



PLANNING COMMISSION
Action Minutes

Wednesday, June 12, 2024

Regular Hearing

6:30 p.m.

Council Chambers

First Floor, City Hall Wing
200 East Santa Clara Street
San José, California

Justin Lardinois, Chair

Sylvia Ornelas-Wise, Vice Chair

Louis Barocio

Melissa Bickford

Charles Cantrell

George Casey

Jorge A. Garcia

Pierluigi Oliverio

Carlos Rosario

Anthony Tordillos

Michael Young

Christopher Burton, Director
Planning, Building & Code Enforcement

Access the video, agenda, and related reports for this meeting by visiting the City's website at:
<https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/commissions-hearings-and-developers-roundtable/planning-commission/planning-commission-agendas-minutes>

AGENDA
ORDER OF BUSINESS

WELCOME

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Commissioners Lardinois, Ornelas-Wise, Barocio, Bickford, Casey, Oliverio, Rosario, Tordillos and Young

ABSENT: Commissioners Cantrell and Garcia

SUMMARY OF HEARING PROCEDURES

1. CALL TO ORDER & ORDERS OF THE DAY

Meeting called to order at: 6:30 p.m.

2. PUBLIC COMMENT

No comments

3. DEFERRALS AND REMOVALS FROM CALENDAR

No items

4. CONSENT CALENDAR

- a. [Review and Approve Action Minutes from May 22, 2024.](#)

ACTION: COMMISSIONER BICKFORD MADE A MOTION TO APPROVE CONSENT CALENDAR ITEM 4.A.

COMMISSIONER CASEY SECONDED THE MOTION (9-0-2; CANTRELL & GARCIA ABSENT)

- b. [CP23-020 & ER23-186 \(Administrative Hearing\)](#): Conditional Use Permit for off-sale of alcohol (beer, wine, and distilled spirits) within an existing approximately 31,610-square-foot grocery store (Dai Thanh market) on an approximately 2.74-gross-acre site located on the West side of Capitol Avenue at the intersection of Hostetter Road (1641 North Capitol Avenue) (Dai Thanh Supermarket, Owner). Council District: 4. **CEQA**: Exempt Pursuant to CEQA Guidelines Section 15301 for Existing Facilities.

PROJECT MANAGER, RINA SHAH

ACTION: COMMISSIONER BICKFORD MADE A MOTION TO APPROVE STAFF RECOMMENDATIONS TO:

- 1. CONSIDER A CATEGORICAL EXEMPTION IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15301(A) FOR EXISTING FACILITIES; AND**
- 2. ADOPT A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE OFF-SALE OF ALCOHOL (TYPE 21 – FULL RANGE OF ALCOHOLIC BEVERAGES) WITHIN AN EXISTING APPROXIMATELY 31,610-SQUARE FOOT GROCERY STORE (DAI THANH SUPERMARKET) ON AN APPROXIMATELY 2.74-GROSS ACRE SITE (1641 NORTH CAPITOL AVENUE).**

COMMISSIONER CASEY SECONDED THE MOTION (9-0-2; CANTRELL & GARCIA ABSENT).

- c. [CP23-022 & ER23-201 \(Administrative Hearing\)](#): Conditional Use Permit to demolish an existing approximately 39-foot-high monopole for the construction of a new approximately 60-foot-high monopole on an approximately 9.39-gross-acre site located approximately 150 feet northeast of the intersection of Harriet Avenue and Viewmont Court (3450 Viewmont Court) (U.S. Department of Labor, Owner). Council District: 5. **CEQA**: Exempt pursuant to CEQA Guidelines Section 15303 for New Construction or Conversion of Small Structures.

PROJECT MANAGER, CAMERON GEE

MOVED FROM CONSENT AND HEARD UNDER PUBLIC HEARING

ACTION: COMMISSIONER TORDILLOS MADE A MOTION TO APPROVE STAFF RECOMMENDATIONS TO:

- 1. CONSIDER THE EXEMPTION IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15303 FOR NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES; AND**
- 2. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A CONDITIONAL USE PERMIT TO DEMOLISH AN EXISTING APPROXIMATELY 39-FOOT-HIGH MONOPOLE FOR THE CONSTRUCTION OF A NEW APPROXIMATELY 60-FOOT-HIGH MONOPOLE ON AN APPROXIMATELY 9.39-GROSS-ACRE SITE.**

COMMISSIONER YOUNG SECONDED THE MOTION (7-2-2; ORNELAS-WISE & BAROCIO OPPOSED, CANTRELL & GARCIA ABSENT).

5. PUBLIC HEARING

No items

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

No items

7. GOOD AND WELFARE

a. Report from City Council

The Commission Secretary reported on City Council action taken on June 4 and June 11, 2024.

b. Subcommittee Formation, Reports, and Outstanding Business

No items

c. Commission Calendar and Study Sessions

Planning Commission secretary, Robert Manford informed the Commission that the Election of Chair and Vice Chair will take place at the June 26, 2024, Planning Commission meeting.

Commission Chair Lardinois asked about an update to the “in-person” comment-only policy for public hearings. Senior Deputy City Attorney Aaron Yu responded that the City Attorney’s Office will provide an update (if any) at the next Planning Commission Hearing.

d. The Public Record

Planning Commission secretary, Robert Manford, announced his retirement from public service is on July 19, 2024.

ADJOURNMENT

The meeting adjourned at 6:58 p.m.