

PLANNING DIRECTORS HEARING

March 15, 2017

Action Minutes

WELCOME

1. CALL TO ORDER & ORDERS OF THE DAY

Meeting called to order at 9:00 a.m.

2. DEFERRALS AND REMOVALS FROM CALENDAR

None

3. CONSENT CALENDAR

- a. [H15-058](#). Site Development Permit to allow the construction of a self-storage facility including an office, a caretaker unit, and 14 self-storage buildings totaling 91,885 square feet with on-site parking and an exception to allow an 18-foot setback along the northern property boundary on a 4.86 gross acre site, in the HI Heavy Industrial Zoning District, located at Senter Road between East Alma Avenue and Phelan Avenue (Union Pacific Railroad, Rich Gooch, Owners). Council District 7. CEQA: Mitigated Negative Declaration for Senter and Alma Self Storage Facility.

Continued from 3/8/17.

PROJECT MANAGER, ELIA SORICE

STAFF RECOMMENDATION: Consider the Mitigated Negative Declaration for Senter and Alma Self-Storage Facility in accordance with CEQA. [Approve a](#) Site Development Permit as described above.

ACTION: APPROVED, WITH STAFF'S RECOMMENDED ADDITION OF PERMIT CONDITION 7: "BILLBOARD. PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS, THE PERMITTEE SHALL SUBMIT EVIDENCE AS REQUIRED BY THE PLANNING DIRECTOR TO ALLOW THE PLANNING DIRECTOR TO MAKE A DETERMINATION ON THE ALLEGED LEGAL NON-CONFORMING STATUS OF THE EXISTING BILLBOARD. IN THE EVENT THE CITY DETERMINES THE EXISTING BILLBOARD IS AN ILLEGAL BILLBOARD UNDER THE CITY'S ZONING AND/OR SIGN CODES, THE EXISTING BILLBOARD SHALL BE IMMEDIATELY

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REMOVED WITH THE ISSUANCE OF ANY BUILDING PERMIT FOR THE PROJECT SITE. IN NO EVENT SHALL ANY CERTIFICATE OF OCCUPANCY (TEMPORARY OR FINAL) BE ISSUED FOR THIS PROJECT, UNLESS AND UNTIL, THIS CONDITION IS FULLY SATISFIED TO THE SATISFACTION OF THE PLANNING DIRECTOR.”

- b. **SP16-037.** Special Use Permit to allow the installation of a 4-foot tall retaining wall in the rear yard of an existing single family house on 0.14 gross acre site, in the R-1-8 Single-Family Residence Zoning District, located at the east side of Candlestick Way, approximately 650 feet southerly of Jerilyn Drive (740 Candlestick Way) (Dero Ernestina, Owner). Council District 5. CEQA: Exempt per CEQA Guidelines Section 15303(e) for New Construction or Conversion of Small Structures.

PROJECT MANAGER, TRACY TAM

STAFF RECOMMENDATION: Consider the Exemption in accordance with CEQA. [Approve a](#) Special Use Permit as described above.

ACTION: APPROVED

- c. **TR16-601.** Live Tree Removal Permit to remove one (1) Oak tree, approximately 56 inches in circumference, located in the rear yard of a single-family residence within an R-2 Two-Family Zoning District, on an approximately 0.15-gross acre site, located at 328 North 9th Street. (Lionel Ortiz, Owner). Council District 3. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.

PROJECT MANAGER, STEFANIE FARMER

STAFF RECOMMENDATION: Consider the Exemption in accordance with CEQA. [Approve a](#) Live Tree Removal Permit as described above.

ACTION: APPROVED

- d. **TR17-041.** Live Tree Removal Permit to remove one (1) Walnut tree, approximately 64 inches in circumference, and one (1) Palm tree, approximately 60 inches in circumference, located in the rear yard of a single-family residence within the R-1-8 Single-Family Zoning District, on a 0.22-gross acre site, located at 359 Spar Avenue (Christopher and Marta Philips, Owners). Council District 1. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.

PROJECT MANAGER, STEFANIE FARMER

STAFF RECOMMENDATION: Consider the Exemption in accordance with CEQA. [Approve a](#) Live Tree Removal Permit as described above.

ACTION: APPROVED

4. PUBLIC HEARING

Generally, the Public Hearing items are considered by the Planning Commission in the order in which they appear on the agenda. However, please be advised that the Commission may take items out of order to facilitate the agenda, such as to accommodate significant public testimony, or may defer discussion of items to later agendas for public hearing time management purposes.

- a. The following projects are proposed for the 1.4 gross acre site located in the DC Downtown Primary Commercial Zoning District at the northwesterly corner of East Santa Clara Street and North 5th Street (39 North 5th Street) (SJSC Properties LLC, Owner). Council District 3. CEQA: Addendum to the Downtown Strategy 2000 Environmental Impact Report (Resolution No. 727687), the Envision San Jose 2040 General Plan Environmental Impact Report (Resolution No. 76041) and the Envision San Jose 2040 General Plan Supplemental Environmental Impact Report (Resolution No. 77617).

PROJECT MANAGER, TRACY TAM

1. [SP17-009](#). Special Use Permit to allow the demolition of an approximately 5,574 square foot existing building, the construction of two 28-story residential towers to include 298 residential units in the west tower and 312 residential units in the east tower with three levels of underground parking and four levels of above ground parking, to allow six commercial condominiums to include approximately 14,381 square feet of ground floor commercial uses and up to 24,693 square feet of flex/office space and to allow for the removal of nine trees, four of which are ordinance sized ranging from 59 to 78 inches.
2. [T16-056](#). Vesting Tentative Map to combine nine lots into one lot and to allow 610 residential condominium units and six commercial condominiums.

STAFF RECOMMENDATION: Consider the Addendum to the Downtown Strategy 2000 Environmental Impact Report (Resolution No. 727687), the Envision San Jose 2040 General Plan Environmental Impact Report (Resolution No. 76041) and the Envision San Jose 2040 General Plan Supplemental Environmental Impact Report (Resolution No. 77617) in accordance with CEQA. [Approve a](#) Special Use Permit and Vesting Tentative Map as described above.

ACTION: APPROVED, WITH STAFF'S RECOMMENDED MODIFICATION TO PERMIT CONDITION 25(C): "BART: THE PROJECT WILL BE REQUIRED TO SUBMIT A COPY OF THE STRUCTURAL AND SHORING PLANS TO THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (SCVTA). CITY AND THE APPLICANT WILL COORDINATE WITH SCVTA CONCERNING THE ENCROACHMENT PERMIT FOR THE PROJECT IN THE PUBLIC RIGHT-OF-WAY WITH REGARD TO EXPECTED COMPATIBILITY WITH THE PROPOSED FUTURE BART TUNNEL."

5. ADJOURNMENT

Meeting adjourned at 9:18 a.m.