



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, MAY 09, 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 **May 09, 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 Lisa Vlay (lisa.vlay@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. TR07-066. Tree removal permit** requesting to remove one Shamel Ash Tree, approximately 180 inches in circumference, located in the side yard of an existing single-family residence in the R-1-8 zoning district, located on the northeast corner of Mayette Avenue and Mazzaglia Avenue (1223 Mayette Avenue) (Ngo Khiem And Ami, Owner). Council District 6. CEQA: Exempt.
(Project Manager: Rebekah Ross)
- b. PDA05-009-01. Planned Development Permit Amendment** to allow the removal of three (3) ordinance size trees (Aleppo Pines) and two (2) non-ordinance size trees (an Aleppo Pine and a Redwood) on a 4.3 gross acre site in the A(PD) Planned Development Zoning District in the A(PD) Planned Development Zoning District, on the property located along a former railroad right-of-way east of Hervey Lane, approximately 160 feet south of West Alma Avenue (TRACT 9862) (Clemetson Don Et Al, Owner; Pinn Brothers Fine Homes, Developer). Council District 6. SNI: None. CEQA: Exempt.
(Project Manager: Rebekah Ross)
- c. PD06-039. Planned Development Permit** to allow expansion of a parking lot implemented without permits, modification of the existing parking lot and installation of a 240 horse-power and 150 KW stand-by/backup generator for existing commercial and medical office uses on a 0.893 gross acre site in the A(PD) Planned Development Zoning District, located on the southwest corner of The Alameda and Taylor Street (1691 THE ALAMEDA) (Planned Parenthood Mar Monte Inc. Owner/Developer). Council District 6. SNI: None. CEQA: Exempt.
(Project Manager: Rebekah Ross)

- d. **TR06-233. Tree Removal Permit** to remove one Redwood Tree 80 inches in circumference on a 0.18 gross acre lot in the R-1-5 Single-Family Residence Zoning District, located at 3706 Williams Road (on the Located on the southwest corner of Boynton Avenue and Williams Road) (Bruce Brennan and Phuong Anh T. Nguyen, Owners). Council District 1. CEQA: Exempt
- e. **H06-087. Site Development Permit** to add to the rear of an existing single-family detached residence of historic significance and to construct two new single-family attached residential units at the rear of a 0.17 gross acre site in the R-M Multiple Residence Zoning District, located on the east side of S. 21st Street, approximately 170 feet northerly of San Fernando Street (56 S. 21st St.) (Phong Truong, Owner). Council District 3. SNI: Five Wounds/Brookwood Terrace. CEQA: Exempt. (Project Manager: Avril Baty)
- f. **TR07-063. Tree Removal Permit** to remove two Evergreen Ash trees measuring 120 inches and 140 inches in circumference located on a 3.13 gross acre site in the R-M Multiple Residence Zoning District, located at 416-454 Boynton Avenue and 3571-3591 Greenlee Drive (Moosa And ShohrehMaleksalehi, Owner). Council District: 1. CEQA: Exempt. (Project Manager: Avril Baty)
- g. **SP07-020. Special Use Permit** to conduct medium manufacturing in an existing industrial building located in IP Zoning and IP General Plan on a 2.17 gross acres site in the IP Industrial Park Zoning District, located at/on the northeast corner of Oakland Road and Attberry Lane (2228 OAKLAND RD) (James Machathil, Owner). Council District 4. SNI: None. CEQA: Exempt. (Project Manager: Chris Burton)
- h. **SP07-023. Special Use Permit** to allow District C yard waste collection truck staging and light maintenance activities on a 1.9 gross acre sitte in the HI Heavy Industrial Zoning District, located on the southwest corner of S. 17th St and E. Alma Ave. (1555 S 7TH ST) (Greenwaste Recovery, Inc., Owner). Council District 7. SNI: None. CEQA: Exempt. (Project Manager: Chris Burton)

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **TR07-062. Tree Removal Permit** to remove one Redwood tree measuring 75 inches in circumference, located in side yard of an existing single-family residence in the R-1-8 Single-Family Residence Zoning District, located on the southwest side of Dwyer Ct, 130 ft SE of Dwyer Av (6463 DWYER CT) (Sullivan Rick N And Julie T, Owner). Council District 10. CEQA: Exempt. (Project Manager: Martina Davis)

- b. TR07-059. Tree removal permit** to allow the removal of two dying Giant Sequoia trees (89.8 inches and 96.7 inches in circumference). Property is City Landmark No. HL77-11 (Farrington House), and is located in the R-1-5 Single-Family Residence Zoning District, at the northeast corner of West Creek Dr and Dry Creek Rd (1615 DRY CREEK RD) (Farrington Historical Foundation Bd Of Trus, Owner). Council District 6. CEQA: Exempt.
(Project Manager: Martina Davis)
- c. TR07-057. Tree Removal Permit** to remove two Evergreen Ash trees measuring approximately 113 and 122 inches in circumference, respectively, in the rear yard of an existing 0.23 gross acre single-family residential lot in the R-1-8 Single-Family Residence Zoning District, located on the South side of Copeland Court 280 feet west of Copeland Lane (5501 Copeland Court, Unit 1) (Gregory J. and Jennifer S. Moore, Owner). Council District 9. CEQA: Exempt.
(Project Manager: Rachel Roberts)
- d. TR07-039. Tree Removal Permit** to remove one Pecan Tree approximately 89 inches in circumference in the rear yard of a 0.14 gross acre single-family residential lot located in the R-2 Single-Family Residence Zoning District, located on the East side of North 15th Street, 210 feet South of East Empire Street (464 North 15th Street) (Joseph M. and Katherine L. Flores, Owner). Council District 3. CEQA: Exempt.
(Project Manager: Rachel Roberts)
- e. TR07-052. Tree removal permit** to remove one live Redwood tree, approximately 56 inches in circumference, from the rear yard of a 0.19 gross acre single family residential lot in the R-1-5 Single-Family Residence Zoning District, located on the West side of Franciscan Way 120 feet north of De Palma Drive (6189 Franciscan Way) (Garner B. Gremillion Jr. and Stephanie A . Gremillion, Owner). Council District 10. SNI: None. CEQA: Exempt.
(Project Manager: Rachel Roberts)
- f. PDA 04-104-01. Planned Development Permit Amendment** to allow a farmer's market in a portion of the parking lot for an existing hospital facility in the A (PD) Planned Development Zoning District, located at the southeasterly corner of International Circle and Camino Verde (Kaiser Foundation Hospitals). Council District 2. SNI: N/A. CEQA: EIR Resolution No. 65588.
(Project Manager: Jeff Roche)
- g. PD06-041. Master Planned Development Permit** to allow approximately 916,000 square feet of campus industrial and research and development uses on a 35.7 gross acre site in the A (PD) Planned Development Zoning District, located on the easterly side of Santa Teresa Boulevard, approximately 1,750 feet northerly of Bailey Avenue (Coyote Valley Research Park, LLC). Council District 2. SNI: n/a . CEQA: Addendum to EIR Resolution No. 69957.
(Project Manager: Jeff Roche)

- h. PD06-050. Planned Development Permit** to allow the construction of a 7,700 square foot fire station and associated improvements on a 1.12 gross acre site in the A(PD) Planned Development Zoning District, located on the northwesterly corner of Santa Teresa Boulevard and Bailey Avenue (Coyote Valley Research Park, LLC). Council District 2. SNI: n/a. CEQA: Addendum to EIR Resolution No. 69957.
(Project Manager: Jeff Roche)

This concludes the Planning Director's Hearing for May 09, 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