

PLANNING COMMISSION

August 12, 2020

Action Minutes

WELCOME

ROLL CALL

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

ABSENT: None

STUDY SESSION AND PUBLIC HEARING: TO BE HEARD AT 5:00 PM (Continued from July 22, 2020)

a. **[San José Citywide Design Standards and Guidelines:](#)**

PROJECT MANAGER, LEILA HAKIMIZADEH

No action to be taken.

1. CALL TO ORDER & ORDERS OF THE DAY

Meeting called to order at: 6:30 pm

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>

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

Brain Darby thanked Commissioners and Staff for their hard work during the COVID Pandemic.

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. **H15-014 (Administrative Hearing).** Appeal of a Site Development Permit to allow the construction of a new approximately 31,744-square foot three-story retail and office building at the northern portion (parking stalls) at an existing shopping center on an approximately 3.39-gross acre site located at approximately 300 feet southeast from the intersection of Story Road and King Road (1664 Story Road) (DPJW Group II LP, Owner). Council District 7. **CEQA:** Mitigated Negative Declaration for the Tropicana Shopping Center Commercial Development Project.

PROJECT MANAGER, JOHN TU

ACTION: COMMISSIONER BONILLA MADE A MOTION TO DENY THE PROJECT; COMMISSIONER GARCIA SECONDED THE MOTION.

COMMISSIONER OLIVERIO MADE A SUBSTITUTE MOTION TO APPROVE THE STAFF RECOMMENDATIONS TO:

- 1. CONSIDER THE MITIGATED NEGATIVE DECLARATION FOR THE TROPICANA SHOPPING CENTER COMMERCIAL DEVELOPMENT PROJECT IN ACCORDANCE WITH CEQA;**
- 2. ADOPT A RESOLUTION DENYING THE APPEAL AND UPHOLDING THE DIRECTOR'S APPROVAL OF THE SITE DEVELOPMENT PERMIT, INCLUDING FINDINGS AND CONDITIONS, TO ALLOW THE CONSTRUCTION OF A NEW APPROXIMATELY 31,744-SQUARE FOOT THREE-STORY RETAIL AND OFFICE BUILDING WITHIN AN EXISTING SHOPPING CENTER ON AN APPROXIMATELY 3.39-GROSS ACRE SITE.**

COMMISSIONER TORRENS SECONDED THE SUBSTITUTE MOTION (5-2, BONILLA & GARCIA OPPOSED).

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

No Items

7. GOOD AND WELFARE

a. Report from City Council

On August 11, 2020, City Council took action on the following projects:

- i. Approved a Planned Development Rezoning for Property Located at 7201 Bark Lane (PDC17-035).*
- ii. Approved a Temporary Extension of Certain Land Use Permits and Certain Tree Removal Permits (PP20-008).*
- iii. Approved a Planned Development Rezoning, Tentative Map, and a Planned Development Permit for Property Located at 4349 San Felipe Road (PDC19-022, PT19-022, PD19-018).*

b. Review and Approve Action Minutes from [07/22/20](#).

Commissioner Torrens made a motion to approve the 7/22 Minutes.

Commissioner Oliverio seconded the motion (7-0).

c. Subcommittee Formation, Reports, and Outstanding Business

No Reports

d. Commission Calendar and Study Sessions

- i. 2020 Planning Commission Retreat to be held in September/October. Provide Robert Manford with topics that the Commissioners are interested in covering during retreat.*

e. The Public Record

8. ADJOURNMENT

Meeting adjourned at 9:12 pm