

PLANNING COMMISSION

May 25, 2011

Action Report

ROLL CALL

Meeting:

PRESENT: Commissioners Abelite, Bit-Badal, Cahan, Jensen, and Platten

ABSENT: Commissioners Kamkar and Kline

1. DEFERRALS

- a. **SP10-012.** Appeal of the Director of Planning's decision to approve a Special Use Permit to allow the installation of a 60' tall wireless monopole with (6) antennas and a 300 square foot equipment enclosure near the football field score board at an existing high school on 50.19 gross acres in the R-1-5 Single-Family Residence Zoning District, located on the westerly side of Via Valiente across from Burnside Drive (Leland High School, 6677 Camden Avenue)(San Jose Unified School District, owner). Council District 8. SNI: None. CEQA: Exempt. *PROJECT MANAGER, L.MONIZ*

DROPPED; APPLICATION WITHDRAWN BY APPLICANT

2. CONSENT CALENDAR

- a. **CP11-016.** Conditional Use Permit to allow a drive-through automatic teller machines (ATM) for a bank within an existing retail pad building located in the CG Commercial General Zoning District on a .55 gross acre site in the CG-General Commercial Zoning District located on the east side of N. Capitol Avenue, approximately 880 feet northerly of McKee Road (370 N. CAPITOL AV)(Capitol Square Partners, Owner; Chase Bank, Developer). Council District 5. SNI: None. CEQA: Exempt. *PROJECT MANAGER,*

APPROVED (4-0-3; KAMKAR, KLINE, & PLATTEN ABSENT)

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

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

3. PUBLIC HEARING

- a. **PD10-015.** Appeal of the Director of Planning's decision to deny a Planned Development Permit to allow off-sale of alcohol for a general retail store/pharmacy in an existing approximately 14,000 square-foot tenant space in a shopping center on an approximately 9.15 gross-acre site in the A (PD) Planned Development Zoning District, located on the east side of Monterey Road approximately 1000 feet southerly of Blossom Hill Road (5536 Monterey Road)(Monterey Plaza/Kimco Realty Corp, owner; Walgreens, Applicant). Council District 2. SNI: None. CEQA: Exempt. *PROJECT MANAGER, J.NUSBAUM*

UPHELD PLANNING DIRECTOR'S DECISION TO DENY A PLANNED DEVELOPMENT PERMIT TO ALLOW OFF-SALE OF ALCOHOL FOR A GENERAL RETAIL STORE/PHARMACY (5-0-2; KAMKAR & KLINE ABSENT)

- b. **RA07-002.** Appeal of the Planning Director's decision to grant a Request for Reasonable Accommodation to accommodate a 32 bed residential care facility (drug and alcohol rehabilitation) on a 0.59 gross acre site, in the R-1-5 Single-Family Residence Zoning District, located on the southwest corner of Fleming Avenue and Morrie Drive (1281 Fleming Avenue)(Jerry Stackhouse, Owner). Council District 5. SNI: None. CEQA: Exempt. *PROJECT MANAGER, L.XAVIER*

UPHELD APPEAL AND GRANTED ACCOMMODATION FOR A TOTAL OF 20 BEDS PLUS UP TO 8 STAFF (WORKING ON SHIFTS; IF ANY STAFF BECOME OCCUPANTS, THE STAFF WOULD BE COUNTED AS PART OF THE MAXIMUM NUMBER OF 20 (4-1-2; PLATTEN OPPOSED, KAMKAR & KLINE ABSENT)

- c. **PLANNING COMMISSION BY-LAWS.** Consideration of adoption of a resolution to amend the Planning Commission By-Laws to modify the requirement for a quorum of the Commission at Study Sessions and Site Visits.

DEFERRED TO 6-8-11 (5-0-2; KAMKAR & KLINE ABSENT)

4. OPEN SPRING 2011 GENERAL PLAN AMENDMENT HEARING

APPROVED (5-0-2; KAMKAR & KLINE ABSENT)

5. GENERAL PLAN CONSENT CALENDAR

NO ITEMS

6. GENERAL PLAN PUBLIC HEARING

- a. The following projects being considered are located on the east side of Monterey Road, approximately 300 feet southerly of East Alma Avenue (Michael Mulcahy for Sun Garden Tenants In Common, Owner). Council District 7. SNI: None. CEQA: EIR Resolution to be adopted. *PROJECT MANAGER, J. CLARK*

1. **EIR INFORMATION FOR THE PLANNING COMMISSION AGENDA FOR ADOPTION**
RECOMMENDED APPROVAL (5-0-2; KAMKAR & KLINE ABSENT)

2. **GP10-07-01**. A General Plan Amendment request to change the San Jose 2020 General Plan Land Use/Transportation Diagram designation from General Commercial and Heavy Industrial to Combined Industrial / Commercial on a 19.75 gross acre site.

RECOMMENDED APPROVAL (5-0-2; KAMKAR & KLINE ABSENT)

3. **PDC10-026**. Planned Development Zoning to rezone from LI-Light Industrial and HI-Heavy Industrial Zoning Districts to CG(PD) Planned Development Zoning District to allow the demolition of the three existing structures and construction of up to 257,296 square foot of commercial buildings on 19.75 gross acre site.

RECOMMENDED APPROVAL (5-0-2; KAMKAR & KLINE ABSENT)

7. CLOSE 2011 SPRING GENERAL PLAN AMENDMENT HEARING

APPROVED (5-0-2; KAMKAR & KLINE ABSENT)

8. PETITIONS AND COMMUNICATIONS

NO ITEMS

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

NO ITEMS

10. 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
 - 2. Envision San José 2040 General Plan Update Process (Kamkar)
None
- c. Review and Approve Synopsis from 5-11-11
Approved (5-0-2; Kamkar & Kline Absent)
- d. Election of Chair and Vice-Chair for Fiscal Year 2011-2012.
Deferred to 6-8-11 (5-0-2; Kamkar & Kline Absent)
- e. Subcommittee Formation, Reports, and Outstanding Business
None
- f. Commission Calendar and Study Sessions
Reschedule "Economic Trends" from 6/22/11 to after summer.