

## **PLANNING COMMISSION**

November 13, 2019

Action Minutes

### **WELCOME**

### **SALUTE TO THE FLAG**

### **ROLL CALL**

PRESENT: Commissioners Ballard, Griswold, Allen (arrived 6:34), Bonilla, Yesney

ABSENT: Commissioners Caballero, Oliverio

## **1. CALL TO ORDER & ORDERS OF THE DAY**

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Meeting called to order at 6:31 p.m.

## **2. PUBLIC COMMENT**

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*No comments*

## **3. DEFERRALS AND REMOVALS FROM CALENDAR**

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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.

- a. **PP19-080.** An ordinance of the City of San José amending various sections of Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to further align with California State Law requirements: (a) add new Part 4.5 “Accessory Dwelling Units,” including Sections 20.60.460 (Single-Family Dwelling Units), 20.60.470 (Junior Accessory Dwelling Units), 20.60.480 (Two-

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family and Multi-family Dwelling Units), 20.60.490 (Amnesty Program); (b) delete Section 20.30.150 (Secondary Units) from Part 2 “Uses Allowed”; (c) amend Section 20.200.325 to add clarifying language to Accessory Dwelling Unit definition, and add Section 20.200.342 to include new definition of Junior Accessory Dwelling Unit; and to make other technical, non-substantive, or formatting changes within those sections of Title 20 of the San José Municipal Code.

*PROJECT MANAGER, APARNA ANKOLA*

**ACTION: COMMISSIONER ALLEN MADE A MOTION TO APPROVE THE STAFF RECOMMENDATION TO:**

**DROP TO BE RENOTICED FOR THE DECEMBER 4, 2019 PLANNING COMMISSION MEETING PER STAFF REQUEST.**

**COMMISSIONER YESNEY SECONDED THE MOTION. (5-0-2; CABALLERO AND OLIVERIO ABSENT)**

#### **4. CONSENT CALENDAR**

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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. **CP18-041 (Administrative Hearing)**. Conditional Use Permit and Site Development Permit to allow the removal of one ordinance-sized tree, partial demolition of an existing building, and allow a commercial and residential mixed use development consisting of a four-story, 18,771-square foot building with 12 residential units and retain an existing 7,811-square foot, single-story office building and the associated site improvements on a 0.79-acre site located at the northeast corner of Pedro Street and Meridian Way located on the northeast corner of Pedro Street and Meridian Way (720 & 790 Meridian Way) (Prime Meridian 060 LLC, Owner). Council District 6. CEQA: Exempt per CEQA Guidelines Section 15332 for Infill Development Projects.

*PROJECT MANAGER, ANGELA WANG*

**ACTION: COMMISSIONER YESNEY MADE A MOTION TO APPROVE THE STAFF RECOMMENDATION TO:**

- 1. CONSIDER THE EXEMPTION IN ACCORDANCE WITH CEQA; AND**
- 2. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A CONDITIONAL USE PERMIT AND SITE DEVELOPMENT PERMIT TO ALLOW THE REMOVAL OF ONE ORDINANCE-SIZED TREE, PARTIAL DEMOLITION OF AN EXISTING BUILDING, CONSTRUCTION OF A COMMERCIAL/RESIDENTIAL MIXED USE DEVELOPMENT CONSISTING OF A FOUR-STORY, 18,771-SQUARE FOOT BUILDING WITH 12 RESIDENTIAL UNITS, AND RETAIN AN EXISTING 7,811-SQUARE FOOT, SINGLE-STORY OFFICE BUILDING, AND THE ASSOCIATED SITE IMPROVEMENTS ON A 0.79-ACRE SITE LOCATED AT THE NORTHEAST CORNER OF PEDRO STREET AND MERIDIAN WAY, AND SUBSTITUTING THE APPLICANT’S UPDATED SHEET L-1 (LANDSCAPE PLAN) OF THE APPROVED PLAN SET TO CHANGE TRISTANIA TREE TO CHINESE PISTACHE TREE**

**COMMISSIONER ALLEN SECONDED THE MOTION. (5-0-2; CABALLERO AND OLIVERIO ABSENT)**

- b. **CP19-010 (Administrative Hearing)**. Conditional Use Permit to allow a new fifty-four-foot tall mono-Eucalyptus wireless communications antenna with 12 panel antennas within a 600-square foot lease area on a 4.2-gross acre site located on the southwest corner of West Plumeria Drive and North 1st Street (2731 North 1st Street) (American Red Cross, Owner). Council District 4. CEQA: Exempt per CEQA Guidelines Section 15303 for New Construction or Conversion of Small Structures.

*PROJECT MANAGER, RINA SHAH*

**ACTION: COMMISSIONER YESNEY MADE A MOTION TO APPROVE THE STAFF RECOMMENDATION TO:**

- 1. CONSIDER AN EXEMPTION IN ACCORDANCE WITH CEQA; AND**
- 2. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A CONDITIONAL USE PERMIT TO ALLOW A NEW FIFTY-FOUR-FOOT TALL MONO-EUCALYPTUS WIRELESS COMMUNICATIONS ANTENNA WITH 12 PANEL ANTENNAS WITHIN A 600-SQUARE FOOT LEASE AREA ON A 4.2-GROSS ACRE SITE LOCATED ON THE SOUTHWEST CORNER OF WEST PLUMERIA DRIVE AND NORTH 1ST STREET.**

**COMMISSIONER ALLEN SECONDED THE MOTION. (5-0-2; CABALLERO AND OLIVERIO ABSENT)**

## **5. PUBLIC HEARING**

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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**

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**No Items**

## **7. GOOD AND WELFARE**

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- a. Report from City Council

*No Reports*

- b. Review and Approve Action Minutes from [11/6/19](#)

*Commissioner Allen made a motion to approve the 11/6/19 minutes, with the following corrections:*

- i. The spelling of the last names of Commissioners Griswold and Yesney need to be corrected in Item 7.a (GP18-010); and*
- ii. The vote on Item 7.c (GP19-004) needs to be corrected to indicate that Commissioner Allen voted for the motion while Commissioner Bonilla voted against the motion. Commissioner Bonilla seconded the motion. (5-0-2, Caballero and Oliverio absent)*

- c. Subcommittee Formation, Reports, and Outstanding Business

*No Reports*

- d. Commission Calendar and Study Sessions

*Planning Commission Retreat scheduled for [11/22/19](#).*

- e. The Public Record

*No Reports*

## **10. ADJOURNMENT**

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Meeting adjourned at 6:41 p.m.