



**PLANNING DIRECTOR'S HEARING AGENDA**

**WEDNESDAY, NOVEMBER 2, 2005**

9:00 a.m.  
City Council Chambers  
City Hall

200 East Santa Clara Street  
San Jose, California 95113-1905

**Hearing Officers**

**Jean Hamilton, AICP, Principal Planner**

**Susan Walton, Principal Planner**

**Plan Implementation Division  
Joseph Horwedel, Deputy Director**

**Stephen M. Haase, AICP  
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 11, 2005. 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.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff 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 Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer 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 Larry Ng ([larry.ng@sanjoseca.gov](mailto:larry.ng@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 adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

**The consent calendar is now closed.**

- a. **TR 05-128. Tree Removal Permit** request to remove one fruitless Mulberry tree approximately 64 inches in circumference on a 0.14 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 6241 Culvert Drive (Sloan Family Trust, Owner). Council District 2. CEQA: Exempt.
- b. **PDA82-045-01. Planned Development Permit Amendment** request to remove one Deodar Cedar tree approximately 75 inches in circumference on 3.0 gross acre site in the A(PD) Planned Development Zoning District, located on the northeast corner of Heimgartenr Lane and Union Avenue (1895 Lakebird Drive). Council District 9. CEQA: Exempt.
- c. **TR05-080. Tree Removal Permit** request to remove one Pine tree , 93 inches in circumference, and one Walnut Tree , 90 inches in circumference on a 0.64 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 886 Lewiston Drive (Pinehurst Cabana Club, Owner). Council District 9. CEQA: Exempt.
- d. **TR05-134. Tree Removal Permit** request to remove one Pine tree, 82 inches in circumference on a 0.69 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at/on the 5198 Harwood Road (5198 HARWOOD RD) (Burpee Christopher D And Kirsten R, Owner). Council District 9. CEQA Exempt.
- e. **PDA04-024-02. Planned Development Permit Amendment** to provide recreational amenities including a community and fitness room and roof decks for a 170 unit single-family residential project on a 4.76 gross acre site in the A(PD) Planned Development Zoning District, located at/on the west side of Masonic Drive, approximately 520 feet southerly of Canoas Garden Avenue (2455 MASONIC DR) (San Jose Scottish Rite Foundation, Owner; Vitoil, Inc. Stefan Martirosian, Developer). Council District 6. SNI: None. CEQA: Negative Declaration (PDC04-010).
- f. The projects being considered are located on the south side of Neal Avenue, approximately 245 feet east of South Winchester Boulevard (3030-3040 NEAL AV), in the A(PD)Planned Development Zoning District (3030 Neal LLC, Owner). Council District 6. SNI: None. CEQA: Mitigated Negative Declaration, PDC05-058.

1. **PD05-034. Planned Development Permit** to allow demolition of existing structures and construction of 7 single-family detached residences on a 0.99 gross acre site.
  2. **PT05-042. Planned Development Tentative Map Permit** to reconfigure 2 parcels into 8 lots for single-family detached residential uses on a 0.99 gross acre site.
- g. **V05-008. Development Variance** to allow a reduction in the driveway length from 23 feet to 14 feet on a 0.10 gross acre site in the R-M Multiple Residence Zoning District, located on the southeast corner of Bascom Avenue and Davis Street (1938 DAVIS ST) (Huitron Gabriel,/Bohacek Cortland, Owners). Council District 6. SNI: None. CEQA: Exempt.
- h. **PD05-072. Planned Development Permit** request to construct one single-family detached residential unit on Lot 54, a 0.079 gross acre site (one of 112 single-family detached residences on a 13.7 gross acre site previously approved by Planned Development Permit No. PD03-068), in the A(PD) Planned Development Zoning District, located on the southwest corner of Rock Avenue and Oakland Road (9618 TRACT) (Orchard Property Llc, Taylor Woodrow Homes, Owner; Summerhill Homes Lori Magana, Taylor Woodrow Homes, Developer). Council District 4. SNI: None. CEQA: Reuse of "BFI Residential Properties" EIR.

### **3. PUBLIC HEARING**

- a. **SF05-026. Single Family House Permit** to demolish an existing single family house and build a new 3,355 square foot house with a detached garage in the R-1-8 Single-Family Residence Zoning District, located on the east side of Glenn Avenue approximately 200 feet north of Britton Avenue (1174 GLENN AV) (Bauer Michael And Hoailinh, Owner). Council District 6. SNI: None. CEQA: Exempt. **Continued from 10/19/2005.**
- b. **PDA04-073-01. Planned Development Permit Amendment** to amend conditions of the previously approved permit file no. PD04-073 to include Sunday construction hours on a 0.33 gross acre site in the A(PD) Planned Development Zoning District, located at/on the southeast corner of North 13th Street and East Julian Street (288 N 13TH ST Unit 1) (Silicon Valley Habitat For Humanity David Randol, Owner). Council District 3. SNI: 13th Street. CEQA: Exempt.
- c. **TR05-099. Tree Removal Permit** to remove a Canary Island Pine with a 85-inch circumference in the front yard of a duplex located at 3477 Youngs Circle in the R-2 Two-Family Residence Zoning District, located Approx. 200 feet southeasterly of the intersection of Richardson Drive and Youngs Circle (3477 Youngs Circle) (3477 YOUNGS CL) (Duong Ronald And Tran Xuan, Owner). Council District 5. CEQA: Exempt.
- d. **TR05-140. Tree Removal Permit** to remove one 150-inch Monterey Pine tree previously removed without the benefit of permits located on a 0.89 acre lot in the R-1-8 Single-Family Residence Zoning District, located at 1530 Santa Maria Avenue (Bonasera Timothy C And Emily A, Owner). Council District 6. CEQA: Exempt.
- e. **TR05-130. Tree Removal Permit** to remove one Atlas Cedar (144 inches in circumference) on a 0.18 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at/on the 797 South Genevieve Lane (797 S GENEVIEVE LN) (Mogliolo Jean K Trustee & Et Al, Owner). Council District 6. CEQA: Exempt.

**This concludes the Planning Director's Hearing for November 2, 2005. 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 JOSE