



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, December 21, 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 **December 21, 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.

- a. **PDA03-050-01. Planned Development Permit Amendment** to delete a permit condition for a previously required sound wall for an approved 135 unit residential project on an 8.2 gross acres site in the A(PD) Planned Development Zoning District, located on the south side of Curtner Avenue approximately 750 feet easterly of Highway 87 (Summerhill Homes/Bob Hencken, Developer). Council District 7. SNI: None. CEQA: Addendum to EIR. **Deferred to 1/11/06.**

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. **PD05-042. Planned Development Permit** to construct two single-family detached residences in a flag lot configuration on a 0.28 gross acre site in the A(PD) Planned Development Zoning District, located on the North side of Lincoln Court approximately 200 feet west of Lincoln Avenue (1115 LINCOLN CT) (Dcl Llc, Owner; Dcl, Llc Dean Dibenedetto, Developer). Council District 6. SNI: None. CEQA: Exempt.
- b. **T05-095. Tentative Condominium Map Permit** request to reconfigure 1 parcel into 1 lot for up to 41 Industrial Park condominium units on a 3.39 gross acre site in the IP Industrial Park Zoning District, located on the westerly side of Lundy Avenue approximately 230 feet northerly of Mc Kay Drive (1865 LUNDY AV) (Transworld Investments & Vinh-Sanh Properties, Owner). Council District 4. SNI: None. CEQA: Exempt.
- c. **H05-019. Site Development Permit** for the elimination of a swimming pool, previously removed without benefit of permits, and the demolition of accessory structures, on a 0.22 gross acre site in the R-M Multiple Residence Zoning

District, located at/on the west side of Menker Avenue, approximately 400 feet south of Moorpark Avenue (659 MENKER AV) (Nuno Guillermo Et Al, Owner). Council District 6. SNI: Burbank/Del Monte. CEQA: Exempt.

- d. **TR05-162. Tree Removal Permit** request to remove one Pine Tree ,approximately 120 inches in diameter, in the rear yard of an existing single family residence in the R-1-8(PD) Planned Development Zoning District, located at 3376 Isdora Drive (3376 ISADORA DR) (Lip Chi C And Yau C, Owner). Council District 4. CEQA: Exempt.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **TR05-138. Tree Removal Permit** to allow the removal of five redwood trees 58”, 60”, 73”, 82”, and 100” in circumference in the R-1-8 Single-Family Residence Zoning District, located at 7016 Wooded Lake Drive (Dohmen Thomas G And Brenda M Trustee, Owner). Council District 10. CEQA: Exempt. **Continued from 12/14/05.**
- b. The projects being considered are located at/on southeast corner of McKee Road and Jose Figueres Avenue (225 N JACKSON AV), in the A(PD) Planned Development Zoning District (SAN JOSE HEALTHCARE SYSTEM, LP PAUL TUCKER, Owner). Council District 5. SNI: None. CEQA: Re-use of a Master EIR.
 - 1. **PD04-090. Planned Development Permit** to allow expansion of 256,000 square feet and allow 24 hour operation for hospital uses on a 34.22 gross acre site.
 - 2. **PT05-075. Planned Tentative Map Permit** to subdivide 1 parcel into 2 lots for 72 airspace condominium medical offices on a 33.7 gross acre site.
- c. **TR05-154. Tree Removal Permit** to allow removal of one 96-inch diameter Redwood tree previously removed without the benefit of permits on a 0.13 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 2438 Newhall Street (Ben & Marlene Rivera, Owner). Council District 6. CEQA: Exempt.
- d. **SP05-044. Special Use Permit** to allow demolition of selected cannery structures and on-site recycling/crushing of construction debris on a 12.4 gross acre site in the A(PD) Planned Development Zoning District, located on the north and south side of Auzeais Avenue between Sunol Street and Los Gatos Creek (801 AUZERAIS AV) (KB Home S Bay Inc, Owner). Council District 6. SNI: Burbank/Del Monte. CEQA: Final EIR, File Number PDC03-071.
- e. **TR05-161. Tree Removal Permit** to allow the removal of a 111 inch circumference Pine tree in the R-1-8 Single-Family Residence Zoning District, located at/on the 1015 Belvedere Lane (Yang Pei Hsiang, Owner). Council District 1. CEQA: Exempt.

- f. **H04-010. Site Development Permit** to construct one 3,346 square foot duplex on a 0.16 gross acre site in the R-M Multiple Residence Zoning District, located at the south side of East Virginia Street approximately 150 feet westerly of South First Street (30 W VIRGINIA ST) (Tran Ngoc Van And Le Kim Xuyen, Owner). Council District 3. SNI: Washington. CEQA: Exempt.

- g. **PT05-082. Planned Tentative Map Permit** to reconfigure one parcel into one lot for 43 single-family attached residences on a 0.63 gross acre site in the A(PD) Planned Development Zoning District, located at the northeast corner of East Julian Street and North First Street (320 N 1ST ST) (City Of San Jose, Owner). Council District 3. SNI: 13th Street. CEQA: Use of the Downtown Strategy Plan Supplemental EIR.

- h. **PDA87-071-01.** Compliance hearing to determine conformity with previously approved **Planned Development Permit Amendment** PDA87-071-01 which allowed an existing fitness center/community center (YMCA) to operate Mondays through Fridays from 5:30 a.m. until 10:00 p.m., Saturdays from 6:00 a.m. until 8:00 p.m. and Sundays from 8:00 a.m. until 7:00 p.m. provided that all conditions listed under the approved permit file were met. The purpose of the hearing will be to provide the public with a forum to express any concerns related to the changes made. The subject site is located on southeast corner of Quito Road and McCoy Avenue (2560 Quito Road) (YMCA Santa Clara Valley, Owner). Council District 1. SNI: None. CEQA: Exempt.

This concludes the Planning Director's Hearing for December 21, 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