

PLANNING COMMISSION

January 24, 2018

Action Minutes

WELCOME

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Commissioners Pham, Allen, Ballard, Bit-Badal, Vora (arrived at 6:34 pm),
Yesney

ABSENT: Commissioner Abelite

1. CALL TO ORDER & ORDERS OF THE DAY

Meeting called to order at 6:30 p.m.

2. PUBLIC COMMENT

Shani Kleinhaus from Audoban Society spoke in opposition to the Evergreen Initiative.

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. **GPT17-009 & PP17-082.** The City is updating its transportation analysis policy and related changes to conform with State law (SB 743) and to further the goals and policies of the General Plan by removing the vehicular Level of Service (LOS) metric from transportation analysis under the

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

California Environmental Quality Act (CEQA) and replacing it with a Vehicle Miles Traveled (VMT) metric. Proposed actions include recommending to the City Council:

- i. Adoption of a resolution amending the text of the General Plan to reflect the new Transportation Analysis Policy;
- ii. Adoption of a resolution approving a new City Council Policy 5-1 entitled “Transportation Analysis” using VMT, rather than LOS, as the CEQA transportation metric, and amending City Council Policy 5-3 entitled “Transportation Impact Analysis”; and
- iii. Adoption of a resolution designating Infill Opportunity Zones pursuant to State law (SB 743) to better align the City’s participation in the regional Congestion Management Program with the new Transportation Analysis Policy 5-1.

Council District: Citywide. CEQA: Exempt pursuant to CEQA Guidelines 15268(a), ministerial actions are exempt from the requirements of CEQA.

PROJECT MANAGER, JARED HART

DEFER ITEM PER STAFF REQUEST. MOTION TO DEFER CARRIES UNANIMOUSLY (6-0-1, ABELITE 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. The proposed project being considered will occur in an existing 25,668-square foot commercial tenant space on a 10.5-gross acre site located at 5170 Stevens Creek Boulevard. (Stevens Creek, Inc., Owner). Council District 1. CEQA: Exempt per CEQA Guidelines Section 15301 for Existing Facilities.

CP17-025. Conditional Use Permit to allow the off-sale of a full-range of alcoholic beverages and on-sale of alcohol for instructional tasting and samples (Total Wine & More).

ABC17-005. Determination of Public Convenience or Necessity for off-sale of a full range of alcoholic beverages for a commercial use located on the south side of Stevens Creek Boulevard, approximately 210 feet easterly of Lawrence Expressway.

PROJECT MANAGER, STEFANIE FARMER

1. **RECOMMEND TO THE CITY COUNCIL CONSIDERATION OF THE EXEMPTION IN ACCORDANCE WITH CEQA (6-0-1, ABELITE ABSENT)**
2. **ACTION: COMMISSIONER BIT-BADAL MADE A MOTION TO RECOMMEND TO THE CITY COUNCIL THE APPROVAL OF A CONDITIONAL USE PERMIT AND DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY RESOLUTION AS DESCRIBED ABOVE. COMMISSIONER ALLEN SECONDED THE MOTION. (6-0-1, ABELITE 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

No Items

7. GOOD AND WELFARE

a. Report from City Council

City Council approved the Conditional Use Permit CP17-027 to allow the conversion of a former fire station into a veterinary clinic on Aborn Road. City Council denied the permit appeal and approved the Conditional Use Permit and Site Development Permit CP16-035 without the car wash use on 3702 South Bascom Avenue. Lastly, the City Council approved the Planned Development Rezoning and Planned Development Permit PDC15-058 & PD16-053 on America Center Drive.

b. Review and Approve Action Minutes from [1/10/18](#)

Commissioner Vora made a motion to approve the 1/10/17 minutes. Commissioner Bit-Badal seconded the motion. (6-0-1, Abelite Absent)

c. Subcommittee Formation, Reports, and Outstanding Business

None

d. Commission Calendar and Study Sessions

None

e. The Public Record

None

8. ADJOURNMENT

Meeting adjourned at 6:45 p.m.