



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, DECEMBER 8, 2004

10:00 a.m.
City Council Conference Room
Room 204
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 8, 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.

- a. **HP04-006. Historical Preservation Permit** to allow rehabilitation of the Porter Stock Building, a City Landmark, for office and retail uses on a 0.22 gross acre site, in the Downtown Core Zoning District, located on the west side of S. 1ST ST, approximately 150' northerly of E. San Fernando Street (87 S 1ST ST) (Green Valley Enterprises, Barry Swenson Builder, owner/developer). Council District 3. SNI: None. CEQA: Exempt / Rehabilitation in a manner consistent with the Secretary of the Interior's Standards.

Defer to 12/15/04.

- b. 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 and 12/8/04.

Defer to 12/15/04.

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 and 12/8/04.

Defer to 12/15/04.

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. [SP04-058. Special Use Permit](#) to allow construction of a 556 square foot accessory building on a 0.26 acre site in the R-1-5 Single-Family Residence Zoning District, located at the SW terminus of Taglio Court (6823 TAGLIO CT) (Houston George And Patricia M, Owner). Council District 10. SNI: None. CEQA: Exempt.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. [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. Deferred to 12/8/04.
- b. [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. Deferred to 12/8/04.
- c. [PD04-077. Planned Development Permit](#) to construct 356,341 square feet of floor area for commercial uses, drive-through uses, and off-sale of alcoholic beverages on a 39 gross acres site in the A(PD) Planned Development Zoning District, located at the southerly corner of Coleman Street and West Taylor Street (481 COLEMAN ST) (Southern Pacific Transportation Co, Owner; Cousins Properties Incorporated, Developer). Council District 3. SNI: None. CEQA: San Jose Market Center Final Environmental Impact Report.
- d. The projects being considered are located on south side of East William Street approximately 400 feet westerly of McLaughlin Avenue, in the LI Light Industrial Zoning District (UNION PACIFIC CORP, Owner; KB Home South Bay Inc. Steven Bull, Developer). Council District 3. SNI: Five Wounds/Brookwood Terrace. CEQA: Mitigated Negative Declaration.

1. [PD04-072. Planned Development Permit](#) to allow grading, soil remediation, a new public street, and 105 lots for single-family detached residential uses on a 13.06 gross acre site.
 2. [PT04-091. Planned Tentative Map Permit](#) to subdivide 2 parcels into 105 lots for multiple common lots for single-family detached residential uses on a 13 gross acre site.
- e. [SP03-052. Special Use Permit](#) to convert an existing single-family residence to commercial use (beauty salon) on a 0.35 gross acre site in the CG General Commercial Zoning District, located at/on the north side of San Felipe Road approximately 50 feet northwesterly of Fowler Road (3630 SAN FELIPE RD) (Mendoza Alex And Silvia, Owner). Council District 8. SNI: None. CEQA: Exempt.
- f. The projects being considered are located at/on southeast corner of South 12th Street and Orvis Avenue (770 S 12TH ST), in the A(PD) Planned Development Zoning District (SAN JOSE CHRISTIAN COLLEGE, Owner). Council District 3. SNI: University. CEQA: Reuse of Negative Declaration.
1. [PD04-053. Planned Development Permit](#) to demolish various structures, remove existing hardscape and landscaping; remove/replace curb, gutter, sidewalk, and road surface as needed; construct on-site utilities and off-site improvements; and grading on a 8.6 gross acre site. Construction of new homes is not part of this permit and will be evaluated through separate Planned Development Permit process.
 2. [PT04-068. Planned Tentative Map Permit](#) to subdivide 12 parcels into 55 lots for single-family detached residential uses on a 8.6 gross acre site.

This concludes the Planning Director's Hearing for December 8, 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

December 1, 2004

PUBLIC HEARINGS

1. DEFERRALS

- | | | |
|-----|--------------|---------------------|
| a. | PDA85-027-01 | DEFERRED TO 12/8/04 |
| b1. | PD04-052 | DEFERRED TO 12/8/04 |
| b2. | ABC04-008 | DEFERRED TO 12/8/04 |

1. CONSENT CALENDAR

- | | | |
|-----|--------------|----------|
| a. | TR04-093 | DROPPED |
| b1. | PD04-070 | APPROVED |
| b2. | ABC04-010 | APPROVED |
| c. | H02-024 | APPROVED |
| d. | SPA00-012-01 | APPROVED |

2. PUBLIC HEARING

- | | | |
|----|--------------|-----------------------|
| a. | H04-014 | APPROVED |
| b. | H04-017 | DEFERRED TO 12/8/04 |
| c. | SF04-021 | CONTINUED TO 12/15/04 |
| d. | TR04-084 | APPROVED |
| e. | PTE02-041-01 | APPROVED |