



AGENDA
Wednesday, December 9, 2015 – 7:00 P.M.

Please refer to the Planning Commission Procedural Items coversheet
for information on all procedural matters.

ITEMS FOR COUNCIL ACTION

The following items from this Planning Commission agenda will be scheduled for Council review following the conclusion of hearings and recommendations by the Planning Commission. Due to timing of notices for Council hearings and the preparation of Council agenda reports, these items will not necessarily be heard on the date the minutes from this meeting are forwarded to the Council. Please contact the Planning Division office for information on the schedule of hearings for these items.

None

1. PLEDGE OF ALLEGIANCE and STATEMENT OF VALUES

2. ROLL CALL

3. DISTRIBUTION OF AGENDA AND STAFF REPORTS

Copies of current agendas and staff reports for each of the items on the agenda are available from the Planning Division office on the Friday afternoon preceding the meeting and are available at the Commission meeting at the time of the hearing.

4. DECLARATION OF COMMISSION PROCEDURES

5. REQUESTS FOR EXCEPTIONS, WITHDRAWALS AND CONTINUANCES

- A. Withdrawals
- B. Continuances without a hearing
- C. Exceptions (requests for agenda items to be taken out of order)

6. ORAL PETITIONS/ ANNOUNCEMENTS AND COMMUNICATIONS

Members of the public may briefly address the Commission on any item not on the agenda.

7. CONSENT CALENDAR

Consent Calendar items may be enacted, approved or adopted, based upon the findings prepared and provided in the written staff report, by one motion unless requested to be removed by anyone for discussion or explanation. If any member of the Planning Commission, staff, the applicant or a member of the public wishes to comment on a Consent Calendar item, or would like the item to be heard on the regular agenda, please notify Planning staff, or request this action at the Planning Commission meeting when the Chair calls for these requests during the Consent Calendar review. Items listed on the Consent Calendar with associated file numbers constitute Public Hearing items.

7.A. Planning Commission Minutes of November 4, 2015

7.B. File No.(s): **PLN2015-11498**
Location: 3175 Mission College Boulevard a 2,675 square foot tenant space within an existing commercial center on a 20.46 acre parcel, located on Mission College Boulevard and Highway 101 APN: 104-16-112; Property is zoned PD (Planned Development)
Applicant: Michael Burke
Owner: Lakha Properties
Request: **Use Permit** to allow expanded outdoor seating from 24 seats to 48 seats at an existing restaurant
CEQA Determination: Categorical Exemption per section 15301, Class 1 Existing Facilities
Project Planner: Gregory Qwan, Planning Intern II
Staff Recommendation: Approve, subject to conditions

7.C. File No.(s): **PLN2014-10631**
Location: 3970 Rivermark Plaza (Safeway) a 65,470 square foot building in an existing commercial center (Rivermark Plaza) on a 14.8 acre parcel, located at the southeast corner of Agnew Road and Harrigan Drive, APN: 097-08-105; property is zoned PD-MC (Planned Development-Master Community)
Applicant: Natalie Mattei for Safeway Inc.
Owner: RMV Holdings, L.P.
Request: **12-month review** of an approved Use Permit allowing the on-site tasting of alcoholic beverages (ABC type 86 license) in an existing grocery store
CEQA Determination: 12-month review is not a project under CEQA
Project Planner: Gregory Qwan, Planning Intern II
Staff Recommendation: Note and file report

7.D. File No.(s): **PLN2015-11355**
Location: 5237 Stevens Creek Boulevard, a 1,801 square foot tenant space on an 8.05 Acre site, located on the northeast corner of Stevens Creek Boulevard and Lawrence Expressway, APN: 296-18-056, property is zoned PD (Planned Development)
Applicant: Wendy Warren for Chromatic Coffee
Owner: Dorcich-Vidovich Partnership
Subject: **Use Permit** to allow beer and wine sale and service (ABC License Type 41), and 12 outdoor seats at an existing coffeehouse and café
(Continued from November 4, 2015 Planning Commission Meeting)
CEQA Determination: Categorical Exemption per section 15301, Class 1 Existing Facilities
Project Planner: Gregory Qwan, Planning Intern II
Staff Recommendation: Approve, subject to conditions

7.E. File No.(s): **PLN2015-11358**
Location: 1055 Helen Avenue, a 10,117 square foot lot located on the west side of Helen Avenue approximately 300 feet north of El Camino Real, APN: 213-37-006; property is zoned Single Family Residential (R1-6L)
Applicant: Antony Joma, Joma Studio Architects
Owner: Mehdi Sadri
Request: **Tentative Parcel Map** to create a five lot subdivision. The map is associated with a previously approved rezoning allowing construction of a four-unit attached townhome development. *(City Council approval on of File No. PLN2015-11111 on November 17, 2015)*
CEQA Determination: Categorically exempt per Section 15332, Infill Development
Project Planner: Debby Fernandez, Associate Planner
Staff Recommendation: **Recommend City Council Approval, subject to conditions**

*****END OF CONSENT CALENDAR*****

8. PUBLIC HEARING ITEMS

8.A. File No.(s): **PLN2015-11377**
Location: 2277, 2265 El Camino Real and 1625 Los Padres Boulevard. Three parcels totaling an approximately 0.74 acre project site. The project site is located at the northeast corner of El Camino Real and Los Padres Boulevard and extends eastward along El Camino north along Los Padres approximately 130 feet in each direction APN(s): 224-15-034, 031, 017; the properties are zoned CT (Thoroughfare Commercial).
Applicant: Paul Bosman
Owner: Oakland Realty Loan Service, Inc.
Subject: **Use Permit** to allow a drive-thru proposed for a new 4,629 square foot multi-tenant commercial building *(Continued from November 4, 2015 Planning Commission Meeting)*
CEQA Determination: Categorical Exemption per section 15332, In-Fill Development Projects
Project Planner: Steve Le, Planning Intern II
Staff Recommendation: **Continue to December 10, 2015**

8.B. File No.(s): **PLN2015-11384 and CEQ2015-01199**
Location: 3535 Garrett Drive, a 5.69 acre parcel located at the intersection of Garrett Drive and Tannery Way. APN: 216-31-077; property is zoned Light Industrial (ML).
Applicant/Owner: Jane Vaughan, Menlo Equities
Request: **Variance** to allow an increase in the height of the proposed office building to up to 132 feet where 70 feet is allowed to facilitate the development of a 310,540 square foot office building; the provision of 1,035 parking spaces, and other onsite improvements; **Adoption** of a **Supplemental Environmental Impact Report, Mitigation Monitoring and Reporting Program and Statement of Overriding Consideration**
CEQA Determination: Mitigated Negative Declaration
Project Planner: Payal Bhagat, Associate Planner
Staff Recommendation: **Approve**, subject to conditions

8.C. File No.(s): **PLN2015-11152, PLN2015-11153, CEQ2015-01196**
Location: 1525 Alviso Street a 2.097 acre site located on the east side of Alviso Street at the intersection of Civic Center Drive (APN's: 224-29-012, 224-29-032, 224-29-034).
Applicant/Owner: City Ventures/Robin Lynn Kay
Request: **Rezone from Light Industrial (ML) to Planned Development (PD)** to construct a 40-unit three-story townhome development project with associated on-site parking, private street site improvements and landscaping along with demolition of the existing structures and surface parking on the site; and **Tentative Subdivision Map** to create a single-lot condominium subdivision; **Adoption of a Mitigated Negative Declaration.**
CEQA Determination: Mitigated Negative Declaration
Project Planner: Jeff Schwilk, AICP, Associate Planner
Staff Recommendation: Recommend City Council Approval, subject to conditions

8.D. File No.(s): **PLN2015-10899, PLN2015-10900, PLN2015-10901, PLN2015-10902, CEQ2015-01186**
Location: 2600-2610 Augustine Dr, 3300-3380 Montgomery Dr & 3265 Scott Blvd, 3283 Scott Blvd, 3255 Scott Blvd & 2500 Augustine Dr., 3303-3309 Octavius Dr & 3221-3233 Scott Blvd, 2620 Augustine Dr., 3230 Scott Blvd; 3236 Scott Blvd, a 33.4-acre site located on Scott Boulevard, between Bowers Avenue and San Tomas Aquino Creek; APNs: 216-45-023, 216-45-011, 216-45-022, 216-45-024, 216-45-028; 216-29-053; and 216-29-112; property is zoned Light Industrial (ML) and Planned Development (PD)
Applicant: Carlene Matchniff, Irvine Company
Owner: Irvine Company
Request: **Certify the Environmental Impact Report and adopt a Statement of Overriding Considerations and the Mitigation Monitoring and Reporting Program; General Plan Amendment** to change the Light Industrial land use designation and Community Commercial land use designation totaling 7.2 acres to Regional Mixed Use, and to change the Light Industrial land use designation of the remaining 26.3 acres on four parcels to High Density Residential, and additionally, some portion of the project site will be reserved for public park or open space uses; **Rezone** from ML-Light Industrial and PD-Planned Development to PD-Planned Development, **Vesting Tentative Parcel Map, and Development Agreement** to allow construction of residential/mixed use development comprised of up to 1,800 apartment units, 40,000 gross square feet (gsf) of retail space, 4,500 gsf of leasing space, 38,000 gsf of amenity space, and includes a parking garage within each of the seven (7) apartment complexes.
CEQA Determination: Environmental Impact Report (SCH#2015032075)
Project Planner: Yen Han Chen, Associate Planner
Staff Recommendation: **Approve**, subject to conditions

9. OTHER BUSINESS

9.A. Commission Procedures and Staff Communications

i. Announcements/Other Items

ii. Report of the Director of Planning and Inspection

- City Council Actions

iii. Commission/Board Liaison and Committee Reports

- Appointment of Board or Committee assignments
- Architectural Committee

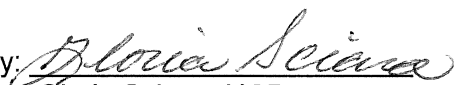
iv. Commission Activities


- Commissioner Travel and Training Reports; Requests to Attend Training

v. Upcoming agenda items

10. ADJOURNMENT

Adjourn. The next meeting of the Planning Commission meeting will be held on Wednesday, December 9, 2015 at 7:00 p.m.

Prepared by: 
Gloria Sciara, AICP
Development Review Officer

Approved by: 
Kevin L. Riley
Director of Planning & Inspection

I:\PLANNING\2015\PC 2015\11.4.2015\PC Agenda 11 4 15.doc