont Road) (Berryessa Union S D, Owner). Council District 4. CEQA: Exempt pursuant to CEQA Guidelines Section 15303(d) for New Construction or Conversion of Small Structures.

*PROJECT MANAGER, CAMERON GEE*

**PULLED FROM CONSENT AND HEARD UNDER DEFERRALS AND REMOVALS FROM CALENDAR.**

1. **CONSIDER A CATEGORICAL EXEMPTION IN ACCORDANCE WITH CEQA GUIDELINES SECTION 15303(D) FOR NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES; AND**
2. **ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A CONDITIONAL USE PERMIT TO ALLOW THE REMOVAL OF AN EXISTING 57-FOOT-HIGH MONOPOLE WIRELESS COMMUNICATION FACILITY AND ASSOCIATED GROUND EQUIPMENT FOR THE CONSTRUCTION OF A NEW 60-FOOT-HIGH MONO-PINE WIRELESS COMMUNICATION FACILITY WITH ASSOCIATED GROUND EQUIPMENT ON AN APPROXIMATELY 21.48-GROSS ACRE SITE.**

**STAFF RECOMMENDS TO DROP AND RENOTICE ITEM 4.B. FOR A LATER PLANNING COMMISSION DATE.**

**ACTION: COMMISSIONER LARDINOIS MADE A MOTION TO APPROVE STAFF RECOMMENDATION.**

**COMMISSIONER CASEY SECONDED THE MOTION (9-0-1; ORNELAS-WISE ABSENT).**

- c. [CP22-010/ER22-074 \(Administrative Hearing\)](#). Conditional Use Permit to allow installation of a 180-square foot pump house, a back-up generator, and a chemical locker dosing system; replacement of pumps and motor control center; enlargement of paved area on site; and removal of two ordinance-size trees and one non-ordinance-size tree at an existing San Jose Water Company facility, on an approximately 0.61-gross acre site (3989 Perie Lane) (San Jose Water Company, Owner). Council District 4. CEQA: Exempt pursuant to CEQA Guidelines Section 15301 for Existing Facilities.

*PROJECT MANAGER, KORA MCNAUGHTON*

**PULLED FROM CONSENT AND HEARD UNDER PUBLIC HEARING.**

**ACTION: COMMISSIONER LARDINOIS MADE A MOTION TO APPROVE THE FOLLOWING ACTIONS:**

1. **CONSIDER THE EXEMPTION UNDER THE PROVISIONS OF SECTION 15301(B) FOR THE MINOR ALTERATION OF AN EXISTING FACILITY, PURSUANT TO THE STATE GUIDELINES FOR IMPLEMENTATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**
2. **ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A CONDITIONAL USE PERMIT TO ALLOW THE INSTALLATION OF A 180-SQUARE FOOT PUMP HOUSE, A 20-KILOWATT BACK-UP GENERATOR, AND A CHEMICAL LOCKER DOSING SYSTEM; REPLACEMENT OF TWO PUMPS AND A MOTOR CONTROL CENTER; ENLARGEMENT OF THE PAVED AREA ON SITE; AND REMOVAL OF TWO ORDINANCE-SIZE TREES AND ONE NON-ORDINANCE-SIZE TREE, ON AN APPROXIMATELY 0.61-GROSS ACRE SITE.**

**COMMISSIONER YOUNG SECONDED THE MOTION (9-0-1; ORNELAS-WISE ABSENT).**

- d. [PP22-009](#). An uncodified Ordinance temporarily extending the term of specified land use and Historic Preservation Permits by two years from their expiration dates due to persistent adverse economic and public health impacts from the COVID-19 pandemic. Council District: Citywide. CEQA: Exempt pursuant to CEQA Guidelines Section 15378 for Not a Project.

*PROJECT MANAGER, SYLVIA DO*

**PULLED FROM CONSENT AND HEARD UNDER PUBLIC HEARING.**

**ACTION: COMMISSIONER LARDINOIS MADE A MOTION TO RECOMMEND TO THE CITY COUNCIL THE FOLLOWING:**

1. **STAFF RECOMMENDS THAT THE PLANNING COMMISSION RECOMMEND THAT THE CITY COUNCIL APPROVE AN ORDINANCE EXTENDING THE TERM OF CERTAIN LAND USE AND HISTORIC PRESERVATION PERMITS BY TWO YEARS FROM THEIR EXPIRATION DATES.**

**COMMISSIONER CANTRELL SECONDED THE MOTION (7-2-1; BAROCIO AND YOUNG OPPOSED; ORNELAS-WISE ABSENT).**

## **5. PUBLIC HEARING**

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No items

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

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No items

## **7. GOOD AND WELFARE**

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a. Report from City Council

*The Commission Secretary reported on City Council actions taken on October 4, 2022.*

b. Subcommittee Formation, Reports, and Outstanding Business

*No items*

c. Commission Calendar and Study Sessions

i. Review and Approve 2023 Planning Commission Meeting Schedule

*No action was taken from the Commission for item 7.c.i. Item 7.c.i. will be deferred to October 26, 2022 for Commission vote.*

d. The Public Record

*Commissioner Lardinois asked a question about meeting in person, and CAO responded that the Governor has signed a bill allowing remote meetings to continue.*

## **8. ADJOURNMENT**

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Meeting adjourned at 7:28 p.m.