



**PLANNING DIRECTOR'S HEARING AGENDA**

**WEDNESDAY, OCTOBER 20, 2004**

10:00 a.m.  
City Council Chambers  
Room 205  
City Hall

801 North First Street  
San Jose, California

**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) 277-4576 (VOICE), 998-5299 (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 **October 20, 2004**. 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 Joe Babiasz ([joe.babiasz@sanjoseca.gov](mailto:joe.babiasz@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.**

### 3. PUBLIC HEARING

- a. [PD04-044. Planned Development Permit](#) to allow a 7,329 square-foot single-family detached residence with a 1,943 square-foot attached garage (.06 F.A.R.) on a 2.6 gross acre site in the A(PD) Planned Development Zoning District, located at/on the west side of Blackpool Court approximately 1,500 feet southerly of Country Club Parkway (6107 Blackpool Court) (Brunetti Richard & Donna, Owner). Council District 8. SNI: None. CEQA: Use of Silver Creek Country Club EIR Resolution No. 61784. Deferred from 8/18/04, 8/25/04, 9/8/04, 9/15/04, and 9/29/04.
- b. [PD03-062. Planned Development Permit](#) to construct 445 attached multi-family residences on a 7.6 gross acre site (North Park) in the A(PD) Planned Development Zoning District, located at/on the west side of Zanker Road between Tasman Road and River Oaks Parkway (3491 ZANKER RD) (The Irvine Company Apartment Communities Mark Kelly, The Irvine Company, A Delaware Corporation Mark Kelly, Owner). Council District 4. SNI: None. CEQA: Use of a Master EIR. Deferred from 10/13/04.

- c. [PD04-059. Planned Development Permit](#) to allow master grading for a future 2.8 million square foot research and development/office headquarters (BEA Systems) on a 40.92 gross acre site in the IP(PD) Planned Development Zoning District, located on the west side of North First Street on both sides of Component Drive (2347 NORTH FIRST ST.) (BEA Systems, Applicant/ABN Armo Leasing, Owner). Council District 4. SNI: None. CEQA: Use of a Final Environmental Impact Report for the BEA Development Project. Deferred from 9/15/04.
- d. [PDA92-035-01. Planned Development Permit Amendment](#) for tree removal of one Monterey Pine and two Eucalyptus trees (approximately 60 inches in circumference) previously removed without the benefit of permits and three existing Eucalyptus trees (60 inches in circumference) at the Garden Alameda office complex in the A(PD) Planned Development Zoning District, located on the southeast corner of State Route 82 and Schiele Street (1550 THE ALAMEDA) (Cirrus Investments LP, Owner). Council District 6. CEQA: Exempt.
- e. [PD04-060. Planned Development Permit](#) to allow office use of an existing 4,148 square foot commercial building on a 0.408 gross acre site in the A(PD) Planned Development Zoning District, located at/on the northwest corner of Willow Street and Bird Avenue (805 WILLOW ST) (San Jose City Of, Owner). Council District 6. SNI: None. CEQA: Negative Declaration. Continued from 10/13/04.
- f. [SP04-050. Special Use Permit](#) to replace a detached garage with 744 square foot accessory structure for garage and workshop uses at an existing single-family residence on a 0.17 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at/on the northeast corner of Roy Avenue and Radio Avenue (1149 ROY AV) (Cowan Tyson G 2 Et Al, Owner). Council District 6. SNI: None. CEQA: Exempt. Continued from 10/13/04.
- g. [SP04-047. Special Use Permit](#) to expand a legal non-conforming single-family residence with a 499-square-foot addition, and a 258-square-foot detached one-car garage on a 0.09 gross acre site in the CN Commercial Neighborhood Zoning District, located on the south side of East Empire Street, approximately 150 westerly of North 8<sup>th</sup> Street (308 East Empire Street) (Sandoval Antonio, Owner). Council District 3. SNI: 13th Street. CEQA: Exempt.

**This concludes the Planning Director's Hearing for October 20, 2004. Thank you.**

PLANNING DIRECTOR'S AGENDA ON THE WEB:  
<http://www.sanjoseca.gov/planning/hearings/index.htm>  
PUBLIC INFORMATION COUNTER  
(408) 277-4576 CITY OF SAN JOSE

**DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT  
PLANNING DIRECTOR'S HEARING**

**Synopsis of Staff Recommendations**

**OCTOBER 13, 2004**

**PUBLIC HEARINGS**

**1. DEFERRALS**

**2. CONSENT CALENDAR**

- |    |          |          |
|----|----------|----------|
| a. | H04-029  | Approved |
| b. | H04-032  | Approved |
| c. | H04-030  | Approved |
| d. | PT04-076 | Approved |
| e. | SF04-034 | Approved |

**3. PUBLIC HEARINGS**

- |     |              |                       |
|-----|--------------|-----------------------|
| a.  | PDA84-066-05 | Approved              |
| b.  | SP04-051     | Denied                |
| c.  | H04-016      | Approved              |
| d.  | SP04-041     | Approved              |
| e.  | PD04-056     | Approved              |
| f.  | PDA87-071-01 | Approved              |
| g.  | SP04-050     | Continued to 10/20/04 |
| h.  | SP04-045     | Approved              |
| i.  | PD04-060     | Continued to 10/20/04 |
| j1. | PD03-038     | Defer to 10/27/04     |
| j2. | PT03-068     | Defer to 10/27/04     |
| k.  | PD03-062     | Defer to 10/20/04     |