

Pierluigi Oliverio — Chair
Louis Barocio
George Casey
Sylvia Ornelas-Wise
Michael Young

Justin Lardinois - Vice Chair
Charles Cantrell
Jorge A. Garcia
Carlos Rosario

REGULAR & GENERAL PLAN HEARING

6:30 p.m.

March 22, 2023

Hybrid Meeting
San José City Hall
Council Chambers

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

How to submit written Public Comment before the Planning Commission meeting:

Send email to planningsupportstaff@sanjoseca.gov by 1:00 p.m. the day of the meeting. Those emails will be attached to the item on the Agenda. Please identify the Agenda Item Number in the subject line of your email. Public correspondence received after 1:00 p.m. may not be considered by the Commission due to time constraints. Public comments received after 1:00 p.m. should be presented during the hearing.

How to provide spoken Public Comment during the Planning Commission Meeting:

1. By Phone: (888) 475 4499. Webinar ID is 843 2517 8536. Click *9 to raise a hand to speak. Click *6 to unmute when called. Alternative phone numbers are: US: +1 (213) 338-8477 or +1 (408) 638-0968 or (877) 853-5257 (Toll Free)
2. Online at: <https://sanjoseca.zoom.us/j/84325178536>
 - a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
 - b. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.
 - c. When the Commission calls for the item on which you wish to speak, click on “raise hand.” Speakers will be notified shortly before they are called to speak.
 - d. When called, please limit your remarks to the time limit allotted.

NOTICE

To request an alternative format agenda under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call Support Staff at 408-535-3505 or 1-800-735-2992 (TTY), as soon as possible, but at least three business days before any meeting or event. Accommodations: Any member of the public who needs accommodations should email the ADA Coordinator at ADA@sanjoseca.gov or by calling (408) 535-8430.

SUMMARY OF HEARING PROCEDURES

If you want to address the Commission, please fill out a speaker card located on the table near the Audio Visual Technician and deposit the completed card in the basket. There are also speaker cards in the back of the Chambers and at the side entrance.

The procedure for this hearing is as follows:

- After staff's presentation, applicants and/or appellants may make up to a 5-minute presentation.
- During the public comment period, the chair will call out names on the submitted speaker cards in the order received for those members of the public who attend in person. As your name is called, line up in front of the microphone at the front of the Chamber.
- For members of the public who attend by teleconference: The meeting technician will connect those persons who desire to speak to the commission so they may be heard.
- Generally, each speaker will be given up to two minutes for public testimony, and speakers using a translator will have up to four minutes. At the discretion of the Chair, the time allotted to each speaker may be changed depending on the number of items on the agenda, number of speakers, and other factors. Speakers using a translator will have double the time allotted.
- After the public testimony, the applicant and/or appellant may make closing remarks for up to an additional five minutes.
- Planning Commissioners may ask questions of the speakers. Response to Commissioner questions will not reduce the speaker's time allowance.
- The public hearing will then be closed, and the Planning Commission will take action on the item. The Planning Commission may request staff to respond to the public testimony, ask staff questions, and discuss the item.

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Commission's action on re-zonings, pre-zonings, General Plan Amendments and Code Amendments is only advisory to the City Council. The City Council will hold public hearings on these items. Section 20.120.400 of the Municipal Code provides the procedures for legal protests to the City Council on re-zonings and pre-zonings. The Planning Commission's action on Conditional Use Permits is appealable to the City Council in accordance with Section 20.100.220 of the Municipal Code. Agendas and all staff reports for this meeting may be accessed at: <https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/commissions-and-hearings/planning-commission/agendas-minutes-2020>

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

SUMMARY OF HEARING PROCEDURES

I. Call to Order and Orders of the Day

II. Public Comment

Public comments to the Planning Commission on non-agendized items. For members of the public who attended in person, please fill out a speaker's card and give it to the technician. For members of the public who joined by teleconference, please use the 'raise hand' feature in Zoom or press *9 on your phone 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.

III. 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, you should say so at this time. For members of the public who joined by teleconference, please use the 'raise hand' feature in Zoom or press *9 on your phone to raise a hand to speak.

No items

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

V. **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

VI. **OPEN THE GENERAL PLAN HEARING (2023 CYCLE 1)**

VII. **GENERAL PLAN CONSENT CALENDAR**

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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 José 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 3.62-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:** (ER22-150): Initial Study/ Negative Declaration for the Pecten Industrial Project.

PROJECT MANAGER, SANHITA GHOSAL

Staff recommends that the Planning Commission recommend to the City Council that it takes all of 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); and
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.

- 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 (C22-023): 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 for the Presentation High School Master
PROJECT MANAGER, LAURA MAURER (GENERAL PLAN & REZONING PROJECT) & KORA MCNAUGHTON (SPECIAL USE PERMIT PROJECT)

Staff recommends that the Planning Commission recommend the City Council to take all of 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.

- c. **GP22-008, GPT22-005, C22-023 & ER22-062** General Plan Amendment (GP22-008): Privately initiated General Plan Amendment to modify the Envision San José 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/Mitigated Negative Declaration for the 945 W. Julian St & 379 N. Morrison Ave General Plan Amendment Project.

PROJECT MANAGER, LAURA MAURER

Staff recommends that the Planning Commission recommend to the City Council that it take all 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; and
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.

VIII. GENERAL PLAN PUBLIC HEARING

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. **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].

Staff recommends that the Planning Commission recommend to the City Council that it accepts Envision San José 2040 General Plan 2022 Annual Performance Review Report.

- 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 the IP Industrial Park and IP(PD) Planned Development Zoning Districts to a 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, and 35 replacement trees) to allow the expansion and modernization of the Graniterock facility on an approximately 22.36-gross acre site located at 120 Granite Rock Way (Graniterock Company, Owner). Council District: 7. **CEQA:** Graniterock Capitol Site Modernization Project Environmental Impact Report
PROJECT MANAGER, ALEC ATIENZA

Staff recommends that the Planning Commission recommend that the City Council take all of 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 a 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 Graniterock 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.

IX. CLOSE THE GENERAL PLAN HEARING (2023 CYCLE 1)

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

XI. GOOD AND WELFARE

- a. Report from City Council
- b. Subcommittee Formation, Reports, and Outstanding Business
- c. Commission Calendar and Study Sessions.
- d. The Public Record

XII. ADJOURNMENT

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.

You may speak to the Commission about any discussion item that is on the agenda, and you may also speak during Public Comments on items that are not on the agenda and are within the subject matter jurisdiction of the Commission. Please be advised that, by law, the Commission is unable to discuss or take action on issues presented during Public Comments. Pursuant to Government Code Section 54954.2, no matter shall be acted upon by the Commission unless listed on the agenda, which has been posted not less than 72 hours prior to meeting.

Agendas, Staff Reports and some associated documents for the Commission items may be viewed on the Internet at <https://www.sanjoseca.gov/your-government/departments/planning-building-code-enforcement/planning-division/commissions-and-hearings/planning-commission>.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public view by clicking the link associated specifically to documents on this agenda, at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for the final document. City Hall is currently closed due to the COVID-19 shelter-in-place and records are not available for in-person inspection.

If you have any agenda questions, please contact Support Staff at (408) 535-3505 or email PlanningSupportStaff@sanjoseca.gov. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

On occasion the Commission may consider agenda items out of order.

The Planning Commission meets every 2nd and 4th Wednesday of each month at 6:30 p.m., with special meetings as necessary. If you have any questions, please direct them to the Commission staff. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

Please direct correspondence and questions to:

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