

PLANNING COMMISSION

January 16, 2019

Action Minutes

WELCOME

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Commissioners Allen, Griswold, Leyba, Yesney, Vora (arrived 6:38 pm)

ABSENT: Commissioner Ballard

1. CALL TO ORDER & ORDERS OF THE DAY

Meeting called to order at 6:37 p.m.

2. PUBLIC COMMENT

3. DEFERRALS AND REMOVALS FROM CALENDAR

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. A list of staff-recommended deferrals is available on the Press Table.

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

No Items

4. CONSENT CALENDAR

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

Staff will provide an update on the consent calendar. If you wish to speak on one of these items individually, please come to the podium at this time.

No Items

5. 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. [PDC16-036, PT17-023, PD17-014](#) Planned Development Zoning from the CG Commercial General Zoning District to a CP(PD) Commercial Pedestrian Planned Development Zoning District. Vesting Tentative Map to allow the subdivision of three existing parcels into four parcels and seven common parcels. Planned Development Permit to allow the demolition of five existing buildings totaling approximately 105,980 square feet, the removal of 68 ordinance sized trees, and to construct a 6-story approximately 233,000-square foot office building, a 6-story parking garage, an 8-story mixed-use building containing approximately 10,000 square feet of ground floor commercial and up to 289 residential units, and an 8-story residential building containing up to 293 residential units, approximately 88 affordable residential units will be dispersed throughout the mixed-use and residential building located on the southerly side of Stevens Creek and Lopina Way intersection (4300-4360 Stevens Creek Boulevard) (Stevens Creek Owner LLC, Owner). Council District: 1. CEQA: 4300 Stevens Creek Boulevard Mixed-Use Project Environmental Impact Report.

PROJECT MANAGER, TRACY TAM

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

- A. ADOPT A RESOLUTION CERTIFYING THE 4300 STEVENS CREEK BOULEVARD MIXED-USE PROJECT ENVIRONMENTAL IMPACT REPORT AND MAKING CERTAIN FINDINGS CONCERNING SIGNIFICANT IMPACTS, MITIGATION MEASURES, ALTERNATIVES, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS AND MITIGATION, MONITORING AND REPORTING PROGRAM, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), AS AMENDED WITH THE ADDITION OF AN ERRATA TO ALIGN THE EIR WITH IT'S TRAFFIC REPORT IN CONCLUDING THAT THE PROJECT WILL RESULT IN SIGNIFICANT, UNAVOIDABLE TRANSPORTATION AND TRAFFIC IMPACTS;**

- B. ADOPT AN ORDINANCE OF THE CITY OF SAN JOSÉ REZONING (FILE NO. PDC16-036) AN APPROXIMATELY 10-GROSS ACRE SITE GENERALLY LOCATED ON THE SOUTH SIDE OF STEVENS CREEK BOULEVARD, ROUGHLY BETWEEN KIELY BOULEVARD AND PALACE DRIVE (4300–4360 STEVENS CREEK BOULEVARD; APNS: 294-40-009, 296-38-014, AND 296-38-013) FROM THE CG COMMERCIAL GENERAL ZONING DISTRICT TO THE CP(PD) PLANNED DEVELOPMENT ZONING DISTRICT;**
- C. ADOPT A RESOLUTION APPROVING A VESTING TENTATIVE MAP (FILE NO. PT17-023), SUBJECT TO CONDITIONS, TO ALLOW THE SUBDIVISION OF THREE EXISTING PARCELS INTO FOUR PARCELS AND SEVEN COMMON PARCELS; AND**
- D. ADOPT A RESOLUTION APPROVING A PLANNED DEVELOPMENT PERMIT (FILE NO. PD17-014), SUBJECT TO CONDITIONS, TO ALLOW THE DEMOLITION OF FIVE BUILDINGS TOTALING APPROXIMATELY 105,980 SQUARE FEET, THE REMOVAL OF 68 ORDINANCE SIZE TREES AND TO CONSTRUCT A SIX-STORY APPROXIMATELY 233,000 SQUARE FOOT OFFICE BUILDING, A SIX-STORY PARKING GARAGE, AN EIGHT-STORY MIXED-USE BUILDING CONTAINING APPROXIMATELY 10,000 SQUARE FEET OF GROUND FLOOR COMMERCIAL AND UP TO 289 RESIDENTIAL UNITS, AND AN EIGHT-STORY RESIDENTIAL BUILDING CONTAINING UP TO 293 RESIDENTIAL UNITS, AND APPROXIMATELY 88 AFFORDABLE RESIDENTIAL UNITS WILL BE DISPERSED THROUGHOUT THE MIXED-USE AND RESIDENTIAL BUILDING WITH THE FOLLOWING PERMIT CONDITIONS:**
 - I. ADD A CONDITION REQUIRING A CONTINUOUS GROUND-FLOOR STOREFRONT APPEARANCE FOR MIXED-USE BUILDING C;**
 - II. ADD A CONDITION REQUIRING A DETERMINATION OF NO HAZARD TO AIR NAVIGATION FROM THE FEDERAL AVIATION ADMINISTRATION PRIOR TO BUILDING PERMIT ISSUANCE FOR CONSTRUCTION;**
 - III. MODIFY PUBLIC WORK’S CONDITIONS TO:**
 - 1) REMOVE A CONDITION REGARDING A DOLLAR AMOUNT EQUIVILANT OF THE COST OF A PROPOSED MID-BLOCK CROSSING AND MEDIAN ISLAND TOWARD THE CONSTRUCTION OF FUTURE PEDESTRIAN AND BIKE IMPROVMENTS;**
 - 2) ADD A CONDITION THAT THE PERMITTEE WILL BE MITIGATING FOR A CUMULATIVE IMPACT TO THE PROTECTED INTERSECTION OF STEVENS CREEK BOULEVARD AND WINCHESTER BOULEVARD; AND**
 - 3) REVISING A CONDITION TO REQUIRE A FAIR SHARE CONTRIBUTION TOWARDS THE VTA VOLUNTARY MITIGATION PROGRAM FOR IMPACTED FREEWAY SEGMENTS.**
 - IV. ADD A CONDITION REGARDING THE PRIVATELY OWNED, PUBLICALLY ACCESSIBLE OPEN SPACE.**

COMMISSIONER LEYBA SECONDED THE MOTION (5-0-1; BALLARD ABSENT.)

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

7. GOOD AND WELFARE

a. Report from City Council

Council approved a municipal ordinance amendment for cannabis manufacturing.

b. Review and Approve Action Minutes from 12/5/18.

Commissioner Vora made a motion to approve the 12/5/18 minutes. Commissioner Griswold seconded the motion. (5-0-1; Commissioner Ballard absent.)

b. Subcommittee Formation, Reports, and Outstanding Business

No Reports

d. Commission Calendar and Study Sessions

e. The Public Record

No Items

12. ADJOURNMENT

Meeting adjourned at 8:50 p.m.