



PLANNING COMMISSION
Action Minutes

Wednesday, April 9, 2025

Regular & General Plan 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 (arrived at 6:32 p.m.), Bhandal, Bickford, Lardinois, Oliverio (arrived at 6.32 p.m.) Rosario and Young.

ABSENT: None

SUMMARY OF HEARING PROCEDURES

1. CALL TO ORDER & ORDERS OF THE DAY

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

2. PUBLIC COMMENT

3. DEFERRALS AND REMOVALS FROM CALENDAR

No Items

4. CONSENT CALENDAR

- a. Review and Approve Action Minutes from **March 26, 2025**.

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

COMMISSIONER LARDINOIS SECONDED THE MOTION (9-0)

- a. **[CP22-028 & ER22-267 \(Administrative Hearing\)](#)**: Conditional Use Permit to allow the removal of 17 trees (14 ordinance-size, three non-ordinance-size, and 108 replacement trees) for the construction of an approximately 48,051-square-foot residential care facility consisting of 94 beds and a surface parking lot on an approximately 1.77-gross acre site located on the Easterly side of Union Avenue between Byron Way and Cambrianna Drive (unaddressed parcel) (Kristi Schwiebert, Cambrian School District, Owner). Council District: 9. **CEQA**: Initial Study/Mitigated Negative Declaration for the Silverado Memory Care Community Project.

PROJECT MANAGER, CAMERON GEE

PULLED FROM CONSENT AND HEARD UNDER PUBLIC HEARING

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

- 1. ADOPT A RESOLUTION ADOPTING THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR THE SILVERADO MEMORY CARE COMMUNITY PROJECT AND THE ASSOCIATED MITIGATION MONITORING AND REPORTING PLAN, IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); AND**
- 2. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A CONDITIONAL USE PERMIT TO ALLOW THE REMOVAL OF 17 TREES (14 ORDINANCE-SIZE, THREE NON-ORDINANCE-SIZE, AND 108**

REPLACEMENT TREES) FOR THE CONSTRUCTION OF AN APPROXIMATELY 48,051-SQUARE-FOOT TWO-STORY RESIDENTIAL CARE FACILITY CONSISTING OF 94 BEDS ON AN APPROXIMATELY 1.77-GROSS ACRE SITE

COMMISSIONER OLIVERIO SECONDED THE MOTION (9-0)

5. PUBLIC HEARING

- a. **CP23-016, V24-001 & ER20-219 (Administrative Hearing):** Conditional Use Permit to allow the removal of 79 trees (35 ordinance-size, 44 non-ordinance-size, and 273 replacement trees) for the construction of two single-story data center buildings totaling approximately 397,205 square feet, an associated approximately 98,600-square-foot electrical substation, an approximately 1,600-square-foot sanitary sewer pump station, an approximately 3,000-square-foot storm drain pump station, an approximately 54,400-square-foot water storage tank, and 224 standby backup generators on an approximately 64.59-gross-acre site, including the removal and relocation of an existing approximately 1,440-square-foot visitor center to the rear of the property and the construction of a new 42-space surface parking area located at the Northwesterly corner of State Route 237 and McCarthy Boulevard (1657Alviso-Milpitas Road) (Microsoft Corporation, Owner). Council District: 4. **CEQA:** Addendum to the San José Data Center Environmental Impact Report, State Clearinghouse No. 2021020002. *Dropped to be renoticed from 3/12/25 & Deferred from 3/26/25.*

PROJECT MANAGER, CAMERON GEE

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

- 1. ADOPT A RESOLUTION CERTIFYING THE SAN JOSÉ DATA CENTER FINAL ENVIRONMENTAL IMPACT REPORT PREPARED BY THE CALIFORNIA ENERGY COMMISSION AND ADOPTING THE RELATED MITIGATION MONITORING AND REPORTING PLAN, AS A RESPONSIBLE AGENCY, IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED; AND**
- 2. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, (I) A CONDITIONAL USE PERMIT TO ALLOW THE RELOCATION OF AN EXISTING APPROXIMATELY 1,440-SQUARE-FOOT VALLEY WATER PURIFICATION VISITORS CENTER AND THE REMOVAL OF 79 TREES (35 ORDINANCE-SIZE, 44 NON-ORDINANCE-SIZE, AND 273 REPLACEMENT TREES) FOR THE CONSTRUCTION OF TWO SINGLE-STORY DATA CENTER BUILDINGS TOTALING APPROXIMATELY 397,205 SQUARE FEET, AN ASSOCIATED ELECTRICAL SUBSTATION, SANITARY SEWER PUMP STATION, STORM DRAIN PUMP STATION, WATER STORAGE TANK, AND 224 STANDBY BACKUP GENERATORS, AND (II) A DEVELOPMENT EXCEPTION TO ALLOW A PARKING REDUCTION, ON AN APPROXIMATELY 64.59-GROSS-ACRE SITE..**

COMMISSIONER CANTRELL SECONDED THE MOTION (9-0)

- b. **H24-034 & ER24-165 APPEAL (Administrative Hearing):** An appeal of the Planning Director's Approval of a Site Development Permit (File No. H24-034) to allow the partial demolition of City Landmark No. 74, "Herrold College" and a Structure of Merit and the total demolition of a third building for the construction of a 100% affordable 15-story mixed-use building consisting of up to 220 units, and approximately 3,320 square feet of ground floor commercial space on an approximately 0.50-gross-acre site, and a State Density Bonus request for two concessions and seven waivers from various development standards located

on the Northwest side of West William Street, between South 1st Street and South Market Street (455, 465, 467, and 493 South 1st Street, and 460, 470, and 480 South Market Street). (Gateway Tower SJ, LP, Owner). Council District: 3. **CEQA:** Addendum to the Gateway Tower Mixed Use Development Project Supplemental EIR (File No. ER24-165).

PROJECT MANAGER, ANGELA WANG

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

1. **CONDUCT AN ADMINISTRATIVE HEARING TO CONSIDER THE APPEAL OF THE PLANNING DIRECTOR’S APPROVAL OF A SITE DEVELOPMENT PERMIT (FILE NO. H24-034) TO ALLOW THE PARTIAL DEMOLITION OF CITY LANDMARK NO. 74, “HERROLD COLLEGE” AND A STRUCTURE OF MERIT AND THE TOTAL DEMOLITION OF A THIRD BUILDING FOR THE CONSTRUCTION OF A 100% AFFORDABLE 15-STORY MIXED-USE BUILDING CONSISTING OF UP TO 220 UNITS, AND APPROXIMATELY 3,320 SQUARE FEET OF GROUND FLOOR COMMERCIAL SPACE ON AN APPROXIMATELY 0.50-GROSS-ACRE SITE, AND A STATE DENSITY BONUS REQUEST FOR TWO CONCESSIONS AND SEVEN WAIVERS FROM VARIOUS DEVELOPMENT STANDARDS; AND**
2. **ADOPT A RESOLUTION DENYING THE PERMIT APPEAL AND UPHOLDING THE DIRECTOR’S DECISION TO APPROVE THE SITE DEVELOPMENT PERMIT, FILE NO. H24-034, TO ALLOW THE PARTIAL DEMOLITION OF CITY LANDMARK NO. 74, “HERROLD COLLEGE” AND A STRUCTURE OF MERIT AND THE TOTAL DEMOLITION OF A THIRD BUILDING FOR THE CONSTRUCTION OF A 100% AFFORDABLE 15-STORY MIXED-USE BUILDING CONSISTING OF UP TO 220 UNITS, AND APPROXIMATELY 3,320 SQUARE FEET OF GROUND FLOOR COMMERCIAL SPACE ON AN APPROXIMATELY 0.50-GROSS-ACRE SITE, AND A STATE DENSITY BONUS REQUEST FOR TWO CONCESSIONS AND SEVEN WAIVERS FROM VARIOUS DEVELOPMENT STANDARDS**

COMMISSIONER LARDINOIS SECONDED THE MOTION (9-0)

6. OPEN THE GENERAL PLAN HEARING (2025 CYCLE 1)

7. GENERAL PLAN CONSENT CALENDAR

Notice to the public: There will be no separate discussion of individual Consent Calendar items as they are considered to be routine and will be adopted by one motion. If a member of the Commission requests debate, separate vote or recusal on a particular item, that item may be removed from the Consent Calendar by the Chair and considered separately. The public may comment on the entire Consent Calendar and any items removed from the Consent Calendar by the Chair.

Staff will provide an update on the consent calendar. If you wish to speak on one of these items individually, please come to the podium at this time.

No Items

8. GENERAL PLAN 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. **GP18-012, PDC23-009 & ER23-056:** City-initiated General Plan Amendment to change the Envision San José 2040 Land Use Transportation Diagram designation from Open Space, Parkland and Habitat and Light Industrial to Combined Industrial/ Commercial on four sites along Coleman Avenue and West Hedding Street. City-initiated rezoning to change the zoning district from no designation, OS Open Space, LI Light Industrial, and R-2 Two-Family Residence to OS(PD) Planned Development on four sites along Coleman Avenue and West Hedding Street located at Site 1: Northwest corner of the intersection of West Hedding Street and Ruff Drive; Site 2: Northeast corner of the intersection of West Hedding Street and Spring Street; Site 3: Situated between Coleman Avenue, West Hedding Street, Walnut Street and Asbury Street; Site 4: Situated easterly on Coleman Avenue 80 feet south of Asbury Street. (City of San Jose, Owner). **CEQA:** Coleman and Hedding Commercial Development GPA and PD Rezoning Project Environmental Impact Report. *PROJECT MANAGER, LAURA MAURER*

ACTION: COMMISSIONER YOUNG MADE A MOTION TO APPROVE STAFF RECOMMENDATIONS TO RECOMMEND CITY COUNCIL TAKE ALL THE FOLLOWING ACTIONS:

- 1. ADOPT A RESOLUTION CERTIFYING THE COLEMAN AND HEDDING COMMERCIAL DEVELOPMENT GPA AND PD REZONING PROJECT ENVIRONMENTAL IMPACT REPORT AND ADOPT A MITIGATION MONITORING AND REPORTING PLAN, IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), AS AMENDED (EXHIBIT A); AND**
- 2. ADOPT A RESOLUTION APPROVING THE GENERAL PLAN AMENDMENT TO AMEND THE ENVISION SAN JOSÉ 2040 GENERAL PLAN LAND USE/TRANSPORTATION DIAGRAM LAND USE DESIGNATION FROM OPEN SPACE, PARKLAND AND HABITAT AND LIGHT INDUSTRIAL TO COMBINED INDUSTRIAL COMMERCIAL (EXHIBIT B); AND**
- 3. ADOPT AN ORDINANCE APPROVING THE REZONING OF CERTAIN REAL PROPERTY SITUATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF WEST HEDDING STREET AND RUFF DRIVE (APN 230-38-076) FROM THE OS OPEN SPACE ZONING DISTRICT TO THE OS(PD) PLANNED DEVELOPMENT ZONING DISTRICT ON AN APPROXIMATELY 0.36-GROSS-ACRE SITE (SITE 1) (EXHIBIT C); AND**
- 4. ADOPT AN ORDINANCE APPROVING THE REZONING OF CERTAIN REAL PROPERTY SITUATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF WEST HEDDING STREET AND SPRING STREET (APN 230-38-092) FROM THE OS OPEN SPACE ZONING DISTRICT TO THE OS(PD) PLANNED DEVELOPMENT ZONING DISTRICT ON AN APPROXIMATELY 0.37-GROSS-ACRE SITE (SITE 2) (EXHIBIT D); AND**
- 5. ADOPT AN ORDINANCE APPROVING THE REZONING OF CERTAIN REAL PROPERTIES SITUATED BETWEEN COLEMAN AVENUE, WEST HEDDING STREET, WALNUT STREET AND ASBURY STREET (APN 259-02-131, 259-02-130, 259-08-102, AND UNIVERSITY AVENUE RIGHT-OF-WAY BETWEEN COLEMAN AVENUE AND WALNUT STREET) FROM THE NO DESIGNATION, OS OPEN SPACE, LI LIGHT INDUSTRIAL, AND R-2 TWO-FAMILY RESIDENCE ZONING DISTRICT TO THE OS(PD) PLANNED DEVELOPMENT ZONING DISTRICT ON AN APPROXIMATELY 10.27-GROSS-ACRE SITE (SITE 3) (EXHIBIT E); AND**

6. **ADOPT AN ORDINANCE APPROVING THE REZONING OF CERTAIN REAL PROPERTIES SITUATED EASTERLY ON COLEMAN AVENUE 80 FEET SOUTH OF ASBURY STREET (APN 259-08-101 (WESTERN PORTION ONLY) AND 259-08-072) FROM THE OS OPEN SPACE ZONING DISTRICT TO THE OS(PD) PLANNED DEVELOPMENT ZONING DISTRICT AN APPROXIMATELY 0.27-GROSS-ACRE SITE (SITE 4) (EXHIBIT F).**

COMMISSIONER OLIVERIO SECONDED THE MOTION (9-0)

- b. **Burbank 45, C21-034, GP23-001, H23-005, T23-003 & ER23-026:** Annexation of five unincorporated lots and a portion of Cleveland Avenue totaling approximately 0.912 acres from the County of Santa Clara into the City of San José. Pre-zoning of five lots to the Urban Village Zoning District. General Plan Amendment from the Mixed Use Commercial designation to the Urban Village designation and associated amendment to the land use map (Figure 3-1) in the West San Carlos Urban Village Plan. Site Development Permit to allow demolition of five existing commercial structures totaling approximately 12,500 square feet and allow construction of a mixed-use development consisting of 94 one hundred percent affordable rental units, including one manager's unit, and approximately 1,800 square feet of commercial space, on an approximately 0.56-acre site. The project includes eight Density Bonus waivers and four incentives. Vesting Tentative Map to combine five lots into one lot totaling 0.56 acres to facilitate the project as described located on the northeast corner of West San Carlos Street and Cleveland Avenue (1921-1927 West San Carlos Street and 30, 40, and 58 Cleveland Avenue) (PATH Ventures, Owner). **CEQA:** Mitigated Negative Declaration for 1921 and 1927 West San Carlos Project.

PROJECT MANAGER, MAIRA BLANCO

ACTION: COMMISSIONER OLIVERIO MADE A MOTION TO APPROVE STAFF RECOMMENDATIONS TO RECOMMEND CITY COUNCIL TAKE ALL THE FOLLOWING ACTIONS:

1. **ADOPT A RESOLUTION ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR THE 1921-1927 WEST SAN CARLOS STREET PROJECT AND A RELATED MITIGATION MONITORING AND REPORTING PLAN, PER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); AND**
2. **APPROVE AN ORDINANCE PRE-ZONING AN APPROXIMATELY 0.56-GROSS ACRE SITE IN SANTA CLARA COUNTY UNINCORPORATED TERRITORY DESIGNATED AS BURBANK NO. 45 INTO THE URBAN VILLAGE ZONING DISTRICT; AND**
3. **ADOPT A RESOLUTION INITIATING PROCEEDINGS AND SCHEDULING MAY 6, 2025, FOR CITY COUNCIL CONSIDERATION OF THE REORGANIZATION OF TERRITORY DESIGNATED AS BURBANK NO. 45, WHICH INVOLVES THE ANNEXATION TO THE CITY OF SAN JOSÉ OF APPROXIMATELY 0.912-GROSS ACRES OF LAND FROM SANTA CLARA COUNTY UNINCORPORATED TERRITORY AND THE DETACHMENT OF THE SAME FROM THE APPROPRIATE SPECIAL DISTRICTS, INCLUDING THE BURBANK SANITARY DISTRICT; AND**
4. **ADOPT A RESOLUTION APPROVING THE GENERAL PLAN AMENDMENT TO AMEND THE ENVISION SAN JOSÉ 2040 GENERAL PLAN LAND USE/TRANSPORTATION DIAGRAM LAND USE DESIGNATION FROM MIXED USE COMMERCIAL TO URBAN VILLAGE AND A TEXT AMENDMENT TO THE WEST SAN CARLOS URBAN VILLAGE PLAN TO**

AMEND THE LAND USE MAP (FIGURE 3-1) DESIGNATION FROM MIXED USE COMMERCIAL TO URBAN VILLAGE; AND

- 5. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A SITE DEVELOPMENT PERMIT TO ALLOW DEMOLITION OF FIVE COMMERCIAL STRUCTURES TOTALING APPROXIMATELY 12,500 SQUARE FEET, AND THE CONSTRUCTION OF A SEVEN-STORY MIXED-USE DEVELOPMENT CONSISTING OF 94 ONE HUNDRED PERCENT AFFORDABLE UNITS, INCLUDING A MANAGER'S UNIT, AND APPROXIMATELY 1,800 SQUARE FEET OF GROUND FLOOR COMMERCIAL SPACE, AND A DENSITY BONUS REQUEST FOR FOUR CONCESSIONS AND EIGHT WAIVERS ON A 0.56-ACRE SITE; AND**
- 6. ADOPT A RESOLUTION APPROVING A VESTING TENTATIVE MAP TO COMBINE FIVE LOTS TO CREATE ONE APPROXIMATELY 0.56-LOT TO FACILITATE THE PROPOSED MIXED-USE DEVELOPMENT**

COMMISSIONER LARDINOIS SECONDED THE MOTION (9-0)

9. CONTINUE THE GENERAL PLAN HEARING TO APRIL 23, 2025 (2025 CYCLE 1)

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

No items

11. GOOD AND WELFARE

- a. Report from City Council

No Items

- b. Subcommittee Formation, Reports, and Outstanding Business

No Items

- c. Commission Calendar and Study Sessions.

- d. The Public Record

Commissioner Oliverio inquired about the next Planning Commission Meeting on 4/23/25 & if this meeting will occur.

Planning Commission Secretary Sandhir stated that she will confirm & get back to the Commission.

12. ADJOURNMENT

The meeting adjourned at 9:27 p.m.