

PLANNING COMMISSION

June 28, 2017

Action Minutes

WELCOME

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Vice Chair Pham, Commissioners Allen, Ballard, Bit-Badal, and Yesney

ABSENT: Chair Abelite and Commissioner Vora

1. CALL TO ORDER & ORDERS OF THE DAY

Meeting called to order at 6:34 p.m.

2. PUBLIC COMMENT

None

3. DEFERRALS AND REMOVALS FROM CALENDAR

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. A list of staff-recommended deferrals is available on the Press Table.

Staff will provide an update on the items for which deferral is being requested. If you want to change any of the deferral dates recommended, or speak to the question of deferring these or any other items, you should say so at this time.

- a. **H16-024 & T16-024.** Site Development Permit to allow the demolition of Parkside Hall to allow the construction of a 24-story mixed-use development with 19,000 square feet of ground floor retail, 214,000 square feet of office, 60,000 square feet of museum space, 184 hotel rooms, and 306 residential units, the removal of 20 ordinance-size trees, and a Vesting Tentative Map to consolidate 25 parcels into three legal parcels, on an approximately 2.5-gross acre site, located on the northwest corner of West San Carlos Street and South Market Street (180 Park Avenue) (City of San Jose, Owner). Council District 3. CEQA: Supplemental Environmental Impact Report for the Museum Place Mixed-Use Project to the: “The Downtown Strategy 2000 Final Program Environmental Impact Report,” adopted by City Council Resolution No. 72767 on June 21, 2005; “Envision San José 2040 General Plan Final Program Environmental Impact Report,” adopted by City Council Resolution No. 76041 on November 1, 2011; and “Supplemental Environmental Impact Report to the Envision San

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DROPPED TO BE RENOTICED PER STAFF REQUEST. MOTION BY COMMISSIONER BIT-BADAL, SECOND BY COMMISSIONER YESNEY (5-0-2, ABELITE AND VORA ABSENT)

4. CONSENT CALENDAR

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Planning Commission, staff, or the public to have an item removed from the consent calendar and considered separately.

Staff will provide an update on the consent calendar. If you wish to speak on one of these items individually, please come to the podium at this time.

- a. **[CP16-057 \(Administrative Hearing\)](#)**. Conditional Use Permit to allow 24-Hour use at a 13,878 square foot indoor recreation facility (Planet Fitness), within an existing shopping center, on a 2.9-gross acre site in the CP Commercial Pedestrian Zoning District located at 1328 Saratoga Avenue (Saratoga Land LLC., Owner). Council District: 1. CEQA: Exempt per CEQA Guidelines Section 15301 for Existing Facilities.

PROJECT MANAGER, LEA SIMVOULAKIS

DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA. APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 17-017. MOTION BY COMMISSIONER BIT-BADAL, SECOND BY COMMISSIONER YESNEY (5-0-2, ABELITE AND VORA ABSENT)

- b. **[CP16-065 \(Administrative Hearing\)](#)**. Conditional Use Permit to supersede and replace an existing Conditional Use Permit and allow religious assembly use and an alternating use parking arrangement in two existing industrial office buildings, located on the same 3.5-gross acre site in the IP Industrial Park Zoning District located on the southeast corner of Ridder Park Drive and Fox Lane (1350 and 1342 Ridder Park Drive). Council District: 4. CEQA: Exempt per CEQA Guidelines Section 15301 for Existing Facilities.

PROJECT MANAGER, LEA SIMVOULAKIS

DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA. APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 17-0178. MOTION BY COMMISSIONER BIT-BADAL, SECOND BY COMMISSIONER YESNEY (5-0-2, ABELITE AND VORA ABSENT)

5. 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. **[CP14-056 \(Administrative Hearing\)](#)**. Conditional Use Permit for the demolition of an approximately 1,600-square foot service station building, including a small snack shop and three-bay auto repair facility, and construction of a new 2,600 square foot convenience store with off-sale of beer and wine, a new fuel island canopy, and site improvements on a 0.66-gross acre site in the CP Commercial Pedestrian Zoning District located at the southeast corner of South White Road and

Mount Vista Drive (3010 Mt. Vista Drive) (Pawan Garg, Owner). Council District 5. CEQA: Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the ARCO Gas Station Project. *Deferred from 6/14/17.*

PROJECT MANAGER, PATRICK KELLY

DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA. APPROVED THE CONDITIONAL USE PERMIT, WITH A MODIFICATION REQUIRING THE APPLICANT TO HIRE AN ARCHITECT TO UPDATE THE DESIGN OF THE BUILDING TO BE REVIEWED THROUGH A MAJOR PERMIT ADJUSTMENT– RESOLUTION NO. 17-019. MOTION BY COMMISSIONER ALLEN, SECOND BY COMMISSIONER BIT-BADAL (5-0-2, ABELITE AND VORA ABSENT)

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

No Items

7. GOOD AND WELFARE

a. Report from City Council

On 6/27/17, City Council approved the following: C17-016, Conforming Rezone for Presentation High School; PD17-039 & ABC17-001, Planned Development and PCN for H-Mart Grocery at 1710 Oakland Road; PDC17-003 & PD17-001, PD Permit for In-n-Out at 5550 Cottle Road; CP16-010 & ABC17-003 Conditional Use and PCN for Mi Rancho Grocery Store at 3840 Monterey Road. The City Council also took public testimony for the Tri Village Urban Village Plans and then deferred the meeting to August 8, 2017.

b. Review and Approve Action Minutes from [6/14/17](#)

Moved to approve the Planning Commission Minutes from the June 14, 2017 Planning Commission with a correction to Section 8.b. of the minutes to reflect the approval of the 5/24/17 minutes including the following corrections to Item 6.b. on the 5/24/17 Agenda; (i) Continuation of the Public Hearing for Stevens Creek Urban Village Plan/GP17-009 to the 6/14/17 Planning Commission Meeting with a Study Session scheduled directly beforehand. Action: Commissioner Ballard moved, and Commissioner Yesney seconded the motion (4-0-2-1, Abelite and Vora absent; Allen abstained)

c. Subcommittee Formation, Reports, and Outstanding Business

No Items.

d. Commission Calendar and Study Sessions

Planning Commission Secretary Hughey announced that a Planning Commission Study Session on Vehicle Miles Traveled and CEQA would be held on August 8, 2017. Corrected to August 23, 2017

e. The Public Record

8. ADJOURNMENT

Meeting adjourned at 7:45 p.m.