



PLANNING DIRECTOR'S HEARING AGENDA

Wednesday, April 9, 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 **April 9, 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.

- a. 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.
Dropped, to be renoticed.
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.
Dropped, to be renoticed.
Project Manager, Michelle Stahlhut

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. **H08-006**. Site Development Permit to add a 13,247 square foot mezzanine level to an existing office/ manufacturing/ storage building on a 10.38 gross acre site in the HI Heavy Industrial Zoning District, located on the west side of Junction Avenue, approximately 1,000 feet northerly of Brokaw Avenue (1901 JUNCTION AV) (Chritchfield Mechanical, Inc, Owner). Council District 4. SNI: None. CEQA: NSJ EIR Resolution No.72768, and Addenda thereto.
Project Manager, Chris Burton
- b. **HA00-106-01**. Site Development Permit Amendment to construct a 1,150 square-foot enclosed pad area for existing outdoor equipment and to allow re-striping of a parking lot for an existing light industrial use on a 0.9 gross acre site in the LI Light Industrial Zoning District, located on the northwest corner of Turtle Creek Court and Stone Avenue (335 TURTLE CREEK CT) (B S Enterprises, Owner). Council District 7. SNI: None. CEQA: Exempt.
Project Manager, Chris Burton

- c. [HP07-002](#). Historic Preservation Permit to facilitate restoration of Pellier Park, a 0.3-acre public park and City Landmark site located at the northeast corner of W. Saint James Street and Terraine Street. (City of San Jose Dept. of Parks, Recreation, and Neighborhood Services, Owner; Barry Swenson Builder, Developer) Council District 3. S.N.I.. Area: None. CEQA: Exempt.
Permit Coordinator, Darren McBain
- d. [HP08-001](#). Historic Preservation Permit to allow new construction of a 650-square-foot detached garage in the rear of the property. The project location, a single-family residence on a 0.1-acre site at 350 N. 4th Street, is a Contributing Structure to the Hensley City Landmark Historic District. Timothy Owens, owner/applicant. Council District: 3. S.N.I. Area: 13th Street. CEQA: Exempt.
Permit Coordinator, Darren McBain
- e. The projects being considered are located at/on northwest side of Bowling Green Drive between S. King Rd and Alvin Avenue (2625 S KING RD), in the R-1-8(PD) Planned Development Zoning District (Mark Vreelund, Owner). Council District 7. SNI: West Evergreen. CEQA: Exempt.
- 1) [PD07-020](#). Planned Development Permit to convert an existing 120-unit apartment complex to a residential condominium complex on a 4.594 gross acre site.
Project Manager, Michelle Stahlhut
- 2) [PT07-014](#). Planned Development Tentative Map to convert an existing 120-unit apartment complex to a residential condominium complex on a 4.594 gross acre site.
Project Manager, Michelle Stahlhut
- f. [PDA07-026-01](#). Planned Development Permit Amendment to allow an increase in number of units from 242 units, which was previously approved with the permit File # PD07-026, to 243 units. No changes to the previously approved building outline, elevations, or landscaping are proposed. The project is located in the A(PD) Planned Development Zoning District at the northeast corner of Race Street and Parkmoor Avenue (655 LINCOLN AV) (Sobrato John A Trustee & Et Al, Owner; Sobrato Development, Developer). Council District 6. SNI: Burbank/Del Monte. CEQA: Mitigated Negative Declaration.
Project Manager, Martina Davis
- g. [SP07-086](#). Special Use Permit to allow an attached tandem, two-car garage for a single-family residence on a 0.12 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 559 North 20th Street (west side of North 20th Street, approximately 200 feet southerly of Jackson Street). Council District: 3. SNI: None. CEQA: Exempt.
Project Manager, Avril Baty
- h. [SP07-090](#). Wireless - Special Use Permit to install two slimline poles, 60 feet in height and 24 inches in diameter, at an existing high school premises on a 42.1 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the northeast corner of Del Mar Avenue and Stokes Street (1224 DEL MAR AV) (Campbell Union S D, Owner). Council District 6. SNI: None. CEQA: Exempt.
Project Manager, Suparna Saha
- i. [SP08-007](#). Special Use Permit to demolish an existing gas station and all remove associated structures including removal of underground tanks on a 0.42 acre site in the CP Commercial Pedestrian Zoning District, located at the southwest corner of South White Road and Quimby Road (2801 S WHITE RD) (Miriam J Roland Trustee, Owner). Council District 8. SNI: None. CEQA: Exempt.
Project Manager, Suparna Saha

- j. [TR07-081](#). Tentative Condominium Map Permit to allow conversion of one duplex to two condominium units on one parcel on a 0.11 gross acre site in the R-2 Two-Family Residence Zoning District, located on the east side of North 19th Street, approximately 200 feet southerly of East Julian Street (276 & 278 N. 19th Street) (Bruce Williams, Owner). Council District: 3. SNI: 13th Street. CEQA: Exempt.
Project Manager, Avril Baty
- k. [TR07-344](#). Tree Removal permit request to remove three ordinance size Redwood trees (*Sequoia sempervirens*) measuring approximately 62.5, 56 and 103 inches in circumference, in the rear yard of a single-family residence located at 7187 Anjou Creek Circle, within a R-1-5(PD) Planned Development Zoning District. (Sepahmansour Shahrzad and Mehran Manteghi, Owner). Council District 10. CEQA: Exempt.
Project Manager, Allen Tai
- l. [TR08-020](#). Live tree removal for a Bay Tree measuring 120 inches in circumference in the R-1-8 Single-Family Residence Zoning District, located at 1085 Curtner Avenue (Sebastian and Erna Galata, Owner). Council District 6. CEQA: Exempt.
Project Manager, Chris Burton
- m. [TR08-049](#). Live Tree Removal Permit to allow removal of two Palm trees, approximately 76-inches in circumference, from the front yard of an existing single-family detached residence in the R-1-8(PD) Planned Development Zoning District, located at/on the 1879 Bagpipe Way (Diemloan Luu, Owner). Council District 8. CEQA: Exempt.
Project Manager, Ella Samonsky
- n. [TR08-064](#). Tree Removal Permit request to remove one Silver Maple tree, approximately 117 inches in circumference, from the front yard of a single-family residence in the R-1-8 Single-Family Residence Zoning District, located at 2958 Rustic Drive (Arthur Harris, Owner). Council District 9. CEQA: Exempt.
Project Manager, Chris Burton
- o. [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 and 3/26/2008.
Project Manager, Jeannie Hamilton

The consent calendar is now closed

3. PUBLIC HEARING

- a. [PD07-100](#). Planned Development Permit request to construct a 76,000 square foot, 5-story commercial/office building on an 1.007 gross acre site in the A(PD) Planned Development Zoning District located on the southeast corner of Santana Row and Stevens Creek Boulevard (302 Santana Row) (FRIT San Jose Town & Country Village Llc, Owner). Council District 6. SNI: None. CEQA: EIR and Addendum.
Project Manager, Sanhita Mallick

This concludes the Planning Director's Hearing for April 9, 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.