



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, FEBRUARY 14, 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 **February 14, 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 Xochitl Lopez (xochitl.lopez@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.

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 considered together. 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. **SP06-022. Wireless - Special Use Permit** to install wireless communications antennas to an existing monopole (previous permit CP99-050 expired) and extend its height from 40 feet to 60 feet (slimline pole) on a 0.6 gross acre site in the CP Pedestrian Commercial Zoning District, located on the northeast corner of West San Carlos Street and North Bascom Avenue (1999 W SAN CARLOS ST) (San Jose Water Works, Owner). Council District 6. SNI: Burbank/Del Monte. CEQA: Exempt.
(Project Manager: Tracy Chu.)
- b. **TR07-002. Tree Removal Permit** to remove five Monterey Pine trees 60 to 90 inches in circumference on a 0.35 gross acre site in the R-1-5 Single-Family Residence Zoning District, located on the north side of Mylinda Drive 600 feet easterly of Perie Lane (3959 MYLINDA DR) (Stelwagon Frank M And Patricia R, Owner). Council District: 4.
CEQA: Exempt.
(Project Manager: Tracy Chu.)
- c. **PD06-037. Planned Development Permit** to demolish an existing single-family detached residence and construct three single-family detached residences on a 0.23 gross acres site in the R-2 Two-Family Residence Zoning District, located on the west side of N. 26th Street, approximately 40 feet north of E. Saint John Street (103 N 26TH ST) (Silva Anna Trustee, Owner). Council District 3. SNI: Five Wounds/Brookwood Terrace. CEQA: Exempt.
(Project Manager: Lesley Xavier.)

- d. **TR06-211. Tree Removal Permit** to remove one Ash tree, 88 inches in circumference, located in the front yard of an existing single-family detached residence in the R-1-5 Single-Family Residence Zoning District, located at 6368 El Paseo Drive (McCann, Steven W. and Joanne S., Trustee, Owner). Council District 10. CEQA: Exempt.
(Project Manager: Steven Rosen.)
- e. The projects being considered are located on southeast corner of Foxworthy and Leigh Avenues, in the A(PD) Planned Development Zoning District (LEIGH AVENUE PARTS LLC, Owner; DAL PROPERTIES LLC, Developer). Council District 9. SNI: None. CEQA: Mitigated Negative Declaration.
(Project Manager: Suparna Saha.)
1. **PD06-058. Planned Development Permit** to construct 23 single-family detached residences on a 1.68 gross acre site.
 2. **PT06-100. Planned Tentative Map Permit** to subdivide 1 parcel into 24 lots for 23 single-family detached residential units on a 1.68 gross acre site.
- f. **TR06-227. Tree Removal Permit** to remove one (1) Chinese Elm, 79-inch in circumference on a 0.14 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the north side of Don Avenue, 570 ft westerly of DGrizilo Drive (1713 Don Ave) (Vernal K And Jessica M Williams, Owners). Council District 9. CEQA: Exempt.
(Project Manager: Suparna Saha.)
- g. **TR06-235. Tree removal permit** to remove live Palm tree located at the front of the property in the R-1-8 Single-Family Residence Zoning District, located on the east side of Kilo Avenue, 460 feet southerly of Hillsdale Avenue (3494 Kilo Avenue) (Lawrence M And Crystal G Steinke, Owners). Council District 9. CEQA: Exempt.
(Project Manager: Suparna Saha.)
- h. **PDA03-075-01. Tree Removal Permit** to allow removal of one Pepper tree approximately 120 inches in circumference on a 7.23 gross acre site in the A(PD) Planned Development Zoning District, located on the North side of East Gish Road approximately 300 feet westerly of Oakland Road (711 E GISH RD) (Emerald Isle Llc, Owner). Council District: 4. CEQA: Exempt.
(Project Manager: Suparna Saha.)
- i. **TR06-225. Tree Removal Permit** for removal of seven ordinance size trees consisting of two Siberian Elm trees 68" and 93", two English Walnut trees 86" and 89", one Black Walnut tree 102", one Almond tree 108", and one Plum tree 93" in circumference removed without permits on a 0.47 gross acre site in the CP Commercial Pedestrian Zoning District, located on the southeast corner of North King Road and Mabury Road (788 N King Rd) (Rosado Leticia C And Carmelo G, Owner). Council District 3. CEQA: Exempt.
(Project Manager: Steven Rosen.)
- j. **PDA98-075-04. Planned Development Permit Amendment** to allow retaining walls ranging between 3 feet and 6 feet in height in the rear yard of an existing single-family residence on a 0.42 gross acre site in the A(PD) Planned Development Zoning District, located at/on the west end of Pienzanna Court (3681 Pienzanna Court) (Phuc Dang Nguyen, Owner). Council District 8. SNI: None. CEQA: Exempt.
(Project Manager: Reena Mathew.)

- k. **PDA04-009-02. Planned Development Permit Amendment** to allow a beauty school in an existing industrial complex on a 12.96 gross acre site in the A(PD) Planned Development Zoning District, located at/on the southwest corner of Tully Road and Highway 101 (1290 TULLY RD) (Sfers Real Estate Corp. Cc, Owner). Council District 7. SNI: None. CEQA: Exempt.
(Project Manager: Martina Davis.)
- l. **PT06-084. Planned Development Tentative Map Permit** to subdivide 1 parcel into 2 lots for Residential Uses on a 1.5 gross acres site in the A(PD) Planned Development Zoning District, located at/on the westerly side of Whaley Drive south of Blauer Lane (9185 TRACT) (William Wilson, Owner). Council District 8. SNI: None. CEQA: Exempt.
(Project Manager: Reena Mathew.)

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **PD06-030. Planned Development Permit** to construct 23 single-family detached, two- and three-story residences on a 1.83 gross acre site in the A(PD) Planned Development Zoning District, located on the northwest corner of Lucretia Avenue and Phelan Avenue (Lucretia Development, Llc Myha Trieu, Developer). Council District 7. SNI: Tully/Senter. CEQA: Mitigated Negative Declaration. **Deferred from 01/31/07.**
(Project Manager: Martina Davis.)
- b. **PT06-064. Vesting Planned Development Tentative Map** to subdivide two parcels into 24 lots for single-family detached residential uses on a 1.83 gross acre site in the A(PD) Planned Development Zoning District, located at the northwest corner of Lucretia Avenue and Phelan Avenue (Lucretia Development, LLC, Myha Trieu, Developer). Council District 7. SNI: Tully/Senter. CEQA: Exempt. **Deferred from 01/31/07.**
(Project Manager: Martina Davis.)
- c. **SP06-047. Special Use Permit** to allow the relocation of an existing composting facility from an unfilled portion of an existing landfill to a filled portion of the landfill on an approximately 342.0 acre site in the A(PD) Planned Development Zoning District, located northwesterly of the intersection of Highway 880 and Dixon Landing Road (1601 Dixon Landing Road) (Awin Management, Inc, Owner). Council District 4. SNI: None. CEQA: Exempt.
(Project Manager: Jeff Roche.)
- d. **TR06-181: Tree Removal Permit** to remove one Cedar tree, 105 inches in circumference, from the front yard of an existing residence in the R-1-8 Single-Family Residence Zoning District, located at 1238 Hillcrest Drive (Whisnant Donald L And Pamela J, Owner). Council District 10. CEQA: Exempt.
(Project Manager: Steven Rosen.)

- e. **SF06-053. Type 2 Single Family House Permit** for a 684 sqft. addition to the first story and new 1,753 sqft. second story for a new Floor Area Ratio of 59% in the R-1-8 Single-Family Residence Zoning District, located at 1164 Huntingdon Dr. (on the west side of Huntingdon Drive approximately 150 feet north of Castle Glen Avenue) (Baltej and Kaur Rupinder Singh, Owners). Council District 1. SNI: None. CEQA: Exempt.
(Project Manager: Avril Baty.)

- f. **TR05-178. Tree Removal Permit.** This Tree Removal Permit Request will be discussed during a public hearing to determine the replacement requirements for two ordinance-size Sycamore trees (approximately 100 and 104 inches in circumference at two feet above grade) that were removed without an approved Tree Removal Permit. A third non-ordinance size Sycamore tree (47 inches in circumference) was removed on the same date as the illegally removed ordinance size trees. The trees were located on 0.14 gross acre site at the northwest corner of Camino Ricardo and Willow Street (ADDRESS: 1099 Camino Ricardo: APN 264-59-081) in the R-1-8 Single Family Residence Zoning District. (Anita R. & Todd H. Holt, Owners). Council District 6. CEQA: Exempt.
(Project Manager: Rebekah Ross.)

- g. **SP06-080. Special Use Permit** to allow the demolition of seven commercial buildings on a 2.19 gross acres site in the CG General Commercial Zoning District, located on the northwest corner of The Alameda and Stockton Avenue (155 STOCKTON AV) (Alameda/Stockton LLC, Owner/ Developer). Council District 6. SNI: None. CEQA: Exempt.
(Project Manager: Erin Morris.)

This concludes the Planning Director's Hearing for February 14, 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