

## PLANNING COMMISSION

October 26, 2011

Action Report

### ROLL CALL

Meeting:

PRESENT: Commissioners Abelite, Bit-Badal, Cahan, Kline, Platten, and Yob

ABSENT: Commissioner Kamkar

### 1. DEFERRALS

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*No items.*

### 2. CONSENT CALENDAR

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- a. **CP11-030.** Conditional Use Permit to reinstate legal nonconforming status of an existing fraternity house on an approximately .46 gross-acre site in the R-M Multiple Residence Zoning District, located on the southeast corner of South 11th Street and East San Antonio Street (202 S 11TH ST)(VTL LLC, Owner). Council District 3. SNI: University. CEQA: Exempt. *PROJECT MANAGER, JENNY NUSBAUM*

**APPROVED RESOLUTION # 11-053 (6-0-1; KAMKAR ABSENT)**

### 3. PUBLIC HEARING

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- a. **CP11-040 & ABC11-008.** Conditional Use Permit and Determination of Public Convenience or Necessity to allow off-sale of beer and wine for a full-service grocery store in a 17,370 square-foot tenant space in a portion of a 38,000 square-foot existing building, on an approximately 2.30 gross-acre site in the CG Commercial General Zoning District, located at/on the southwest corner of East Santa Clara Street and South 7th Street (272 E SANTA CLARA ST)(Carlos Oropeza Legorreta, Owner; Fresh & Easy Neighborhood Market Scott Whitney, Developer). Council District 3. SNI: None. CEQA: Exempt. *PROJECT MANAGER, JENNY NUSBAUM*

**DENIED RESOLUTION #11-054 (6-0-1; KAMKAR ABSENT)**

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

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

- b. **CP11-054 & ABC11-013.** Conditional Use Permit and Determination of Public Convenience or Necessity to allow the off-sale of alcohol at a full-service grocery store on a 6.48 gross-acre site in the CG Commercial General Zoning District, located at the northwest corner of Prospect Road and Saratoga Avenue (5205 Prospect Road, Suite 153)(West Valley Shopping Center, Inc., Owner/Sunflower Farmers Market, Applicant). Council District 1. SNI: None. CEQA: Exempt. *PROJECT MANAGER, JENNY NUSBAUM*

**DENIED RESOLUTION #11-055 (6-0-1; KAMKAR ABSENT)**

#### **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

*Report on City Council's October 18, 2011 discussion on economic development priorities, including development streamlining.*

- b. Commissioners' Report from Committees:

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

*None*

- c. Review and Approve Synopsis from 9-28-11

*Approved (5-0-1-1; Kamkar Absent & Yob Abstained)*

- d. Subcommittee Formation, Reports, and Outstanding Business

*Staff updated the Commission on response to the Best Practices Subcommittee in terms of*

1. *Clarifying the City's practices to ensure proper firewalls between the applicant and consultant; and*
2. *Exploring other options to address the issues raised in the subcommittee report.*

- e. Commission Calendar and Study Sessions

- *2012 Calendar will be considered on 11-16-11.*
- *An upcoming agenda item will be the off-sale of alcohol streamlining proposal, since it affects the Planning Commission's role.*