



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, JANUARY 17, 2007

9:00 a.m.
City Council Chambers
City Hall

200 East Santa Clara Street
San Jose, California 95113-1905

Hearing Officers

Susan Walton, Principal Planner

Mike Enderby, Acting Principal Planner

**Joseph Horwedel, 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), 294-9337 (TTY) at least two days, (48 hours) 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 morning, this is the Planning Director's Hearing of **January 17, 2007**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer 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 Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Gina Robles (gina.robles@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning 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 table. I will identify the items to be deferred and then ask for comments from the audience. 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. I will now open the public hearing. The following items are proposed to be deferred.

- a. **SP06-027. Special Use Permit** to construct 1,228 square foot office building for a recycling facility and to allow associated outdoor storage area on a 1.26 gross acre site in the LI Light Industrial Zoning District, located at/on the south side of Mabury Road, approximately 300 feet westerly of Lenfest Road (Rodriguez Rafael Et Al, Owner). Council District 3. SNI: None. CEQA: Exempt. **Defer to 2/14/07.**

The matter of deferrals is now closed.

2. 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 the Director of Planning, 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. **TR06-215. Tree Removal Permit** to legalize the removal of a Palm Tree without the benefit of a permit on 0.15 gross acre site, in the R-1-8 Single-Family Residence Zoning District, located at 1916 Foxworthy Avenue (Esclarin Jesus L Trustee, Owner). Council District 9. CEQA: Exempt.
- b. **HA05-011-01. Site Development Permit Amendment** to reconfigure driveways and vehicular circulation for a previously approved credit union building on a 0.48 gross acre site in the CP Pedestrian Commercial Zoning District, located on the northwest corner of Union Avenue and Willester Avenue (3075 UNION AV) (Commonwealth Central Credit Union, Owner). Council District 9. SNI: None. CEQA: Exempt.
- c. **TR06-203. Tree Removal Permit** to remove one Pecan tree approximately 100 inches in circumference from the rear yard of an existing single-family residence on a 0.15 acre site in the R-M Multiple Residence Zoning District, located at/on the 274 North 6th Street (274 N 6TH ST) (Lane John R And Hadie H Trustee, Owner). Council District 3. CEQA: Exempt.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **SP06-046. Special Use Permit** to allow off-site parking where the attendees of the church located on the east, west and south boundaries of the south terminus of Pinewood Drive off of Williams Road, approx. 167' east of Maraschino Drive (Korean Baptist Church at 4488 Williams Road) would utilize the parking of the church at the southwest corner of Cera Drive and Borina Drive (925 Cera Drive), both in the R-1-8 Single-Family Residence Zoning District, (Korean Baptist Church Of San Jose, The Church Of Jesus Christ Of Latter Day Saints, Owners). Council District 1. SNI: None. CEQA: Exempt. **Deferred from 01/10/06.**
- b. **H06-043. Site Development Permit** to construct a permanent tent structure over an outdoor dining area at an existing public eating establishment on a 0.19 gross acre site in the DC Downtown Primary Commercial Zoning District, located on the west side of Market Street, approximately 250 feet north of West Santa Clara Street (Sonoma Chicken Coop Restaurant) (31 N. Market Street) (Besson Family Lp Ii Lp, Owner). Council District 3. SNI: None. CEQA: San Jose Downtown Strategy 2000 Final Environmental Impact Report.

This concludes the Planning Director's Hearing for January 17, 2007. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/default.asp>
PUBLIC INFORMATION COUNTER
(408) 535-7800 CITY OF SAN JOSE