



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Planning Commission

SUBJECT: SEE BELOW

DATE: April 26, 2007

COUNCIL DISTRICT: 9
SNI AREA: None

SUBJECT: PDC06-027. PLANNED DEVELOPMENT REZONING FROM R-1-8 SINGLE – FAMILY RESIDENCE ZONING DISTRICT TO A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO ALLOW UP TO 5 SINGLE-FAMILY DETACHED RESIDENCES ON A 1.15 ACRE SITE

RECOMMENDATION

The Planning Commission voted 5-0-2 with Commissioner Dhillon and Commissioner Platten absent, to recommend that the City Council approve the proposed Planned Development Rezoning from R-1-8 Single-Family Residence Zoning District to A(PD) Planned Development Zoning District to allow up to 5 single-family detached residences on a 1.15 acre site as recommended by staff.

OUTCOME

Should the City Council approve the Planned Development Rezoning, up to 5 single-family detached residences may be built on the subject 1.15 gross acre site, consistent with the Development Standards for the subject rezoning. This future development would be subject to additional development permits, approved by the Director of Planning.

BACKGROUND

On April 25, 2007, the Planning Commission held a public hearing to consider a Planned Development Rezoning from R-1-8 Single-Family Residence Zoning District to A(PD) Planned Development Zoning District to allow up to 5 single-family detached residences on a 1.15 acre site. The Director of Planning recommended approval of the project.

The agenda item was heard as a part of the consent calendar. No one from the public requested that the item be heard separately. The Planning Commission then closed the public hearing and all the projects in the consent calendar were adopted in one motion.

ANALYSIS

The proposed rezoning of the site from R-1-8 Single-family Residence Zoning District to A(PD) Planned Development Zoning District, as conditioned, is consistent with the San José 2020 General Plan Land Use/Transportation Diagram designation of Public Quasi/Public with the application of the General Plan's Discretionary Alternate Use Policy, for Surplus Public/Quasi-Public and Public Parks/Open Space, which provides an opportunity to rezone without an amendment to Land Use/Transportation Diagram, if such alternative use is compatible with existing and planned uses on neighboring properties and is consistent with applicable General Plan policies. This rezoning furthers important goals and strategies of the General Plan and is in conformance with the Residential Design Guidelines.

POLICY ALTERNATIVES

Not applicable.

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although this item does not meet any of the above criteria, staff followed Council Policy 6-30: Public Outreach Policy. A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website. The rezoning was also published in a local newspaper, the Post Record. This staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

A Community Meeting was conducted on September 6, 2006 during which the applicant presented the project to residents surrounding the site. The meeting was fairly well attended.

COORDINATION

This project was coordinated with the Department of Public Works, Fire Department, Police Department, Environmental Services Department and the City Attorney.

FISCAL/POLICY ALIGNMENT

This project is consistent with applicable General Plan policies and City Council approved design guidelines as previously discussed in attached staff report.

HONORABLE MAYOR AND CITY COUNCIL

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COST SUMMARY/IMPLICATIONS

Not applicable.

BUDGET REFERENCE

Not applicable.

CEQA

Mitigated Negative Declaration adopted on April 17, 2007.


for JOSEPH HORWEDEL, SECRETARY
Planning Commission

For questions please contact Susan Walton at 408-535-7847.

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building and Code Enforcement
200 East Santa Clara Street
San José, California 95113

Hearing Date/Agenda Number
P.C. 04-25-07 Item No. 3.e.
C.C. 05-15-07 Item No.

File Number PDC06-027

STAFF REPORT

Application Type
Planned Development Rezoning

Council District 9

Planning Area Cambrian/Pioneer

Assessor's Parcel Number(s)
523-43-060

PROJECT DESCRIPTION

Completed by: Suparna Saha

Location: East side of Taft Drive, approximately 200 feet northerly of Blossom Valley Drive

Gross Acreage: 1.15 Net Acreage: 0.68 Net Density: 7.3 DU/AC

Existing Zoning: R-1-8 Single-family Residence Existing Use: Pre-school (The Learning Campus)

Proposed Zoning: A (PD) Planned Development Proposed Use: Up to 5 Single-family detached residential units

GENERAL PLAN

Land Use/Transportation Diagram Designation
Public/Quasi-Public

Project Conformance:
 Yes No
 See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

APPLICATION FILED: 04-26-06

North: Public/Quasi-Public (Union Middle School) R-1-8 Single-Family-Residence District

East: Medium Density Residential (8-16 DU/AC) R-2 Two-Family Residence

South: Single-Family Residential R-1-8 Single-Family-Residence District

West: Single-Family Residential R-1-8 Single-Family-Residence District

ENVIRONMENTAL STATUS

Environmental Impact Report Exempt
 Negative Declaration circulated on **March 27, 2007** Environmental Review Incomplete
 Negative Declaration adopted on **April 17, 2007**

FILE HISTORY

Annexation Title: Union No. 4

Date: August 30, 1956

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval Date: _____ Approved by: _____
 Approval with Conditions Action
 Denial Recommendation
 Uphold Director's Decision

OWNER / DEVELOPER

Masoumi Brothers LLC
3131 S. Bascom Avenue, Suite # 110
Campbell, CA 95008

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: SS

Department of Public Works

See attached memorandum

Other Departments and Agencies

See attachments

GENERAL CORRESPONDENCE

Noise Report and Tree Evaluation & Protection Report

See attachments (from neighborhood residents)

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant, Masoumi Brothers LLC, is proposing a rezoning from R-1-8 Single-family Residence District to A (PD) Planned Development Zoning District to allow up to five (5) single-family detached residences on a 1.15 gross acre site. A Planned Development Zoning is being requested to allow 5 lots that range in size from 7,385 to 12,132 square feet. All of the lots are larger than the 5,445 square feet minimum lot size permitted by the present zoning district. Four of the lots are proposed to take access from a private driveway, and the fifth from Taft Drive. If the project were to develop under the existing R-1-8 Single Family Residence district, the maximum number of lots that could be developed would be 5 given the 5,445 square foot minimum lot size.

A 100-foot wide easement exits on the south side of the subject parcel, along the rear property line of houses fronting on Blossom Valley Drive, which is shared by Pacific Gas and Electric Company (PG&E) and the Santa Clara Valley Water District (SCVWD). The Planned Development zoning district is required for development of this property in order to maintain the proposed driveway and allow cross easements to each of the owners of lots 1 through 4 that are to take access from this common driveway. A Tentative Map application has also been submitted.

Project Context

The project site is located on the east side of Taft Drive and is a short distance north of Blossom Valley Drive in San Jose. The site is bounded on the west by Taft Drive, on the north by Union Middle School, and on the south and east by single-family detached residences and duplexes. There are existing single-family residences along the west side of and fronting Taft Drive, which is relatively narrow street and has light traffic, across from the middle school, including the playing fields. The site is currently occupied by a preschool, "The Learning Campus." The project site is level and at the same grade as the adjacent roadway. The subject site fronts on Taft Drive and a 100-foot wide PG&E and SCVWD easement on the south side runs along the entire corridor. The 100-foot easement separates the proposed residential units from the single-family residences to the south. The surrounding area is predominantly zoned R-1-8 Single-family Residence Zoning District. The lot sizes surrounding the property are predominantly 7,000 – 9,000 square feet and developed at a density of approximately 8 DU/AC units per acre. The duplexes to the east of the site are developed on property zoned R-2 Two-family Residence District.

Project Description

The project site, consisting of one legal lot, is currently developed with a preschool. The preschool consists of one-structure, a children's play-area and a parking lot. Historical records indicate that the site was in agricultural use until 1960, at which time it was developed for urban uses. The first building permit was issued in 1960. The existing building is proposed to be demolished. The property was reviewed using the City of San Jose Historic Evaluation Criteria and it was determined not to be of historic significance.

The project proposes to rezone the 1.15-acre site to A (PD) Planned Development to allow for the development of 5 single-family detached homes, at a density of approximately 7.35 dwelling units per acre (net acreage). This density was calculated by "netting out" the 100-foot easement (207'x100') from the entire site, which is partially occupied by the driveway. The conceptual site plan and elevations indicate the homes will be two-story, approximately 3,300 square feet in size, with four to five bedrooms and two-car garages. The homes are proposed to be set back 25 feet from the front property line Taft Drive (lot 5) and 25 feet measured to back of the driveway sidewalk (for Lots 1 through 4) and 12.5 feet at the corner of private street and Taft Drive (Lot 1), and 5 feet from interior side property lines, consistent with the R-1-8 Residence District. The project would provide a total of 25 off-street parking spaces (2 covered spaces per unit) within two-car garages with two additional parking spaces available on the driveway aprons, and 5 along the proposed driveway. Proposed street improvements will include new street trees.

Forty (40) trees are present on the site, 30 of which have diameters of 56 inches or greater measured at two feet above soil grade. A total of 20 trees are proposed to be removed of which 15 are ordinance size and 5 are non-ordinance size trees. The applicant proposes to save all the trees along the school and residential property lines to the north and south. Several of oak and redwood trees are proposed to be saved including the largest oak and pine trees on the site (Tag Nos. 26 and 13).

COMMUNITY MEETING

A Community Meeting was conducted on September 6, 2006 during which the applicant presented the project to residents surrounding the site. The meeting was fairly well attended. The community reiterated their concerns about the project, including noise, saving as many trees as possible, and amount of on-street parking. One of the residents from the adjacent duplexes expressed concern regarding the potential impacts on the privacy of the residents living adjacent to the development as a result of views from the new two-story homes. The applicant indicated a willingness to work with window placement to address these issues at the detailed architectural review during the Planned Development permit stage.

The applicant stated that the project was compatible with the existing character of the neighborhood, that the homes would be of a high quality, and that modifications to the homes to address concerns regarding privacy could be made at the PD permit stage.

Notices for the public hearing were distributed to the owners and tenants of all properties located within 500 feet of the project site. A notice of the rezoning was also published in the newspaper, in accordance with the City Council's Public Outreach Policy. One on-site sign notice has been placed on the site to provide information on the pending proposal.

ENVIRONMENTAL REVIEW

An Initial Study was prepared for the project and a Mitigated Negative Declaration was circulated for public review by the Director of Planning on March 27, 2007. The project includes mitigation measures that will reduce any potential significant impacts to less than significant level.

The primary issues that were addressed in the environmental review were the project's potential impacts on noise from the adjacent school's ballfield, and the removal of some mature trees.

The proposed residential units, specially the unit (lot 5) nearest to the school's ball field, would be exposed to existing and future noise levels in excess of 60dBA, which exceeds the noise and land use compatibility standards presented in the City of San Jose's General Plan. The applicant will design and construct noise barriers to reduce noise at private exterior use areas, to be submitted at the Planned Development Permit stage. The applicant will also disclose to the potential buyers of these new houses, the project's proximity to the adjacent schools ball field and identify that noise generated by these activities will be audible at the project site when the ballfield is in use.

According to a Tree Survey and Protection report, there are 40 trees on the site. Preliminarily, it appears that the development could result in 20 trees being removed, 15 of which are ordinance size (56" in circumference or greater). The allowance for the removal of any ordinance size trees as part of the subsequent Planned Development Permit process will include the requirement that they be replaced at a 5 to 1 ratio with 24" box trees.

GENERAL PLAN CONFORMANCE

The project proposes to rezone 1.15 gross acres site to develop 5 single-family detached residential units at a density of 4.34 dwelling units per acre. However, since the 100-foot easement cannot be developed, staff believes it would be more appropriate to calculate the density after "netting out" the easement area. The density is then calculated at 7.35 DU/AC, which is compatible to the surrounding density of dwelling units per acre. The project site is designated Public Quasi/Public on the City's General Plan Land Use Transportation Diagram. In order to encourage infill development one of the General Plan's *Discretionary Alternate Use Policies*, the "Surplus Public/Quasi-Public and Public Parks/Open Space", provides that an alternative use of property designated for Public/Quasi-Public or Public Parks and Open Space use may be approved under Planned Development zoning without an amendment to the Land Use/Transportation Diagram, if such alternative use is compatible with existing and planned uses on neighboring properties and is consistent with applicable General Plan policies.

The use of the Surplus Public/Quasi-Public or Public Parks and Open Space Policy is appropriate for this project as the project proposes a continuation of the existing land use pattern, and development of the site to meet standards of the surrounding zoning designation. The Draft Development Standards are comparable to those of the R-1-8 Single Family Residence District and the project meets the development standards of the *Residential Design Guidelines*. As discussed below, the proposed setbacks are greater than the *Residential Design Guidelines* standards for lots of between 5000 – 6000 square feet.

The project is also in keeping with the General Plan's Growth Management Major Strategy that encourages infill development within urbanized areas where urban services are already available as a means to controlling service costs.

ANALYSIS

The two main issues raised by this proposal are a) the need for a maintenance and cross easement agreement between the future property owners for the Lots 1 through 4, and b) that the subject parcel has a Public/Quasi-Public designation on the City's General Plan Land Use Transportation Diagram that necessitates a Planned Development zoning in order to proceed without an amendment to the Land Use/Transportation Diagram, if such use is compatible with existing and planned uses on neighboring properties. This rezoning therefore,

streamlines the development review process by avoiding, in such cases where appropriate, the time-consuming process of amending the General Plan.

Any property developed in common interest requires a maintenance agreement between the property owners who would use the commonly-developed portion of the parcel. The private driveway from which four of the five future property owners will take access is proposed to be held in common interest and an agreement that will maintain the driveway and allow cross easement access. The common landscape area shall be maintained by the four homeowners taking access from the private drive.

Otherwise, this project meets the standards of R-1-8 Single-family residence Zoning district standards as set forth in the City's Zoning Ordinance.

Planning staff considers the proposed project to be consistent with the existing development in the neighborhood. Four of the homes will be situated facing the driveway and one of the homes will take access from public street (Taft Drive). The proposed layout will essentially be a continuation of the existing development pattern in the neighborhood that consists of single-family homes on individual lots, four fronting onto private driveway and one on Taft Drive. Although under a Planned Development rezoning, the homes will be subject to the same development standards of the R-1-8 Single Family Residence zoning district, and the setbacks are substantially greater than those specified in the Residential Design Guidelines (RDG) for single-family homes on lots of between 5,000-6,000 square feet. The proposed project is therefore in conformance with the intent of the development standards recommended in the *Residential Design Guidelines* with regard to site design, setbacks, parking, open space, and architectural design.

Architecture

This project consists of five two-story units with a height of approximately 27 feet. To reduce the mass of the two-story units the second story of the homes is proposed to be set back from the face of the first story on the private driveway and street-side elevation. The homes are proposed to have extensive articulation and emphasize the living area of the building instead of the garage. The units propose hip roofs on the upper story to further reduce the apparent mass of the homes when placed next to another unit. Further refinement of the architecture will occur as a part of the review of the Planned Development Permit, including changes to address privacy concerns expressed by neighboring residents.

RECOMMENDATION

Planning staff recommends the Planning Commission forward a recommendation of approval and the City Council adopt an ordinance rezoning the subject for the following reasons:

1. The proposed project is compatible with the character of the neighborhood as it is a continuation of the existing pattern of development in the area.
2. The project meets or exceeds the Residential Design Guidelines standards for setbacks for single-family homes on lots of between 5,000-6,000 square feet, meets the standards of the R-1-8 Residence Zoning district, and is compatible with existing and planned uses on adjacent and neighboring properties.
3. The project furthers the goals and objectives of the San Jose 2020 General Plan including the Growth Management major strategy that encourages infill development.

Attachments

DEVELOPMENT STANDARDS DRAFT
PDC06-027

The following development regulations are to be placed on the Land Use Plan upon approval of the Planned Development Zoning by the City Council.

Development Standards:

Up to 5 single-family detached residences.

Minimum lot size:	5,445 square- feet
Maximum height:	30 feet
Maximum stories:	2.5 stories

Perimeter Setbacks:

Front yard, lot no.5 :	25 feet
Minimum front yard, lots 1- 4	25 feet measured to private driveway sidewalk
Side yard, lot no.1(west):	12.5 feet
Minimum width of private driveway/street:	26 feet
Minimum rear yard :	20 feet
Adjacent to duplex lot no. 4 (east):	5 feet

Separations:

Side to side:	5 feet
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Architectural Projections and Stairs

Second story front and rear elevations are allowed to encroach up to 2 feet in the required setback.

Minor architectural projections such as fireplaces and bay windows may project into any setback or building separation by up to 2 feet for a length not to exceed 10 feet or 20 percent of the building elevation length.

Parking:

2 covered parking spaces per unit plus 1 guest parking on site. A total of fifteen (15) parking spaces are provided on site. Ten (10) resident parking spaces on individual lots (5) guest parking spaces.

Private Infrastructure standards are to meet or exceed Public Improvement standards:

Pursuant to Part 2.75 of Chapter 15.12 of the San Jose Municipal Code, no vested right to a building permit shall accrue as the result of the granting of any land development approvals and applications when and if the City Manager makes a determination that the cumulative sewage treatment demand on the San Jose-Santa Clara Water Pollution Control Plant represented by approved land uses in the area served by said Plant will cause the total sewage treatment demand to meet or exceed the capacity of the Jose-Santa Clara Water Pollution Control to treat such sewage adequately and within the discharge standards imposed on the City by the State of California Regional Water Quality Control Board for the San Francisco Bay Region. Substantive conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approving authority

The Environmental issues and Mitigation Measures are as follows:

AIR QUALITY

- The following construction practices shall be implemented during all phases of construction for the proposed project:
- Use dust proof chutes for loading construction debris onto trucks;
- Water to control dust generation during demolition of structures and break-up of pavement;
- Cover all trucks hauling demolition debris from the site;
- Water or cover stockpiles of debris, soils, sand or other materials that can be blown by the wind;
- Cover all trucks hauling soil, sand, and other loose materials that can be blown by the wind;
- Sweep daily (preferably with water sweepers) if visible soil material is carried onto adjacent public streets;
- Sweep streets daily (preferably with water sweepers) if visible soil material is carried onto adjacent public streets;
- Enclose, cover, water twice or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc);
- Install sandbags or other effective erosion control measures to prevent silt runoff to public roadways;
- Replant vegetation in disturbed area as quickly as possible.

BIOLOGICAL RESOURCES

Mitigation Measures are as follows: All trees that are to be removed shall be replaced at the following ratios:

Diameter of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Each Replacement Tree
	Native	Non-Native	Orchard	
18 inches or greater	5:1	4:1	3:1	24-inch box
12 - 18 inches	3:1	2:1	none	24-inch box
less than 12 inches	1:1	1:1	none	15-gallon container

x:x = tree replacement to tree loss ratio

Note: Trees greater than 18" diameter shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees.

- In the event the project site does not have sufficient area to accommodate the required tree mitigation, one or more of the following measures shall be implemented, to the satisfaction of the Director of Planning, Building, and Code Enforcement, at the development permit stage:
 - The size of a 15-gallon replacement tree can be increased to 24-inch box and count as two replacement trees.
 - An alternative site(s) shall be identified for additional tree planting. Alternative sites may include local parks or schools or installation of trees on adjoining properties for screening purposes to the satisfaction of the Director of Planning, Building, and Code Enforcement.
 - A donation of \$300 per mitigation tree to *Our City Forest* for in-lieu off-site tree planting in the community. These funds shall be used for tree planting and maintenance of planted trees for approximately three years. A donation receipt for off-site tree planting shall be provided to the Planning Project Manager prior to issuance of a development permit
 - The following tree protection measures shall be included in the project in order to protect trees to be retained during construction: (see tree protection guidelines).

Pre-Construction Treatments

- The applicant shall retain a consulting arborist. The construction superintendent shall meet with the consulting arborist before beginning work to discuss work procedures and tree protection.
- Fence all trees to be retained to completely enclose the Tree Protection Zone prior to demolition, grubbing or grading. Fences shall be six feet chain link or equivalent as approved by consulting arborist. Fences are to remain until all grading and construction is completed.
- Prune trees to be preserved to clean the crown and to provide clearance. All pruning shall be completed or supervised by a Certified Arborist and adhere to the Best Management Practices for Pruning of the International Society of Arboriculture.

During Construction

- No grading, construction, demolition or other work shall occur within the Tree Protection Zone. Any modifications must be approved and monitored by the consulting arborist.
- Any root pruning required for construction purposes shall receive the prior approval of, and be supervised by, the consulting arborist.
- Supplemental irrigation shall be applied as determined by the consulting arborist.
- If injury should occur to any tree during construction, it shall be evaluated as soon as possible by the consulting arborist so that appropriate treatments can be applied.

- No excess soil, chemicals, debris, equipment or other materials shall be dumped or stored within the Tree Protection Zone.
- Any additional tree pruning needed for clearance during construction must be performed or supervised by an Arborist and not by construction personnel.
- As trees withdraw water from the soil, expansive soils may shrink within the root area. Therefore, foundations, footings and pavements on expansive soils near trees shall be designed to withstand differential displacement.

CULTURAL RESOURCES

- The following measures would be incorporated as part of the project in the unlikely event that historic or prehistoric resources are uncovered during project construction: 1) Construction personnel involved in the site clearing and subsequent grading and trenching shall be warned that there is a potential for the discovery of archaeological materials. Indicators of archaeological site deposits include, but not limited to, the following : darker than surrounding soils, evidence of fire(as, fire altered rock and earth, carbon flecks), concentrations of stone, bone shellfish, artifacts of these materials and burials, either animal or human.
- In the event any unanticipated prehistoric or significant historic era cultural materials are exposed during construction, all grading and/ or excavated operations within 25 feet of the finds shall be halted and a qualified professional archaeologist shall be contacted for evaluation and further recommendations. All work shall comply pursuant to Section 7050.5 of the Health and safety Code and Section 5097.94 of the Public Resources Code of the State of California.

GEOLOGY AND SOILS

- Buildings shall be designated and constructed in accordance with the design-level geotechnical investigation prepared for the site, which identifies the specific design features that will be required for the project, including site preparation, compaction, trench excavations, foundation and subgrade design, drainage and pavement design. The geotechnical investigation shall be reviewed and approved by the City Public Works Department prior to issuance of a building permit for the project.
- The project shall implement standard grading and best management practices to prevent substantial erosion and siltation during development of the site.

HYDROLOGY

Pre-Construction

- Prior to construction of the project, the City shall require the applicant to submit a Storm Water Pollution Prevention Plan (SWPPP) and a Notice of Intent (NOI to the State of California Water Resource Quality Control Board to control the discharge of storm water pollutants including sediments associated with construction activities. Along with these documents, the applicant may also be required to prepare an Erosion Control Plan. The Erosion Control Plan may include Best Management Practices (BMPs) as specified in the

California Storm Water Best Management Practice Handbook (such as silt fences/straw waddles around the perimeter of the site, regular street cleaning, and inlet protection) for reducing impacts on the City's storm drainage system from construction activities. The SWPPP shall include control measures during the construction period for:

- Soil stabilization practices,
 - Sediment control practices,
 - Sediment tracking control practices,
 - Wind erosion control practices, and
 - Non-storm water management and waste management and disposal control practices.
- Prior to issuance of a grading permit, the applicant shall be required to submit copies of the NOI and Erosion Control Plan (if required) to the City Project Engineer, Department of Public Works. The applicant shall also be required to maintain a copy of the most current SWPPP on-site and provide a copy to any City representative or inspector on demand.
 - Each Phase of development shall comply with the City of San José Grading Ordinance, including erosion- and dust-control during site preparation, and with the City of San José Zoning Ordinance requirement for keeping adjacent streets free of dirt and mud during construction.

Post-Construction

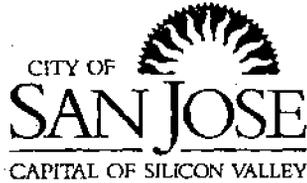
- The proposed development shall comply with the NPDES permit issued to the City of San José and other co-permittees of the SCVURPPP, and with the provisions of the City's Post-Construction Urban Runoff Management Policy, which require the inclusion in the site design of pollutant source control and stormwater treatment control measures to the maximum extent practicable. At the Planned Development permit stage, the applicant shall submit plans for BMPs and numerically sized TCMs, but not limited to the following:
 - Vegetated swales and flow-through areas;
 - Bioretention areas or basins;
 - Disconnected downspouts that are directed into landscape areas;
 - Minimization of impervious surfaces and increased use of permeable pavement;
 - Location of all storm drain inlets to be stenciled with, "No Dumping! Flows to Bay;" and
 - Location and design of trash enclosures (all shall be covered) and materials handling areas.
- The project shall comply with Provision C.3 of NPDES permit Number CAS0299718, which provides enhanced performance standards for the management of stormwater for new development.
- The project shall comply with the City's Post-Construction Urban Runoff Management Policy (Policy 6-29), which establishes general guidelines and minimum BMPs for specific land uses and numerically sized (or hydraulically sized) TCMs.

NOISE

- Limit all construction activities to weekdays between 7:00 a.m. to 7:00 p.m. Monday through Friday for any on-site or off-site work within 500 feet of any residential unit.
- Permitted work activities shall be conducted exclusively within the interior of enclosed building structures provided that such activities are inaudible to existing adjacent residential uses. Exterior generators, water pump, compressors, and idling trucks are not permitted. The developer shall be responsible for educating all contractors and subcontractors of and construction restrictions. Rules and regulations pertaining to all construction activities and limitations identified in this permit, along with the name and telephone number of a developer appointed disturbance coordinator, shall be posted in a prominent location at the entrance to the job site.
- Equip all internal combustion engine-driven equipment with mufflers which are in good condition and appropriate for the equipment
- Utilize “quiet” models of air compressors and other stationary noise sources where technology exists.
- Locate stationary noise-generating equipment as far as possible from sensitive receptors. Staging of construction equipment will be as far as feasible from the sensitive receptors.
- Prohibit unnecessary idling of internal combustion engines.
- Designate a “noise disturbance coordinator” who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaints (e.g. beginning work too early, bad muffler, etc.) and institute reasonable measures warranted to correct the problem. A telephone number for the disturbance coordinator would be conspicuously posted at the construction site.
- Disclose the project’s proximity to the adjacent junior high school ball field and identify that noise generated by these activities would be audible at the project site.

PUBLIC SERVICES

- In accordance with Government Code 65996, the developer shall pay a school impact fee to offset the increased demands on school facilities caused by the proposed project.
- The project shall conform with the City’s *Park Impact Ordinance (PIO)* and *Parkland Dedication Ordinance (PDO)*.



Memorandum

TO: Suparna Saha
Planning and Building

FROM: Ebrahim Sohrabi
Public Works

SUBJECT: FINAL RESPONSE TO
DEVELOPMENT APPLICATION

DATE: 02/27/07

PLANNING NO.: PDC06-027
DESCRIPTION: Planned Development Rezoning from R-1-8 Residence Zoning District to A(PD) Planned Development Zoning District to allow up to five single-family detached residences on a 1.15 gross acre site
LOCATION: east side of Taft Drive, approximately 200 feet northerly of Blossom Valley Drive
P.W. NUMBER: 3-18064

Public Works received the subject project on 02/05/07 and submits the following comments and requirements.

Project Conditions:

Public Works Clearance for Building Permit(s) or Map Approval: Prior to the approval of the Tract or Parcel Map (if applicable) by the Director of Public Works, or the issuance of Building permits, whichever occurs first, the applicant will be required to have satisfied all of the following Public Works conditions. The applicant is strongly advised to apply for any necessary Public Works permits prior to applying for Building permits.

1. **Construction Agreement:** The public improvements conditioned as part of this permit require the execution of a Construction Agreement that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This agreement includes privately engineered plans, bonds, insurance, a completion deposit, and engineering and inspection fees.
2. **Transportation:** This project is exempt from the Level of Service (LOS) Policy, and no further LOS analysis is required because the project proposes less than 15 single family detached units.
3. **Grading/Geology:**
 - a) A grading permit is required prior to the issuance of a Public Works Clearance.
 - b) Because this project involves a land disturbance of one or more acres, the applicant is required to submit a Notice of Intent to the State Water Resources Control Board and to prepare a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity.

Copies of these documents must be submitted to the City Project Engineer prior to issuance of a grading permit.

4. **Stormwater Runoff Pollution Control Measures:** This project must comply with the City's Post-Construction Urban Runoff Management Policy (Policy 6-29) which requires implementation of Best Management Practices (BMPs) that include site design measures, source controls, and stormwater treatment controls to minimize stormwater pollutant discharges. Post-construction treatment control measures, shown on the project's Stormwater Control Plan, shall meet the numeric sizing design criteria specified in City Policy 6-29.
 - a) The project's preliminary Stormwater Control Plan and numeric sizing calculations have been reviewed. At PD stage, submit the final Stormwater Control Plan and numeric sizing calculations.
 - b) Final inspection and maintenance information on the post-construction treatment control measures must be submitted prior to issuance of a Public Works Clearance.
 - c) A post construction Final Report is required by the Director of Public Works from a Civil Engineer retained by the owner to observe the installation of the BMPs and stating the all post construction storm water pollution control BMPs have been installed as indicated in the approved plans and all significant changes have been reviewed and approved in advance by the Department of Public Works.
5. **Flood Zone D:** The project site is not within a designated Federal Emergency Management Agency (FEMA) 100-year floodplain. Flood Zone D is an unstudied area where flood hazards are undetermined, but flooding is possible. There are no City floodplain requirements for Zone D.
6. **Sewage Fees:** In accordance with City Ordinance all storm sewer area fees, sanitary sewer connection fees, and sewage treatment plant connection fees, less previous credits, are due and payable.
7. **Parks:** In accordance with the Parkland Dedication and Park Impact Ordinances (SJMC 19.38/14.25), the park impact fee will be due for any additional living units that are built.
8. **Street Improvements:**
 - a) Construct new curb, gutter, and sidewalk along project frontage. Provide a detached sidewalk with park strip.
 - b) Improvement of the public streets shall be to the satisfaction of the Director of Public Works.
 - c) Repair, overlay, or reconstruction of asphalt pavement may be required. The existing pavement will be evaluated with the street improvement plans and any necessary pavement restoration will be included as part of the final street improvement plans. (To assist the Applicant in better understanding the potential cost implications resulting from these requirements, existing pavement conditions can be evaluated during the Planning permit review stage. The Applicant will be required to submit a plan and the applicable fees to the PW Project Engineer for

processing. The plan should show all project frontages and property lines.
Evaluation will require approximately 20 working days.)

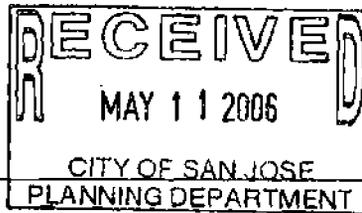
9. **Complexity Surcharge (In-Fill):** This project has been identified as an in-fill project. Based on established criteria, the public improvements associated with this project have been rated medium complexity. An additional surcharge of 25% will be added to the Engineering & Inspection (E&I) fee collected at the street improvement stage.
10. **Electrical:** Existing electroliers along the project frontage will be evaluated at the public improvement stage and any street lighting requirements will be included on the public improvement plans.
11. **Street Trees:** Install street trees within public right-of-way along entire project street frontage per City standards; refer to the current "Guidelines for Planning, Design, and Construction of City Streetscape Projects". Street trees shall be installed in the park strip. Obtain a DOT street tree planting permit for any proposed street tree plantings. Contact the City Arborist at (408) 277-2756 for the designated street tree.
12. **Private Streets:** Per Common Interest Development (CID) Ordinance, all common infrastructure improvements shall be designed and constructed in accordance with the current CID standards. The plan set includes details of private infrastructure improvements. The details are shown for information only; final design shall require the approval of the Director of Public Works.
13. **Referrals:** This project should be referred to the Pacific Gas and Electric Company and the Santa Clara Valley Water District.

Please contact the Project Engineer, Ryan Do, at (408) 535-6897 if you have any questions.



Ebrahim Sohrabi
Senior Civil Engineer
Transportation and Development Services Division

RTD
ES:rd:kg
6000_6174465004.DOC



Memorandum

DATE: 05/10/06

TO: Suparna Saha
FROM: Nadia Naum-Stoian

Re: Plan Review Comments

PLANNING NO: PDC06-027
DESCRIPTION: Planned Development Rezoning from R-1-8 Residence Zoning District to A(PD) Planned Development Zoning District to allow up to five single-family detached residences on a 1.15 gross acre site
LOCATION: east side of Taft Drive, approximately 200 feet northerly of Blossom Valley Drive
ADDRESS: east side of Taft Drive, approximately 200 feet northerly of Blossom Valley Drive (5410 TAFT DR)
FOLDER #: 06 012852 ZN

The Fire Department's review was limited to verifying compliance of the project to Article 9, Appendix III-A, and Appendix III-B of the 2001 California Fire Code with City of San Jose Amendments (SJFC). Compliance with all other applicable fire and building codes and standards relating to fire and panic safety shall be verified by the Fire Department during the Building Permit process.

- These comments are based on the following information from drawings dated 4/25/06 by Mission Eng.

Largest building: INFO REQUIRED sq. ft.

Construction Type: V N

Occupancy Group: R3/U1

Number of stories: 2

1. The project plans as submitted, do not comply with the Fire Code. The following are discrepancies noted:

- c) Available fire flow. Provide a copy of the letter from San Jose Water Co. that indicates the water flow available.

Note: The plans shall be submitted to the Fire Department *by appointment only* (call Nadia Naum-Stoian) as soon as possible.



Nadia Naum-Stoian
Fire Protection Engineer
Bureau of Fire Prevention
Fire Department
(408) 535-7699

- a) Fire apparatus access roads are not in accordance with the requirements of the SJFC. The turn-around/bulb at the end of the private street is not in accordance with San Jose City Ordinance. See attached approved details.
- b) The plans do not indicate that the required fire flow of 2000GPM will be available at the project site. Please ask the applicant to immediately contact Jim Bariteau of San Jose Water Co. at 408-279-7874 to get the water flow information.
- c) The plans do not show location of hydrants. The required fire flow shall be provided through 2 hydrants: add one hydrant within 175 feet from private street dead-end per CFC requirements. The new hydrant to be calculated for minimum 1000GPM at 20PSI. The required 2000GPM to be calculated from the new hydrant and the existing one A-01329 on Taft by Coronet.

2. Please advise the applicant to submit plans to the Fire Department that provide the following information:

- a) Width, length, and grade of the fire apparatus access roads, streets, avenues, and the like. Every portion of all building exterior walls shall be within 150 feet of an access road. The fire access shall:
- be at least 20 feet wide;
 - have an unobstructed vertical clearance of not less than 14 feet;
 - be designed and maintained to support the loads of fire apparatus of at least 69,000 pounds;
 - have a minimum inside turning radius of 30 feet and an outside turning radius of 50 feet;
 - be designed with approved provisions for turning around of fire apparatus if it dead ends and is in excess of 150 feet; and
 - have a gradient less than or equal to 15%.
 - **Curbs are required to be painted red and marked as "Fire Lane - No Parking" under the following conditions: (show exact locations on plan)**
 - i) **Roads, streets, avenues, and the like that are 20 to less than 26 feet wide measured from face-of-curb to face-of-curb shall have curbs on both sides of the road painted and marked**
 - ii) **Roads, streets, avenues, and the like that are 26 to less than 32 feet wide measured from face-of-curb to face-of-curb shall have one curb painted and marked**
- b) Location of fire hydrants.



January 11, 2007

Suparna Saha
City of San Jose
Department of Planning, Building and Code Enforcement
200 East Santa Clara Street, 3 rd floor
San Jose, CA. 95113-1905

RE: Tentative Parcel Map (Dated April 2005)
5410 Taft Drive, San Jose
(APM: 523-43)
PG&E file: Y06-MR-34

Dear Ms. Saha:

Thank you for the opportunity to review the Tentative Parcel Map on the above referenced property. PG&E has no objection to the map.

PG&E owns and operates a variety of gas and electric facilities which may be located within the proposed project boundaries. Project proponents should coordinate with PG&E early in the development of their project plans to promote the safe and reliable maintenance and operation of existing utility facilities. Any proposed development plans should provide for unrestricted utility access and prevent interference with PG&E easements.

Activities which may impact our facilities include, but are not limited to, permanent/temporary changes in grade over or under our facilities, construction of structures within or adjacent to PG&E's easements, and planting of certain types of vegetation over, under, or adjacent to our facilities.

The installation of new gas and electric facilities and/or the relocation of existing PG&E facilities will be performed in accordance with common law or Rules and Tariffs as authorized by the California Public Utilities Commission.

Please contact me at (408)282-7534 or tpq1@pge.com if you have any questions regarding our comments.

Sincerely,

Ted Quach
Land Agent
Technical & Land Services



Pacific Gas and
Electric Company®

Corporate Real Estate
Land Services

111 Almaden Blvd., Rm. 814
San Jose, CA 95115

Mailing Address
P. O. Box 15005
San Jose, CA 95115-0005

May 12, 2006

John Maesumi
3131 So. Bascom Ave., Ste 110
Campbell, CA 95008

Re: 5410 Taft Ave.
San Jose

Dear Mr. Maesumi:

Thank you for the opportunity to comment on the proposed improvements for the subject project. The Electric Transmission Department has completed its review and in general has no objection to your proposal within the transmission tower line easement.

However, in order to preserve PG&E's ability to operate and maintain its transmission lines safely, this consent is granted subject to the following conditions and requirements.

- Extreme caution must be observed when working around tower footings
- Access to towers must be clear and unobstructed at all times.
- Water cannot be allowed to accumulate within tower footings.
- Minimum ground to conductor clearance is 32 feet.
- Construction equipment must observe a minimum of 13 feet.
- Any fences within easement must be approved for safety and access.
- No trees taller than 20' at maturity.
- No street lights taller than 15'.
- No buildings or structures within easement.
- No landscaping within 20' of towers.

Should you have any questions or concerns please call me 408.282.7106.

Sincerely,

Thomas J. Zlatunich
Land Agent

cc: E.Hansen

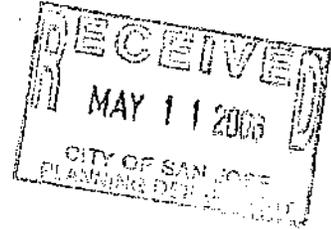


UNION SCHOOL DISTRICT

5175 Union Avenue, San Jose, CA 95124-5434
Phone 408-377-8010 • Fax 408-377-7182
www.unionsd.org

Phil Quon
Superintendent

May 9, 2006



Suparna Saha, Project Manager
City of San Jose
Department of Planning, Building and Code Enforcement
200 E. Santa Clara St., 3rd Floor
San Jose, CA 95113-1905

RE: City File No. PT06-036 APN: 52343060

Dear Ms. Saha:

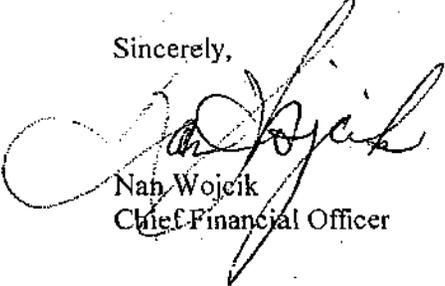
Union School District recently received a Tentative Parcel Map for subdivision of a parcel on the east side of Taft Drive into 5 lots for single-family residences. The north side of the parcel shares its property line with Union Middle School. We are very concerned about the location of one of the houses which is sited very close to the school's playing fields (see attached).

Union Middle School has approximately 850 students and staff. Physical education classes use the fields throughout the day for such activities as baseball, soccer, and cross country. The fields are used by youth sports organizations after school until dark and all day Saturday, from early morning until evening, for baseball and soccer practices, games and tournaments. These activities create a considerable amount of noise from the players and, particularly on Saturdays, from cheering supporters. Balls have been accidentally hit or kicked out of the school grounds and parking is at a premium for the sporting events so many vehicles park on Taft Drive.

It has been the District's experience with neighbors, who share school boundaries that many times they are not very tolerant of these school activities and the impact they have on their home life. Our concerns are with the house that has its proposed footprint directly next to field. There seems to be virtually no buffer area between the house and the middle school field. We are very concerned about how a buyer will coexist with the noise and balls from our school. Also, the proposed driveway for this home cuts the curb onto the east side of Taft Drive. This side of the street is heavily used for parking and we are concerned about the possibility of parents or field users parking in front of the home and blocking the driveway.

Thank you for taking Union School District's concerns into consideration when working with the developer of the parcel. If you have any questions please call me 408/377-8010 Ext.202.

Sincerely,


Nan Wojcik
Chief Financial Officer

File: 31117
Almaden Valley Pipeline

April 5, 2007

Ms. Suparna Saha
Department of Planning, Building and Code Enforcement
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113-1905

Subject: Mitigated Negative Declaration – City File Number PDC06-027

Dear Ms. Saha:

The Santa Clara Valley Water District (District) has reviewed the Mitigated Negative Declaration for City File PDC06-027, 5410 Taft Drive, circulated on March 226, 2007.

The District's Almaden Valley Pipeline a 72-inch diameter high pressure raw water transmission pipeline and associated telemetry cable are located within a 30 foot wide District easement along the southern property line. The pipeline is located at a depth of approximately 7.5 feet below grade and approximately 18 feet from the southern property line. The telemetry cable is located at a depth of approximately 1.5 feet below grade and approximately 8 feet north of the centerline of the pipeline. The plan included in the Mitigated Negative Declaration does not appear to show the pipeline, telemetry cable, or easement. As per District Ordinance 06-01, any work proposed within the easement will require a District permit.

Based on the plan included in the Mitigated Negative Declaration it appears that the proposed roadway for the development may encroach into the easement. Plans clearly showing the location of the easement and any grading and all improvements (including landscaping, irrigation, utilities, and fencing) proposed within the easement must be provided to the District for permit review. Trees are not allowed within the easement; the District does not have record of approving the planting of the existing trees located within the easement. Landscaping within the easement will be restricted to ground covers and small shrubs.

Please inform the applicant of the requirement for a District permit for any work proposed within the easement. Copies of the District's permit application can found at the http://www.valleywater.org/Business_Info_and_Permits/Permits/index.shtm. Reference District File Number 31117 on further correspondence regarding this project.

Ms. Suparna Saha
Page 2
April 5, 2007

If you have any questions or need further information, you can reach me at (408) 265-2607, extension 2322.

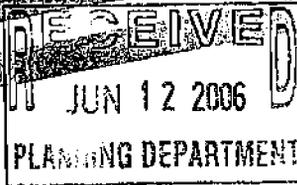
Sincerely,

A handwritten signature in black ink, appearing to read 'C. Haggerty', with a long horizontal stroke extending to the right.

Colleen Haggerty, P.E.
Associate Civil Engineer
Community Projects Review Unit

cc: S. Tippets, B. Goldie, C. Haggerty, File (2)

ch:rmn
31117_49053ch04-05



5750 ALMADEN EXPWY
SAN JOSE, CA 95118-3686
TELEPHONE (408) 265-2600
FACIMILE (408) 266-0271
www.valleywater.org
AN EQUAL OPPORTUNITY EMPLOYER

File: 31117
Almaden Valley Pipeline

June 8, 2006

City of San Jose
Department of Planning, Building
and Code Enforcement
Attention: Ms. Suparna Saha
200 East Santa Clara Street
San Jose, CA 95113-1905

Subject: Planned Rezoning at 5142 Taft Drive, San Jose; City File No. PDC06-027

Dear Ms. Saha:

The Santa Clara Valley Water District (District) has reviewed the Tentative Map for the subject project which we received on May 8, 2006. The District has no objections or concerns with the proposed rezoning or map. However, the District would like to offer comments on the proposed improvements.

The District owns and operates a 72-inch diameter high pressure pipeline and a telemetry cable on the south end of the parcel. There is a 30-foot wide easement for this purpose and transmitted for your use is a plan and profile (enclosed) of these facilities. The telemetry cable is approximately 1.5 feet below existing ground and within 4 feet of the proposed parking area. The pipeline is approximately 10 feet below grade and centered in the easement. Please have the developer locate these utilities on the plan sheets and provide information on any proposed improvement within the easement. No improvements should be placed in the easement area other than shallow rooted landscaping or fencing. A permit is required prior to beginning construction adjacent to the District's easement, telemetry cable, and pipeline.

Please reference District File No. 31117 on further correspondence regarding this project.

If you have any questions, or need further information, you can reach me at (408) 265-2607, extension 2439.

Sincerely,

Vincent Stephens
Associate Civil Engineer
Community Projects Review Unit

Enclosure

cc/enc: Mission Engineers
cc: S. Tippetts, C. Haggerty, S. Yung, V. Stephens, File (2)
vms:fd
0607b-pl.doc

Saha, Suparna

From: Linda Sue O'Connor [lsoconnor2000@yahoo.com]
Sent: Monday, June 26, 2006 9:48 PM
To: Saha, Suparna
Subject: Taft Project

Hi Suparna,

I am Todd's wife, and the person that met you last month at your office. I have additional concerns to bring up.

1. In the plan, the houses face our backyard. To me, this is backwards. All residences in this area are backyard to backyard. Not backyard to front yard/street/garage. Even the "high density" lot next to this parcel faces the correct way. They are backyard to backyard. The PG & E power lines are in their backyard!

Putting four driveways, guest parking, garages, and front doors up against our backyard fence will add noise pollution and light pollution to our bedrooms. This is very inconsiderate. I want the committee to truly think this through and ask themselves, "Why do we plan our residences to be backyard to backyard?" And why should the committee plan ANY DIFFERENTLY HERE???? Why should we be the ONLY HOUSES in the whole area that are backyard to several residences front yard/street/garage?

I imagine the new owner will argue that there is an existing street, and he wants to use this street in his plans. What is the big problem?

2. Noise pollution

Right now we do have a little noise pollution starting around 7 am - 8 am. Then there's very little driving activity until 5-6pm. Parents drop off/ pick up their kids from the day care. That's about it. Someone closes the gate & leaves between 6 and 7pm. It is quite all weekend, save for the new owner hammering away up to 11:30pm - midnight. But, with a residence, cars will be driving in and out all day and all night. I can recall when I rented an apartment, people driving into their parking spots at 11pm or later with their windows down and radio blasting. This does not currently happen with the day care drivers. This is ONE of the BIG differences between semi-public and residence zoning. I don't rent an apartment right now! And I don't want to have noise pollution like an apartment does!!!

3. Light pollution

I don't really see it in the current plan, but intelligence tells me they will need lighting for the street and guest parking. Add to that four front porch lights, and lights on either side of the four garages. Then possibly landscape lighting up to the front door. All night long these lights will be shining into our backyards. Right now there are only 3 lights on at the daycare, and they are further down the fenceline from me. If this current plan is approved, I guess a total of 15-20 lights will be shining. This is a SIGNIFICANT increase. Again, this is ONE of the BIG differences between semi-public and residence zoning.

Correctly changing the plan to be backyard to backyard will help these factors, if they move their street & garages & front doors to face the school. Rip up the existing street, and make it a backyard. The planning committee should not fall into the trap of "there's an existing road right now" mentality. Changing zones is significant. Residences in normal, flat streets like ours is backyard to backyard.

6/27/2006

4. Construction Noise Pollution

Yesterday, on June 25, I heard some loud hammering at 11:30pm, on and off until midnight. This is not the first time I have heard construction after 10pm. I have heard them at least a dozen times. Why don't they do it during the daylight hours? Is there any law or rule about construction noise? If this plan gets approved, and when they start building these houses, will we have to hear them hammering and running power tools all night long? The "official" hired crew might quit at a decent time, but this new owner seems to have his own personal staff that doesn't start until after dark. What are the rules concerning this now and in the future?

Thank you,
Mrs. O'Connor

Want to be your own boss? Learn how on [Yahoo! Small Business](#).

Saha, Suparna

From: Todd O'Connor [toddconnor@yahoo.com]
Sent: Thursday, June 22, 2006 8:19 AM
To: suparna.saha@sanjoseca.gov
Subject: Proposed Houses on Taft



3828369628-Taft1. 1602783605-Taft2. 1600357512-Taft3.

JPG



JPG



JPG

Suparna,

I am one of the neighbors bordering a proposed rezoning on Taft Drive behind Union Middle School. The numbers are PDC06-027 and PT06-036. I'd like to voice my concern not only about the proposed rezoning but to bring to your attention where the developer has placed the signage for this effort. From the enclosed photos you can clearly see that the signage is hidden behind a tree. I've talked to many neighbors who were not even aware of this until I pointed it out. I would be concerned with the developer's motives considering that the signage is hidden. Would you please contact them to move the signage into plain site? Driving down Taft you cannot see the signage and it's difficult to see even when walking by. Since many neighbors were not aware of, cannot see, the signage I think that any comment period should be extended until such time as everyone has a fair chance to see the signage.

Concerning the PG & E easement, do you know if this is being considered in the square footage calculation of any proposed houses on the lot? I know many other neighbors in the area get to use their easement to park boats, RV's, or grow gardens. How is this easement any different? Has PG&E sold this easement or do they still retain rights to it? If PG&E still retains rights could the three houses bordering the easement have rights to use it as well?

The lot also contains many trees including some very large redwoods along the fence between the property in question and three existing homes. Since these redwoods pose no threat to the development I would hope that they would be saved. There is no reason to cut them down. Many other trees on the lot should be saved as well.

I'd also like to voice my concern of the additional new driveways which would need to be built. Being right behind Union Middle School I can attest to the number of students that walk to school, my son included. The Nursery School at this time does not have much traffic and if it does it's at regular times during the day. Houses, on the other hand, will have drivers coming and going at all times of the day and night. There is also very heavy traffic on the weekends during soccer and baseball season on Taft and the intersection of Taft and Coronet gets very busy.

Lastly I'd like to comment that the proposed style of housing just doesn't fit in with the neighborhood. All too often in the Valley we see developers buying up lots and building as many high density homes on the lot as possible for financial gain with little regard for community aesthetics. I understand that this could be valuable income for the city but high density homes jeopardize the family nature of the established neighborhoods such as ours.

I thank you in advance for taking the time to read my comments concerning this proposed rezoning. When a community meeting is scheduled I would very much like to attend. Please keep me posted and please request that the developer move the rezoning signage. The neighbors are not pleased that it is hidden.

Thank-you,
Todd O'Connor
408-735-1549

Saha, Suparna

From: Valerie Rokes [valerie_rokes@yahoo.com]
Sent: Thursday, July 27, 2006 4:32 PM
To: suparna.saha@sanjoseca.gov
Subject: Planning Department

Public Comments

Folder Number: 2006 012852 ZN

Project Manager: Suparna Saha

As a resident in the area, I must request that you seriously consider declining the building permit request at this location. The property is perfect as is; building homes will detract from the neighborhood, as well as increase traffic, which will increase safety problems in the area, including at Union Middle School, which is next to the property.

Name: Valerie Rokes

Email: valerie_rokes@yahoo.com

Telephone Number: 408.921.9156

Web Server: www.sjpermits.org

Client Information: Mozilla/4.0 (compatible; MSIE 6.0; Windows NT 5.1; SV1; .NET CLR 1.0.3705; .NET CLR 1.1.4322; Media Center PC 3.1)

Saha, Suparna

From: Stacey Liu [staceylliu@yahoo.com]
Sent: Thursday, July 27, 2006 10:06 PM
To: suparna.saha@sanjoseca.gov
Subject: Planning Department

Public Comments

Folder Number: 2006 012852 ZN
Project Manager: Suparna Saha

I live in the adjoining neighborhood, but my children go to school in that neighborhood and learning of this potential development is very disturbing. This neighborhood is already well established, with a specific look and feel. When these types of homes get build on 5500 square foot lots it hurts the overall appeal of the neighborhood. Plus this adds additional traffic to an already busy area with the Middle and elementary school. Lastly, there are limited options for good preschools in the area and this is an ideal location for those of us living in the area. My daughter goes to school at the existing preschool and if it were to close my options are Stratford, which cost 40% more a year, Harwood Hills, which I've experienced and don't want to go back to, Peppertree, which is atrocious, K's daycare, which is even worse than Peppertree. And I could go on.

Also, the large trees and longtime growing vegetation make the area look very appealing. All that would be lost when the 2000 sq ft, 2 story houses on 5500 sq ft lots are built.

Name: Stacey Liu
Email: staceylliu@yahoo.com
Telephone Number: 408 369-9234

Web Server: www.sjpermits.org
Client Information: Mozilla/4.0 (compatible; MSIE 6.0; Windows NT 5.1; SV1; .NET CLR 1.1.4322)

Saha, Suparna

From: Mike Ogabian [ogabian@yahoo.com]
Sent: Saturday, May 20, 2006 10:30 AM
To: suparna.saha@sanjoseca.gov
Subject: Planning Department

Public Comments
Folder Number: 2006 012852 ZN
Project Manager: Suparna Saha
Public Comments

I am one of the neighbors who is leaving on the other side of the property (after PG&E) easement. Me and the other 2 neighbor who are effected have serious concern about the size of the project and its effect on our home, privacy and all existing old trees that might get cut down. Can you please provide a feed back on the scope of the proposed 5 units home.

Name: Mike Ogabian
Email: ogabian@yahoo.com
Telephone Number: 408 674-1444

Web Server: www.sjpermits.org
Client Information: Mozilla/4.0 (compatible; MSIE 6.0; Windows NT 5.1; SV1)

Saha, Suparna

From: Jeff & Rebecca Bond [the_bond_family@verizon.net]
Sent: Thursday, May 04, 2006 9:15 PM
To: suparna.saha@sanjoseca.gov
Subject: Planning Department

Public Comments

Folder Number: 2006 012853 SB

Project Manager: Suparna Saha

Will there be a city council meeting where neighborhood residences can voice their extreme displeasure with this request for rezoning?!?!?

Name: Jeff & Rebecca Bond

Email: the_bond_family@verizon.net

Telephone Number: 408-356-9545

Web Server: www.sjpermits.org

Client Information: Mozilla/5.0 (Windows; U; Windows NT 5.1; en-US; rv:1.8.0.3) Gecko/20060426 Firefox/1.5.0.3

Saha, Suparna

From: Raymond White [rayewhite@hotmail.com]
Sent: Monday, June 19, 2006 10:12 AM
To: suparna.saha@sanjoseca.gov
Cc: rayewhite@hotmail.com
Subject: Proposed land use change PDC06-027

Suparna Saha,

I live only 2 houses from the lot with a proposed zone change (Project File # PDC06-027, PT06-036) on Taft Drive, near the intersections of Coronet Drive and Blossom Valley Drive in San Jose. I just noticed a sign hidden behind trees and bushes, posted to notify the community of a proposed land use change and construction.

Surely the placement of the sign does not adhere to the intent of the city rule to sufficiently notify the community. This should be corrected by requiring placement of the sign in a clearly visible location on the property, and restarting the clock for community notification.

I have several significant concerns about this proposed development.

One is safety. The addition of a driveway near the Coronet intersection, only a short distance from the unusually aligned Taft / Blossom Valley intersection where confusion and near-misses are common, represents increased danger to the children of the community who attend Union Middle School and the year round sporting events at the Union field adjacent to the property. This section of road is backed up with cars and pedestrians in the morning and afternoon as children attend school. This also occurs during the frequently held sporting activities at the field. Coronet is commonly used as a turnabout for parents bringing their children to soccer or baseball. An opposing driveway adds a dangerous element to this crowded area.

Another is the damaged neighborhood continuity. Currently, Taft, as the main entrance into the neighborhood, brings people past the school, the large field, and the wide open pre-school on one side, and a simple row of homes along the other. Placing a block of 5 homes with an additional driveway in a single lot stacked 4 deep is a departure from the layout of homes along Taft, Blossom Valley, Coronet, Keane, and the other streets fed by Taft. This gives the neighborhood a very different character. The other residences on these streets are not under a condominium structure. Also, the PG&E easement is not used for primary home driveway and parking purposes in any other location in the neighborhood.

All of these differences represent a significant and very visible departure from the nature of the neighborhood for which Taft is the main feeder street.

While there is arguably room for more than a single home on this property, the proposed configuration, and the total of 5 homes, is inappropriate and represents a significant change to the character of the neighborhood.

I oppose the proposed rezoning, the development proposal as it stands, and I take issue with the placement of the notification sign for affected neighbors.

I urge the city to require proper placement of the sign, restart the notification time period, and to deny the proposal as it stands.

Ray White
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