



PLANNING DIRECTOR HEARING Action Minutes

Wednesday, December 3, 2025

9:00 a.m.

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

**Hearing Officer
Ruth Cueto, 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

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

2. DEFERRALS

No items.

3. CONSENT CALENDAR

- a. **H25-025 & ER25-145.** Site Development Permit to allow an approximately 428-square-foot addition to an existing approximately 1,575-square-foot duplex on an approximately 0.18-gross-acre site, located on the east side of Union Avenue, approximately 100 feet north of the intersection of Union Avenue and Cirone Way (2920-2922 Union Avenue) (Tami F. Hayes Trustee, Owner). Council District: 9. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15301(e)(1) for Additions to Existing Structures.

PROJECT MANAGER, JASON LEE

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

ACTION: APPROVED

- b. **SP23-035 & ER23-165.** Special Use Permit to allow the construction and use of an outdoor dining area to an existing Public Eating Establishment within 150-feet of a residentially zoned property totaling approximately 2,500 square feet with associated vehicular gate and other minor site improvements on an approximately 0.36-gross-acre site located at 855 North 13th Street (MST Investment Newco LLC, Owner). Council District: 3. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15303(e) for New Construction or Conversion of Small Structures.

PROJECT MANAGER, ALEXANDRE HUGHES

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

ACTION: APPROVED

- c. [SPA20-019-04 & ER25-219](#). Special Use Permit Amendment (File No. SPA20-019-04), amending a previously approved Special Use Permit File No. SP20-019 and associated amendments, to allow Extended Construction Hours to work on Saturdays from 7:00 a.m. to 7:00 p.m., and to change the material of the exterior fiber cement board to stucco above the pedestrian level, located at 498 West San Carlos Street (UC Madera Owner LLC, Owner). Council District: 6. **CEQA:** Addendum to the Downtown Strategy 2040 Final Environmental Impact Report adopted by City Council Resolution No. 78942 on December 18, 2018, and addenda thereto.

PROJECT MANAGER, LAURA MEINERS

Staff Recommendation: Consider the Addendum to the Downtown Strategy 2040 Final Environmental Impact Report adopted by City Council Resolution No. 78942 on December 18, 2018, and addenda thereto in accordance with CEQA. Approve a Special Use Permit Amendment.

ACTION: APPROVED

- d. [T25-021 & ER25-208](#). Vesting Tentative Map to allow six residential condominiums and one common lot on an approximately 0.30-gross acre site located at 967 North Capitol Avenue (967 Capitol LLC, Owner). Council District: 4. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15303(b) for New Construction or Conversion of Small Structures.

PROJECT MANAGER, CAMERON GEE

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

ACTION: APPROVED

4. PUBLIC HEARING

- a. [H23-030 & ER23-233](#). Site Development Permit to allow the construction of a seven-story mixed-use building consisting of 126 multifamily residential units and approximately 1,626 square feet of commercial retail space on an approximately 0.80-gross-acre site. The project includes the demolition of an approximately 5,500-square-foot commercial building and the removal of six trees (five ordinance-size, one non-ordinance-size). The project also includes an application under the State Density Bonus Law with a 97% density bonus, three incentives/concessions for a reduction in commercial space depth and reduction in common and private open space, and three waivers for an increase in maximum allowed floor area ratio, reduction in front setback, and increase in maximum height. This application was submitted under the Housing Accountability Act (Builder's Remedy), and is located on the southeast corner of Willow Street and Kottenberg Avenue (940 Willow Street) (940 Willow LLC, Owner). Council District: 6. **CEQA:** Statutorily Exempt Pursuant to Public Resources Code Section 21080.66 (Assembly Bill 130).

PROJECT MANAGER, ALEC ATIENZA

Staff Recommendation: Consider the Statutory Exemption Pursuant to Public Resources Code Section 21080.66 (Assembly Bill 130) in accordance with CEQA. Approve a Site Development Permit.

ACTION: APPROVED

- b. **H24-057 & ER24-254.** Site Development Permit to allow the construction of an approximately 132,419-square-foot concrete tilt-up industrial building with approximately 10,000 square feet of incidental office area, and associated site improvements on an approximately 6.4 gross-acre site. The project includes the demolition of an approximately 130,300-square-foot building and the removal of 152 trees (95 ordinance-size trees and 57 non-ordinance-size trees) located on the northeast corner of Trade Zone Boulevard and Lundy Place (APN: 429-23-012) (2334 Lundy Place LLC, Owner). Council District: 4. **CEQA:** Initial Study/Mitigated Negative Declaration (IS/MND) for the 2334 Lundy Place Project.

PROJECT MANAGER, RINA SHAH

Staff Recommendation: Consider the Initial Study/Mitigated Negative Declaration (IS/MND) for the 2334 Lundy Place Project in accordance with CEQA. Approve a Site Development Permit.

ACTION: APPROVED

5. ADJOURNMENT

Meeting adjourned at 11:08 a.m.