

## PLANNING COMMISSION

May 5, 2010

Action Report

### **ROLL CALL**

PRESENT: Commissioners' Cahan, Campos, Jensen, Kline, Zito

ABSENT: Commissioners Kamkar & Platten

### **1. DEFERRALS**

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- a. **ORDINANCE AMENDMENT PP10-059.** An Ordinance of the City of San Jose amending Title 20 of the San Jose Municipal Code to amend: Table 20-190 (parking spaces required by land use) in Section 20.90.60 and Section 20.90.220, both of Chapter 20.90, to specify a parking requirement for business destination areas; and Chapter 20.200 to add a definition of business destination areas. Citywide. CEQA: Negative Declaration. Deferred from 04-07-10. *PROJECT MANAGER, L.PREVETTI*

**DEFERRED TO 05-19-10 (APPROVED 5-0-2, COMMISSIONERS  
KAMKAR & PLATTEN ABSENT)**

### **2. CONSENT CALENDAR**

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- a. **CP09-050.** Conditional Use Permit for the operation of a private school for special needs children on a 2.89 gross acre site in the CO Office Commercial Zoning District, located on the east side of McGinness Avenue 700 feet southerly of Story Road (1212 McGinness Avenue) (Achieve, Calif Non Profit Corp, Owner). Council District 5. SNI: East Valley/680 Communities. CEQA: Exempt. Deferred from 04-07-10 & 04-21-10. *PROJECT MANAGER, J.CLARK*

**APPROVED (5-0-2, COMMISSIONERS KAMKAR & 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/>

- b. **CPA03-055-01**. Conditional Use Permit Amendment to convert two existing single-family residences to school office uses on a 0.40 gross acre site in the R-1-8 Single Family Residence Zoning District, located at 2276 Plummer Avenue and 1547 Jenvey Avenue (Presentation High School, Owner; Lou Basile % Sainte Claire Custom Homes, Developer) Council District 6. SNI: None. CEQA: Exempt. Continued from 04-21-10. *PROJECT MANAGER, A.BATY*

**APPROVED (4-0-2-1, COMMISSIONERS KAMKAR & PLATTEN ABSENT, COMMISSIONER KLINE ABSTAINED)**

### **3. PUBLIC HEARING**

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- a. **CITY'S PROPOSED 2011-2015 CAPITAL IMPROVEMENT PROGRAM**. Approval of the Planning Commission's report to the City Council transmitting comments and recommending adoption of the Proposed 2011-0215 Capital Improvement Program (CIP). *PROJECT MANAGER, M.BILLS*

**RECOMMENDED APPROVAL (5-0-2, COMMISSIONERS KAMKAR & PLATTEN ABSENT)**

- b. **PD09-023**. Appeal of the Director's decision to approve a Planned Development Permit to demolish an existing commercial building and construct a new 17,000 pad building for retail/commercial uses, reconfiguration of 13,090 square feet of previously approved in-line retail space, and allow the off-sale of alcohol, on a 8.96 gross acre site in the A(PD) Planned Development Zoning District, located on the northwest corner of Meridian Avenue and Hillsdale Avenue. This project also allows the relocation of a retail use that includes the off-sale of alcohol into an existing pad building (temporary location) while the proposed building is under construction. (9647 TRACT)(Hacienda Gardens LLC, Owner; Hacienda Gardens, LLC Mark Tersini/Rite Aid, Developer). Council District 9. SNI: None. CEQA: Use of Mitigated Negative Declaration for PDC02-053. *PROJECT MANAGER, M.ENDERBY*

**DEFERRED TO 05-19-10 (5-0-2; COMMISSIONERS KAMKAR & PLATTEN ABSENT)**

- c. **PDC10-003**. Planned Development Zoning to support the relocation of a cardroom, and to construct a full service hotel and associated parking, including an off-street parking facility, on a 6.08 gross acre site, located on the Southeast corner of Airport Parkway and Old Bayshore Highway (40 AIRPORT PY). Council District 3. SNI: None. CEQA: North San Jose Development Policy Update EIR, Resolution No. 72768, adopted June, 2005. *PROJECT MANAGER, J.HAMILTON*

**RECOMMENDED APPROVAL (5-0-2, COMMISSIONERS KAMKAR & PLATTEN 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

*Asst. Dir. Prevetti reported out on the Council General Plan hearing.*

b. Commissioners' Report from Committees:

1. Norman Y. Mineta San Jose International Airport Noise Advisory Committee (Campos)

*The Committee met but Commissioner Campos had to miss that meeting.*

2. Envision San José 2040 General Plan Update Process (Kamkar).

*Zito reported out on recent meeting. Asst. Dir. Prevetti announced the Northern California APA award the City received for the Community Engagement work done with Envision 2040..*

c. Review and Approve Synopsis from 04-21-10

*Deferred to 05-19-10 (5-0-2; Commissioners Kamkar & Platten Absent)*

d. Subcommittee Reports and Outstanding Business

*Next Study Session on May 19, 2010 on the Off-Sale of Alcohol*

**ADJOURNED**