



## Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Stephen M. Haase

**SUBJECT:** SEE BELOW

**DATE:** July 27, 2005

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**COUNCIL DISTRICT:** 10

**SUBJECT:** PDC04-059. PLANNED DEVELOPMENT REZONING LOCATED ON THE SOUTHEAST SIDE OF ELWOOD ROAD, APPROXIMATELY 100 FEET SOUTHERLY OF NIKETTE WAY.

### RECOMMENDATION

The Planning Commission voted 5-0-2 (Commissioner Levy and Commissioner Pham, absent) to recommend that the City Council approve the proposed rezoning.

### BACKGROUND

On July 27, 2005, the Planning Commission held a public hearing to consider a Planned Development rezoning on an 0.72 gross acre site located on the southeast side of Elwood Road, approximately 100 feet southerly of Nikette Way, to subdivide one parcel into two lots for two new single-family detached residences.

The Director of Planning, Building and Code Enforcement recommended approval of the proposed rezoning.

### ANALYSIS

Hamideh Ahmadi, the applicant, made a brief presentation on the project. She stated that her plan was to build two single-family residences on the site, one for herself and one for her relatives. The project architect, Louie Leu, also stated that they have met with the community and planning staff to address all of the concerns over the project and that the project before the commission was the culmination of those meetings.

No one from the public spoke on the item. The Planning Commission then closed the public hearing. Commissioner James stated that he had visited the property and saw that it was very steep and Elwood Road is very narrow and that he understood the community's concerns regarding construction impacts and that the owner needed to make sure that all of these concerns were addressed prior to construction of the project.

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The Planning Commission voted 5-0-2 (Commissioner Levy and Commissioner Pham, absent) to recommend that the City Council approve the proposed rezoning. The Commission made no comments on the motion.

### **PUBLIC OUTREACH**

The applicant presented the proposed project at a community meeting on December 16, 2004 to obtain feedback from the community. At this meeting neighbors expressed concern regarding (1) construction staging for the two new residences, (2) street cleaning, (3) delivery truck parking on a very narrow road, (4) erosion control, (5) additional traffic cars on Elwood Road, and (6) the existing need for traffic calming on Elwood Road because the road is narrow with no sidewalk and there is a blind curve just beyond the site where residents have witnessed cars traveling at excessive speeds. The developer will be required to develop and present to the community a construction management plan that addresses each of the construction issues mentioned above.

Notices of the public hearings were mailed to all property owners and tenants within 500 feet of the subject site. The Planning Commission Agenda is posted on the City of San José website, which includes a copy of the staff report. Staff has been available to discuss the project with interested members of the public.

### **COORDINATION**

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

### **CEQA**

Mitigated Negative Declaration adopted on June 24, 2005.



STEPHEN M. HAASE  
Secretary, Planning Commission

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