



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, October 24, 2007

9:00 a.m.
City Council Chambers
City Hall

200 East Santa Clara Street
San José, California 95113-1905

Hearing Officers

Jean Hamilton, AICP, Principal Planner

Susan Walton, 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 **October 24, 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. I will identify the items to be deferred and then ask for comments from the audience. 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 staff, or the public to have an item removed from the consent calendar and considered separately.

- a. **PD07-061**. Planned Development Permit request to allow a drinking establishment and entertainment use, with outdoor seating for a proposed full-service restaurant (Roux Louisiana Kitchen) on a 1.78 gross acre site in the A(PD) Planned Development Zoning District, located on the northeast corner of Olin Avenue and South Winchester Boulevard (3055 OLIN AV) (Frit San José Town & Country Village Llc, owner). Council District 6. SNI: None. CEQA: Re-use of EIR
Project Manager, Sanhita Mallick
- b. **PDA03-016-02**. Planned Development Permit Amendment to remove the condition of Planned Development PD03-016, which requires the area of the site subject to open space easements to be dedicated to an "open space preservation organization" prior to the occupancy of the first residential unit of the project in the A(PD) Planned Development Zoning District, located on the Southerly terminus of Basking Ridge Avenue, easterly of US 101 (9611 TRACT) (Metcalf Partners Llc, owner). Council District 2. SNI: None. CEQA:
Project Manager, Martina Davis
- c. **SF07-052**. Category II Single Family House (SFH) permit to allow the rehabilitation of a house listed on the Historic Resources Inventory as a Contributing Structure in the Naglee Park Conservation Area. The project includes the removal of an enclosed back porch (previously demolished without permits). The project site, located at 699 East San Fernando Street, is a .15-acre parcel in the R-1-8 Single-Family Residence zoning district. Owners/applicants: Javier Hernandez and Giovana Murguia. Council District: 3. SNI: University. CEQA: Exempt. Note: SFH Category I Permit for a 70-square-foot second-story addition and basement conversion approved in March 2007.
Project Manager, Darren Mcbain
- d. **TR07-272**. Removal permit request for the removal of one Monterey Pine Tree, 110 inches in circumference, from the rear yard of a single residence located in the R-1-8 Zoning District in the R-1-8 Single-Family Residence Zoning District at 1624 ANDALUSIA WY (Easterday, Mark/ Huang Chu-Hui Trustee, owner). Council District 9. CEQA: Exempt.
Project Manager, Sanhita Mallick

- e. [TR07-243](#). Tree Removal Permit request to allow removal of one Deodar Cedar measuring 121 inches in circumference located on a 0.14 gross acre site in the R-1-8 Single-Family Residence Zoning District located at 1699 Morocco Drive (Torres Gina M And Davis Jeffrey M, owner). Council District 9. CEQA: Exempt.
Project Manager, Sanhita Mallick
- f. [PD07-009](#). Planned Development Permit to allow an existing FM Radio station (KSQQ) to construct a new 3,746 square foot building for studio and transmission use on a 0.33 gross acre site in the A(PD) Planned Development Zoning District located on the northside of Alum Rock Avenue, approximately 200 feet southwesterly of 34th Street (1629 ALUM ROCK AV)(Vieira Batista S And Dolores M Trustee, owner). Council District 5. SNI: Five Wounds/Brookwood Terrace. CEQA: Exempt.
Project Manager, Sanhita Mallick
- g. [T05-121](#). Tentative Map Permit request to subdivide 1 parcel into 2 lots for residential uses on a 0.25 gross acre site in the CP Pedestrian Commercial Zoning District, located on the west side of Toyon Avenue opposite of Ridgetop Drive (889 Toyon Avenue)(Dupree, Daniel A. and Rolly/ Garcia, George Et Al, owner). Council District 5. SNI: None. CEQA: Exempt.
Project Manager, Sanhita Mallick
- h. [TR07-228](#). Tree Removal Permit request for two Ash Trees, 95 inches and 61 inches in circumference on a .14 gross acre parcel in the R-1-8 Single-Family Residence Zoning District, located at 3564 Laurant Way (Seto Wayne, owner). Council District 4. CEQA: Exempt.
Project Manager, Sanhita Mallick
- i. [TR07-257](#). Tree removal permit to remove a live Cypress Tree, 74" in circumference, located in the R-M Multiple Residence Zoning District, located at 4761 Kings River Court (Debora Mize, owner). Council District 9. CEQA: Exempt.
Project Manager, Chris Burton
- j. [SP06-092](#). Special Use Permit to allow a corporation yard, including truck staging and maintenance activities on a 1.9 gross acre site in the HI Heavy Industrial Zoning District, located on the northside of Charles St, 300 ft westerly of 13th St across abandoned railroad tracks (565 Charles St)(Brian Watts, owner) Council District 4. SNI: None. CEQA: Exempt.
Project Manager, Chris Burton
- k. [TR07-221](#). Tree Removal Permit to allow the removal of one (1) Ash tree, 75 inches in circumference, on a 0.24 gross acre site in the R-1-5 Single-Family Residence Zoning District, located at 1021 Mt. Darwin Dr. (James & Denise Delong, owners). Council District 10. CEQA: Exempt.
Project Manager, Suparna Saha
- l. [SP07-054](#) Special Use Permit to allow the demolition of an existing gasoline service station and removal of associated underground tanks, located on a 0.56 gross acre site in the CP Pedestrian Commercial Zoning District, located on the southwestern corner of Senter Road and E. Capitol Expressway (3151 SENTER RD)(Ishaq and Sina Osman, owners). Council District 7. SNI: None. CEQA: Exempt.
Project Manager, Suparna Saha
- m. [TR07-175](#). Live Tree Removal permit for two Cottonwood Trees, 72 in and 66 in circumference, on a single family residential lot in the A(PD) Planned Development Zoning District, located at 1783 Lucca Place (Qianzhong and Zhenfang Zhang, owners). Council District 8. CEQA: Exempt
Deferred from 10/10/2007.
Project Manager, Reena Mathew

- n. **TR07-286**. Tree Removal Permit request to remove one redwood tree, approximately 77 inches in circumference, from the front yard of a single-family residence in the R-1-8 Single-Family Residence Zoning District, located at 1523 English Drive (Augustine Gordon E Trustee & Et Al, owner). Council District 1. CEQA: Exempt.
Project Manager, Ed Schreiner
- o. **PD07-029**. Planned Development Permit to construct two detached and two attached single-family residences on a 0.26 gross acre site in the A(PD) Planned Development Zoning District, located on the east side of Boynton Avenue, approximately 350 feet northerly of Williams Road (962 BOYNTON AV)(Ettefagh Farajollah Et Al, owner). Council District 1. SNI: Blackford. CEQA: Exempt.
Deferred From 9/12/2007, 9/19/2007, 9/26/2007, and 10/10/2007.
Project Manager, Martina Davis
- p. **PT07-026**. Tentative Map application to subdivide one lot into five lots for two attached and two detached single-family residences in the A(PD) Planned Development Zoning District, located on the east side of Boynton Avenue, approximately 350 feet northerly of Williams Road (962 BOYNTON AV)(Ettefagh Farajollah Et Al, owner). Council District 1. SNI: Blackford. CEQA: Exempt.
Deferred From 9/12/2007, 9/19/2007, 9/26/2007, and 10/10/2007.
Project Manager, Martina Davis
- q. **TR07-197**. Tree Removal Application for one live Cedar (75 inches in circumference) and one live Eucalyptus (115 inches in circumference) at front yard of a single-family detached residence in the R-1-8 Single-Family Residence Zoning District, located at 2158 Casa Mia Drive (Dean Schoeppler, owner). Council District 9. CEQA: Exempt.)
Project Manager, Martina Davis

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **PD07-028**. Planned Development Permit to construct one two-story Single-Family detached residence, approximately 1,540 square feet, and a two-car detached garage, approximately 480 square feet, on a 0.23 gross acre site in the A(PD) Planned Development Zoning District, located on the west side of Clark Avenue approximately 390 feet southeasterly of Willow Street (1147 Clark Street) (James Rowe, owner). Council District 6. SNI: None. CEQA: Exempt.
Deferred from 10/17/2007
Project Manager, Rachel Roberts
- b. **SP07-055**. Special Use Permit to reconstruct a 2,673 square foot fast-food restaurant (destroyed by fire) with legal non-conforming drive-through on a 1.01 gross acre site in the CP Pedestrian Commercial Zoning District, located on the north side of East Capitol Expressway, approximately 170 feet east of Senter Road (635 E CAPITOL EX)(Burger King Holdings Inc, owner). Council District 7. SNI: None. CEQA: Exempt.
Project Manager, Ed Schreiner

This concludes the Planning Director's Hearing for October 24, 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 JOSÉ