

## **SPECIAL USE PERMIT DENIAL**

<b>FILE NO.</b>	<b>SP07-017</b>
<b>LOCATION OF PROPERTY</b>	<b>342 Redwood Avenue</b>
<b>ZONING DISTRICT</b>	<b>CG General Commercial</b>
<b>GENERAL PLAN DESIGNATION</b>	<b>General Commercial</b>
<b>PROPOSED USE</b>	<b>Special Use Permit to allow the conversion of an existing single-story detached single-family detached structure to be a commercial building with personal service uses (beauty salon), the construction of a 75 square foot addition within an existing open notch at the rear of the building and the demolition of an existing 360 square foot detached garage on a 0.14 gross acre site.</b>
<b>ENVIRONMENTAL STATUS</b>	<b>Incomplete</b>
<b>APPLICANT / ADDRESS</b>	<b>Allan Ngo 1637 Indigo Oak Lane San Jose, CA 95121</b>

### **FACTS**

The Director of Planning finds that the following are the relevant facts regarding this proposed project:

1. This Special Use Permit is for the conversion of a single-family residence to a commercial use with a 75-square foot addition and demolition of detached garage.
2. This site has a designation of General Commercial on the adopted San José 2020 General Plan Land Use/Transportation Diagram.
3. Under the provisions of Section 20.80.300 of the San José Municipal Code, a Special Use Permit is required for the conversion of a residence to a non-residential use.
4. The subject site is 0.14 acres in size.
5. The subject site is developed with a single-family residence.
6. A comment letter was sent to the applicant, Allen Ngo, on March 28, 2007 stating that the application was incomplete, and included comments regarding modifications required for ADA compliance, an incomplete parking analysis, inadequate landscaping, limitation to area allowed to be used for massage, inadequate outdoor lighting, missing tree survey, and modifications required for the garbage enclosure.

7. Partial plans were received on July 9, 2007.
8. The applicant was informed on July 17, 2007 that fully revised plan sets were still required.
9. On September 25, 2009, the applicant was informed that revised plans were still required to address comments.
10. As of March 10, 2010, revised plan had not been received by the applicant.
11. As of March 10, 2010, fees totaling \$732.00 have yet to be paid.
12. No contact or correspondence from the applicant has been received by the Planning Division since September 25, 2009.

## **FINDINGS**

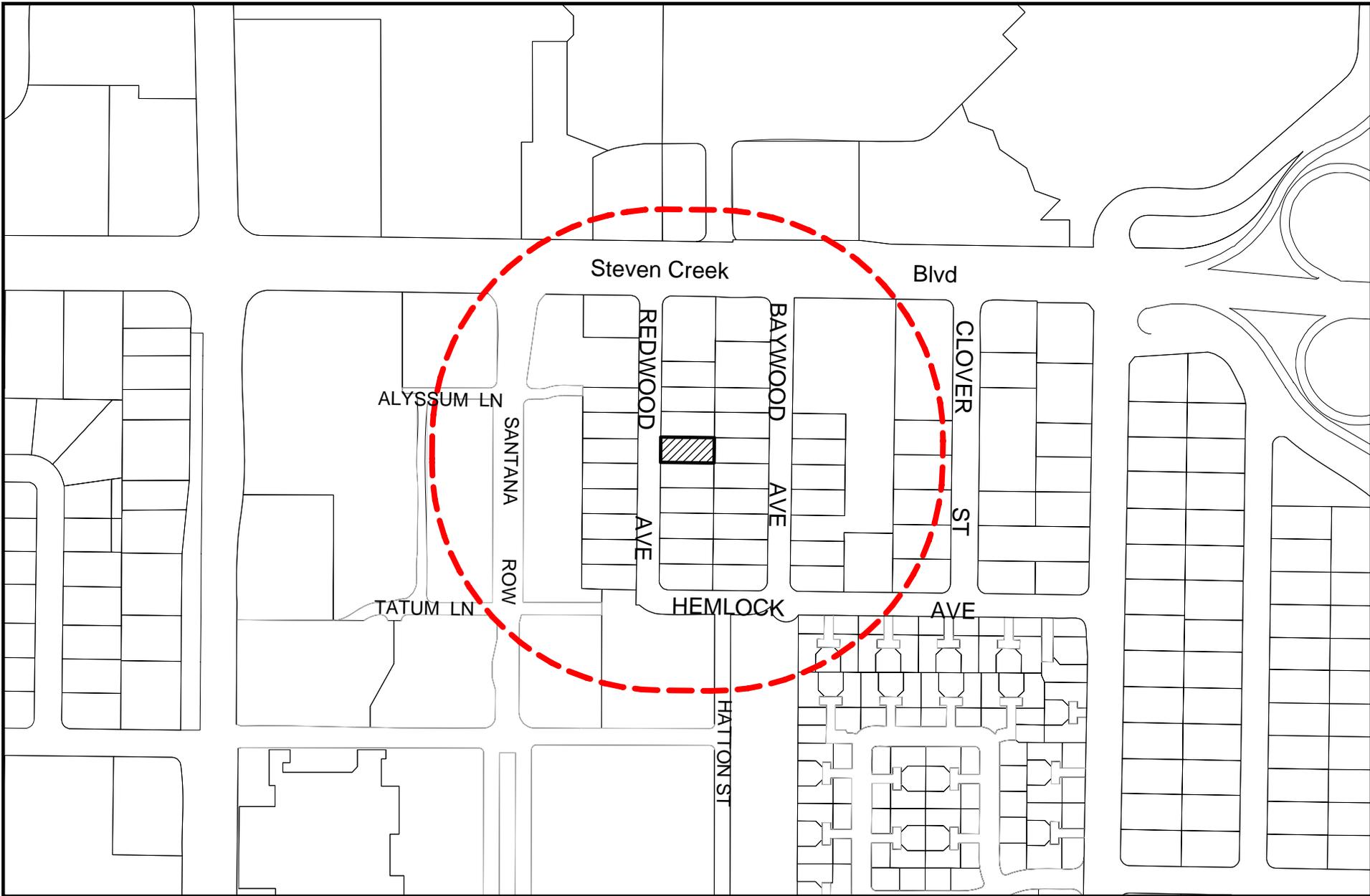
Finally, based upon the above-stated facts regarding the incompleteness of the application, in that fees are due, and inactivity on part of the applicant, the Director of Planning, Building and Code Enforcement denies the application for conversion of the subject structure.

**DENIED** and issued this **17<sup>th</sup> day March, 2010.**

Joseph Horwedel, Director  
Planning, Building and Code Enforcement

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Deputy



Scale: 1" = 300'



 **Subject Site**

**File Number: SP07-017**

**Council District: 6**

**Quad Number: 82**