

PLANNING COMMISSION

February 13, 2019

Action Minutes

WELCOME

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Commissioners Allen, Ballard, Leyba, Yesney, Vora

ABSENT: Commissioner Griswold

1. CALL TO ORDER & ORDERS OF THE DAY

Meeting called to order at 6:31 p.m.

2. PUBLIC COMMENT

No comments

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.

No Items

Access the video, agenda, and related reports for this meeting by visiting the City's website at:

<http://sanjoseca.gov/index.aspx?NID=1763>

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. **CP18-020 (Administrative Hearing).** Conditional Use Permit to allow a private high school (grades 9-12) use with up to 80 students in an existing 16,704-square foot classroom building within a church facility and to allow the maximum allowable noise level to be exceeded by up to 9 decibels on a 2.39-gross acre site located on the north side of Blossom Hill Road, approximately 400 feet easterly of Entrada Cedros (479 Blossom Hill Road) (Oak Grove Baptist Church, Owner). Council District: 10. CEQA: Exempt pursuant to CEQA Guidelines Section 15301(a) for Existing Facilities.

PROJECT MANAGER, CASSANDRA VAN DER ZWEEP

ACTION: COMMISSIONER YESNEY MADE A MOTION TO APPROVE THE STAFF RECOMMENDATION TO:

- 1. DETERMINE THE EXEMPTION IS IN ACCORDANCE WITH CEQA; AND**
- 2. ADOPT A RESOLUTION APPROVING THE CONDITIONAL USE PERMIT TO ALLOW A PRIVATE HIGH SCHOOL (GRADES 9-12) WITH UP TO 80 STUDENTS ENROLLED WITHIN AN EXISTING 16,704-SQUARE FOOT CLASSROOM BUILDING AT A CHURCH FACILITY AND TO ALLOW THE MAXIMUM ALLOWABLE NOISE LEVEL TO BE EXCEEDED BY UP TO 9 DECIBELS ON A 2.39-GROSS ACRE SITE.**

COMMISSIONER VORA SECONDED THE MOTION. (5-0-1 (GRISWOLD ABSENT))

- b. **CP18-024 (Administrative Hearing).** Conditional Use Permit to allow the demolition of a vacant 3,478-square foot, one-story building, and the construction of a four-story, 103-unit assisted living and memory care facility and removal of 16 ordinance-size trees on an approximately 0.86-gross acre site located on the east side of South De Anza Boulevard, approximately 60 feet northerly of Wildflower Way (1366 South De Anza Boulevard) (Greenfield Investment Group LLC, Owner). Council District: 1. CEQA: Mitigated Negative Declaration for Morningstar of San Jose.

PROJECT MANAGER, CASSANDRA VAN DER ZWEEP

ACTION: COMMISSIONER YESNEY MADE A MOTION TO APPROVE THE STAFF RECOMMENDATION TO:

- 1. ADOPT A RESOLUTION APPROVING THE MITIGATED NEGATIVE DECLARATION AND ASSOCIATED MITIGATION MONITORING AND REPORTING PLAN FOR THE MORNINGSTAR ASSISTED LIVING AND MEMORY CARE FACILITY PROJECT IN ACCORDANCE WITH CEQA**
- 2. ADOPT A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE DEMOLITION OF A 3,478-SQUARE FOOT, ONE-STORY BUILDING, AND THE CONSTRUCTION OF A FOUR-STORY, 103-UNIT ASSISTED LIVING AND MEMORY CARE FACILITY AND REMOVAL OF SIXTEEN ORDINANCE-SIZE TREES ON AN APPROXIMATELY 0.86-GROSS ACRE SITE.**

COMMISSIONER VORA SECONDED THE MOTION. (5-0-1 (GRISOLD 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.

No Items

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

None

7. GOOD AND WELFARE

- a. Report from City Council
- b. Review and Approve Action Minutes from 1/30/19.

Commissioner Ballard made a motion to approve the 1/30/19 minutes with corrections to typos on 5.a. votes from 6-2-0 to 4-2-0; 5.b.2 correcting 'residnets' to 'residents'; and 7. b. votes from 5-0-0-2 to 5-0-1. Commissioner Leyba seconded the motion. (5-0-1 (Griswold absent))

- c. Subcommittee Formation, Reports, and Outstanding Business
- d. Commission Calendar and Study Sessions
- e. The Public Record

No Items

12. ADJOURNMENT

Meeting adjourned at 6:53 p.m.