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City of San José  
Planning Commission  
December 9, 2020

>> we'll go ahead and get started. Good evening. I'm mariel caballero and I am the chair of the planning commission. Welcome to the ninth meeting of the planning commission. This meeting is being held to be a zoom conference call due to the covid 19 crisis. Members of the public may participate by following the instructions listed on the agenda. You may also view and listen to the meeting on livestream cable tv graphics and youtube. If you would like to provide public comment you have two methods to identify yourself to provide public comment because of the public will remain on mute until the individual identifies they would endure and did following roll call. During the summary of hearing procedures we will review how the public may provide public comment today during today's session. So at this time I would like to go ahead and do the roll call

>> so check the microphone here. Vice Chairman Has informed me that he will not be here today. Casey

>> commissioner garcia. Commissioner lardinois. Commissioner oliverio. And commissioner torrens here. We have a quorum. Thank you. So summary of hearing procedures after the staff report an applicant and appellants may make a five minute presentation. City staff will call out the names of the public who have identified that they would like to speak. You may identify yourself by the raised hand feature and zoom clicking star on your phone or you may call for a wait. 5 3 5 3 5 0 5 or email planning support staff at san jose dot gov and identify your name phone number and what items you would like to speak on as your name called. City staff will honor you to speak after we confirm your already audio is working. You are a lot of time we'll begin. Each speaker will have two minutes speakers using a translator. We'll have four minutes after the public testimony of the applicant and the appellant may make closing remarks for an additional five minutes. Planning commissioners may ask questions of the speaker's response to commissioner. Questions will not reduce the speaker's time allowance. Staff will need the speaker to respond to the commissioner. The public hearing will then be

closed and the planning commission will take action on the item that planning commission May request staff to respond to the public testimony as 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 prior to the public hearing. the planning commission's actions on reasonings pre zoning as general planned amendments and code amendments is only advisory to the city council. The city council will hold public hearings on these items

>> section

>> 2 zero point 1 2 zero point four hundred. The municipal code provides the procedures for legal protest to the city council on rezoning and free zones. The planning commission's actions on conditional permits is appealable to the city council in accordance with section 2 zero point 1 0 0 point 2 2 0 of the municipal code at this time I'd like to call our meeting to the order meeting to order and open it up for public comment. This time is for items that are not on the agenda. Do we have any speakers on public comment items that are not on the agenda?

>> no, no. Oh there's one done and I'm sorry. Then in tami it looks like they need to promote panelist

>> could someone and mute dan and tammy

>> I'm having some issues here. It looks like they have to amuse themselves. It looks like they took their own pillow. That's why we're here. Wonderful. So had you have two minutes.

>> oh, what is. Yeah. So as you know I just wanted to say that in a past meeting I really felt like I was being like a lot of us San José residents are being scapegoated particularly in a discussion of opportunity housing. It seems like is the disturbing disturbing pattern to say the

>> I'm sorry we've lost can we pause the timer please? In 1970, not everything that a racist selfishly kept to himself as a weapon of racism. Like drinking fountains or single family houses. Right. And there seemed to be a strong urge to address systemic racism. That's great. But not if it comes in a form of retribution deacon's action dispossession making us fight for parking

space won't make society kinder . Making the electricity drop out on summer nights won't cure racism. My neighbor

>> and

>> dan and tammy it appears it appears connection is not very good

>>. And what I want to call us all racists just for wanting to have parking space electricity . So you know, I hope we can take a take a healing approach to these issues. Our electricity is already dropping out on summer nights. And so when we add units I think we need to improve infrastructure and we can't ignore parking because we don't have mass transit and we shouldn't stop start calling each other racist because we want to keep it. We have and we just want to be on the record that we are against the opportunity housing for throughout the whole city. we want to keep it towards mass park mass transit

>>. Thank you. Great

>>. Thank you. Ok, so I don't think we have anyone right. Daniel

>> no we do not.

>> so we'll go ahead and move on to item number three which is deferrals and removals from the calendar and we have no items. Item number four is the consent calendar and we have no items on the regular consent calendar . Item number five is the public hearings. We have no items under that item. So we'll move on to item number six which is to continue the plan here. Hearing and this is the third cycle from December 2nd 2020. Our first item is item number seven. General plan consent calendar which are items 7 a g p t 1 9 dash 0 0 6 which is a study initiated general context amendment to make modifications to the invasion settles a 20 40 general plan to reference climates and make updates to tracking measures associated with the former green vision during the general planned annual review process and item number seven b which is a gp 2 0 dash 0 0 2 which is a privately initiated in our plan amendment to change the land transportation diagram from mixed use commercial to urban residential on an approximately one point six gross acre site located on the northwest corner of lakewood drive

and craftily avenue intersection located at 1 9 5 3 via reggio court in council district 4. Do we have any public speakers on this on either? Item 7 a or b

>>? Chair cheerfully or if I May interrupt for a moment. I wanted to make an addition to item 7 be a verbal correction to the stuff. This is just because at the ohlone from the planning division I wanted to mention that I added a senate bill 330 complaints discussion and wanted to mentioned that this project is compliant with sb 330 because it does result in a loss of residential capacity. Additionally the 74 unit residential capacity gained from this project will be one of three projects used to offset the net loss of residential units for gdp 20 dashboard three came brianna dry. That will be discussed in item 8 see and that's it. Thank

>> you. All right. Thank you, jessica. Did we have any public comments? Did any members of the commissioner want well either item number seven be from the consent calendar, either raise your hand or speak up now

>> you're saying no members of the public wanted to speak on these items, make a motion to approve

>> a motion. Also we have a motion by commissioner oliverio second by commissioner torrens when either commissioner like to speak to the motion. Thank you.

>> I do.

>> so somebody with a hand up for this? Oh yes. Thank you. Matias ziegler. You're muted. Did you want to move it to the public hearing?

>> let's find my house actually wants to speak on item number 7 at 7 b before we move the public hearing.

>> okay. Make sure you're muted. If you could end it yourself if thank you. I apologize. I just wanted to find out how I could get more information about this development

>>. I work in an apartment community nearby so I just wanted to know how many apartments will it be when construction will begin? Just if there's any information that s that

>> I tak m 7 feet

>>. Yes, the mixed use development.

>> okay. Okay. Jessica, do you want to clarify that this is just not a land use designation change from mixed use commercial to urban residential? No actual project has been. There's no application for an actual project on the site so there's no information currently it can't come later on and then it'll go through a separate planning process and you'll know about that.

>> thank you very much. Ok, so we do have a motion on the floor. Do we have any discussion to that item? okay. Ui muted coco. Sorry I don't. How do you know to name it? This is lisa cohen. Oh, hi there. I just

>> want to understand the process. This is the first time I attended a meeting like this and I know I voiced a lot of concerns regarding the project. Jessica, I think 2 0 0 3 I'm not exactly sure anymore the one on kim brianna. So just want to understand what the expectation is for tonight . So if someone doesn't make a comment like my is working on help me understand that

>> so you'll be able to make a comment on item 0 0 3 e 2 0 0 0 3 when we get to that item which is item number 8 c. So if you'd like to speak at that time you are more than welcome to. Okay. If I if I don't speak but I've sent emails to all the commissioners I guess my question that we have

>> received those and they are part of the public record.

>> excellent. Ok, I appreciate. Thank you all. You're welcome. And then

>> I see linda has her hand up. Is this to speak? If this is not to speak on item 7 7 be ok. She took her hand out. All right. So now we can go ahead and we will hand down on oh, you put her hand down. ok.

>> yeah, I think I did that on accident. Linda, where are you

>> those people to do a search? Ok. Linda, you are muted. Did you want to speak on this item

>>?

>> linda if you could mute yourself and begin to speak.

>> sorry I accidentally hit the raised my hand. Oh, I don't know if I. Thank you, linda. Now

>> that we've cleared that up, we will go ahead and. Is there any discussion items on item 70 or 70

>> seeing none from the commissioners? We will go ahead and take a vote. To move the staff recommendation on item seven and seven. Commissioner casey. All right.

>> commissioner garcia.

>> commissioner lardinois. Commissioner oliverio. Commissioner torn. I and commissioner garber. Yet all is also an I. And we will pause for a moment to reflect the about create

>> so that passive with commissioner bonior absent we move on now to items to item

>> eight which is the general plan public hearing. And we will take each individually. So we will start with item eight a gp 1 9 0 1 2 c 1 0 4 2 c p 2 0 dash 1 9 0 1 9 and t 2 0 0 2 0 which is a general plan amendment from residential neighborhood to downtown a conforming reason from light industrial. and to family residents to a dc downtown primary commission commercial a conditional use permit to allow the demolition of any of existing structures and the construction of mixed use six storey building including a one hundred ninety bed commercial residential care facility with one hundred and sixteen assisted living guest rooms and forty nine memory care guest rooms for multi family residential units and a backup generator including the development exception to allow a reduced twelve foot height for the required on site loading space and a tentative map to allow consolidation of seven into one lot located at on the west side of gifford avenue approximately a hundred and fifty feet southerly of west and carlos street. We will start with the staff presentation and we have project manager

>> laura miner's available to present from here hulu and thank you chair vice chair Ms. Ohlone and let me turn on my video. Sorry about the. My name is laura miners planning project manager for this request. This is a request for a general plan amendment conforming reason vesting type of map and a conditional use permit to allow the demolition. Existing structures and the construction of a mixed use six storey building including a commercial residential care facility and for multifamily residential units located at 4 7 0 0 west san carlos street on the corner of gifford avenue and west end carlos street. This site is currently developed to three residential buildings and two commercial accessory buildings associated with a used car sales lot and community garden. The residential buildings were analyzed by the housing department and determined as not subject to the ellis act ordinance and therefore no no relocation assistance or other restrictions are applicable. All buildings accessory structures are proposed to be demolished

>>. Adjacent

>> land uses include a multifamily residential development to the north west across the street from west and carla street. Commercial uses to the north auto related light industrial uses and single family residences to the east a martial arts school to the west and commercial and light industrial uses to the cells including a painting company and a warehouse. This site is within the downtown general plan. Land use designation and the dc downtown primary. Commercial zoning district. Subject to the concurrent general plan amendment and conforming resound applications previously referenced multifamily residential units and backup generators are allowed at this site and residential care facilities are allowed with a conditional use permit. The subject site is also located within the dear dearborn station area. Plan also known as d out the project is with all relevant general climate policies derived station area plan policies. The development standards zoning ordinance and council development policies an addendum

>> to the downtown strategy 20 40 final environmental impact report has been prepared for the project and concludes that the project will not result in any significant impacts to applicable resources such as transporting ocean noise or biological resources. At this time staff would like to note an addendum to the general outline portion of the staff report and resolution. Specifically in this section related to senate bill 330 compliance. Similarly to jessica's addendum I will be adding the following sense to the end of the last paragraph of that section.



The proposed amendment if approved concurrently with gp 20 dash 0 0 1 which is net sixty nine units and gp 22 dash 0 0 2 which is net seventy four units would offset the reduced intensity of residential capacity for a proposed project file no gp twenty dash 0 0 3 which is a net loss of two hundred and forty eight units resulting in no net loss of residential capacity. Additionally a letter from the delmas park neighborhood association was received on December 7th 2020 and staff provided written responses to the commissioners prior to this hearing. Staff would like to provide a verbal correction to one of their responses regarding the referenced environmental impact report. I would like to now introduce ty charlie to and to address this correction and to provide information on the environmental review of this project. Thank you laurel. This is ty charlie. Good evening. Planning commissioners I know you've had a long day so this title of supervising environmental center with the planning division staff indicated in the first respond to the letter that the environmental document for the jordan station area plan or diep stop the amendment to this that's currently being prepared by the city. It's going to be a new r and it's not connected to the downtown strategy 20 40 or that was approved in 2018. This is not correct. Staff would like to clarify that based on preliminary analysis by the environmental consultant the currently proposed diep amendment is an addendum to the already approved downtown 2014 are rather than is new or nevertheless stated in this report. And as the project manager has already we iterated under the california environmental quality act sequel. This project is an addendum to the downtown 2014 eia or

>> what that means is that this proposal

>> does not rely on any of the changes in the height or development capacity proposed diep amendments and is within the development and height anticipated in the downtown 2040 when it comes to the environmental analysis as well for the environmental review purposes. Diep 2014 diep is incorporated into the 2014 I are but the d up plan itself remains in effect until it is amended. I will be here for any further questions on our piece. And with that I would turn the presentation over back over to lora for the closing statement.

>> thanks. So therefore staff recommends that the commissioners find that the project is in conformance with the california environmental quality act and recommend approval of the general ohlone amendment conforming zone conditional use permit investing tentative map on the subject site to the city council. This concludes stock's presentation.

>> thank you. Is there an applicant presentation for this? I don't believe so. Yes there will be an applicant presentation and that will be done by general ocean. Hey tim, you are a muted should I meet paul as well? Yes, please on me and paul. And then also there's gonna be three three speakers. Paul, we'll start. I'll I'll make a few comments and then thing doe the architect will conclude and we'll we'll do it all in five minutes.

>> thank you mike. Can you hear me

>>?

>> yes. okay. Good evening. Thank you, laura for the introduction and all the work you've put in the process. Good evening commissioners. I'm paul ring division. I'm a partner and urban catalyst. We're a local development company comprised of a team with decades of experience working and investing specifically in downtown San José's neighborhoods. We're excited to be here before you this evening is one of seven projects we have in the downtown and this one's focused on addressing the diep regional need to provide options for seniors to live in and we're particularly excited about this location in downtown its rich amenities the projects led by our director development to motion and we're grateful to be working with talent agent architects on the design and I'll just stay you while we wish we could be there in front of you in person, we're grateful for the city's capacity to do these video conferences and we're grateful for your time and looking for an attack the opportunity to hearing your thoughts and recommendation. Thank you.

>> thanks, paul. I'm trying to share my screen. I'm not sure that I am able to do that. I'm sorry if I could ask you to stop the timer for just a moment

>>.

>> thank you. Ok. Can everyone everyone see that now

>>? Yes

>>. Ok, great. Now I can't see the timer. That is not good. I will. Oh, I'll get you. Let me just open my window. Well we'll

>> give you 30 second, ok? Ok. Ok. Here we go. Hey, thank you so much for having us tonight. We're very excited on tim will ocean. I'm the director of development for urban catalyst. We'd like to thank the staff of the various departments for all their hard work as we made our first to middle in October of twenty nineteen. And I'll just run very briefly through some of that history here. We've we've had a chance to do three community meetings since the early or the late part of 2019. And I'd like to start by emphasizing the importance of the need for this type of project. California department of finance has found that into the year 2015 12 percent of the population of santa clara county was over the age sixty five. By 2030 it will be 20 percent by 2060 it will grow to 25 percent. So there is a long term need for this type of use and these solutions are best handled at the local level. Our operator has found that about 90 percent of their residents come from three miles within that that area of their community. We partnered which with a very experienced operator and we'll have a chance to hear from him and respond to any questions that May come up tonight. Jason rae as is the chief executive for carlson management and he's been involved in this process from the beginning including participating at our community meetings.

>> one of the things that I want to just really focus on is is that we have found a lot of common ground and we have responded directly to the neighborhood's community that the neighborhoods concerns. The most important I think is that we have is that we reduce the height of this project very first configuration for the site went from about eighty five feet at the corner down to and we've reduced that to sixty five feet. We've also moved all of our loading from gifford avenue out to west san carlos directly in response to neighborhood concerns about commercial traffic on gifford avenue which is rather narrow. We also modified the architecture as it stepped down. Gifford in order to make it a little bit more folded into the neighborhood lot of ground to cover. We'll be happy to answer questions. I do want to introduce the project architect thing though to go over some of the design features as well.

>> commissioners my name though with this architect as the architect and co-owner this project. This is an opportunity that we very much cherish. We wanted to create a special place for a special segment community seniors who enjoy the culture of an urban environment while highly urban. This project pays a lot of attention national knitting you access to the outdoors architecturall the building has a strong anchoring presence western carlos by stepping down gradually as it reaches first avenue as tim has described. I'm going very quickly through the

flight. We don't have a lot of time though. Tim, if you could just advance to the next slide please.

>> ok. So. So this is the ground floor of the project just for key point is that we put, public spaces, activity rooms and things like that along western carlos to help to connect with the pedestrians on the sidewalk . There are two main entries. One right at the corner seniors to easily access the downtown area and the other one of the parking lot. More like ortbal drop zone. This we emphasize the intro outlaw connection with a central courtyard and a lot of transparenc between the import and the courtyard and the project has very limited vehicular needs. So this is ground floor ground level parking on this floor. and then there are the four housing units for the buildings workers essential workers there. Next please going up to the second floor. This is a memory care for. And the key point I want to point out is that we have desks and almost every floor to allow the residents who enjoy the outdoors. Mike,

>> if I May tremor your time.

>> my time is up. Ok. All right. Sure. Then what will afterglow be happy to answer any questions. Thank you very much.

>> thank you. So at this time we'll go ahead and move to public

>>, ok? First we have bert. Bert, you are immediate. Go ahead and meet yourself and begin to speak

>>. Hello

>>. Good evening, commissioner. Thank you for having this meeting and work on this project. Amber weaver, I'm a resident of belmont park neighborhood. I want to also thank you for reviewing the letter that our leaders sent to you about this assisted living project that's being considered here. I urge you to defer your decision to whether to approve this project or not until after the done stationary a plan is formally approved the plant amendment this form formally approved in about six months from now. The project as proposed meets many of the guidelines of the 2014 diep sap which late ruling document but it fails to meet the spirit of that plan. The proposed project places this commercial entity in a residential neighborhood

replacing 14 residences with four and creating only 60 jobs. It encroaches neighborhood usurping about half of the block residential block of different avenue between st. Carlos and missouri avenue. The spirit of the set is that development will respect the listing neighborhood following the guidelines defined in the delmas park s and our plan of 2002. Project fails to do this on several points. The spirit is to support developments that will significantly increase jobs or residences. This project does neither project has been in active discussion or the neighborhood has been any seconds left. The neighborhood has been an active discussion with the planning department for over a year regarding the diep momentum and we believe it is counterproduct to these discussions to approve this project prior to approval of the amended plan. We just targeted for June. We're not asking for a moratorium just a slight delay to let the new guidelines be formalized. Please defer consideration of this project until then. Okay. Next we have gabriella. You are muted. Please, I need your thoughts and begin to speak.

>> yes, dear Madam Chair and planning commissioners. My name is gabriela chavez lopez and I am a resident of delmas park neighborhood. My home is actually a few blocks down from the proposed project and I just want to first acknowledge that this is has been a challenging time for our neighborhood as so much development has been coming along and and we're transitioning into really an extension of downtown. In many ways I have had the advantage in some respects of knowing what I was getting myself into moving into a growing urban core. But developments like this and others have been a long time coming. I know it's a process and it's not really clear to me that any major changes are going to come with the diep. And since the project currently fits within the existing decent plan it should be allowed to move forward. I was involved over 16 months ago in community meetings after community meetings on this project. I feel like the developers have been very transparent through this process and there has been significant consideration and updates

>> made to date. I really truly believe in being inclusive and welcoming and not to always delay delay delay

>> every project that doesn't align with my own personal values and

>> if it's you know, it's something that is a priority to me then I move on it. So one thing kolbert has unveiled a lot regarding what truly matters and what I can live without and if anything we must be bolder and push forward or we will never meet the needs of our growing diverse

community. The time is now so I don't want to let perfection be the enemy of good here. I'm very much looking forward to the future of our neighborhood for my son's future here. Growing up and you know we are an aging society we need to dedicate critical resources to allow people to live centrally in a place that can be accessible by transit for their families and for others to visit. It's tremendously important. And so as a community leader and advocate, I'm asking the planning commission to recommend approval of this project to the city council. Thank you so much

>>.

>> thank you. Next we have jacob. Jacob, you are a muted peace and yourself and begin to speak.

>> hi my name is jack levin. I live on gifford avenue. I assisted with the preparation of all of the letter on behalf delmas park neighborhood and our concern was about the interface to this project with an existing neighborhood. The staff response was quite dismissive and suggests in some fashion that it's not a residential neighborhood citing other uses we do very much appreciate the other business uses in our neighborhood. They're all very

>> low scale. the general plan for the neighborhood is residential neighborhood and there's not a building

>> more than two storeys really in sight of this of this site. And what we're concerned about

>> is that there is no interface with a proper interface within existing neighborhood. There's a zero

>> setback line that's sixty nine sixty nine foot height tall mass and on the sidewalk. You've just got an eight foot setback from the curb. That's not a setback from the property line. It an eight foot setback from the curb. There's no way that a street tree

>> is going to grow there despite

>> what public works is saying. And then

>> you know, they're saying it's in compliance with the downtown and residential design guidelines. Well, if the residential design guidelines downtown do not provide for a proper interface with an existing neighborhood, then that should not be the right document to use to evaluate this project. This is an existing residential neighborhood. There needs to be some guidelines for interface. Those are being developed. That's why we want them to be developed

>> and considered and incorporated to the diep sap. And then this project can certainly come back and address those interface

>> issues and get approved at that time

>>. So I respectfully ask to the the commission to sort of put a check on the professional planners you're driving this process and allow for the neighborhood concerns to be addressed through the process of the diep.

>> thanks. Thank you. And next we have kathy. Kathy, you are muted. Please limit yourself and begin to speak.

>> thank you commissioners. I speak to you as a resident of gifford avenue and a member of the gang. To be completely honest with you, I cannot understand how the planning staff can recommend you support this project. This site is almost one acre and will probably reduce the number of housing units from 14 to 4 create only 60 jobs and zero transit riders. All of this is within delmas park or within the durden station area. At the same time planning staff is asking you to support this project only four housing units they are publicly and intentionally dismissive of requests of the day to produce development heights in this exact same location. They claim the dan grech requests will add to the housing crisis. Approval of this project is guaranteed to add to the housing crisis as soon as the three existing homes are demolished. Unfortunately I bring up the following interaction with the planning department at the dirt and community meeting last week. one of the planners stated that the dang request to lower height in just 4 percent of the diep area would be a reduction of 20 to 25 percent to the day. Ask the planning department to show how they reach that number. The response from the planning director was that they spoke prematurely and they didn't provide any concrete information about how that number was reached. There's no way to pull back that public statement and there is no

justifiable reason for a professional planner to say it in public unless it is to discredit the day. The planning department actually proposes heights of up to two hundred ninety five feet adjacent to single family homes with a 75 degree valley view plain and no set back from lateline. This is timing and process is a mess. If this project moves forward it will set the bar for development in the dearden area and it will be a black hole for housing, jobs and transit riders. I ask that you defer this project so it can be held against the standards of the 2018 downtown eia amendment in June and according to diep bank

>> next we have dina. Do you know you are immediate? Go ahead and meet yourself.

>> good evening. My name is dina and I have four comments to make. I'm requesting that the current setbacks be maintained with adjacent gifford properties to the proposed development consistent with what would have been required under our two zoning number two. I have a concern about the proposed structures affecting the visibility of exiting the driveway from the adjacent property on gifford. The plan shows that the walls and buildings are very high and would block visibility on uncommonly oncoming pedestrian vehicle traffic. Number two residents of memory care and assisted living are dependent on visitors coming to them and those visitors park. My concern is that adequate parking is accommodate the residents request the residents guest. Currently there thirty two parking spaces for the thirty six employees are required during a single shift to operate the facility with no parking accommodated for guests. Finally during the construction and continued maintenance of the delmas senior project construction impacts to gifford avenue should be minimized including no construction trucks, traffic or staging trucks gifford. Please also require that all such construction related traffic to enter on st. Charles street. Additionally, we would not like to see any construction related work or parking different as well. All of this just in terms of complying with the spirit of working with the existing neighborhood to make it livable for everyone. Thank you

>>.

>> thank you. Next we have

>> linda. I don't think you spoke, linda. You are needed. Go ahead and meet yourself



>>. That was a mistake. I'm sorry. Oh, okay. No problem. Okay, sarah. Go ahead and yourself. Hi. Can you hear me? Yes, we can. Yeah. I'm sarah springer live and they almost park. I live at parkside condominiums and one of my problems with the project is that as on del mar where I live we have light poles and people cannot get around them with a wheelchair years or baby strollers, that kind of thing. So this bothers me about the project that the sidewalk along gifford with the trees that would be nice. It still will not allow enough room for either these residents or other residents of the neighborhood to get by adequately. So I'd like to have that rethought and hopefully I could redesign that. Also I would like to say that although I appreciate the fact that that this is housing for seniors let's be perfectly clear this is for profit housing. These are people are going to pay top dollar to live there. This is not affordable living for seniors and I just want people to be really clear about that. What this actually is and i appreciate the chance to speak and I appreciate all the neighbors speaking out for or against the project and I'm not against it. I'd just like to see it. Thought about a little bit more in depth what we're doing here. Thank you

>>. Thank you.

>> and we have. Lie, lie, lie, lie. You are a mutant. Please yourself and begin to speak. Hi. My name is lyla mellows and I live directly across from this project. I think once resident concerns are met that this is an opportunity for our neighborhood to move forward. I think my greatest concern and what's going to impact the most is is parking and we have to put an emphasis on public transit. However, we are near public transit and if we could get staff members as well as family members visiting two to choose public transit even 50 percent of the time I think that's a great a great help. So that's my only comment

>>, ok. Looks like that is all the speakers

>> we have. Ok, great. So we'll go ahead and go back. Applicant for five minutes to receive a comment. And let us know anything else about the project that they'd like to let us know. Ok. I I'm going to start speaking and hopefully kane can also get involved as well. but we appreciate his comments. What I heard I mean there were variety of comments but at the height of the building is was mentioned by some as far as meeting the neighborhood requirements 80

>> the height of the building sixty five feet the current diep sap height limit current diep have height limit today is sixty five feet the diep up is proposed to increase the to 100 feet we we have tried very hard to

>> work with the neighbors concerns by meeting the existing height limits. We are not coming in with an eighty five or ninety five foot building here we are coming in with the existing height limits. We are also meeting all of the existing setback requirements. I think it's important to note that on the south side of the project is is is an auto repair facility. It's a commercially use. We are not directly adjacent to

>> or contiguous to a single family homes directly across the street are our other parcels again directly across not necessarily kitty but directly across the street. Our other parcels that are up as well and they are proposed to increase their height to well over two hundred feet when we think that this building fits very well within the existing community and that's one of the reasons why we have modified the architecture in several ways through the reduction of height, through the articulation of the building as it goes down gifford avenue and by setting back the top floor of the of the project to lessen any potential visual impacts on the neighborhood. Also want to talk about the sidewalk good comments we have increased the sidewalk width consistent with exactly what public works has asked us to

>> do. We are going from 8 feet 2 to 10 feet. Those design standards that public works has has provided to us from the very beginning of this project there is room for landscaping in there. We have provided a landscaping plan and ultimately the city will decide on which trees it wants to use to populate the the landscaping opportunities along gifford

>> avenue. Want to talk about parking and traffic as well. We

>> understand the importance and again it's the that's the reason why we moved all commercial loading to west st. Carlos. Now of course there will be employees and visitors who come in and visit the property and they will drive their cars at but

>> senior housing is a fairly low generating type of land use much less so than than than multifamily or particularly office or other commercial

>> or retail. In many ways this is that that is that that could be a benefit to the community by having this type of a use in order to keep that traffic

>> minimized. Same thing that I think that concludes my comments. Paul, do you have any additional items you want to address in that

>> time? can you hear me? Yes, all right.

>> I you. Just them all the other thing I was going to mention was that in terms of process and it will entail additional standards sap for vetted. We submitted this back in 2019. Our first step was to reach out to the to the community before we did our prelims middle. And so we've worked with the existing overlays, the context, the diep rich history of planning. It's been done in this area as you mentioned we've been following public works plans. We've been influencing public works plans towards the benefit of of what we heard from the neighborhood and and so we think it's it's time to have this move forward that the concept was just presented to us in this letter for the first time that we should have it delayed. So I'm not quite sure why that wasn't brought up. That is 14 months ago when we were originally proposing

>> or the other two meetings that we held in September or October. Can I chime in on just to items? Number one is the sidewalk with a gifford is 10 feet wide and it is more than enough room for both landscaping and wheelchair access along there by code. The parking follows the city regulations for this type of facility which does take into account visitor parking. So I just wanted to make sure that those two points are clear. Thank you.

>> great. Thank you. So this time I'll go ahead and take our commissioner questions and I see at all recognized commissioner oliverio first.

>> thank you, chair for the applicant and maybe staffer. I think the applicant if you're still there I guess I'm concerned know professional planning staff laid out that this project fit all the criteria for approval but you reduce the 20 feet and potentially this project could have been taller than originally proposed. So I'm curious how many units were lost by reducing the height

>> we actually had at original concept here of doing a higher intensity use on the corner with a multi-family project and we so that was a much higher parking ratio and no units. So we don't

have a senior unit to senior units comparison but we move that entire model to that to another location. Mariano. Thank you. I just want to understand that with the reduction it reduces capacity to maximize land in strategic areas. So that's my only question. Thank you chair

>>. You recognized commissioner Iardinois Jr. I have several questions. I'm just gonna ask one another hands up. I'll let someone else go. But so first off I wanted to just

>> get some clarification on the height issue. So the initial presentation applicant made it sound like the height had been lowered over the course of the project process but then in the second presentation can I believe they said that the maximum allowed right now was 65 feet and that's what they are proposing. So yeah. Can you just clarify what the process over time was, what the height limit or with the height of the project

>>? Yeah. The the the height was the high limit is sixty five feet there are supply tools that can allow a project to exceed those high limits such as the use of the state density bonus which we were contemplating for the the corner piece for court for the parcels that were located on the corner once we decided to make the entire project an assisted living facility there was no further opportunity to utilize the density bonus and we we were happy to move forward at the sixty five foot highland

>>. Thank you. And then I just wanted to ask. So there's been a lot of a public response I'm saying here is in regards to height and setbacks can plateau was mentioned in the letter from the neighborhood association. So

>> I have you know, as it's been said in the presentation, this is building up to the maximum currently allowed. So I'm curious are there any criticisms or feedback from the community that you as a developer thought was reasonable and that you responded to I and know address and changed the project because of them? just curious. I'm sorry. I don't I don't. Could you repeat the question or rephrase the question then? Yeah, I was going to about I'm sorry I didn't phrase that very well. I'm just curious throughout the public engagement process. Is there feedback you are from the community that was integrated into the project

>> that maybe you could articulate that the setback again? Sure. Well, so. So I think I would just say what what was the feedback that we heard that we responded to? Is that correct? I

>> was curious feedback that actually led to design changes in the projects

>>. Absolutely. Yeah. Yeah. Well again the height the height reduction of the of that in five to sixty five is one. Another one is that the moving of the commercial loading from delmar excuse me from gifford avenue out to west san carlos and we actually had to work very closely with department of public works staff on that and planning staff to find a solution to find a way to make that work. But it was it was generally thought that that the neighbors had an important voice in that matter and I frankly I thought it was very good that that the staff was able to to address to work with us to address those concerns. The other one is is that we did modify the this southernmost portion of the building by setting it back on top floor and articulating the facade architecture to have it blend and fold into the neighborhood, setting a little bit more thoughtfully. Thank you

>>. And then just one more

>> I guess observation and then a question for staff. So to some this process can reminds me of when we had the project the tropicana shopping center a few months back and definitely we heard some resident frustration back then about the project was about the policy itself and what the city was allowing for that kind of development so I'm curious, you know, I wasn't able to attend the diep out study session because of a conflict in are the revisions to the diep going to come through the planning commission and if so, is it known yet what date

>> high is gerard gerard hart, division manager for citywide planning. Yes, the the diep amendment will be coming to for consideration or recommendation to city council involve general plan amendments. So you will be considering that and providing a recommendation to city council the timing I'm not. Is. I don't have an exact date on that but it I would say, you know, around spring of 2010 21 is what we'd be looking at

>> no later than May 20 21 no later than May. So we're looking at spring. All right. Thank you. and I think that's all my questions. Great. Commissioner oliverio, you have your hand up still. Did you have additional questions

>>? And I just would like to make a motion on the measure if you want to finished everyone's questions, I'm happy to wait

>>. Great. Thank you. Ok. Do we have any other questions from any of the other commissioners

>>? Ok

>> seeing then we'll go ahead and close the public hearing. And at this time we can take a motion.

>> yes. Commissioners, this is not an uncommon item coming before us. We've encountered this all the time and it's not always in the downtown on other streets throughout the city where we regularly are approving a much needed need use of assisted living memory care and often in the same level of height and not higher actually that we've done so as it has been covid. There is a huge demand for this. We know that san carlos from downtown santana row is going to be built up and matured over time a delay of this length could potentially kill a project when we don't actually have a feel any fair reason to delay and I know one comment someone made that this was a for profit venture and yes, it is. But people that come into these facilities are pay market rate and some are utilizing government healthcare to be there at a certain point in time in a project's history. So with all that said, I would like to make the motion to a prove staff recommendation and all the levels of detail within that paragraph and that would be my motion I can commissioner keith t was that you? Yes ma'am. Okay so we have our motion and the second commissioner casey. Commissioner oliverio already spoke to his motion. Commissioner casey, would you like to speak to your second? Okay. Okay, great. Would any of the other commissioners like to speak to the motion

>>? Okay. See,

>> we can go ahead and take a roll call vote approved the stack or a staff recommendation and item eight a

>> commissioner casey commissioner garcia

>>, commissioner lardinois

>>, commissioner

>> oliverio, commissioner. Well

>> I and commissioner cover yet all is also in I

>> will pause to let this put the vote. Thank you. That is unanimous with committee vice Chairman You being absent. So at this time we'll onto item number

>> 8 b which is gp 2 0 dash 0 0 1 and c 2 0 dash 0 0 7 which is a privately initiated general plan amendment to change the general plan mandating designation from transportation and utilities to residential neighborhood and a rezoning from agriculture and a district to our dash 1 dash 5 single family residence only district a eight point six site located

>> by located bounded by two freeway bright hard drive queens one way perhaps would way a portion of harm's way. I'm not going to read all of the streets and we will go ahead and move to staff presentation on item

>> ap robert rivera mckeever right with the planning division gp 20 0 0 1 is a privately initiated general plan amendment change envisions centers a 20 40 general plan land use designation from transportation utilities to residential neighborhood and see 20 0 0 7 as a conforming rezoning from the agricultural zoning district and properties do not have an established zoning district to the r1 5 single family residence zoning district on approximately eight point six gross acre site. The project site does not contain any existing buildings and is generally undeveloped except for P.G. Electrical utility structures. The portion of the site south of all modern was formerly reserved for a pg&e substation . However the project was never developed. The portion of property located north omitted contains exactly a contains existing utilities that May be underground in the future as part of any future development the residential red line is destination is primarily intended for single family residential uses at a density of up to a dwelling units for acre or the prevailing neighborhood density whichever is lower. Currently there is no site development permit application on file with the city and additional design review would occur through site development process in the future. Hopkins proposal to change

ohlone designation from transportation utilities to residential neighborhood is consistent with the general plan policy supporting compatibility infill development and vibrant neighborhoods. Future development would be required to develop at the prevailing neighborhood density of approximately 5 million units per acre and further any future development would need to comply with existing title 19 subdivision ordinance in the city's municipal code which would also limit the maximum number of residential homes. The existing overhead utilities would be required to be underground prior to future residential developments of those sites. The proposed application is also compliant with senate bill 3 and does not reduce the intensity of residential uses because the transportation utilities line each designation does not support residential development gp 20 0 0 1 would increase the residential capacity by sixty nine units. The proposed plan amendment is therefore in compliance with sb 330. Further, the proposed amendment if approved concurrently with the other proposed general plan amendments tonight would offset reduced intensity of residential capacity for the proposed project. Or gp 20 dash 0 0 3 resulting in no net loss of residential capacity regarding outreach. On August 25th 20 20 planning staff hosted a virtual community meeting to provide information or receive input on the proposed amendment and rezoning of the subject site. Approximately 50 community members attended the meeting. Residents in st.. Holders expressed their opinions and concerns. Community members asked questions about the future feasibility, the feasible development of the site and asked the applicant if multifamily housing would be developed. Staffers noted that multifamily housing is not permitted within the r1 5 single family residence zoning district and no application for development has been submitted to the city. Other residents ask questions related to the underground ring of utilities and if all utilities would be grounded. The applicant responded that the utilities feature developed properties would be underground and some utilities surrounding the future development properties develop properties would remain above ground. Depending on future site designs, some residents expressed concerns about existing trees being trimmed or remove that and responded that quarter's currently maintained by pg&e and offered to coordinate contact P.G. Need to determine if there were any trimmings or trees being removed. With regards to the environmental analysis under the california environmental quality act an initial study and negative declaration were prepared for the subject. General amendment and conforming rezoning. The documents were circulated to public for public review on October 30th 20 20 and ended on November 19 20 20. Their analysis concluded that the proposed general kline amendment and rezoning would not result in any significant impacts on the environment. Staff requests that the planning commission make a recommendation to city council to find the



proposal in conformance with sequel and approve the proposed amendment and rezoning. Also would like to note that the staff is aware that the wrong ordinance was attached project but that's been corrected and posted correctly on this concludes that presentation

>> I have

>> as I meet robert hill will be speaking on behalf of the guess who from summer homes May have five minutes a day. Here this

>> is said denise cunningham a summerhill. Can you hear me? Yes, we can. It's great. Thank you. Good evening, commissioners. Thank you for your time this evening and a big thank you to staff for all of their efforts. i'm denise cunningham with summerhill homes, the V.P. Of development and the brief introduction in the summer. How if you're not familiar with a private homebuilder in business for over 40 years? In that time they've delivered over seventy five hundred homes. We provide the diversity of homes as specializing in infill development primarily in the bay area. And this property is ideal for small residential infill. We're currently in contact with pg&e to process the general land amendment and zone change and once this process is completed we'll look at proceeding with design level work to this date summerhill has engaged the community on four occasions. We had two meetings with the neighbors probably a little over a year ago in person and we also participated in the city at outreach for the general plan amendment zone change and had a follow up zoom meeting with the neighbors after that. We are listening to the community in action at salute. We will take into account their their comments. Once the design level work begins and we'll be sure to schedule another neighborhood meeting should pg&e and summer help move forward with development

>>. So with that I thank you for your time tonight. I'll be available to answer any questions

>>. Ok, but at this time I'll go ahead and open it up for public comment

>>, ok? We have. Buford, you are immediate. Go ahead and meet yourself and begin to speak.

>> yes, sir. Buford I know run around the corner from the pg&e but that it ends it can. I was part of those earlier

>> meetings that Denise mentioned and twice to my count there was a tip to change the r 1 5 rezoning to include multi-family or condos or townhouses and I believe it was taken out but I'm just not very trusting because Reb Rivera just mentioned 69 units in that same area. Now

>> we're going to have eight homes with three or we're going to have what was a homes with eight thousand square feet. Are we have 69 units somewhere

>>? I I'm I'm just not very trusting

>>. That's all I have to say. I'd just like to get this on our table

>>. Thank you. Next we have Michelle. Michelle are immediate. Go ahead and meet yourself and begin to speak

>>. Hi. Thanks for letting me talk. My name is Michelle curly. I live on the north end of the property near Bret Hart drive. So there's the long narrow part on the opposite end of where Buford lives. And I just wanted to say in our opinion. I've talked to the neighbors a lot but in my opinion even though the environmental study says there's no significant impact to the environment, I just want to point out there are hundreds of trees. There is a very steep behind my property. So it you know, it's up above all of this. All of the property is on the east

>> side of the there. There are animals that are back there all the time. Deer, coyotes, foxes. And I just don't know that that long narrow part is wide enough or stable enough for a development. So I would prefer that it would not be zoned residential. That's it. Okay. Okay. We don't have any more speakers at this time. Go ahead and give the applicant their additional five minutes to respond to the public comment

>>. Justin or Miss Cunningham? You like to respond

>>? Look, Denise has her hand at ok . Can you hear me now? I didn't realize I had to raise my hand. Yes, we can hear you. No thank you for for the comments. And I'll just make a couple of clarifications there was there was no one of the staff reports online that mentioned multi-family. I think that was an error. There's never been any attempt by Summerhill to to propose or view

>> this site as anything but single family development and then additions, you know, density and the narrow with the narrowness of the site. I wanted to address the unit count and with the r1 zoning and the constraints with zoning and the lot sizes really over the eight acre site you really could only place about 20 homes. So that's what probably would be envisioned for the density on the project and then I don't know am I able to share my screen

>>? I would like to do that if that's possible. Okay. Let's see.

>> so in response

>> to the community meetings and the outrage that we've had to date, you can see this as a long one site. And what although we haven't developed any project specific design work yet, what we have committed to the community today is that the areas with the blue border would have

>> likely have to be where the single family homes would go and this stretches in between would not obviously support single family homes. So we would not envision filling this entire area with single family

>> homes. So

>> I think that that probably addresses the question again their single family homes not multi-family. They wouldn't anticipate more than 20 homes in this area

>>.

>> thank you.

>> thank you. So we'll go ahead and open it up for commercial questions. And I see Mr. Oliverio has to

>> I'm sorry I didn't lower it but I think staff ultimately is an empty piece of land and probably no one thought would ever be built on. Right. Because of this pg&e is easement. And so really the

question before the city is should there be the allowance of like like structures on this parcel that's vacant? That's an easement for pg&e

>> .

>> commissioner lyons

>> I'm sorry. That was a question for steve. Oh, I'm correct that the buildings are like structure and they're really originally intended as a utility easement but that that substation was never built. So it is for infill development. Okay. Thank you

>>. So commissioner torrens.

>> thank you chair. So then my question goes on to that for robert. Rivera why? I know that we have a need for electric infrastructure in the city. I know that's been a concern with rolling blackouts things and so do you know why the pg&e substation did not go forward

>>? No, I don't know why the the pg&e substation did not move forward. I think the need for

>> services in higher density areas May be what's generating the demand for the utilities

>>. They might envision that this area would become more dense over time but the surrounding neighborhood is still mostly single family at a lower density than what is predominant around the city at a density of five million units per area. Per acre. So it isn't as as dense serving as many people and it May be just a lack density in the area for

>> the need for the substation

>>. Thank you

>>. Okay. Commissioner Iardinois

>> I just wanted to move to prove the staff recommendation for this item

>>. Thank when me close the public hearing and it showed that there are no more commissioner questions

>> being no

>> hands up at the public hearing and we have a motion to approve staff recommendation from commissioner logan the second commissioner oliverio would do either the commissioners like to speak emotion. Yes. Mr. Oliverio,

>> one one question for staff. So assuming this general plan amendment is approved and they have a parcel of land they could build residential on is there. Would you say there is something that they'll be allowed a certain number of units they'll be allowed by right vs. By discretion. For example, I'm assuming based on the way the lands configured they might be able to do by right. Like for example, seven homes but they May submit their application and ask for four discretion from the council planning commission and ultimately obtain somewhere closer to the number they stated 20. Is that correct staff? By right they would be able to develop based on the number of parcels because they need to come in with a subdivision for those other units. I think by right they'd be allowed to based on the site now and the parcels. I think would be three or four units but then they would need to come in with a major subdivision to obtain the 20 units that they're seeking. Great. So that should not let the neighbors know that this is not the final review. This is just very preliminary and if council said nothing they could just build a very few amount of homes and be done. Okay, great. Thanks

>>. Ok. So sure I see your face that from your flight

>> I'd never lowered it. Sorry. Ok. So I also just want to add I see that Mr. B for it has his. Mr. B for baa has is at hand and I just for folks who are new to this what you've spoken on a particular item you don't have the opportunity to speak again. However, if your hand is up for the next item please leave it at. So at this time we have a motion on the floor. I did not see any additional questions comments from our commissioners. and I think I had offered the opportunity for either commissioner to speak to the motion

>> to say here okay great. So we will go ahead and move forward with a roll call vote.  
Commissioner c

>> commissioner garc^a I think commissioner lardinois

>> junior

>>. Mr. Torrens,

>> I commissioner

>>. Go ahead. Also when I and recognizing that commissioner boni is not with us today so we'll take a moment for our staff to show the vote. Great. So that passes and we will move on to item eight see which is gdp to zero dash 0 0 3 which is a privately initiated general plan to change the land use transportation diagram from public quasi public to residential neighborhood on an approximately two point seven gross acre site located on the north of cameron and drive approximately one hundred feet easterly of tabor avenue in cameron's full district is the owner. So jessica you are the project manager so go ahead and turn it over to you for the staff presentation.

>> thank you. Your collateral. Good evening planning commissioners. My name is just a scale and with the playing division presenting you today g 20 dash 0 3 gp 20 dash 0 3 is an amendment to the invasion standards a 20 40 general plan land use transportation diagram change from public was a public to residential neighborhood on approximately two point seven gross acre site located at nineteen seventy five cambridge on a drive the subject two point seven gross acre site occupies the eastern portion of the former metzler elementary school personal and it's currently open space. It's a grass field used by the community of recreational activities and the site is surrounded by single family residences to the north, to the east, to the south and the former school site that's currently used by a california sports center and the seven magic flowers and a tyson living here preschools to the west the proposed gp designation of residential neighborhood is applied broadly throughout the city and encompasses most of the established and single family residential neighborhoods. The designation is intended to preserve existing character of these neighborhoods and to strictly limit new development to infill projects which closely conform to the prevailing existing neighborhood character. The existing development within this designation will typically have a density of approximately equal units per acre but in some cases a designation May be applied

to areas already developed at a slightly higher or slightly lower density in terms of gdp policy conformance. The proposed general plan amendment would allow development of single family homes which is nearby to the camden community center camden park shopping center and various other neighborhoods serving commercial uses which is consistent with housing goal. Each one in high quality housing and great places policy each three point three and nearby existing single family homes with a residential neighborhood land use designation. So it's consistent compatibility policy. Four point for the project also consistent with education policy s one point fourteen which encourages collaboration with school districts to ensure availability of resources to meet student needs with additional revenue that this project could bring the school district. However the project is located in a non growth area. Approximately a thousand feet from the nearest urban village camden avenue hillsdale avenue urban village is not located near a transit station. The proposed general plan would thus allow new residential growth on a site that's located outside identified growth area and not currently designed for residential development which makes this project inconsistent with general plan major strategy. Number three focused growth growth area policy. You two point three high quality living environments policy. You additionally the products also inconsistent with general land use policy one point nine one point one and fiscally sustainable land use framework policy f s three point three which encourages the preservation of public quasi public lands and to reduce the potential conversion of employment lands to non employment uses in terms of state law conformance. The proposed project is also inconsistent with the senate bill 330 that prohibits a net loss of potential residential capacity in a jurisdiction the public while a public language designation allows permanent supportive housing for the homeless which are built at medium to higher densities and staff has determined that the maximum density for permits supportive housing on public quasi public land to be one dwelling diep acre. This maximum density is in the general plan. But it was determined through reviewing the densities of existing existing permits supportive housing developments in the city, the residential neighborhood designation allows housing with the typical maximum residential density of eight dwelling units per acre and because the public was public designation allows for higher density housing than the eight dwelling units per acre conversion from public was public to residential neighborhood on two point seven gross acres would result in a net loss two hundred forty eight units under sb 330. The exception to this is that a property May be allowed to reduce intensity of residential uses if changes in land use designations elsewhere in the city ensure no net loss in residential capacity within the jurisdiction. So therefore concurrent changes in the general plan on land use designations must be made elsewhere to ensure no net loss of residential capacity to be

consistent sb 330 so in conformance with sb 330. This project is being considered concurrently with the three general plan elements projects that you've heard earlier tonight so cheap 20 one gp 20 dash 0 2 as well as gp 19 dashboard well so that there would be no net loss of residential designated land. Should city council decide to approve the project now that this is slightly different from the staff report that we that we published as we're substituting gp t 18 dash 0 9 will works for gp 19 dashboard 12 gifford. The projects must be approved by city council at the same hearing to be considered on no net loss in terms outreach. A community meeting occurred on September 10 20 20 with 52 attendees and a presentation from the school district and a developer on a conceptual project for the site. A total of five hundred fifteen common letters and one petition were submitted for this project with 500 eight expressing support and seven letters and one petition expressing concern or opposition against the project. Those in support expressed the importance of funding for the underfunded school district for students and additional programs especially on an underutilized site with the proposed land use designation that would be consistent with the surrounding neighborhood during a time where additional housing is needed. Those concerned with or in opposition of the project expressed concerns primarily regarding exacerbating existing parking and traffic issues especially with existing nearby projects. Noise and air quality pollution impacts during constructions were noted as well in preservation open space for recreation and privacy of adjacent homes were also noted in terms of seek good. The initial study negative declaration was circulated from October 30th 20 20 November 19th and received no public comments. So in conclusion staff commends the denial of the proposed general platt amendment as it's inconsistent with the focused growth media strategy and associate policies of the general plan. Furthermore, the project would result in a conversion of public was public land which is directly inconsistent with land use policy I view one point nine. Although a similar general amendment request was approved in 2018, a public quasi public conversion of the campbell union high school district which was file gp 18 or for this project doesn't meet the unique circumstances that would render a low density residential uses the only feasible use for the site and it has the additional issue of inconsisten with sb 330 and the no net loss requirement. Staff also recommends adding an item to the housing crisis work plan to explore policy changes for public school and conversions could provide more opportunities for housing and revenue for public school districts. As a city council direction to address conversions is not yet complete in there and therefore cannot be applied to this project and that concludes staff presentation.

>> thank you. Do we have an applicant for this item?



>> I do. I have. Janet boris and scott sheldon and danielle if you could promote them to panelists they have a powerpoint presentation and

>>. Five minutes. Thank you

>> , janet. Diep. You're you're on.

>> all right. Thank you, jessica, for that overview. Ongoing work and encouragement of our project. Even with the recommendation they stand. Good evening, Madam President and members of the planning commission. I am janet paulson, a trustee of the cambridge school board. I'm here as a representative of the cambridge school district to talk to you about our district's initiative. We call support our students that will help generate much needed ongoing revenue for the students of the six schools of our district. Slide 2 our plan is to create a new ongoing source of revenue by repurposing a small portion of one of our school district properties that has not been operating as a district school site for over 20 years although we do have some portions leased to local community organizations. These will not be. These will go unchanged in this proposal. Our plan leaves seventy five percent of our property as public quasi public to preserve the opportunity portion, the appropriate portions of this property for employment potential

>> to accomplish this plan and provide much needed educational funding for the students of the cambridge and district. We are asking the city of San José to change the general plan to allow residential single family homes on an underused

>> portion of our district property. As you can see on this city's zoning map, the

>> portion of our property we would like rezoning is currently our proposal would fit right in. This is an appropriate land use for this portion of our property as higher density would not fit into this plan. That's already in existence. The project would create some more housing for our city along with many direct benefits to the students of the cambridge district.

>> here you can see a conceptual rendering of what the single family homes May look like as good neighbors. In partnership with local builder ropes and homes.

>> sorry gotta go back to 4. We have plan

>> to develop a well thought out addition to the neighborhood that will fit in with the current layout and design as well as being an attractive addition to the surrounding community

>> school district staff and the cambridge school board have been diligently working to keep our community informed and included throughout

>> the steps of this project the district has participated in community meetings, met many times with our schools and neighborhood groups as well as held meetings and discussions with individual neighbors near our site

>> as you have received the name list of names you know that we have over five hundred letters of support for this project from members of the cambridge community. We're so grateful for this display of trust and ongoing support from our engaged community

>> slide 6. This project brings benefits to santa as a bug by creating much needed housing as well. The cambrian school district will have an ongoing source of revenue that does not depend on state budget priorities nor fluctuations. This revenue will be responsibly used by our school district to continue providing our students with award winning educational programs such as project place based learning maker spaces and our many other ways that we support nurturing the whole child

>>. We respectfully disagree with your staff's recommendations as we believe they do not reflect the merits of this important program project and we believe that our project complies with the city of San José's land use policies. We hope you will recommend

>> our proposed plan change now as any delays to our current project proposal will prevent cambridge install school district from receiving much needed flush out plan amendments. Thank you. Thank you. At this time we'll go ahead and move to pump. Okay

>>. Andrea new our first. Please meet yourself and begin to speak. Hi. My name is andrea supplicants. Please support the cambridge school led initiative application. The land

development is the right land used for the neighborhood and will do so much good for our community. It will preserve jobs in the school district and create new construction jobs. Please support the cambridge students and recommend to the city council to approve the district's application. Thank you

>>. Thank you, randi. You all right? You did. Go ahead and mute yourself and begin to speak

>>. Good evening. Members of the board of the planning commission. I am randy schofield, President Of the cambridge school district board of trustees. I'm speaking to you tonight to ask for your support of our request to change the zoning to allow us to utilize our property to provide significant revenue for underfunded school district. As you've heard many times due to chronic chronic state underfunding, declining enrollment and now covid 19 cambridge district has been working to identify sources of ongoing unrestricted revenue in the past. We've partnered with the city to provide much needed and proper uses of our land for our community in the past. For example, the alignment and the development of hoagy park as well as the alignment and development soft perimeter homes around hoagy park

>> with bette developed 52 homes aligning with the community neighbors and the city. We're asking you to support our efforts as we've been excellent stewards of the resources in our care and aligned with our community and stakeholders in all that we've accomplished. It is now in the significant funding challenges that we've created an opportunity to improve and protect the outstanding educational programs and need you to recognize the opportunity and partnership we are looking to build upon again. The district

>> has collected over 500 letters of support. Our community supports this initiative. the district concept to build homes on the land complies with the current zoning of all surrounding land and the initiative would preserve jobs the school district and create construction jobs. Please support the cambridge and students and our community and recommend to the city the saturday city council members to approve the district's application. Thank you for your time this evening and in advance for your consideration and support. Okay. A letter. You are meeting. Thank you. Thank you. My name is a letter and I am a former cameron school board member a current cameron parent and I also serve in our community as a member of the cambrian kiwanis. And I'm

>> here tonight to ask you to please support our camera and students and recommend to the San José city council to approve the district's application.

>> excuse me with this land development initiative about 25 percent of this underused district space will be converted into housing that complies with the current zoning of all the surrounding land

>>. It will be stable ongoing revenue sources for the districts in studies have shown that stable school funding is a critic is critical to student success. Relying on the state tax revenues or education funding has been exposed to volatilities associated with economic fluctuations. We felt the impact of the great recession and now with cove it before kolbert the district costs continue to rise and the state mandates increased. Yet the state funding lacked in helping offset increased cost with the onset of code with the district now faces

>> new find a financial demands ongoing revenue such as this stable revenue that we can generate from this land use is necessary to help sustain the school programs, preserve the teachers and support staff positions and provide much needed employment opportunities such as construction jobs in the community. It will also help address

>> key needs of our students, mitigate learning losses and provide other support services. Again my asked here tonight as for the commission to please support our students, I thank you for your time. Okay samantha. You are a muted samantha. You are an immediate go ahead and begin, ok?

>> I'm going to go back to you, samantha. We can't hear you if you're speaking. It looks like you're on muted but I can't hear anything

>>. Lisa, I believe you are in muted. Hi there. Yes. Can you hear me? Yes. Ok. Thank you again planning commissioners for giving us the opportunity. speaker tonight. I did send emails to all the commissioners probably several months ago and been very actively working with our community. We do have a petition with over 100 signatures. We could get more signatures but we were having issues with coded. So I do want to speak on behalf of our community and I do want to share that. The cambridge school district did very little to communicate with the surrounding community asked to this project and how they were going to move forward. It was

very I don't know they didn't do a very good job communicating with us and we were left to really kind of cool and find out what was going on. But what I want to share is that with the current projects going on right now with the Cambridge part, with the Harker school expansion, with the Campbell Union High School district development of ropes and homes and with the senior center on Union Avenue that this project will only create more traffic and it does not. The housing that is being built although beautiful does not preserve the character of the current community. I know there's a lot of parents on this call who really want the commissioners to support this project and I do understand and feel for them. But I do want to make sure that I speak on behalf of our community to let the commissioners know that we really enjoy the open space we've had for over 20 plus years. Our community utilizes that space daily in the evenings

>>. It would be really sad to have us lose that. So I'm just hoping that the planning commissioners will consider not moving it from public quasi public to residential neighborhood. Thank you everybody.

>> okay. Keri, you are muted. Kerry

>> you are muted. Go ahead and mute yourself and begin to speak good members

>> of the planning commission. My name is Dr. Kerry Anders. I'm the superintendent of Cambridge and School District. I would like to begin by thanking you for your time. Cambrian School District is a small preschool through eighth grade school district that serves roughly three thousand two hundred students. We take pride in our exemplary award winning programs and welcoming environment. We strongly believe in family and community engagement that are vital to our students' lives both in and out of the classroom. I am before you tonight because of a challenging economy that exists and the need to sustain ongoing source of revenue to support and preserve Cambridge's basic educational services for our students and our programs. We are asking the commission to approve the general plan amendment application to convert two point seven acres of 10 acres schools to sites to residential residential neighborhood by converting a small portion of the site for residential use. We are able to create a new ongoing source of revenue and keeping intact a significant portion of the land for PKP Kewpie. We are proud that over five hundred members of our Cambridge community is in support of this project. This concept before you is not new to the city across

the street is situated campbell union high school district which the commission approved in 2018. We are asking the commission to add to rent and we recommend the approval of the general plan amendment tonight on behalf of the students in cambridge and school district. Thank you so much for your time . Okay. Yes, you are in munich. Go ahead and meet yourself. Hi. Can you hear me? Yes. Ok, great. My name is beth erickson and I am the former President Of farnham home and home and school club as well as an active community member with both my school and also the district. I would like to ask the planning commission to approve the district's plan to move forward as many of the speakers ahead of me have commented, the revenue that this converting site will bring to the district will help to maintain the education that our students can receive and make sure that every kid in the cambridge and school district is supported and gets all of the services that they need to be to go on and be successful in their lives in their high school etc.. I understand the concerns of the community around the district around this property and I am hopeful that by working with the developers and also the district that their needs and concerns can be met because that is very important. But ultimately I'm here for the district to support them in their application because the students really need this and it shouldn't be on the parents of the district to raise the funds of for the district and their different school sites to make up for the lack of funding that we're getting from the state for our education and the district is really looking for other ways to raise revenue. That's a constant stream that can support our students programs. So please approve and approve the district's application. Thank you.

>> okay. Todd, you are a muted

>> thank you for allowing me a few moments to share my strong support for this land development initiative. My name is todd nelson. I am a parent of a third grader at a cambrian district school and a real estate agent over 20 years. Highest and best use that was an answer to a question on my real estate licensee exam over two decades ago. I am very comfortable saying this initiative is the highest and best use of boy. Under normal circumstances that would be my opinion and my main argument. But considering our current pandemic situation our schools now face safety requirements and a significant upfront and recurring expenditures. This land development initiative will make things a little less difficult to make and keep our schools safe. We desperately need this. Thank you. Ok. And

>> dean you are and you. Go ahead and eat yourself. Thank you very much for the opportunity to speak. A couple of other points that I'd like to raise that have not been mentioned here is we just passed measure r which raises 88 million dollars in bonds for the school district. So I'd like for the parents and the school to be upfront about the you know that the fact that they have additional money coming that this is not their only source of raising the money that they need. The other thing I'd like to mention is the front part of this property. What they call section a which is the other side or lot a the other side of this castle is still kewpie and there is still in a plan of some sort to put in whether it's a medical offices or some other facility, even a care facility up front there as well. So there's a lot of constructio and a whole lot of development going on in a very, very small radius. So I'd like you to please consider that as well as you make your decision on this. Thank you. Ok. There you are. Indeed it. Go ahead and get yourself. Hi, dad. Hi. Sorry. Can you hear me? Yes

>>. Ok,

>> thanks. My name's dan windsor. I'm a resident and a teacher in the district for 16 years and I'm the President Of the teachers union and I've been on the negotiating team for a number of years and I'm actually thrilled with all of the ideas that have been thought of and kicked around for revenue enhancement in our district that we were able to come up with something that was so consistent with the surrounding neighborhood and I certainly understand the hesitation for the neighbors. But given the revenue shortfalls that education has annually seen in the country and in the state, it's it's almost an accepted norm at this point. And then given this last year our budgets were slashed even more this this proposal before you provides housing which the city certainly could always use. And jobs but

>> not to be disingenuous. I am the only reason that I'm speaking tonight is for this the ongoing revenue to to help support the education of our kids. The bond measure that was just passed is wonderful but that that revenue is very, very specific and it only goes toward technology and some facility upgrades versus the unrestricted revenue that this would provide for us. So I would ask that you all please give strong consideration to allowing us to to move forward this proposal. Thank you. Kirby, you are needed. Go ahead and

>> begin to speak . Kirby, you have to arm yourself. Ok. Doesn't look like kirby's computer or zoom is working right now, samantha. You are included. Go ahead and begin to speak

>> . Hi. Can you hear me? That's. Yes. Great. Thank you for the opportunity to speak tonight. I am a committee member and they can bring in neighborhood and the proud parents of a public elementary school student and I join the five hundred other community members who respectfully ask you to support and recommend that the city council approve the cambridge and school districts rezoning applications so that the district May eventually partner with the redevelop or to build residential housing.

>> the district's plan is an appropriate use of the land and seats the existing residential neighborhood. Not only will the city derive new tax revenue from the residential housing but more importantly our cambridge students will be able to benefit from the additional funding that the redevelopment will generate for our schools. Our kids deserve a quality and stable education which other neighboring districts have been able to provide. Having benefited from similar property redevelopment efforts ,I believe that our public schools should be one of the greatest assets that our community can offer and I hope that you will help keep cambridge and schools strong. Thank you. Ok

>>, mark. You are a nudist. Go ahead and meet yourself and begin to speak

>>. Can you hear me? Yes, good evening. Members of the commission and more groups of them the President Of robson. Is there a slide that can be shown? Jessica

>> yes I can. You can't laugh off

>> the clock real quick. Is it the conceptual site plan ? Sure. Once you show just put that up because it slide was already shown. That'll be great. Thank you. All right,

>> mark, we do have one more speaker. If you would like to wait for everyone to speak to give your country

>> go ahead. all right. We have caller andy

>> in 3 8 to



>> you are in. Please begin to speak

>>. A caller ending in 3 8 2 please state your name for the record and mute yourself and begin to speak.

>> ok, it looks like they're having issues as well. So period back to mark.

>> yeah, go ahead mark.

>> navy. Members of the commission. Just to put that plan back up and hold the clock.

>> all right. The school

>> district wants to be a good neighbor and and respect the existing land use patterns. What does that mean on this 10 acre site? It means putting in single family homes next to single family homes. You can see the plan that we have highlighted next to single family homes and the balance of the site which is seven acres would remain, you know, p q p and the staff report conceptualise is at 100 units per acre could be put on this property that's on the two seven acres. I can't imagine a five storey building under 70 years put next to single family homes. If you are going to put that kind say on the site it would make sense to put it on union avenue where the which is where the commercial corridor is.

>> and I think that we have a better strategy for developing the site and that is to put single family homes on the site . But adding a to use 80 use will provide affordable housing units but also will do it in a manner that is consistent with the character of the neighborhood provide

>> some level of affordable. And this to the same strategy that we used on the million high school site

>> across the site across the street. Both sites are the total site for plan picking whoopi. And it is only the rear portions that were converted to residential and the front portion is along an avenue and would remain pkp. And I think that makes the most sense. There is a an exception with sb 330. And I ask that you use the excess capacity from the general plan amendments that were approved this evening and in use for this site because I think the purpose of sb 940

was to allow that so that projects like this would be able to move forward because it makes sense to put lower density here. The school district needs funds now more than ever. And

>> now to support their kids as support their their school. And I ask that you support this that you do not delay the approval because delayed housing is denied housing and the school district needs support. We need housing and I ask that you support this and recommend approval of this application to the city council. Thank you.

>> hi

>> everyone. This is mario. Can you hear me? i can. Ok. Ok. I was having connectivity issues myself and kept getting kicked out of them so that I'm on my phone now. So anyways I just for clarification purposes was that person representing the applicant

>> jeff? Yes.

>> ok. So

>> you still according to my camry about a minute 30 reps either other if anyone else would like to make response to public comment on behalf of the applicant.

>> ok. I'm not seeing anyone.

>> and yes, go ahead diep

>>. This has gotta show them with her realty advisors is so just to sum up and finish up what Mr. Rhodes just said you I think that the project merits stand on their own. The it is very compatible and very similar to the project that was approved two years ago for the adjoining school district and from a land use perspective we feel it's a very good land use, very compatible and it meets the needs not only of the city of San José a and the community but also the needs of the school district. So with that we've also been working diligently with the neighbors to address their concerns to the best of our ability. So I'd like to mention that also but other than that I'm available for any questions as is Ms. Boris and with the board

>>. Okay, great. thank you so much. So and danielle, I'm seeing one more hand app and I don't know if this person is for the current item but we moved to the applicant's response. So before we move back to commissioner questions, why don't we let this applicant this person go ahead and make a public comment and then we'll move to the commissioner questions and comments

>>. Sergey, you are in munich. Go ahead and meet yourself and begin to speak.

>> hello. Thank you everybody for allowing me to speak. This is just. Just wanted to say that we're on the gay marriage. We're family of four living in the community for 16 years and our children went through the district and we see let's see those schools as one of the most valuable assets that's for our children their education. But as well, you know, it's also for the property values and the general kind of the growth of of our community. So I just wanted to voice strong support and that sounds like a wonderfully well planned

>> project that can make a difference for the district long term. So that's all I want to say. Thank you.

>> thank you. So at this time we'll go ahead and open it up to ask commissioner questions and I want to commissioner kathy

>>. Thank you, chair. This questions were just trying to reconcile this project. All right. and with the previous one I'm in project wasn't in a focused growth area yet. We approved the residential developments there. Is it simply a fact that this is an amendment to the general plan that this issue of it being inconsistent with focus growth has come to fore that's

>> outside of focus growth and would be a conversion? Those are the big, big issues. And also sb 330. So going from a higher density residential use to a lower a residential use it would be inconsistent with sb 330

>>. I'm just having trouble with that. It just seems inconsistent with the previous item we just had in terms of war. So this is just being triggered because of those three items and those not been the issue then stuff wouldn't have had a problem because conversion

>> one of the kind of primary differences is the designation of the site now the p q p the public public designation in that the there's the general plan

>> includes a policy that speaks to preserving our public quasi public lands and discouraging the city from converting them in order to maintain land for both private community gathering uses as well as other common employment uses that are associated with the public as a public land use designation and that that's one of the key differences between this proposal and the last one that the planning commission just considered

>>. Thank you. Just to clarify a little bit higher density use like large multi-family use would have been appropriate for the site given its previous designation

>> given to the public quite a public designation, right. Good question.

>> yeah. So with the p q p designation permanent supportive housing would be allowed but we don't

>> any any development project moving forward we would we would look at compatibility and analyze that project against our design standards and guidelines. So even a higher density project we would still need to analyze that for compatibility. So typically though a permanent supportive housing project would be of a higher density than single family for certain

>>. Thank you. Okay so we'll go ahead and I recognize commissioner lardinois. 2. I mean I think it is accurate to say like

>> all right

>> that put it simply the staff analysis is that the proposal isn't consistent with the general plan correct. With some of the policies. Right. And is it also correct that regardless staff's recommendation against the planning commission's recommendation city council can approve proposals that are inconsistent the general plan if they choose to do so? Right.

>> that's right. Ok. thank you, Mr. Oliverio.

>> thank chair. A question for the superintendent of the cambridge school district. And my question is that with I I understand the site is had not been used for 20 years but there is a development coming forward at the cambridge plaza which will have residential and your school district be asked to comment on the project and I'm curious what level of housing growth would make it so that a school site that's not being used at property would need to open again? I know the steiner of school opened four years ago in your district and just wanted to get your feedback

>>. I'm I'm not sure how Dr. Andrews is able to answer in this format so I'm not sure if you guys can set that up. I can answer part of that question. Can you

>>? Is she on there? She had her hand. I think at this point she just needs to amuse herself that she has been. Thank you, andrew.

>> thank you. I think I just admitted correct

>>. Yes. We can hear you.

>> thank you. That was a very good question. Unfortunately we are in declining enrollment. We are at thirty two hundred and just over two years ago we are thirty five hundred thirty five hundred students so we have adequate spaces in our existing schools right now. and then also preserving metzler site for future growth. That was really imperative for us so we could if we needed to re open the site we can maintain that filling up to 400 students. So we are hopeful that we will regrow again in the future. But right now we have adequate space in our campuses. And I'm

>> sorry. So you're saying with the land that's not being talked about tonight but the balance which could accommodate 400 students the metzler site could. But all of our other sites we have adequate space.

>> I apologize. This is not the metzler site. Yes

>>, it is a metzler site. So again, we could grow right. The balance portion of the land that's not being cut to is considered tonight could accommodate upwards of foreign students, correct? We're preserving it for yes.

>> thank you. And then staying with you, superintendent the comment was made about ongoing revenue. Correct? Are you leasing this land

>> currently that the land we are not receiving any additional revenue on that space. It's very modest in terms of rental for athletic programs but it's nothing that actually is quite beneficial. But we do we have rented out any of our property in terms of athletics or sports. So I

>> apologize. The land question tonight that you want to see happen house is on it. all right. Because I keep hearing ongoing revenue though. Are you leasing land? It would be or are you going to sell the land? I

>> understand your question now. It would be a land exchange. So would exchange the land for another piece of property equal in

>> equal in comparison. It doesn't. And my understanding does not have within the cambridge school district in addition to revenue that would be ongoing for with the exchange. Ok. So again you're doing a land exchange change of land you'll receive revenue on this other parcel located somewhere else. Right. Correct. Ok. That's really interesting. And then I have a question for our counsel viera oliverio when public

>> agency fees are typically want to do something with surplus land. Do they I believe. Do they ask other public agencies if they would like to buy it?

>> I believe so and primarily with a focus on our lower income housing part and things like that. I

>> believe though off the top of my head

>> head I can't recall if there are limitations . Yes, that is what they're supposed to

>> do. Got it. So back to the superintendent was was this then offered publicized to the public agencies to see if they wanted to purchase this land now

>> because we weren't looking to. We weren't looking to sell it. Right.

>> because you're doing this land swap, correct? Right. Okay. Got it. And then viera. So in this situation it San José little bit different than selling the land. But then sb 330 talks about making land available for low income developments, emergency shelters, cetera is a public agency. Are they must they advertise that to them as well? Or again that doesn't make a difference because this is not a land sale. This is a land swap.

>> you know, I would have to look forward to the details of that. I know when you swap land that if that gets you

>> out of it or not

>> though I don't know I would have to take a look at that in more detail and I can answer that on the spot tonight

>>. Ok, that's why we get to two bikes right here in city council. So let me see here. Just want to go to my other notes here. So I understand that staff has said council must consider both parties at the same time to not lose the revenue the housing units. We have no clarity on the other two questions but I assume they'll have them. No. still has excess capacity. I think there's a difference when a school district wants to do something with excess land versus closing an existing school site. I think that's a much different situation. And see my notes here

>>. Ok, I'm going to pause there, see if anyone else has questions. Thank you, Mr. Oliverio. Any questions on the rest of the questionnaire

>>? Okay.

>> I don't see any and shall we say I'm sure

>> I can see Mr. Garcia. Go ahead. And then I think Mr. Torrens, I have a question for the applicant and forgive me if this was already attracts but what consideration, if any was given to the to the lot that's on the union side of the parcel and is that already slotted for another use or why are you not using that? Because it seems like you'd receive a lot of less resistance from the community and it's fronting union. Yes, you might get a few less units but what consideration if any was given to that

>>? I can I can answer that. And then scott can also jump in on this. We started investigation over. I would say over a year and a half ago add to land across the district and the front and the back side were or options of considerati in terms of the front. We are looking at moving forward if possible with some sort of memory care not housing on the front it is in the backside in terms of the location is optimal is right next to the three sided to the neighborhood and it would merge really nicely but scott can speak to the investigation of that piece. But those are the things that are down a pathway and not firm yet. In terms of options

>>, I hope that. Did that answer your question? Interpret correct for. Keep in mind your back pocket for future development. Yes. I'm more of a memory care support. If I could

>> if I could just piggyback off on that. Dr. Andrews, the commissioner garcia gave my name is scott sheldon on their real estate district real estate advisor and we did look at Dr. Anders mentioned all of their different properties. We looked to specifically this one because it has been a closed school site for many, many years and one of the land planning exercises that we went through was how do we do something that is respectful for the neighborhood, respectful for the community and the city and we came up with a plan which had compatible uses away from the street, away from union street and the whole idea was to preserve the peace keeping zoning which is as Mr. Hart has mentioned in jessica our planner has mentioned is really geared more towards either a very high density supportive type housing which in our opinion would not be good land uses and or employment uses. And one of the employment uses that is allowable use going through the process would be something like a memory care facility which would be housing it would be support staff and the medical uses and things like that. And because of the various impacts that any kind of use like that would have, it was much more appropriate in our opinion to push those to the union street side and not to the other side of the street or to the other side of the property. So I hope that answered your question. If it didn't, I'd be happy to try to expand any more on those. Thank you. Okay. I'd



estimate prns twin towers. You had your hand out before I got it. Mr. Torrens, did you want a beer on me?

>> it was a muted. Sorry about that. Well, I would respond a little bit to commissioner oliverio questions. I just took a look at the department housing and community development web site

>> hpd. Having to do with a b fourteen eighty six and they're asking quite you know, answering questions about the assembly bill which modifies the number of sections of the government code of the. And it clearly

>> applies to school districts. And this is the sale of surplus property. It also specifies that applies to sales and leases property whether a property

>> trade is the sale is is cut is question because you are trance entitled to that property for value and so you know. But they don't answer that question. So that's up in the air. But in the event that the school district is required to comply with this law, they need to submit a plan. They need to submit forms to hdd and have them prove. And so as well as offering I believe availability for lower income housing for affordable housing. But anyway, I'm just taking a look at it very, very quickly right now. Perhaps that's something that the school district has opinion related to that or whatever that they can share with us. That would be great. Prior to the council hearing. But I'm requesting that if you have looked into that. Thank you

>>.

>> ok. Thank you. And now I'll go ahead and recognize Mr. Torrens chair. So I think I have more of a statement than a question at this point. I have quite a few questions actually that have come up as we discussed the more I have felt a bit more confused about the project. But I would like to say that I'm very impressed with the community's cohesiveness in supporting this project and

>> the the organization that I've seen here and and that shows you care for these public schools and I totally get that. But I'm confused about how this is a ongoing revenue. I don't understand that. I don't understand the land swap that's new to me. And I think with these questions swirling around it feels like it's an under baked proposal in my opinion. And so I am

leaning toward following this death recommendation to begin with pending tentatively. Is happening. I look I would be likely to follow their recommendation tonight and and let this let these questions get settled before making such a big decision. Thank you.

>> thank

>> you. Commissioner terence. And I would like to say that I am feeling similarly and I think that there is a lot of unanswered questions and unclear information. And so with that information I think at this time C.M. There hands up from the commissioners ,no additional questions will go ahead and close public hearings and have asked for a motion from my commissioners. I'd

>> like to move that we approve the staff's recommendation and all of the details that they have outlined . Do we have a second

>> or second? Thank you commissioner garcia. So we have a emotional and would either the motion makers or secondaries to make a I like to speak to their version

>> ok ,seeing no interest in that at this time. I'll go ahead and take a roll call vote. So commissioner for three

>> years my oliverio gerard the motion on the motion is to improve the staff recommendation which is to deny the general planning amendment that the school district wants. Correct

>>? Yes. But also to put the item on I believe I don't work plan to look at conversion. So

>> does the motion for staff does this motion not allow the city council to consider the item city council would still consider the item on the. This would still go to city council and they would they would they would receive planning commissions recommendation and then they would make a considered themselves as well.

>> okay. Chair, if I May I would just like to add that I. And maybe for the maker of the motion friendly amendment to include that when this comes to council that questions should be answered about this unique land transaction and how it complies. I think you used to be called

naylor rights. That's how the school is the city of santa as a bot shall kirk school and lincoln glen elementary from the school district because they were asked if they wanted to buy the land. Not saying that the city wants to buy but were they asked but apparently they were not. but I'm also trying to think about how it works under sb 3 3 0 if it wasn't for sb 3 3 0. I think that's certainly throws a level of complexity in there. So sorry for this long rambling request to amend the motion but I would just like to for staff to have those questions to gain the inform, to obtain the information to answer those legal questions which were asked. I think that would be important . Would that be ok for the maker of the motion

>>? Yes.

>> yes. On the on the proposed project itself I mean the quality of the housing I've seen from the Mr. Robeson is quite impressive and I have no worries at all it would fit and be, you know, as good as what's in the neighborhood today. But as a commissioner with these questions of legality, I think I it needs to be addressed and it needs to be ultimately at the city council. I think I could have come had a more certain vote on this tonight if I had the legal questions answered. Vera, don't worry. No sweat. It's putting you on the spot for new legislation that's constantly changing so I appreciate it. So thank you

>>. All right. Yes.

>> I would also ask

>> whether commissioner comedy hero who seconded the most is okay with a friendly amendment from commissioner oliverio

>> commissioner said that the second into the motion commissioner. I'm so sorry. I'm so sorry.

>> yes, I'm in agreement already

>>. Thank you. Thank thank and thank you for clarifying that very state. The motion in its current form . Yes. I was just going to ask us to do that. So. So this is to and 7 for 3. I did given my computer technical difficulty I blocked my agenda

>>. Can you read the the back recommendation and then we'll have Mr. Oliverio summary from the again.

>> jessica. Just because if you can do that I'd or someone. Oh, you're on me.

>> sorry. Once I got I was pulling it up as well. Okay so okay. Got a staff recommendation that planning commission recommends that the city council take all of the following actions one to consider the negative declaration in accordance with stickler to adopt a resolution to deny the invasion San José a forty general plan land use transportation diagram amendment to change land use designation from public quasi public to residential neighborhood on an approximately two point seven gross acre site located at nineteen seventy five brianna drive and third add an item to the housing crisis plan to explore policy changes for public school land conversions could provide more opportunities for housing and revenue for public school districts

>>. Thank you and good to hear oliverio. Could you just summarize here amendment quickly?

>> I actually wrote it up. You are going to read it all commissioner there you can tell me if I got it right here. This is michael rio by the way. The the added recommendation says recommend that staff provide more clarity on the legal or requirements regarding the transfer of land by the school district. When the item goes the city council

>> and also in a specific sb 3 3 0 as well. Ok

>>. Yeah, about that. I think the three laws that you mentioned, commissioner oliverio were naylor. Where are the act of the naylor right. The school district is traditionally and we spoke about a b fourteen eighty six also which is the surplus lands act applicable to school districts and other agencies and sb 330. And you also ask that staff obtain the information from the school district as far

>> as why or why not. They have complied with those asked them whether they're applicable.  
Yes

>>, absolutely. And I think it's important to have that that response back for the council vs.  
Having it agreed

>> at a meeting.

>> agreed. So I would encourage the school district to respond to those questions as soon as possible so that we can evaluate them ok, so with that at this point I'm going to open it for further discussion among the commissioners with anybody. Is any discussion on the motion which is statutory sector except recommendations and then as the amendment that including what we just heard are related to the three laws.

>> just for clarity and I vote is supporting staff's recommendation

>> yes. What should we done then making the general plan amendment

>> ok.

>> all right. So with that let's go ahead and take a vote. Commissioner casey

>>. Commissioner garcia,

>> I commissioner

>> lardinois I think he said I couldn't hear you

>>. Sorry. I said I okay. Thank you. Commissioner oliverio

>>. Commissioner torin.

>> I thank

>> commissioner have was also an I. Commissioner bologna is not present. We'll take a moment for that to get

>> ok. The motion at motion recommendation passes motion passes. So we're gonna go ahead and move on to number nine which is to continue the general planned public hearing to

January 13 20 21 which I don't believe that would be confused whether or not that requires the motion. Anyone it wasn't response to you. Oh yes. Please, please have

>> a motion for that. I appreciate that

>>. Okay. Looks to have a motion. Thank you, commissioner. I do. I do a second. Second. Thank you, commissioner casey will go ahead and take a roll call vote.

>> I have one question. It was who made the first motion

>> commissioner lardinois. Okay. Thanks. Commissioner casey made the second. All right. So we'll call that Mr. Casey

>> . Two

>> sugars here. Commissioner lardinois, commissioner at oliverio

>> commissioner talking I and then commissioner varietals also and I

>> and that pasadena me we did not have any world under item number two. From my recollection. Item memory levin did we have an under item? We live in a weather report from city council

>>. Yeah. So the only a matter of water that is just to the the the planning commission. I'm sorry plank city council heard our staff present at the annual review of the general plan to the city council on tuesday night last night. really not much to report on that. I think the mayor just is more of the mayor just kind of talked about the jobs housing balance and sends a reminding the city council that we are a bedroom community city in america, a large city that is a better community while we need both housing and jobs just acknowledging that we're still more of a housing based city and that's creating fiscal impacts as well as other impacts. Environmental and other and quality of life impacts for the cities. So and then and then. Council member davis asked that we provide some additional sort of information on urban villages in terms of what plans we're doing, what plans we're planning to do and how our how successful we are

achieving and knocking out urban village plans as well as documenting that it's happening in the villages and that's about it.

>> okay. Thank you, michael. So item eleven b is to approve the minutes from December 2nd. And before we do that, do we have any added changes to the minute

>> they can't see everyone's faces have a change. Please speak at ok. All right. Do you have a motion in

>> motion to approve the minutes? Thank you, commissioner. And second from commissioner oliverio. All right. Roll call vote commissioner casey

>>, commissioner garcia

>>, commissioner lardinois

>>. commissioner torin.

>> commissioner oliverio.

>> and commissioner of ato is I . Commissioner b opinion at present that actually most motion passes. I apologize. I'm really tired. My back hurts. I pulled a muscle yesterday. I assume I'm struggling through the last little bit of it. Ok. So information reports that I'm getting business. I don't believe we have any commissioner calendar and study sessions so all the commissioners received a copy of the 20 20 calendar and our next meeting is on January 13th . And do we have an and then just for the public information the full calendar for twenty twenty one including three sessions. I propose session diep will be on January 13th. Agenda. So and do you have any idea to the public record

>>? Ok, I'm not seeing

>> any other items and I just want to wish everyone a happy holiday. And I know that we're in extremely difficult times in our community. We had over seventeen hundred cases of quoted positive today and we're at 10 percent capacity in the icu. So just really encouraging folks to

stay home and be safe where you're at. And but if you can local thank you so much and I look forward to seeing you on the near meeting at your holidays next