



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, APRIL 25, 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 **April 25, 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. **PDA05-058-01. Planned Development Permit Amendment** to remove a condition of approval regarding the percentage of storm water runoff from the site that shall be treated by bioretention swales from the previously approved Planned Development permit in the A(PD) Planned Development Zoning District, located on the northwest corner of the intersection of Monterey Road and Curtner Avenue (WPV San Jose LLC, Owner). Council District 7. SNI: None. CEQA: Addendum to EIR. **Deferred from 04/18/07.** (Project Manager: Reena Mathew)
- b. **TR07-048. Tree Removal Permit** to remove of one Silver Maple tree, approximately 101 inches in circumference, located in the rear yard of an existing single-family residence in the R-1-8 Single-Family Residence Zoning District, located on the South side of Duvall Drive 140 feet west of Fallbrook Avenue (1612 Duvall Drive) (Christopher L. and Amy J. King, Owner). Council District 1. CEQA: Exempt (Project Manager: Rachel Roberts)
- c. **PD06-038. Planned Development Permit** to demolish 2 existing single-family houses and to construct 19 single-family attached residences in four three-story buildings constructed on a podium, on a 0.48 gross acre site in the A(PD) Planned Development Zoning District, located on the west side of Meridian Avenue approximately 300 feet southerly of Fruitdale Avenue (923 Meridian Avenue) (Bhimla Yaqoob I And Razia Y, Owner). Council District 6. SNI: None. CEQA: Mitigated Negative Declaration. (Project Manager: Rebekah Ross)

- d. **TR07-040. Tree Removal Permit** to remove one Eucalyptus tree, approximately 70 inches in circumference, in the rear yard of a Single-Family attached residence on a 0.05 gross acres site in the A(PD) Planned Development Zoning District, located on the South side of Meadowville Court, 150 feet east of Greenmeadow Way, backing on Moorpark Avenue (4440 Meadowville Court) (George Sorisho, Owner). Council District 1. CEQA: Exempt (Project Manager: Rachel Roberts)

- e. **TR07-050. Tree Removal Permit** to remove one Evergreen Ash tree, approximately 138 inches in circumference, located in the rear yard of a .21 gross acre site in the R-1-5 Single-Family Residence Zoning District, located on the South side of Rhinecastle Way 90 feet east of McAbee Road (1178 Rhinecastle Way) (Michael and Gloria Di Iorio, Owner). Council District 10. CEQA: Exempt (Project Manager: Rachel Roberts)

- f. **SP07-021. Special Use Permit** to remove an existing 2-car carport and construct a new 1-car detached garage in the rear yard of an existing single-family residence lot on a 0.22 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the north side of University Avenue, approximately 140 feet easterly of Garden Drive (1670 University Avenue) (Jon and Kristina Campisi Trustee, Owners). Council District 6. SNI: None. CEQA: Exempt (Project Manager: Rachel Roberts)

The consent calendar is now closed.

3. PUBLIC HEARING

- a. The projects being considered are located on a 1.02 acre site in the IP Industrial Park Zoning District, on the north side of Rock Avenue, approximately 450 feet westerly of Oakland Road (1041 ROCK AV) (Rock Avenue Llc, Owner). Council District 4. SNI: None. CEQA: Mitigated Negative Declaration. **Deferred from 04/18/07.** (Project Manager: Christopher Burton)
 - 1. **PD06-061. Planned Development Permit** to demolish an existing commercial building and two garage structures, and to construct 18 single-family attached residences.
 - 2. **PT06-102. Planned Tentative Condominium Map** to reconfigure two parcels into one lot for 18 single-family attached residential units.

- b. **PD06-060. Planned Development Permit** to allow the construction of approximately 24,000 square feet of commercial uses in the A (PD) Planned Development Zoning District, located on the southerly side of Silver Creek Valley Road, at the southerly terminus of Fontanoso Way. (RBR Silver Creek). Council District 2. SNI: None. CEQA: Edenvale Redevelopment Expansion Area EIR Resolution No. 70021. (Project Manager: Jeff Roche)

- c. **SP07-026. Special Use Permit** to allow operation of a circus for five days on a 60 gross acre site in the CG General Commercial Zoning District, located at/on the southwest corner of Capitol Expressway and Tully Road (Eastridge Mall, Owner; Children's Discovery Museum of San Jose, Applicant). Council District 8. SNI: None. CEQA: Exempt.
(Project Manager: John Davidson)

This concludes the Planning Director's Hearing for April 25, 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