

PLANNING COMMISSION

April 11, 2012

Action Report

ROLL CALL

Study Session:

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

ABSENT: Commissioner Kamkar

Meeting:

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

ABSENT: Commissioner Kamkar

1. DEFERRALS

- a. **SP11-039**. Appeal of the Director's decision to approve a Special Use Permit for the installation of a 60-foot tall wireless communications antenna (slimline monopole) and associated equipment on a 2.5 gross acre site in the A-Agricultural Zoning District, located on the east side of San Felipe Road, approximately 730 feet northerly of Delta Road (3880 San Felipe Road) (Pacific Bell, Owner). Council District 8. SNI: None. CEQA: Exempt. *PROJECT MANAGER, MIKE ENDERBY*

**DEFERRED TO 5/23/12, PER APPLICANT AND APPELLANTS
REQUEST (6-0-1; KAMKAR ABSENT)**

2. CONSENT CALENDAR

- a. **CP12-001**. Conditional Use Permit for late night use until 3:00 a.m. for a bakery and cafe (with a previously permitted, but expired Conditional Use Permit to operate the same late night hours) on a 0.22-gross-acre site in the CG-Commercial General Zoning District, located at the northeast corner of East Santa Clara Street and 7th Street (301 East Santa Clara Street)(T & C Corporation, Owner). Council District 3. SNI: 13th Street. CEQA: Exempt. *PROJECT MANAGER, JENNY NUSBAUM*

APPROVED – RESOLUTION NO. 12-012 (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/>

3. PUBLIC HEARING

- a. **AMENDMENTS TO SECTION 20.100.500 OF CHAPTER 20.100 (ADMINISTRATION AND PERMITS) OF TITLE 20 OF THE SAN JOSE MUNICIPAL CODE (THE ZONING CODE)** to extend the period for the Director of Planning to reactivate certain expired Development Permits and to extend certain Development Permits for a discrete period of time and make other related clarifying changes. CEQA: Exempt. *Deferred from 3/21/12. PROJECT MANAGER, RICH BUIKEMA*

RECOMMENDED APPROVAL (6-0-1; KAMKAR ABSENT)

- b. **PDC11-023**. Planned Development Zoning from A(PD) Planned Development to the A (PD) or CIC(PD) Planned Development Zoning District to allow an increase in student enrollment by 160 students for a total of 935 students and approximately 7,500 square feet of additional classroom buildings and office space and conversion of a basement from storage space to office space for an existing private school (Challenger School) on a 7.23 gross-acre site, located on the northwest side of East Gish Road 500 feet southwesterly of Oakland Road (721 East Gish Road) (Emerald Isle LLC, Owner). Council District 3. SNI: None. CEQA: Mitigated Negative Declaration. *PROJECT MANAGER, JENNY NUSBAUM*

RECOMMENDED APPROVAL (6-0-1; KAMKAR ABSENT)

- c. **CP11-059**. Conditional Use Permit to allow for the late night use (24 hours) of retail sales including the off-sale of alcohol, within an existing gasoline service station on a 0.39-gross-acre site in the CP-Commercial Pedestrian Zoning District, located on the southwest corner of Woodard Road and Union Avenue (3707 UNION AV)(BMZ Investment, Owner). Council District 9. SNI: None. CEQA: Exempt. *Deferred from 3/7/12 and 3/21/12. PROJECT MANAGER, JENNY NUSBAUM. AMENDED MOVED FROM CONSENT TO PUBLIC HEARING*

APPROVED WITH NO OFF-SALE OF ALCOHOL, HOURS TO 3:00 A.M., AND AN ADDITIONAL STREET TREE CONDITION - RESOLUTION NO. 12-013 (6-0-1; KAMKAR ABSENT)

4. PETITIONS AND COMMUNICATIONS

No items.

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

No items.

6. GOOD AND WELFARE

- a. Report from City Council
Report on recent Council Actions.
- b. Commissioners' Report from Committees:
 - 1. Norman Y. Mineta San José International Airport Noise Advisory Committee (Cahan)
No report.
- c. Review and Approve Synopsis from 3/21/12.
Approved (5-0-1-1; Platten Abstained and Kamkar Absent)
- d. Subcommittee Formation, Reports, and Outstanding Business
No report.
- e. Commission Calendar and Study Sessions
No report.