



**PLANNING DIRECTOR'S HEARING AGENDA**

**Wednesday, November 21, 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 **November 21, 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](mailto:maria.rodriguez@sanjoseca.gov))

**AGEDA**  
**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. **TR07-262**. Tree Removal Permit request for a Chinese Pistache tree measuring 68 inches in circumference located on corner sideyard in the R-1-8 Single-Family Residence Zoning District, located at on the 1182 Crescent Drive (David A. Baer and Daryl L. Walker, Owner). Council District 6. CEQA: Exempt.  
*Project Manager, Sanhita Mallick*
- b. **TR07-320**. Tree Removal Permit request for the removal of one palm tree, 71 inches in circumference, from the rear yard of a single family detached residence located in the R-2 Two-Family Residence Zoning District, located at 990 Asbury Street (Edward L. And Ramona C. Hodges Trustee, Owner). Council District 6. CEQA: Exempt.  
*Project Manager, Sanhita Mallick*
- c. **PDA01-053-02**. Tree Removal Permit for 14 live trees (nine are ordinance size) in the main South parking lot in the A(PD) Planned Development Zoning District, located at the east terminus of Hospital Parkway approximately 530 feet easterly of Cottle Road (250 Hospital Parkway) (Kaiser Foundation Hospitals, Owner). Council District 2. CEQA: Exempt.  
*Project Manager, Rachel Roberts*
- d. **H07-039**. Tree Removal permit request to remove nine (9) ordinance size Camphor trees (ranging from 56 to 93 inches in circumference) from the landscape area adjacent to the parking lot at an existing church in the R-1-8 Single-Family Residence Zoning District, located on the southwest corner of Cera Drive and Borina Drive (925 Cera Drive) (Church Of Jesus Christ Of Latter Day Saints, Owner). Council District 1. CEQA: Exempt.  
*Project Manager, Rachel Roberts*
- e. **TR07-068**. Tree removal permit to remove one Deodora Cedar tree, 66 inches in circumference, from the front yard of an existing single-family residence in the R-1-8 Single-Family Residence Zoning District, located at 2060 Bel Air Avenue (Fruzzetti Keith P And Elizabeth T Trustee, Owner). Council District 6. CEQA: Exempt.  
*Project Manager, Martina Davis*

- f. [TR07-088](#). Tree Removal Permit to legalize the excessive pruning of one 92 inch liquid amber tree in the front yard of an existing single family residence. The pruning will result in eventual death of the tree, which is located in the R-1- Single-Family Residence Zoning District on the North side of Greentree Wy, 130 ft easterly of Eden Av (3231 GREENTREE WY) (Naslund Erik M, Owner). Council District 1. CEQA: Exempt.  
*Project Manager, Reena Mathew*
- g. [HA79-009-01](#). Tree Removal Permit to remove one Western Cottonwood tree measuring 108 inches in circumference on a 2.80 gross acre site in the HI Heavy Industrial Zoning District, located at 1341 Oakland Road (Bottomley Distributing Company, Inc., Owner). Council District 4. CEQA: Exempt.  
*Project Manager, Ella Samonsky*
- h. [TR07-316](#). Tree Removal Permit to remove ten (10) Jacaranda Mimosifolia trees 57 to 102 inches in circumference; one (1) Mexican Palm tree approximately 61 inches in circumference; one (1) Date Palm approximately 133 inches in circumference on a 1.6 gross acre site in the CG(PD) Commercial General Planned Development Zoning District, located at/on the 201 South Fourth Street (SFC Residential Partners , Owner). Council District 3. CEQA: Exempt.  
*Project Manager, Ella Samonsky*
- i. [TR07-317](#). Tree Removal Permit to remove two Deodar Cedar trees, approximately 85 to 95- inches in circumference, from the rear yard of an existing single-family detached residence in the R-1-5 Single Family Residential Zoning District, located at 6636 Mt. Hope Drive (Tygerson, James and Janet, Owners). Council District 10. CEQA: Exempt.  
*Project Manager, Ella Samonsky*
- j. [TR07-148](#). Tree Removal Permit to permit one previously removed Pine tree measuring 56 inches in circumference on a 0.13 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at/on the 3141 Hostetter Road (3141 HOSTETTER RD) (Thornton Arnold O And Jean E, Owner). Council District 4. CEQA: Exempt.  
*Project Manager, Michelle Stahlhut*

The consent calendar is now closed.

### 3. PUBLIC HEARING

- a. The projects being considered are located on the southeast corner of Zanker Road and River Oaks Parkway, in the A(PD) Planned Development Zoning District (Irvine Apartment Communities, Owner/Developer). Council District 4. SNI: None. CEQA: Addendum to North San José EIR.
  - 1. [PD07-006](#). Master Planned Development Permit to allow the demolition of existing buildings, removal of Ordinance size trees and grading for up to 1,900 residential units, up to 15,000 sq. ft. of commercial space, and a 5-acre public park, on a 38.7 gross acre site.
  - 2. [PT07-004](#). Planned Tentative Map Permit to subdivide one parcel into 6 lots for 1,900 single-family attached residential condominium units, retail uses, and a 5-acre public park on a 38.7 gross acre site.  
*Project Manager, John Baty*

This concludes the Planning Director's Hearing for November 21, 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

**CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN  
THE COUNCIL CHAMBERS AND COMMITTEE ROOMS**

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Redevelopment Agency Board, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
  - No objects will be larger than 2 feet by 3 feet.
  - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
  - The items cannot create a building maintenance problem or a fire or safety hazard.

- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

### **CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D)**

- 3. Addressing the Council, Redevelopment Agency Board, Committee, Board or Commission:
  - a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
  - b) Meeting attendees are usually given two (2) minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
  - c) Speakers should discuss topics related to City business on the agenda, unless they are speaking during open forum.
  - d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
  - e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
  - f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
  - g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.