

PLANNING COMMISSION

May 23, 2018

Action Minutes

WELCOME

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Commissioners Allen, Ballard, Vora, Yesney

ABSENT: Commissioner Pham, Abelite, Bit-Badal

1. STUDY SESSION AND PUBLIC HEARING: TO BE HEARD AT 5:30 PM

a. Planning Commission Staff Report Reformat.

PROJECT MANAGER, AVRIL BATY

2. CALL TO ORDER & ORDERS OF THE DAY

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

3. PUBLIC COMMENT

None

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

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

4. 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

5. 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.

- a. The proposed project is located on an approximately 1.02-gross acre site, on the north side of Auzerais Avenue (425 & 433 Auzerais Avenue) and west side of Delmas Avenue (383 Delmas Avenue) (Auzerais SJ, LLC, et al., Owners). Council District: 3. CEQA: Addendum to the Diridon Station Area Plan Environmental Impact Report (Resolution No.77096), Downtown Strategy 2000 Environmental Impact Report (Resolution No.72767), and Envision San José 2040 General Plan Environmental Impact Report (Resolution No. 76041), Envision San José 2040 General Plan Supplemental Environmental Impact Report (Resolution 77617), and Addenda thereto.

C17-009. Conventional Rezoning of an approximate 0.68-gross acre from the LI Light Industrial and R-2 Two-Family Residence Zoning Districts to the DC Downtown Zoning District.

T17-015. Vesting Tentative Map to combine three lots into one lot and to subdivide into 130 residential condominium units and common area.

SP17-016. Special Use Permit to allow demolition of seven existing structures totaling approximately 8,193-square feet, the removal of two ordinance-size trees, the construction of a six-story podium building with 130 residential units, totaling approximately 135,599 square feet, the utilization of Transportation Demand Management (TDM) measures to reduce the parking requirements by 50%, and an alternative parking design (car-lifts).

PROJECT MANAGER, TRACY TAM

PULLED FROM CONSENT CALENDAR AND HEARD UNDER PUBLIC HEARING

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

- I. ADOPT A RESOLUTION APPROVING THE ADDENDUM TO THE DIRIDON STATION AREA PLAN ENVIRONMENTAL IMPACT REPORT (RESOLUTION NO.77096), DOWNTOWN STRATEGY 2000 ENVIRONMENTAL IMPACT REPORT (RESOLUTION NO.72767), AND THE ENVISION SAN JOSÉ 2040 GENERAL PLAN ENVIRONMENTAL IMPACT REPORT (RESOLUTION NO. 76041), THE ENVISION SAN JOSÉ 2040 GENERAL PLAN SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (RESOLUTION 77617), AND ADDENDA THERETO, ALL IN ACCORDANCE WITH CEQA, AS AMENDED, AND**

ADOPTING A RELATED MITIGATION MONITORING AND REPORTING PROGRAM,

II. ADOPT AN ORDINANCE OF THE CITY OF SAN JOSÉ REZONING CERTAIN REAL PROPERTY LOCATED ON THE NORTH SIDE OF AUZERAIS AVENUE (425 & 433 AUZERAIS AVENUE) AND WEST SIDE OF DELMAS AVENUE (383 DELMAS AVENUE) FROM THE LI LIGHT INDUSTRIAL AND R-2 TWO-FAMILY RESIDENCE ZONING DISTRICTS TO THE DC DOWNTOWN ZONING DISTRICT AS DESCRIBED ABOVE,

III. ADOPT A RESOLUTION APPROVING THE VESTING TENTATIVE MAP, SUBJECT TO CONDITIONS, TO COMBINE THREE LOTS INTO ONE LOT AND TO SUBDIVIDE INTO 130 RESIDENTIAL CONDOMINIUM UNITS AND COMMON AREA AS DESCRIBED ABOVE,

IV. AND ADOPT A RESOLUTION APPROVING A SPECIAL USE PERMIT, SUBJECT TO CONDITIONS, TO ALLOW DEMOLITION OF SEVEN EXISTING STRUCTURES TOTALING APPROXIMATELY 8,193-SQUARE FEET, THE REMOVAL OF TWO ORDINANCE-SIZE TREES, THE CONSTRUCTION OF A SIX-STORY PODIUM BUILDING WITH 130 RESIDENTIAL UNITS, TOTALING APPROXIMATELY 135,599 SQUARE FEET, THE UTILIZATION OF TRANSPORTATION DEMAND MANAGEMENT (TDM) MEASURES TO REDUCE THE PARKING REQUIREMENTS BY 50%, AND AN ALTERNATIVE PARKING DESIGN (CAR-LIFTS) AS DESCRIBED ABOVE,

COMMISSIONER YESNEY SECONDED THE MOTION. (4-0-3, ABELITE, BIT-BADAL, PHAM ABSENT)

- b. The proposed project is located on an approximately 17.4-gross acre site, on the north side of East Capitol Expressway, approximately 280 feet easterly of Silver Creek Road (1771 East Capitol Expressway) (WRI Southern Industrial Pool LLC, Owner). Council District: 8. CEQA: Exempt in accordance with CEQA Guidelines Section 15301 for Existing Facilities.

PDA79-094-02. A Planned Development Permit Amendment to allow the off-sale of alcohol (beer and wine) and exterior modifications (outdoor seating).

ABC18-001. Determination of Public Convenience or Necessity at an existing 30,130-square foot tenant space for Sprouts Farmers Market.

PROJECT MANAGER, CASSANDRA VAN DER ZWEEP

- 1. RECOMMEND TO THE CITY COUNCIL CONSIDERATION OF THE EXEMPTION IN ACCORDANCE WITH CEQA. (4-0-3, ABELITE, BIT-BADAL, PHAM ABSENT)**
- 2. ACTION: COMMISSIONER VORA MADE A MOTION TO RECOMMEND TO THE CITY COUNCIL THE APPROVAL OF THE PLANNED DEVELOPMENT PERMIT AMENDMENT AND DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY RESOLUTION AS DESCRIBED ABOVE. COMMISSIONER BALLARD SECONDED THE MOTION. (4-0-3, ABELITE, BIT-BADAL, 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.

No items

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

No items

8. GOOD AND WELFARE

a. Report from City Council

May 22, 2018 City Council Hearing approved the following: 1) C18-008 – Conforming Rezoning for Real Property Located at 510 North 3rd Street and 2) The Urban Village Implementation Framework.

b. Review and Approve Action Minutes from [5/9/18](#)

Commissioner Vora made a motion to approve the 5/2/18 minutes with corrections to Item 4.b. to reflect Commissioner Abelite making the primary motion and to Item 7.b., to reflect Commissioner Ballard abstaining from voting. Commissioner Yesney seconded the motion. (4-0-3, Abelite, Bit-Badal, Pham Absent)

c. Subcommittee Formation, Reports, and Outstanding Business

d. Commission Calendar and Study Sessions

e. The Public Record

9. ADJOURNMENT

Meeting adjourned at 7:02 p.m.