

## PLANNING COMMISSION

April 20, 2011

Action Report

### ROLL CALL

#### Study Session:

PRESENT: Commissioners Abelite, Bit-Badal, Jensen, Kamkar, Kline, and Platten

ABSENT: Commissioner Cahan

#### Meeting:

PRESENT: Commissioners Abelite, Bit-Badal, Cahan (*arrived during item 3.a.*), Jensen, Kamkar, Kline, and Platten

ABSENT: None

### 1. DEFERRALS

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*No items.*

### 2. CONSENT CALENDAR

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- a. **CP10-059**. Conditional Use Permit to allow the development of an approximately 98,905 square-foot hotel including a public eating establishment and incidental retail space in the IP-Industrial Park Zoning District, located on an approximately 3.07 gross-acre portion of a 38.7 gross-acre site on the northeast corner of Holger Way and North 1st Street (121 Holger Way)(TSA @ 1ST LLC, Owner/Applicant) Council District 4 SNI: None. CEQA: NSJ EIR Resolution No.72768 and Addenda thereto. *PROJECT MANAGER, J.NUSBAUM*

**APPROVED (6-0-1; CAHAN ABSENT)**

### 3. PUBLIC HEARING

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- a. **H09-022**. An appeal of the Director of Planning, Building, and Code Enforcements decision to deny a Site Development Permit to allow for the installation of three (3) electronic gates within the apartment complex on 5.656 gross acres in the CP Pedestrian Commercial Zoning District, located at the southwest corner of Camden Avenue and Merrill Drive (5255 Camden Avenue)(Louis Joseph E Tr Trustee & Et Al, Owner). Council District 9. SNI: None. CEQA: Exempt. *PROJECT MANAGER, L.XAVIER*

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

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

**UPHELD DIRECTOR'S DECISION TO DENY A SITE DEVELOPMENT PERMIT TO ALLOW FOR THE INSTALLATION OF THREE (3) ELECTRONIC GATES WITHIN THE APARTEMTN COMPLEX ON 5.656 GROSS ACRE SITE IN THE CP PEDESTRIAN COMMERCIAL ZONING DISTRICT (7-0-0)**

- b. [PDC11-004](#). Planned Development Rezoning from A(PD) Planned Development Zoning District to the CN(PD) Planned Development Zoning District to modify the base zoning district and to add drive-through uses to the previously approved Planned Development Zoning allowing a range of commercial uses for up to 24,250 square feet of development on an approximately 2.17-acre portion of an approximately 10.44-acre site, at the southwest corner of Foxworthy Avenue and Almaden Expressway (1175 Hillsdale Avenue) (Calvary Chapel San Jose, Owner). Council District 9. SNI: None. CEQA: Mitigated Negative Declaration and Addenda Thereto. *PROJECT MANAGER, J.NUSBAUM*

**RECOMMENDED APPROVAL (7-0-0)**

**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 informed the Commission of the City Council action related Medical Cannabis Collectives and informed them that a Title 20 Ordinance would be coming forward for their review in the near future.*
- b. Commissioners' Report from Committees:
1. Norman Y. Mineta San Jose International Airport Noise Advisory Committee (Cahan)  
*None*
  2. Envision San José 2040 General Plan Update Process (Kamkar).  
*None*
- c. Review and Approve Synopsis from 4-6-11  
*Approved (7-0-0) with changes to the votes for Synopses of 2/23, 3/9, and 3/23 to accurately reflect those Commissioners who abstained.*
- d. Subcommittee Formation, Reports, and Outstanding Business  
*None*
- e. Commission Calendar and Study Sessions  
*Retreat date re-scheduled from September 22, 2011 to September 29, 2011*