

AMENDED
PLANNING COMMISSION

May 4, 2016
Action Report

WELCOME

SALUTE TO THE FLAG

ROLL CALL

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

ABSENT: Commissioners Yob and Pham

SUMMARY OF HEARING PROCEDURES

1. STUDY SESSION AND PUBLIC HEARING: TO BE HEARD AT 5:00 P.M.

a. **CITY'S PROPOSED 2017-2021 CAPITAL IMPROVEMENT PROGRAM.** *PROJECT MANAGER, JASON ROGERS*

- 1. RECOMMEND TO THE CITY COUNCIL THE ADOPTION OF THE PROPOSED 2016-2017 CAPITAL BUDGET AND 2017-2021 CAPITAL IMPROVEMENT PROGRAM, AND TRANSMITTED A REPORT TO THE CITY COUNCIL PROVIDING COMMENTS INCLUDING A FINDING OF CONSISTENCY WITH THE ENVISION SAN JOSE 2040 GENERAL PLAN (6-0-1, PHAM ABSENT)**

2. PUBLIC COMMENT: TO BE HEARD AT 6:30 P.M.

No Items

3. DEFERRALS AND REMOVALS FROM CALENDAR: TO BE HEARD AT 6:30 P.M.

No Items

Access the video, agenda, and related reports for this meeting by visiting the City's website at:
<http://www.sanjoseca.gov/planning/hearings/>

4. CONSENT CALENDAR: TO BE HEARD AT 6:30 P.M.

- a. **CP15-085 (Administrative Hearing)**. Conditional Use Permit to construct a 50-foot tall wireless communication facility (monopole), associated equipment enclosure, and emergency generator on an approximately 1.85 gross acre site in the CN Commercial Neighborhood Zoning District located at southeast corner of Bollinger Road and Miller Avenue (6164 Bollinger Road) (Marchese Christopher Trustee & Et Al, Owner). Council District 1. CEQA: Exempt per CEQA Guidelines Section 15303 for New Construction or Conversion of Small Structures. *PROJECT MANAGER, TRACY TAM*
1. **DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA (5-0-2, YOB & PHAM ABSENT)**
 2. **APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 16-031 (5-0-2, YOB & PHAM ABSENT)**

5. PUBLIC HEARING: TO BE HEARD AT 6:30 P.M.

- a. The project being considered is located on a 1.48-gross acre site located on the southwesterly corner of Saratoga Avenue and Quito Road (1804 Saratoga Avenue) in the CP Commercial Pedestrian Zoning District (Geoffrey A. Farrar Trustee & Et Al, Owner). Council District 1. CEQA: CVS/Pharmacy Store #9498 Mitigated Negative Declaration. *PROJECT MANAGER, REBECCA BUSTOS*
- C15-008**. Conforming Rezoning from the CP Commercial Pedestrian Zoning District to the CN Commercial Neighborhood Zoning District.
- CP15-014**. Conditional Use Permit to allow the demolition of three existing commercial buildings (totaling 15,960 square feet), the construction of a 14,700-square foot commercial building with a drive-through (CVS Pharmacy), and the off-sale of a full range of alcohol.
- ABC15-010**. Determination of Public Convenience or Necessity for the off-sale of a full range of alcohol, as part of a retail establishment.
1. **RECOMMENDED TO THE CITY COUNCIL CONSIDERATION OF THE CVS/PHARMACY STORE #9498 MITIGATED NEGATIVE DECLARATION (5-0-2, YOB & PHAM ABSENT)**
 2. **RECOMMENDED TO THE CITY COUNCIL THE APPROVAL OF A CONFORMING REZONING ORDINANCE, CONDITIONAL USE PERMIT RESOLUTION, AND DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY RESOLUTION (5-0-2, YOB & PHAM ABSENT) WITH THE INCLUSION OF CONDITION LANGUAGE REQUIRING A MINIMUM OF 36-SQUARE FEET FOR FRESH FOODS**
- b. **PDC14-072**. Planned Development Rezoning from the LI Light Industrial Zoning District to the R-M(PD) Planned Development Zoning District to allow up to 440 residential units and 3,000 square feet of commercial space on an approximately 6.96-gross acre site, located on the westerly side of Lick Avenue approximately 470 feet northerly of West Alma Avenue (1197 Lick Avenue) (Santa Clara Valley Transportation Authority, Owner). Council District 3. CEQA: Mitigated Negative Declaration, File No. PDC14-072. *PROJECT MANAGER, PATRICK KELLY*
1. **RECOMMENDED TO THE CITY COUNCIL CONSIDERATION OF THE TAMIEN STATION TRANSIT ORIENTED DEVELOPMENT MITIGATED NEGATIVE DECLARATION (5-0-2, YOB & PHAM ABSENT)**
 2. **RECOMMENDED TO THE CITY COUNCIL THE APPROVAL OF A PLANNED DEVELOPMENT REZONING ORDINANCE (5-0-2, YOB & PHAM ABSENT) WITH COMMENTS TO CITY COUNCIL TO EXPLORE THE PROVISION OF CHILD CARE AT THIS SITE AND MAXIMIZE DENSITY ON THE SITE.**

6. OPEN THE GENERAL PLAN AMENDMENTS HEARING: TO BE HEARD AT 6:30 P.M.

7. GENERAL PLAN CONSENT CALENDAR: TO BE HEARD AT 6:30 P.M.

- c. **GPT16-003.** Director initiated General Plan Text Amendment to increase the Floor Area Ratio (FAR) from up to 2.0 FAR to up to 3.5 FAR, and increase the reference range for number of stories from 1 to 4 stories to 1 to 5 stories for the Neighborhood/Community Commercial land use designation. Council District: Citywide. CEQA: Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that this activity is within the scope of the approved Envision San José 2040 General Plan, and the Final Program EIR for the Envision San José 2040 General Plan, for which findings were adopted by City Council Resolution No. 76041 and Envision San Jose 2040 General Plan FEIR, as supplemented Resolution No. 77617, that adequately describes the activity for the purposes of CEQA. *PROJECT MANAGER, JARED HART*
- 1. RECOMMENDED TO THE CITY COUNCIL CONSIDERATION OF THE ENVISION SAN JOSÉ 2040 GENERAL PLAN EIR RESOLUTION NO. 76041 AND ENVISION SAN JOSE 2040 GENERAL PLAN FEIR AS SUPPLEMENTED RESOLUTION NO. 77617, AND ADDENDA THERETO; PURSUANT TO SECTION 15168 OF THE CEQA GUIDELINES (5-0-2, YOB & PHAM ABSENT)**
 - 2. RECOMMENDED TO THE CITY COUNCIL THE APPROVAL OF THE GENERAL PLAN TEXT AMENDMENT (5-0-2, YOB & PHAM ABSENT)**

8. GENERAL PLAN AMENDMENTS PUBLIC HEARING: TO BE HEARD AT 6:30 P.M.

- a. **GP16-001.** Director initiated General Plan Land Use / Transportation Diagram Amendment from Neighborhood/Community Commercial designation to Mixed Use Neighborhood designation on a 5.93 gross acre site, located on Evans Lane, approximately 250 feet north of Canoas Garden Avenue (City of San José, Owner). Council District: 6. CEQA: Evans Lane Transitional Housing Project Negative Declaration. *PROJECT MANAGER, KIMBERLY VACCA*
- 1. RECOMMENDED TO THE CITY COUNCIL CONSIDERATION OF THE EVANS LANE TRANSITIONAL HOUSING PROJECT MITIGATED NEGATIVE DECLARATION AND ASSOCIATED MITIGATED, MONITORING, AND REPORTING PROGRAM (4-1-2, BIT-BADAL OPPOSED; YOB & PHAM ABSENT)**
 - 2. RECOMMENDED TO THE CITY COUNCIL THE APPROVAL OF THE GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM AMENDMENT (4-1-2, BIT-BADAL OPPOSED; YOB & PHAM ABSENT)**
- b. **GP15-017.** A privately initiated General Plan Amendment to modify the Urban Service Area boundary and change the land use/transportation diagram designation from Lower Hillside to Residential Neighborhood on a 3.2 gross acre site, located at the northwest corner of the intersection of Silicon Valley Road and Gravina Loop (Barbaccia Trust, Owner). Council District 2. CEQA: Exempt per CEQA Guidelines Section 15270, which is intended to allow an initial screening of projects on the merits for quick disapprovals prior to the initiation of the CEQA process where the agency can determine that the project cannot be approved. *PROJECT MANAGER, JOHN TU*

1. **DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA (4-1-2, O'HALLORAN OPPOSED; YOB & PHAM ABSENT)**
2. **RECOMMENDED TO THE CITY COUNCIL THE DENIAL OF THE GENERAL PLAN AMENDMENT (4-1-2, O'HALLORAN OPPOSED; YOB & PHAM ABSENT)**

c. **GP16-006.** General Plan Amendment to the Land Use / Transportation Diagram from Light Industrial to Mixed Use Neighborhood on a 1.9 gross acre site, located on the southerly side of Campbell Avenue, approximately 770 feet westerly of Newhall Street (1175 Campbell Ave) (1175 Campbell Ave LLC, Owner). Council District: 6. CEQA: Exempt per CEQA Guidelines Section 15270, which is intended to allow an initial screening of projects on the merits for quick disapprovals prior to the initiation of the CEQA process where the agency can determine that the project cannot be approved. *PROJECT MANAGER, KIMBERLY VACCA*

1. **DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA (5-0-2, YOB & PHAM ABSENT)**
2. **RECOMMENDED TO THE CITY COUNCIL TO DIRECT STAFF TO CONTINUE THE PROCESSING OF THE GENERAL PLAN AMENDMENT TO THE LAND USE / TRANSPORTATION DIAGRAM TO ALLOW MIXED USE NEIGHBORHOOD (5-0-2, YOB & PHAM ABSENT)**

9. CLOSE THE GENERAL PLAN AMENDMENTS HEARING

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

No Items

11. GOOD AND WELFARE

- a. Report from City Council
Deferred to 5/11/16
- b. Review and Approve Synopsis from [4/27/16](#)
Deferred to 5/11/16
- c. Subcommittee Formation, Reports, and Outstanding Business
Deferred to 5/11/16
- d. Commission Calendar and Study Sessions
Deferred to 5/11/16
- e. The Public Record
Deferred to 5/11/16

ADJOURNMENT