

PLANNING COMMISSION

August 10, 2016

Action Minutes

WELCOME

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Commissioners Abelite, Pham, Allen, Ballard, Bit-Badal, Vora, and Yesney

ABSENT: None

SUMMARY OF HEARING PROCEDURES

1. PUBLIC COMMENT

None

2. DEFERRALS AND REMOVALS FROM CALENDAR

- a. **CP14-058 (Administrative Hearing)**. Conditional Use Permit to allow a Residential Service Facility for up to 14 people on an approximately 0.2 gross acre site in the R-M Multiple Residence Zoning District located on the east side of Page Street, approximately 800 feet south of Douglas Street (526 Page Street) (Julia Braun, Owner). Council District: 6. CEQA: Exempt per CEQA Guidelines Section 15301 for Existing Facilities. ***PROJECT MANAGER, EDWARD SCHREINER***

DEFERRED TO THE 9/14/16 PLANNING COMMISSION MEETING PER STAFF REQUEST (7-0-0)

3. CONSENT CALENDAR

- a. [CP15-039 \(Administrative Hearing\)](#). Conditional Use Permit to allow an auto detailing use with incidental car wash, and the construction of an associated 468-square foot canopy at an existing gas station on a 0.47-gross acre site, in the CIC Combined Industrial/Commercial Zoning District located at 1299 Story Road (RJ Polar Inc., Owner). Council District: 7. CEQA: Exempt per CEQA Guidelines Section 15303(c) for New Construction or Conversion of Small Structures.

PROJECT MANAGER, RINA SHAH

- 1. DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA (7-0-0)**
- 2. APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 16-036 (7-0-0), WITH AN UPDATED RESOLUTION CORRECTING THE REQUIRED NUMBER OF RETAIL PARKING AS ONE SPACE PER 200 SQUARE FEET, INSTEAD OF FOUR SPACES PER 200 SQUARE FEET. THERE IS NO CHANGE IN THE CALCULATED NUMBER OF TOTAL REQUIRED PARKING SPACES.**

- b. [CP16-025 \(Administrative Hearing\)](#). Conditional Use Permit to allow the temporary use of a 4.85-gross acre site for outdoor events (including theatrical events) once yearly for a 20-week period (including setup, performance periods, and move out) for up to 2,800 patrons per event, including temporary structures, on-site alcohol sales, signage, and generators, with off-site parking. The subject site is located in the CO Commercial Office Zoning District located on the northwest corner of West Taylor Street and North San Pedro Street (737 North San Pedro Street) (City of San Jose, Owner). Council District 3. CEQA: Exempt per CEQA Guidelines Section 15304(e) Minor Alterations to Land. *PROJECT MANAGER, REBECCA BUSTOS*

PULLED FROM CONSENT CALENDAR AND HEARD UNDER PUBLIC HEARING

- 1. DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA (7-0-0)**
- 2. APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 16-037 (7-0-0); WITH THE FOLLOWING UPDATES TO THE RESOLUTION: 1) ADDED CONDITION 14 REQUIRING FAA CLEARANCE; 2) UPDATED CONDITION 19 CLARIFYING THAT THE CONDITIONAL USE PERMIT EXPIRES UPON TERMINATION OF THE LEASE AND ANY EXTENSIONS; AND 3) UPDATE THE FACTS AND FINDINGS TO CLARIFY THAT A TOTAL OF 247 PARKING SPACES WILL BE PROVIDED IN CITY OPERATED PARKING LOTS, WHILE A TOTAL OF 453 PARKING SPACES ARE TO BE SECURED IN PRIVATELY OPERATED PARKING LOTS AND IDENTIFIED THROUGH THE PARKING MANAGEMENT PLAN (PMP) DEVELOPED BY THE DEPARTMENT OF TRANSPORTATION.**

4. PUBLIC HEARING

- a. [CP16-005 \(Administrative Hearing\)](#). Conditional Use Permit to allow late night use for a public drinking establishment in an existing 8,684-square foot building on an approximately 0.15-gross acre site in the DC Downtown Primary Commercial Zoning District located on east side of South 1st Street, approximately 400 feet southerly of East Santa Clara Street (58 South 1st Street) (Martin Trust, Owner). Council District 3. CEQA: Exempt per CEQA Guidelines Section 15301(a) for Existing Facilities. *Continued from 7/13/16, with Planning Commission direction to prepare a Resolution for approval. PROJECT MANAGER, PATRICK KELLY*

- 1. DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA (7-0-0)**
- 2. APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 16-038 (4-1-2, ABELITE OPPOSED; ALLEN & VORA ABSTAINED)**

5. PUBLIC HEARING

- a. The projects being considered are located on an approximately 0.627 gross acre site, at the northeasterly corner of E. Santa Clara Street and N. 11th Street (525 E. Santa Clara St), within the E. Santa Clara Urban Village Boundary, (Horizon Real Properties Holding LLC, Owner). Council District 3. CEQA: North 11th Street and East Santa Clara Street Student Housing Project Mitigated Negative Declaration. *PROJECT MANAGER, LEILA HAKIMIZADEH*

PDC15-049. Planned Development Rezoning from CG Commercial General Zoning District and R-M Multiple Residence Zoning District to CP(PD) Planned Development Zoning District to allow 86 multi-family attached residential units, with up to 300 bedrooms, and 11,530 square feet of commercial space in a seven story building.

PD15-044. Planned Development Permit to allow demolition of three existing buildings, removal of three ordinance size trees, and the construction of 86 multi-family attached residential units, with up to 271 bedrooms of student housing, and 11,530 square feet of commercial space in a seven story building.

- 1. RECOMMENDED CONSIDERATION OF THE NORTH 11TH STREET AND EAST SANTA CLARA STREET STUDENT HOUSING PROJECT MITIGATED NEGATIVE DECLARATION AND ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM (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)**

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

No Items

7. GOOD AND WELFARE

- a. Report from City Council

The City Council's Rules and Open Government Committee approved amendments to the Planning Commission bylaws on August 3, 2016, per the Commission's recommendations. On August 9, 2016 the City Council approved the first reading of an ordinance amending various sections of Title 2 of the Municipal Code to update and clarify provisions such as voting and appointment processes for various Boards and Commissions, including the Planning Commission.

- b. Review and Approve Action Minutes from [7-13-16](#)

Action Minutes Approved (7-0-0)

- c. Subcommittee Formation, Reports, and Outstanding Business

No Reports

- d. Commission Calendar and Study Sessions

1) August 24, 2016 hearing cancelled; Newby Island Planned Development Permit (File No. PD14-014) appeal dropped and will be re-noticed for a future hearing date (to be determined) to allow Staff additional time to complete an odor study.

2) *Staff will provide the Commission with potential dates for the 2016 Planning Commission retreat.*

e. The Public Record

No Items

ADJOURNMENT