CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Appeals Hearing Board

Chair: Karen Parsons
Vice Chair: Ron Cabanayan
Commissioner: Timothy Kenny
Commissioner: Martin Nguyen
Commissioner: Genevieve Altwer
Commissioner: Jon Budas
Commissioner: David Hook

AMENDED
REGULAR MEETING AGENDA
November 12, 2026
6:30 p.m.
Council Chambers

Hybrid Meeting - 200 E. Santa Clara St., San Jose, CA 95113 and Virtual

How to observe the Meeting:

1) In-Person at Council Chambers; or

2) By Phone: (888) 475-4499. Alternative phone numbers are: US: +1 (213) 338-8477 or +1 (408) 638-0968 or (877) 853-5257 (Toll Free). Webinar ID is 940 4427 1464; or

3) Online at https://sanjoseca.zoom.us/j/94044271464;

   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 audio feedback.

   a. 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.

   b. When the Chair 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.

   c. When called upon, please limit your remarks to the time limit allotted.

1. CALL TO ORDER & ORDERS OF THE DAY

2. OPENING REMARKS AND APPROVAL OF MINUTES

a. Recommendation: Approval of minutes for October 22, 2026.

3. **REQUEST FOR DEFERRALS**

   a. **975 S DE ANZA BLVD (APN 359-27-030) ADMINISTRATIVE REMEDY**
   (Brittney Renaud, Code Enforcement Inspector / San Jose Kmart Investors LP, Property Owner)

   Request for deferral from Scott Mommer, P.E., Lars Andersen & Associate, Home Depot Site Development Coordinator via email November 2, 2026.

   Deferral Request by Scott Mommer, P.E., Lars Andersen & Associate, Home Depot Site Development Coordinator.

4. **CONSENT CALENDAR**

   a. **914 ALBA CT (APN 599-11-014) SUMMARY ABATEMENT**
   (Manuel Duarte, Code Enforcement Inspector / Rashel T. Ross, Property Owner)

   The Director of Planning, Building and Code Enforcement requests a hearing to review the notice of summary abatement reflecting the actions taken by Code Enforcement to restrict occupancy (condemn) and board up multiple doors and window openings.

   Recommendation: Affirm the summary abatement actions taken on October 20 & 21, 2026 as set forth in the Staff Report dated October 20, 2026.

   b. **3070 DRIFTWOOD DR (APN 279-26-017) SUMMARY ABATEMENT**
   (Manuel Duarte, Code Enforcement Inspector / Nhien Le, Property Owner)

   The Director of Planning, Building and Code Enforcement requests a hearing to review the notice of summary abatement reflecting the actions taken by Code Enforcement to abate all blighted conditions (overgrown vegetation and solid waste) and board up multiple doors and window openings.

   Recommendation: Affirm the summary abatement actions taken on January 14 & 20, April 9, 10 & 13, 2026 as set forth in the Staff Report dated September 15, 2026.

   c. **2185 FAIRMONT DR (APN 652-17-006) SUMMARY ABATEMENT**
   (Manuel Duarte, Code Enforcement Inspector / Hong Nhien Le, Property Owner)

   The Director of Planning, Building and Code Enforcement requests a hearing to review the notice of summary abatement reflecting the actions taken by Code Enforcement to abate all blighted conditions (overgrown vegetation).

   Recommendation: Affirm the summary abatement actions taken on June 8 & 9, 2026 as set forth in the Staff Report dated October 27, 2026.

5. **DEFERRED AND/OR CONTINUED ITEMS**

6. PUBLIC HEARINGS

a. **APPEAL OF DENIAL OF MOBILE PEDDLER PERMIT**
Conduct a Public Hearing on the Appeal of the Denial of Bryce Howell's Mobile Peddler Permit pursuant to San Jose Municipal Code Section 6.02.130.

b. **975 S DE ANZA BLVD (APN 359-27-030) ADMINISTRATIVE REMEDY**
DEFERRAL REQUESTED BY SCOTT MOMMER, P.E., LARS ANDERSEN & ASSOCIATE, HOME DEPOT SITE DEVELOPMENT COORDINATOR
(Brittney Renaud, Code Enforcement Inspector / San Jose Kmart Investors LP, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing on a proposed administrative order to require the Property Owner to take the corrective actions to remove all exterior merchandise and storage from the entire property, including the westerly gated area, and adhere to all conditions of Planned Development Permit PD96-020.

Recommendation: Issue an administrative order as set forth in the Staff Report dated **October 27, 2026**.

DEFERRAL REQUESTED BY SCOTT MOMMER, P.E., LARS ANDERSEN & ASSOCIATE, HOME DEPOT SITE DEVELOPMENT COORDINATOR

7. REQUEST FOR EXCUSED ABSENCE

8. OTHER BUSINESS

9. PUBLIC COMMENT *(Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the Board. Meeting attendees are usually given one (1) minute to speak on any discussion item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Board.*

Virtual Public Comment through Zoom: Please raise your hand on Zoom to indicate to staff that you would like to provide a comment when the opportunity is announced. You will be called on verbally and permitted to unmute to speak for the timeframe allotted. Public comment is limited to one (1) minute per item, per speaker, in accordance with Council Policy 0-37)

10. ADJOURNMENT

The next regular meeting will be December 10, 2026, at 6:30 p.m. City Hall, Council Chambers.

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

The Levine Act requires a Party in a Proceeding before the City of San José that involves any action related to their contract, license, permit, or use entitlement to disclose any campaign contributions to City elected or appointed officials totaling more than $500 within the 12 months prior to the City decision. A Participant to a Proceeding may voluntarily report a campaign contribution on the form located on the Levine Act webpage

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 Board 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 Board. Please be advised that, by law, the Board 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 Board 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 Board items may be viewed on the Internet at https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/code-enforcement/appeals-hearing-board.
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 inspection at the Office of the City Clerk, 200 East Santa Clara Street, 14th Floor, San José, California 95113, at the same time that the public records are distributed or made available to the legislative body. Any draft resolutions or other items posted on the Internet site or distributed in advance of the Board meeting may not be the final documents approved by the Board. Contact the Office of the City Clerk for the final document. On occasion the Board may consider agenda items out of order.

The **APPEALS HEARING BOARD** meets every Second (2nd) and Fourth (4th) Thursday of each month at 6:30 p.m. If you have any questions, please direct them to the Board staff. Thank you 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:

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Tel: (408) 794-6507 or (408) 294-9337 (TTY)
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