

PLANNING COMMISSION

December 7, 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. **[CP16-026 \(Administrative Hearing\)](#)**. Conditional Use Permit to demolish an existing 5,000 square foot commercial building, the removal of seven ordinance size trees and 20 non-ordinance size trees, and construct a four-story, 200-unit residential care facility on an approximately 3.55 gross acre site in the CN Commercial Neighborhood Zoning District located on the northeast corner of Almaden Expressway and Branham Lane (4606 Almaden Expressway) (4606 RPP GVC, LLC, Owner). Council District 9. CEQA: Mitigated Negative Declaration for Holden of San Jose Assisted Living Facility. **PROJECT MANAGER, JUSTIN DANIEL**

1. DEFERRED TO THE 12/14/16 PLANNING COMMISSION MEETING PER APPLICANT REQUEST (7-0-0)

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

- a. **CP10-058 (Administrative Hearing)**. Conditional Use Permit to allow a Commercial/Indoor Recreation use (gymnastics instruction) and an Alternate/Reduced Parking Arrangement on a 0.61 gross-acre site in the IP Industrial Park Zoning District located on the north side of Felipe Avenue, approximately 550 feet east of Olinder Court. (1111 Felipe Avenue) (John Gillian, Owner). Council District: 7. CEQA: Exempt per CEQA Guidelines Section 15301 for Existing Facilities.
PROJECT MANAGER, ED SCHREINER
- 1. DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA (7-0-0)**
 - 2. APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 16-052 (7-0-0)**
- b. **CP16-030 (Administrative Hearing)**. Conditional Use Permit to allow a 4,641 square foot brewery with a drinking establishment (tasting room), off-sale of beer and wine, and outdoor uses within 150 feet of residentially zoned property (outdoor seating area), in an existing 8,162 square foot commercial building on a 0.3-gross acre site in the Pedestrian Commercial CP Zoning District located at 980 South 1st Street (ARC Brewing, LLC, Owner). Council District: 3. CEQA: Exempt per CEQA Guidelines Section 15301(a) for Existing Facilities. *PROJECT MANAGER, JENNIFER PIOZET*
- 1. DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA (7-0-0)**
 - 2. APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 16-053 (7-0-0)**
- c. **CP16-044 (Administrative Hearing)**. Conditional Use Permit to allow a pawn shop in conjunction with a 1,572-square foot jewelry store in an existing shopping center (Mi Pueblo), on a 6.59-gross acre site, in the CN Commercial Neighborhood Zoning District located at 1775 Story Road (Cha Cha Real Estate Holdings, Owner). Council District: 5. CEQA: Exempt under CEQA Guidelines Section 15301(a) for Existing Facilities. *PROJECT MANAGER, RINA SHAH*
- 1. DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA (7-0-0)**
 - 2. APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 16-054 (7-0-0)**
- d. **CPA15-038-01 (Administrative Hearing)**. Conditional Use Permit Amendment to allow weekend construction hours for a previously approved Residential Service Facility (File No. CP15-038) and to allow the demolition of an existing 350 square foot detached garage to be replaced with a 540 square foot detached garage on a 0.33 gross acre site in the R-M Multiple Residence Zoning District located at 1072 and 1082 Vermont Street (City of San Jose Housing, Owner). Council District: 6. CEQA: Exempt per CEQA Section 15303 New Construction or Conversion of a Small Structure.
PROJECT MANAGER, LEA SIMVOULAKIS
- 1. DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA (7-0-0)**
 - 2. APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 16-055 (7-0-0)**

4. PUBLIC HEARING

a. [PD14-014 \(Administrative Hearing\).](#)

APPEAL of the Planning Director's decision to approve a Planned Development Permit to effectuate the Planned Development Zoning District (File No. PDC07-071) and allow a vertical expansion to an existing landfill, with no additional construction, on a 352 gross acre site in the A(PD) Planned Development Zoning District (1601 Dixon Landing Road) (International Disposal Corporation of California, Owner). Council District 4. CEQA: Newby Island Sanitary Landfill and the Recyclery Rezoning Project Environmental Impact Report, File No. PDC07-071. *Continued from 12/10/14; Deferred from 1/28/15; Continued from 2/11/15, 5/6/15, 6/24/15, 8/26/15 & 2/24/16; Deferred from 5/25/16; Dropped and re-noticed from 8/10/16; Deferred from 10/26/16.*

PROJECT MANAGER, REBECCA BUSTOS

[Previous Planning Commission Hearing Dates and Links for PD14-014](#)

[Public Correspondence received after May 6, 2015](#)

[Public Correspondence received after June 24, 2015](#)

[Public Correspondence received after August 26, 2015](#)

[Public Correspondence received after October 26, 2016](#)

1. **APPROVED THE RE-USE OF THE NEWBY ISLAND SANITARY LANDFILL AND THE RECYCLERY REZONING PROJECT ENVIRONMENTAL IMPACT REPORT, FILE NO. PDC07-071 IS IN ACCORDANCE WITH CEQA (5-0-0-2, ALLEN & BIT-BADAL ABSTAINED)**
2. **APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 16-056 (5-0-0-2, ALLEN & BIT-BADAL ABSTAINED)**

5. OPEN THE GENERAL PLAN HEARING (CONTINUED FROM NOVEMBER 16, 2016)

6. CONTINUE THE GENERAL PLAN HEARING TO DECEMBER 14, 2016

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

No Items

8. GOOD AND WELFARE

a. Report from City Council

December 6, 2016 City Council hearing:

- i. *General Plan Amendment (File No. GP15-014) and two Planned Development Rezoning (File Nos. PDC15-028 and PDC5-029) approved for Samaritan Medical Office Master Plan.*
- ii. *Site Development Permit (File No. H15-047), Vesting Tentative Map (File No. T15-052), and Development Variance (File No. V16-005) approved for Gateway Tower downtown high rise.*
- iii. *Planned Development Rezoning (File No. PDC15-009), Planned Development Permit (File No. PD15-009) and Determination of Public Convenience or Necessity (File No. ABC16-005) approved for a 8,300 square foot commercial building with the off-sale of beer and wine and late night use at the Southwest corner of Stevens Creek Boulevard and Bascom Avenue.*

b. Review and Approve Action Minutes from [11-16-16](#)

Action Minutes approved (5-0-2, Allen & Bit-Badal absent)

c. Subcommittee Formation, Reports, and Outstanding Business

No Reports

d. Commission Calendar and Study Sessions

1. [Adoption of a Resolution rescinding the October 26, 2016 amendment to Resolution No. 64-1 and establishing the Commission's regular meeting schedule for calendar year 2017.](#)

Approved the Adoption of a Resolution rescinding the October 26, 2016 amendment to Resolution No. 64-1 and establishing the Commission's regular meeting schedule for calendar year 2017 (5-0-2, Allen & Bit-Badal absent)

e. The Public Record

No Items

ADJOURNMENT