

## PLANNING COMMISSION

April 13, 2016

Action Report

### WELCOME

### SALUTE TO THE FLAG

### ROLL CALL

PRESENT: Commissioners Yob, Abelite, Ballard, Bit-Badal, O'Halloran, Pham, and Yesney

ABSENT: None

### SUMMARY OF HEARING PROCEDURES

#### 1. PUBLIC COMMENT

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*Introduction of Ned Thomas as the Planning Division's new supervising planner in development review.*

#### 2. DEFERRALS AND REMOVALS FROM CALENDAR

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*No Items*

#### 3. CONSENT CALENDAR

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- a. **[CP15-053 \(Administrative Hearing\)](#)**. Conditional Use Permit to change a legal nonconforming single-family residence (parish rectory) use to a conforming use and a Site Development Permit to allow a 497 square foot expansion of the legal nonconforming single family residence structure on an approximately 6.74 gross acre site in the A Agricultural Zoning District located on the southerly side of McKean Road, approximately 1,750 feet southeasterly of Harry Road (20101 McKean Road). (Roman Catholic Bishop of San Jose, Owner). Council District 10. CEQA: Exempt per CEQA Guidelines Section 15301 for Existing Facilities. *Deferred from 3/23/16. PROJECT MANAGER, DAVID FONG*

**1. DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA (7-0-0)**

**2. APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 16-024 (7-0-0)**

Access the video, agenda, and related reports for this meeting by visiting the City's website at:

<http://www.sanjoseca.gov/planning/hearings/>

- b. [CP15-062 \(Administrative Hearing\)](#). Conditional Use Permit to allow the use of a daycare center for up to 36 children and six staff within an existing 1,950-square foot building; a proposed exterior play area within 150 feet of a residentially-zoned property; and to allow the maximum allowable noise level at residential and commercial property lines to be exceeded by up to 25 decibels, on a 0.21-gross acre site in the CO Commercial Office Zoning District located on the southeast corner of Monroe Street and Stevens Creek Blvd. (330 South Monroe St.) (Priyanka Bansal, Owner). Council District 6. CEQA: Exempt per CEQA Guidelines Section 15301 for Existing Facilities.

*PROJECT MANAGER, PATRICK KELLY*

- 1. DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA (7-0-0)**
- 2. APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 16-025 (7-0-0)**

- c. The following projects being considered are located on an approximately 0.61 gross acre site, located on the west side of Araujo Street, approximately 300 feet southerly of the intersection of Townsend Park Circle and Araujo Street (1560 Oakland Road),(Villa Developers, LLC, Owner). Council District 4. CEQA: Mitigated Negative Declaration for Araujo Street Subdivision. *PROJECT MANAGER, JOHN TU*

[PDC14-058](#). Planned Development Rezoning from the A Agricultural Zoning District to a R-M(PD) Planned Development Zoning District to allow nine single-family detached residences; and

[PD14-047](#). Planned Development Permit to allow the construction of nine single-family detached residences; and

[PT14-047](#). Vesting Tentative Map to subdivide 1 parcel into nine lots for residential uses, and 1 lot for common uses.

- 1. RECOMMENDED TO THE CITY COUNCIL CONSIDERATION OF THE MITIGATED NEGATIVE DECLARATION FOR ARAUJO STREET SUBDIVISION (7-0-0)**
- 2. RECOMMENDED TO THE CITY COUNCIL THE APPROVAL OF A PLANNED DEVELOPMENT REZONING ORDINANCE, PLANNED DEVELOPMENT PERMIT RESOLUTION AND A VESTING TENTATIVE MAP RESOLUTION (7-0-0)**

#### **4. PUBLIC HEARING**

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- a. The following projects being considered are located on a 0.99-gross acre site, located on the west side of Almaden Road, approximately 410 feet south of Willow Glen Way (1777-1797 Almaden Road) (Royal Willow LLC, Owner). Council District 6. CEQA: Mitigated Negative Declaration for Scotia Apartments, 1777 & 1797 Almaden Road. *PROJECT MANAGER, PATRICK KELLY*

[PDC15-023](#). Planned Development Rezoning from the R-M Multiple Residence Zoning District and the R-1-5 Single-Family Residence Zoning District to the R-M(PD) Planned Development Zoning District to allow for up to 55 multi-family residential units; and

[PD16-001](#). Planned Development Permit to allow the demolition of eight existing residences totaling approximately 8,000 square feet, the removal of 12 ordinance-size trees, and the construction of 55 multi-family dwelling units.

- 1. RECOMMENDED TO THE CITY COUNCIL CONSIDERATION OF THE MITIGATED NEGATIVE DECLARATION FOR SCOTIA APARTMENTS, 1777 & 1797 ALMADEN ROAD (7-0-0)**
- 2. RECOMMENDED TO THE CITY COUNCIL THE APPROVAL OF A PLANNED DEVELOPMENT REZONING ORDINANCE AND PLANNED DEVELOPMENT PERMIT RESOLUTION (7-0-0) WITH THE INCLUSION OF A VOLUNTARY CONTRIBUTION OF THE COST OF UP TO TWO RADAR SPEED SIGNS.**

- b. [Bylaws Amendments](#). Consider adoption of a Resolution to approve proposed Bylaw Amendments pertaining to Public Hearings before the Commission and consider other procedural changes as recommended.

**MOTION TO APPROVE THE FORMATION OF A SUB-COMMITTEE ON REVIEWING THE BYLAWS (4-3-0; ABELITE, BALLARD, YESNEY OPPOSED)**

**MOTION TO APPROVE THE APPOINTMENT OF SUB-COMMITTEE MEMBERS YOB, BIT-BADAL, & PHAM (6-0-1; BIT-BADAL OPPOSED)**

## **5. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS, OR OTHER AGENCIES**

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*No Items*

## **6. GOOD AND WELFARE**

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- a. Report from City Council  
*No Reports*
- b. Review and Approve Synopsis from [3-23-16](#)  
*Synopsis Approved (6-0-1; Yob Abstained)*
- c. Subcommittee Formation, Reports, and Outstanding Business  
*No Reports*
- d. Commission Calendar and Study Sessions  
*No Reports*
- e. The Public Record  
*No Items*

## **ADJOURNMENT**