PLANNING COMMISSION
June 24, 2020
Action Minutes

WELCOME

ROLL CALL

PRESENT: Commissioners Ballard, Allen, Bonilla, Caballero, Oliverio, 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 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
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 click *9 to raise a hand to speak or contact 408-535-3505 to request to speak.

No Items.

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. CPA16-035-01 (Administrative Hearing). Conditional Use Permit Amendment to amend the previously approved permit (File No. CP16-035 for a gas station) to allow the addition of a carwash, the reduction of the overall project square footage, and site improvements on an approximately 0.80-gross acre site located on the southeasterly corner of S. Bascom Avenue and Woodard Road (3702 South Bascom Avenue) (Andary’s Enterprise Inc., Owner). Council District 9. CEQA: Categorical Exemption per CEQA Guidelines Section 15332 (Class 32).

PROJECT MANAGER, CASSANDRA VAN DER ZWEEP
ACTION: COMMISSIONER YESNEY MADE A MOTION TO APPROVE THE STAFF RECOMMENDATION TO:

1. CONSIDER THE EXEMPTION IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15332; AND

2. ADOPT A RESOLUTION APPROVING A CONDITIONAL USE PERMIT AMENDMENT, SUBJECT TO CONDITIONS, TO AMEND THE PREVIOUSLY APPROVED PERMIT (FILE NO. CP16-035 FOR A GAS STATION) TO ALLOW THE ADDITION OF AN AUTOMATIC CAR WASH, THE REDUCTION OF THE OVERALL PROJECT SQUARE FOOTAGE, AND SITE IMPROVEMENTS ON AN APPROXIMATELY 0.8-GROSS ACRE SITE; AND

3. DIRECT STAFF TO FILE A NOTICE OF EXEMPTION PURSUANT TO SECTION 15062 OF THE STATE CEQA GUIDELINES.

COMMISSIONER BONILLA SECONDED THE MOTION (5-1; CABALLERO OPPOSED).

b. **PDC17-035**. Planned Development Rezoning to rezone the subject site from the A(PD) Planned Development Zoning District to the RM(PD) Planned Development Zoning District to allow up to 85 multi-family residential apartment units on an approximately 0.91-gross acre site located on the north side of Bark Lane approximately 150 feet west of Weyburn Lane (7201 Bark Lane) (Lee Lily Fu and Jason C. Lee, Owners). Council District 1. **CEQA:** Bark Lane Planned Development Rezoning Project Mitigated Negative Declaration.

**PROJECT MANAGER, RHONDA BUSS**

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

1. ADOPT A RESOLUTION ADOPTING THE BARK LANE PLANNED DEVELOPMENT REZONING PROJECT MITIGATED NEGATIVE DECLARATION, FOR WHICH AN INITIAL STUDY WAS PREPARED, AND ASSOCIATED MITIGATION MONITORING AND REPORTING PLAN (MMRP), ALL IN ACCORDANCE TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); AND

2. ADOPT AN ORDINANCE REZONING CERTAIN REAL PROPERTY LOCATED ON THE NORTH SIDE OF BARK LANE APPROXIMATELY 150 FEET WEST OF WEYBURN LANE (7201 BARK LANE) FROM THE A AGRICULTURAL (PD) PLANNED DEVELOPMENT ZONING DISTRICT TO THE R-M MULTIPLE RESIDENCE (PD) PLANNED DEVELOPMENT ZONING DISTRICT FOR UP TO 85 MULTI-FAMILY RESIDENTIAL APARTMENT UNITS ON AN APPROXIMATELY 0.91-GROSS ACRES.

COMMISSIONER BONILLA SECONDED THE MOTION (6-0).
6. **REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS, OR OTHER AGENCIES**

   No Items

7. **GOOD AND WELFARE**

   a. Report from City Council

   *On June 2, 2020, City Council took action on the following projects:*
   
i. Approved an Amendment to the Planning Commission Ordinance

   *On June 9, 2020, City Council took action on the following projects:*
   

   ii. Approved Historic Landmark Designation and Historical Property Contract for the “Smith House” Located at 3556 San Felipe Road (HLA86-031-01 and MA19-004).

   iii. Approved Planned Development Rezoning for Real Property Located at 1197 Lick Avenue (PDC18-025).


   v. Approved Actions Related to the Design and Construction of the Charcot Avenue Extension from Paragon Drive to Oakland Road and I-880 Overcrossing Project.

   *On June 16, 2020, City Council took action on the following projects:*
   
i. Approved Economic Recovery Temporary Cap on New or Increased Infrastructure Fees for Development.

   ii. Did not approve Historic City Landmark Designation for 170 Park Center Plaza (Former Bank of California (HL20-001).

   iii. Approved Site Development Permit for Certain Real Property Located at the Northeast Corner of South Almaden Boulevard and Park Avenue (150 S. Almaden Boulevard) (H19-016).

   *On June 23, 2020, City Council took action on the following projects:*
   
i. Approved Amendments to Master Agreements for Urban Village Master Plans and Other Projects to Implement Envision San Jose 2040 General Plan.

   ii. Approved Conforming Rezoning and Conditional Use Permit for the Doubletree Hotel located at 2050 Gateway Place (C20-009 & CP20-001).

   iii. Approved Planned Development Rezoning and Planned Development Permit for Real Property located on the west side of Meridian Avenue, approximately 290 feet northerly of West San Carlos Street (259 Meridian Avenue; APN: 274-14-152) (PDC18-016 & PD19-011).

Commissioner Allen made a motion to approve the 5/27/20 minutes. Commissioner Oliverio seconded the motion (6-0).

c. Election of Chair and Vice Chair for Fiscal Year 2020-2021

Commissioner Bonilla made a motion to elect Commissioner Caballero as Chair for the FY20-21 conditioned upon her reappointment to the Commission by the Council. Commissioner Caballero accepted the nomination.

Commissioner Yesney seconded the motion (6-0).

Commissioner Caballero made a motion to elect Commissioner Bonilla as Vice Chair for FY20-21. Commissioner Bonilla accepted the nomination.

Commissioner Ballard seconded the motion (6-0).

d. Subcommittee Formation, Reports, and Outstanding Business

No Reports

e. Commission Calendar and Study Sessions

a. Study Session scheduled for 7/8/20 and 7/22/20 for the San Jose Citywide Design Standards and Guidelines.

f. The Public Record

Commissioner Allen thanked Commissioner Yesney for her service and expertise. Commissioner Allen went on to thank the rest of the Commissioners including Commissioner Ballard. Commissioner Allen went on to congratulate the new Chair and Vice on their new roles.

Commissioner Caballero thanked Commissioner Allen and Commissioner Ballard from whom she has learned a lot from. Commissioner Caballero also thanked Commissioner Yesney all of the information and comments she provided during her commission.

Commissioner Bonilla said that serving alongside the rest of the Commissioners has given him a lot of hope and optimism about the future. He continued to say that even though there were times of disagreement, in the end they all came together and talked it through. Commissioner Bonilla continued by saying that it was an honor working with all of the Commissioners.

Commissioner Ballard commented that she will be leaving her seat on the commission. Commissioner Ballard commented on how she enjoyed working alongside the other Commissioners. She also thanked staff for their hard work and for always treating her with respect.

8. ADJOURNMENT

Meeting adjourned at 8:35 pm