

PLANNING DIRECTORS HEARING

September 13, 2017

Action Minutes

WELCOME

1. CALL TO ORDER

Meeting called to order at 9:02 a.m.

2. DEFERRALS AND REMOVALS FROM CALENDAR

- a. **PD16-039.** Planned Development Permit to allow the construction of a 60,000-square foot, three-story, non-profit performing arts center (Creative Center for the Arts) on a 0.75-gross acre site, in the A(PD) Planned Development Zoning District located at 0 North 7th Street. (City of San Jose, Owner). Council District: 3. CEQA: Determination of Consistency with the Japantown Corporation Yard Redevelopment Project Environmental Impact Report, adopted by Resolution No. 74384, and Addenda thereto.

PROJECT MANAGER, LEA SIMVOULAKIS

STAFF RECOMMENDATION: Defer to the September 20, 2017 Planning Director's Hearing per Staff request.

ACTION: DEFERRED TO THE OCTOBER 11, 2017 PLANNING DIRECTOR'S HEARING

3. CONSENT CALENDAR

- a. **H17-005.** Site Development Permit to allow the construction of a 166,740-square foot warehouse/distribution facility on a vacant 9.4-gross acre site, in the IP Industrial Park Zoning District, located at the southwest corner of Piercy Road and Hellyer Avenue (448 Piercy Road) (M. West Propco XXII., LLC., Owner). Council District 2. CEQA: Addendum to the 2000 Edenvale Redevelopment Project EIR (Resolution # 69699), 2000 Edenvale Redevelopment Project Supplemental EIR (Resolution # 67245), Envision San Jose 2040 General Plan EIR (Resolution # 76041), and Supplemental EIR (Resolution #77617), and Addenda thereto.

PROJECT MANAGER, LEA SIMVOULAKIS

STAFF RECOMMENDATION: Consider the Addendum to the 2000 Edenvale Redevelopment Project EIR (Resolution # 69699), 2000 Edenvale Redevelopment Project Supplemental EIR (Resolution # 67245), Envision San Jose 2040 General Plan EIR (Resolution # 76041), and Supplemental EIR (Resolution #77617), and Addenda thereto in accordance with CEQA. **Approve a** Site Development Permit as described above

Access the video, agenda, and related reports for this meeting by visiting the City's website at:
<http://sanjoseca.gov/index.aspx?NID=1763>

ACTION: APPROVED

- b. [H17-026](#). Site Development Permit to allow the demolition of an existing garage and construction of a new 640-square foot garage for an existing triplex on an 0.11-gross acre site in the R-M Multiple Residence Zoning District, located at 32 South Seventh Street (Nicandro Barrita, Owner). Council District 3. CEQA: Exempt per CEQA Guidelines Section 15303(e) for New Construction or Conversion of Small Structures.

PROJECT MANAGER, RINA SHAH

STAFF RECOMMENDATION: Consider the Exemption in accordance with CEQA. [Approve a](#) Site Development Permit as described above

ACTION: APPROVED WITH CORRECTIONS TO TO PERMIT

- c. [HA88-070-01](#). Site Development Permit Amendment to allow exterior modifications to an existing 12,565 square foot retail building in the Westgate West Shopping Center on a 19.8-gross acre site, located in the CG Commercial General Zoning District, located at 5289-5399 Prospect Road (DS Westgate West, LP., Owner). Council District: 1. CEQA: Exempt per CEQA Guidelines Section 15301(a) for Existing Facilities.

PROJECT MANAGER, LEA SIMVOULAKIS

STAFF RECOMMENDATION: Consider the Exemption in accordance with CEQA. [Approve a](#) Site Development Permit Amendment as described above

ACTION: APPROVED

- d. [PDA15-038-01](#). Planned Development Amendment to previously approved Planned Development Permit (File No. PD15-038) to modify the grading, to construct retaining walls greater than two feet in height, and to establish the architecture and landscape design for the previously approved lots in an A(PD) Planned Development Zoning District on a 2.84-gross acre site, located approximately 500 feet east of Quimby Road and Deedham Drive (3770 Quimby Road) (Quimby Road Holdings LLC, Owner). Council District 8. CEQA: Determination of Consistency to the Mitigated Negative Declaration titled, "Huang/Quimby Road," adopted by City Council Resolution No. 76134 and Addenda thereto.

PROJECT MANAGER, TRACY TAM

STAFF RECOMMENDATION: Consider the Determination of Consistency to the Mitigated Negative Declaration titled, "Huang/Quimby Road," adopted by City Council Resolution No. 76134 on January 24, 2012 and Addenda thereto in accordance with CEQA. [Approve a](#) Planned Development Amendment as described above

ACTION: APPROVED WITH CORRECTIONS TO TO PERMIT

- e. [HA83-131-01](#). Live Tree Removal Permit to remove one (1) Pine tree, approximately 58 inches in circumference, located on the corner of a commercial lot on a 0.21-gross acre site in the CN Commercial Neighborhood Zoning District, located at the northwest corner of North First Street and West Rosemary Street (1305 North First Street) (Y.M. Enterprise Inc, Owner). Council District 3. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.

PROJECT MANAGER, SHAUNN MENDRIN

STAFF RECOMMENDATION: Consider the Exemption in accordance with CEQA. [Approve a](#) Live Tree Removal Permit as described above

ACTION: APPROVED

- f. [PDA84-008-01](#). Live Tree Removal Permit to remove three (3) Elm trees approximately 68 to 112 inches in circumference and (3) non-ordinance sized trees, located in the front and rear parking lots of a commercial property on a 1.01-gross acre site in the A(PD) Planned Development Zoning District, located on the east side of Oakland Road approximately 900 feet southerly of Murphy Avenue at 1570 Oakland Road, (Wham LLC A California Limited Liability Co, Owner). Council District 3. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.

PROJECT MANAGER, ROBERT RIVERA

STAFF RECOMMENDATION: Consider the Exemption in accordance with CEQA. [Approve a Live Tree Removal Permit as described above](#)

ACTION: APPROVED

- g. [TR17-448](#). Live Tree Removal Permit to remove one (1) Chinese Elm tree, approximately 200 inches in circumference, located in the front yard of a single-family residence on a 0.22-gross acre site in the R-1-8 Single-Family Residence Zoning District located at 4793 Elmhurst Drive. (Dave Van Sickle, Owner). Council District 1. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.

PROJECT MANAGER, RINA SHAH

STAFF RECOMMENDATION: Consider the Exemption in accordance with CEQA. [Approve a Live Tree Removal Permit as described above](#)

ACTION: APPROVED

- h. [TR17-463](#). Live Tree Removal Permit to remove one (1) Redwood tree, approximately 198 inches in circumference, from the rear yard of a single-family residence on a 0.14-gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1429 Yosemite Avenue (Daniel and Marie Fang, Owners). Council District 6. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.

PROJECT MANAGER, RINA SHAH

STAFF RECOMMENDATION: Consider the Exemption in accordance with CEQA. [Approve a Live Tree Removal Permit as described above](#)

ACTION: APPROVED

- i. [TR17-465](#). Live Tree Removal Permit to remove two (2) Pine trees, approximately 84 and 101 inches in circumference, located in the front parking area of a industrial property on a 2.73-gross acre site in the HI Heavy Industrial Zoning District, located at 675 Brennan Street (Neal F. Frost Jr.). Council District 4. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.

PROJECT MANAGER, MICHELLE FLORES

STAFF RECOMMENDATION: Consider the Exemption in accordance with CEQA. [Approve a Live Tree Removal Permit as described above](#)

ACTION: APPROVED

- j. [TR17-516](#). Live Tree Removal Permit to remove two (2) Oak trees, approximately 65 inches and 91 inches in circumference, and two non-ordinance size Oak trees, approximately 19 inches and 53 inches, located on a single-family lot on a 2.43-gross acre site in the A(PD) Planned Development Zoning District located at the south side of Tiffany Canyon Court, approximately 280 feet westerly of Almaden Oaks Lane at 1324 Tiffany Canyon Court. (Fong Dennis and Kam Polly Trustee, Owner). Council District 10. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.

PROJECT MANAGER, ROBERT RIVERA

STAFF RECOMMENDATION: Consider the Exemption in accordance with CEQA. [Approve a Live Tree Removal Permit](#) as described above

ACTION: APPROVED

4. PUBLIC HEARING

Generally, the Public Hearing items are considered by the Planning Commission in the order in which they appear on the agenda. However, please be advised that the Commission may take items out of order to facilitate the agenda, such as to accommodate significant public testimony, or may defer discussion of items to later agendas for public hearing time management purposes.

- a. [SF17-018](#). Single Family House Permit Type II to demolish an existing 1,114-square foot detached single family residence and build a new 2,878-square foot detached residence with a 55% FAR on a 0.12 gross acre lot zoned R-1-8 Single-Family Residence Zoning District, located at 1821 Harmil Way. (Owner: Alison Love). Council District: 6. CEQA: Exempt per CEQA Guidelines Section 15303(a) for New Construction or Conversion of Small Structures.

Deferred from 8/23/17 & 9/6/17.

PROJECT MANAGER, RHONDA BUSS

STAFF RECOMMENDATION: Consider the Exemption in accordance with CEQA. [Approve a Single Family House Permit Type II](#) to demolish an existing 1,114-square foot detached single family house and build a new 2,546-square foot single family house with a 48.5% FAR on the subject lot.

ACTION: APPROVED WITH NEW CONDITION

- b. [PD17-013 and PT17-018](#). Planned Development Permit to allow the removal of one ordinance-sized tree and permit the demolition of a single-family home and the construction of six single-family attached residences, and a Tentative Map to subdivide one parcel into six on a 0.4-gross acre site in the R-M(PD) Planned Development Zoning District located on the west side of Sharon Drive, approximately 900 feet east of De Anza Boulevard (7169 Sharon Drive) (Seven Hills, LLC., Owner). Council District 1. CEQA: Exempt per CEQA Guidelines Section 15303(b) for New Construction.

PROJECT MANAGER, LEA SIMVOULAKIS

STAFF RECOMMENDATION: Consider the Exemption in accordance with CEQA. [Approve a Planned Development Permit and Tentative Map](#) as described above

ACTION: APPROVED

5. ADJOURNMENT

Meeting adjourned at 10:05 a.m.