



# **PLANNING DIRECTOR HEARING**

## **Action Minutes**

**Wednesday, October 30, 2024**

**9:00 a.m.**

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

**Hearing Officer**  
**David Keyon, Principal Planner**  
**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

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

### 2. DEFERRALS

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No items.

### 3. CONSENT CALENDAR

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- a. **PD22-013 & T21-045**: Planned Development Permit to allow the demolition of an approximately 1,088 square foot single-family residence, removal of 18 ordinance-size trees and eight non-ordinance-size trees for the construction of up to 18 attached single-family residences, on an approximately 1.49-gross acre site, and a Vesting Tentative Map for the subdivision of one lot into up to 18 lots located at 125 Kirk Avenue (Conceicao Manuel D and Aldea Trustee, Owners). Council District: 5. **CEQA**: Determination of Consistency with the Mitigated Negative Declaration for the 125 Kirk Avenue Subdivision Project (Resolution No. RES2024-10).

*PROJECT MANAGER, RINA SHAH*

**Staff Recommendation:** Consider the Determination of Consistency with the Mitigated Negative Declaration for the 125 Kirk Avenue Subdivision Project (Resolution No. RES2024-10) in accordance with CEQA. Approve a Planned Development Permit and a Vesting Tentative Map.

**MOVED FROM CONSENT AND HEARD UNDER PUBLIC HEARING**

**ACTION: APPROVED WITH ADDITIONAL CONDITIONS**

- b. **SP24-010 & ER24-051**: Special Use Permit to allow the demolition of two existing industrial buildings on an approximately 3.5-gross-acre lot in the Alum Rock Avenue Urban Village. Two existing buildings will remain. The project does not include tree removals or plans for new construction. The site is located at 2075 Alum Rock Avenue (Alum Rock Properties, LLC, Owner). Council District: 5. **CEQA**: Exempt pursuant to CEQA Guidelines Section 15061(b)(3), the common-sense exemption, where there is no possibility that the project will have a significant effect on the environment.

*PROJECT MANAGER, KORA MCNAUGHTON*

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

**MOVED FROM CONSENT AND HEARD UNDER PUBLIC HEARING**

**ACTION: APPROVED**

- c. **SP24-018 & ER24-128**: Special Use Permit to allow a parking area for personal vehicles and school buses and the construction of a vehicular gate on an approximately 1.05-gross-acre site, located at an unaddressed vacant parcel at the northeast corner of Doyle Road and Lawrence Expressway (Harker School, Owner). Council District: 1. **CEQA**: Exempt pursuant to CEQA Guidelines Section 15303 for New Construction or Conversion of Small Structures.

*PROJECT MANAGER, CAMERON GEE*

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

**ACTION: APPROVED**

- d. **SP24-026 & ER24-173**: Special Use Permit to allow a four-foot-high retaining wall in the rear yard of a single-family property constructed without the benefit of permits on an approximately 0.22-gross-acre site, located at 3297 Stander Drive (Ting Fred D Trustee, Owner). Council District: 8. **CEQA**: Exempt pursuant to CEQA Guidelines Section 15303 for New Construction or Conversion of Small Structures.

*PROJECT MANAGER, CAMERON GEE*

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

**ACTION: APPROVED**

- e. **TE21-031-01**: Vesting Tentative Map Extension to allow a time extension of the previously approved Tentative Map Permit (File No. PT21-031) to merge eight lots and an existing alley into one lot on an approximately 1.2-gross-acre site located at 802 South First Street (Martha Gardens LLC, Owner). Council District: 3. **CEQA**: Determination of Consistency with the South First/East Virginia Street Mixed-Use Development Project Mitigated Negative Declaration (Resolution No. 79906).

*PROJECT MANAGER, RINA SHAH*

**Staff Recommendation:** Consider the Determination of Consistency with the South First/East Virginia Street Mixed-Use Development Project Mitigated Negative Declaration in accordance with CEQA. Approve a Vesting Tentative Map Extension.

**ACTION: APPROVED**

## **4. PUBLIC HEARING**

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No items.

## **5. ADJOURNMENT**

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Meeting adjourned at 9:51 a.m.