

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number
P.C. 12/08/2004 Item: 3.e.

File Number
CP03-065

Application Type
Conditional Use Permit

Council District
9

Planning Area
Willow Glen

Assessor's Parcel Number(s)
412-40-037; 036; 003; 412-42-013

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Suparna Saha

Location: North side of Curtner Avenue, opposite terminus of Joseph Avenue

Gross Acreage: 1.96 Net Acreage: 1.96 Net Density: n/a

Existing Zoning: R-1-8 Residence Existing Use: Religious Assembly/Church

Proposed Zoning: No change Proposed Use: Conditional Use Permit to construct 17,136 square feet addition to an existing 12, 850 square feet church site on 1.96 gross acres and to allow demolition of 2 office buildings, 1 single-family residence and social hall.

GENERAL PLAN

Completed by: SS

Land Use/Transportation Diagram Designation
Medium Low Density Residential (8.0 DU/AC); Public/Quasi Public

Project Conformance:
 Yes No
 See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: SS

North: Single-family detached residential

County

East: Paired dwellings on private streets

R-1-8 Single Family Residence

South: Multi-family residence

R-M Multi Family Residence

West: Single Family Residential

A(PD) Planned Development

ENVIRONMENTAL STATUS

Completed by: SS

Environmental Impact Report adopted
 Negative Declaration circulated on
 Negative Declaration adopted on

Exempt
 Environmental Review Incomplete

FILE HISTORY

Completed by: SS

Annexation Title: Cambrian Nos 25, 26, 30A & 33

Date: !981- 2004

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval
 Approval with Conditions
 Denial
 Uphold Director's Decision

Date: _____

Approved by: _____

Action
 Recommendation

CONTACT

Kevin Chang
KC Associates
204 Francisco Lane
Fremont, CA 94539

APPLICANT/OWNER

Chinese Baptist Church of San Jose, Inc.
Attn: Sam Lee
2215 Curtner Avenue
Campbell, CA 95008

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: SS

Fire Department
Public Works Department
Police Department
Memorandum Attached

Other Departments and Agencies

None.

GENERAL CORRESPONDENCE

Community Meeting Agenda and Minutes from the meeting

ANALYSIS AND RECOMMENDATIONS**BACKGROUND**

The applicant, Chinese Baptist Church of San Jose Inc, is proposing a remodeling, expansion and addition of parking to an existing religious assembly use and associated Sunday school. The Zoning Ordinance requires a Conditional Use Permit for churches/religious assembly in any zoning district. The subject site is located adjacent to the unincorporated portion of the County to the north. It is bounded by single-family detached residential uses to the north, paired dwellings to the east, apartments to the south and single-family residences to the west.

A conforming rezoning, rezoning, and annexation were filed by the applicant in conjunction with this project (File Nos. C03-092 and CAMBRIAN No.33) which rezoned and rezoned from R-1-5 Residence Zoning District and unincorporated County to R-1-8 Single-family Residence Zoning district. (Approved by Council on August 24, 2004 and October 6, 2004)

The church's previous Conditional Use Permit, File No. CP84-10-086, allowed a two-story building to be constructed totaling approximately 19,000 square-foot.

PROJECT DESCRIPTION

The proposed project involves a 17,136 square-foot addition to an existing religious assembly building. The existing religious assembly contains a sanctuary, classrooms, church related offices, a social hall, and meeting spaces of approximately 12,850 square feet and 80 parking spaces. The sanctuary portion of the building will remain unchanged. The proposed project will demolish the existing social hall (approximately 2,459 square feet), two detached office buildings (1,571 and 1,849 square feet) and a single-family detached residence (1,849 square feet). This residence was analyzed and found not to be of any historical significance. The project proposes new construction of 17,136 square feet, that will constitute new classrooms, church, related offices spaces, a social hall and meeting spaces. The project will also add 49 parking spaces to the existing 80 parking spaces existing on the site for a total of 129 parking spaces. The applicant has purchased one single-family residence adjacent to the church site proposed to be removed to provide additional parking spaces. The outdoor play area will be relocated adjacent to the social hall to the east of the property line. A lot line adjustment/lot merger is required to accomplish the scope of the proposed project. The parking stalls, as proposed, straddle onto and cross existing property lines.

ENVIRONMENTAL REVIEW

Under the provisions of Section 15332 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), this project is exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act, in that the project qualifies for infill development involving a negligible expansion of use.

GENERAL PLAN CONFORMANCE

The proposed use is consistent with the San Jose 2020 General Plan Land Use/Transportation Diagram designation of Medium Low Density Residential (8.0 DU/AC) and Public/Quasi Public in that churches and associated schools are conditionally allowed in single-family neighborhoods if they are designed to be compatible with surrounding uses.

ANALYSIS

The proposed remodeling will greatly improve the appearance of the church and also be an improvement for the surrounding neighborhood. The street improvements, enhanced architectural embellishments of the church building, and landscaping along the perimeter of the site, especially the street frontage along Curtner Avenue will greatly benefit the surrounding residences and the neighborhood.

Since the sanctuary will not be expanded, the religious assembly's parking requirements will not change significantly. The existing parking area at the rear end of the sanctuary will remain unchanged. The parking area is being reconfigured as a result of this project, which will yield additional parking spaces.

The Zoning Ordinance requires churches/religious assembly uses to have "one parking space, for each four seats used together or separately for worship". The church's present Conditional Use Permit, (File No. CP98-04-019) allowed a maximum capacity of 320 persons on site at any one time and therefore required 80 parking spaces. The approved parking is based on the Zoning Ordinance requirement of one parking space per four seats used for worship.

Currently, the sanctuary contains 370 seats used for worship, and during services, the parking of cars conspicuously overflows on to the street. Because many of these seats are not "fixed", the analysis for this CUP for required parking to support the sanctuary space has been based on the square footage of approximately 3,500 square feet. While a four-fixed-seats per parking space ratio would result in the need for 93 parking spaces for 370 seats, the requirement is 116 spaces based on one parking space per 30 square feet. The revised site plan proposes 129 parking spaces, which will be adequate for use of the sanctuary and incidental use of classrooms for Sunday school. However, the parking will not be adequate for concurrent use of the sanctuary and the social hall for assembly purposes, and this permit has been conditioned to restrict this concurrent use.

Although the Zoning Code parking requirement would be met, the church may continue to experience a parking shortage because of multiple worship services, Sunday school, and other activities associated with the church. Therefore, staff recommends establishing a condition to allow a maximum of 516

persons on the site at any one time based on 129 parking spaces that are proposed by the applicant. This permit also restricts the simultaneous use of other meeting halls in conjunction with the sanctuary/Sunday school uses. The proposed parking layout will preserve and protect the existing Oak tree on the subject site.

The proposed church expansion sits on a 1.96 gross acre site, The project has a 25 foot minimum front setback along Curtner Avenue, 10 foot side setback between the single-family residences and the eastern property line. The project maintains the existing 5 foot minimum setback between the single-family residences and the northern and northern western property lines, and the existing 10 foot and 5 foot setbacks between existing single-family residences and eastern property line. Residential land uses surround the subject side on each side. The proposed project is compatible with its surroundings, with the more intensive uses on the church site are located away from existing single-family residences.

The landscaping on the church site will be significantly upgraded as a result of this remodeling. Additional trees and shrubs will be provided along the entire perimeter of the site to improve the appearance from the street as well as to provide visual screening from adjacent residential properties. The proposed project will also landscape the street frontage along Curtner Avenue to a minimum depth of 17 feet.

Portions of the fence on the side and rear property lines are in disrepair. A requirement of this permit will be the replacement of the existing fence with a new uniform 7 foot tall 'good neighbor' wooden fence, which shall be installed by the property owner along the eastern, northern and western property lines. This fence in conjunction with new landscaping, will improve the interface between the church's proposed parking lot and adjoining residential properties. During the community meeting held on September 14th, 2004, the adjoining property owner to the west had requested that the existing fences be replaced with a soundwall to mitigate "increased noise (starting/stopping of cars, alarms and people talking in the parking lot) and automotive pollution (see attached letter). Planning staff did not make a soundwall/masonry wall a condition of approval as the sanctuary is not being enlarged and a maximum activity levels on the site occur in daylight hours. A 7 foot wooden fence with ample landscaping should be an adequate mitigation measure. An open ended 6 foot tall wrought iron fence, adjacent to Curtner Avenue along the proposed parking lot is to be installed in the landscaping easement for security reasons, and will be set back a minimum of fifteen (15) feet from the front property line. This will be screened from view from adjacent residences by shrubs and dwarf trees and vines. A manually operated wrought iron gate will be installed for security, and will set back at least 25 feet from the front property line to avoid stacking of cars on the street.

The existing children's outdoor play structure is to be relocated to the east side of the site adjacent to single-family residences to make room for the proposed remodel. To address the potential noise issue of the play area, this permit restricts the use of the play area to Sunday use only, until 6 pm.

PUBLIC OUTREACH

Notices of the public hearing were distributed to the owners and tenants of all properties located within 500 feet of the project site. A Community Meeting sponsored by the applicant was held on September 14, 2004. Seven neighborhood residents participated in the meeting. The residents were generally

supportive of the project but wanted to address some existing and future issues in anticipation that may occur as a result of the expansion. The main concerns were noise, especially during late evening when patrons are departing, need for more foliage type landscaping, installation of a new 7 foot wooden fence along the perimeter of the property line, installation of security gates to stop vandalism when church is not used, parking lot lighting should not invade into the neighbor's privacy. The church agreed to accommodate most of the neighborhood's issues and concerns, and agreed to install a 7 foot tall wooden fence along the entire perimeter of the property, add more landscaping, save as many trees as possible, install lights in a manner that does not invade into the privacy of the neighbors, and install security gates. The neighbors brought it to the attention of the church authority that the church parking lot was being used during weekdays by outsiders (e.g. UPS, FedEx trucks), and that therefore, a security gate was necessary. The mitigation measures that the applicant is proposing are: installation of 7-foot fence to mitigate noise and pollution issues, security gate to stop unauthorized personnel, and additional landscaping to mitigate pollution. Staff has been available to answer questions on the project from the public.

RECOMMENDATION

The Planning staff recommends that the Planning Commission approve the requested Conditional Use Permit and include the following findings and conditions in its Resolution:

Planning Commission finds that the following are the relevant facts regarding this proposed project:

1. This site has a designation of Medium Low Density Residential (8 DU/AC) and Public/Quasi Public on the adopted San José 2020 General Plan Land Use/Transportation Diagram.
2. The project site is located in the R-1-8 Residence Zoning District. A religious assembly use requires a Conditional Use permit in this District.
3. The project is exempt from environmental review pursuant to section 15332 of the State of California Guidelines for Implementation of the California Environmental Quality Act (CEQA) for Infill Development projects and the project meets all the conditions set forth in the section in that it is consistent with the General Plan, zoning, it is less than 5 acres, completely surrounded by urban development and the project will not have significant effects relating to traffic, noise, air quality or water quality.
4. The subject site is generally surrounded by single-family detached and multi-family attached residences.
5. The subject site consists of an existing religious assembly/church containing a 3,479 square feet sanctuary, and classroom buildings, containing 370 permanent and temporary seats for worship and existing office buildings of 1,571 and 1,849 square feet, social hall 2,459 square-feet, single-family residence 1,849 square feet and 80 parking spaces on a 1.96 gross acre site.
6. The proposed project will allow addition of 17,136 square feet for classrooms, office space and a social hall to an existing church.

7. The church sanctuary space will remain unchanged
8. The proposed remodeled church will have 129 parking stalls and meets the Zoning Code requirements of one parking space for each 30 square feet used as assembly area.
9. The project proposes to demolish the existing social hall, two (2) office buildings, and a single-family detached residence.
10. Additional landscaping will be provided around the perimeter of the site and along the public street frontages.

This Planning Commission concludes and finds, based upon an analysis of the above facts that:

1. The proposed project is consistent with the adopted San Jose 2020 General Plan Land Use/Transportation Diagram of the City of San Jose.
2. The project complies with all applicable provisions of the Zoning Ordinance in that the project as conditioned, will provide a total of 129 parking spaces and a maximum capacity of 516 persons at any one time.
3. The proposed project is in compliance with the California Environmental Quality Act.
4. The project will not adversely affect the surrounding residential neighborhood.

Finally, based upon the above-stated findings and subject to the conditions set forth below, the Planning Commission finds that:

1. The proposed use at the location requested will not
 - a. Adversely affect the peace, health, safety, morals or welfare of persons residing or working in the surrounding area; or
 - b. Impair the utility or value of property of other persons located in the vicinity of the site; or
 - c. Be detrimental to public health, safety or general welfare; and
2. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding areas; and
3. The proposed site is adequately served:
4. By highways or streets of sufficient width and improved as necessary to carry the kind and quality of traffic such use would generate; and
5. By other public or private service facilities as are required.

6. Under the provisions of Section 20.80.440A of the San José Municipal Code, except as specifically exempted by Section 20.80.450, no demolition permit or removal permit shall be issued unless and until a Development Permit which specifically approves such demolition or removal has been issued and has become effective pursuant to the provisions of Chapter 20.100.
 - a. This Permit includes the demolition of one single-family residence, 2 non-residential building and 1 social hall.
 - b. The Director of Planning has considered all of the following criteria in evaluating the proposed demolition.
 - (1) The failure to approve the permit would result in the creation of continued existence of a nuisance, blight or dangerous condition.
 - (2) The failure to approve the permit would jeopardize public health, safety or welfare.
 - (3) The approval of the permit would not negatively impact the supply of existing housing stock in the City of San José.
 - (4) Both inventoried and non-inventoried buildings, sites and districts of historical significance should not be negatively impacted.
 - (5) Rehabilitation or reuse of the existing building would not be feasible.
 - (6) The approval of the demolition of the building should facilitate a project that is compatible with the surrounding neighborhood.
 - (7) The demolition of the building without an approved replacement building should not have an adverse impact on the surrounding neighborhood.
 - c. Further the Planning Commission concludes and finds, based on the analysis of the above facts, that:
 - (1) The proposed project conforms in all respects to the provisions of Title 20 of the San José Municipal Code.
 - (2) The proposed project is in conformance with the California Environmental Quality Act.
 - (3) The benefits of permitting the demolition, removal or relocation of the subject building outweigh the impacts of the demolition, removal or relocation.

In accordance with the findings set forth above, a Conditional Use Permit to use the subject property for said purpose specified above and subject to each and all of the conditions hereinafter set forth is hereby granted. This Planning Commission expressly declares that it would not have granted this permit except

upon and subject to each and all of said conditions, each and all of which conditions shall run with the land and be binding upon the owner and all subsequent owners of the subject property, and all persons who use the subject property for the use conditionally permitted hereby.

CONDITIONS PRECEDENT

This Conditional Use Permit shall have no force or effect and the subject property shall not be used for the hereby permitted uses unless and until all things required by the below-enumerated precedent conditions shall have been performed or caused to be performed and this Resolution has been recorded with the County Recorder.

1. **Acceptance and Payment of Recording Fees.** The "Acceptance of Permit and Conditions" form shall be **signed, notarized, and returned** to the Department of City Planning within **60 days** from the date of issuance of the resolution granting the permit. *Failure to do so will result in this permit automatically expiring regardless of any other expiration date contained in this permit.* Fees for recording a Certificate of Permit with the Recorder for the County of Santa Clara must be submitted along with the Acceptance Form.

CONCURRENT CONDITIONS

The subject property shall be maintained and utilized in compliance with the below-enumerated conditions throughout the life of the permit:

1. **Conformance with Plans.** Construction and development shall conform to approved development plans entitled, "Chinese Baptist Church of San Jose Addition," dated 10/15/04 and last revised on October 28, 2004, on file with the Department of City Planning and Building and to the San José Building Code (San José Municipal Code, Title 24).
2. **Nuisance.** This use shall be operated in a manner which does not create a public or private nuisance. Any such nuisance must be abated immediately upon notice by the City.
3. **Construction Hours.** Construction shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any on-site or off-site work within 500 feet of any residential unit.
4. **Lighting.** All new on-site lighting shall use Low Pressure Sodium fixtures and be designed, controlled and maintained so that no light source is visible from outside of the property.
5. **Tree Removals.** No tree larger than 56 inches in circumference, at a height 24 inches above the natural grade slope, may be removed without a Tree Removal Permit issued by the Director of Planning
6. **Reuse.** All trash areas shall be effectively screened from view and covered and maintained in an orderly state to prevent water entering into the garbage container. Trash areas shall be maintained in a manner to discourage illegal dumping.
7. **Outside Storage.** No outside storage is permitted for the project except in areas designated on

the approved plan set.

8. **Sign Approval.** No signs are approved at this time. All proposed signs shall be subject to approval by the Director of Planning.
9. **Colors and Materials.** All structure colors and materials are to be those specified on the approved plan set.
10. **Anti-Graffiti.** The applicant shall remove all graffiti from buildings and wall surfaces within 48 hours of defacement.
11. **Simultaneous Use of Facilities.** No simultaneous use of the sanctuary and the social hall is allowed for assembly uses.
12. **Sewage Treatment Demand.** Chapter 15.12 of Title 15 of the San Jose Municipal Code requires that all land developments approvals and applications for such approvals in the City of San Jose shall provide notice to the applicant for, or recipient of such approval that no vested right to a Building Permit shall accrue as the result of the granting of such approval when and if the City Manager makes a determination that the cumulative sewage treatment demand of the San Jose Santa Clara Water Pollution Control Plant represented by approved land uses in the area served by said Plant will cause the total sewage treatment demand to meet or exceed the capacity of San Jose Santa Clara Water Pollution Control Plant to treat such sewage adequately and within the discharge standards imposed on the City by the State of California Regional Water Quality Control Board for the San Francisco Bay Region. Substantive conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approval authority.
13. **Public Works Clearance.** A Development Clearance shall be obtained from the Public Works Department, Room 308, (408) 277-5161, and is subject to the following requirements (3-12753) to the satisfaction of the Director of Public Works.
14. **Construction Agreement.** The public improvements conditioned as part of this permit require the execution of a Construction Agreement that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This agreement includes privately engineered plans, bonds, insurance, a completion deposit, and engineering and inspection fees.
15. **Grading/Geology**
 - a. A grading permit is required prior to the issuance of a Public Works Clearance. The construction operation shall control the discharge of pollutants (sediments) to the storm drain system from the site. An erosion control plan may be required with the grading application
 - b. A soils report addressing the potential hazard of liquefaction must be submitted to and accepted by City Engineering Geologist prior to the issuance of a Public Works Clearance or a grading permit.

16. **Sewage Fees.** In accordance with City Ordinance all storm sewer area fees, sanitary sewer connection fees and sewage treatment plant connection fees previous credits, are due and payable
17. **Undergrounding.** The In Lieu Undergrounding Fee shall be paid to the City for all frontages adjacent to Curtner Avenue prior to issuance of a Public Works clearance. One hundred percent of the base fee in place at the time of payment will be due. (Currently, the base fee is \$224 per linear foot of frontage
18. **Street Improvements**
 - a. Applicant shall be responsible to remove and replace curb, gutter, pavement sections and sidewalk damaged during construction of the proposed project
 - b. Remove and replace broken or uplifted curb, gutter, and sidewalk along project frontage
 - c. Construct curb, gutter, and sidewalk along Curtner Avenue frontage and align to the existing
 - d. Close unused driveway cut(s)
 - e. Proposed driveway width to be 26 feet
 - f. Dedication and improvements of the public streets to the satisfaction of the Director of Public Works
 - g. Dedicate 10'-0" feet of right-of-way along the frontage of APN 412-40-003
19. **Electrical.** Installation and/or relocation of electroliers may be required
20. **Landscaping**
 - a. Install street trees within the public right-of-way along the entire street improvement per City standards
 - b. The location of the street trees will be determined at the street improvement stage. Street trees shown on this permit are only conceptual only
 - c. Contact the City Arborist at (408) 277-2756 if you have any questions
21. **Lot Line Adjustment/Lot Combining.** Prior to the issuance of a Public Works Clearance, the applicant shall obtain approval of Lot Line Adjustment Application by the Director of Planning, and must be recorded with the County of Santa Clara, to combine individual parcels which comprise the subject site
22. **Building Clearance for Issuing Permits** Prior to the issuance of a Building Permit, the

following requirements must be met to the satisfaction of the Chief of Building Official

- a. *Construction Plans* This permit file number, CP03-065, shall be printed on all construction plans submitted to the Building Division
 - b. *Emergency Address Card* The project developer shall file an Emergency Address Card with the City of San Jose Police Department
 - c. *American With Disabilities Act* The applicant shall provide appropriate access as required by the American With Disabilities Act (ADA)
23. **Fire Hydrants** Public (off-site) and private (on-site) fire hydrants shall be provided as approved and at the exact location specified by Protection Engineering Section of the Fire Department to the satisfaction of the Fire Chief
 24. **Fire Hydrants and Driveways** All fire hydrants shall be at least 10 feet from all driveways to the satisfaction of the Fire Chief
 25. **Fire Flow** Required fire flow for the site is 2,000 gpm, or as otherwise approved in writing by the Fire Chief
 26. **Fire Extinguisher System** Buildings(s) shall be provided with an automatic fire extinguisher system. Systems serving more than 100 heads shall be supervised by remote alarm system to the satisfaction of the Fire Chief
 27. **Fire Lanes** Fire lanes, suitably designated "FIRE LANE – NO PARKING," shall be provided to the satisfaction of the Fire Chief
 28. **Building Occupancy.** All buildings classified as a A2.1 occupancy shall be provided with an approved fire alarm system.
 29. **Emergency Vehicle Access.** All exterior structures shall be within 150 feet from an approved emergency vehicle access road as per the Fire Code. All alternate means of access shall be approved by the Fire Department.
 30. **Street Cleaning and Dust Control.** During construction, the developer shall sweep the public and private streets within and adjoining the project site each working day sufficient to remove all visible debris and soils. On-site areas visible to the public from the public right-of-way shall be cleaned of debris, rubbish, and trash at least once a week. While the project is under construction, the developer shall implement effective dust control measures to prevent dust and other airborne matter from leaving the site.
 31. **Security.** Security measures shall include the following to the satisfaction of the Police Chief
 - a. *Alarm* An alarm system should be installed in the new addition, either audible or silent

32. **Amplified Sound** All amplified sound shall be contained within the buildings and the buildings shall be adequately insulated to prevent sound from emanating outside
33. **Tree Protection Standards** The applicant shall maintain the trees and other vegetation to be retained in this project. Maintenance shall include pruning and watering as necessary and protection from construction damage. All trees to be preserved shall be permanently identified by metal numbered tags prior to removal of any tree on site. All trees to be saved shall be protected by fencing prior to the issuance of Grading Permit. The fence shall occur at the drip line in all cases and shall remain during construction.
34. **Fencing** The applicant shall install 7 foot tall wooden fence along the entire perimeter of the 1property line to the east, north and west.
35. **Outdoor Play Area.** Use of the outdoor play area is restricted to Sunday use only until 6.00 pm.

CONDITIONS SUBSEQUENT

1. **Permit Expiration.** This Conditional Use Permit shall automatically expire two years from and after the date of adoption of the Resolution by the Planning Commission, or by the City Council on appeal, granting this Permit, if within such two-year period, the proposed use of this site or the construction of buildings has not commenced, pursuant to and in accordance with the provisions of this Conditional Use Permit. The date of adoption is the date the Resolution granting this Conditional Use Permit is approved by the Planning Commission. However, the Director of Planning may approve a Permit Adjustment to extend the validity of this Permit for a period of up to two years. The Permit Adjustment must be approved prior to the expiration of this Permit.
2. **Revocation, Suspension, Modification.** This Conditional Use Permit may be revoked, suspended or modified by the Planning Commission, or by the City Council on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing in accordance with Part 3, Chapter 20.44, Title 20 of the San José Municipal Code it finds:
 - a. A violation of any conditions of the Conditional Use Permit was not abated, corrected or rectified within the time specified on the notice of violation; or
 - b. A violation of any City ordinance or State law was not abated, corrected or rectified within the time specified on the notice of violation; or
 - c. The use as presently conducted creates a nuisance.

Attachments

Chinese Baptist Church of San Jose, Inc. Attn: Sam Lee, 2215 Curtner Avenue, Campbell CA 950082.

K C Associates, Attn: Kevin Chang, 204 Francisco Lane, Fremont CA 94539