

PLANNING COMMISSION

February 15, 2017

Action Minutes

WELCOME

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Commissioners Abelite, Pham (arrived at 6:35 pm), Allen, Bit-Badal, Vora, and Yesney

ABSENT: Commissioner Ballard

SUMMARY OF HEARING PROCEDURES

1. PUBLIC COMMENT

None

2. DEFERRALS AND REMOVALS FROM CALENDAR

None

3. CONSENT CALENDAR

- a. **CP16-046 (Administrative Hearing)**. Conditional Use Permit to allow a brewery, drinking establishment (tasting room), and the off-sale of alcohol (beer and wine) in an existing 4,187-square foot building on a 0.13-gross acre site in the Pedestrian Commercial CP Zoning District located at 718 South 1st Street (Salata James A Trustee & Et Al, Owner). Council District: 3. CEQA: Exempt per CEQA Guidelines Section 15301 for Existing Facilities.

PROJECT MANAGER, JENNIFER PIOZET

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

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

1. **DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA (5-0-2, PHAM & BALLARD ABSENT)**
2. **APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 17-002 (5-0-2, PHAM & BALLARD ABSENT)**

- b. **CP16-051 (Administrative Hearing)**. Conditional Use Permit to allow religious assembly use for two separate churches in an existing industrial building on a 2.09 gross acre site in the IP Industrial Park Zoning District located at 145 Martinvale Lane (Primera Iglesia Bautista Del Sur, Owner). Council District: 2. CEQA: Exempt Per CEQA Section 15301(a) Existing Facilities.

PROJECT MANAGER, LEA SIMVOULAKIS

1. **DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA (5-0-2, PHAM & BALLARD ABSENT)**
2. **APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 17-003 (5-0-2, PHAM & BALLARD ABSENT)**

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.

No Items

5. OPEN THE GENERAL PLAN HEARING

6. GENERAL PLAN CONSENT CALENDAR

7. GENERAL PLAN PUBLIC HEARING

- a. **GP16-010**. General Plan Amendment to the Land Use/Transportation Diagram from the Open Space, Parklands, and Habitat designation (OSPH) to the Residential Neighborhood (RN) designation on a 29.6 gross acre site, located on the northeasterly side of Chisin Street approximately 330 feet easterly of Yerba Buena Road (2159 Chisin Street). Owner: Pocola, LLC. Council District: 8. CEQA: Exempt, per Section 15270 which states that an initial screening of projects on the merits for quick disapprovals prior to the initiation of the CEQA process where the agency can determine that the project cannot be approved.

PROJECT MANAGER, KIMBERLY VACCA

1. **DROP ITEM 7.A. PER STAFF RECOMMENDATION, AS THE APPLICANT WITHDREW THE APPLICATION (5-0-2, PHAM & BALLARD ABSENT)**

8. CLOSE GENERAL PLAN PUBLIC HEARING

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

No Items

6. GOOD AND WELFARE

a. Report from City Council

On February 14, 2017, the City Council reheard and reconsidered the Appeal of the Planning Commission's approval of a Conditional Use Permit for a public drinking establishment (vanity) proposed at 58 S. First Street. The City Council voted 7-4 to approve the CUP.

b. Review and Approve Action Minutes from [2-8-17](#)

Action Minutes approved (6-0-4, Ballard Absent). Chair Abelite and Vice Chair Pham re-constituted themselves by viewing the hearing.

c. Subcommittee Formation, Reports, and Outstanding Business

No Reports

d. Commission Calendar and Study Sessions

e. The Public Record

No Items

ADJOURNMENT