



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, DECEMBER 1, 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 **December 1, 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).

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. TR04-093. Tree Removal Permit to remove one Liquid Amber tree 64 inches in circumference on a 0.15 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1713 Gladstone Avenue (Bodine Jean F, Owner). Council District 9. CEQA: Exempt.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. H04-014. Site Development Permit to allow an approximate 2,250 square foot expansion of an existing 1,050 square foot duplex and site modifications on a 0.11 gross acre site in the R-2 Two-Family Residence Zoning District, located at the east side of North 19th Street, approximately 200 feet southerly of East Julian Street (276 N 19TH ST) (Williams Minnie C Et Al, Owner). Council District 3. SNI: 13th Street. CEQA: Exempt. Deferred to 12/1/04.

- b. [H04-017. Site Development Permit](#) to allow an 80 square foot addition, exterior building and site improvements (including a parking lot expansion previously constructed without benefit of permits) for an existing office building on a 1.14 gross acre site in the CP Pedestrian Commercial Zoning District, located at/on the south side of The Alameda approximately 90 feet westerly of Newhall Street (2115 THE ALAMEDA) (Care Access Silicon Valley, Owner). Council District 6. SNI: None. CEQA: Exempt.
- c. The projects being considered are located at the southwest corner of Santa Teresa Boulevard and Snell Avenue. (5899 SANTA TERESA BL), in the A (PD) Planned Development Zoning District. Council District 2. SNI: None. CEQA: Exempt.
1. [PD04-052. Planned Development Permit](#) to allow off-sale of alcoholic beverages at an existing shopping center (specialty food market) on a 3.02 gross acre site. Deferred to 12/1/04.
 2. [ABC04-008. Liquor License Exception Permit](#) to allow off-sale of alcoholic beverages at an existing shopping center (specialty food market) in an area with an over-concentration of alcoholic beverage facilities on a 3.02 gross acre site. Deferred to 12/1/04.
- d. The projects being considered are located on the north side of Brokaw Road 250 feet easterly of North First Street (55 E BROKAW RD), in the IP(PD) Planned Development Zoning District (So. S.J. Summerfield Assocs Lp, San Jose Sierra Associates, Lp, Owner). Council District 4. SNI: None. CEQA: Exempt.
1. [PD04-070. Planned Development Permit](#) to allow on- sale of alcoholic beverages to hotel quests within the lobby of an existing hotel between the hours of 5PM and 7 PM, Tuesday through Thursday, on a 2.47 gross acre site.
 2. [ABC04-010. Liquor License Exception Permit](#) to allow on- sale of alcoholic beverages to hotel quests within the lobby of an existing hotel between the hours of 5PM and 7 PM, Tuesday through Thursday, on a 2.47 gross acre site.
- e. [SF04-021. Single Family House Permit and Tree Removal Permit](#) to demolish an existing single-family house and construct a new 3,626 square foot, two-story house with a floor area ratio (FAR) of 0.59. The project also proposes the removal of a 63" in circumference Southern Magnolia tree, on a 0.14 gross acre site in the R-1-8 Residence Zoning District, located at 5534 Big Oak Drive (Lin Chiung-Hsi And Jing-Wen, Owner). Council District 1. CEQA: Exempt.
- f. [TR04-084. Tree Removal Permit](#) to remove five Deodor Cedar 78 - 102 inches in circumference, one redwood 150 inches in circumference and one Magnolia 74 inches in circumference on a 0.51 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at/on the 1588 Cottle Avenue (Knickerbocker Jason, Owner). Council District 6. CEQA: Exempt. Continued from 10/27/04, 11/10/04 and 11/17/04.

- g. [SPA00-012-01. Special Use Permit Renewal](#) to allow a one-day car sales event on a 1.04 gross acre site in the CO Commercial Office Zoning District located at the east side of North First Street, approximately 280 feet south of East Hedding Street (852 N 1ST ST) (Santa Clara County Employees Credit Union, Owner). Council District 3. SNI: None. CEQA: Exempt.
- h. [PDA85-027-01. Planned Development Permit Amendment](#) to allow a 60hp emergency backup generator for wireless communications uses on a 1.05-acre site in the A(PD) Planned Development Zoning District, located at the northwest corner of Thornwood Drive and Pearl Avenue (5450 Thornwood Drive) (Keshav Jayesh and Leena J. et al., Owners). Council District 10. SNI: None. CEQA: Exempt.
- i. [H02-024. Site Development Permit](#) to construct a 37,430 square foot of warehouse/storage building on a 4.3 acre portion of a 9.9 gross acre site in the LI Light Industrial Zoning District, located on the east side of North Marburg Avenue, approximately 500 feet southerly of Las Plumas Avenue (520 Marburg Way) (A&B Investments LLC, Owner). Council District 3. SNI: None. CEQA: Exempt.
- j. [PTE02-041-01. Planned Tentative Map Permit Extension](#) to allow a two-year time extension of the previously approved permit on a 79 gross acre site in the A(PD) Planned Development Zoning District, located on the westerly side of Monterey Road approximately 870 feet northerly of Highway 85 (Istar San Jose LLC, Owner). Council District 2. SNI: None. CEQA: Edenvale Redevelopment Project EIR Resolution No. 70021, File No. PTE 02-041-01.

This concludes the Planning Director's Hearing for December 1, 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

November 24, 2004

PUBLIC HEARINGS

1. DEFERRALS

1. CONSENT CALENDAR

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| a. | SP04-057 | APPROVED |
| b. | TR04-100 | APPROVED |

2. PUBLIC HEARING

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| a. | PT04-098 | APPROVED |
| b. | SP04-048 | APPROVED |
| c. | SP04-063 | APPROVED |
| d. | H04-014 | DEFERRED TO 12/1/04 |
| e. | H04-041 | APPROVED |
| f1. | PD04-052 | DEFERRED TO 12/1/04 |
| f2. | ABC04-008 | DEFERRED TO 12/1/04 |