

---

REGULAR MEETING AGENDA

9:00 a.m.

October 5, 2022

Virtual Meeting

**\* COVID-19 NOTICE \***

Consistent with AB 361 and City of San Jose Resolution Numbers 80628, 80659, and 80685, this meeting will not be physically open to the public and the Director Hearing Members will be teleconferencing from remote locations.

**How to provide spoken Public Comment during the Planning Director Hearing meeting:**

1. By Phone: (888) 475 4499. Webinar ID is 988 7275 0116. Click \*9 to raise a hand to speak. Click \*6 to unmute when called. Alternative phone numbers are: US: +1 (213) 338-8477 or +1 (408) 638-0968 or (877) 853-5257 (Toll Free)
2. Online at: <https://sanjoseca.zoom.us/j/98872750116>
  - a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
  - b. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.
  - c. When the Hearing Officer calls for the item on which you wish to speak, click on “raise hand.” Speakers will be notified shortly before they are called to speak.
  - d. When called, please limit your remarks to the time limit allotted.

Before or during the meeting, if you have any questions or trouble logging into the Zoom meeting please email [PlanningSupportStaff@sanjoseca.gov](mailto:PlanningSupportStaff@sanjoseca.gov) or call Support Staff at 408-535-3505 for assistance.

**I. Call to Order**

**II. Deferrals**

Any item scheduled for hearing this morning for which deferral to a future meeting date is being requested will be moved to this portion of the agenda and considered on the matter of deferral. I will identify any items to be deferred and ask for comments from the audience. If you want to change any of the deferral dates or speak to the question of deferring these or any other items, please use the ‘raise hand’ feature in Zoom or click \*9 to raise a hand to speak.. I will now open the public hearing. The following items are proposed for deferral.

**No Items**

### III. Consent Calendar

Notice to the public: There will be no separate discussion of individual Consent Calendar items as they are considered to be routine and will be considered in one action unless an item is moved to the public hearing calendar for separate discussion by the Hearing Officer. The public may comment on the entire Consent Calendar and any items removed from the Consent Calendar by the Hearing Officer.

If you wish to speak on one of these items please use the 'raise hand' feature in Zoom or click \*9 to raise a hand to speak.

- a. [HA17-059-01/ER20-177 & T21-038](#). Site Development Permit Amendment and Vesting Tentative Map to allow a mixed-use project, including construction of a eight-story residential building with 41 residential condominiums, in addition to the previously approved 63-room addition to the existing 44-room hotel. The amendment also includes reconfiguration of approved hotel floor plans, surface parking and the construction of a below-grade parking garage, and reduced parking for the hotel and the residential building located southeast corner of East Santa Clara Street and South 3rd Street (27 South 4th Street) (RSTP Investments LLC, Owner). Council District 3. **CEQA:** Addendum to the Downtown Strategy 2040 Final EIR, and Addenda thereto.

*PROJECT MANAGER, RINA SHAH*

**Staff Recommendation:** Consider the Addendum to the Downtown Strategy 2040 Final EIR, and Addenda thereto in accordance with CEQA. **Approve** Site Development Permit Amendment and Vesting Tentative Map.

- b. [SP22-007/ER22-090](#). Special Use Permit to allow the removal of an unpermitted addition of approximately 330 square feet, construction of a 494-square foot addition to an existing 1,620-square foot single-story duplex, and conversion of an existing unfinished structure built without benefit of permits to a detached 655-square foot garage located at 870 North Fourth Street (Le Tuan Quang and Tran Hoa Thi Trustee, Owner). Council District 3. **CEQA:** Exempt pursuant to CEQA Guidelines Sections 15301 for Additions to Existing Structures and 15303 for New Construction of Small Structures.

*PROJECT MANAGER, JASON LEE*

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

### IV. Public Hearing

- a. [PDA00-027-03/ER22-129](#). Planned Development Permit Amendment to allow modifications to landscaping, including the removal of 10 ordinance-size trees and 163 non-ordinance trees, and modifications to circulation with an alternative parking agreement on three lots totaling approximately 38.63-gross acres in size located southeast corner of East Santa Clara Street and South 3rd Street (4300, 4400, 4550 North 1st Street and 65, 95 Nortech Parkway) (Google LLC, Owner). Council District 4. **CEQA:** Addendum to the Cisco Systems Inc., Site 6 Final Environmental Impact Report, and Addenda thereto

*PROJECT MANAGER, JONATHAN FOX*

**Staff Recommendation:** Consider the Addendum to the Cisco Systems Inc., Site 6 Final Environmental Impact Report, and Addenda thereto in accordance with CEQA. **Approve** Planned Development Permit Amendment.

- b. [SP22-006/ER22-079](#). Special Use Permit to change a legal nonconforming use from automotive repair to construction material on-site storage, including exterior façade modifications, site modifications, and the removal of six ordinance-size trees on an approximately 1.85-gross acre site located at 61 North Sunset Avenue (Berns Bertram M Trustee & Et Al, Owner). Council District 5. **CEQA**: Exempt pursuant to CEQA Guidelines Section 15301 Existing Facilities.

**PROJECT MANAGER, JONATHAN FOX**

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

- c. [TR22-254](#). Tree Removal Permit to allow the removal of two (2) live Cedar trees, measuring 86 and 90 inches in circumference located in the rear yard of a single-family lot located at 4456 Partridge Court located at 4456 Partridge Court (Chan Benjamin C and Mylinh T, Owner). Council District 8. **CEQA**: Exempt pursuant to CEQA Guidelines Section 15304 for Minor Alterations to Land.

**PROJECT MANAGER, JONATHAN FOX**

**Staff Recommendation:** Consider Exemption in accordance with CEQA.  
**Approve** Tree Removal Permit.

## V. Adjournment

*The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.*

You may speak to the Commission about any discussion item that is on the agenda, and you may also speak during Public Comments on items that are not on the agenda and are within the subject matter jurisdiction of the Commission. Please be advised that, by law, the Commission is unable to discuss or take action on issues presented during Public Comments. Pursuant to Government Code Section 54954.2, no matter shall be acted upon by the Commission unless listed on the agenda, which has been posted not less than 72 hours prior to meeting.

Agendas, Staff Reports and some associated documents for the Commission items may be viewed on the Internet at <https://www.sanjoseca.gov/planningmeetings>.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public view by clicking the link associated specifically to documents on this agenda, at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. Contact the Office of the City Clerk at (408) 535-1260 or [CityClerk@sanjoseca.gov](mailto:CityClerk@sanjoseca.gov) for the final document. City Hall is currently closed due to the COVID-19 shelter-in-place and records are not available for in-person inspection.

On occasion the Commission may consider agenda items out of order.

The Planning Director Hearing meets every Wednesday at 9:00 a.m., with special meetings as necessary. If you have any questions, please direct them to the Commission staff. Thank you

October 5, 2022

for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

**To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call (408) 535-1260 as soon as possible, but at least three business days before the meeting.**

**Please direct correspondence and questions to:**

City of San José  
Attn: Robert Manford  
200 East Santa Clara Street  
San José, California 95113  
Tel: (408) 535-7900  
Email: [robert.manford@sanjoseca.gov](mailto:robert.manford@sanjoseca.gov)