

## PLANNING COMMISSION

February 24, 2010

Action Report

### **ROLL CALL**

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

ABSENT: None

### **1. DEFERRALS**

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*No items.*

### **2. CONSENT CALENDAR**

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*No items.*

### **3. PUBLIC HEARING**

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- a. **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

**UPHOLD THE APPEAL OF PDA88-068-04 AND OVERTURN THE DIRECTOR'S DECISION TO APPROVE PDA88-068-04. PDA88-068-04 DENIED. (5-2-0; COMMISSIONERS KAMKAR AND ZITO OPPOSED)**

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

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

- b. **CP07-053.** Conditional Use Permit to legalize an expansion of a legal non-conforming guest house to include up to 27 guest rooms on a 0.29 gross acre site in the R-M Multiple Residence Zoning District, located at the southeast corner of E. St. John Street and N. Fifth Street (98 N 5TH ST)(Sabankaya, Semih and Jeanne Trustee & Et Al, Owner). Council District 3. SNI: 13th Street. CEQA: Exempt. *PROJECT MANAGER, S.ZARNOWITZ*

**APPROVED (4-3-0; COMMISSIONERS JENSEN, ZITO AND KAMKAR  
OPPOSED)**

#### **4. PETITIONS AND COMMUNICATIONS**

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*None*

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

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*None*

#### **6. GOOD AND WELFARE**

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- a. Report from City Council

*Assistant Director Prevetti passed on to the Commission Council actions from the previous City Council meetings.*

- b. Commissioners' Report from Committees:

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

*None*

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

*Commissioner Kamkar briefed the Commission on the last Task Force meeting and announced the upcoming Workshop on February 27, 2010.*

- c. Review Synopsis from 02-10-10

*Approved (7-0-0)*

- d. Set April 7, 2010 as a General Plan Hearing

*Approved (7-0-0)*

- e. Subcommittee Reports and Outstanding Business

*Chariman Do asked the Commission for topics of interest for upcoming Joint Parks Commission study session. Assistant Director Prevetti announced the deadline of February 26, 2010 for applying for vacant Planning Commission seats.*

**ADJOURNED**