



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Stephen M. Haase

**SUBJECT:** SEE BELOW

**DATE:** December 9, 2004

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**COUNCIL DISTRICT:** 4

**SUBJECT: PDC04-072/PD04-062/PT04-080. PLANNED DEVELOPMENT REZONING, PLANNED DEVELOPMENT PERMIT AND VESTING TENTATIVE MAP FOR THE DEVELOPMENT OF TWO (2) SINGLE FAMILY DETACHED RESIDENTIAL LOTS LOCATED ON THE SOUTH WEST CORNER OF MURPHY AVENUE AND RINGWOOD AVENUE.**

## RECOMMENDATION

The Planning Commission voted 5-0-2 (Commissioner Zito and Platton absent) to recommend that the City Council approve the proposed Planned Development Rezoning, Planned Development Permit and Vesting Tentative Map.

## BACKGROUND

On December 8, 2004, the Planning Commission held a public hearing to consider a Planned Development Rezoning from A(PD) Planned Development to A(PD) Planned Development and the associated Planned Development Permit and Vesting Tentative Map to allow up to 2 single-family detached dwelling units on a 0.16 gross acre site.

The subject projects were itemized on the consent calendar of the Planning Commission Agenda. No one requested to speak on the items.

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

HONORABLE MAYOR AND CITY COUNCIL  
December 9, 2004  
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## PUBLIC OUTREACH

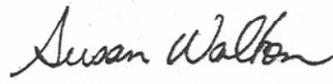
Notices of the public hearings before the Planning Commission and City Council were published, posted on the City of San Jose web site, and distributed to owners and tenants of all properties within 1000 feet of the project site. Staff has been available to discuss the proposal with members of the public. Additionally, an electronic version of the staff report has been made available online, accessible from the Planning Commission Agenda on the Planning Division's website.

Additional correspondence was received by staff at and after the public hearing objecting the proposed development (see attached).

## CEQA

Under the provisions of Section 15303(a) of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) this project is found to be exempt in that Class 3 consists of the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel.

The proposed project is consistent with this category in that the project is only to allow the construction of two single-family residences in an already urbanized area.

*for*   
STEPHEN M. HAASE  
Secretary, Planning Commission

## **Mena, Michael**

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**From:** BAY CITY FINANCE [tonybcf@yahoo.com]  
**Sent:** Thursday, December 09, 2004 10:19 AM  
**To:** michael.mena@sanjoseca.gov  
**Subject:** Do not build low incoming house on lundy

Home owner at 1568 Mission Springs Cir San Jose CA 95131

Dear City Council Members:

Please reconsider the decision of building low income homes in our neighborhood for following reasons:

1. Reduce school quality even further: The Orchard School District already has low mark on standards test. Their API score is 600+ compare to 800-900+ in other areas ...Adding new low income house will drive more parents to pull kids out of this public school or move to other areas.
2. Property value: it's unfair to current property owners who have been pay property tax to support the city to see their property reduce in value and city income suffers as well.
3. Traffic: Hostetter and Brokaw is already congested during rush hour, Adding more buildings will worsen the condition.

Regards,

Luong Family

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Do you Yahoo!?

The all-new My Yahoo! <<http://my.yahoo.com>> – What will yours do?

## Mena, Michael

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**From:** Cindy Wang [cindybcf@yahoo.com]  
**Sent:** Thursday, December 09, 2004 10:16 AM  
**To:** michael.mena@sanjoseca.gov  
**Subject:** New Low Income Housing on Lundy

Dear City Council Members:

This letter is regarding the plan to build Single Family Homes on 3 sites on Hostetter between Ringwood and Lundy:

Please reconsider the decision of building low income homes on this already complex neighborhood for following reasons:

1. Reduce school quality even further: The Orchard School District already has low mark on standards test. Their API score is 600+ compare to 800-900+ in other areas ...Adding new low income house will drive more parents to pull kids out of this public school or move to other areas.

2. Property value: it's unfair to current property owners who have been pay property tax to support the city to see their property reduce in value and city income suffers as well.

3. Traffic: Hostetter and Brokaw is already congested during rush hour, Adding more buildings will worsen the condition.

The city should consider seek approval signatures of area residents rather than ask its residents waste time to fight such plans.

Home owner @

1603 Mission Springs Cir San Jose CA 95131

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The all-new My Yahoo! <<http://my.yahoo.com>> – What will yours do?

*Project Manager,  
Department of Planning, Building and Code Enforcement  
City of San Jose*

**Subject: Planned Development on Murphy Avenue**

We have a couple of issues/questions regarding the planned projects "City of San Jose/Habitat of Humanity" has decided (and gone considerable length already) to build in our neighborhood.

1. *Traffic Congestion (Easement)*
2. *Property Value*
3. *No Green Land*
4. *Not regular homes*
  - *Cannot be sold in open market*
  - *Built by Volunteers*
  - *Who is going to inhabit these houses*
5. *School*

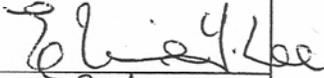
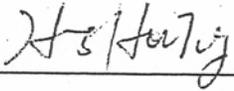
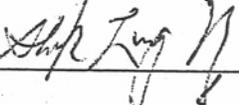
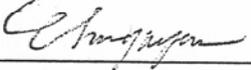
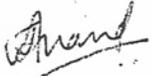
Since you are holding public hearing for the other two similar (but smaller) projects coming Wednesday (Dec 8<sup>th</sup>), we would like to bring these issues in that context too.

*This is a joint letter on behalf of few of the undersigned neighbors. We have talked to a couple of others neighbors here also and all have similar concerns stemming out of the planned development/rezoning in this area.*

We would certainly like to know what are our rights in this regard and if there are any existing answers to the above questions, which you can provide us.

Best Regards,

Dated: December 7, 2004

Name	Address	Contact	Signature
JASVINDER SINGH	1582 MISSION SPRINGS CIR.	408-206-5247	
Elaine Lee	1573 Mission Springs Circle S.J.	408-453-9250	
PRAMOD HUNGUND	1571 MISSION SPRING CIRCLE	408-921-4596	
HUNG H NG	1580 Mission Springs Cir S.J	408-452-5989	
SREK LING NG	1580 Mission Springs Cir S.J	408-750-4618	
Chi Nguyen	1575 Mission Springs S.J	408-826-6278	
Larry Lazzaroli	1576 MISSION SPRINGS CIR. SJ	408 7610315	
Jasneet Arand	1582 Mission Springs Circle	408-437-0407	
Qiyhua Fu	1574 Mission Springs Cir	408-352-5435	
Prang Wang	1605 Mission Springs Circle	408-437-9936	

