

PLANNING COMMISSION

March 8, 2017

Action Minutes

WELCOME

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Commissioners Abelite, Allen, Ballard, Vora, and Yesney

ABSENT: Commissioners Pham and Bit-Badal

SUMMARY OF HEARING PROCEDURES

1. PUBLIC COMMENT

None

2. DEFERRALS AND REMOVALS FROM CALENDAR

None

3. CONSENT CALENDAR

- a. **CP16-054 (Administrative Hearing)**. Conditional Use Permit to allow the installation of a new utility facility (hypochlorite injection system) within a new 722-square foot building, a new brine tank, and a new containment footing, in the PQP Public/Quasi-Public Zoning District on a 15.95-gross acre site, located at 3601 Williams Road. (San Jose Water Works, Owner). Council District: 1. CEQA: Exempt under CEQA Guidelines Section 15303(c) for New Construction or Conversion of Small Structures.

PROJECT MANAGER, RINA SHAH

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 & BIT-BADAL ABSENT)**
2. **APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 17-004 (5-0-2, PHAM & BIT-BADAL ABSENT)**

b. **CP16-060 (Administrative Hearing).** Conditional Use Permit to allow the conversion of tenant space (approximately 7,444 square feet) within an existing industrial building (approximately 37,728 square feet) on an approximate 8.0-gross acre site to accommodate medical office uses, including chiropractor, physical therapy, optometry, health coaching, and acupuncture, located on the northerly side of Nicholson Lane, approximately 935 feet easterly of North 1st Street. (145 Nicholson Lane) (The Irvine Company LLC, Owner). Council District 4. CEQA: Determination of Consistency with the North San Jose Development Policies Final Program Environmental Impact Report (Resolution No. 72768), Envision San Jose 2040 General Plan Final Environmental Impact Report (Resolution No. 76041), and Supplemental Environmental Impact Report (Resolution No. 77617), and addenda thereto.

PROJECT MANAGER, JOHN TU

1. **DETERMINED THE DETERMINATION OF CONSISTENCY WITH THE NORTH SAN JOSE DEVELOPMENT POLICIES FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT (RESOLUTION NO. 72768), ENVISION SAN JOSE 2040 GENERAL PLAN FINAL ENVIRONMENTAL IMPACT REPORT (RESOLUTION NO. 76041), AND SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (RESOLUTION NO. 77617), AND ADDENDA THERETO IS IN ACCORDANCE WITH CEQA (5-0-2, PHAM & BIT-BADAL ABSENT)**
2. **APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 17-005 (5-0-2, PHAM & BIT-BADAL ABSENT)**

c. **VACATION OF A PORTION OF SOUTH 7TH STREET RIGHT-OF-WAY.** Request for the vacation of approximately 22 feet of excess right-of-way totaling 0.43 gross acres from the existing 100-foot right-of-way along South 7th Street for two parcels located between South Alma Avenue and Tully Road at 1605 and 1611 South 7th Street (Department of Public Works Street Vacation File No. 16-105736). (City of San Jose, Owner). Council District: 7. CEQA: Exempt per CEQA Guidelines Section 15305 for Minor Alterations in Land Use Limitations.

PROJECT MANAGER, ELIA SORICE

1. **DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA (5-0-2, PHAM & BIT-BADAL ABSENT)**
2. **APPROVED THE PROPOSED RIGHT-OF-WAY VACATION IS IN CONFORMANCE WITH THE GENERAL PLAN, AS REQUIRED BY THE CALIFORNIA STREET AND HIGHWAYS CODE SECTION 8313 AND SECTION 65402 OF THE GOVERNMENT CODE, AND RECOMMEND THAT THE CITY COUNCIL APPROVE THE VACATION AS DESCRIBED ABOVE (5-0-2, PHAM & BIT-BADAL 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. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS, OR OTHER AGENCIES

No Items

6. GOOD AND WELFARE

a. Report from City Council

Special City Council on 3/9 for Coyote Creek Flood. Chair Abelite acknowledged PBCE staff's extensive involvement in the Emergency operations Center.

b. Review and Approve Action Minutes from [2/15/17](#)

Action Minutes approved (5-0-2, Pham and Bit-Badal Absent)

c. Subcommittee Formation, Reports, and Outstanding Business

No Reports

d. Commission Calendar and Study Sessions

e. The Public Record

No Items

ADJOURNMENT