



PLANNING DIRECTOR HEARING

Action Minutes

Wednesday, April 8, 2026

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

- a. **PD24-010 & ER24-167.** Planned Development Permit to convert an existing approximately 11,868-square-foot building into a restaurant and a banquet hall with late-night use until 2:00 a.m. on an approximately 1.58-gross-acre site located at 113 Bernal Road (Facchino/Labarbera Bernal, Owner). Council District 10. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15301 for Existing Facilities.

PROJECT MANAGER, RINA SHAH

Staff Recommendation: Defer to the April 15, 2026, Director Hearing meeting per staff request.

ACTION: DEFER TO THE APRIL 15, 2026, DIRECTOR HEARING MEETING PER STAFF REQUEST

3. CONSENT CALENDAR

- a. **SP23-007 & ER23-042.** Special Use Permit to allow the demolition of all existing buildings on site for the construction of a new three-story mixed-use building that is approximately 15,438 square feet with a first-floor 1,766-square-foot restaurant and a 4,524-square-foot adult day care center for 60 adults, a 4,569-square-foot second-floor office, and a 4,569-square-foot third-floor floor area consisting of five affordable housing units and the removal of two non-ordinance-size trees on an approximately 0.5-gross-acre site located approximately 250 feet southeasterly of South Bascom Avenue and Jewell Drive intersection (Mizithra in Greece LLC, Owner). Council District 9. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15332 for Infill Exemption.

PROJECT MANAGER, RINA SHAH

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

ACTION: APPROVED

- b. **SP25-031 & ER25-254.** Special Use Permit to allow demolition of two legal nonconforming structures totaling approximately 250 square feet for the construction of an approximately 400 square foot pumphouse on an existing legal nonconforming use/lot, on an approximately 1.4-gross-acre site located at 1434 Gerlach Drive (Almaden Oaks Community Center, Owner). Council District 9. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15303(e) for Accessory Structures.

PROJECT MANAGER, ALEXANDRE HUGHES

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

ACTION: APPROVED

4. PUBLIC HEARING

- a. [TR25-479](#). Live Tree Removal Permit to allow the removal of 20 ordinance-size Canary Island pine trees from the common area of a multifamily residential property located at 479 Mill River Lane, within the MillBrook at River Oaks common area (Mill Brook at River Oaks Owners Association, Inc., Owner). Council District 4. **CEQA:** Exempt Pursuant to CEQA Guidelines Section 15301(h) for Existing Facilities. *Continued from 3/25/26.*

PROJECT MANAGER, JASON LEE

Staff Recommendation: Consider the Exemption in accordance with CEQA. Approve a Live Tree Removal Permit.

ACTION: APPROVED WITH CHANGES TO CONDITIONS

5. ADJOURNMENT

Meeting adjourned at 9:52 a.m.