



**PLANNING DIRECTOR'S HEARING AGENDA**

**WEDNESDAY, JULY 18, 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 **July 18, 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:

- I will identify the project as described on the agenda
- Staff will provide a brief 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 public hearing will then be closed and I 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.**

# **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. **HP07-004. Historic Preservation Permit** to allow demolition and in-kind replacement of an existing detached one-car garage for a single-family house listed as a Contributing Structure to the Hensley Historic District (394 N. 3<sup>rd</sup> Street). Mary and Salvatore Palacios, owners/applicants. Council District: 3. SNI: Area: 13<sup>th</sup> Street. C.E.Q.A.: Exempt. (Project Manager: Darren McBain)
- b. **HP07-005.** Historic Preservation Permit to allow demolition of the existing approximately 5,500-square-foot 1980s-era addition, and construction of a new approximately 12,000-square-foot addition to the circa-1907 East San Jose Carnegie Branch Library (City Landmark Structure no. HL77-010). The project location is a 0.6-acre site at the southeast corner of S. 23rd Street and E. Santa Clara Street (1102 E. Santa Clara Street). City Of San Jose Library Department, applicant. Council District: 3. SNI: Area: Five Wounds/Brookwood Terrace. CEQA: Exempt. (Project Manager: Darren McBain)
- c. **HPA01-007-01.** Historic Preservation Permit Amendment to allow replacement of a non-historic awning and installation of exterior lighting on a City Landmark structure (HL81-018) located at the southeast corner of South Market Street and West San Carlos Street (302 S. Market Street) (Sainte Claire Hotel LLC, Owner/Applicant). Council District: 3. SNI: Area: None. CEQA: Exempt. (Project Manager: Darren McBain)

- d. **TR07-107.** Tree Removal Permit to remove 1 Pine tree 90 inches in circumference. in the R-1-5 Single-Family Residence Zoning District, located at/on the south side of Downing Avenue, 80 feet east of Wainwright Drive (610 Downing Av) (Brazelton Robert S Trustee & Et Al, Owner). Council District 6. CEQA: Exempt.  
(Project Manager: John Baty)
- e. **TR07-131.** Tree Removal Permit to allow removal of two (2) Pine trees, each measuring 72 inches in circumference, on a 0.14 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the 481 Tuscarora Drive (Richard and Alison Lindsey, Owners). Council District 2. CEQA: Exempt.  
(Project Manager: Suparna Saha)
- f. **TR07-109.** Tree Removal Permit to allow removal of one (1) Mayten tree 73 inches in circumference on a 0.29 acre site in the R-1-8 Single-Family Residence Zoning District, located at 1744 Willow Creek Court (Byron Cousins, Owner). Council District 9. CEQA: Exempt.  
(Project Manager: Suparna Saha)
- g. **TR07-110.** Tree Removal Permit to allow removal of two (2) Ash trees, both 64 inches in circumference, on a 0.14 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the west side of Elester Dr, 350 ft southerly of Lost Oaks Drive (4855 ELESTER DR) (Robert W And Nancy H Campbell, Owners). Council District 9. CEQA: Exempt.  
(Project Manager: Suparna Saha)
- h. **H07-022.** Site Development Permit for a 350 square foot expansion of an existing duplex on a 0.25 gross acre site in the R-2 Two-Family Residence Zoning District, located at 1110 & 1112 Doralee Way (Sean & Olga Kellar and Ed & Janeen Kellar, Owners). Council District: 9. SNI: None. CEQA: Exempt.  
(Project Manager: Avril Baty)
- i. **V07-009 & SF07-024.** Development Variance to reduce the requirements of the driveway to 19'-5" and Single Family House Permit for the construction of new additions totalling approximately 512 square feet to an existing single-family residence listed on the Historic Resources Inventory on a 0.11 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 802 Plaza Drive (Michael Borbely, Owner). Council District: 6. SNI: None. CEQA: Exempt.  
(Project Manager: Avril Baty)
- j. **SP07-040.** Special Use Permit to remove an existing one-car garage and construct a new two-car garage at an existing single-family residential lot listed on the Historic Resources Inventory on a 0.16 gross acre site in the R-2 Two-Family Residence Zoning District, located at 1176 Magnolia St. (Spencer And Susan Ozawa, Owners). Council District: 6. SNI: None. CEQA: Exempt.  
(Project Manager: Avril Baty)

- k. **H07-011.** Site Development Permit for the demolition of an existing 1,181 square foot, one-story metal retail building and construction of a new 3,976 one-story retail building and associated parking, in the CN Commercial Neighborhood Zoning District, located on the northeast corner of Story Road and South King Road (1703 Story Road) (Story & King Props LLC Dan Hoady, Owner). Council District 5. SNI: East Valley/680 Communities. CEQA: Exempt.  
(Project Manager: Hadasa Lev)
- l. **PDA91-006-76.** Planned Development Permit Amendment to construct a single-family detached residence on a 0.5 gross acre site in the A(PD) Planned Development Zoning District, located at/on the 7002 Hollow Lake Way (7002 HOLLOW LAKE WY) (Raymond Baboghli, Owner). Council District 10. SNI: None. CEQA: Use of EIR.  
(Project Manager: Michelle Stahlhut)
- m. **HA78-218-01.** To legalize the previous removal of an ordinance size pine tree, approximately 108 inches in circumference, in the HI Heavy Industrial Zoning District, located on the east side of Oakland Road, approximately 800 feet south of Bern Court (900 Golden Wheel Park Drive) Golden Wheel Mobile Home Park, Owner. Council District 4. CEQA: Exempt. **Deferred from 6-27-07 and 7-11-07.**  
(Project Manager: Reena Mathew)
- n. **TR07-137.** Tree Removal Permit request to allow for the removal of one pine tree, approximately 59 inches in circumference, located in the front yard of an existing single-family residence in the R-1-8(PD) Planned Development Zoning District, located on the South side of Coty Way, approximately 380 feet west of Rosenbaum Avenue (306 Coty Way) (Duong Nguyen And Tong My-Dung, Owners). Council District 10. CEQA: Exempt.  
(Project Manager: Reena Mathew)
- o. **SP07-041.** Special Use Permit to allow a medium manufacturing use in an existing 202,000 square foot building, along with a liquid hydrogen and nitrogen tank pad and enclosure on a 11.9 gross acre site in the IP Industrial Park Zoning District, located at the southwest corner of Hellyer Avenue and Fontanosos Way (5521 HELLYER AV) (Mission West Props Lp I, Owner). Council District 2. SNI: None. CEQA: Exempt.  
(Project Manager: Chris Burton)
- p. **TR07-143.** Tree Removal Permit to remove one Monterey Pine tree, 67 inches in circumference, located at the rear yard of an existing single family residence of 0.12 gross acre site in the A(PD) Planned Development Zoning District, located at 6423 Pelham Court (Jud and Melissa Spencer, Owners). Council District 2. CEQA: Exempt.  
(Project Manager: Helen Maddox)
- q. **TR07-115.** Tree Removal Permit to allow the removal of one Liquid Amber Tree, 67" in circumference., in the front yard of a single family residence in the R-1-8 Single-Family Residence Zoning District, located at 5561 Glenoak Ct (Yahya And Sandra Sotoudeh, Owner). Council District 1. CEQA: Exempt.  
(Project Manager: Chris Burton)

**The consent calendar is now closed.**

### 3. PUBLIC HEARING

- a. **PT07-036. Planned Tentative Map Permit** to reconfigure 6 parcels into 1 lot for mixed-use with 122 condominium units and approximately 2,500 square feet of commercial on a 2.20 gross acres 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 Avenue) (Park Avenue Lofts LLC, owner; San Jose Lofts, LLC Theodore Cook, developer). Council District 6. SNI: Burbank/Del Monte. CEQA: Re-use of Negative Declaration. **Deferred from 7-11-07.**  
(Project Manager: Hadasa Lev)
- b. **PD07-025.** Planned Development Permit to allow construction of 385 multi-family attached residential units on a 7.8 acre site in the A(PD) Planned Development Zoning District, located at/on the area generally bounded by Race Street to the west, Industrial buildings on Auzerais Avenue to the north, Lincoln Avenue to the east and the UPRR tracks to the south (505 LINCOLN AV) (Sobrato Development Mr Tim Steele, Developer). Council District 6. SNI: Burbank/Del Monte. CEQA: Environmental Impact Report (EIR), titled “Race Street General Plan Amendments and Planned Development Rezonings (GP05-06-01, GP05-06-02, PDC06-024, and PDC06-025).”  
(Project Manager: Rodrigo Orduna)
- c. **PD07-026.** Planned Development Permit to allow construction of 242 multi-family attached residential units on a 4.9 acre site in the A(PD) Planned Development Zoning District, located at/on the area generally bounded by Race Street to the west, the UPRR tracks to the north, Lincoln Avenue and Northrup Avenue to the east and Parkmoor Avenue to the south (655 LINCOLN AV) (Sobrato Development, Developer). Council District 6. SNI: Burbank/Del Monte. CEQA: Environmental Impact Report (EIR), titled “Race Street General Plan Amendments and Planned Development Rezonings (GP05-06-01, GP05-06-02, PDC06-024, and PDC06-025).”  
(Project Manager: Rodrigo Orduna)
- d. The projects being considered are located at/on northwest corner of Lucretia Avenue and Phelan Avenue, in the A(PD) Planned Development Zoning District (Lucretia Development, LLC MYHA TRIEU, Developer). Council District 7. SNI: Tully/Senter. CEQA: Mitigated Negative Declaration.  
(Project Manager: Martina Davis)
  1. **PDA06-030-01.** Planned Development Permit Amendment, to amend a previously approved Planned Development Permit, to reduce the number of single-family detached residential units from 23 to 20 units on a 1.8 gross acres site.
  2. **PT07-044.** Planned Development Tentative Map, to reconfigure 24 parcels into 21 lots for 20 single-family detached residences, and open space purposes on a 1.8 gross acres site.

This concludes the Planning Director’s Hearing for July 18, 2007. Thank you.

PLANNING DIRECTOR’S AGENDA ON THE WEB:  
<http://www.sanjoseca.gov/planning/hearings/director.asp>  
PUBLIC INFORMATION COUNTER  
(408) 535-7800 CITY OF SAN JOSE