



PLANNING COMMISSION
Action Minutes

Wednesday, October 9, 2024

Regular Hearing

6:30 p.m.

Council Chambers

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

Anthony Tordillos, Chair

Charles Cantrell, Vice Chair

Louis Barocio Dilpreet Bhandal

Melissa Bickford Justin Lardinois

Pierluigi Oliverio Carlos Rosario

Michael Young

Christopher Burton, Director

Planning, Building & Code Enforcement

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<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 Tordillos, Cantrell, Barocio, Bhandal, Bickford, Lardinois, Oliverio (arrived at 6:43 p.m.) and Rosario.

ABSENT: Commissioner Young

SUMMARY OF HEARING PROCEDURES

1. CALL TO ORDER & ORDERS OF THE DAY

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

2. PUBLIC COMMENT

*Mr. Campbell commented on homelessness and the impact it has on the environment.
Mr. Gomez commented on the no notice to the residence of Rancho Santa Teresa Mobile Home Park on the deferral of item 5.a. on the agenda.*

3. DEFERRALS AND REMOVALS FROM CALENDAR

ACTION: COMMISSIONER LARDINOIS MADE A MOTION TO APPROVE DEFERRALS AND REMOVALS FROM CALENDAR.

COMMISSIONER ROSARIO SECONDED THE MOTION (8-0-1; YOUNG ABSENT)

- a. **PP24-007:** An ordinance of the City of San José amending Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to amend the definition of emergency residential shelter in Chapter 20.200, amend the specific use regulations for emergency residential shelter in Chapter 20.80, and amend the emergency residential shelter use within Table 20-90 of Section 20.40.100 of Chapter 20.40, ‘Commercial Zoning Districts and Public/Quasi-Public Zoning District,’ Table 20-110 of Section 20.50.100 of Chapter 20.50, ‘Industrial Zoning Districts,’ and Table 20-138 of Section 20.55.203 of Chapter 20.55, ‘Urban Village and Mixed Use Zoning Districts,’ and Table 20-140 of Section 20.70.100 of Chapter 20.70, ‘Downtown Zoning Regulations located City Wide Projects, (City of San Jose, Owner). Council District: City Wide. **CEQA:** Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment.
PROJECT MANAGER, KRISTINE DO

Staff Recommendation:

- 1. DROPPED TO BE RENOTICED TO THE OCTOBER 23, 2024, PLANNING COMMISSION MEETING PER STAFF REQUEST.**

- a. **CP24-019 & ER24-158 (Administrative Hearing)**: Conditional Use Permit to allow the installation of an 85-foot-tall utility facility for a private network to read water meters remotely, on an approximately 5.61-gross-acre site located on the West side of South Bascom Avenue, approximately 300 feet northeast of the intersection of South Bascom Avenue and Camden Avenue (3033 South Bascom Avenue), (San Jose Water Company, Owner). Council District: 9. **CEQA**: Exempt pursuant to CEQA Guidelines Section 15061.

PROJECT MANAGER, KORA MCNAUGHTON

1. **DROPPED TO BE RENOTICED TO THE OCTOBER 23, 2024, PLANNING COMMISSION MEETING PER STAFF REQUEST.**

4. CONSENT CALENDAR

- a. **Review and Approve Action Minutes from September 25, 2024.**

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

COMMISSIONER CANTRELL SECONDED THE MOTION (8-0-1; YOUNG ABSENT)

- b. **CP23-015 & ER23-116 (Administrative Hearing)**: Conditional Use Permit to allow the removal of five trees (four ordinance-size, one non-ordinance-size, and 45 replacement trees) for the construction of an approximately 533-square-foot two-story addition to an existing approximately 7,964-square-foot retail bank (Excite Credit Union), the relocation of a legal nonconforming ATM drive-through, and minor site improvements located at the westerly corner of the intersection between Curtner Avenue and Little Orchard Street (265 Curtner Avenue) (G E San Jose Federal Credit Union, Owner). Council District: 7. **CEQA**: Exempt pursuant to CEQA Guidelines Section 15301 for Existing Facilities.

PROJECT MANAGER, CAMERON GEE

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

1. **CONSIDER THE EXEMPTION IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15301 FOR EXISTING FACILITIES; AND**
2. **ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A CONDITIONAL USE PERMIT TO ALLOW THE REMOVAL OF FIVE TREES (FOUR ORDINANCE-SIZE, ONE NON-ORDINANCE-SIZE, AND 45 REPLACEMENT TREES) FOR THE CONSTRUCTION OF AN APPROXIMATELY 533-SQUARE-FOOT TWO-STORY ADDITION TO AN EXISTING APPROXIMATELY 7,964-SQUARE-FOOT RETAIL BANK (EXCITE CREDIT UNION), THE RELOCATION OF A LEGAL NONCONFORMING ATM DRIVE-THROUGH, AND MINOR SITE IMPROVEMENTS ON AN APPROXIMATELY 1.20-GROSS-ACRE SITE.**

COMMISSIONER CANTRELL SECONDED THE MOTION (8-0-1; YOUNG ABSENT)

- c. **CP24-018 & ER24-157 (Administrative Hearing)**: Conditional Use Permit for the installation of a new 85-foot-tall lattice tower and related ground equipment for the remote reading of water meters located approximately 40 feet southerly of the intersection of Home Street and Sunol Street (736 Sunol Street) (San Jose Water Company, Owner). Council District: 6. **CEQA**: Exempt pursuant to CEQA Guidelines Section 15303 for New Construction of Small Structures.

PROJECT MANAGER, JASON LEE

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

- 1. CONSIDER A CATEGORICAL EXEMPTION IN ACCORDANCE WITH CEQA GUIDELINES SECTION 15303 FOR NEW CONSTRUCTION OF SMALL STRUCTURES; AND**
- 2. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A CONDITIONAL USE PERMIT TO INSTALL AN 85-FOOT-TALL LATTICE TOWER AND RELATED GROUND EQUIPMENT FOR THE REMOTE READING OF WATER METERS ON AN APPROXIMATELY 0.29-GROSS-ACRE SITE LOCATED APPROXIMATELY 40 FEET SOUTHERLY OF THE INTERSECTION OF HOME STREET AND SUNOL STREET (736 SUNOL STREET).**

COMMISSIONER CANTRELL SECONDED THE MOTION (8-0-1; YOUNG ABSENT)

5. PUBLIC HEARING

- a. **CP24-005 & ER24-042 (Administrative Hearing)**: Conditional Use Permit to allow the conversion of an existing approximately 1,907-square-foot recreation building to an approximately 1,742-square-foot single-family residence located on an approximately 34.27-gross-acre mobile home park site located on approximately 160 feet southerly of Saddle Brook Drive and Marjohn Boulevard intersection (510 Saddle Brook Drive) (Worthing SB LLC ETAL, Owner). Council District: 2. **CEQA**: Exempt pursuant to CEQA Guidelines Section 15301 for Existing Facilities. *Deferred from 9/25/24.*

PROJECT MANAGER, RINA SHAH

- 1. CONSIDER THE EXEMPTION IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15301(A): CLASS 1, FOR EXISTING FACILITIES**
- 2. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A CONDITIONAL USE PERMIT TO ALLOW THE CONVERSION OF AN EXISTING APPROXIMATELY 1,907-SQUARE-FOOT RECREATION BUILDING TO A APPROXIMATELY 1,742-SQUARE-FOOT SINGLE-FAMILY RESIDENCE LOCATED ON AN APPROXIMATELY 34.27-GROSS ACRE MOBILE HOME PARK SITE.**

REMOVED FROM PUBLIC HEARING AND HEARD UNDER DEFERRALS AND REMOVALS FROM CALENDAR.

STAFF RECOMMENDED TO DROP AND RENOTICE TO A LATER DATE PER APPLICANTS REQUEST.

ACTION: COMMISSIONER LARDINOIS MADE A MOTION TO APPROVE STAFF'S RECOMMENDATION TO DROP AND RENOTICE THE PROJECT.

COMMISSIONER ROSARIO SECONDED THE MOTION (8-0-1; YOUNG ABSENT)

- b. **CP23-021 & ER23-199 (Administrative Hearing)**: Conditional Use Permit to allow the removal of one non-ordinance-size tree for the installation of a new 65-foot-tall monopine telecommunication tower (monopine) with ten wireless communication antennas and associated ground equipment, including a standby generator, within a new 448-square-foot equipment compound located approximately 600 feet southerly of the intersection of Dove Hill Road and Cottlestone Court (3812 Dove Hill Road) (Shakeel Zafar, Owner). Council District: 8. **CEQA**: Exempt pursuant to CEQA Guidelines Section 15303 for New Construction of Small Structures.

PROJECT MANAGER, JASON LEE

- 1. CONSIDER A CATEGORICAL EXEMPTION IN ACCORDANCE WITH CEQA GUIDELINES SECTION 15303 FOR NEW CONSTRUCTION OF SMALL STRUCTURES; AND**
- 2. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A CONDITIONAL USE PERMIT TO ALLOW THE REMOVAL OF ONE NON-ORDINANCE-SIZE TREE FOR THE INSTALLATION OF A NEW 65-FOOT-HIGH MONOPOLE TELECOMMUNICATION TOWER (MONOPINE) WITH TEN WIRELESS COMMUNICATION ANTENNAS AND ASSOCIATED GROUND EQUIPMENT, INCLUDING A STANDBY GENERATOR, WITHIN A NEW 448-SQUARE-FOOT EQUIPMENT COMPOUND ON AN APPROXIMATELY 2.1-ACRE SITE LOCATED APPROXIMATELY 600 FEET SOUTHERLY OF THE INTERSECTION OF DOVE HILL ROAD AND COTTLESTONE COURT (3812 DOVE HILL ROAD).**

REMOVED FROM PUBLIC HEARING AND HEARD UNDER DEFERRALS AND REMOVALS FROM CALENDAR.

STAFF RECOMMENDED TO DEFER TO THE OCTOBER 23, 2024 PLANNING COMMISSION MEETING PER APPLICANT REQUEST.

ACTION: COMMISSIONER LARDINOIS MADE A MOTION TO APPROVE STAFF'S RECOMMENDATION TO DEFER THE PROJECT.

COMMISSIONER ROSARIO SECONDED THE MOTION (8-0-1; YOUNG ABSENT)

- c. **PDA91-006-94 & ER23-205 (Administrative Hearing)**: An appeal of the Planning Director's denial of a Planned Development Permit Amendment for the installation of entry gates across private streets at three separate locations within Country View Custom Estates on an approximately 71.29-gross-acre site, located at (1) the northern terminus of the private portion of Glenview Drive, (2) the southern leg of the intersection of Glenview Drive and Hollow Lake Way, and (3) the southern leg of the intersection of Hollow Lake Way and Quail Crest Way (Country View Custom Estates Owners' Association, Owner). Council District: 10. **CEQA**: Exempt pursuant to CEQA Guidelines Section 15270 for Projects Which Are Disapproved.

PROJECT MANAGER, JASON LEE

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

- 1. CONDUCT AN ADMINISTRATIVE HEARING TO CONSIDER THE APPEAL OF THE PLANNING DIRECTOR'S DENIAL OF PLANNED DEVELOPMENT PERMIT AMENDMENT FILE NO. PDA91-006-94, A REQUEST FOR THE INSTALLATION OF ENTRY GATES ACROSS PRIVATE STREETS AT THREE SEPARATE LOCATIONS WITHIN COUNTRY VIEW CUSTOM ESTATES ON AN APPROXIMATELY 71.29-GROSS-ACRE SITE; AND**

2. **CONSIDER A CATEGORICAL EXEMPTION IN ACCORDANCE WITH CEQA GUIDELINES SECTION 15270 FOR PROJECTS WHICH ARE DISAPPROVED; AND**
3. **ADOPT A RESOLUTION DENYING THE PERMIT APPEAL AND UPHOLDING THE DIRECTOR'S DECISION TO DENY A PLANNED DEVELOPMENT PERMIT AMENDMENT TO ALLOW THE INSTALLATION OF ENTRY GATES ACROSS PRIVATE STREETS AT THREE SEPARATE LOCATIONS, SPECIFICALLY (1) THE NORTHERN TERMINUS OF THE PRIVATE PORTION OF GLENVIEW DRIVE, (2) THE SOUTHERN LEG OF THE INTERSECTION OF GLENVIEW DRIVE AND HOLLOW LAKE WAY, AND (3) THE SOUTHERN LEG OF THE INTERSECTION OF HOLLOW LAKE WAY AND QUAIL CREST WAY, WITHIN COUNTRY VIEW CUSTOM ESTATES ON AN APPROXIMATELY 71.29-GROSS-ACRE SITE.**

COMMISSIONER BICKFORD SECONDED THE MOTION (8-0-1; YOUNG ABSENT)

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 October 8, 2024.

- b. Subcommittee Formation, Reports, and Outstanding Business

No Items

- c. Commission Calendar and Study Sessions.

- i. [Review and Approve the 2025 Planning Commission Meeting Schedule](#)

ACTION: COMMISSIONER BICKFORD MADE A MOTION TO APPROVE THE 2025 PLANNING COMMISSION MEETING SCHEDULE.

COMMISSIONER ROSARIO SECONDED THE MOTION (7-0-2; OLIVERIO & YOUNG ABSENT)

- d. The Public Record

No Items

8. ADJOURNMENT

The meeting adjourned at 8:29 p.m.