



PLANNING COMMISSION
Action Minutes

Wednesday, May 10, 2023

Regular

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

Anthony Tordillos

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, Casey, Ornelas-Wise, Rosario, Tordillos and Young

ABSENT: Commissioner Garcia

SUMMARY OF HEARING PROCEDURES

1. SPECIAL MEETING AND PUBLIC HEARING: TO BE HEARD AT 5:00 PM

Meeting called to order at: 5:00 p.m.

- a. **[City's Proposed 2023-2024 Proposed Capital Budget & 2024-2028 Proposed Capital Improvement Program:](#)**

PROJECT MANAGER, JIM SHANNON

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

- 1. RECOMMEND TO THE CITY COUNCIL THE ADOPTION OF THE PROPOSED 2023/2024 CAPITAL BUDGET AND 2024/2028 CAPITAL IMPROVEMENT PROGRAM AND TRANSMIT A REPORT TO THE CITY COUNCIL PROVIDING COMMENTS AND INCLUDING A FINDING OF CONSISTENCY WITH THE ENVISION SAN JOSE 2040 GENERAL PLAN.**

COMMISSIONER CASEY SECONDED THE MOTION (9-0-1; GARCIA ABSENT).

Meeting adjourned at 6:08 p.m.

2. CALL TO ORDER & ORDERS OF THE DAY

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

3. 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.

Retiree Brian Darvey is working with disabled people and stated the City of San Jose should look for a hotel in a centralized location to renovate and be used to assist with the disadvantaged.

4. DEFERRALS AND REMOVALS FROM CALENDAR

No items

5. CONSENT CALENDAR

- a. [Review and Approve Action Minutes from April 26, 2023.](#)

ACTION: COMMISSIONER LARDINOIS MADE A MOTION TO APPROVE CONSENT CALENDAR ITEM 5.A.

COMMISSIONER CASEY SECONDED THE MOTION (9-0-1; GARCIA ABSENT).

6. PUBLIC HEARING

[PDC18-036, PD21-009, PT21-030 & ER21-113:](#) Planned Development Zoning (File No. PDC18-036) to rezone the project site from the LI Light Industrial and A Agricultural Zoning Districts to the R-M(PD) and CP(PD) Planned Development Zoning Districts to allow up to 455,000-square feet of commercial space, a 0.9-gross-acre park, and up to 820 residential units on a 13.05-gross-acre site, a Master Planned Development Permit (File No. PD21-009) to allow the construction of the first phase (24 detached single-family homes and 24 attached townhome units), and a Master Plan to establish a general site layout, public and private street layout, grading & drainage patterns, and utility layout, including the demolition of an existing light industrial facility and surface parking lot, and the removal of 98 trees and a Vesting Master Tentative Map (File No. PT21-030) to merge three lots into one and subdivide into thirty-five lots and up to 590 condominium units on an approximately 13.05-gross-acre site located north side of Berryessa Road, approximately 1,100 feet westerly of Lundy Avenue (1655 Berryessa Road) (Stickler Maureen Trustee & Et Al, Owner). Council

District: 4 CEQA: Environmental Impact Report (EIR) for the Berryessa Road Mixed-Use Development (SCH No. 2021070467)

PROJECT MANAGER, LAURA MEINERS

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

- 1. ADOPT A RESOLUTION CERTIFYING THE ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE BERRYESSA ROAD MIXED-USE DEVELOPMENT (SCH NO. 2021070467), AND MAKE CERTAIN FINDINGS CONCERNING MITIGATION MEASURES AND ALTERNATIVES, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), AS AMENDED.**
- 2. APPROVE AN ORDINANCE REZONING THE PROJECT SITE FROM THE LI LIGHT INDUSTRIAL AND A AGRICULTURAL ZONING DISTRICTS TO THE R-M(PD) AND CP(PD) PLANNED DEVELOPMENT ZONING DISTRICTS.**
- 3. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A VESTING TENTATIVE MAP TO MERGE THREE PARCELS INTO ONE AND SUBDIVIDE UP TO THIRTY-TWO LOTS AND UP TO 590 CONDOMINIUM UNITS ON THE PROJECT SITE.**
- 4. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A PLANNED DEVELOPMENT PERMIT TO ESTABLISH A MASTER PLAN FOR A GENERAL SITE LAYOUT, PUBLIC AND PRIVATE STREET LAYOUT, GRADING AND DRAINAGE PATTERNS, AND UTILITY LAYOUT TO ALLOW THE FUTURE CONSTRUCTION OF UP TO 455,000-SQUARE FEET OF COMMERCIAL SPACE, AN APPROXIMATELY 0.9-GROSS-ACRE PARK, AND UP TO 820 RESIDENTIAL UNITS, INCLUDING UP TO 120 AFFORDABLE UNITS, AND CONSTRUCTION OF THE FIRST PHASE (BLOCKS A, B, AND C, INCLUDING 24 DETACHED SINGLE-FAMILY HOMES AND 24 ATTACHED TOWNHOME UNITS), INCLUDING THE DEMOLITION OF AN EXISTING LIGHT INDUSTRIAL FACILITY (9,740 SQUARE FEET) AND SURFACE PARKING LOT, AND THE REMOVAL OF 47 ORDINANCE-SIZE TREES AND 56 NON-ORDINANCE TREES ON THE PROJECT SITE.**

COMMISSIONER YOUNG SECONDED THE MOTION (9-0-1; GARCIA ABSENT).

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

No items

8. GOOD AND WELFARE

- a. Report from City Council

The Commission Secretary reported on City Council actions taken on May 9, 2023

- b. Subcommittee Formation, Reports, and Outstanding Business

No items

- c. Commission Calendar and Study Sessions

No items

- d. The Public Record

No Comments

9. ADJOURNMENT

Meeting adjourned at 8:11 p.m.