

PLANNING COMMISSION

July 25, 2012

Action Report

ROLL CALL

Meeting:

PRESENT: Commissioners Abelite, Bit-Badal, Cahan, Kamkar, Kline, O'Halloran and Yob

ABSENT: NONE

1. **DEFERRALS**

No items

2. **CONSENT CALENDAR**

- a. **CPA08-051-02.** Conditional Use Permit Amendment to eliminate the current restriction on simultaneous use of other assembly areas when the main sanctuary is in use at Westgate Church in the CP – Commercial Pedestrian Zoning District, located on the west side of Saratoga Avenue 350 feet northerly of Lawrence Expressway (1735 Saratoga Av)(Westgate Community Bible Ch, Owner). Council District 1. SNI: None. CEQA: Exempt. *PROJECT MANAGER, JOHN BATY*

APPROVED – RESOLUTION NO. 12-025 (7-0-0)

3. **PUBLIC HEARING**

- a. **CP12-013 & ABC12-003.** Conditional Use Permit and Determination of Public Convenience or Necessity to allow the on-sale and off-sale of alcohol at a drinking establishment with outdoor seating area on a 0.83 gross acre site in the DC Downtown Primary Commercial Zoning District, located at the northeast corner of E. Santa Clara Street and N. 2nd Street (75 E. Santa Clara Street) (Legacy Partners I San Jose North Second, LLC, owner). Council District: 3. SNI: None. CEQA: Exempt. *PROJECT MANAGER, SYLVIA DO*

APPROVED – RESOLUTION NO. 12-026 (7-0-0)

Access the video, agenda, and related reports for this meeting by visiting the City's website at:
<http://www.sanjoseca.gov/planning/hearings/>

- b. **PD12-012 & ABC12-002.** Planned Development Permit and Determination of Public Convenience or Necessity to add a drinking establishment to an existing hotel on 2.67 gross acre site in the A(PD) Planned Development Zoning District, located at the southeast corner of Seaboard and Channing Avenues (2585 Seaboard Avenue) (Chic Hospitality, LLC, owner). Council District: 4. SNI: None. CEQA: Exempt. *PROJECT MANAGER, SYLVIA DO*

APPROVED – RESOLUTION NO. 12-027 (7-0-0)

- c. **PDC12-009.** A Planned Development Rezoning request to the A(PD) Planned Development Zoning District to allow for the full build out of the entire development site, commonly known as Santana Row, to include an additional 228,200 square feet of office space, 46,458 square feet of restaurant space, 35,139 of retail space, and 456 residential units over the current built condition, on a 40.78 gross acre site, located at the southeast corner of Winchester and Stevens Creek Boulevards (3090 Olsen Drive) (FRIT/ San Jose Town & Country Village LLC, Owner). Council District 6. CEQA: Mitigated Negative Declaration. *PROJECT MANAGER, LESLEY XAVIER*

RECOMMENDED APPROVAL (6-0-1; COMMISSIONER YOB RECUSED)

- d. **TR12-006.** APPEAL of the Planning Director’s decision to approve a Tree Removal Permit to require tree replacements for the removal of two (2) ordinance size trees, previously located in the front and rear yards of a single-family residence, in the R-1-8 Single-Family Residence Zoning District, located at 1460 LUPTON AVENUE (Bartels David Trustee, et al., Owner). Council District 6. SNI: None. CEQA: Exempt. *PROJECT MANAGER, LORI MONIZ*

APPEAL DENIED, UPHELD DIRECTOR’S DECISION TO APPROVE PERMIT – RESOLUTION NO. 12-028 (7-0-0)

- e. **ORDINANCE AMENDMENT.** Amendments to Section 20.30.100 of Chapter 20.30 (Residential Zoning Districts), Section 20.40.100 of Chapter 20.40 (Commercial Zoning Districts), Section 20.50.100 of Chapter 20.50 (Industrial Zoning Districts), and Section 20.70.100 of Chapter 20.70 (Downtown Zoning Regulations), the addition of a new Part 3.5 entitled “Certified Farmers’ Markets” to Chapter 20.80 (Specific Use Regulations), and the addition of a new Section 20.200.185 to Chapter 20.200 (Definitions), all to establish land use regulations pertaining to Certified Farmers’ Markets, amendments to Part 16 of Chapter 20.80 (Temporary Outdoor Uses of Private Property) to facilitate a more streamlined process for certain Certified Farmers’ Markets and minor amendments to these sections to make other technical, nonsubstantive, clarifying changes to Title 20. CEQA: Envision San Jose 2040 General Plan Environment Impact Report, Resolution No. 76041. *PROJECT MANAGER, RICH BUIKEMA*

RECOMMENDED APPROVAL (7-0-0)

4. PETITIONS AND COMMUNICATIONS

None

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

None

6. GOOD AND WELFARE

a. Report from City Council

None

b. Commissioners' Report from Committees:

1. Norman Y. Mineta San José International Airport Noise Advisory Committee (Cahan)

None

c. Review and Approve Synopsis from 7/11/12.

Approved (6-0-1; Commissioner Cahan absent)

d. Subcommittee Formation, Reports, and Outstanding Business

None

e. Commission Calendar and Study Sessions

None