

# County of Santa Clara

Department of Planning and Development  
Planning Office

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STAFF MEMORANDUM  
Zoning Administration  
November 1<sup>st</sup>, 2018  
**Item #5**

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**File: 11024-17S-17G-17DR-18SP**  
**Subdivision, Grading Approval, Special Permit and Design Review**  
**for a four-lot subdivision, and construction of a new residence and**  
**detached pool cabana on proposed parcel B.**  
**Address: 20784 Via Corta, San Jose**

**DISCUSSION**

On October 16, 2017, an application for Subdivision, Grading Approval, Special Permit and Design Review was submitted to consider a four-lot subdivision and construction of a new residence on proposed Parcel B. The application was deemed complete for processing on March 8, 2018, pending review of the project for compliance with the California Environmental Quality Act (CEQA).

An Initial Study and Negative Declaration was prepared and circulated on August 31, 2018 via a Public Notice mailed to neighboring property owners within 600 ft. of the subject property, and sent to the San Jose Public Library on 3590 Cass Street in San Jose. The comment period expired on September 20, 2018. Staff did not receive any comments as a result of the Initial Study and Negative Declaration.

The Applicant, acting on behalf of the property owner, and discussing timelines for the public hearing, agreed to schedule the public hearing for the project on November 1, 2018. A Public Notice was mailed to property owners within a 900 ft. radius and published in Post Record Newspaper on October 19, 2018.

On October 23, 2018, the Applicant informed Planning Division Staff that the application for Design Review and Special permit, required for approval of the proposed residence and the detached pool cabana on Parcel B, was being withdrawn by the property owner. According to the Applicant, the property owner decided to withdraw these applications due to the need to construct story poles, as required by the County Zoning Ordinance § 3.20.040 (A)(2)(c), and because the new property owner decided not to construct the residence as designed. It is important to note that the property was sold while the Initial Study/Negative Declaration was being prepared, which is why the Applicant requested a hearing date in early November.

As the withdrawal of the applications related to the construction of a new residence on Parcel B required new plans to be prepared, the Applicant needed additional time and requested the public hearing be continued to the December 6, 2018 Zoning Administration Hearing.

### **ADDITIONAL INFORMATION**

#### **Permit Streamlining Act**

As the Applicant has chosen to substantially modify the design and project scope and will be submitting new plans that represent the new project, a new Permit Streamlining Act deadline will be established upon submittal of new, complete plans. Staff does not anticipate the need to recirculate the Initial Study or Negative Declaration, however Staff may publish a new public notice for the project hearing.

#### **REVIEWED BY**

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Prepared by: Robert Salisbury, Senior Planner RS

Reviewed by: Leza Mikhail, Principal Planner / Zoning Administrator

