

PLANNING COMMISSION

July 22, 2009

Hearing Report

ROLL CALL

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

ABSENT: Zito

1. DEFERRALS

- a. **CP09-006**. Conditional Use Permit to legalize the conversion of a portion of a former private school building, 9,350 square feet, to religious assembly uses on an 8.49 gross acre site, with new construction in the R-1-8 Single-Family Residence Zoning District, located on south side of Allegan Circle approximately 200 feet easterly of Lean Avenue(420 Allegan Circle, Oak Grove School District, Owner). Council District 2. SNI: None. CEQA: Exempt. *PROJECT MANAGER, H.MADDOX*

APPROVED (6-0-1; ZITO ABSENT)

- b. **PD08-051**. APPEAL of the Planning Director's decision to approve a Planned Development Permit for the installation of a slimline monopole with ancillary outdoor equipment at an existing retail shopping center on a 0.75 gross acre site, in the A(PD) Planned Development Zoning District, located on the southeast corner of Ocala Avenue and King Road (1720 OCALA AV) (Edward Campbell, owner; AT+T, applicant). Council District 8. SNI: K.O.N.A. CEQA: Exempt. *PROJECT MANAGER, J.DAVIDSON*

APPROVED DEFERRAL TO 8-26-09 (6-0-1; ZITO ABSENT)

2. CONSENT CALENDAR

- a. **CP09-007**. Conditional Use Permit to allow the continued operation of an existing legal nonconforming vehicle tow yard facility with lien sale auctions on a 2.9 gross acre site in the A(PD) Planned Development Zoning District, located on the northeast corner of North King Road and Dobbin Drive (670 N. King Road) (Fernando Matos, owner). Council District 3. SNI: None. CEQA: Exempt. *PROJECT MANAGER, S.DO*

APPROVED (6-0-1; ZITO ABSENT)

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<http://www.sanjoseca.gov/planning/hearings/>

- b. **CP09-011**. Conditional Use Permit to allow a day care center for up to 80 children and minor site improvements on a 0.61 gross acre site in the IP Industrial Park Zoning District, located on southeast side of Martinevale Lane, 300 feet northeasterly of Santa Teresa Boulevard (196 Martinevale Lane)(John Giacomazzi, trustee, et al, owner). Council District 2. SNI: None. CEQA: Exempt. *PROJECT MANAGER, S.DO*

APPROVED (6-0-1; ZITO ABSENT)

- c. **PDC09-011**. Planned Development Rezoning from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District to allow up to 2 single-family detached residences on a 0.47 gross acre site, located on the east side of Morrill Avenue, approximately 200 feet northerly of Ione Drive (1356 Morrill Ave.) (Huoming and Shuyun Huang, Owners). Council District: 4. SNI: None. CEQA: Exempt. *PROJECT MANAGER, A.BATY*

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

3. PUBLIC HEARING

- a. **ORDINANCE AMENDMENT**. An Interim Ordinance of the City of San José establishing a temporary moratorium on the establishment of new bail bond establishments pending the review and possible amendment of land use regulations applicable to such establishments and setting forth the findings to support such temporary moratorium. CEQA: Exempt, PP09-102. *PROJECT MANAGER, P.SHAFFER*

RECOMMENDED APPROVAL (5-0-1-1; ZITO ABSENT, CAMPOS ABSTAINED)

- b. **PDC09-003**. Planned Development Rezoning to allow up to eight (8) single-family detached residences and one (1) 12,000 square foot office building on a 2.98 gross-acre site, located on the west side of San Felipe Road, approximately 600 feet south of Delta Road (4203 San Felipe Road)(Hawkstone San Felipe LLC, Owner/Developer). Council District 8. SNI: None. CEQA: Mitigated Negative Declaration. Deferred From 7/8/09 *PROJECT MANAGER, L.XAVIER*

CONTINUED TO 8/12/09 (6-0-1; ZITO 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
No Report

- b. Commissioners' Report from Committees:
 - 1. Norman Y. Mineta San Jose International Airport Noise Advisory Committee (Campos)
No report
 - 2. Envision San José 2040 General Plan Update Process (Kamkar).
No report.

- c. Review Synopsis from 7/08/09
APPROVED (6-0-1; ZITO ABSENT)

- d. Consider Study Session dates and/or topics.
No report.

- e. Subcommittee Reports and Outstanding Business
 - 1. *No report*

ADJOURNMENT