

PLANNING COMMISSION

February 10, 2010

Action Report

ROLL CALL

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

ABSENT: Kamkar

1. DEFERRALS

- 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 (Penoiel Oshido, Owner). Council District 2. SNI: None. CEQA: Exempt. Deferred from 01-27-10. *PROJECT MANAGER, A.BATY*

APPROVED TO DROP & RE-NOTICE PER APPLICANT'S REQUEST (6-0-1; KAMKAR ABSENT)

2. CONSENT CALENDAR

No items.

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 1-13-10; Continued from 01-27-10. *PROJECT MANAGER, A.BATY*

RECOMMENDED DENIAL (5-1-1; CAMPOS OPPOSED; KAMKAR ABSENT)

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

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

- b. **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. Deferred from 01-27-10

DEFERRED TO 02-24-10 (6-0-1; KAMKAR ABSENT)

- c. **PDC09-023.** Planned Development Rezoning from LI Light Industrial to A(PD) Planned Development to demolish an existing gas station building and construct a new gas station mini-mart/car wash on a 0.6 gross acre site, located on the north side of Auzerais Avenue between Bird Avenue and Royal Avenue (395 BIRD AV) (Vintners Distributors, Inc. (Sunny Goyal), Owner/Developer). Council District 6. SNI: Burbank/Del Monte. CEQA: Exempt. *PROJECT MANAGER, J.CLARK*

RECOMMENDED APPROVAL (6-0-1; KAMKAR ABSENT)

- d. **FINAL ENVIRONMENTAL IMPACT REPORT for the Airport West Stadium & Great Oaks Place Project.** The EIR evaluates one project that consists of two distinct and geographically separate components:

1. **The Airport West Stadium (File No. PDC09-004).** The Airport West Stadium component proposes a Planned Development Rezoning to allow for the development of a professional sports stadium with up to 18,000 seats on an approximately 14.5 acre site, located at the southwest quadrant of the Coleman Avenue & Newhall Drive intersection. *PROJECT MANAGER, A.BATY*

CERTIFIED EIR (6-0-1; KAMKAR ABSENT)

2. **Great Oaks Place Project (File Nos. GP07-02-01 & PDC07-098).** The Great Oaks Place component proposes a General Plan Amendment (File No. GP07-02-01) to allow for the development of between 914 to 1,905 residential units & a Planned Development Rezoning (File No. PDC07-098) to allow for the development of between 1,100 & 1,500 residential units on an approximately 76-acre site, located at the southeast quadrant of Monterey Road & Manassas Road. It is the intent of the project proponent to obtain approval of the proposed GPA and rezoning of the Great Oaks Place site, sell the Great Oaks Place site to residential developer(s), and use a portion of the funds from the sale to fund or reimburse a portion of the construction of the sports stadium that is proposed under the Airport West Stadium Development component. *PROJECT MANAGER, A.BATY*

CERTIFIED EIR (6-0-1; KAMKAR ABSENT)

- e. **PDC09-004.** Planned Development Rezoning from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District to allow an 18,000-seat professional sports stadium as a permitted use on an approximately 94.8 gross-acre site, located on the west side of Coleman Avenue, north of Newhall Drive (former FMC site) (City of San Jose, Owner). Council District: 3. SNI: None. CEQA: EIR resolution to be adopted. *PROJECT MANAGER, A.BATY*

RECOMMENDED APPROVAL (6-0-1; KAMKAR ABSENT)

- f. **SP09-058.** APPEAL of the Planning Director's decision to approve a Special Use Permit to erect a monopole on a residential property on 3.13 gross acre site, in the R-1-5 Single-Family Residence Zoning District, located at 1200 Fleming Avenue (Robert Lares, Owner; Patricia Kelly % Lyle Co., Developer). Council District 5. SNI: None. CEQA: Exempt. *PROJECT MANAGER, A.BATY*

UPHELD THE PLANNING DIRECTOR'S DECISION (6-0-1; KAMKAR 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
Council held Budget Study Session on Monday, 02-08-10.
- 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).
Commissioner Zito attended the meeting on Monday, 2-8-10; reported that there were transportation issues.
- c. Review Synopsis from 01-27-10
Approved (6-0-1; Kamkar absent)
- d. Vote to approve cancellation of March 24, 2010 hearing, due to conflict in schedules
Approved (6-0-1; Kamkar absent)
- e. Vote to add a Joint Study Session with Parks Commission on April 21, 2010
Approved (6-0-1; Kamkar absent)
- f. Subcommittee Reports and Outstanding Business
No items

ADJOURNED