

PLANNING COMMISSION

September 27, 2017

Action Minutes

WELCOME

SALUTE TO THE FLAG

ROLL CALL

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

ABSENT: Commissioner Pham

1. CALL TO ORDER & ORDERS OF THE DAY

Meeting called to order at 6:30 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.

- a. The proposed project would occur on an approximately 64.59-gross acre parcel, located northwest of Highway 237 and McCarthy Boulevard. (1657 Alviso-Milpitas Road) (Cilker Carl A And Kathleen C Trustee, Owners). Council District 4. CEQA: 237 Industrial Center Environmental Impact Report.

PROJECT MANAGER, TRACY TAM

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

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

C15-054. Conforming Rezoning from the A(PD) Planned Development Zoning District to the LI Light Industrial Zoning District.

SP16-053. Special Use Permit to allow the removal of eight (8) ordinance-size and fourteen (14) non-ordinance size trees, and to allow the construction of six buildings for a data center use totaling approximately 376,519-square feet with associated site improvements and 14 generators.

V17-004. Development Exception to allow an exception to the off-street parking requirements.

DEFER ITEM PER STAFF REQUEST. COMMISSIONER ABELITE MADE A MOTION TO DEFER. COMMISSIONER BIT-BADAL SECONDED THE MOTION. MOTION TO DEFER CARRIES UNANIMOUSLY (6-0-1, PHAM 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. **CPA13-072-02 (Administrative Hearing).** Conditional Use Permit Amendment to demolish an approximately 4,242-square foot pool house building and construct an approximately 4,563-square foot pool house building with a legal non-conforming front setback, site modifications, construction of retaining walls greater than two feet in height, installation of stand-by/backup generators, and the removal of 10 non-ordinance size trees on an approximately 89.76-gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 6663 Hampton Drive (Almaden Golf and Country Club, Owner). Council District 10. CEQA: Addendum to The Almaden Golf and Country Club Clubhouse Mitigated Negative Declaration (Resolution No. 14-029).

PROJECT MANAGER, ROBERT RIVERA

1. **CONSIDERED THE ADDENDUM TO THE ALMADEN GOLF AND COUNTRY CLUB CLUBHOUSE MITIGATED NEGATIVE DECLARATION (RESOLUTION NO. 14-029) IN ACCORDANCE WITH CEQA (6-0-1, PHAM ABSENT)**
2. **ACTION: COMMISSIONER ABELITE MADE A MOTION TO APPROVE THE CONDITIONAL USE PERMIT AMENDMENT. COMMISSIONER BIT-BADAL SECONDED THE MOTION. THE COMMISSION APPROVED THE CONDITIONAL USE PERMIT AMENDMENT RESOLUTION NO. 17-030 (6-0-1, PHAM ABSENT)**

- b. **DA17-001.** Consideration of an Ordinance to approve a Second Amendment to the Development Agreement By and Between the City of San Jose and Jackson-Taylor Partners, LLC for the Japantown Corporation Yard Redevelopment Project (Ordinance No. 29528), as amended, for the property located at 696 North 6th Street. The Second Amendment to the Development Agreement would incorporate a one-year extension of the terms of the Agreement; authorize the use of the site by the City on a temporary basis for a farmer's market and public parking; require a Developer's Community Liaison for the Project under specified circumstances; and revise remedies available in the event of any delay by the Developer in performance or default of the Agreement. Council District: 3. CEQA: Determination of Consistency with the Japantown

Corporation Yard Redevelopment Project Environmental Impact Report, (City Council Resolution No. 74384), and Addenda thereto. *Deferred from 9/13/17.*

PROJECT MANAGER, SYLVIA DO

1. **RECOMMENDED TO THE CITY COUNCIL CONSIDERATION OF DETERMINATION OF CONSISTENCY WITH THE JAPANTOWN CORPORATION YARD REDEVELOPMENT PROJECT ENVIRONMENTAL IMPACT REPORT, (CITY COUNCIL RESOLUTION NO. 74384), AND ADDENDA THERETO IN ACCORDANCE WITH CEQA (6-0-1, PHAM ABSENT)**
2. **ACTION: COMMISSIONER ABELITE MADE A MOTION TO RECOMMEND APPROVAL. COMMISSIONER BIT-BADAL SECONDED THE MOTION. RECOMMENDED TO THE CITY COUNCIL THE APPROVAL OF A DEVELOPMENT AGREEMENT ORDINANCE AS DESCRIBED ABOVE. (6-0-1, PHAM 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

No Reports

- b. Review and Approve Action Minutes from [9/13/17](#)

Commissioner Yesney made a motion to approve the minutes, but amend the wording of "motioned". Commissioner Ballard seconded the motion. (5-0-1-1, Pham Absent, Bit-Badal Abstained)

- c. Subcommittee Formation, Reports, and Outstanding Business

No Reports

d. Commission Calendar and Study Sessions

1. General Plan Performance Review scheduled for 10/11/17

Staff confirmed General Plan Performance Review Study Session will begin at 5:00 pm. in the City Council Chambers. Commissioner Bit-Badal thanked staff for organizing the Planning Commission Retreat on Friday, September 22nd.

e. The Public Record

No Items

8. ADJOURNMENT

Meeting adjourned at 6:41 p.m.