



**PLANNING DIRECTOR'S HEARING AGENDA**

**WEDNESDAY, MAY 23, 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 23, 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](mailto: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. **TR07-053. Tree Removal Permit** requesting to remove one multi-trunk Silk tree located in the rear yard on a 0.21 gross acre single-family residential site on the south side of Country Lane, approximately 340 feet east of Happy Valley Avenue (5240 Country Lane) in the R-1-8 Single-Family Residence Zoning District (Scoles Tom And Kathleen, Owner). Council District 1. CEQA: Exempt.  
(Project Manager: Rebekah Ross)
- b. **TR07-081. Tree Removal Permit** for the removal of one (1) Royal Poinciana tree, 88 inches in circumference, from the front yard in the R-1-8 Single-Family Residence Zoning District, located at 4585 Blackford Avenue (located on the north side of Blackford Ave., between Camina Escuela and Pinewood Drive) (Andrew W. and Cheung Fina Au, Owners). Council District: 1. CEQA: Exempt.  
(Project Manager: Avril Baty)
- c. **HA83-151-01. Site Development Permit Amendment** to allow modification to the existing landscape plan (H82-151) of an existing industrial office complex, including the removal of 6 ordinance-sized trees and 65 non-ordinance size trees on a 19 acre site in the IP Industrial Park Zoning District, located on the northeast side of Rose Orchard Wy, 850 ft southeasterly of Headquarters Dr (110 ROSE ORCHARD WY) (Rose Orchard, LLC, Owner). Council District 4. SNI: None. CEQA: Exempt.  
(Project Manager: Suparna Saha)

- d. **PDA84-079-01. Planned Development Permit Amendment** for a first and second story addition totalling approximately 1,600 square feet to an existing single-family residence on a 0.12 gross acre site in the A(PD) Planned Development Zoning District, located on the east side of Whiteleaf Court approximately 300 feet north of Whiteleaf Way (3174 Whiteleaf Court) (Onkar Singh and Davinder Kaur, Owner). Council District 8. SNI: None. CEQA: Exempt.  
(Project Manager: Rachel Roberts)
- e. **PDA79-040-01. Tree Removal Permit** to remove five ordinance-size Red Gum Eucalyptus trees (two previously removed without the benefit of permits) on a 2.7 gross acre Multi-family Residential site in the A(PD) Planned Development Zoning District, located on the Northwest side McKee Road, 660 feet southwest of Francis Drive, across from Sorgepark Place (2811 McKee Road) (Peppertree Apartments Llc, Owner). Council District 5. CEQA: Exempt.  
(Project Manager: Rachel Roberts)
- f. **TR07-072. Tree Removal Permit** to legalize the previous removal of one multi-trunk Ash tree (Code Enforcement Case No. 200710916) from the front yard of an existing single-family residence in the R-M(CL) Cluster Zoning District, located on the east side of Hearthstone Drive, approximately 200 feet west of Lucretia Avenue (1521 Hearthstone Dr.) (Randy Hai Lai, Owner). Council District: 7. CEQA: Exempt.  
(Project Manager: Avril Baty)
- g. **TR07-054. Tree Removal Permit** to remove one Blue Gum Eucalyptus tree measuring approximately 96 inches in circumference from the rear yard of a 0.3 gross acre single-family residential lot in the R-1-8 Single-Family Residence Zoning District, located at the southwestern terminus of Los Palos Way cul-de-sac (1322 Los Palos Way) (Adam J. and Teresa A. Fiss, Owner). Council District 9. CEQA: Exempt.  
(Project Manager: Rachel Roberts)
- h. **TR07-061. Tree Removal Permit** to allow the removal of one Podocarpus Tree, approximately 66-inches in circumference located in the front yard of a 0.13 acre single-family residential lot in the R-1-5 (PD) Planned Development Zoning District, located at 7198 Rosencrans Way. (Donald and Martha Curtis, Owners). Council District 2. CEQA: Exempt.  
(Project Manager: Jeff Roche)
- i. **PDA96-005-01. Planned Development Permit Amendment** to allow off-sale of alcoholic beverages at an existing retail store (CITY MINI MART) in a mixed-use commercial and residential development on a 1.44 gross acre site in the A(PD) Planned Development Zoning District, located on the southeast corner of The Alameda and Lenzen Avenue (Unit 9, CITY MINI MART) (1334 THE ALAMEDA) (Bay Apartment Communities, Inc., Owner). Council District 6. SNI: None. CEQA: Exempt.  
(Project Manager: Hadasa Lev)

- j. **SP06-090. Special Use Permit** to operate a catering truck in an existing commercial shopping center on a 0.45 gross acre site in the CP Pedestrian Commercial Zoning District, located on the southwest corner of McKee Road and North King Road (1696 McKee Road) (George F. Altstatt et al, and Dennis Nazloo, Owners). Council District 3. SNI: Five Wounds/Brookwood Terrace. CEQA: Exempt.  
(Project Manager: Steven Rosen)
  
- k. **H06-041. Site Development Permit** to construct an approximately 5,200-square-foot, two-story building for medical office and retail commercial uses on a 0.42 gross acre site in the CG General Commercial Zoning District (existing building to remain), located on the west side of Saratoga Avenue, approximately 470 feet southerly of Stevens Creek Boulevard (335 SARATOGA AV) (Misco Inc, Owner). Council District 1. SNI: None. CEQA: Exempt.  
(Project Manager: Martina Davis)
  
- l. **TR07-026. Tree Removal Permit** requesting to remove 19 ordinance size trees of various species, that range in size from 60 inches in circumference to 180 inches in circumference, that are located along the northern boundary of the existing athletic track of the Bellarmine College Preparatory Campus which is located on the north and south sides of West Hedding Street, approximately 350 feet westerly of Stockton Avenue (960 West Hedding Street) (Bellarmine College Preparatory, Owner) in the A -Agricultural, R-2 -Two-Family Residence, and CO -Commercial Office Zoning Districts. Council District 6. CEQA: Exempt.  
(Project Manager: Rebekah Ross)
  
- m. **V07-004 and SF07-017. Development Variance** to allow a one-car attached garage containing 200 square feet within the 60-foot front setback, and a Single Family House Permit for a second-story addition containing 872 square feet to an existing one-story single-family residence containing 902 square feet for a total square footage of 1,974 square feet on a 0.07 gross acre site in the R-2 Two-Family Residence Zoning District, located on the north side of Goodyear Street approximately 110 feet east of Palm Street (317 Goodyear Street) (Suarez Melissa P, Owner). Council District 3. SNI: Washington. CEQA: Exempt.  
(Project Manager: Lesley Xavier)

**The consent calendar is now closed.**

### **3. PUBLIC HEARING**

- a. **PD06-066. Planned Development Permit** to allow the construction of an approximately 110-space parking lot for an existing campus industrial facility on a 220 gross acre site in the IP (PD) Planned Development Zoning District, located on the northerly side of Bailey Avenue, approximately 5,000 feet westerly of Santa Teresa Boulevard (IBM). Council District 2. SNI: n/a. CEQA: Pending.  
**Deferred from 05/16/2007**  
(Project Manager: Jeff Roche)

- b. **SP07-027. Special Use Permit** to allow the demolition of an approximately 2,160 square foot industrial building and the installation of new paving in the area formerly occupied by the building on a 0.31 gross acre site in the LI – Light Industrial Zoning District, located at 1048 North 10<sup>th</sup> Street (Mail Haul, Inc, Owner). Council District 3. SNI: 13<sup>th</sup> Street. CEQA: Exempt.  
(Project Manager: Jeff Roche)
  
- c. **H06-077. Site Development Permit** to demolish one existing vacant residential structure, move one approximately 1,925 square foot commercial structure on-site, and construct two new commercial buildings totalling approximately 17,900 on a 1.65 gross acre site in the CP Pedestrian Commercial Zoning District, located on the Southeast corner of South De Anza Boulevard and Bollinger Road. (966 S DE ANZA BL) (Yamanaka George J And Kuniko, Owner; Hunter/Storm, LLC, Developer). Council District 1. SNI: None. CEQA: Exempt.  
(Project Manager: Martina Davis)

This concludes the Planning Director's Hearing for May 23, 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