

PLANNING COMMISSION

January 29, 2020

Action Minutes

WELCOME

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Commissioners Ballard, Griswold, Allen, Bonilla, Caballero, Oliverio, Yesney

ABSENT: None

STUDY SESSION AND PUBLIC HEARING: TO BE HEARD AT 5:00 PM

- a. [Parking Strategies for Climate Smart San Jose, by the Urban Land Institute's Technical Advisory Panel](#)

PROJECT MANAGER, EDWARD SCHREINER

1. CALL TO ORDER & ORDERS OF THE DAY

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

2. PUBLIC COMMENT

David Alano mentioned issues with the Urban Village Planning on Almaden Expressway. He expressed his concerns regarding the 15-foot sidewalk requirement.

Tessa Woodmansee inquired about not receiving notification regarding the Stockton Avenue development. She also mentioned that the neighborhood did not receive notification as well. She is asking for more communication about the General Plan changes in her neighborhood.

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. 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.

- a. **T19-050, C19-039 & SP19-063.** Conventional Rezoning (C19-039) of a 0.86-acre site from the HI Heavy Industrial Zoning District to the DC Downtown Primary Commercial Zoning District; Special Use Permit (SP19-063) to allow a mixed-use development consisting of a 303-room hotel and 19 attached residential units within a nine-story, approximately 342,388-square foot building with three levels of underground parking on a 0.86-gross acre site, and to allow the hotel to become one commercial condominium unit; and Vesting Tentative Map (T19-050) to allow the subdivision of the building's airspace into one commercial condominium unit and 19 residential condominium units located on the southeast corner of Stockton Avenue and West Julian Street (292 Stockton Avenue) (Diridon Hospitality LLC/KADE Development, Owner). Council District 3. CEQA: Addendum to the Downtown Strategy 2040 Final EIR (Resolution No. 78942) .

PROJECT MANAGER, ANGELA WANG

PULLED FROM CONSENT AND HEARD UNDER PUBLIC HEARING

ACTION: COMMISSIONER OLIVERIO MADE A MOTION TO RECOMMEND THAT THE CITY COUNCIL TAKE THE FOLLOWING ACTIONS:

- 1. ADOPT A RESOLUTION ADOPTING THE ADDENDUM TO THE DOWNTOWN STRATEGY 2040 FINAL ENVIRONMENTAL IMPACT REPORT (RESOLUTION NO. 78942) AND ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM FOR THE STOCKTON HOTEL AND CONDOMINIUM PROJECT, IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED;**
- 2. APPROVE AN ORDINANCE OF THE CITY OF SAN JOSÉ REZONING CERTAIN REAL PROPERTY APPROXIMATELY 0.86-GROSS ACRES IN SIZE, LOCATED AT 292 STOCKTON AVENUE, FROM THE HI HEAVY INDUSTRIAL ZONING DISTRICT TO THE DC DOWNTOWN PRIMARY COMMERCIAL ZONING DISTRICT;**

3. **ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITONS, THE VESTING TENTATIVE MAP TO SUBDIVIDE THE BUILDING’S AIRSPACE INTO ONE COMMERCIAL CONDOMINIUM UNIT FOR HOTEL USE AND 19 RESIDENTIAL CONDOMINIUM UNITS ABOVE THE HOTEL SPACE; AND**
4. **ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A SPECIAL USE PERMIT, TO ALLOW A MIXED-USE DEVELOPMENT CONSISTING OF A 303-ROOM HOTEL AND 19 ATTACHED RESIDENTIAL UNITS WITHIN A NINE-STORY, 342,388-SQUARE FOOT BUILDING WITH THREE LEVELS OF UNDERGROUND PARKING ON A 0.86-GROSS ACRE SITE, AND TO ALLOW THE HOTEL TO BECOME ONE COMMERCIAL CONDOMINIUM UNIT.**

COMMISSIONER YESNEY SECONDED THE MOTION (7-0-0)

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.

- a. **GP17-015, C18-034, SP18-059, & T19-017.** General Plan Amendment (**GP17-015**) to modify the Land Use Designation from Mixed Use Commercial to Transit Residential on an approximately 1.22-gross acre site; Conforming rezoning (**C18-034**) from the HI Heavy Industrial Zoning District to the R-M Multiple Residence Zoning District on an approximately 1.13-gross acre site; Special Use Permit (**SP18-059**) to allow the demolition of two industrial buildings and removal of three (3) ordinance-sized trees, for the construction a 100% affordable housing (excluding the manager’s units) project with up to 365 multi-family residential units with an alternative parking arrangement, back-up generator, and up to 12.5-foot tall retaining wall on an approximately 1.13-gross acre site. A State Density Bonus is requested to allow a 29% increase in density and waivers to increase the building height; reduce the required setbacks along McEvoy Street, Dupont Street, and the West San Carlos Street bridge, and reduce the amount of required motorcycle parking on an approximately 1.13-gross acre site; and Vesting Tentative Map (**T19-017**) to consolidate six parcels into one parcel and to subdivide into three condominiums for a 365 unit multi-family residential apartment development on an approximately 1.13-gross acre site located on the North of West San Carlos Street between McEvoy Street and Dupont Street (699 West San Carlos Street) (699 West San Carlos Street LLC, Owner) Council District: 6 CEQA: Addendum to the Diridon Station Area Plan Final Environmental Impact Report (Resolution No. 77096).

PROJECT MANAGER, RHONDA BUSS

ACTION: COMMISSIONER OLIVERIO MADE A MOTION TO RECOMMEND THAT THE CITY COUNCIL TAKE THE FOLLOWING ACTIONS:

1. **ADOPT A RESOLUTION ADOPTING THE ADDENDUM TO THE DIRIDON STATION AREA PLAN FINAL ENVIRONMENTAL IMPACT REPORT AND ASSOCIATED MITIGATION MONITORING AND REPORTING PLAN FOR THE MCEVOY AFFORDABLE HOUSING PROJECT, IN ACCORDANCE WITH CEQA.**
2. **ADOPT A RESOLUTION AMENDING THE ENVISION SAN JOSÉ 2040 GENERAL PLAN LAND USE/TRANSPORTATION DIAGRAM DESIGNATION (APN’S 261-38-001, 261-38-004, 261-38-005, 261-38-030, 261-38-047, 261-38-048, AND 261-38-049) FROM MIXED USE COMMERCIAL TO TRANSIT RESIDENTIAL ON AN APPROXIMATELY 1.22-GROSS ACRE SITE.**

3. **APPROVE AN ORDINANCE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 1.13 GROSS ACRES, AT NORTHEAST CORNER OF MCEVOY STREET AND WEST SAN CARLOS STREET AT 699 WEST SAN CARLOS STREET (APN'S 261-38-001, 261-38-004, 261-38-030, 261-38-047, 261-38-048, AND 261-38-049) FROM THE HI HEAVY INDUSTRIAL ZONING DISTRICT TO THE R-M MULTIPLE-RESIDENCE ZONING DISTRICT.**
4. **ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A VESTING TENTATIVE MAP TO MERGE SIX PARCELS AND RECONFIGURE THEM INTO THREE PARCELS.**
5. **ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, THE SPECIAL USE PERMIT AND STATE DENSITY BONUS TO ALLOW THE DEMOLITION OF TWO INDUSTRIAL BUILDINGS AND REMOVAL OF THREE (3) ORDINANCE-SIZED TREES AND ONE NON-ORDINANCE SIZED TREE, FOR THE CONSTRUCTION A 100% AFFORDABLE HOUSING (EXCLUDING FOUR MARKET RATE MANAGER'S UNITS) PROJECT WITH UP TO 365 MULTI-FAMILY RESIDENTIAL APARTMENT UNITS WITH AN ALTERNATIVE PARKING ARRANGEMENT, BACK-UP GENERATOR, AND UP TO 12.5-FOOT TALL RETAINING WALL, AND CONCESSIONS AND WAIVERS UNDER STATE DENSITY BONUS LAWS TO INCREASE DENSITY, INCREASE THE BUILDING HEIGHT; REDUCE THE REQUIRED SETBACKS ALONG MCEVOY STREET, DUPONT STREET, THE WEST SAN CARLOS STREET BRIDGE, AND REDUCE THE AMOUNT OF REQUIRED MOTORCYCLE PARKING, ALL ON AN APPROXIMATELY 1.13-GROSS ACRE SITE.**
6. **ADOPT A RESOLUTION APPROVING A DENSITY BONUS REGULATORY AGREEMENT PURSUANT TO SAN JOSE MUNICIPAL CODE CHAPTER 20.190.100.**

COMMISSIONER BONILLA SECONDED THE MOTION (7-0-0)

- b. [GP18-013, C18-039, & SP18-060](#). General Plan Amendment (**GP18-013**) to change the Land Use Designation from Residential Neighborhood to Neighborhood Community Commercial on an approximately 0.2-gross acre site (623 Stockton Avenue); Conforming Rezoning (**C18-039**) from the CN Commercial Neighborhood Zoning District to the CP Commercial Pedestrian Zoning District on an approximately 0.59-gross acre site (615 and 623 Stockton Avenue); and Special Use Permit (**SP18-060**) to demolish an approximately 4,400-square foot commercial building, re-locate and re-purpose the existing historic structure on-site, and construct a 120-room, five-story hotel including outdoor uses (outdoor guest areas including a roof deck) within 150 feet of residential uses on an approximately 0.59-gross acre site located on the northwesterly corner of Stockton Avenue and Schiele Avenue (615 and 623 Stockton Avenue) (Infinite Investment Realty Corporation, Owner). Council District: 6 CEQA: 615 Stockton Avenue Hotel Project Mitigated Negative Declaration.

PROJECT MANAGER, CASSANDRA VAN DER ZWEEP

ACTION: COMMISSIONER GRISWOLD MADE A MOTION TO RECOMMEND THAT THE CITY COUNCIL TAKE THE FOLLOWING ACTIONS:

1. **ADOPT A RESOLUTION ADOPTING THE 615 STOCKTON AVENUE HOTEL PROJECT MITIGATED NEGATIVE DECLARATION AND ASSOCIATED MITIGATION MONITORING AND REPORTING PLAN, FOR WHICH AN INITIAL**

STUDY WAS PREPARED, IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED (CEQA).

- 2. ADOPT A RESOLUTION APPROVING AN AMENDMENT TO THE ENVISION SAN JOSÉ 2040 GENERAL PLAN LAND USE/TRANSPORTATION DIAGRAM DESIGNATION FROM RESIDENTIAL NEIGHBORHOOD TO NEIGHBORHOOD COMMUNITY COMMERCIAL ON A 0.2-GROSS ACRE SITE AT 623 STOCKTON AVENUE.**
- 3. APPROVE AN ORDINANCE OF THE CITY OF SAN JOSÉ REZONING THE APPROXIMATELY 0.59-GROSS ACRE PROJECT SITE GENERALLY LOCATED AT THE NORTHWEST CORNER OF STOCKTON AVENUE AND SCHIELE AVENUE (615 AND 623 STOCKTON AVENUE) FROM THE CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT TO THE CP COMMERCIAL PEDESTRIAN ZONING DISTRICT.**
- 4. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A SPECIAL USE PERMIT TO DEMOLISH AN APPROXIMATELY 4,400-SQUARE FOOT COMMERCIAL BUILDING, RE-LOCATE AND RE-PURPOSE THE EXISTING HISTORIC 1,292-SQUARE FOOT STRUCTURE, AND CONSTRUCT A 120-ROOM, FIVE-STORY HOTEL INCLUDING OUTDOOR USES (OUTDOOR GUEST AREA INCLUDING A ROOF DECK) WITHIN 150 FEET OF RESIDENTIAL USES ON AN APPROXIMATELY 0.59-GROSS ACRE SITE.**

COMMISSIONER OLIVERIO SECONDED THE MOTION (4-3-0; ALLEN CABALLERO, & BALLARD OPPOSED)

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

No Items

7. GOOD AND WELFARE

a. Report from City Council

On January 28, 2020, City Council took action on the following projects:

- i. Approved Nomination of Portion of Greater Gardner Strong Neighborhood Initiative Area as North Willow Glen Conservation Area*
- ii. Approved request for Proposal of Historic Resources Services and City Projects*
- iii. Approved Actions Related to the 2020-2021 Hazardous Vegetation Commencement Report*
- iv. Approved Public Hearing on the Appeals of the Environmental Determination for a Historic Preservation Permit and Site Development Permit for Real Property located at 211 South First Street (H16-042)*
- v. Approved Conforming Rezoning and a Conditional Use Permit for the Property Located at 1500 South 10th Street (C19-029 & CP19-024)*

- b. Review and Approve Action Minutes from [1/15/2020](#)
*Commissioner Allen made a motion to approve the 1/15/20 minutes.
Commissioner Yesney seconded the motion. (7-0-0)*
- c. Subcommittee Formation, Reports, and Outstanding Business
No Reports
- d. Commission Calendar and Study Sessions
No Reports
- e. The Public Record
No Reports

8. ADJOURNMENT

Meeting adjourned at 9:46 p.m.