

PLANNING COMMISSION

August 10, 2011

Action Report

ROLL CALL

Meeting:

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

ABSENT: Commissioners Cahan and Platten

1. DEFERRALS

- a. **PLANNING COMMISSION BYLAWS AMENDMENT.** Adoption of a resolution amending the bylaws of the Planning Commission to amend Article III (Meetings) to provide for study sessions and other informational meetings of the Planning Commission and to provide that a quorum of the Commission is not required to be present to conduct such meetings. CEQA: Not a project. *PROJECT MANAGER, RENEE GURZA*

DEFERRED TO 9/14/11, PER STAFF REQUEST(4-0-2; CAHAN & PLATTEN ABSENT)

2. CONSENT CALENDAR

- a. **CPA97-002-02.** Conditional Use Permit Amendment for the timely renewal of an existing auto dismantler business on a 0.68 gross acre site in the HI Heavy Industrial Zoning District, located on the east side of North 15th Street, 410 feet southerly of Charles Street (1200 North 15th Street). Council District 4. SNI: None. CEQA: Use of Mitigated Negative Declaration for file CP97-002. *PROJECT MANAGER, JODIE CLARK*

APPROVED (4-0-2; CAHAN & 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. **CP11-036.** Conditional Use Permit to install a columbarium within an existing religious reassembly building on a 0.61 gross acre site (no exterior changes are proposed) in the DC Downtown Primary Commercial Zoning District, located on the southwest corner of North 2nd Street and East St. John Street (81 North 2nd Street)(Episcopal Diocese of El Camino Real, Owner). Council District 3. SNI: None. CEQA: Exempt. *PROJECT MANAGER, JODIE CLARK*

APPROVED (4-0-2; CAHAN & PLATTEN ABSENT)

- b. **CP11-047 & ABC11-009.** Conditional Use Permit and Determination of Public Convenience or Necessity to allow the off-sale of alcoholic beverages at a full-service grocery store at an existing building on an approximately 4.0 gross-acre site in the CP Pedestrian Commercial Zoning District, located at/on northwest corner of Foxworthy Avenue and Meridian Avenue (1665 FOXWORTHY AV)(Fremont Center Plaza LLC, Owner). Council District 9. SNI: None. CEQA: Exempt. *PROJECT MANAGER, LEE BUTLER*

DENIED (4-0-2; CAHAN & PLATTEN ABSENT)

- c. **PDC10-027.** Planned Development Rezoning from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District to allow the addition of a 2 story accessory structure (consisting of a home office over a 2 car garage) to be constructed on the N. 19th Street frontage property line, on a .29 gross acre site currently zoned for single-family, duplex and bed and breakfast uses, located at the northwest corner of Jackson Street and N. 19th Street (897 JACKSON STREET)(Eric Thacker Trustee, et al., Owner). Council District 3. SNI: None. CEQA: Exempt. *PROJECT MANAGER, LORI MONIZ*

RECOMMENDED DENIAL (4-0-2; CAHAN & PLATTEN ABSENT)

- d. **BAIL BONDS ORDINANCE.** An Ordinance of the City of San Jose amending Title 20 of the San Jose Municipal Code to amend Section 20.40.100 of Chapter 20.40 (Commercial Zoning Districts), to add a new Part 1.5 to Chapter 20.80 (Specific Use Regulations), and to add a new Section 20.200.114 to Chapter 20.200 (Definitions), all to establish land use regulations pertaining to bail bond establishments. Citywide. CEQA: Reuse of San Jose 2020 General Plan Environmental Impact Report, Resolution No. 65459 (PP11-063). *PROJECT MANAGER, LAUREL PREVETTI*

RECOMMENDED APPROVAL WITH A 300-FOOT (INSTEAD OF 200-FOOT) DISTANCE REQUIREMENT AND ADDITIONAL STUDY REGARDING GROUND FLOOR LIMITATIONS (4-0-2; CAHAN & PLATTEN ABSENT)

- e. **PLANNING COMMISSION BYLAWS AMENDMENT.** Adoption of a resolution amending the bylaws of the Planning Commission to amend Article III (Meetings) to provide for study sessions and other informational meetings of the Planning Commission and to provide that a quorum of the Commission is not required to be present to conduct such meetings. CEQA: Not a project. *PROJECT MANAGER, RENEE GURZA*

DEFERRED TO 9/14/11, PER STAFF REQUEST(4-0-2; CAHAN & PLATTEN ABSENT)

4. PETITIONS AND COMMUNICATIONS

Mr. Roland LeBrun spoke regarding his concerns about the County's work at the Santa Teresa County Park.

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

None.

6. GOOD AND WELFARE

a. Report from City Council

On August 2, 2011, the Council approved the development agreements and zonings that were heard in July by the Commission.

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)

Next meeting August 22, 2011

c. Review and Approve Synopsis from 7-27-11

Approved (4-0-2; Cahan & Platten Absent)

d. Subcommittee Formation, Reports, and Outstanding Business

No Report.

e. Commission Calendar and Study Sessions

Add Study Session to be heard under 'Public Hearing' on September 14, 2011 regarding the General Plan Update.