



PLANNING DIRECTOR'S HEARING AGENDA

Wednesday, March 26, 2008

**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 **March 26, 2008**. 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. **TR08-047**. Tree Removal Permit to allow removal of one Brazilian Pepper Tree, approximately 150 feet in circumference on a 0.28 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1275 Settle Avenue (Benny L. Smith & Trustee, Owner). Council District 6.
CEQA: Exempt.
Project Manager, Suparna Saha
- b. **SP08-001**. Special Use Permit to demolish and remove all structures of a gasoline service station on a 0.5 gross acre site in the CN Neighborhood Commercial Zoning District, located at the northwest corner of Blossom Hill Road and Poughkeepsie Road (161 BLOSSOM HILL RD) (Barbaccia Properties Et Al, Owner). Council District 2. SNI: None. CEQA: Exempt.
Project Manager, Ed Schreiner
- c. **PT08-006**. Planned Development Tentative Map to reconfigure one lot into 3 lots for condominium and single family residential purposes on a 1.82 gross acre site in the A(PD) Planned Development Zoning District, located at the Terminus of Duckett Way, approximately 420 feet east of South De Anza Boulevard (1566 DUCKETT WY) (Green Valley Corp, Owner; Barry Swenson Builder Green Valley Corp Libby Glass, Developer). Council District 1. SNI: None. CEQA: Mitigated Negative Declaration.
Project Manager, Martina Davis
- d. **PDA88-047-02**. Planned Development Amendment to allow removal of twelve (12) trees of various species and sizes (ranging from 10 inches to 106 inches in circumference) from the common area of an existing apartment complex on a 2.89 gross acre site in the A(PD) Planned Development Zoning District, located at the northwest corner of Murphy Avenue and Ringwood Avenue (1331 LAKESHORE CL) (Murphy Road Apartments-San Jose, Owner). Council District 4. CEQA: Exempt.
Project Manager, Suparna Saha

- e. [TR07-388](#). Tree Removal Permit request to remove one Camphor Tree, approximately 120 inches in circumference, from the front yard of a single-family residence in the R-1-8 Single-Family Residence Zoning District, located at 1490 Stockbridge Drive (Peggy Pothakos, Owner). Council District 1. CEQA: Exempt.
Project Manager, Reena Mathew
- f. [TR08-055](#). Live Tree Removal Permit to remove one multi-trunk Palm tree approximately 250 inches in circumference from the front yard, and one tree of unknown species 93 inches in circumference from the rear yard of a single family residence located in the CN Commercial Neighborhood Zoning District, located at 933 Almaden Avenue (Heredia Pedro B And Maria G Trustee & Et Al, Vasquez Ted And Maria Trustee, Owner). Council District 3. CEQA: Exempt.
Project Manager, Misty Mersich
- g. [PD07-046](#). Planned Development Permit to allow demolition of an existing single-family residence and construction of one single-family residence in the CP(PD) Planned Development Zoning District, located at the southeast corner of Catherine and Gold Streets, Alviso. (1111 CATHERINE ST) (Laine Thomas A, Owner). Council District 4. SNI: None. CEQA: Exempt.
Project Manager, Licinia McMorrow

The consent calendar is now closed.

3. PUBLIC HEARING

- a. The projects being considered are located on the west side of North First Street at River Oaks Place, in the A(PD) Planned Development Zoning District (WTI Inc., Owner; Thompson Dorfman Partners, Developer). Council District 4. SNI: None. CEQA: Addendum to North San José EIR.
 - 1) [PD07-090](#). Planned Development Permit to allow demolition of existing buildings, removal of Ordinance size trees, construction of between 1,024 and 1,700 single-family and multi-family attached residences, up to 45,000 square feet of commercial, and a 5.1 acre public park on a 32.6 gross acre site
Project Manager, John W. Baty
 - 2) [PT07-101](#). Vesting Planned Tentative Condominium Map to reconfigure 1 lot into 7 lots for between 1,024 and 1,700 residential condominium units, up to 45,000 square feet of commercial, and a 5.1 acre public park on a 32.6 gross acre site.
Project Manager, John W. Baty
- b. [TR05-046](#). Tree Removal Permit to remove one (1) Maple tree approximately 113 inches in circumference on a 0.11 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at/on the east side of Mt. Palomar Drive, approximately 450 feet northerly of Mt. Hood Way (1482 MT PALOMAR DR) (Bosworth Phyllis, Owner). Council District 5. CEQA: Exempt.
Deferred from 3/12/2008.
Project Manager, Jeannie Hamilton

c. The projects being considered are located at/on southwest corner of East Hedding Street and North 10th Street (899 N 10TH ST), in the (A)PD Planned Development Zoning District (GREATER BAY TRUST COMPANY TRUSTEE ET AL, Owner; CORE DEVELOPMENT INC ORLANDO REYES, Developer). Council District: 3. SNI: 13th Street. CEQA: Mitigated Negative Declaration

- 1) **PD07-097**. Planned Development Permit to remove an existing structure and construct 53 single-family attached residences on a 2.09 gross acres site.
Deferred from 3/19/2008.
Project Manager, Michelle Stahlhut
- 2) **PT07-093**. Planned Tentative Map to reconfigure two parcels into seven lots for 53 single-family attached residences on a 2.09 gross acres site.
Deferred from 3/19/2008.
Project Manager, Michelle Stahlhut

This concludes the Planning Director's Hearing for March 26, 2008. 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.