

## **PLANNING COMMISSION**

July 8, 2020

Action Minutes

### **WELCOME**

### **ROLL CALL**

PRESENT: Commissioners Caballero, Bonilla, Casey, Garcia, Lardinois, Oliverio, Torrens

ABSENT: None

### **RECOGNITION OF THE SERVICE OF MICHELLE YESNEY SERVICE TO THE CITY OF SAN JOSE AND PLANNING COMMISSION**

*Chair Caballero also read Shiloh Ballard and Peter Allen's certificate for their recognition of service to the City of San Jose and Planning Commission*

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

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Meeting called to order at: 6:30 pm

## **2. PUBLIC COMMENT**

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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

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>

*B. Beekman expressed her concerns with the dangers of 5G and broadbands. Mr. Beekman went on to say that it is the obligation of the Planning Commission to review where it is placed within the City and alternative new and better practices. Mr. Beekman also expressed his concerns over having a strong mayor form of government.*

### **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 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. **PD19-018, PDC19-022, PT19-022.** PD Planned Development Zoning to rezone from R-1-5 Single-Family Residence zoning district to a A(PD) zoning district; Planned Development Permit to demolish existing residential structure and allow construction of two single-family residences and a commercial parking lot, and allow the removal an ordinance-size tree approximately 55 inches in circumference; and a Tentative Map to subdivide one parcel into three lots on an approximately 1.1-gross acre site located on west side of San Felipe Road, approximately 1,010 feet south of Delta Road (4349 San Felipe Road) (Vierra Douglas W., and Nancy, Owner). Council District: 8. **CEQA:** Exempt per CEQA Guidelines, Sections 15301, 15303.

*PROJECT MANAGER, MAIRA BLANCO*

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

- 1. DEFERRED TO THE JULY 22, 2020 PLANNING COMMISSION MEETING PER STAFF REQUEST.**

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

### **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, 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. [CP20-007 \(Administrative Hearing\)](#). Conditional Use Permit request to allow the relocation of 9 existing wireless communication antennas mounted on the roof of the existing commercial building onsite to a proposed 60-foot tall monopole to be located in a proposed 256-square foot enclosure within the parking lot of the existing building at the approximately 2.44-gross acre site within the CP Commercial Pedestrian Zoning District located on the west side of Senter Road, approximately 300 feet southerly of Hellyer Ave. (3975 Senter Road) (JK Joint Ventures LLC., Owner). Council District 7. **CEQA:** Class 3 Categorical Exemption for new construction or conversion of small structures.

*PROJECT MANAGER, PATRICK KELLY*

**ACTION: COMMISSIONER BONILLA 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 THE RELOCATION OF NINE EXISTING BUILDING-MOUNTED ANTENNAS TO A NEW 60-FOOT TALL MONOPOLE WITHIN A PROPOSED 256-SQUARE FOOT ENCLOSURE LOCATED APPROXIMATELY 120 FEET WEST OF SENTER ROAD WITHIN A COMMERCIAL BUILDING PARKING LOT ON A 2.44-GROSS ACRE SITE.**

**COMMISSIONER LARDINOIS SECONDED THE MOTION (7-0).**

- b. [CP19-034 \(Administrative Hearing\)](#). Conditional Use Permit to allow the reduction of 744 square feet from an existing 4,783-square foot one-story vacant medical office building, the conversion of the resulting 4,039-square foot building into a day care center for up to 80 children with an outdoor playground and associated modifications to the existing parking and landscaping, and the removal of one ordinance-size tree on an approximately 0.32-gross acre site located on west of Dellwood Way, approximately 200 feet northerly of Kooser Way (5460 Dellwood Way) (Atul Sharma, Owner). Council District: 9. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15303(c) for New Construction or Conversion of Small Structures.

*PROJECT MANAGER, LAURA MEINERS*

**PULLED FROM CONSENT AND HEARD UNDER PUBLIC HEARING.**

**ACTION: COMMISSIONER OLIVERIO MADE A MOTION TO APPROVE THE STAFF RECOMMENDATIONS WITH THE CHANGE REQUESTED BY STAFF TO THE CONDITIONAL USE PERMIT RESOLUTION SECTION 8, ENTITLED “STAGGERED DROP OFF AND PICK UP,” FIRST SENTENCE TO READ AS FOLLOWS: “DROP OFF AND PICK UP OF CHILDREN SHALL OCCUR ON SITE AND SHALL BE STAGGERED AS FOLLOWS:**

- 1. CONSIDER THE EXEMPTION IN ACCORDANCE WITH CEQA, AND**
- 2. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A CONDITIONAL USE PERMIT TO ALLOW THE REDUCTION OF 744 SQUARE FEET FROM AN EXISTING 4,783-SQUARE FOOT ONE-STORY VACANT MEDICAL OFFICE BUILDING, THE CONVERSION OF THE RESULTING 4,039-SQUARE FOOT BUILDING INTO A DAY CARE CENTER FOR UP TO 80 CHILDREN WITH AN OUTDOOR PLAYGROUND AND ASSOCIATED MODIFICATIONS TO THE EXISTING PARKING AND LANDSCAPING, AND THE REMOVAL OF ONE ORDINANCE-SIZE TREE ON AN APPROXIMATELY 0.32-GROSS ACRE SITE.**

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

## **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 [6/24/20](#).  
*Commissioner Oliverio made a motion to approve the 6/24/20 minutes.  
Commissioner Torrens seconded the motion (7-0).*
- c. Subcommittee Formation, Reports, and Outstanding Business  
*No Reports*
- d. Commission Calendar and Study Sessions
  - i. The San Jose Citywide Design Standards and Guidelines study session scheduled for 7/8/20 has been moved to 7/22/20 and the study session scheduled for 7/22/20 has been moved to 8/12/20.
- e. The Public Record

## **8. ADJOURNMENT**

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Meeting adjourned at 7:21 pm