

PLANNING COMMISSION

June 13, 2018

Action Minutes

WELCOME

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Commissioners Pham, Allen, Abelite, Ballard, Bit-Badal, Vora, Yesney

ABSENT: None

1. CALL TO ORDER & ORDERS OF THE DAY

Meeting called to order at 6:34 p.m.

2. PUBLIC COMMENT

None

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. **CP17-014 (Administrative)**. Conditional Use Permit to allow an approximately 17,547-square foot adult daycare use within an existing office building on an approximately 5.0-gross acre site in the IP Industrial Park Zoning District located on the east side of Great Oaks Boulevard, approximately 1,160 feet northerly of San Ignacio Avenue (22 Great Oaks Boulevard) (Great Oaks Props LP, Owner). Council District 2. CEQA: Exempt in accordance with Section 15301 of the CEQA Guidelines for Existing Facilities.

PROJECT MANAGER, TRACY TAM

1. **CONSIDERED THE EXEMPTION PER CEQA GUIDELINES SECTION 15301 FOR EXISTING FACILITIES IN ACCORDANCE WITH CEQA. (7-0-0)**
2. **ACTION: COMMISSIONER ABELITE MADE A MOTION TO APPROVE A CONDITIONAL USE PERMIT RESOLUTION AS DESCRIBED ABOVE. COMMISSIONER BIT-BADAL SECONDED THE MOTION. (7-0-0)**

- b. **CP17-023 (Administrative)**. Conditional Use Permit to allow the removal of an existing 19.6-million gallon reservoir for potable water storage, the installation of two five-million gallon pre-stressed concrete tanks, additional site improvements, and the removal of 49 ordinance-size trees and 15 non-ordinance size trees on an approximate 6.53-gross acre site in the R-1-8 Single-Family Residence Zoning District located on the south side of Clayton Road approximately 400 feet westerly of Marten Avenue (3650 Clayton Road). (San Jose Water Works, Owner). Council District 8. CEQA: Mitigated Negative Declaration for the Columbine Station Improvements Project.

PROJECT MANAGER, CASSANDRA VAN DER ZWEEP

PULLED FROM CONSENT CALENDAR AND HEARD UNDER PUBLIC HEARING

1. **COMMISSIONER ABELITE MADE A MOTION TO ADOPT A RESOLUTION APPROVING THE MITIGATED NEGATIVE DECLARATION AND ASSOCIATED MITIGATION MONITORING AND REPORTING PLAN FOR THE COLUMBINE STATION IMPROVEMENTS PROJECT IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). COMMISSIONER BIT-BADAL SECONDED THE MOTION. (7-0-0)**
2. **ACTION: COMMISSIONER ABELITE MADE A MOTION TO APPROVE A CONDITIONAL USE PERMIT RESOLUTION AS DESCRIBED ABOVE WITH UPDATES TO THE LANDSCAPE PLAN TO REPLACE THE HYDROSEED MIX WITH NATIVE PLANT VARIETY. COMMISSIONER BIT-BADAL SECONDED THE MOTION. (7-0-0)**

- c. **CP17-056 (Administrative)**. Conditional Use Permit to allow a Hazardous Waste Transfer Facility use, the demolition of an approximately 2,400-square foot metal storage building, and the construction of a mobile loading ramp at an existing industrial development in the HI Heavy Industrial Zoning District on an approximately 3.2-gross acre site located on the northeast corner of

Mabury Road and Timothy Drive (967 Mabury Road) (ACT Property Acquisition Partners, VI, LLC, Owner). Council District 4. CEQA: Negative Declaration for 967 Mabury Road Hazardous Waste Transfer Station.

PROJECT MANAGER, CASSANDRA VAN DER ZWEEP

PULLED FROM CONSENT CALENDAR AND HEARD UNDER PUBLIC HEARING

- 1. COMMISSIONER BIT-BADAL MADE A MOTION TO ADOPT A RESOLUTION APPROVING THE NEGATIVE DECLARATION FOR 967 MABURY ROAD HAZARDOUS WASTE TRANSFER STATION IN ACCORDANCE WITH CEQA. COMMISSIONER ABELITE SECONDED THE MOTION. (7-0-0)**
- 2. ACTION: COMMISSIONER BIT-BADAL MADE A MOTION TO APPROVE A CONDITIONAL USE PERMIT RESOLUTION AS DESCRIBED ABOVE. COMMISSIONER ABELITE SECONDED THE MOTION. (7-0-0)**

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

June 12, 2018 City Council appointed John Leyba, Melanie Griswold and Ada Marquez to the Planning Commission.

- b. Review and Approve Action Minutes from [5/23/18](#)

Commissioner Abelite made a motion to approve the 5/23/18 minutes. Commissioner Allen seconded the motion. (7-0-0, Abelite, Bit-Badal, Pham Reconstituted)

- c. Election of Chair and Vice Chair for Fiscal Year 2018-2019

Chair Pham made a motion to elect Commissioner Allen as Chair for FY18-19. Commissioner Allen accepted the nomination. Commissioner Bit-Badal seconded the motion. (7-0-0)

Commissioner Yesney made a motion to elect Commissioner Ballard as Vice Chair for FY18-19. Commissioner Ballard accepted the nomination. Commissioner Vora seconded the motion. (7-0-0)

- d. Subcommittee Formation, Reports, and Outstanding Business
- e. Commission Calendar and Study Sessions
 - i. June 27, 2018 - Planning Commission Meeting Cancellation
- f. The Public Record
 - i. Acknowledgement of Service for Commissioner Abelite and Commissioner Bit-Badal
 - Former Planning Commissioner Brian O'Halloran expressed appreciation for his colleagues – Commissioners Abelite, Bit-Badal and Pham.*
 - Chair Pham presented Commissioners Abelite and Bit-Badal with a Commendation from the City and Planning Commission.*
 - Vice Chair Allen presented Chair Pham with a Commendation from the City and Planning Commission.*
 - ii. *Commissioners Abelite, Bit-Badal, and Chair Pham gave farewell remarks.*

8. ADJOURNMENT

Meeting adjourned at 8:14 p.m.