

## **PLANNING COMMISSION**

November 7, 2018

Action Minutes

### **WELCOME**

### **SALUTE TO THE FLAG**

### **ROLL CALL**

PRESENT: Commissioners Allen, Leyba, Márquez, Vora, Yesney

ABSENT: Commissioners Ballard, Griswold

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

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Meeting called to order at 6:34 p.m.

## **2. PUBLIC COMMENT**

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*None*

## **3. DEFERRALS AND REMOVALS FROM CALENDAR**

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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. A list of staff-recommended deferrals is available on the Press Table.

Staff will provide an update on the items for which deferral is being requested. If you want to change any of the deferral dates recommended, or speak to the question of deferring these or any other items, you should say so at this time.

**No Items**

Access the video, agenda, and related reports for this meeting by visiting the City's website at:

<http://sanjoseca.gov/index.aspx?NID=1763>

## 4. CONSENT CALENDAR

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The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Planning Commission, staff, or the public to have an item removed from the consent calendar and considered separately.

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.

- a. **C16-017.** Conventional Rezoning from the A Agricultural Zoning District to the R-2 Two-Family Residence Zoning District for a vacant 1.01-gross acre site located on the east side of Camden Avenue, between Malpas Drive and Canna Lane (APN: 567-26-014) (Kelsey Matt A. Et Al, Owner). Council District 10. CEQA: Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041), the Envision San José 2040 General Plan Supplemental Environmental Impact Report (Resolution No. 77617), and Addenda thereto.

*PROJECT MANAGER, RINA SHAH*

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

#### **1. ACTION: COMMISSIONER LEYBA MADE A MOTION TO RECOMMEND TO THE CITY COUNCIL THE FOLLOWING:**

- A. ADOPT A RESOLUTION APPROVING AN ADDENDUM TO THE ENVISION SAN JOSÉ 2040 GENERAL PLAN FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT (RESOLUTION NO. 76041), THE ENVISION SAN JOSÉ GENERAL PLAN SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (RESOLUTION NO. 77617), AND ADDENDA THERETO, IN ACCORDANCE TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED; AND**
- B. ADOPT AN ORDINANCE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 1.01-GROSS ACRE LOCATED ON THE EAST SIDE OF CAMDEN AVENUE, BETWEEN MALPAS DRIVE AND CANNA LANE, FROM THE A AGRICULTURAL ZONING DISTRICT TO THE R-2 TWO-FAMILY RESIDENCE ZONING DISTRICT.**

**COMMISSIONER YESNEY SECONDED THE MOTION (5-0-2; BALLARD & GRISWOLD ABSENT)**

## 5. PUBLIC HEARING

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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. **SP17-044.** Administrative appeal hearing of the Planning Director's approval of a Special Use Permit to allow the installation of a new 50-foot wireless communication antenna slimline monopole within a new 6-foot block wall enclosure with perimeter landscaping on a 0.45-gross acre site located on the northeast corner of Prevost Street and Jerome Street. (State of California, Owner). Council District 3. CEQA: Exempt per CEQA Guidelines Section 15303(c) for New Construction or Conversion of Small Structures.

*PROJECT MANAGER, ROBERT RIVERA*

1. **CONSIDERED THE EXEMPTION IN ACCORDANCE WITH CEQA. (4-1-0-2; MAQUEZ OPPOSED, BALLARD & GRISWOLD ABSENT)**
2. **COMMISSIONER VORA MADE A MOTION TO ADOPT A RESOLUTION DENYING THE PERMIT APPEAL AND APPROVING THE SPECIAL USE PERMIT, SUBJECT TO CONDITIONS, TO ALLOW A NEW 50-FOOT TALL WIRELESS COMMUNICATION ANTENNA SLIMLINE MONOPOLE WITHIN A NEW 6-FOOT TALL BLOCK WALL ENCLOSURE WITH PERIMETER LANDSCAPING ON A 0.45-GROSS ACRE SITE. COMMISSIONER YESNEY SECONDED THE MOTION. THE COMMISSION APPROVED THE SPECIAL USE PERMIT RESOLUTION NO. 18-023 (4-1-2; MARQUEZ OPPOSED, BALLARD & GRISWOLD ABSENT)**

## **6. CONTINUED GENERAL PLAN HEARING FROM OCTOBER 24, 2018**

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## **7. GENERAL PLAN CONSENT CALENDAR**

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- a. **GP15-012.** City-initiated General Plan Amendment to change the Land Use/Transportation Diagram land use designation from Open Space, Parklands and Habitat to Neighborhood/Community Commercial to address Land Use/Transportation Diagram mapping errors on 2.73-gross acres, located on the north side of Classico Avenue at Evergreen Village Square, and east side of Aborn Road between Alessandro Drive and Ruby Avenue. CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) and the Envision San José 2040 General Plan Supplemental Environmental Impact Report (Resolution No. 77617), and Addenda thereto. *PROJECT MANAGER, JARED HART*
  1. **ACTION: COMMISSIONER VORA MADE A MOTION TO RECOMMEND TO THE CITY COUNCIL THE FOLLOWING:**
    - A. **CONSIDERATION OF THE DETERMINATION OF CONSISTENCY WITH 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, IN CONFORMANCE WITH CEQA; AND**
    - B. **ADOPT A RESOLUTION APPROVING THE GENERAL PLAN AMENDMENT AS DESCRIBED ABOVE.**

**COMMISSIONER YESNEY SECONDED THE MOTION (5-0-2;BALLARD & GRISWOLD ABSENT)**
- b. **GP17-017.** General Plan Amendment to change the Land Use/Transportation Diagram land use designation from Mixed Use Commercial to Transit Residential on a 4.25-gross acre site, located at 214, 214D, and 205 Dupont Street, and 226 and 275 McEvoy Street. (Autumn LLC, Owner). CEQA: Addendum to the Diridon Station Area Plan Final Program Environmental Impact Report (Resolution No. 77096); Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) and the Envision San José 2040 General Plan Supplemental Environmental Impact Report (Resolution No. 77617); and Addenda thereto.

*PROJECT MANAGER, ROBERT RIVERA*

**DEFER TO THE DECEMBER 5, 2018 PLANNING COMMISSION MEETING TO ALLOW STAFF TIME TO RESPOND TO PUBLIC COMMENTS. COMMISSIONER LEYBA MADE A MOTION TO DEFER. COMMISSIONER VORA SECONDED THE MOTION. (5-0-2; BALLARD & GRISWOLD ABSENT)**

## **8. GENERAL PLAN PUBLIC HEARING**

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- a. **GP18-004.** General Plan Amendment to change the Land Use/Transportation Diagram land use designation from Public/Quasi-Public to Residential Neighborhood for 6.0-acres, Combined/Industrial Commercial for 3.28-acres, and 2.84-acres remaining Public/Quasi-Public on a 12.12-gross acre site located on the west side of Union Avenue, 1,070 feet northerly of Camden Avenue. (Union School District, Owner). CEQA: Negative Declaration for Campbell Union High School District General Plan Amendment.

*PROJECT MANAGER, ROBERT RIVERA*

**1. ACTION: COMMISSIONER YESNEY MADE A MOTION TO RECOMMEND TO THE CITY COUNCIL THE FOLLOWING:**

- A. CONSIDERATION OF THE NEGATIVE DECLARATION FOR THE APPLICANT'S PROPOSAL AND STAFF'S RECOMMENDATION IN ACCORDANCE WITH CEQA; AND**
- B. APPROVE THE APPLICANT'S REQUEST TO AMEND THE ENVISION SAN JOSÉ 2040 GENERAL PLAN LAND USE/TRANSPORTATION DIAGRAM AS DESCRIBED ABOVE.**
- C. ADOPT A RESOLUTION APPROVING THE GENERAL PLAN AMENDMENT AS DESCRIBED ABOVE.**

**COMMISSIONER VORA SECONDED THE MOTION (4-1-2-0; MARQUEZ OPPOSED, BALLARD & GRISWOLD ABSENT)**

## **9. CONTINUE THE GENERAL PLAN HEARING TO NOVEMBER 28, 2018**

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

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## **11. GOOD AND WELFARE**

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- a. Report from City Council

*No Reports*

- b. Review and Approve Action Minutes from [10/24/18](#)

*Commissioner Leyba made a motion to approve the 10/24/18 minutes. Commissioner Marquez seconded the motion. (5-0-2 Commissioners Ballard and Griswold absent)*

- a. Subcommittee Formation, Reports, and Outstanding Business

*None*

d. Commission Calendar and Study Sessions

- i. Schedule a Planning Commission Hearing for the Evening of Wednesday, November 28, 2018

*Commissioner Yesney made a motion to approve the 11/28/18 Planning Commission Hearing. Commissioner Vora seconded the motion. (5-1-2; Leyba opposed; Commissioners Ballard and Griswold absent)*

e. The Public Record

*None*

## **12. ADJOURNMENT**

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Meeting adjourned at 10:11 p.m.