

PLANNING COMMISSION

April 8, 2020

Action Minutes

WELCOME

ROLL CALL

PRESENT: Commissioners Ballard, Griswold, Allen, Bonilla, Caballero, Oliverio (arrived 6:38 pm), Yesney

ABSENT: None

1. CALL TO ORDER & ORDERS OF THE DAY

Meeting called to order at: 6:30 pm

2. PUBLIC COMMENT

Public comments to the Planning Commission on non-agendized items. Please contact the Commission in the manner specified on p. 2 of the agenda to comment on any item that is not specified on the agenda. Please use the 'raise hand' feature in Zoom or contact 408-535-3505 to request to speak. Each member of the public may address the Commission for up to three minutes. The commission cannot take any formal action without the item being properly noticed and placed on an agenda. In response to public comment, the Planning Commission is limited to the following options:

- Responding to statements made or questions posed by members of the public; or
- Requesting staff to report back on a matter at a subsequent meeting; or
- Directing staff to place the item on a future agenda

Tim Page asked to see the Agenda on Zoom. Staff corrected the issue and it was acknowledged by Mr. Page

Access the video, agenda, and related reports for this meeting by visiting the City's website at:
<https://www.sanjoseca.gov/your-government/departments/planning-building-code-enforcement/planning-division/commissions-and-hearings/planning-commission>

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 or removal.

Staff will provide an update on the items for which deferral and removal is being requested. If you want to change any of the deferral dates recommended, or speak to the question of deferring or removing these or any other items, you should request to speak in the manner specified on p. 2 of the Planning Commission agenda.

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, please use the 'raise hand' feature in Zoom or contact 408-535-3505 to request to speak.

- a. [CP16-062 \(Administrative Hearing\)](#). Conditional Use Permit to allow the construction of a 60-foot tall wireless communication antenna (mono-pine) with up to 12 panel antennas and an approximately 900-square foot associated equipment enclosure with equipment on an approximately 1.99-gross acre site located on the east side of Oakland Road, at the intersection of Rock Avenue (2050 Oakland Road) (Williams Lill Holdings LP, Owner). Council District 4. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15303(e).

PROJECT MANAGER, ANGELA WANG

ACTION: COMMISSIONER OLIVERIO MADE A MOTION TO APPROVE THE STAFF RECOMMENDATIONS TO:

- 1. CONSIDER AN EXEMPTION IN ACCORDANCE WITH CEQA GUIDELINES SECTION 15303(E); AND**
- 2. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, THE CONDITIONAL USE PERMIT FOR A 60-FOOT TALL WIRELESS COMMUNICATION ANTENNA (MONO-PINE) WITH UP TO 12 PANEL ANTENNAS AND AN ASSOCIATED EQUIPMENT ENCLOSURE WITH EQUIPMENT LOCATED ON THE EAST SIDE OF OAKLAND ROAD, AT THE INTERSECTION OF ROCK AVENUE (2050 OAKLAND ROAD).**

COMMISSIONER CABALLERO SECONDED THE MOTION (7-0).

- b. [SP19-064](#). Special Use Permit to allow the demolition of two residential buildings, accessory structures, a warehouse, the removal of 28 ordinance-size trees and 13 non-ordinance size trees for the construction of a 100% affordable housing (excluding two market rate manager's units) project with up to 233 multi-family residential apartment units with subterranean parking inclusive of an alternative parking design, and incentives under State Density Bonus law to reduce the required front setback along Meridian Avenue, and reduce the amount of required vehicle parking, all on an approximately 2.09-gross acre site located on the west side of Meridian Avenue (961-971 Meridian Avenue) (Labarbera Sal Trustee & et al., Owner). Council District 6. **CEQA:** Meridian Apartments Project Environmental Impact Report.

PROJECT MANAGER, MAIRA BLANCO

PULLED FROM CONSENT AND HEARD UNDER PUBLIC HEARING

ACTION: COMMISSIONER OLIVERIO MADE A MOTION TO RECOMMEND THAT THE CITY COUNCIL TAKE THE FOLLOWING ACTIONS, WITH THE ADDITION OF A FREINDLY AMENDMENT BY COMMISSIONER BALLARD THAT STAFF WORK WITH THE APPLICANT TO DEVELOP A COST-EFFECTIVE TDM MEASURE THAT SHOULD NOT JEOPARDIZE THE FINANCIAL FEASIBILITY OF THE PROJECT.

- 1. ADOPT A RESOLUTION CERTIFYING THE ENVIRONMENTAL IMPACT REPORT (SCH#2019050006) AND MAKING CERTAIN FINDINGS CONCERNING SIGNIFICANT IMPACTS, MITIGATION MEASURES, ALTERNATIVES, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS AND A RELATED MITIGATION MONITORING AND REPORTING PROGRAM, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**
 - 2. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, THE SPECIAL USE PERMIT AND INCENTIVES UNDER STATE DENSITY BONUS LAW TO ALLOW THE DEMOLITION OF TWO RESIDENTIAL BUILDINGS, ACCESSORY STRUCTURES, A WAREHOUSE, AND REMOVAL OF 28 ORDINANCE-SIZED TREES AND 13 NON-ORDINANCE-SIZED TREES, FOR THE CONSTRUCTION OF A 100% AFFORDABLE HOUSING (EXCLUDING TWO MARKET RATE MANAGER'S UNITS) PROJECT WITH UP TO 233 MULTI-FAMILY RESIDENTIAL APARTMENT UNITS WITH SUBTERRANEAN PARKING INCLUSIVE OF AN ALTERNATIVE PARKING DESIGN, AND INCENTIVES TO REDUCE THE REQUIRED FRONT SETBACK ALONG MERIDIAN AVENUE, AND REDUCE THE AMOUNT OF REQUIRED VEHICLE PARKING, ALL ON AN APPROXIMATELY 2.09-GROSS ACRE SITE.**
 - 3. ADOPT A RESOLUTION APPROVING A DENSITY BONUS REGULATORY AGREEMENT PURSUANT TO SAN JOSÉ MUNICIPAL CODE CHAPTER 20.190.100.**
- COMMISSIONER YESNEY SECONDED THE MOTION (7-0).**

- c. [CP19-014 \(Administrative Hearing\)](#). Conditional Use Permit to allow the sale of the full range of alcoholic beverages (Type 21 ABC License) for off-site consumption at a full-service grocery store (Safeway) on an approximately 7.87-gross acre site located on the southwest corner of Winchester Boulevard and Payne Avenue (1305 S. Winchester Boulevard) (Regency Centers, L.P., Owner). Council District 1. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15301 for Existing Facilities.

PROJECT MANAGER, MATIAS EUSTERBROCK

ACTION: COMMISSIONER OLIVERIO MADE A MOTION TO APPROVE THE STAFF RECOMMENDATIONS TO

- 1. CONSIDER AN EXEMPTION IN ACCORDANCE WITH CEQA GUIDELINES SECTION 15301 FOR EXISTING FACILITIES; AND**
- 2. APPROVE A RESOLUTION APPROVING, SUBJECT TO CONDITIONS THE CONDITIONAL USE PERMIT FOR THE OFF-SALE OF A FULL-RANGE ALCOHOLIC BEVERAGES AT A FULL-SERVICE GROCERY STORE LOCATED ON THE SOUTHWEST CORNER OF PAYNE AVENUE AND SOUTH WINCHESTER BOULEVARD (1305 SOUTH WINCHESTER BOULEVARD).**

COMMISSIONER CABALLERO SECONDED THE MOTION (7-0).

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.

No Items

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

No Items

7. GOOD AND WELFARE

a. Report from City Council

On April 7, 2020 City Council took action on the following projects:

- i. Approved a Conforming Rezoning and Site Development Permit for Real Property Located at 25, 101 & 181 Metro Drive (C19-035 & H19-045).*

b. Review and Approve Action Minutes from [3/25/20](#).

*Commissioner. Oliverio made a motion to approve the 3/25/20 minutes
Commissioner Bonilla seconded the motion (7-0).*

c. Subcommittee Formation, Reports, and Outstanding Business

No Reports

d. Commission Calendar and Study Sessions

e. The Public Record

No Reports

8. ADJOURNMENT

Meeting adjourned at 7:48 pm.