



## **PLANNING COMMISSION SYNOPSIS**

**Wednesday, August 24, 2005**

*4:30 PM STUDY SESSION*

*Tour of Downtown City Hall for Commissioners*

*Room: TBA*

(Will be posted in First Floor lobby of City Hall)

**6:30 p.m.** Regular Meeting  
Council Chambers, City Hall

200 East Santa Clara Street  
San Jose, California

**Bob Dhillon, Chair**  
**Xavier Campos, Vice-Chair**

**Bob Levy    Jay James**  
**Dang T. Pham**  
**Christopher Platten    James Zito**

**Stephen M. Haase, Director**  
**Planning, Building and Code Enforcement**

## NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE) or (408) 998-5299 (TTY) at least two business days before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

## NOTICE TO THE PUBLIC

Good evening, my name is **Bob Dhillon** and I am the Chair of the Planning Commission. On behalf of the entire Planning Commission, I would like to welcome you to the Planning Commission Public Hearing of *Wednesday, August 24, 2005*. Please remember to turn off your cell phones and pagers.

If you want to address the Commission, **fill out a speaker card (located on the table by the door or at the technician's station), and give the completed card to the technician. Please include the agenda item number for reference.**

The procedure for this hearing is as follows:

- After the staff report, applicants and appellants may make a 5-minute presentation.
- The chair will call out names on the submitted speaker cards in the order received.
- As your name is called, line up in front of the microphone at the front of the Chamber. Each speaker will have two minutes.
- After the public testimony, the applicant and appellant may make closing remarks for an additional five minutes.
- Planning Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- The public hearing will then be closed and the Planning Commission will take action on the item. The Planning Commission may request staff to respond to the public testimony, ask staff questions, and discuss the item.

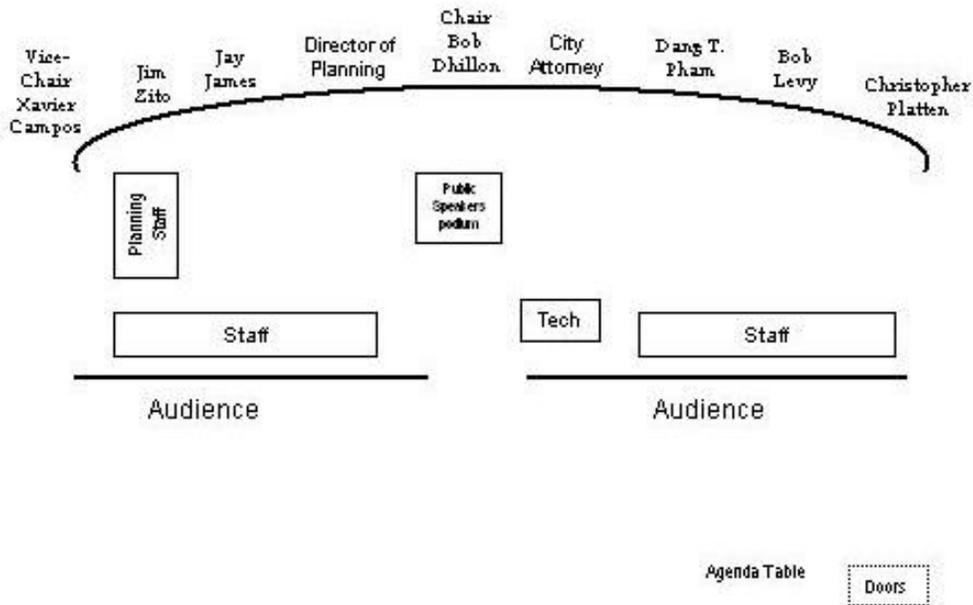
### **If you challenge**

**these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.**

**The Planning Commission's action on rezoning, prezonings, General Plan Amendments and Code Amendments is advisory only to the City Council. The City Council will hold public hearings on these items.** Section 20.120.400 of the Municipal Code provides the procedures for legal protests to the City Council on rezonings and prezonings. The Planning Commission's action on Conditional Use Permit's is appealable to the City Council in accordance with Section 20.100.220 of the Municipal Code. Agendas and a binder of all staff reports have been placed on the table near the door for your convenience.

**Note:** If you have any agenda questions, please contact Olga Guzman at [olga.guzman@sanjoseca.gov](mailto:olga.guzman@sanjoseca.gov)

The Planning Commission is a seven member body, appointed by the City Council, which makes recommendations to the City Council regarding the adoption, amendment, or repeal of general or specific plans, and regulation of the future physical land use development, redevelopment, rehabilitation or renewal of the City, including its Capital Improvement Programs. The recommendations to the Council regarding land use development regulations include, but are not limited to, zoning and subdivision recommendations. The Commission may make the ultimate decision on Conditional Use Permits, and acts as an appellate body for those persons dissatisfied with the Planning Director's decisions on land use and development matters. The Commission certifies the adequacy of Environmental Impact Reports.



The San Jose Planning Commission generally meets every 2<sup>nd</sup> and 4<sup>th</sup> Wednesday at 6:30 p.m., unless otherwise noted. The remaining meeting schedule is attached to this agenda and the annual schedule is posted on the web at <http://www.sanjoseca.gov/planning/hearings/index.htm> Staff reports, etc. are also available on-line. If you have any questions, please direct them to the Planning staff at (408) 535-7800. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

**AGENDA**  
**ORDER OF BUSINESS**

**1. ROLL CALL**

**ALL WERE PRESENT, EXCEPT PHAM ARRIVED DURING ITEM 4.b. AND PLATTEN ABSENT.**

**2. DEFERRALS**

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. A list of staff-recommended deferrals is available on the Press Table. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time.

**3. CONSENT CALENDAR**

**NOTICE TO THE PUBLIC**

**The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Planning Commission, staff or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.**

- a. **CP04-063**. Conditional Use Permit to allow a 45-foot tall wireless communications antenna and associated equipment on a 1.75 acre site (PG&E Substation) in the R-1-8 Single-Family Residence Zoning District, located on the northeast corner of Branham Lane and Jarvis Avenue (Pacific Gas & Electric Co, Owner; Verizon Wireless, Applicant). Council District 9. SNI: None. CEQA: Exempt. Deferred from 8-10-05.

**APPROVED WITH CONDITION FOR ADDITIONAL LANDSCAPING TO HELP BUFFER SOUND, AND THAT CONTACT INFORMATION FOR WIRELESS CARRIER BE MADE AVAILABLE TO AREA RESIDENTS (5-0-2; PLATTEN AND PHAM ABSENT)**

*PULLED FROM CONSENT BY PUBLIC OVER CONCERN REGARDING POSSIBLE NOISE FROM NEW GENERATOR AND LACK OF LANDSCAPING. APPLICANT RESPONDED THAT A NOISE STUDY HAD BEEN CONDUCTED, THE GENERATOR WOULD BE FOR EMERGENCY USE ONLY, AND THAT ADDITIONAL TREES AND SHRUBS WOULD BE PLANTED TO INCREASE LANDSCAPING. IN RESPONSE TO COMMISSIONER ZITO, STAFF CLARIFIED THAT CO-LOCATION OF ANTENNAS ON EXISTING POLES IN PG&E FACILITIES IS PREFERRED UNDER THE WIRELESS POLICY, WITH NO SET LIMITATIONS ON NUMBER OF ANTENNAS TO BE LOCATED ON ONE POLE, OR WITHIN UTILITY YARD. COMMISSIONER JAMES MADE THE*

*MOTION TO INCLUDE ADDITIONAL LANDSCAPING IN THE PROJECT TO PROVIDE A BETTER NOISE BUFFER, AND TO ENSURE THE WIRELESS CARRIER REPRESENTATIVE CONTACT INFORMATION WAS AVAILABLE TO ADJACENT RESIDENTS WHICH WAS INCLUDED IN THE COMMISSION APPROVAL OF THE PROJECT.*

- b. **PDC05-058**. Planned Development Rezoning from R-1-5 and R-1-8 Residential Districts to A(PD) Planned Development District to allow 7 single-family detached residences on a 0.98 gross acre site, located on the south side of Neal Avenue, approx. 245 feet east of South Winchester Boulevard (3030-3040 NEAL AV) (Neal 3030 LLC, Owner/Developer). Council District 6. SNI: None. CEQA: Mitigated Negative Declaration.

**RECOMMEND APPROVAL (5-0-2; PHAM AND PLATTEN ABSENT)**

*PULLED FROM CONSENT BY PUBLIC RECORDING SIZE OF PROPOSED HOMES, AND PROXIMITY OF HOMES TO PROPERTY LINE OF EXISTING HOUSES GIVEN RURAL FEEL OF AREA. THE APPLICANT CLARIFIED SIZE RANGE OF HOUSES FROM 2200-2800 SQUARE FEET. IN RESPONSE TO COMMISSIONERS LEVY AND ZITO, THE APPLICANT CLARIFIED ORIENTATION OF BUILDING MASS FOR UNIT CLOSEST TO ADJACENT UNIT TO THE SOUTHEAST. COMMISSIONER ZITO NOTED THAT THE GARAGE ELEMENT AS A SINGLE-STORY WOULD PROVIDE SOME MITIGATION TO THE ADJACENT HOUSE. IN RESPONSE TO COMMISSIONER JAMES, THE APPLICANT CONFIRMED HE WOULD BE WILLING TO WORK WITH STAFF AT THE PD PERMIT STAGE TO REVISE THE DESIGN OF THE FINAL HOUSES. STAFF CLARIFIED UNDERSTANDING THAT SPECIFIC ATTENTION WOULD BE PAID TO THE HOUSE TO THE SOUTHEAST CORNER AND THE HOUSE FRONTING ON NEAL AVENUE. COMMISSIONER CAMPOS COMMENTED THAT THE CONCEPTUAL PLAN STILL LOOKED LIKE MAIN ENTRANCE FROM PRIVATE STREET AND MORE WORK IS NEEDED. IN RESPONSE TO COMMISSIONER JAMES, STAFF CLARIFIED THAT BOTH THE RESIDENTIAL DESIGN GUIDELINES AND SINGLE FAMILY HOUSE GUIDELINES WERE USED FOR THE PROJECT.*

- c. **PDC05-062**. Planned Development Rezoning from the R-1-8 Residential District to the A(PD) Residential District to allow 3 single-family detached residences on a 0.65 gross acre site, located on the south side of Moorpark Avenue approximately 100 feet east of Clover Avenue (2830 MOORPARK AV) (Mason Stephen D And Maude M Trustee, Owner). Council District 6. SNI: None. CEQA: Exempt.

**RECOMMEND APPROVAL (5-0-2; PHAM AND PLATTEN ABSENT)**

- d. **CP04-091**. Conditional Use Permit request to allow the continued use and modification of an existing wireless communication facility (monopole) including a new fence on a 4.09 gross acre site in the R-1-5 Single-Family Residence Zoning District, located on the easterly side of Monterey Highway, approximately 1,300 feet southerly of Richmond Avenue (9770 Monterey Highway) (Kenneth and Anna Saso, Owners). Council District 2. SNI: None. CEQA: Exempt.

**APPROVED (4-0-2-1; PHAM AND PLATTEN ABSENT, LEVY ABSTAINED)**

The following items are considered individually.

4. **PUBLIC HEARINGS**

- a. **An Ordinance amending section 20.40.100 of Chapter 20.40, section 20.70.100 of Chapter 20.70, and sections 20.80.500 and 20.80.900 of Chapter 20.80 of Title 20** of the San Jose Municipal Code to modify the provisions for the off-sale of alcoholic beverages. SNI areas: All. CEQA: Exempt, PP05-161.

**DEFERRED TO 9-14-05 (5-0-2; PHAM AND PLATTEN ABSENT)**

- b. **PDC04-109**. Planned Development Rezoning from IP Industrial Park Zoning District to A(PD) Planned Development Zoning District to allow up to 109 single-family attached residences and the demolition of existing industrial buildings on a 4.0 gross acres site, located on the northeast corner of Autumnvale Drive and Trade Zone Blvd (2450 AUTUMNVALE DR) (Autumnvale Associates Inc., Adams Capital Management Co. Edwin Kawamoto, Owner). Council District 4. SNI: None. CEQA: Mitigated Negative Declaration. Deferred from 8-10-05.

**RECOMMEND APPROVAL WITH CHANGE TO PROVIDE OPEN SPACE IN ACCORDANCE WITH RESIDENTIAL DESIGN GUIDELINES FOR GARDEN TOWNHOMES, AND NO TEN PERCENT PARKING REDUCTION FOR PROXIMITY TO LIGHT RAIL. (4-2-1; CAMPOS AND JAMES OPPOSED, PLATTEN ABSENT)**

*STAFF MADE A BRIEF STAFF REPORT TO AMEND THE STAFF RECOMMENDATION TO INCLUDE A CHANGE TO THE DEVELOPMENT STANDARDS TO REMOVE A TEN PERCENT REDUCTION AND GO FROM 2.4 – 2.7 PARKING SPACES PER UNIT, PARTICULARLY GIVEN THE APPLICANTS’ PROPOSAL FOR ALL 3-BEDROOM UNITS. THE APPLICANT COMMENTED THAT THE TEN PERCENT REDUCTION IN PARKING WOULD STILL BE APPROPRIATE GIVEN CLOSE PROXIMITY OF TRANSIT STATION. COMMISSIONER ZITO NOTED THAT FAMILIES WOULD LIKELY BE RENTERS FOR 3-BEDROOM UNITS AND WILL NEED MORE PARKING. NEIGHBORHOOD RESIDENTS EXPRESSED THAT MAXIMUM PARKING ON SITE WAS KEY CONCERN, ESPECIALLY SINCE THERE IS NO PUBLIC PARK-AND-RIDE LOT IN THIS AREA YET AND LIGHT RAIL PATRONS PARK ON AREA STREETS. COMMISSIONER LEVY INQUIRED ABOUT AMOUNT OF PRIVATE OPEN SPACE ON THE PROJECT, COMMENTING THAT IT SEEMED MINIMAL. THE APPLICANT CLARIFIED THAT THREE COMMON OPEN SPACES WILL BE PROVIDED INCLUDING A TOT-LOT AND BARBEQUE AREAS. IN RESPONSE TO COMMISSIONER ZITO, STAFF CLARIFIED CLUSTER HOUSING TYPE, ON WHICH OPEN SPACE REQUIREMENT IS BASED, HAS PREDOMINATELY BEEN TWO-BEDROOM UNITS. IN RESPONSE TO COMMISSIONER JAMES, STAFF CLARIFIED THAT THE TEN PERCENT POSSIBLE PARKING REDUCTION WAS NOT MANDATED IN AN ORDINANCE, AND THAT THROUGH THE PD ZONING PROCESS, STAFF WORKS TO BALANCE ISSUES ON THE SITE AND THAT IN THIS INSTANCE, STAFF IS BEING CONSERVATIVE, ESPECIALLY GIVEN LACK OF EXTRA PARKING ON AUTUMNVALE. COMMISSIONER JAMES CLARIFIED HIS UNDERSTANDING OF THE*

*CONCERNS AND HIGHLIGHTED THAT A PARKING REDUCTION IS A PRIVILEGE, NOT A RIGHT.*

*COMMISSIONER LEVY COMMENTED THAT THE PROPOSED PROJECT WAS TOO DENSE FOR THE SITE. COMMISSIONER ZITO ASKED FOR CLARIFICATION FROM THE APPLICANT ON THE RATIO OF UNITS WITH TANDEM GARAGES AND THE APPLICANT RESPONDED ROUGHLY HALF. COMMISSIONER DHILLON ASKED FOR A RESPONSE FROM THE APPLICANT REGARDING SALEABILITY OF THE HOMES IN A DENSE COMMUNITY, AND THE APPLICANT RESPONDED THAT URBAN LIVING IS GAINING IN POPULARITY IN SAN JOSE. COMMISSIONER CAMPOS COMMENTED THAT OTHER PROJECTS HAVE BEEN DEVELOPED WITH TANDEM PARKING AND THAT THIS SITE IS AN APPROPRIATE SITE FOR A TEN PERCENT PARKING REDUCTION.*

*COMMISSIONER CAMPOS MOVED APPROVAL OF 109 UNITS WITH TEN PERCENT PARKING REDUCTION. COMMISSIONER ZITO COMMENTED PRODUCT TYPE IS TRYING TO BE LIKE SINGLE FAMILY HOUSES AND SHOULD BE PARKED ACCORDINGLY. HE FURTHER COMMENTED THAT THE OPEN SPACE PROVIDED WAS NOT ADEQUATE FOR A PRODUCT TYPE THAT MORE CLOSELY, MATCHES GARDEN TOWNHOMES, AND THAT A PODIUM PROJECT WITH 40 UNITS/ACRE WOULD BE MORE APPROPRIATE HERE. COMMISSIONER LEVY CONCURRED AND INDICATED HE COULD NOT SUPPORT THE MOTION, WHICH FAILED WITH COMMISSIONERS DHILLON, LEVY, PHAM AND ZITO OPPOSED.*

*COMMISSIONER ZITO MOVED DENIAL OF PROJECT AS NOT A TRUE HIGH DENSITY PROJECT AND SUGGESTED APPLICANT COULD COME BACK WITH A TRUE HIGH DENSITY DESIGN. COMMISSIONER LEVY COMMENTED THAT APPROPRIATE DENSITY FOR THIS STRETCH OF CAPITOL COULD BE LOOKED AT AT A GENERAL PLAN HEARING. COMMISSIONER CAMPOS INDICATED NOT APPROPRIATE TO REASSESS GP DENSITY. MOTION TO DENY FILED 2-4-1 WITH ZITO, LEVY IN FAVOR, DHILLON, LEVY, CAMPOS AND JAMES OPPOSED, AND PLATTEN ABSENT.*

*COMMISSIONER ZITO COMMENTED THAT PROJECT SHOULD AT LEAST HAVE MORE OPEN SPACE (LIKE GARDEN TOWNHOME) AND FULL PARKING WITH NO TEN PERCENT REDUCTION. COMMISSIONER CAMPOS EXPRESSED CONCERN THAT MORE OPEN SPACE AND MORE PARKING COULD RISK PROJECT NOT MEETING "FLOOR" OF 100 UNITS FOR 4 AC SITE. STAFF CLARIFIED MIX OF 1-2-AND 3-BEDROOM UNITS COULD LIKELY MAINTAIN MINIMUM. COMMISSIONER JAMES ASKED WHETHER COMMISSION HAD DISCRETION TO DETERMINE EXACTLY WHAT THE NUMBER OF UNITS SHOULD BE, AND THE CITY ATTORNEY CLARIFIED COMMISSION HAD ABILITY TO RECOMMEND SPECIFIC DEVELOPMENT STANDARD. A MOTION TO RECOMMEND APPROVAL OF THE PROJECT WITH NO TEN PERCENT PARKING REDUCTION AND USE OF GARDEN TOWNHOUSE RATIO FOR OPEN SPACE PASSED, 4-2-1, WITH COMMISSIONERS JAMES AND CAMPOS OPPOSED. COMMISSIONER CAMPOS CLARIFIED HIS OPPOSITION AS REGARDING DISALLOWING THE TEN PERCENT PARKING REDUCTION, AND NOT THE OVERALL PROJECT DESIGN.*

- c. [PDC05-020](#). Planned Development Rezoning from R-M Multiple Family Residence District to A(PD) Planned Development Zoning District to allow up to 59 single-room occupancy (SRO) living units on a 0.34 gross acre site, located on the west side of South 9th Street approximately 90 feet southerly of East William Street (525 S 9TH ST) (City Of San Jose A Muni Corp, Owner; First Community Housing, Mr Jeff Oberdorfer, Developer). Council District 3. SNI: University. CEQA: Exempt.

**RECOMMEND APPROVAL (6-0-1; PLATTEN ABSENT)**

*COMMISSIONER ZITO ASKED THE APPLICANT TO CLARIFY THE INCOME ELEGIBILITY OF THE PROPOSED PROJECT. THE APPLICANT NOTED THE DIFFERENCE BETWEEN GROUP ASSISTED LIVING FOR DEVELOPMENTALLY DISABLED AND PROPOSED PROJECT. COMMISSIONER LEVY COMMENDED APPLICANT FOR WELL-DESIGNED BUILDING AND FOR LEED CERTIFICATION, BUT HAD CONCERN ABOUT AMOUNT OF PARKING. THE APPLICANT COMMENTED THAT ECOPASS PROGRAM, PROJECT PREFERENCE FOR RESIDENTS THAT DON'T DRIVE, AND BECAUSE TYPICALLY DEVELOPMENTALLY DISABLED RESIDENTS DON'T DRIVE, PARKING PROVIDED WOULD BE ADEQUATE. COMMISSIONER ZITO CLARIFIED WITH APPLICANT LOCATIONS FOR 25-FOOT SETBACK. COMMISSIONER JAMES ALSO COMMENDED THE APPLICANT FOR LEED DESIGN.*

*COMMISSIONER ZITO MOVED APPROVAL, AND COMPLIMENTED APPLICANT ON DESIGN OF PROJECT, AND ENCOURAGED APPLICANT TO TRY TO ACCOMMODATE DISPLACED RESIDENTS FROM PRIOR PROJECT. COMMISSIONER CAMPOS FURTHER COMMENDED APPLICANT, NOTING NOT MANY NON-PROFIT DEVELOPERS ACTUALLY DO THESE TYPES OF DEVELOPMENTS AND COMMISSIONER DHILLON WISHED THE APPLICANT GOOD LUCK.*

- d. [PDC05-038](#). Planned Development Rezoning from R-M Zoning District to A(PD) Planned Development Zoning District to construct 5 single-family attached residences on a 0.34 gross acre site, located on the south side of Curtner Avenue, approximately 250 feet westerly of Joseph Avenue (482 CURTNER AV) (Bartlett Carolyn L Trustee, Pejman Golkar, Owner; Pejman Golkar, Developer). Council District 9. SNI: None. CEQA: Exempt.

**RECOMMEND APPROVAL (4-2-1; LEVY AND ZITO OPPOSED, PLATTEN ABSENT)**

*STAFF AND APPLICANT CLARIFIED FOR COMMISSION THAT THE USE OF 2 AC RULE TO USE LOWER DENSITY MAKES SENSE HERE TO PROVIDE STEP-DOWN BUFFER BETWEEN SINGLE-FAMILY HOUSE AND APARTMENTS. COMMISSIONER LEVY EXPRESSED CONCERN REGARDING SMALL FRONT SETBACK OF 11 FEET, AS NOT APPROPRIATE IN THIS NEIGHBORHOOD, COMMENTING IT COULD SET A BAD PRECEDENT IN THE FUTURE. COMMISSIONER LEVY COMMENTED HE FELT A 15-FOOT SETBACK WOULD BE MORE APPROPRIATE. STAFF RESPONDED THAT AN INCREASE IN THE FRONT SETBACK COULD RESULT IN NEED TO REDUCE OPEN SPACE OR NUMBER OF UNITS AND THAT UNIT TYPE IS APPROPRIATE. COMMISSIONER LEVY AND ZITO WERE OPPOSED TO THE MOTION TO APPROVE AND CLARIFIED THAT WHILE THEY WERE NOT OPPOSED TO THE PROJECT AND*

*FELT IT WAS OTHERWISE WELL-DESIGNED, AND THAT THE SOLE CONCERN FOR THEIR LACK OF SUPPORT FOR THE PROJECT WAS THE REDUCED FRONT SETBACK. STAFF CLARIFIED 11-FOOT SETBACK WOULD BE MINIMUM ALLOWED BY ZONING, BUT EFFORT WOULD BE MADE AT PD PERMIT STAGE TO INCREASE IT, IF POSSIBLE.*

- e. **CP05-012.** Conditional Use Permit request to allow an approximately 17,800 square foot expansion of an existing 25,800 square foot Retail store (Nob Hill Foods) in excess of the 15,000 total square foot limitation in the CP Pedestrian Zoning District, the relocation and modification of an existing cellular telephone facility, and allow a small recycling collection facility; located on the northwest corner of Santa Teresa Blvd and Snell Avenue (6061 SNELL AV) (Santa Teresa Square, Owner). Council District 2. SNI: None. CEQA: Exempt.

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

*THE APPLICANT EXPRESSED THE IMPORTANCE OF THE MEDIAN BREAK PROPOSED ON SANTA TERESA FOR THIS PROJECT. COMMISSIONER LEVY COMMENTED THAT THERE WERE ALMOST A DOZEN TREES PROPOSED FOR REMOVAL ALTOGETHER. COMMISSIONER CAMPOS COMMENTED THAT TREES IN THE MEDIAN ARE IMPORTANT FEATURES AND THAT PERHAPS DEVELOPER COULD PLANT MORE TREES IN MEDIAN PROXIMATE TO THE SITE. COMMISSIONER JAMES ASKED FOR CLARIFICATION REGARDING HOW APPROPRIATE THE CURB CUT IS FOR AN ACCESS TO THE SITE, ESPECIALLY REGARDING SAFETY. PUBLIC WORKS STAFF CLARIFIED THAT ACCESS THROUGH SNELL MEDIAN WOULD NOT BE CLOSED OFF, BUT SIGNAL PHASING COULD BE ADJUSTED, AND MEDIAN BREAK WOULD NOT ALLOW LEFT TURNS INTO THE SITE. PUBLIC WORKS STAFF COMMENTED THAT STACKING LENGTH ON SANTA TERESA WOULD NEED TO BE 100 FEET AND WOULD ALLOW LEFT TURNS IN AND OUT.*

*A SMALL BUSINESS OWNER ON-SITE COMMENTED THAT THIS PROJECT IS MORE ABOUT UPGRADING CENTER TO ENHANCE BUSINESS OPPORTUNITY AND THAT NEW MEDIAN BREAK WAS IMPORTANT ESPECIALLY GIVEN FUTURE RESTRICTION OF LEFT TURN FROM SNELL INTO THE SITE. COMMISSIONER LEVY COMMENTED THAT THE EXISTING TREES ARE VERY IMPORTANT TO THE NEIGHBORHOOD AND ASKED FOR BUSINESS OWNERS' OPINION ON NEED FOR MEDIAN CUT AND RESPONSE WAS THAT SANTA TERESA MEDIAN CUT IS CRUCIAL, BECAUSE EASY ACCESS WITHOUT U-TURN IS NECESSARY. APPLICANT AGAIN COMMENTED THAT IT DIDN'T SEEM THAT THE SNELL MEDIAN CUT SHOULD LIMIT LEFT TURNS INTO THE SITE. COMMISSIONER ZITO ASKED APPLICANT IF HE'D BE WILLING TO MAKE ANY SAFETY ENHANCEMENTS TO TURN LANES AS REQUIRED. THE APPLICANT COMMENTED CLOSE WORK WITH STAFF AND TRAFFIC CONSULTANTS HAD OCCURRED OVER THE PAST YEAR, AND STATED A 4-TO-1 REPLACEMENT RATIO FOR REMOVED TREES IN MEDIAN COULD BE PLANTED IN PROXIMATE MEDIAN ALONG SANTA TERESA. PUBLIC WORKS STAFF CLARIFIED THAT NO LEFT TURNS IN FROM SNELL WAS COMPROMISE WITH ORIGINAL RECOMMENDATION TO CLOSE OFF SNELL LEFT TURN ACCESS.*

*COMMISSIONER ZITO COMMENTED THAT TREES ARE VISUAL ASSET, BUT ECONOMIC VIABILITY OF SMALL SHOPS IN CENTER IS PARAMOUNT IMPORTANCE. COMMISSIONER LEVY CONCURED SNELL LEFT SHOULD BE CLOSED AND ASKED FOR MITIGATION FOR LOSS OF THESE MEDIAN TREES. STAFF CONFIRMED THAT ARBORIST WAS OPEN TO POSSIBLE PLANTING OF TREES ELSEWHERE, BUT HAD HIGHLIGHTED THAT ADDITIONAL COSTS FOR IRRIGATION COULD BE REQUIRED. COMMISSIONER JAMES AGAIN REQUESTED CLARIFICATION ON STAFF RATIONALE FOR NOT FULLY CLOSING MEDIAN BREAK ON SNELL, AND SUGGESTED THAT A "NO LEFT TURN" SIGN WAS NOT GOING TO STOP LEFT TURNS.*

*COMMISSIONER ZITO MOVED STAFF RECOMMENDATION AND STATED STAFF AND APPLICANT SHOULD WORK TO DEVELOP SAFE PROPOSAL. COMMISSIONER JAMES COMMENTED THAT SNELL IS KEY SAFETY ISSUE AND THAT MOTION SHOULD INCLUDE APPROPRIATE IMPROVEMENTS AT THAT LOCATION, AND COMMISSIONER LEVY STATED MOTION SHOULD INCLUDE TREE MITIGATION.*

## **5. PETITIONS AND COMMUNICATIONS**

- a. Public comments to the Planning Commission on nonagendized items. Please fill out a speaker's card and give it to the technician. Each member of the public may address the Commission for up to three minutes. The commission cannot take any formal action without the item being properly noticed and placed on an agenda. In response to public comment, the Planning Commission is limited to the following options:
  1. Responding to statements made or questions posed by members of the public; or
  2. Requesting staff to report back on a matter at a subsequent meeting; or
  3. Directing staff to place the item on a future agenda.

## **6. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS OR OTHER AGENCIES**

## **7. GOOD AND WELFARE**

- a. Report from City Council
- b. Commissioners' reports from Committees:
  - Norman Y. Mineta San Jose International Airport Noise Advisory Committee (Dhillon and James).

*COMMISSIONER JAMES INDICATED NO MEETING OF AIRPORT COMMITTEE.*

- Coyote Valley Specific Plan (Platten)

*NO REPORT, COMMISSIONER PLATTEN ABSENT*

- c. [Review of synopsis](#)

**APPROVED (6-0-1; COMMISSIONER PLATTEN ABSENT)**

## **8. ADJOURNMENT**

## 2005 PLANNING COMMISSION MEETING SCHEDULE

January 12	5:00 p.m. - 6:00 p.m.	<i>Study Session</i> <i>Discussion of Meeting Logistics</i>	Room 400
January 12	6:00 p.m.	Regular Meeting	Council Chambers
January 26	6:00 p.m.	Regular Meeting	Council Chambers
Monday, February 7	4:45 p.m.	<i>Study Session</i> <i>Discussion of Jobs/Housing Imbalance</i>	Room 400
Monday, February 7	6:00 p.m.	Regular Meeting	Council Chambers
February 23	6:00 p.m.	Regular Meeting	Council Chambers
March 9	4:45 p.m.	<i>Study Session</i> <i>Discussion of General Plan Amendments/development projects</i>	Room 400
March 9	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
March 23	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
Monday, April 11	CANCELLED	<i>Study Session</i> <i>Discussion of Alcohol sales</i>	Room 400
Monday, April 11	6:00 p.m.	Regular Meeting	Council Chambers
April 27	6:00 p.m.	Regular Meeting	Council Chambers
Monday, May 2	4:00 p.m.	<i>Study Session</i> <i>Review CIP</i>	Room 216B
Monday, May 2	6:00 p.m.	Regular Meeting	Council Chambers
May 11	4:00 p.m.	<i>Study Session</i> <i>Discussion of Parks planning strategy (Joint session with Parks Commission)</i>	Room 400
May 11	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
May 25	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
Thursday, June 2	5:00 p.m.	<i>Study Session</i> <i>Discussion of Jobs/Housing/Transportation Policy Update</i>	Room 106E
Thursday, June 2	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
Monday, June 6	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
Tuesday, June 7	6:30 p.m.	General Plan/Regular Meeting	Health Bldg. Rm. 202A/B
June 8	CANCELLED	Regular Meeting	Council Chambers
Wednesday, June 15	6:00 p.m.	Regular Meeting	Council Chambers
June 22	6:00 p.m.	Regular Meeting	Council Chambers
July 13	CANCELLED	Regular Meeting	Council Chambers
July 27	6:00 p.m.	Regular Meeting	Council Chambers (801 N. 1 <sup>ST</sup> St.)
August 10	6:00 p.m.	Regular Meeting	Council Chambers (801 N. 1 <sup>ST</sup> St.)
<b>Meetings August 24<sup>th</sup> and subsequent located in Council Chambers on 200 East Santa Clara St.</b>			
August 24	<b>6:30 p.m.</b>	Regular Meeting	Council Chambers
September 14	6:30 p.m.	Regular Meeting	Council Chambers
September 28	6:30 p.m.	Regular Meeting	Council Chambers
October 12	6:30 p.m.	Regular Meeting	Council Chambers
October 26	6:30 p.m.	Regular Meeting	Council Chambers
November 9	6:30 p.m.	Regular Meeting	Council Chambers
November 16	6:30 p.m.	Regular Meeting	Council Chambers
December 7	6:30 p.m.	Regular Meeting	Council Chambers