



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, November 30, 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 30, 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 Gina Robles (gina.robles@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.

- a. **TR05-114. Tree Removal Permit** request to remove one Deodara Cedar Tree, approximately 96 inches in circumference on a 0.17 gross acre site. in the R-1-8 Single-Family Residence Zoning District, located at 1437 Gerhardt Avenue (Greene Thomas W, Owner). Council District 9. CEQA: Exempt.
- b. **PDA82-080-01. Planned Development Permit Amendment** to allow the removal of two Raywood Ash trees 52 and 60 inches in circumference, removed without the benefit of a permit on a 0.08 gross acre site in the A(PD) Planned Development Zoning District, located on the southeast corner of Cherryview Lane and Cherry Avenue (1138 CHERRYVIEW LN) (Cashion Charles C And Sayoko M, Owner). Council District 9. CEQA: Exempt.
- c. **PDA04-024-01. Planned Development Permit Amendment** to allow phasing of construction for a 170 unit single-family attached 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) (Vitoil, Inc. Stefan Martirosian, Owner/Developer). Council District 6. SNI: None. CEQA: Mitigated Negative Declaration.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **TR05-146. Tree Removal Permit** for the removal of one (1) remaining canary date palm (117" circumference), and two (2) previously relocated canary date palms (147" & 142" circumferences) in the R-M Multiple Residence Zoning District, located at/on the Northwest corner of South Third Street and East William Street (formerly 101 E. William St.) (496 S 3RD ST) (Redevelopment Agency Of The City Of San Jose, Owner). Council District 3. CEQA: Exempt. **Deferred from 11/16/05.**
- b. **H05-027. Site Development Permit** to allow site improvements for an existing 10-unit apartment building on a 0.23 gross acre site in the R-M Multiple Residence Zoning District, located on the west side of South Willard Avenue, approximately 150 feet southerly of Scott Street (515 S WILLARD AV) (Trovaio Manuel And Deolinda Trustee, Owner). Council District 6. SNI: Burbank/Del Monte. CEQA: Exempt.

This concludes the Planning Director's Hearing for November 30, 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