



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, JUNE 13, 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 **June 13, 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. **SP07-030. Special Use Permit** to allow a laboratory use in a tenant space in an existing industrial building in the IP-Industrial Park Zoning District, located on a 9.31 gross acre site at the northeasterly corner of Concourse Drive and Ringwood Avenue (Timothy and Jean Lundell, Owner). Council District 4. SNI: n/a. CEQA: Addendum to EIR Resolution No. 72768. (Project Manager: John Davidson)
- b. **SF07-021. Type 2 Single Family House Permit** to allow a second story addition containing 1,602 square feet to an existing 1,572 square foot single-family residence resulting in an FAR of 0.48 in the R-1-8 Single-Family Residence Zoning District, located at 2160 Newport Avenue (Joe and Melissa Vela, Owner). Council District 6. SNI: None. CEQA: Exempt. (Project Manager: Lesley Xavier)
- c. **SP04-044. Special Use Permit** for reinstatement of a legal non-conforming residential use in an existing multi-family attached residential building containing eight dwelling units on a 0.16 gross acre site in the A(PD) Planned Development Zoning District, located on the east side of North 15th Street approximately 200 feet north of E. St. John Street (140 N. 15th ST) (Bernardo Carlos And Lidia Et Al, Owner). Council District 3. SNI: 13th Street. CEQA: Exempt. (Project Manager: Lesley Xavier)

- d. The projects being considered are located on the south side of Balbach Street, approximately 300 feet west of South Market Street (120 Balbach Street), in the A(PD) Planned Development Zoning District (Pauline Nolan, Corotto Company, Inc, Desmond Nolan, Owners). Council District 3. SNI: Market/Almaden. CEQA: Mitigated Negative Declaration for Planned Development Rezoning File Number PDC05-078. (Project Manager: Steven Rosen)
1. **PD06-059. Planned Development Permit** to allow up to 38 single-family attached residences on a 0.81 gross acre site.
 2. **PT06-106. Planned Tentative Map Permit** to combine two parcels into one lot for 38 residential condominium units on a 0.81 gross acre site.
- e. **SP07-035. Special Use Permit** to allow a 3-day church sponsored special event (festival/carnival from September 14 through 16, 2007) on a 8.9 gross acre site in the R-1-1 Single-Family Residence Zoning District, located on the east side of Pearl Avenue approximately 140 feet north of Koreza Drive (4848 PEARL AV) (Roman Catholic Bishop of San Jose, Owner). Council District 9. SNI: None. CEQA: Exempt. (Project Manager: Suparna Saha)
- f. **PD07-018. Planned Development Permit** to allow a drinking establishment (wine bar) and off-sale of alcoholic beverages (wine retail store) at an existing retail space including entertainment on Saturday evenings, located on the west side of The Alameda, approximately 50 feet southerly of Hester Avenue (1435 THE ALAMEDA) (Bianchi G John Jr, Owner). Council District 6. SNI: None. CEQA: Exempt. (Project Manager: Hadasa Lev)
- g. **PD05-057. Planned Development Permit** to allow construction of 122 single-family attached live/work lofts and an approximately 2, 500 square foot retail commercial space on a 1.89 gross acre site in the A(PD) Planned Development Zoning District, located on the north side of Park Avenue approximately 450 feet easterly of Sunol Street (777 PARK AV) (Park Avenue Lofts, Owner; San Jose Lofts, Llc Theodore Cook, Developer). Council District 6. SNI: Burbank/Del Monte. CEQA: Mitigated Negative Declaration. (Project Manager: Hadasa Lev)
- h. **TR06-185. Tree Removal Permit** application to remove one Black Acacia Tree (Acacia Melanoxylon), approximately 100 inches in circumference, from a 0.14 gross acre site in the R-1-8 Single-Family Residence Zoning District (1247 Hester Avenue) (Gregory Reggiardo, Owner). Council District 6. CEQA: Exempt. (Project Manager: Rachel Roberts)
- i. **SP07-001. Special Use Permit** to demolish a portion of an existing commercial building for a surface parking lot, and rehabilitation of an adjoining building for commercial uses on a 0.20 gross acre site in the CP Pedestrian Commercial Zoning District, located on the east side of South First Street, approximately 190 feet north of Virginia Street (760 South First Street) (Suman K. Patel and Vasanti S. Patel, et al, Owner). Council District 3. SNI: Spartan/Keyes. CEQA:Exempt. (Project Manager: Steven Rosen)

- j. **SP06-085. Special Use Permit** to allow 28 industrial condominium units and a parking re-arrangement on a 3.27 gross acre site in the IP Industrial Park Zoning District, located at/on the southeast corner of Lundy Avenue and Concourse Drive (2050 CONCOURSE DR) (Willow Glen Invs Llc, Owner). Council District 4. SNI: None. CEQA: Exempt.
(Project Manager: Christopher Burton)
- k. **SP07-028. Special Use Permit** to allow 30 industrial condominium units on a 3.3 gross acre site in the IP Industrial Park Zoning District, located at the southwest corner of Qume Drive and Concourse Drive (2092 CONCOURSE DR) (Willow Glen Invs Llc, Owner). Council District 4. SNI: None. CEQA: Exempt.
(Project Manager: Christopher Burton)
- l. **PD07-015. Planned Development Permit** to allow construction of 3 additional single-family detached residential units at an existing single-family residence lot on a 1.7 gross acre site in the A(PD) Planned Development Zoning District, located at 376 Neilson Ct. (on the west side of Eberly Drive approximately 200 feet north of Branham Lane) (Giani Smith, Owner). Council District : 2. SNI: None. CEQA: Mitigated Negative Declaration.
(Project Manager: Avril Baty)
- m. The projects being considered are located on the west side of Dent Avenue approximately 500 feet north of Kooser Road (5331 Dent Ave.), in the R-1-8 Single-Family Residence Zoning District [A(PD) Planned Development Zoning District pending]. (Rockwell Homes, Inc., Owner). Council District: 9. SNI: None. CEQA: Negative Declaration
(Project Manager: Avril Baty)
 - 1. **PD07-037. Planned Development Permit** to demolish the existing building and construct 12 single-family detached residences on a 1.56 gross acres site.
 - 2. **PT07-023. Planned Development Tentative Map** to subdivide one parcel into 12 lots for 12 single-family detached residences on a 1.56 gross acres site.
- n. The projects being considered are located on south side of Paula Street approximately 200 feet west of Race Street (1024, 1044 & 1050 Paula St.), in the R-M Multiple Residence Zoning District on a 0.57 gross acre site. (Rockwell Homes, Inc., Owner). Council District 6. SNI: None. CEQA: Exempt.
(Project Manager: Avril Baty)
 - 1. **H07-014. Site Development Permit** to construct 12 single-family attached residences on a 0.57 gross acre site.
 - 2. **T07-020. Tentative Map** to combine 3 parcels into 1 lot for condominium purposes on a 0.57 gross acre site.

- o. The projects being considered are located at/on south side of Shenado Place approximately 500 feet easterly of Gerine Blossom Drive, in the A(PD) Planned Development Zoning District (SCVWD Mr STEPHEN AZAR, THE WILLIAM LYON COMPANY, SHENADO PLACE LLC, OwnerS). Council District: 2. SNI: None. CEQA: Negative Declaration.
(Project Manger: Avril Baty)
 - 1. **PD07-024. Planned Development Permit** to construct 6 single-family detached residences on a 0.83 gross acre site.
 - 2. **PT07-022. Planned Development Tentative Map** application to subdivide 1 parcel into 7 lots for single-family residential uses on a 0.83 gross acre site.
- p. **TR07-051. Tree Removal Permit** to remove one Cypress tree, approximately 72 inches in circumference, located in the rear yard of a 0.21 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the North side of Regency Pl ace 200 feet west of Regency Drive (1239 Regency Place) (Ning Chai and Xuejun Tao, Owner). Council District 1. CEQA: Exempt.
(Project Manager: Rachel Roberts)
- q. The projects being considered are located on the the northeast corner of Willow Glen Way and Cross Way (425 Willow Glen Way), in the A(PD) Planned Development Zoning District. (H3 Development, LLC. Owner). Council District: 6. SNI: None. CEQA: Negative Declaration
(Project Manager: Avril Baty)
 - 1. **PD07-034. Planned Development Permit** to demolish the existing buildings and construct 9 single-family attached residences on a 0.34 gross acre site.
 - 2. **PT07-021. Planned Development Tentative Map Permit** to subdivide 1 parcel into 10 lots for single-family attached residential uses on a 0.34 gross acre site.
- r. **TR07-071. Tree Removal Permit** for a live Walnut Tree, 95 inches in circumference, in the back yard of a 0.18 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1272 Fulbar Ct. (Bernard V and Maria D Belen, owners). Council District 4. CEQA: Exempt.
(Project Manager: Suparna Saha)

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **HP07-002. Historic Preservation Permit** request to allow a new landscape design for renovation of Pellier Park, City Landmark HL77-4, on a 0.34 gross acre site located on the northeast corner of W. St. James and Terraine Streets (183 W. St. James Street)(City of San Jose). Council District 3. SNI: None. CEQA: Exempt.
Deferred to July 25, 2007
(Project Manager: Michelle Stahlhut)
- b. **PD06-011. Planned Development Permit** to demolish an existing building and construct 100 multi-family residences on a 0.75 gross acre site in the LI Light Industrial Zoning District, located on the east side of North 4th Street, approximately 600 feet northerly of Gish Road (1470 N 4TH ST) (1st Community Housing Inc, Owner). Council District 3. SNI: None. CEQA: North San Jose Area Development Policy EIR Resolution No. 72768.
Deferred to June 27, 2007
(Project Manager: Christopher Burton)
- c. **HP07-001. Historic Preservation Permit and H07-007 Site Development Permit** to obtain Planning approval for an existing unpermitted approximately 940-square-foot detached garage, to replace a detached garage that was previously demolished without permits on a 0.16-acre site in the Reed Historic District (530 S. 6th Street). Jose Blanc, owner. Council District: 3. S.N.I.: University. C.E.Q.A.: Exempt.
(Project Manager: Darren McBain)
- d. **H07-001. Site Development Permit** to construct a 499 square foot addition to an existing duplex on a 0.14 gross acre site in the R-2 Two-Family Residence Zoning District, located on the east side of Senter Road approximately 150 feet north of Sylvandale Avenue (3568 SENTER RD) (Tran Trinh Et Al, Owner). Council District 7. SNI: None. CEQA: Exempt.
(Project Manager: Martina Davis)
- e. **SP07-018. Special Use Permit** to demolish an existing gas station and all associated structures on a 0.10 gross acre site located on the southeast corner of Southwest Expressway and Leigh Avenue (1030 Leigh Avenue) in the CP- Commercial Pedestrian Zoning District, (Chevron USA Inc, Owner). Council District 6. SNI: None. CEQA: Exempt.
(Project Manager: Rebekah Ross)
- f. **TR07-106. Tree Removal Permit** to remove one Tulip Tree, approximately 75 inches in circumference, located in the side setback near the front of a single-family detached residence located on the south side of Gleneeden Way, approximately 370 feet east of Eden Avenue (3200 Gleenden Way) (Gregory George H Trustee, Owner) in the R-1-5 Single-Family Residence Zoning District. Council District 1. CEQA: Exempt
(Project Manager: Rebekah Ross)

- g. **PD07-001. Planned Development Permit** to allow the construction of a 169,968 square foot employee parking garage, automobile inventory storage and automobile service building on an existing automobile dealership site (Symthe European) on a 5.77 gross acre site in the A(PD) Planned Development Zoning District located on the northwest corner of Albany Drive and Palace Drive (4500 Stevens Creek Boulevard) (Smythe William D Trustee, Owner). Council District 1. SNI: None. CEQA: Mitigated Negative Declaration.
(Project Manager: Rebekah Ross)

This concludes the Planning Director's Hearing for June 13, 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