

PLANNING COMMISSION

April 27, 2016

Action Report

WELCOME

SALUTE TO THE FLAG

ROLL CALL

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

ABSENT: Commissioner Abelite

SUMMARY OF HEARING PROCEDURES

1. PUBLIC COMMENT

The City needs to be mindful of all who live in San Jose; not just focusing on balancing jobs-to-housing.

The City needs to keep an eye toward oversight on community partnership and facilitate meaningful dialect.

2. DEFERRALS AND REMOVALS FROM CALENDAR

No Items

3. CONSENT CALENDAR

- a. **CP15-029 (Administrative Hearing)**. Conditional Use Permit to allow a daycare center for up to 40 children within an existing 1,750 square foot commercial building, with a proposed building addition of 586 square feet; proposed exterior play areas within 150 feet of residentially-zoned properties; and to allow the maximum allowable noise level at residential and commercial property lines to be exceeded by up to 38 decibels, on a 0.33-gross acre site in the CP Commercial Pedestrian Zoning District located on north side of Malone Road, approximately 190 feet easterly of Johnston Avenue (831 Malone Road) (Becker, Todd E. and Diane M., Owners). Council District 6. CEQA: Exempt per CEQA Guidelines Section 51301(e)(1) for Existing Facilities. *PROJECT MANAGER, PATRICK KELLY*
- 1. DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA (6-0-1, ABELITE ABSENT)**
 - 2. APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 16-026 (6-0-1, ABELITE ABSENT)**
- b. **CP16-003 (Administrative Hearing)**. Conditional Use Permit to allow the continued operation of an existing 7,000 square foot church with no new construction or expansion, on an 8.49-gross acre site in the R-1-8 Single-Family Residence Zoning District located at 420 Allegan Circle (Oak Grove School District, Owner). Council District: 2. CEQA: Exempt per CEQA Guidelines Section 15301(a) for Existing Facilities. *PROJECT MANAGER, JUSTIN DANIELS*
- 1. DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA (6-0-1, ABELITE ABSENT)**
 - 2. APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 16-027 (6-0-1, ABELITE ABSENT)**
- c. **CP16-013 (Administrative Hearing)**. Conditional Use Permit to allow a public secondary school (grades 6-12) with a maximum enrollment of 1,237 students in existing buildings totaling 84,998 square feet; and incorporating a Site Development Permit to allow the demolition of a 7,027 square foot building, a 10,527 square foot expansion of a legal nonconforming structure, and site improvements on an approximately 3.69 gross acre site in the CIC Combined Industrial/Commercial Zoning District, located at the southwest corner of West Alma Avenue and Monterey Highway (1402 Monterey Road). (Downtown College Preparatory, Owner). Council District 7. CEQA: Mitigated Negative Declaration to be adopted. *PROJECT MANAGER, DAVID FONG*
- PULLED FROM CONSENT CALENDAR AND HEARD UNDER PUBLIC HEARING**
- 1. RECOMMENDED MITIGATED NEGATIVE DECLARATION TO BE ADOPTED (5-1-1, O’HALLORAN OPPOSED; ABELITE ABSENT)**
 - 2. APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 16-028 (5-1-1, O’HALLORAN OPPOSED; ABELITE ABSENT) WITH REVISED RESOLUTION TO INCLUDE PUBLIC WORK CONDITIONS AND AN ERRATA TO UPDATE CERTAIN MINOR INFORMATION IN THE MITIGATED NEGATIVE DECLARATION**

4. PUBLIC HEARING

- a. The projects being considered are located at 2500 Senter Road in the PQP Public/Quasi-Public Zoning District (County of Santa Clara, Owner). Council District: 7. CEQA: Addendum to the 2500 Senter Road Residential Project Mitigated Negative Declaration. **PROJECT MANAGER, JENNIFER PIOZET**
- CP15-078 (Administrative Hearing).** Conditional Use Permit to legalize the demolition of a church and associated accessory buildings, the construction of 162-unit Residential Service Facility, and the removal of 26 ordinance sized trees, on a 2.6-gross acre site.
- T15-064 (Administrative Hearing).** Vesting Tentative Map re-subdividing two existing parcels and subdividing one of those parcels into 2 residential condominium airspaces on a 2.6-gross acre site.
1. **RECOMMENDED ADDENDUM TO THE 2500 SENTER ROAD RESIDENTIAL PROJECT MITIGATED NEGATIVE DECLARATION (6-0-1, ABELITE ABSENT)**
 2. **APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 16-029 (6-0-1, ABELITE ABSENT)**
APPROVED THE VESTING TENTATIVE MAP – RESOLUTION NO. 16-030 (6-0-1, ABELITE ABSENT)

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

No Items

6. GOOD AND WELFARE

- a. Report from City Council
Flea Market deferred to 5/10/16.
- b. Review and Approve Synopsis from [4-13-16](#)
Synopsis Approved (6-0-1, Abelite Absent)
Revised appointment to the Subcommittee from “Pham” to “Abelite.”
- c. Subcommittee Formation, Reports, and Outstanding Business
Bylaws Subcommittee: Deputy City Attorney reported that the first subcommittee meeting is being coordinated to include Councilmember Ash Kalra. However, because his availability is limited, the meeting may need to be scheduled without his attendance.
- d. Commission Calendar and Study Sessions
Discussed direction of Planning Commission’s review of the 2016/2017 Capital Budget and the 2016/2017 Capital Improvement Program.
- e. The Public Record
No Items

ADJOURNMENT