

PLANNING COMMISSION

May 10, 2017

Action Minutes

WELCOME

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Commissioners Allen, Yesney, Ballard, Vora and Bit-Badal

ABSENT: Abelite and Pham

MOTION: Commissioner Ballard moved and Commissioner Allen seconded to nominate Commissioner Bit-Badal. Motion carried by the following vote (**5-0-2, ABELITE, PHAM ABSENT**)

1. STUDY SESSION AND PUBLIC HEARING: 5:00 PM

a. CITY'S PROPOSED 2018-2022 CAPITAL IMPROVEMENT PROGRAM.

PROJECT MANAGER, ENRIQUE DE ANDA

- 1. RECOMMENDED TO THE CITY COUNCIL THE ADOPTION OF THE PROPOSED 2017-2018 CAPITAL BUDGET AND 2018-2022 CAPITAL IMPROVEMENT PROGRAM AND TRANSMITTED A REPORT TO THE CITY COUNCIL PROVIDING COMMENTS INCLUDING A FINDING OF CONSISTENCY WITH THE ENVISION SAN JOSE 2040 GENERAL PLAN.**

ACTION: COMMISSIONER YESNEY MOVED AND COMMISSIONER ALLEN SECONDED (5-0-2, ABELITE, PHAM ABSENT)

2. CALL TO ORDER & ORDERS OF THE DAY

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

3. PUBLIC COMMENT

None

4. DEFERRALS AND REMOVALS FROM CALENDAR

None

5. CONSENT CALENDAR

- a. [C17-007](#). Conventional Rezoning from the LI Light Industrial Zoning District to the DC Downtown Primary Commercial Zoning District on a 0.21 gross acre site, located at the north side of Lorraine Avenue, approximately 50 feet easterly of Bird Avenue (Carl J. and Yun Cai Sugg, Owners). Council District: 3. CEQA: Determination of Consistency with the Final Program Environmental Impact Report (EIR) for the Diridon Station Area Plan (Resolution No. 77096), the Final Program EIR for the Envision San José 2040 General Plan (Resolution No. 76041) and the Envision San Jose 2040 General Plan Supplemental Environmental Impact Report (Resolution 77617).

PROJECT MANAGER, LEA SIMVOULAKIS

ITEM PULLED FROM CONSENT CALENDAR AND HEARD UNDER PUBLIC HEARING. COMMISSIONER VORA MOVED AND COMMISSIONER BALLARD SECONDED THIS (5-0-2, ABELITE, PHAM ABSENT)

- 1. DETERMINED THE DETERMINATION OF CONSISTENCY WITH THE FINAL PROGRAM EIR FOR THE DIRIDON STATION AREA PLAN (RESOLUTION NO. 77096), THE FINAL PROGRAM EIR FOR THE ENVISION SAN JOSÉ 2040 GENERAL PLAN (RESOLUTION NO. 76041) AND THE ENVISION SAN JOSE 2040 GENERAL PLAN SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (RESOLUTION 77617) IS IN ACCORDANCE WITH CEQA (5-0-2, ABELITE, PHAM ABSENT)**
- 2. ACTION: RECOMMENDED TO THE CITY COUNCIL THE APPROVAL OF A CONVENTIONAL REZONING ORDINANCE AS DESCRIBED ABOVE (5-0-2, ABELITE, PHAM ABSENT)**

6. PUBLIC HEARING

Generally, the Public Hearing items are considered by the Planning Commission in the order in which they appear on the agenda. However, please be advised that the Commission may take items out of order to facilitate the agenda, such as to accommodate significant public testimony, or may defer discussion of items to later agendas for public hearing time management purposes.

- a. The following project is proposed for the 1.63 gross acre site located on the southeast corner of Post Street and South Almaden Street (70 Almaden Avenue) (Greyhound Lines, Inc., Owner). Council District 3. CEQA: Supplemental Environmental Impact Report to the "The Downtown Strategy 2000 Final Program Environmental Impact Report" to be considered by the Planning Commission and City Council; "The Downtown Strategy 2000 Final Program Impact Report," adopted by City Council Resolution No. 72767 on June 21, 2005; "Envision San José 2040 General Plan Final Program Environmental Impact Report," adopted by City Council Resolution No. 76041 on November 1, 2011; and Supplemental Environmental Impact Report to the Envision San José 2040 General Plan Final Program Environmental Impact Report," adopted by City Council Resolution No. 77617 on December 15, 2015.

PROJECT MANAGER, LEA SIMVOULAKIS

[SP16-021](#). Special Use Permit and Site Development Permit to demolish the Greyhound Bus Station and associated parking lot, remove five street trees, construct 708 multi-family residences with 13,974 square feet of ground-floor commercial space in two high-rise towers (23 and 24 stories respectively), and 10 commercial condominium units.

T16-017. Vesting Tentative Map to combine four parcels into one parcel and then to resubdivide the parcel into 708 residential condominium units and 10 commercial condominium units.

1. **DETERMINED THE ENVIRONMENTAL DOCUMENTS REFERENCED ABOVE ARE IN ACCORDANCE WITH CEQA (4-0-1-2, VORA ABSTAINED, ABELITE, PHAM ABSENT)**
2. **RECOMMENDED TO THE CITY COUNCIL TO CONSIDER THE ENVIRONMENTAL DOCUMENTS REFERENCED ABOVE AND TO ADOPT RESOLUTIONS MAKING CERTAIN FINDINGS CONCERNING SIGNIFICANT IMPACTS, MITIGATION MEASURES, AND ALTERNATIVES RELATED TO THE SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT TO “THE DOWNTOWN STRATEGY 2000 FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT,” ADOPTED BY CITY COUNCIL RESOLUTION NO. 72767 ON JUNE 21, 2005 AND THE CERTIFICATION OF THE SUPPLEMENTAL IMPACT REPORT AND ADOPTION OF A STATEMENT OF OVERRIDING CONSIDERATION AND RELATED MITIGATION MONITORING AND REPORTING PROGRAM, AND THE APPROVAL OF THE SPECIAL USE PERMIT, SITE DEVELOPMENT PERMIT AND VESTING TENTATIVE MAP, ALL AS DESCRIBED ABOVE**
3. **ACTION: COMMISSIONER YESNEY MOVED AND COMMISSIONER ALLEN SECONDED (4-0-1-2, VORA ABSTAINED, ABELITE, PHAM ABSENT)**

7. OPEN THE GENERAL PLAN HEARING

None

8. GENERAL PLAN CONSENT CALENDAR

- a. **GPT17-001.** City-initiated General Plan Text Amendment to add a new land use designation titled Urban Village Commercial, located within Urban Villages. Council District: Citywide. CEQA: Determination of Consistency with the Final Program EIR for the Envision San José 2040 General Plan (Resolution No. 76041) and the Envision San Jose 2040 General Plan Supplemental Environmental Impact Report (Resolution 77617).

PROJECT MANAGER, KIMBERLY VACCA

1. **CONSIDERED THE DETERMINATION OF CONSISTENCY WITH THE FINAL PROGRAM EIR FOR THE ENVISION SAN JOSÉ 2040 GENERAL PLAN (RESOLUTION NO. 76041) AND THE ENVISION SAN JOSE 2040 GENERAL PLAN SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (RESOLUTION 77617) IS IN ACCORDANCE WITH CEQA (5-0-2, ABELITE, PHAM ABSENT)**
2. **RECOMMENDED TO THE CITY COUNCIL THE APPROVAL OF CITY-INITIATED GENERAL PLAN TEXT AMENDMENT RESOLUTION AS DESCRIBED ABOVE**
3. **ACTION: COMMISSIONER BALLARD MOVED AND COMMISSIONER ALLEN SECONDED THE ITEM (5-0-2, ABELITE, PHAM ABSENT)**

9. GENERAL PLAN PUBLIC HEARING

- a. [Winchester and Santana Row Valley Fair Urban Village Plans / GP17-008](#). The Winchester and Santana Row Valley Fair (SRVF) Urban Village Plans provide a policy framework to guide new job and housing growth within the Urban Village boundaries. These Plans also provide a framework for the characteristics of future development, including urban design, open space, public art/placemaking, streetscape and circulation, and implementation. General Plan Amendments associated with the Winchester and SRVF Urban Village Plans include modifications to the Urban Village boundaries, and changes to General Plan land use designations on properties within the boundaries of these Plans as shown on the land use plans. CEQA: Determination of Consistency with the Final Program EIR for the Envision San José 2040 General Plan (Resolution No. 76041) and the Envision San Jose 2040 General Plan Supplemental Environmental Impact Report (Resolution 77617).

PROJECT MANAGER, LEILA HAKIMIZADEH

1. **DETERMINED THE DETERMINATION OF CONSISTENCY WITH THE FINAL PROGRAM EIR FOR THE ENVISION SAN JOSÉ 2040 GENERAL PLAN (RESOLUTION NO. 76041) AND THE ENVISION SAN JOSE 2040 GENERAL PLAN SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (RESOLUTION 77617) IS IN ACCORDANCE WITH CEQA (5-0-2, ABELITE, PHAM ABSENT)**
2. **RECOMMENDED THAT THE CITY COUNCIL ADOPT A RESOLUTION APPROVING ALL OF THE FOLLOWING ACTIONS:**
 - i. **ADOPTION OF GENERAL PLAN AMENDMENT (GP17-008) INCLUDING MODIFICATIONS TO THE WINCHESTER AND SANTANA ROW/VALLEY FAIR URBAN VILLAGE BOUNDARIES AND CHANGES TO GENERAL PLAN LAND USE DESIGNATIONS ON PROPERTIES WITHIN THE BOUNDARIES OF THESE URBAN VILLAGE PLAN AREAS AS SHOWN ON THE LAND USE MAPS; AND**
 - ii. **ADOPTION OF THE [WINCHESTER BOULEVARD URBAN VILLAGE PLAN](#) AND THE [SANTANA ROW/VALLEY FAIR URBAN VILLAGE PLAN](#) AS THE GUIDING POLICY DOCUMENTS FOR NEW DEVELOPMENT AND IDENTIFIED PUBLIC IMPROVEMENTS WITHIN THOSE URBAN VILLAGE AREAS AND INCLUDE THE FOLLOWING ADDITIONAL TEXT AS RECOMMENDED BY STAFF:**

URBAN DESIGN CHAPTERS: NEW POLICY

 - **ENCOURAGE NEW DEVELOPMENT THAT IS FIFTY-FIVE FEET OR MORE IN HEIGHT TO PROVIDE PHOTO-REALISTIC VISUALIZATIONS THAT CLEARLY REPRESENT WHAT THE PROPOSED DEVELOPMENT WILL LOOK LIKE FROM THE PERSPECTIVE OF A PERSON STANDING IN THE ADJACENT PUBLIC RIGHT-OF-WAY, AS WELL AS FROM A DISTANCE OF APPROXIMATELY AN 1/8 OF A MILE AND A 1/2 MILE.**

CIRCULATION & STREETScape CHAPTERS: NEW ACTION ITEM

 - **EXPLORE THE DEVELOPMENT OF A CAP OVER I-280 THAT COULD ALLOW FOR NEW COMMERCIAL AND RESIDENTIAL DEVELOPMENT AND/OR PARK SPACE ON TOP OF THE CAP. THIS PLAN INCLUDES, AS AN URBAN VILLAGE AMENITY,**

CONDUCTION A FINANCIAL FEASIBILITY STUDY OF SUCH A PROJECT, WHICH IS FURTHER DESCRIBED IN CHAPTER 7: IMPLEMENTATION OF THIS PLAN.

3. **ACTION: COMMISSIONER VORA MOVED AND COMMISSIONER YESNEY SECONDED. CHAIR BIT-BADAL PROPOSED A FRIENDLY AMENDMENT FOR STAFF TO WORK WITH THE PROPERTY OWNER OF VALLEY FAIR TO REACH A CONSENSUS ON THE SANTANA ROW VALLEY FAIR URBAN VILLAGE PLAN PRIOR TO GOING TO CITY COUNCIL. COMMISSIONER VORA MOVED AND COMMISSIONER YESNEY SECONDED THE FRIENDLY AMMENDMENT (5-0-2, ABELITE, PHAM ABSENT)**

10. CONTINUE GENERAL PLAN PUBLIC HEARING TO MAY 24, 2017

ACTION: CONTINUE THE GENERAL PLAN PUBLIC HEARING TO MAY 24, 2017 (5-0-2, ABELITE, PHAM ABSENT)

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

No Items

7. GOOD AND WELFARE

- a. Report from City Council
No Reports
- b. Review and Approve Action Minutes from [4/26/17](#)
Action Minutes Approved (5-0-2, Abelite and Pham)
- c. Commission Calendar and Study Sessions
No Reports
- d. The Public Record
No Reports

8. ADJOURNMENT

Meeting adjourned at 10:26 pm.