

PLANNING COMMISSION

January 27, 2010

Action Report

ROLL CALL

PRESENT: Commissioners' Cahan, Campos, Do, Jensen, Kamkar, Platten

ABSENT: Zito (arrived approximately at 7:15 p.m.)

1. DEFERRALS

No items.

2. CONSENT CALENDAR

- a. **CP09-051 & ABC09-003**. Conditional Use Permit and a Determination of Public Convenience or Necessity to allow the construction of a 4,640 square foot retail/commercial building with 24-hour operation and off-sale of alcoholic beverages on a 0.34 gross acre site, located at 4156 Monterey Road, in the CP Pedestrian Commercial Zoning District (Penoel Oshido, Owner). Council District 2. SNI: None. CEQA: Exempt. *PROJECT MANAGER, A.BATY*

DEFERRED TO 02-10-10 PER APPLICANT'S REQUEST (6-0-1; ZITO ABSENT)

3. PUBLIC HEARING

- a. **GP09-07-02**. General Plan Amendment request to change the Land Use/Transportation Diagram designation to add Mixed Industrial Overlay to an existing Heavy Industrial land use designation on a 3.95 gross-acre site, located at 2159 South 10th Street (Provident Holdings & Investments LLC, Owner). Council District 7. SNI: None. CEQA: Incomplete. Deferred from 01-13-10. *PROJECT MANAGER, A.BATY*

CONTINUED TO 02-10-10 FOR RECONSIDERATION OF VOTE (5-1-0-1; KAMKAR OPPOSED, ZITO ABSTAINED)

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

<http://www.sanjoseca.gov/planning/hearings/>

- b. **PDC08-010.** Planned Development Rezoning from LI Light Industrial Zoning District to A(PD) Planned Development Zoning District to allow up to 75 affordable senior housing units on a 0.55 acre site, located on the west side of North 6th Street, approximately 200 feet south of East Taylor Street (675 N 6TH ST) (First Community Housing, Owner). Council District 3. SNI: None. CEQA: Use of Japantown Corporataion Yard Redevelopment EIR. Deferred from 12-2-09 & 01-13-10. *PROJECT MANAGER, S.ZARNOWITZ*

RECOMMENDED APPROVAL (7-0-0)

- c. **H08-007.** APPEAL of the Planning Director’s decision to approve a Site Development Permit to demolish an existing structures and to construct a new 5,950 square foot retail building on a 0.38 gross acre site, in the CP Pedestrian Commercial Zoning District, located at the southeast corner of Race Street and Garland Avenue (78 Race St)(Soltanzad Farhang & Najmi Fahry Trustee, owner). Council District 6. SNI: N/A. CEQA: Exempt. Continued from 01-13-10. *PROJECT MANAGER, M.ENDERBY*

UPHELD THE PLANNING DIRECTOR’S DECISION TO APPROVE A SITE DEVELOPMENT PERMIT TO DEMOLISH AN EXISTING STRUCTURE & TO CONSTRUCT A NEW 5,950 SQUARE FOOT RETAIL BUILDING (4-2-1; CAHAN & JENSEN OPPOSED; ZITO ABSENT)

- d. **PDA88-068-04.** APPEAL of the Planning Director’s decision to approve a Planned Development Permit Amendment to allow off-sale of alcoholic beverages at an existing retail store on a 1.72 gross acre site in the A(PD) Planned Development Zoning District located on the northwest corner of Capitol Avenue and Capitol Expressway (459 S. Capitol Avenue #13) (DONS INVESTMENT & DEVEL INC, Owner). Council District 5. SNI: East Valley/680. CEQA: Exempt. *PROJECT MANAGER, E.ENDERBY*

DEFER TO 02-10-10 TO ALLOW APPELANT AN OPPORTUNITY TO ADDRESS THE PLANNING COMMISSION (6-0-1; JENSEN ABSENT)

4. PETITIONS AND COMMUNICATIONS

No items

5. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS OR OTHER AGENCIES

No items

6. GOOD AND WELFARE

a. Report from City Council

REPORT GIVEN.

b. Commissioners' Report from Committees:

1. Norman Y. Mineta San Jose International Airport Noise Advisory Committee
(Campos)

No report

2. Envision San José 2040 General Plan Update Process (Kamkar).

No Report.

c. Review Synopsis from 01-13-2010

APPROVED (7-0-0)

d. Subcommittee Reports and Outstanding Business

- *Interest in a joint study session with Parks Commission - date pending*
- *Planning Commission reminded staff of conflict with March 24, 2010 hearing date & requested to take formal action on schedule on February 1, 2010*
- *Encouragement to attend the Planners' Institute in March*

ADJOURNED