



PLANNING COMMISSION

Action Minutes

Wednesday, September 24, 2025

Regular Hearing

6:30 p.m.

Council Chambers

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

Carlos Rosario, Chair

Melissa Bickford, Vice Chair

Louis Barocio

Dilpreet Bhandal

Charles Cantrell

Daniel Cao

Lawrence Casey

Khoi Nguyen

Pierluigi Oliverio

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 Rosario, Bickford, Barocio, Bhandal, Cantrell, Cao (arrived at 6:37 p.m.), Casey, and Oliverio (arrived at 6:35 p.m. and left at 6:52 p.m.)

ABSENT: Commissioners Nguyen and 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

3. DEFERRALS AND REMOVALS FROM CALENDAR

ACTION: COMMISSIONER CANTRELL MADE A MOTION TO DEFER TO A LATER PLANNING COMMISSION MEETING.

COMMISSIONER BHANDAL SECONDED THE MOTION (7-0-3; CAO, NGUYEN, YOUNG ABSENT)

- a. **CP22-011 & ER22-080 (Administrative Hearing):** Conditional Use Permit to allow the construction of an approximately 2,000-square-foot commercial building with a drive-through (proposed Starbucks) and late-night use (4:00 a.m. to midnight), the demolition of an approximately 1,780-square-foot vacant commercial building, and the removal of nine trees (two ordinance-size, seven non-ordinance-size, and nine replacement trees) on an approximately 1.12-gross-acre site located at 2102 Mckee Road (VSK Group LLC, Owner). Council District: 5. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15303 for New Construction or Conversion of Small Structures.

PROJECT MANAGER, CAMERON GEE

STAFF RECOMMENDS:

1. **DROPPED TO BE RE-NOTICED TO A LATER DATE PER APPLICANT REQUEST.**

4. CONSENT CALENDAR

ACTION: COMMISSIONER OLIVERIO MADE A MOTION TO APPROVE CONSENT CALENDAR ITEMS 4.A. AND 4.B.

COMMISSIONER BICKFORD SECONDED THE MOTION (8-0-2; NGUYEN & YOUNG ABSENT)

- a. [Review and Approve Action Minutes from August 27, 2025.](#)

- b. **CP25-004 & ER25-031 (Administrative Hearing):** Conditional Use Permit to allow the construction of an approximately 90-foot-high monopine consisting of 12 antennas, 12 remote radio units, and associated ground equipment surrounded by an approximately eight-foot-high chain-link fence, and the removal of four ordinance-size trees and four parking stalls on an approximately 0.99-gross-acre site located on the southwesterly side of North Capitol Avenue, approximately 250 feet northwesterly of the intersection of North Capitol Avenue and Autumnvale Drive (2021 North Capitol Avenue) (Espresso Investments, LLC, Owner). Council District: 4. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15303 for New Construction or Conversion of Small Structures.

PROJECT MANAGER, CAMERON GEE

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 ALLOW THE CONSTRUCTION OF AN APPROXIMATELY 90-FOOT-HIGH MONOPINE CONSISTING OF 12 ANTENNAS, 12 REMOTE RADIO UNITS, AND ASSOCIATED GROUND EQUIPMENT SURROUNDED BY AN APPROXIMATELY EIGHT-FOOT-HIGH FENCE, AND THE REMOVAL OF FOUR ORDINANCE-SIZE TREES AND FOUR PARKING STALLS ON AN APPROXIMATELY 0.99-GROSS-ACRE SITE.**

5. PUBLIC HEARING

- a. **PP25-004:** Adopt an ordinance of the City of San José amending various sections of Title 20, Part 16 of the San José Municipal Code (Zoning Ordinance or Zoning Code) related temporary uses of outdoor private property to: (1) Amend (a) 20.80.1450 to simplify and consolidate zoning considerations in subsequent sections; (b) 20.80.1450 Subsection 1, to increase days of operation to include Thursdays, as well as Fridays, Saturdays, and Sundays ; (c) 20.80.1450 Subsection 2, to increase the number of events that can occur in a private parking lot from two events in a six month period to twenty-six events in a twelve month period; (d) 20.80.1450 Subsection 3, to increase the frequency of event days from no more than three consecutive days and two consecutive weeks to no more than four consecutive days in a one week period; (e) 20.80.1450 to include a new subsection consolidating and outlining permitting limitations in relation to residential dwelling units; (2) Amend 20.80.1460 to remove section and consolidate residential dwelling unit considerations in relation to commercially zoned properties; (3) Amend 20.80.1470 to remove section and consolidate residential dwelling unit considerations in relation to industrial zoned properties; (4) Amend 20.80.1480 to remove limitations on event permitting related to the number of parking spaces used for the purpose of a special event within a private parking lot; and to make other technical, non-substantive, or formatting changes within those sections of Title 20 of the San José Municipal Code discussed. located Citywide (City of San Jose, Owner). Council District: Citywide. **CEQA:** Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) , and Addenda thereto., *Deferred from 8/27/25.*

PROJECT MANAGER, ZACHARIAS MENDEZ

ACTION: COMMISSIONER BICKFORD MADE A MOTION TO RECOMMEND CITY COUNCIL TAKE ALL THE FOLLOWING

1. Consider the Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report , and Addenda thereto, in accordance with CEQA; and
2. Adopt an ordinance of the City of San José amending various sections of Title 20, Part 16 of the San José Municipal Code (Zoning Ordinance or Zoning Code) related temporary uses of outdoor private property to: amend (a) 20.80.1450 to simplify and consolidate zoning considerations in subsequent sections; (b) amend 20.80.1450 Subsection 1, to increase days of operation to include Thursdays, as well as Fridays, Saturdays, and Sundays ; (c) amend 20.80.1450 Subsection 2, to increase the number of events that can occur in a private parking lot from two events in a six month period to twenty-six events in a twelve month period; (d) amend 20.80.1450 Subsection 3, to increase the frequency of event days from no more than three consecutive days and two consecutive weeks to no more than four consecutive days in a one week period; (e) amend 20.80.1450 to include a new subsection consolidating and outlining permitting limitations in relation to residential dwelling units; (2) Amend 20.80.1460 to remove section and consolidate residential dwelling unit considerations in relation to commercially zoned properties; (3) amend 20.80.1470 to remove section and consolidate residential dwelling unit considerations in relation to industrial zoned properties; (4) amend 20.80.1480 to remove limitations on event permitting related to the number of parking spaces used for the purpose of a special event within a private parking lot; and to make other technical, non-substantive, or formatting changes within those sections of Title 20 of the San José Municipal Code discussed.

COMMISSIONER CASEY SECONDED THE MOTION (8-0-2; NGUYEN & 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 September 16, 2025 and September 23, 2025. The Commission Secretary reported on Joint City Council and Planning Commission study session on September 18, 2025.

- b. Subcommittee Formation, Reports, and Outstanding Business
- c. Commission Calendar and Study Sessions.

The October 8, 2025 Planning Commission meeting is cancelled.

Deputy Director, Manira Sandhir, reported that the 4-year General Plan review study session schedule is complete and shared with the Planning Commissioners. It will also be posted online. The first meeting is scheduled for October 15, 2025. Commissioners discussed the meeting format and public engagement approach for these sessions.

- d. The Public Record

ADJOURNMENT

The meeting adjourned at 7:21 p.m.