

PLANNING COMMISSION

January 14, 2009

Meeting Report

ROLL CALL

PRESENT: Commissioners' Campos, Do, Jensen, Kamkar, Platten, Zito

ABSENT: None

1. DEFERRALS

- a. **PDC08-048**. Rezoning from A(PD) Planned Development to A(PD) Planned Development to allow up to five new single-family residences on a 0.70 gross acre site, located on the north side of Foxworthy Avenue approximately 100 feet east of Lansford Avenue (1345 Foxworthy Avenue)(Hawkstone Foxworthy LLC, Owner). Council District 9. SNI: None. CEQA: Negative Declaration. *PROJECT MANAGER, A.BATY*

DEFERRED TO 01/28/09 AT STAFF REQUEST (6-0-0)

- b. **CP07-082**. Conditional Use Permit for off-sale of alcoholic beverages at an existing convenience store on a 0.83 gross acres site in the CN Neighborhood Commercial Zoning District, located at northeast corner between Branham Lane and Lizzie Avenue (1191 Branham Ln.)(Billiet Family, LLC). Council District 9. SNI: None. CEQA: Exempt. Deferred from December 3, 2008. *PROJECT MANAGER, S. DO*

DROPPED AT STAFF REQUEST (6-0-0)

2. CONSENT CALENDAR

- a. **ET08-001**. Petition for the Release of a Covenant of Easement in the CG Commercial General Zoning District, located at the southeast corner of Curtner Avenue and Almaden Road (2302, 2306, 2390, 2424 Almaden Road) (Willow Glen Plaza, LLC, et al, owner). Council District 6. SNI: None. CEQA: Exempt. *PROJECT MANAGER, S. DO*

DEFERRED TO 1/28/09 AT STAFF REQUEST (6-0-0)

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. **PDC06-063**. Planned Development Rezoning from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District to allow up to 17 single-family detached residences on a 26.4 gross acre site, located on the northeast corner of Juliet Park Drive and Rosemar Avenue (Tract 8735)(Rosemar Enterprises Corp, Owner). Council District 5. SNI: None. CEQA: Mitigated Negative Declaration. Deferred from 12/10/08. *PROJECT MANAGER, A.BATY*

RECOMMENDED APPROVAL WITH CONDITIONS TO MINIMIZE GRADING USING SPLIT PADS ON LOTS 12-16, REQUIRE AN ACCESS EASEMENT THROUGH LOT 7 TO BENEFIT LOT 8, OR NOT ALLOW RETAINING WALLS IN ORDER TO ACCESS LOT 8, AND ANY ACCESSORY STRUCTURES LOCATED OUTSIDE THE URBAN SERVICE AREA CAN NOT HAVE URBAN SERVICES (5-1-0; JENSEN OPPOSED)

- b. **CP08-022**. Conditional Use Permit to allow the off sale of alcoholic beverages at an existing gasoline station mini-mart on a 0.34 gross acre site in the CP Pedestrian Commercial Zoning District, located at the northeast corner of South De Anza Boulevard and Bark Lane (1188 S DE ANZA BL)(US GAS & MINI MARKET)(Mk Atkar Properties Inc, Owner). Council District 1. SNI: None. CEQA: Exempt. Continued from 12/10/08 *PROJECT MANAGER, S.SAHA*

APPROVED (4-2-0; CAMPOS & JENSEN OPPOSED)

- c. **CP08-072**. Conditional Use Permit to allow a daycare center for up to 49 children, with minor site improvements on a 0.5 gross acre site at an existing daycare facility, in the R-1-8 Single-Family Residence Zoning District, located at 1133 Piedmont Road (Chaitanya and Charulata Vaidya, owners). Council District 4. SNI: None. CEQA: Exempt. *PROJECT MANAGER, S.SAHA*

APPROVED (6-0-0)

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
City Council 1/13 upheld certification of EIR for San José Medical Center
- b. Commissioners' Report from Committees:
 - 1. Norman Y. Mineta San José International Airport Noise Advisory Committee (Campos).
No Report
 - 2. Envision San José 2040 General Plan Update Process (Kamkar).
No Report; Next Meeting 1/26/09
- c. Review Synopsis from 12/10/08
Approved (5-0-0-1; Zito Abstained)
- d. Consider Study Session dates and/or topics.
 - 1. Joint Planning Commission and Parks Commission Study Session. Tentative date – 2/25/09
Approved Joint Study Session with Parks Commission on 2/25/09 (6-0-0)
 - 2. Prioritize other topics for future dates
Approved (6-0-0)
January 28, 2009 – Economic Downtown
May 6, 2009 - CIP
- e. Appoint two representatives to participate in a Focus Group on the City's Boards and Commissions sponsored by the City Clerk.
Appointed Commissioners' Do and Jensen (6-0-0)
- f. Discuss and consider revisions to a draft letter from Planning Commission to the City Council Rules Committee summarizing the Commission's comments on the proposed ordinance to streamline timing for some projects between the Commission to the City Council to be signed by Chair Zito as voted by the Commission on September 24, 2008.
 - * *Chair Zito authorized to sign with edits.*
 - * *Commissioner Platten authorized to attend Rules Committee on behalf of Planning Commission.*

ADJOURNMENT