



PLANNING COMMISSION
Action Minutes

Wednesday, March 22, 2023

Regular & General Plan Hearing

6:30 p.m.

Hybrid Meeting

Council Chambers and Virtually at

<https://sanjoseca.zoom.us/j/84325178536>

Pierluigi Oliverio, Chair

Justin Lardinois, Vice Chair

Louis Barocio

Charles Cantrell

George Casey

Jorge A. Garcia

Sylvia Ornelas-Wise

Carlos Rosario

Michael Young

Christopher Burton, Director

Planning, Building & Code Enforcement

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

AGENDA

ORDER OF BUSINESS

WELCOME

Welcome to the Planning Commission Meeting. Please remember to turn off your cell phones. The parking validation machine for the garage under City Hall is located at the rear of the Chambers.

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Commissioners Oliverio, Lardinois, Barocio, Cantrell, Garcia, Rosario, Ornelas-Wise, and Young

ABSENT: Commissioner Casey

SUMMARY OF HEARING PROCEDURES

1. CALL TO ORDER & ORDERS OF THE DAY

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

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. 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.

Comment regarding proposed Kooser Affordable housing projects. Commenter said that inadequate parking is provided in the proposed project. While the City must allow project to move forward for approval,, speaker said that neither the City nor the County has to fund it.

3. DEFERRALS AND REMOVALS FROM CALENDAR

No items

4. CONSENT CALENDAR

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

COMMISSIONER YOUNG SECONDED THE MOTION (8-0-1; CASEY ABSENT).

- a. Review and Approve Action Minutes from **February 22, 2023**

5. PUBLIC HEARING

No Items

6. OPEN THE GENERAL PLAN HEARING (2023 CYCLE 1)

7. GENERAL PLAN CONSENT CALENDAR

Notice to the public: There will be no separate discussion of individual Consent Calendar items as they are considered to be routine and will be adopted by one motion. If a member of the Commission requests debate, separate vote or recusal on a particular item, that item may be removed from the Consent Calendar by the Chair and considered separately. The public may comment on the entire Consent Calendar and any items removed from the Consent Calendar by the Chair.

Staff will provide an update on the consent calendar. If you wish to speak on one of these items individually, please come to the podium at this time. For members of the public who joined by teleconference and wish to speak on one of these items individually, please use the ‘raise hand’ feature in Zoom or press *9 on your phone to raise a hand to speak.

- a. **GP22-001, C22-014 & ER22-150** General Plan Amendment (GP22-001): Privately initiated General Plan Amendment to modify the Envision San Jose 2040 Land Use Transportation Diagram designation from Public/Quasi-Public to Heavy Industrial and Rezoning (C22-023): Privately initiated conforming rezoning from R-1-8 Single family Residence zoning district to HI- Heavy Industrial zoning district on a 3.69-acre site located on the West side of interstate 680 and East side of Pecten Ct (San Jose Water Works, Owner). Council District: 4. **CEQA:** (ER22-062): Initial Study/ Negative Declaration

PROJECT MANAGER, SANHITA GHOSAL

PULLED FROM CONSENT AND HEARD UNDER PUBLIC HEARING

ACTION: COMMISSIONER YOUNG MADE A MOTION TO RECOMMEND THAT THE CITY COUNCIL TAKE THE FOLLOWING ACTIONS:

- 1. ADOPT A RESOLUTION ADOPTING THE INITIAL STUDY/NEGATIVE DECLARATION FOR THE PECTEN INDUSTRIAL PROJECT, IN ACCORDANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**
- 2. ADOPT A RESOLUTION APPROVING THE PRIVATELY-INITIATED GENERAL PLAN AMENDMENT TO CHANGE THE ENVISION SAN JOSE 2040 GENERAL PLAN LAND USE/TRANSPORTATION DIAGRAM DESIGNATION FROM PUBLIC/QUASI-PUBLIC TO HEAVY INDUSTRIAL.**
- 3. APPROVE AN ORDINANCE APPROVING THE CONFORMING REZONING FROM R-1-8 SINGLE FAMILY RESIDENCE ZONING DISTRICT TO HI-HEAVY INDUSTRIAL ZONING DISTRICT.**

COMMISSIONER ROSARIO SECONDED THE MOTION. MOTION PASSED (8-0-1; CASEY ABSENT).

- b. **GP22-007, C22-022, SP22-014 & ER22-139** General Plan Amendment (GP22-007): Privately initiated General Plan Amendment request to change the land use designation from Residential Neighborhood to Public/Quasi-Public on a 0.39-acre site. Rezoning (C22-022): Privately initiated conforming rezoning to change the zoning district from R-1-8 Single Family Residence to PQP Public/Quasi-Public on a 0.39-acre site and Special Use Permit (SP22-014): To allow the conversion of an existing single-family residence and detached garage for use by a private secondary school located at 2267 Plummer Avenue (Presentation High School San Jose, Owner). Council District: 6. **CEQA:** (ER22-062): Addendum to Initial Study/Mitigated Negative Declaration
PROJECT MANAGER, LAURA MAURER (GENERAL PLAN & REZONING PROJECT) & KORA MCNAUGHTON (SPECIAL USE PERMIT PROJECT)

ACTION: COMMISSIONER LARDINOIS MADE A MOTION TO RECOMMEND THAT THE CITY COUNCIL TAKE THE FOLLOWING ACTIONS:

- 1. ADOPT A RESOLUTION ADOPTING THE ADDENDUM TO THE PRESENTATION HIGH SCHOOL MASTER PLAN MITIGATED NEGATIVE DECLARATION AND ADDENDA THERETO, IN ACCORDANCE WITH CEQA.**
- 2. ADOPT A RESOLUTION APPROVING THE GENERAL PLAN AMENDMENT TO AMEND THE ENVISION SAN JOSÉ 2040 GENERAL PLAN LAND USE/TRANSPORTATION DIAGRAM DESIGNATION FROM RESIDENTIAL NEIGHBORHOOD TO PUBLIC/QUASI-PUBLIC.**
- 3. APPROVE AN ORDINANCE REZONING THE PROJECT SITE FROM THE R-1-8 SINGLE-FAMILY RESIDENCE ZONING DISTRICT TO THE PQP PUBLIC/QUASI-PUBLIC ZONING DISTRICT.**
- 4. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A SPECIAL USE PERMIT TO ALLOW THE CONVERSION OF AN EXISTING SINGLE-FAMILY RESIDENCE AND DETACHED GARAGE FOR ADMINISTRATIVE OFFICE USE AND WORKSHOP USE BY A PRIVATE SECONDARY SCHOOL.**

**COMMISSIONER CANTRELL SECONDED THE MOTION.
MOTION PASSED (8-0-1; CASEY ABSENT).**

- c. **GP22-008, GPT22-005, C22-023 & ER22-062** General Plan Amendment (GP22-008): Privately initiated General Plan Amendment to modify the Envision San Jose 2040 Land Use Transportation Diagram designation from Mixed Use Commercial to Transit Residential; Rezoning (C22-023): Privately initiated conforming rezoning from LI Light Industrial zoning district to TR Transit Residential zoning district on a 0.48-acre site; and General Plan Text Amendment (GPT22-005): Privately initiated General Plan Text Amendment to add the Transit Residential land use to The Alameda Urban Village Plan with a 0.50 commercial FAR requirement, located at 945 West Julian Street (945 West Julian Street LLC, Owner). Council District: 6. **CEQA:** (ER22-062): Initial Study/Negative Declaration.
PROJECT MANAGER, LAURA MAURER

ACTION: COMMISSIONER LARDINOIS MADE A MOTION TO RECOMMEND THAT THE CITY COUNCIL TAKE THE FOLLOWING ACTIONS:

- 1. ADOPT A RESOLUTION ADOPTING THE INITIAL STUDY/NEGATIVE DECLARATION FOR 945 W. JULIAN ST & 379 N. MORRISON AVE GENERAL PLAN AMENDMENT PROJECT, IN ACCORDANCE WITH CEQA.**
- 2. ADOPT A RESOLUTION APPROVING THE GENERAL PLAN AMENDMENT TO MODIFY THE LAND USE/TRANSPORTATION DIAGRAM FROM MIXED USE COMMERCIAL TO TRANSIT RESIDENTIAL AND MODIFY THE ALAMEDA URBAN VILLAGE PLAN TO ADD THE TRANSIT RESIDENTIAL LAND USE DESIGNATION TO THE LAND USE DESIGNATIONS SECTION WITH A 0.50 COMMERCIAL FLOOR AREA RATIO AND TO INCREASE THE MAXIMUM HEIGHT IN THE HEIGHT DIAGRAM FROM 55 FEET TO 85 FEET, ON AN APPROXIMATELY 0.48- GROSS ACRE SITE.**
- 3. APPROVE AN ORDINANCE APPROVING THE CONFORMING REZONING OF CERTAIN REAL PROPERTIES SITUATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF WEST JULIAN STREET AND NORTH MORRISON AVENUE (APN 261-02-053, 261-02-009) FROM THE LI LIGHT INDUSTRIAL ZONING DISTRICT TO THE TR TRANSIT RESIDENTIAL ZONING DISTRICT ON APPROXIMATELY 0.48-GROSS ACRE SITE.**

COMMISSIONER CANTRELL SECONDED THE MOTION.

MOTION PASSED (8-0-1; CASEY ABSENT).

8. GENERAL PLAN 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.

- a. **2022 GENERAL PLAN ANNUAL PERFORMANCE REVIEW:** Presentation of the Envision San José 2040 General Plan Annual Performance Review to the Planning Commissioners.

[TO BE HEARD PRIOR TO GENERAL PLAN CONSENT AND GENERAL PLAN PUBLIC HEARING ITEMS].

ACTION: COMMISSION BAROCIO MADE A MOTION TO RECOMMEND THE CITY COUNCIL ACCEPT CALENDAR ITEM 8.A. WITH COMMENTS FROM COMMISSIONERS FORWARDED TO COUNCIL.

STAFF RECOMMENDS THAT THE PLANNING COMMISSION RECOMMEND TO THE CITY COUNCIL THAT IT ACCEPT THE ENVISION SAN JOSÉ 2040 GENERAL PLAN 2022 ANNUAL PERFORMANCE REVIEW REPORT.

COMMISSIONER ROSARIO SECONDED THE MOTION.

MOTION PASSED (8-0-1 CASEY ABSENT)

- b. **GP19-010, PDC20-023, PD20-013 & ER20-236** General Plan Amendment (GP19-010) to amend the General Plan land use designation from Combined Industrial/Commercial to Heavy Industrial. Planned Development Zoning (PDC20-023) to rezone the site from an IP(PD) Planned Development Zoning District to the HI(PD) Planned Development Zoning District. Planned Development Permit (PD20-013) to allow the demolition of four buildings totaling approximately 15,072 square feet and the removal of 30 trees (nine ordinance-size, 21 non-ordinance-size) to allow the expansion and modernization of the Granite Rock facility on an approximately 22.36-gross acre site located at 120 Granite Rock Way (Granite Rock Company, Owner). Council District: 7. **CEQA:** Granite Rock Capitol Site Modernization Project Environmental Impact Report
PROJECT MANAGER, ALEC ATIENZA

ACTION: COMMISSIONER YOUNG MADE A MOTION TO RECOMMEND THAT THE CITY COUNCIL TAKE THE FOLLOWING ACTIONS:

- 1. ADOPT A RESOLUTION CERTIFYING THE GRANITEROCK CAPITOL SITE MODERNIZATION PROJECT ENVIRONMENTAL IMPACT REPORT, AND MAKING CERTAIN FINDINGS RELATED TO SIGNIFICANT IMPACTS, MITIGATION MEASURES, ALTERNATIVES, AND ADOPT A MITIGATION MONITORING AND REPORTING PLAN, IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**
- 2. ADOPT A RESOLUTION AMENDING THE ENVISION SAN JOSÉ 2040 GENERAL PLAN LAND USE/TRANSPORTATION DIAGRAM LAND USE DESIGNATION FROM COMBINED INDUSTRIAL COMMERCIAL TO HEAVY INDUSTRIAL ON AN APPROXIMATELY 22.36-GROSS ACRE SITE.**
- 3. APPROVE AN ORDINANCE REZONING AN APPROXIMATELY 22.36-GROSS ACRE SITE FROM THE IP INDUSTRIAL PARK AND IP(PD) ZONING DISTRICTS TO THE HI(PD) PLANNED DEVELOPMENT ZONING DISTRICT**
- 4. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A PLANNED DEVELOPMENT PERMIT TO ALLOW THE DEMOLITION OF FOUR BUILDINGS TOTALING APPROXIMATELY 15,072 SQUARE FEET AND THE REMOVAL OF 30 TREES (9 ORDINANCE-SIZE, 21 NON-ORDINANCE-SIZE, AND 35 REPLACEMENT TREES) TO ALLOW THE EXPANSION AND MODERNIZATION OF THE EXISTING GRANITE ROCK FACILITY, INCLUDING LENGTHENING THE EXISTING ON-SITE RAIL INFRASTRUCTURE, CONTINUATION OF THE CONCRETE AND AGGREGATE RECYCLING USE, INSTALLATION OF A CONCRETE TRUCK WASHOUT AND RECLAIMING SYSTEM, INSTALLATION OF A TRUCK WASH SYSTEM TO ABATE TRUCK TRAFFIC DUSTING, VEHICLE AND TRUCK PARKING TO ACCOMMODATE SITE OPERATIONS, RELOCATION OF AN EXISTING MAINTENANCE SHOP AND CONSTRUCTION EQUIPMENT STORAGE FACILITY, AND CONSTRUCTION OF THE FOLLOWING ON AN APPROXIMATELY 22.36-GROSS ACRE SITE:**

- A. A NEW RAIL CAR OFFLOADING SYSTEM,
- B. NINE 120-FOOT-HIGH AGGREGATE SILOS,
- C. A NEW CONCRETE FACILITY,
- D. A CEMENTITIOUS RAIL CAR UNLOADING, STORAGE AND DISTRIBUTION FACILITY,
- E. A NEW ASPHALT FACILITY,
- F. A NEW WAREHOUSE AND STORAGE FACILITY, AND
- G. A QUALITY ASSURANCE/QUALITY CONTROL FACILITY WITH OFFICE SPACE.

COMMISSIONER ORNELAS-WISE SECONDED THE MOTION.
MOTION PASSED (8-0-1 CASEY ABSENT).

9. CLOSE THE GENERAL PLAN HEARING (2022 CYCLE 3)

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

No items

11. GOOD AND WELFARE

- a. Report from City Council
The Commission Secretary reported on City Council actions taken on February 28, 2023, March 7, 2023 and March 14, 2023.
- b. Subcommittee Formation, Reports, and Outstanding Business
No items
- c. Commission Calendar and Study Sessions
No items
- d. The Public Record
No Comments

12. ADJOURNMENT

Meeting adjourned at 8:33 p.m.