

Shiloh Ballard — Chair  
Peter Allen  
Mariel Caballero  
Michelle Yesney

Melanie Grilwold — Vice Chair  
Rolando Bonilla  
Pierluigi Oliverio

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5:00 p.m.	Study Session: General Plan Annual Review	T-332
	<b>REGULAR HEARING AGENDA</b>	
6:30 p.m.	October 23, 2019	San José City Hall Council Chambers

**I. Call to Order & Orders of the Day**

**II. Public Comment**

*Public comments to the Planning Commission on nonagendized items. Please fill out a speaker's card and give it to the technician. 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.*

**III. Deferrals**

**IV. Consent Calendar**

- a. **C19-015.** Conventional rezoning of a split-lot zoning from the CG Commercial General and R-M Multiple Residence Zoning Districts to the R-M Multiple Residence Zoning District on an approximately 0.15-gross acre site located on the west side of South 21st Street approximately 110 feet southerly of East Santa Clara Street (19 South 21<sup>st</sup> Street) (VIAM Vapital LLC, Owner). Council District 3. CEQA: Addendum to Envision San José 2040 General Plan Final Program Environmental Impact Report, Supplemental Environmental Impact Report, and addenda thereto (SCH# 2009072096)  
**PROJECT MANAGER, RHONDA BUSS**

**Staff Recommendation:**

**That Planning Commission recommends that the City Council take all of the following actions:**

1. Adopt a resolution approving the addendum, in accordance with CEQA, to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041), Supplemental Environmental Impact Report (Resolution No. 77617), and Addenda thereto; and
2. Adopt an ordinance of the City of San José rezoning certain real property of approximately 0.15 gross acres, situated on the west side of South 21st Street approximately 110 feet southerly of East Santa Clara Street (19 South 21st Street), from the R-M Multiple-Residence Zoning District and the CG Commercial General Zoning District to the R-M Multiple-Residence Zoning District.

- b. **CPA93-068-01 (Administrative Hearing).** Conditional Use Permit Amendment to amend a previously approved permit (File No. CP93-11-068) to allow a 936-square foot addition to an existing 1,703 square foot church annex building to include new classroom and expanded meeting space, and 1,385 square feet of new patio areas and other landscaping improvements on a 1.9 gross-acre site in the R-1-8 Residential District located on the southeast corner of Sierra Road and North Capitol Avenue (1298 North Capitol Avenue) (Northern California Baptist Conference, Owner). Council District 4. CEQA: Exempt pursuant to CEQA Guidelines, Section 15301(e) for existing facilities.  
**PROJECT MANAGER, MAIRA BLANCO**

**Staff Recommendation:**

1. Consider an exemption in accordance with CEQA Guidelines Section 15301(e) for existing facilities; and
2. Adopt a resolution approving, subject to conditions, a Conditional Use Permit Amendment and Site Development Permit to allow a 936-square foot addition to an existing 1,703-square foot church annex building to include new classroom and expanded meeting space, and 1,385-square feet of new patio area, including new porches, a decorative metal fence, and new landscaping areas, on a 1.9 gross-acre site in the R-1-8 Single-Family Residence District.

**V. Public Hearing**

- a. **CP18-025 & C18-018.** Conventional rezoning (**C18-018**) from R-1-8 Single Family Residence District to the CN Commercial Neighborhood Zoning District; and Conditional Use Permit (**CP18-025**) to allow the demolition of four total approximately 19,850-square foot, one-story storage buildings, and the construction of a four-story, 125,303-square foot, 152-unit assisted living and memory care facility and removal of twenty ordinance-size trees on a 3.79 gross acre site located on the west side of Union Avenue, approximately 260 feet northerly of Los Gatos Almaden Road (Union School District, Owner). Council District 9. CEQA: Mitigated Negative Declaration for Belmont Village Union Avenue.  
**PROJECT MANAGER, ANGELA WANG**

**Staff Recommendation:**

**That Planning Commission recommends that the City Council take all of the following actions:**

1. Adopt a resolution adopting the Belmont Village Senior Living Facility Mitigated Negative Declaration, for which an Initial Study was prepared, and adopting an associated Mitigation Monitoring and Reporting Plan, in accordance with the California Environmental Quality Act (CEQA), as amended;
2. Adopt an ordinance rezoning an approximately 4.69-gross acre site (a portion of APN 421-20-010) generally located on the west side of Union Avenue, approximately 260 feet northerly of Los Gatos Almaden Road from the R-1-8 Single-Family Residence District to the CN Commercial Neighborhood Zoning District; and

3. Adopt a resolution approving, subject to conditions, a Conditional Use Permit to allow the demolition of four total approximately 19,850-square foot, one-story storage buildings, and the construction of a four-story, 125,303-square foot, 152-unit assisted living and memory care facility and removal of twenty ordinance-size trees on an approximately 3.79-gross acre site located on the west side of Union Avenue, approximately 360 feet northerly of Los Gatos Almaden Road.
- b. **SP18-001 & T18-001.** Special Use Permit to allow the demolition of existing on-site buildings, the removal one (1) non-ordinance size tree, and the construction of a 27-story, high-rise tower on an approximately 0.4-gross acre site located at the southeast corner of South 1<sup>st</sup> Street and East Reed Street (600 South 1<sup>st</sup> Street) , comprised of the following options:
  1. Option 1: A mixed-use development of no more than 295 condominium units including a maximum of 290 residential condominium units and a maximum of five (5) commercial condominium units; or
  2. Option 2: A co-living facility of no more than six (6) condominium units including a residential condominium unit for a Co-Living Facility with a maximum of 793 Bedrooms and a maximum of five (5) commercial condominium units.Tentative Map to merge two parcels into one parcel and to re-subdivide the parcel into re-subdivide the parcel pursuant to either of the following options:
  1. Option 1: One (1) parcel re-subdivided into no more than 295 condominium units including a maximum of 290 residential condominium units and a maximum of five (5) commercial condominium units; OR
  2. Option 2: One (1) parcel re-subdivided into no more than six (6) condominium units including one (1) residential condominium unit and a maximum of five (5) commercial condominium units.

(Salata James A and Suzanne M Trustee, Owner). Council District 3. CEQA: Garden Gate Tower Supplemental Environmental Impact Report to the Downtown Strategy 2040 Environmental Impact Report (Resolution 78942).

**PROJECT MANAGER, CASSANDRA VAN DER ZWEEP**

**Staff Recommendation:**

**That Planning Commission recommends that the City Council take all of the following actions:**

1. Adopt a resolution certifying the Supplemental Environmental Impact Report to the Downtown Strategy 2040 Environmental Impact Report (Resolution 78942) and adopting the associated Mitigation Monitoring and Reporting Plan for the Garden Gate Tower Project in accordance with CEQA; and
2. Adopt a Resolution approving the Vesting Tentative Subdivision Map to merge two parcels into one parcel and to re-subdivide the parcel pursuant to either of the following options:

Option 1: One (1) parcel re-subdivided into no more than 295 condominium units including a maximum of 290 residential condominium units and a maximum of five (5) commercial condominium units; OR

Option 2: One (1) parcel re-subdivided into no more than six (6) condominium units including one (1) residential condominium unit and a maximum of five (5) commercial

condominium units.

3. Adopt a Resolution approving a Special Use Permit, subject to conditions, to allow the demolition of existing on-site buildings, the removal one (1) non-ordinance size tree, and the construction of a 27-story, high-rise tower on an approximately 0.4-gross acre site located at the southeast corner of South 1st Street and East Reed Street, comprised of the following options:

Option 1: A mixed-use development of no more than 295 condominium units including a maximum of 290 residential condominium units and a maximum of five (5) commercial condominium units; or

Option 2: A co-living facility of no more than six (6) condominium units including a residential condominium unit for a Co-Living Facility with a maximum of 793 Bedrooms and a maximum of five (5) commercial condominium units.

4. Direct Staff to file a Notice of Determination pursuant to Section 15094 of the State CEQA Guidelines.

#### **VI. Referrals from City Council, Boards, Commissions, or Other Agencies**

#### **VII. Good and Welfare**

- a. Report from City Council
- b. Review and Approve Action Minutes from 10/9/19
- c. Subcommittee Formation, Reports, and Outstanding Business
- d. Commission Calendar and Study Sessions
- e. The Public Record

#### **VIII. Adjournment**

***The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.***

You may speak to the Commission about any discussion item that is on the agenda, and you may also speak during Public Comments on items that are not on the agenda and are within the subject matter jurisdiction of the Commission. Please be advised that, by law, the Commission is unable to discuss or take action on issues presented during Public Comments. Pursuant to Government Code Section 54954.2, no matter shall be acted upon by the Commission unless listed on the agenda, which has been posted not less than 72 hours prior to meeting.

Agendas, Staff Reports and some associated documents for the Commission items may be viewed on the Internet at <http://www.sanjoseca.gov/index.aspx?NID=5267>.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk, 200 East Santa Clara Street, 14<sup>th</sup> Floor, San José, California 95113, at the same time that the public records are distributed or made available to the legislative body. Any draft resolutions or other items posted on the Internet site or distributed in advance of the commission meeting may not be the final documents approved by the commission. Contact the Office of the City Clerk for the final document.

On occasion the Commission may consider agenda items out of order.

The Planning Commission meets every 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of each month at 6:30 p.m., with special meetings as necessary. If you have any questions, please direct them to the Commission staff. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

**To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call (408) 535-1260 as soon as possible, but at least three business days before the meeting.**

**Please direct correspondence and questions to:**

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