

## PLANNING DIRECTORS HEARING

December 13, 2017

Action Minutes

### WELCOME

#### 1. CALL TO ORDER

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

#### 2. DEFERRALS AND REMOVALS FROM CALENDAR

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- a. **H15-014.** Site Development Permit to allow the construction of an approximately 31,744-square foot three-story retail and office building within the parking area of an existing shopping center on an approximately 3.39-gross acre site in the CN Commercial Neighborhood and CP Commercial Pedestrian Zoning Districts, located at the southwest corner of Story Road and South King Road (1664 Story Road) (DPJW Group II LP, Owner). Council District 7. CEQA: Tropicana Shopping Center Commercial Building Negative Declaration. *Deferred from 11/15/17.*

*PROJECT MANAGER, JOHN TU*

**STAFF RECOMMENDATION:** Dropped to be renoticed per Staff request

**ACTION: STAFF RECOMMENDATION APPROVED**

- b. **PT15-029.** Vesting Tentative Map for up to 104 condominiums units on a 1.3-gross acre site in the R-M (PD) Planned Development Zoning District (File No. PDC16-018), located on the east side of Sunol Street and the north side of West San Carlos Street, approximately 90 feet from the northeast corner of Sunol Street and West San Carlos Street (Bay Area Property Developers, Owner). Council District 6. CEQA: Addendum to the Diridon Station Area Plan Final Environmental Impact Report (Resolution No. 77096), the Envision San Jose 2040 General Plan Final Environmental Impact Report (Resolution No. 76041), and Envision San Jose 2040 General Plan Final Supplemental Environmental Impact Report (Resolution No. 77617).

*PROJECT MANAGER, PATRICK KELLY*

**STAFF RECOMMENDATION:** Dropped to be renoticed per Staff request

**ACTION: STAFF RECOMMENDATION APPROVED**

### 3. CONSENT CALENDAR

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- a. [H17-038](#). Site Development Permit to allow the construction of front and side additions totaling 9,760 square feet to an existing 55,686-square foot building for an auto service use (tires, batteries, lube, oil change, smog check station, and air conditioning servicing of passenger vehicles and pick-up trucks), a 20 percent parking reduction due to the site's location in an Urban Village, and the removal of five ordinance-size trees (labeled 7,20,22, 41 (street tree) and 42 (street tree) on the plan set and arborist report) on a 3.9-gross acre site, in the CG Commercial General Zoning District, located at 751 South Winchester Boulevard (SCS Sequoia Winchester Realty LLC, Owner). Council District: 1. CEQA: Exempt per CEQA Guidelines Section 15301(e) for Existing Facilities.

*PROJECT MANAGER, JENNIFER PIOZET*

**PULLED FROM CONSENT AND HEARD UNDER PUBLIC HEARING**

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

**ACTION: APPROVED**

- b. [HA78-268-02](#). Site Development Permit Amendment to allow façade upgrades and a 619-square foot addition to an existing 5,754-square foot vacant office building to be utilized as a veterinary hospital to include animal boarding wholly within the building, and associated site modifications, on a 0.31-gross acre site, in the CP Commercial Pedestrian Zoning District, located at 824 North Winchester Boulevard (Solomon Property Management LLC, Owner). Council District 6. CEQA: Exempt per CEQA Guidelines Section 15301(a) for Existing Facilities.

*PROJECT MANAGER, RINA SHAH*

**STAFF RECOMMENDATION:** Consider the Exemption in accordance with CEQA. [Approve a](#) Site Development Permit Amendment as described above

**ACTION: APPROVED**

- c. [SF17-034](#). Single-Family House Permit to allow the demolition of an existing 1,493-square foot single-family residence and a detached garage, and the construction of a 3,008-square foot two-story single-family residence with a 365-square foot detached garage and a Floor Area Ratio (FAR) of 0.47, on a 0.14-gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1215 Fairview Avenue (Alison Love, Owner). Council District 6. CEQA: Exempt under CEQA Guidelines Section 15303(a) for New Construction or Conversion of Small Structures.

*PROJECT MANAGER, RINA SHAH*

**STAFF RECOMMENDATION:** Consider the Exemption in accordance with CEQA. [Approve a](#) Single-Family House Permit as described above

**ACTION: APPROVED**

- d. [SP17-046](#). Special Use Permit to demolish a detached garage and construct a 209-square foot carport on a 0.15-gross acre site, in the CP Pedestrian Commercial Zoning District, located on the north side of East Julian Street, approximately 100 feet westerly of North 18th Street (825 East Julian Street) (Michael Huckbody, Owner). Council District: 3. CEQA: Exempt per CEQA Guidelines Section 15303(e) for Accessory Buildings.

*PROJECT MANAGER, EDWARD SCHREINER*

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

**ACTION: APPROVED**

- e. The projects being considered are located at the northeast corner of East Santa Clara Street and North 4th Street (33 North 5<sup>th</sup> 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), the Envision San Jose 2040 General Plan Supplemental Environmental Impact Report (Resolution No. 77617), and addenda thereto.

*PROJECT MANAGER, EMILY LIPOMA*

[T17-052](#). Vesting Tentative Map to consolidate nine lots into one parcel for 630 residential condominiums and six commercial condominiums.

[SPA17-009-01](#). Special Use Permit Amendment to increase the number of residential units from 610 to 630, allow Saturday construction hours between 8:00 a.m. and 5:00 p.m., and allow up to six 24-hour occurrences of construction staging and concrete pouring, and make minor revisions to the approved permit and site plan on a 1.41-gross acre site, in the DC Downtown Primary Commercial Zoning District.

**PULLED FROM CONSENT AND HEARD UNDER PUBLIC HEARING**

**STAFF RECOMMENDATION:** Consider the Addendum to the Downtown Strategy 2000 EIR, the Envision San Jose 2040 General Plan and the Envision San Jose 2040 General Plan Supplemental EIR and Addenda thereto in accordance with CEQA. [Approve a Vesting Tentative Map and Special Use Permit Amendment](#) as described above

**ACTION: APPROVED**

- f. [HA00-062-02](#). Live Tree Removal Permit to remove two (2) Pear trees, approximately 56 and 66 inches in circumference, located on a 12-gross acre industrial site in the IP Industrial Park Zoning District, located at the northwest corner of Montague Expressway and Zanker Road (3151 Zanker Road) (Conejo Valley Development Corp, Owner). Council District 4. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.

*PROJECT MANAGER, EMILY LIPOMA*

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

**ACTION: APPROVED**

- g. [TR17-602](#). Live Tree Removal Permit to remove one (1) Walnut tree, approximately 85 inches in circumference, located in the side yard and one (1) Podocarpus tree, approximately 63 inches in circumference, located in the rear yard of a single-family residence on a 0.23-gross acre site in the R-2 Two-Family Residence Zoning District, located at 853 North 17<sup>th</sup> Street (Nuncio S and Michelle G Arioto Trustee, Owner). Council District: 3. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.

*PROJECT MANAGER, JENNIFER PIOZET*

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

**ACTION: APPROVED**

- h. [TR17-624](#). Live Tree Removal Permit to remove nine (9) trees of varying sizes and species, including four (4) Eucalyptus trees, approximately 56-103 inches in circumference, two (2) Pine trees, approximately 80 and 100 inches in circumference, and three (3) Pine trees, approximately 81, 81, and 97 inches in circumference, located on the front, side, and rear yards of a commercial property on a 0.93-gross acre site in the CO Commercial Office Zoning District located at 999 West Taylor Street (Margaux Properties LLC, Owner). Council District: 6. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.

*PROJECT MANAGER, JENNIFER PIOZET*

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

**ACTION: APPROVED**

- i. [TR17-671](#). Live Tree Removal Permit to remove one (1) Elm tree, approximately 61 inches in circumference, and two (2) non-ordinance- size Elm trees, located in the side yard of an existing commercial building in the CO Commercial Office Zoning District on an approximately 0.15-gross acre site, located on the east side of North 1st Street, approximately 330 feet southerly of East Mission Street (760 North 1<sup>st</sup> Street) (Allied Telesis Inc., Owner). Council District 3. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.

*PROJECT MANAGER, CASSANDRA VAN DER ZWEEP*

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

**ACTION: APPROVED**

- j. [TR17-672](#). Live Tree Removal Permit to remove two (2) Ash trees, approximately 102 and 109 inches in circumference, located in the front yard of a single-family house on a 0.15-gross acre site in the R-1-8(PD) Planned Development Zoning District located at 896 Corte De Blanco. (Constantin Stefen and Liliana Stefen, Owners). Council District: 9. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.

*PROJECT MANAGER, RHONDA BUSS*

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

**ACTION: APPROVED**

- k. [TR17-681](#). Live Tree Removal Permit to allow the removal of one (1) Sequoia tree, approximately 138 inches in circumference, located in the front yard of a single-family house on a 0.17-gross acre site in the R-1-5 Single-Family Residence Zoning District, located at 1486 Medallion Drive (Parmar Mital And Rachana Trustee, Owner). Council District 10. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.

*PROJECT MANAGER, RUTH CUETO*

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

**ACTION: APPROVED**

## 4. PUBLIC HEARING

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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 projects being considered are located at the southeasterly corner of North First Street and Liberty Street (4701 North 1<sup>st</sup> Street) (Sainte Claire Corp James Rees, Owners). Council District 4. CEQA: Determination of Consistency with the Topgolf @ Terra Project Mitigated Negative Declaration (Resolution No. 78046).

*PROJECT MANAGER, JOHN TU*

**PD16-034.** Master Planned Development Permit to demolish existing commercial structures, remove of six (6) ordinance-size trees, and allow the construction of an approximately 72,000-square foot indoor/outdoor recreation facility (Topgolf) with a late-night use; entitle a future phase consisting of a 110,000-square foot commercial/retail building and a 200-room hotel.

**PT16-055.** Tentative Map to merge six lots and re-subdivide into 12 lots on an approximately 39.9-gross acre site, in the CN (PD) Planned Development Zoning District

**STAFF RECOMMENDATION:** Consider the Determination of Consistency with the Topgolf @ Terra Project Mitigated Negative Declaration (Resolution No. 78046) in accordance with CEQA. [Approve a](#) Planned Development Permit and Tentative Map as described above

**ACTION: APPROVED**

## 5. ADJOURNMENT

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Meeting adjourned at 10:00 a.m.