



PLANNING DIRECTOR HEARING Action Minutes

Wednesday, December 10, 2025

9:00 a.m.

Virtual Meeting: <https://sanjoseca.zoom.us/j/89012305097>

**Hearing Officer
Martina Davis, Division Manager
on behalf of**

**Christopher Burton, Director
Planning, Building and Code Enforcement**

Access the video, agenda, and related reports for this meeting by visiting the City's website at:
<https://www.sanjoseca.gov/planningmeetings>

AGENDA

ORDER OF BUSINESS

1. CALL TO ORDER

Meeting called to order at 9:00 a.m.

2. DEFERRALS

No items.

3. CONSENT CALENDAR

- a. **H24-035 & ER24-174.** Site Development Permit for the construction of a 100% affordable, five-story residential building with 128 units (127 units subject to the state Density Bonus Law and one manager's unit), the demolition of an approximately 5,600-square-foot single-family house, and the removal of 14 trees, including four ordinance-size trees, with extended construction hours on Saturday from 8:00 a.m. to 5:00 p.m., on an approximately 1.5-gross-acre site located at 1207 North Capitol Avenue (San Jose North Capitol Avenue LP, Owner). Council District: 4. **CEQA:** Mitigated Negative Declaration for the 1207 N. Capitol Residential Project.

PROJECT MANAGER, KORA MCNAUGHTON

Staff Recommendation: Consider the Mitigated Negative Declaration for the 1207 N. Capitol Residential Project in accordance with CEQA. Approve a Site Development Permit.

MOVED FROM CONSENT AND HEARD UNDER PUBLIC HEARING

ACTION: APPROVED

- b. **H25-024 & ER25-140.** Site Development Permit to allow the construction of a new approximately 2,376-square-foot duplex and the removal of one ordinance-size tree on an approximately 0.18-gross-acre site located on the northeast side of South 21st Street, approximately 175 feet northwest of the intersection of East William Street and South 21st Street (374 South 21st Street) (Yunian Technology, LLC, Owner). Council District: 3. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15303 for New Construction of Small Structures.

PROJECT MANAGER, JASON LEE

Staff Recommendation: Consider the Exemption in accordance with CEQA. Approve a Site Development Permit.

ACTION: APPROVED

- c. **HA21-006-01 & ER25-187.** Site Development Permit Amendment to allow building and site modifications due to the change in use to a research and development facility, including the addition of two 1.5 megawatt emergency generators or up to four 3-megawatt backup generators, transformers, evaporative cooling chillers, and a step-down power transition yard to support research and laboratory uses, new fencing, gates, and a guard shack, a new 14-foot sound enclosure around the existing 500kW backup generator, associated site improvements, and the removal of four ordinance-size trees and one non-ordinance-size tree on an approximately 17.4 gross-acre site located at 5853 Rue Ferrari (Duke Realty Rue Ferrari LP, Owner). Council District: 2. **CEQA:** Addendum to the 5853 Rue Ferrari Project Mitigated Negative Declaration.

PROJECT MANAGER, RINA SHAH

Staff Recommendation: Consider the Addendum to the 5853 Rue Ferrari Project Mitigated Negative Declaration in accordance with CEQA. Approve a Site Development Permit Amendment.

ACTION: APPROVED

- d. **SP24-029 & ER24-198.** Special Use Permit to increase an existing recycling/transfer facility's permitted maximum daily inflow capacity of construction, demolition, and inert (CDI) debris from 174.99 tons per day to 2,451 tons per day (for which the facility was designed and constructed), and increase operation hours to 24 hours per day, 7 days per week (except for holidays) on an approximately 4.37-gross-acre site, located at 1611 South 7th Street (MJS Progressive Holdings LLC, Owner). Council District: 7. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15301 for Existing Facilities.

PROJECT MANAGER, ALEXANDRE HUGHES

Staff Recommendation: Consider the Exemption in accordance with CEQA. Approve a Special Use Permit.

MOVED FROM CONSENT AND HEARD UNDER PUBLIC HEARING

ACTION: APPROVED

- e. **T25-002 & ER25-038.** Tentative Map to subdivide one 12.26-gross-acre non-residential lot into four non-residential lots located on the southeast corner of Skyport Drive and Technology Drive (1650 Technology Drive) (Hudson Skyport Plaza LLC, Owner). Council District: 6. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15301 for Existing Facilities.

PROJECT MANAGER, JASON LEE

Staff Recommendation: Consider the Exemption in accordance with CEQA. Approve a Tentative Map.

ACTION: APPROVED

4. PUBLIC HEARING

- a. [H23-044, T23-031, & ER23-264](#). Site Development Permit to allow the construction of five (5) two-story single-family residences through the demolition of an existing single-family house, garage, and accessory dwelling unit and the removal of 17 trees (ten ordinance-size and seven non-ordinance-size) on an approximately 0.49-gross-acre site. Tentative Map to allow the subdivision of one lot into six lots (five residential lots and a private street) on an approximately 0.49-gross-acre site located on the north side of Franquette Avenue, approximately 200 feet westerly of the intersection of Franquette Avenue and Coastland Avenue (879 Franquette Avenue) (UPH 879 LLC, Owner). Council District: 6. *This application was submitted under the Housing Accountability Act (Builder's Remedy)*. **CEQA:** Exemption in accordance with CEQA Guidelines Section 15332 for In-Fill Development Projects
PROJECT MANAGER, JASON LEE

Staff Recommendation: Consider Exemption in accordance with CEQA. Approve a Site Development Permit and a Tentative Map.

ACTION: APPROVED

5. ADJOURNMENT

Meeting adjourned at 10:17 a.m.