

Shiloh Ballard — Chair  
Peter Allen  
Mariel Caballero  
Michelle Yesney

Melanie Griswold — Vice Chair  
Rolando Bonilla  
Pierluigi Oliverio

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REGULAR HEARING AGENDA

6:30 p.m.

April 8, 2020

Teleconferenced Meeting

*One or more Commissioners may be teleconferencing or otherwise electronically participating from a remote location.*

*As of the date of this posting 4/1/20 Commissioners Ballard, Griswold, Allen, Bonilla, Caballero, Oliverio, and Yesney will be participating via teleconference.*

*Members of the public may view and listen to the meeting by following the instructions listed on page 2. Additional instructions are provided on page 2 to those members of the Public who would like to comment on agenda items.*

*Electronic device instructions:*

*For participants who would like to join electronically from a PC, Mac, Ipad, iPhone or Android device, please click this URL: <https://zoom.us/j/892466121>. Please ensure your device has audio input and output capabilities. During the session, if you would like to comment, please use the 'raise hand' feature in Zoom conference call.*

*Telephone device instructions:*

*For participants who would like to join telephonically please dial +1-877-853-5247 and when prompted, enter meeting ID: 892 466 121. Before or during the Commission meeting, email [PlanningSupportStaff@sanjoseca.gov](mailto:PlanningSupportStaff@sanjoseca.gov) or call 408-535-3505 and provide your name, phone number and what item(s) you would like to speak on.*

*Public Comments prior to meeting:*

*If you would like to submit your comments prior to the meeting, please e-mail [planningsupportstaff@sanjoseca.gov](mailto:planningsupportstaff@sanjoseca.gov) or dial 408-535-3505. Comments submitted prior to the meeting will be considered as if you were present in the meeting.*

## **I. Deferrals**

## **II. Consent Calendar**

- a. **[CP16-062 \(Administrative Hearing\)](#)**. Conditional Use Permit to allow the construction of a 60-foot tall wireless communication antenna (mono-pole) with up to 12 panel antennas and an approximately 900-square foot associated equipment enclosure with equipment on an approximately 1.99-gross acre site located on the east side of Oakland Road, at the intersection of Rock Avenue (2050 Oakland Road) (Williams Lill Holdings LP, Owner). Council District 4. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15303(e).

*PROJECT MANAGER, ANGELA WANG*

**Staff Recommendation:**

1. Consider an exemption in accordance with CEQA Guidelines Section 15303(e); and
  2. Adopt a resolution approving, subject to conditions, the Conditional Use Permit for a 60-foot tall wireless communication antenna (mono-pole) with up to 12 panel antennas and an associated equipment enclosure with equipment located on the east side of Oakland Road, at the intersection of Rock Avenue (2050 Oakland Road).
- b. **SP19-064.** Special Use Permit to allow the demolition of two residential buildings, accessory structures, a warehouse, the removal of 28 ordinance-size trees and 13 non-ordinance size trees for the construction of a 100% affordable housing (excluding two market rate manager's units) project with up to 233 multi-family residential apartment units with subterranean parking inclusive of an alternative parking design, and incentives under State Density Bonus law to reduce the required front setback along Meridian Avenue, and reduce the amount of required vehicle parking, all on an approximately 2.09-gross acre site located on the west side of Meridian Avenue (961-971 Meridian Avenue) (Labarbera Sal Trustee & et al., Owner). Council District 6. **CEQA:** Meridian Apartments Project Environmental Impact Report.

*PROJECT MANAGER, MAIRA BLANCO*

**Staff Recommendation:**

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

1. Adopt a Resolution certifying the Environmental Impact Report (SCH#2019050006) and making certain findings concerning significant impacts, mitigation measures, alternatives, and adopting a Statement of Overriding Considerations and a related Mitigation Monitoring and Reporting Program, all in accordance with the California Environmental Quality Act (CEQA).
2. Adopt a Resolution approving, subject to conditions, the Special Use Permit and Incentives under State Density Bonus Law to allow the demolition of two residential buildings, accessory structures, a warehouse, and removal of 28 ordinance-sized trees and 13 non-ordinance-sized trees, for the construction of a 100% affordable housing (excluding two market rate manager's units) project with up to 233 multi-family residential apartment units with subterranean parking inclusive of an alternative parking design, and incentives to reduce the required front setback along Meridian Avenue, and reduce the amount of required vehicle parking, all on an approximately 2.09-gross acre site.
3. Adopt a Resolution approving a Density Bonus Regulatory Agreement pursuant to San José Municipal Code Chapter 20.190.100.

- c. [CP19-014 \(Administrative Hearing\)](#). Conditional Use Permit to allow the sale of the full range of alcoholic beverages (Type 21 ABC License) for off-site consumption at a full-service grocery store (Safeway) on an approximately 7.87-gross acre site located on the southwest corner of Winchester Boulevard and Payne Avenue (1305 S. Winchester Boulevard) (Regency Centers, L.P., Owner). Council District 1. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15301 for Existing Facilities.

*PROJECT MANAGER, MATIAS EUSTERBROCK*

**Staff Recommendation:**

1. Consider an exemption in accordance with CEQA Guidelines Section 15301 for Existing Facilities; and
2. Approve a resolution approving, subject to conditions the Conditional Use Permit for the off-sale of a full-range alcoholic beverages at a full-service grocery store located on the southwest corner of Payne Avenue and South Winchester Boulevard (1305 South Winchester Boulevard).

**III. Public Hearing**

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

**V. Good and Welfare**

- a. Report from City Council
- b. Review and Approve Action Minutes from [3/25/20](#).
- c. Subcommittee Formation, Reports, and Outstanding Business
- d. Commission Calendar and Study Sessions
- e. The Public Record

**VI. 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 <https://www.sanjoseca.gov/your-government/departments/planning-building-code-enforcement/planning-division/commissions-and-hearings/planning-commission>.

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 view by clicking the link associated specifically to documents on this agenda, at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. Contact the Office of the City Clerk at (408) 535-1260 or [CityClerk@sanjoseca.gov](mailto:CityClerk@sanjoseca.gov) for the final document. City Hall is currently closed due to the COVID-19 shelter-in-place and records are not available for in-person inspection.

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.

**Please direct correspondence and questions to:**

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