



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, October 31, 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 31, 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.

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 Maria Rodriguez (maria.rodriguez@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 staff, or the public to have an item removed from the consent calendar and considered separately.

- a. **TR07-281**. Tree Removal Permit to remove one Stone Pine tree approximately 80 inches in circumference from the rear yard of an existing single-family residence in the R-1-8 Single-Family Residence Zoning District, located at/on the 6133 Oneida Drive (Hall Shirley A Trustee, Owner). Council District 2. CEQA: Exempt.
Project Manager, Ella Samonsky
- b. **TR07-298**. Tree Removal Permit to remove four Monterey Pine trees 62, 68, 93, and 130 inches in circumference from the common area of a multi-family attached residential complex in the R-1-8(PD) Planned Development Zoning District, located at/on the northeast corner of Chynoweth Avenue and Snell Avenue (600 CEDARGATE LN) (Ortega Sergio R And Tina L, Owner). Council District 2. CEQA: Exempt.
Project Manager, Ella Samonsky
- c. **TR07-289**. Tree Removal Permit to remove one ornamental Pear tree, approximately 59 inches in circumference from the front yard of an existing single-family detached residence in the A(PD) Planned Development Zoning District, located at/on the 5081 Woodbrae Court (5081 WOODBRAE CT) (Bates Anthony V And Judith M, Owner). Council District 1. CEQA: Exempt.
Project Manager, Ella Samonsky
- d. **PDA80-069-01**. Tree Removal Permit to remove two dead Japanese Black Pine trees, one Evergreen Pear tree, and three Purple Leaf Plum trees, all non-ordinance size, on 2.25 gross acre multi-family residential site in the A(PD) Planned Development Zoning District located on the NE Corner of Samaritan Place and Samaritan Drive (2360 Samaritan Place) (Cambrian Center Inc, Owner). Council District 9. CEQA: Exempt.
Project Manager, Rachel Roberts,

- e. [TR07-225](#). Tree Removal Permit for two live, ordinance size Eucalyptus trees, approximately 66 and 69 inches in circumference, located to the north of the locker room building at Almaden Swim and Racquet Club in the R-1-8 Single-Family Residence Zoning District, located at 6604 Northridge Drive (Almaden Swim And Racquet Club, Owner). Additionally one live, non-ordinance size Eucalyptus tree, approximately 39 inches in circumference, will be removed from the same location but is not subject to permit approval. Council District 10. CEQA: Exempt.
Project Manager, Rachel Roberts
- f. [TR07-261](#). Tree Removal Permit for one Pine tree, approximately 59 inches in circumference, located in the rear yard of a Single Family Detached Residence in the R-1-5 Single-Family Residence Zoning District on a 0.30 gross acre site, located at 1440 Cuernavaca Court (1440 Cuernavaca Court) (Peter and Mary A. Pfeil Trustee, Owner). Council District 10. CEQA: Exempt.
Project Manager, Rachel Roberts,
- g. [TR07-218](#). Tree removal permit for one Pepper tree measuring ~83 inches in circumference on a 0.16 gross acre site in the R-1-5(PD) Planned Development Zoning District, located at 3143 Arcola Court (Minh Tran, Owner). Council District: 8. CEQA: Exempt.
Project Manager, Avril Baty
- h. [SP07-065](#). Special Use Permit to allow expansion of a legal non-conforming commercial use on a 0.25 gross acre site in the HI Heavy Industrial Zoning District, located at the southeast corner of East Julian Street and North 27th Street (1304 E Julian St.) (Vieira, Batista and Dolores, Owners). Council District 3. SNI: Five Wounds/Brookwood Terrace. CEQA: Exempt.
Project Manager, Licinia McMorrow
- i. [HA83-080-01](#). Site Development Permit Amendment to permit one previously removed Modesto Ash tree 115 inches in circumference located within a private open space area on a 0.82 gross acre site in the DC Downtown Primary Commercial Zoning District, located on the west side of North 3rd Street approximately 100 feet north of East Santa Clara Street (75 E Santa Clara St) (Legacy Partners, Owner). Council District 3. CEQA: Exempt.
Project Manager, Licinia McMorrow
- j. [TR07-267](#). Tree Removal Permit to allow removal one (1) Elm tree 77 inches in circumference on a 0.15 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 2894 Fallwood Lane (Karen Maleski, Owner). Council District 4. CEQA: Exempt.
Project Manager, Suparna Saha
- k. [PD06-033](#). Planned Development Permit to construct nine (9) single-family detached residences on a 0.4 gross acre site in the A(PD) Planned Development Zoning District, located on the southeast corner of McKee Road and La Pala Drive (MJ CORE HOLDINGS, LLC, Owner). Council District 5. SNI: None. CEQA: Reuse of Negative Declaration (PDC06-060).
Project Manager, Avril Baty
- l. [TR07-263](#). Tree Removal Permit to allow removal of one (1) Palm tree, 74 inches in circumference, in the R-1-8 Single-Family Residence Zoning District, located at 651 Morse Street (John Lane and Rebecca Jurta, owners). Council District 6. CEQA: Exempt.
Project Manager, Suparna Saha

- m. [TR07-292](#). Tree Removal Permit request for one Pine Tree measuring 96 inches in circumference located in the rear yard of a single family detached residence on a 0.17 gross acre in the R-1-8 Single-Family Residence Zoning District, located at 3428 Whitman Way (Owner: Daryl and Michele Lane). Council District 4. CEQA: Exempt.
Project Manager, Sanhita Mallick
- n. [TR07-274](#). Tree Removal Permit request for the removal of two Palm trees, 79 inches and 61 inches in circumference, from the rear yard of a single family residence in the R-1-8 Single-Family Residence Zoning District, located at 3207 Tulipwood Lane (John C Chun, Owner). Council District 4. CEQA: Exempt.
Project Manager, Sanhita Mallick
- o. [TR07-309](#). Tree Removal Permit for the removal of one live eucalyptus tree, 82 inches in circumference, from the rear yard of a single family detached residence located in the R-1-8(PD) Planned Development Zoning District, located at 107 Biddleford Court (Roberto and Stephanie Barragan, owners). Council District 2. CEQA: Exempt.
Project Manager, Suparna Saha
- p. [TR07-229](#). Tree Removal Permit to remove two Redwood trees 106 and 108 inches in circumference from the front yard of a single-family residence on a 0.22 acre site in the R-1-8 Single-Family Residence Zoning District, located at 948 Daniel Way (Utman Karen M Et Al, Owner). Council District 6. CEQA: Exempt.
Project Manager, Michelle Stahlhut
- q. [TR07-305](#). Live Tree Removal Permit to allow the removal of one Modesto Ash tree approximately 66 inches in circumference from the front yard of an existing single-family detached residence. The residence is located at 6048 Monteverde Drive within a R-1-5 Single-Family Residence Zoning District, (Mike And Karen Denholm Trustee, Owner). Council District 10. CEQA: Exempt.
Project Manager, Allen Tai

The consent calendar is now closed.

3. **PUBLIC HEARING**

- a. The projects being considered are located on west side of Dent Avenue approximately 400 feet south of Branham Lane (4977 Dent Avenue), in the A(PD) Planned Development Zoning District (Bryce Baker, Owner). Council District: 9. SNI: None. CEQA: Negative Declaration.
 - 1) [PD07-038](#). Planned Development Permit to construct 20 single-family attached residences on a 0.50 gross acre site.
 - 2) [PT07-027](#). Planned Development Tentative Map to subdivide 1 lot into 1 parcel for residential condominium uses (20 units) on a 0.5 gross acre site.
Project Manager, Avril Baty
- b. [PDA07-053-01](#). Planned Development Amendment to allow changes to the landscaping and parking at the subject site and changes in elevation, relocate electrical transformer, and reconfigure interior industrial condominium spaces of Building "A" on a 6.67 gross acre site in the LI(PD) Planned Development Zoning District, located at the northwest corner of Charcot Ave and Junction Ave. (521 CHARCOT AV) (South Bay Construction And Development Co, Owner; Ralph Borelli, Borelli Development Company, Developer). Council District 4. SNI: None. CEQA: North San José EIR Resolution No.72768, and Addenda thereto.
Project Manager, Chris Burton

- c. The projects being considered are located on the northwest corner of State Highway 237 and Gold Street (2011 GOLD ST), in the A(PD) Planned Development Zoning District (WCSJ LLC, Owner). Council District 4. SNI: None. CEQA: Addendum to EIR.
- 1) **PD07-060**. Planned Development Permit to allow construction of 981,362 square feet of commercial office and a 176 room hotel on an existing closed landfill on a 63 gross acre site.
 - 2) **PT07-077**. Planned Development Tentative Map Permit to subdivide 2 parcels into 5 lots for commercial office and hotel uses on a 32.1 gross acre.
Project Manager, Chris Burton

This concludes the Planning Director's Hearing for October 31, 2007. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:

<http://www.sanjoseca.gov/planning/hearings/default.asp>

PUBLIC INFORMATION COUNTER

(408) 535-3555 CITY OF SAN JOSÉ