

PLANNING COMMISSION

December 14, 2011

Action Report

ROLL CALL

Meeting:

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

ABSENT: Commissioners Cahan and Platten

1. DEFERRALS

- a. **CP11-002.** Conditional Use Permit to allow a 12-bed residential care facility for the elderly in an existing single family house on .15 gross acre site in the CN Neighborhood Commercial Zoning District, located on the west side of Clark Street, approximately 180 feet southerly of Willow Street (1115 CLARK STREET) (Timothy Jennings, Owner). Council District 6. SNI: None. CEQA: Exempt. *PROJECT MANAGER, LORI MONIZ*

DEFERRED TO 1-11-12 (5-0-2; CAHAN & PLATTEN ABSENT)

2. CONSENT CALENDAR

- a. **CPA97-011-01.** Conditional Use Permit Amendment for an existing recycling facility to increase the amount of material received and/or transferred on site from the previously approved 300 tons to 550 tons daily, to extend operation hours to 24 hours a day, and to extend operations to Sundays on a 1.75 gross acre site. No new construction is proposed. The site is located in the LI Light Industrial Zoning District at 260 Leo Avenue on San Jose (South side of Leo Avenue, approximately 400 feet westerly of South 7th Street) APN 477-25-040 (Robert and Aurelia Hill, owners; Premeir Recycle, applicant). Council District 7. SNI: None. CEQA: Mitigated Negative Declaration to be adopted. *PROJECT MANAGER, JODIE CLARK*

APPROVED (4-1-2; KAMKAR OPPOSED; 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/>

- b. **CP11-034.** A Conditional Use Permit to allow for a Residential Service Facility for up to 135 residents within a new six (6) story building on a 0.73 gross acre site in the DC Downtown Primary Commercial Zoning District, located on the north side of Bassett Street between Highway 87 and N. San Pedro (201 Bassett Street)(City of San Jose Redevelopment Agency, Owner/First Community Housing, Developer). Council District: 3. SNI: None. CEQA: Addendum to the Final Environmental Impact Report (FEIR) for the Brandenburg Mixed-Use Project/North San Pedro Housing Sites *PROJECT MANAGER, LESLEY XAVIER*

APPROVED (5-0-2; CAHAN & PLATTEN ABSENT)

- c. **CP11-057.** Conditional Use Permit to allow a 6,050 square foot medical clinic/out-patient facility in an existing 46,659 square foot industrial office building in the IP – Industrial Park Zoning District on a 2.71 gross acre site, located at the southeast corner of Auzerais and Race Streets (400 Race Street) (NMSBPCSLDHB, LP, Owner). Council District 6. SNI: Burbank/Del Monte. CEQA: Exempt. *PROJECT MANAGER, JOHN BATY*

APPROVED (5-0-2; CAHAN & PLATTEN ABSENT)

- d. **PDC10-002.** A Planning Development Rezoning to allow for the development of up to seven (7) single-family detached residence on a 2.8 gross acre site, located on the east side of Quimby Road, approximately 440 feet east of Murillo Road (3770 Quimby Road) (Huang Tammy C Et Al, Huang Euson, Owner). Council District 8. SNI: None. CEQA: Mitigated Negative Declaration. *PROJECT MANAGER, LESLEY XAVIER*

RECOMMENDED APPROVAL (5-0-2; CAHAN & PLATTEN ABSENT)

- e. **CP11-061 & ABC11-014.** Conditional Use Permit and Determination of Public Convenience or Necessity to allow the off-sale of alcohol at an existing approximately 24,000 square foot full-service grocery store located on a 1.08 gross acre site in the CN Neighborhood Commercial Zoning District, located at the north corner of Monterey Road and Old Tully Road (2300 Monterey Road) (RI-San Jose, LLC, owner). Council District: 7. SNI: None. CEQA: Exempt. *PROJECT MANAGER, SYLVIA DO*

APPROVED (5-0-2; CAHAN & PLATTEN ABSENT)

3. PUBLIC HEARING

- a. **CP11-020.** Conditional Use Permit to allow a drinking establishment and outdoor areas, including an approximately 1,200-square-foot patio and sidewalk café, to operate with late-night hours (after midnight) until 2:00 a.m. in conjunction with an existing 2,100-square-foot public-eating establishment on an approximately 0.84-gross-acre site in the DC-Downtown Primary Commercial Zoning District, located at/on the west side of North San Pedro Street approximately 100 feet northerly of Santa Clara Street (29 NORTH SAN PEDRO ST)(The Farmers Union, Owner). Council District 3. SNI: None. CEQA: Exempt.

APPROVED (5-0-2; CAHAN & PLATTEN ABSENT)

4. PETITIONS AND COMMUNICATIONS

None

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

None

6. GOOD AND WELFARE

a. Report from City Council

Reported on land use and planning items from City Council meeting on Tuesday, December 13, 2011.

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 12-7-11

Approved (5-0-2; CAHAN & PLATTEN ABSENT)

d. Subcommittee Formation, Reports, and Outstanding Business

Retrofitting Shopping Center Subcommittee met on 12/7/11 and in consideration of the Envision 2040 Update, this Subcommittee is recommended to dissolve and reconstitute itself to assist with the implementation of the 2040 Plan. Motion approved unanimously.

e. Commission Calendar and Study Sessions

No changes.

7. DISTRIBUTION

a. **2ND AMENDMENT – ALMADEN RANCH SUBSEQUENT ENVIRONMENTAL IMPACT REPORT.**

Distribution of Second Amendment to the Draft Subsequent Environmental Impact Report for Almaden Ranch Retail Center Planned Development Rezoning, File No. PDC10-006, to rezone the 43-acre site to A(PD) Planned Development Zoning District to allow the development of up to a maximum of 400,000 square feet of commercial development on a site located on the northeast corner of Almaden Expressway and State Route 85, with construction of an extension of Cherry Avenue through the site to connect with Sanchez Drive to the South (SCH#1997062105). Circulated December 5, 2011 to January 19, 2012. Tentatively scheduled for February 22, 2012.