

PLANNING COMMISSION

May 13, 2020

Action Minutes

WELCOME

ROLL CALL

PRESENT: Commissioners Ballard, Allen, Caballero, Oliverio, Yesney (arrived 7:08 pm).

ABSENT: Commissioner Bonilla

1. CALL TO ORDER & ORDERS OF THE DAY

Meeting called to order at: 6:40 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 click *9 to raise a hand to speak 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

No Comments

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.

- a. **H19-016.** Site Development Permit to allow the demolition of nine (9) existing on-site buildings (including candidate City Landmarks), the removal fourteen (14) ordinance size trees, and the construction of an approximately 3.79 million square feet development comprised of 24,000 square feet of ground floor retail and 3,640,033 square feet of office space and including a request for 24-hour construction and Downtown Design Guidelines exceptions on an approximately 8.1-gross acre site located at 150 South Almaden Boulevard located on northeast corner of Almaden Boulevard and Park Avenue (150 Almaden Boulevard) (SJ City View LLC., Owner). Council District 3. **CEQA:** City View Plaza Project Tower Supplemental Environmental Impact Report to the Downtown Strategy 2040 Environmental Impact Report (Resolution 78942).

PROJECT MANAGER, CASSANDRA VAN DER ZWEEP

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

1. **DEFERRED TO THE MAY 27, 2020 PLANNING COMMISSION MEETING PER STAFF REQUEST.**

COMMISSIONER ALLEN SECONDED THE MOTION (4-0-2; BONILLA AND YESNEY ABSENT).

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 click *9 to raise a hand to speak or contact 408-535-3505 to request to speak.

- a. **CP19-020 (Administrative Hearing).** Conditional Use Permit to allow a utility facility (energy storage facility) within an existing industrial building on an approximately 25.33-gross acre site located on the north side of San Ignacio Avenue, approximately 270 feet from the intersection of San Ignacio Avenue and Las Colinas Lane (6321 San Ignacio Avenue) (M West Propco San Ignacio Campus LLC., Owner). Council District 2. **CEQA:** Mitigated Negative Declaration for the Hummingbird Energy Storage Project. *Deferred from 04/22/2020.*

PROJECT MANAGER, STEFANIE FARMER

PULLED FROM CONSENT AND HEARD UNDER PUBLIC HEARING.

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

- 1. ADOPT A RESOLUTION ADOPTING THE HUMMINGBIRD ENERGY STORAGE PROJECT MITIGATED NEGATIVE DECLARATION AND ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM, FOR WHICH AN INITIAL STUDY WAS PREPARED, IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED.**
- 2. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A CONDITIONAL USE PERMIT TO ALLOW A UTILITY FACILITY (ENERGY STORAGE FACILITY) WITHIN AN EXISTING INDUSTRIAL BUILDING ON AN APPROXIMATELY 25.33-GROSS ACRE SITE.**

COMMISSIONER OLIVERIO SECONDED THE MOTION (4-0-2; BONILLA AND YESNEY ABSENT).

COMMISSIONER YESNEY ARRIVED AT 7:08 PM

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. [**PDC18-025**](#). Planned Development Rezoning from the A(PD) Planned Development Zoning District to the R-M(PD) Planned Development Zoning District to allow up to 569 multi-family residential dwelling units (434 Market Rate and 135 Affordable units) and commercial or childcare facility up to 3,000 square feet on an approximately 6.96-gross acre site located on westerly side of Lick Avenue approximately 470 feet northerly of West Alma Avenue (1197 Lick Avenue) (Valley Transportation Authority (VTA) Jessie O'Malley Solis, Owner). Council District 3. **CEQA:** Mitigated Negative Declaration for the Tamien Station Transit-Oriented Development.

PROJECT MANAGER, RUTH CUETO

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

- 1. RECOMMEND ADOPTION AND APPROVAL TO THE CITY COUNCIL OF A RESOLUTION ADOPTING THE TAMIEN STATION TRANSIT-ORIENTED DEVELOPMENT MITIGATED NEGATIVE DECLARATION, FOR WHICH AN INITIAL STUDY WAS PREPARED, AND ADOPTING AN ASSOCIATED MITIGATION MONITORING AND REPORTING PLAN, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), AS AMENDED;**
- 2. RECOMMEND ADOPTION AND APPROVAL TO THE CITY COUNCIL OF THE PROPOSED PLANNED DEVELOPMENT REZONING FROM THE A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO THE R-M(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO ALLOW UP TO 569 MULTI-FAMILY RESIDENTIAL DWELLING UNITS (434 MARKET RATE AND 135 AFFORDABLE UNITS) AND COMMERCIAL OR CHILDCARE FACILITY UP TO 3,000 SQUARE FEET ON AN APPROXIMATELY 6.96-GROSS ACRE SITE.**

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

No Items

7. GOOD AND WELFARE

a. Report from City Council

On April 14, 2020 City Council took action on the following projects:

- i. Approved two Amendments to Title 20 (The Zoning Ordinance) (PP20-003 and PP20-007).*

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

- i. Approved a Special Use Permit to allow the Demolition of Existing Structures and Construction of a Mixed-Use Project Consisting of 100% Affordable Housing Along Meridian Avenue (SP19-064).*

On May 12, 2020 City Council took action on the following projects:

- i. Approved a Conforming Rezoning on Real Property Located at 360-400 Saratoga Avenue (C20-003).*
- ii. Approved a Conforming Rezoning and a Special Use Permit for Real Property Located at 6835Trinidad Drive (C19-026 & SP19-023).*
- iii. Approved a Street Renaming to Change Champions Drive to Wondo Way (ST20-001).*

b. Review and Approve Action Minutes from [04/08/20](#)

Commissioner Allen made a motion to approve the 04/08/20 minutes.

Commissioner Oliverio seconded the motion (5-0-1; Bonilla absent).

c. Election of Vice Chair for Fiscal Year 2019-2020.

Commissioner Allen made a motion to elect Commissioner Oliverio as Vice Chair for FY19-20 and until such time as the Commission attains full membership.

Commissioner Yesney seconded the motion (5-0-1; Bonilla absent).

d. Subcommittee Formation, Reports, and Outstanding Business

No Reports

- e. Commission Calendar and Study Sessions
 - i. The 2020/2021 Capital Budget & 2021/2025 Capital Improvement Program Study Session scheduled for 5/6/20 has been moved to 5/20/20.
 - ii. The Downtown West Mixed-Use Plan Study Session scheduled for 7/22/20 has been moved to 09/09/20.
- f. The Public Record
No Reports

8. ADJOURNMENT

Meeting adjourned at 8:22 pm.