

PLANNING COMMISSION

November 02, 2016

Action Minutes

WELCOME

The Planning Commission elected Commissioner Bit-Badal to chair the hearing in the absence of Chair Abelite and Vice Chair Pham (3-0-3-1, Abelite, Pham, & Vora absent; Bit-Badal abstained)

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Commissioners Allen, Ballard, Bit-Badal, Vora (arrived at 6:44 pm), and Yesney

ABSENT: Commissioners Abelite and Pham

SUMMARY OF HEARING PROCEDURES

1. PUBLIC COMMENT

None

2. DEFERRALS AND REMOVALS FROM CALENDAR

- a. **GPT15-007.** General Plan Text Amendment to amend the Roosevelt Park Urban Village Plan to reduce the minimum commercial floor area from 0.50 to 0.25 and to increase the maximum height across the entire site to 85 feet on a 2.77 gross acre site located at 1260 East Santa Clara Street (Burch Investment Company, Joe Burch Owner) (Empire Lumbar). Council District: 3. CEQA: Mitigated Negative Declaration. **PROJECT MANAGER, JUSTIN DANIELS**

1. WITHDRAWN PER APPLICANT REQUEST (4-0-3, ABELITE, PHAM, & VORA ABSENT)

Access the video, agenda, and related reports for this meeting by visiting the City's website at:
<http://sanjoseca.gov/index.aspx?NID=1763>

3. CONSENT CALENDAR

No Items

4. PUBLIC HEARING

- a. **V16-001 (Appeal Hearing)**. An appeal of the Planning Director’s decision to deny a Sign Variance for allow a 269.3 square foot attached sign, when only 137 square feet is permitted, for an approximately 25,000 square foot tenant space with a 137-foot wide occupancy frontage located at a commercial center on a 8.2 gross acre site, in the A(PD) Planned Development Zoning District, located at the southwest corner of East Brokaw Road and Old Oakland Road (1098 East Brokaw Road) (Brokaw Ventures II LLC, Owner). Council District 3. CEQA: Exempt per CEQA Guidelines Section 15303 for New Construction or Conversion of Small Structures. **PROJECT MANAGER, TRACY TAM**
- 1. DETERMINED THE EXCEPTION IN ACCORDANCE WITH CEQA (5-0-2, ABELITE & PHAM ABSENT)**
 - 2. UPHOLD THE PLANNING DIRECTOR’S DECISION AND DENY A SIGN VARIANCE RESOLUTUON 16-048 (5-0-2, ABELITE & PHAM ABSENT)**
- b. **Title 20 (The Zoning Ordinance)**. An Ordinance of the City of San José amending Title 20 of the San José Municipal Code (Zoning Ordinance or Zoning Code) to amend various sections of Chapter 20.30 “Residential Zoning Districts” all to add mixed residential-commercial use as an allowable use, to allow secondary dwellings in the R-2 Two Family Residence District, to modify development standards for residential uses including reducing minimum required setbacks, to delete maximum number of stories in the R-M Multiple Residence Zoning District while maintaining maximum allowable height, to modify the permit type for exceedance of decibel levels indicated in Table 20-85, and to amend Section 20.30.150 “Secondary Units” in compliance with newly adopted State law; to amend Section 20.90.220 “Reduction in Required Off-Street Parking Spaces” in Chapter 20.90, “Parking and Loading” to allow reductions in parking spaces for residential uses in compliance with newly adopted State law; to amend Section 20.200.325 - Dwelling, Secondary in compliance with newly adopted State law; to re-number various sections within Chapter 20.200 so that the sections are listed in alphabetical order; and to make other technical, non-substantive, or formatting changes within those sections of Title 20. Council District: Citywide. CEQA: Determination of Consistency with Envision San José 2040 General Plan EIR, Resolution No. 76041, and Supplemental EIR to Envision San José General Plan EIR, Resolution No. 77617, and Addenda thereto; Downtown Strategy 2000 EIR, Resolution No. 72767, and Addenda thereto; North San José Development Policies EIR, Resolution No. 72768, and Addenda thereto; and Diridon Station Area Plan EIR, Resolution No. 77096 and Addenda thereto (collectively, the “Final Program EIRs”). Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that this activity is within the scope of the earlier approved programs and the Final Program EIRs adequately describe the activity for purposes of CEQA. The project does not involve new significant effects beyond those analyzed in the Final Program EIRs. File No. PP16-115. **PROJECT MANAGER, JENNY NUSBAUM**
- 1. RECOMMENDED TO THE CITY COUNCIL CONSIDERATION OF THE DETERMINATION OF CONSISTENCY WITH ENVISION SAN JOSÉ 2040 GENERAL PLAN EIR, RESOLUTION NO. 76041, AND SUPPLEMENTAL EIR TO ENVISION SAN JOSÉ GENERAL PLAN EIR, RESOLUTION NO. 77617, AND ADDENDA THERETO IS IN ACCORDANCE WITH CEQA (5-0-2, ABELITE & PHAM ABSENT)**

2. **RECOMMENDED TO THE CITY COUNCIL THE APPROVAL OF AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING TITLE 20 (5-0-2, ABELITE & PHAM ABSENT)**

5. OPEN THE GENERAL PLAN HEARING (CONTINUED FROM OCTOBER 26, 2016)

6. GENERAL PLAN PUBLIC HEARING

- a. [GP16-003](#). General Plan Amendment to the Land Use/Transportation Diagram from the Open Space, Parklands, and Habitat designation to the Residential Neighborhood designation on a 2.28 gross acre site located at 6100 Winfield Boulevard (Valley Christian Schools, Owner). Council District: 10. CEQA: Winfield Road General Plan Amendment Negative Declaration.
PROJECT MANAGER, JUSTIN DANIELS
 1. **THE PLANNING COMMISSION OPENED THE ITEM FOR PUBLIC TESTIMONY. THE PLANNING COMMISSION CONTINUED THE ITEM TO THE NOVEMBER 16, 2016 HEARING. (5-0-2, ABELITE & PHAM ABSENT)**

7. CONTINUE THE GENERAL PLAN HEARING TO NOVEMBER 2, 2016

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

No Items

9. GOOD AND WELFARE

- a. Report from City Council
November 1, 2016 City Council Hearing
 1. *The City Council denied an appeal of the Planning Commission's approval of Conditional Use Permit File No. CP15-085 for a 50-foot tall monopole located at the southeast corner of Bollinger Road and Miller Avenue.*
 2. *The City Council denied an appeal of the Planning Commission's approval of Conditional Use Permit File No. CP16-005 for a late night use for a public drinking establishment in an existing building located on the east side of N. First Street, approximately 400 feet southerly of E. Santa Clara Street.*
- b. Review and Approve Action Minutes from [10-26-16](#)
Action Minutes approved (3-0-2-2, Abelite & Pham absent; Yesney & Allen abstained)

c. Subcommittee Formation, Reports, and Outstanding Business

No Reports

d. Commission Calendar and Study Sessions

No Reports

e. The Public Record

No Items

Commissioner Bit-Badal acknowledged and thanked Planning Division Support Staff Carina Shattuck for supporting the Planning Commission for the past few years.

ADJOURNMENT