



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Planning Commission

SUBJECT: SEE BELOW

DATE: May 8, 2008

COUNCIL DISTRICT: Citywide
SNI AREA: All

SUBJECT: AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING TITLE 20 OF THE SAN JOSE MUNICIPAL CODE TO STREAMLINE AND CLARIFY PERMIT AND PARKING REQUIREMENTS FOR DATA CENTERS, TOW YARDS AND PERFORMING ARTS REHEARSAL SPACE; ALLOW ADDITIONAL COMMERCIAL USES IN CONJUNCTION WITH LARGE FORMAT COMMERCIAL ESTABLISHMENTS; EXPAND THE ALLOWANCE FOR INCIDENTAL RETAIL IN CONJUNCTION WITH AN INDUSTRIAL USE; AND STREAMLINE THE APPROVAL PROCESS FOR OUTDOOR USES PROXIMATE TO RESIDENTIAL

RECOMMENDATION

The Planning Commission voted 7-0-0 to recommend that the City Council approve the proposed ordinance to streamline and clarify permit and parking requirements for data centers, tow yards and performing arts rehearsal space; allow additional commercial uses in conjunction with large format commercial establishments; expand the allowance for incidental retail in conjunction with an industrial use, and streamline the approval process for outdoor uses proximate to residential.

BACKGROUND

Staff gave a brief presentation regarding the proposed ordinance, indicating that its purpose was to streamline and clarify the requirements for specific uses allowed within the commercial and industrial zoning districts.

Commissioner Campos asked for clarification regarding the proposal to allow an additional 10,000 square feet of retail in conjunction with a large format retailer (single occupant greater than 100,000 square feet) in the IP and LI Industrial Zoning Districts. Staff clarified that the intent of this provision is to allow a small amount of additional retail in conjunction with a big box retail use in the industrial districts where large format retailers are currently allowed in order to provide customers convenient commercial amenities and to allow for commercial "pad" buildings close to the street frontage to improve the appearance of the site and to help screen parking lots.

Commissioner Kamkar asked staff to clarify the proposed parking requirements for performing arts rehearsal space. Staff clarified that the proposed ordinance reduces the standard parking requirement for this use from 1 parking space per 150 square feet of floor area, to 1 space per 250 square feet of floor area, and that it also includes a parking exception that allows a further reduction in the required parking through the Conditional Use Permit process, based on a site-specific parking analysis.

Commissioner Zito asked if the increase in the allowed size of a retail display area in an industrial use would result in greater traffic or parking impacts in the industrial zoning districts. Staff indicated that the proposed ordinance is not expected to have an appreciable effect on parking or traffic in industrial areas in that it would not allow new retail uses, but would better accommodate the types of legitimate industrial businesses existing in the industrial zoning districts.

Commissioner Kinman asked whether the one parking space per employee requirement for tow yard uses is based on a single shift or multiple shifts. Staff clarified that the requirement is applied to the number of employees on the site at any one time.

Commissioner Zito requested that staff consider greater flexibility for other uses in the industrial zoning districts. Staff responded that this issue could be considered further in the context of the second phase of industrial ordinance changes that staff expects to bring forward this summer.

Rosemary Heath, Director of the Children's Musical Theater, Michael Miller, CEO of the American Musical Theater, and Tamara Alvarado of 1st Act, spoke in favor of the proposed ordinance. Mr. Miller explained that the ordinance would provide flexibility for his organization and up to 15 other performing arts groups with whom they hope to share facilities. He stated that the performing arts rehearsal uses would have little impact on the surrounding industrial uses, since they are typically active in the evening and on weekends. Ms. Alvarado elaborated on the importance of the creative arts to the community as a whole.

ANALYSIS

The memorandum from the Director of Planning to the Planning Commission, dated April 30, 2008, includes a complete analysis of the proposed ordinance.

EVALUATION AND FOLLOW-UP

Staff will bring forward to the Council an additional streamlining ordinance in August, 2008.

POLICY ALTERNATIVES

The memorandum from the Director of Planning to the Planning Commission, dated April 30, 2008, includes an analysis of the alternatives available to the City Council in regard to the proposed ordinance.

FISCAL/POLICY ALIGNMENT

The proposed streamlining ordinance is consistent with General Plan policy which specifies that the City should actively promote economic development through a simplified development review process.

COST SUMMARY/IMPLICATIONS

(N/A)

BUDGET REFERENCE

(N/A)

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater.
- 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.
- 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.

A notice of the public hearing was posted on the City website, published in the Mercury News and emailed to a citywide list of development interests, neighborhood associations and interested individuals. Staff has been available to discuss the proposal with interested members of the community. Electronic communications regarding this item from Lowell Grattan and Phil Foster, MCNA President, were attached to the Planning Commission staff report.

COORDINATION

This memo has been coordinated with the City Attorney's Office.

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CEQA

The proposed streamlining ordinance is categorically exempt pursuant to CEQA Guidelines Section 15061(b)(3) of the California Public Resources Code, File No. PP08-056.

Andrew Crabtree
For JOSEPH HORWEDEL, SECRETARY
Planning Commission



Memorandum

TO: PLANNING COMMISSION

FROM: Joseph Horwedel

SUBJECT: SEE BELOW

DATE: April 30, 2008

COUNCIL DISTRICT: Citywide
SNI AREA: All

SUBJECT: AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING TITLE 20 OF THE SAN JOSE MUNICIPAL CODE TO STREAMLINE AND CLARIFY PERMIT AND PARKING REQUIREMENTS FOR DATA CENTERS, TOW YARDS AND PERFORMING ARTS REHEARSAL SPACE; ALLOW ADDITIONAL COMMERCIAL USES IN CONJUNCTION WITH LARGE FORMAT COMMERCIAL ESTABLISHMENTS; EXPAND THE ALLOWANCE FOR INCIDENTAL RETAIL IN CONJUNCTION WITH AN INDUSTRIAL USE; AND STREAMLINE THE APPROVAL PROCESS FOR OUTDOOR USES PROXIMATE TO RESIDENTIAL.

RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council approve the proposed ordinance to streamline and clarify permit and parking requirements for data centers, tow yards and performing arts rehearsal space; allow additional commercial uses in conjunction with large format commercial establishments; expand the allowance for incidental retail in conjunction with an industrial use, and streamline the approval process for outdoor uses proximate to residential.

OUTCOME

Approval of the proposed ordinance would reduce the permit processing time and costs for specific industrial and commercial uses, facilitate incidental retail sales associated with industrial uses, provide greater clarity regarding permit and parking requirements for tow yards and allow supportive commercial uses on big box retail sites in the IP and LI Zoning Districts.

BACKGROUND

The General Plan specifies that the City should actively promote economic development through a simplified development review process. Consistent with this direction, staff periodically reviews the Zoning Ordinance to identify outdated measures and to determine where process and other requirements can be streamlined without diminishing the City's ability to achieve its land use goals.

Table 1 identifies proposed changes to the requirements of the Commercial and Industrial Zoning Districts that are intended to refine and streamline requirements for data centers, large format retail establishments, tow yards, retail sales incidental to industrial uses, performing arts rehearsal space, and outdoor uses proximate to residential uses. Additional streamlining proposals that require environmental review pursuant to the California Environmental Quality Act, will be brought forward to the Planning Commission under a separate ordinance in July of this year.

Table 1. Proposed Changes

Use	Existing Requirements	Proposed Requirements
Data Center	<p>-Allowed with a Conditional Use Permit (CUP) in CG, IP, LI, and HI Zoning Districts</p> <p>-Parking: 1 space per 250 sq. ft. of office, meeting, & technician work space, plus 1 per employee, plus 1 per 1000 sq. ft. of space devoted to computer equipment</p>	<p>-Allow with a CUP in the CG District and with a Special Use Permit (SUP) in the IP, LI and HI Zoning Districts.</p> <p>-Parking: 1 space per 250 sq. ft. of office, meeting, & technician work space, plus 1 per 5000 sq. ft. of floor area, or fraction thereof, devoted to electronic equipment</p>
Large Format Retail Establishments, including off-sale of alcohol (single occupant > 100,000 sq. ft.)	<p>-Allowed with a CUP on properties with the Mixed Industrial Overlay General Plan (GP) designation.</p> <p>-No other commercial uses allowed on the site.</p>	<p>-Retain existing requirements.</p> <p>-Allow up to 10,000 sq. ft of additional commercial uses (uses are those currently allowed as "commercial support").</p>
Tow Yard	<p>No separate enumerated "tow yard" use.</p>	<p>-Add "tow yard" as an enumerated use; allow with CUP in the LI District and SUP in the HI District.</p> <p>-Parking: 1 space per employee and 1 space per company vehicle.</p>
Retail Incidental to Industrial Use	<p>Incidental retail related to industrial use permitted if sales area occupies no more than 5% of floor area</p>	<p>-Incidental retail related to industrial use permitted if sales area occupies no more than 15% of floor area.</p> <p>-Incidental retail related to the wholesale of construction materials (such as tile, stone, lumber or plumbing supplies) permitted if product display/sales area occupies no more than 30% of floor area.</p>
Performing Arts Rehearsal Space	<p>-Allowed with a CUP in IP, LI and HI Districts if property has the Mixed Industrial Overlay General Plan designation.</p> <p>-Parking: 1 space per 150 sq. ft.</p>	<p>-No change except eliminate requirement for the Mixed Industrial Overlay in the IP District.</p> <p>-Parking: 1 space per 250 sq.ft. – may be reduced with a CUP.</p>
Outdoor Uses Within 150 ft. of Residential Zoning	<p>Allowed with a CUP in the Commercial Zoning Districts.</p>	<p>Allow with a SUP in Commercial Zoning Districts</p>

ANALYSIS

Data Centers

Data centers, currently identified in Title 20 as “communication exchange server facilities”, are facilities used to house computer systems and associated components such as telecommunications storage systems; they include collocation centers where multiple customers locate network, server and storage equipment and interconnect to a variety of telecommunications and other network service providers. Data centers share characteristics of a warehouse use in that they house relatively few workers and are often located in large warehouse-like buildings with high ceilings and few windows.

The proposed ordinance clarifies this use by giving it the more commonly used title, “data center” and providing a definition of the use consistent with the above description. It also streamlines the permit process and reduces the parking requirement. Currently, data centers are allowed with a Conditional Use Permit (CUP) in the CG Commercial General District and in the IP Industrial Park, LI Light Industrial and HI Heavy Industrial Zoning Districts. The proposed ordinance retains the CUP requirement in the CG District, but allows the use with a Special Use Permit (SUP) in the industrial districts.

Conditional Use Permits (CUPs) and Special Use Permits (SUPs) are required for uses that may not be appropriate at every location and that may benefit from specific conditions to control day-to-day operations to ensure overall land use compatibility. Both CUPs and SUPs may impose conditions that delineate the operating parameters for a proposed business, use or activity, and both include a noticed public hearing process. The decision-maker is the primary distinguishing feature of the two permit types; the Planning Commission makes the decision on a Conditional Use Permit (which may be appealed to the City Council) and the Director of Planning makes the decision on a Special Use Permit (which may be appeal to the Planning Commission). Processing times and fees are greater for Conditional Use Permits due to the Planning Commission hearing process. Staff believes that the SUP process is appropriate for data centers located in the industrial zoning districts, but recommends retention of the CUP process in the CG Commercial General District where active, people-oriented uses are generally desirable and data centers present greater challenges.

The ordinance also reduces the parking requirement for data centers in order to more accurately reflect the actual parking needs of this use. Due to the significant proportion of these facilities devoted to electronic equipment, their parking demand is very low. The office, meeting and technician work space generates the primary parking need for the facility. Parking for this area is proposed to be calculated at one parking space per 250 square feet of net floor area consistent with parking requirements for other office uses. The equipment portion of the facility is proposed to be calculated at one space per 5,000 square feet, which is the same basic rate used for warehouse space. Staff believes that this requirement is appropriate give the relatively few people accommodated in these facilities and the significant area devoted to the housing of electronic equipment. The CUP and SUP processes for these facilities allow a case-by-case assessment of whether additional parking may be needed to accommodate an alternative future use of the building.

Large Format Retail Establishments, Associated Commercial

Two basic categories of retail uses are currently allowed in the industrial zoning districts. Large format retail establishments, currently identified in Title 20 as “*retail or wholesale commercial entity, single occupant greater than 100,000 square feet, including off-sale of alcohol*” are allowed with a Conditional Use Permit on parcels in the IP and LI Industrial Districts that are designated with the Mixed Use Industrial Overlay on the San Jose 2020 General Plan Land Use Transportation Diagram. Uses within this category are commonly known as “big box retail”. “*Commercial support*” is the other enumerated use in the industrial districts that allows retail and personal service uses and is a permitted use only in the IP Industrial Park District. *Commercial support* uses may comprise only a small proportion of an industrial building and are intended to serve the employees of the surrounding industrial area with such amenities as restaurants, personal service uses, banks and medical clinics.

Large format retail establishments in commercial zoning districts often include other commercial uses in the same building or on the same property. For example, a recently constructed Home Depot development on Story Road includes an existing commercial pad building located close to the street frontage. This building provides food uses and other retail conveniently located for customers visiting the Home Depot site, and it breaks up the large parking lot with an active use at the front of the site. The IP and LI Industrial Districts do not currently allow similar supportive commercial uses in conjunction with a large format commercial establishment.

The proposed ordinance would allow up to 10,000 square feet of “*associated commercial*” uses in conjunction with a large format retail establishment in the IP and LI Districts with a Conditional Use Permit on parcels that are designated with the Mixed Industrial Overlay. *Associated commercial* uses include the same range of retail and commercial uses currently allowed in the IP District as “*commercial support*”, which may include the off-sale of alcohol if approved through a Conditional Use Permit. Such uses may be attached to the large format commercial establishment or located in a separate building on the same site. This provision would allow the design of large format commercial establishments in the IP and LI Districts to more closely reflect that of such establishments in the commercial districts; facilitate the location of buildings with active uses at the front of the site to improve the streetscape and screen the parking lot, and provide convenient commercial amenities for customers of large format commercial establishment. The proposed 10,000 square foot limit on the amount of *associated commercial* uses provides appropriate flexibility for the design of big box retail sites without opening the door to significant new commercial development in the City’s industrial areas.

Vehicle Tow Yard

A vehicle tow yard is a facility for the temporary storage of vehicles towed from the public right-of-way or private property. Such facilities may include the dispatching of tow trucks and periodic lien sales (held approximately four times per year to dispose of abandoned vehicles) as ancillary uses. Operational aspects of tow yard facilities related to abandoned vehicles are regulated by the Department of Motor Vehicles. The City of San Jose also regulates removal of abandoned vehicles from the public right-of-way and a number of tow yards in San Jose are under contract with the City of San Jose to remove and process such abandoned vehicles.

Currently, Title 20 includes no separate enumerated tow yard use; the use falls under the general category of "common carrier". A common carrier is defined as "a person or company in the business of transporting passengers or goods for hire" and is allowed in the LI Light Industrial District with a Conditional Use Permit and in the HI Heavy Industrial District with a Special Use Permit. The proposed ordinance includes "vehicle tow yard" as a new enumerated use and specifies permit requirements for tow yards that mirror the requirements for a common carrier. The use is proposed to be allowed with a Conditional Use Permit in the LI Light Industrial District and with a Special Use Permit in the HI Heavy Industrial District and is not allowed in the IP Industrial Park District. Retention of the use permit requirement is appropriate given the significant outdoor storage component of this use and associated storm water quality issues. The proposed parking requirements are one space per employee and one space per company vehicle. Staff believes that these provisions will clarify the Zoning Ordinance requirement for vehicle tow yards and continue to provide for appropriate review and permitting of these facilities.

Incidental Retail Sales

Section 20.150.120 of Title 20 allows incidental retail sales in the industrial zoning districts if the sales are directly related to and supportive of an existing industrial use on the site and the incidental retail sales do not occupy more than 5% of the floor area. In assisting new and expanding businesses through the City's permit processes, staff has encountered a number of legitimate industrial businesses that are significantly constrained by the 5% limitation on retail display area. For example, a company that sells and installs garage doors, both wholesale and retail, and seeks to display garage doors on the walls of its business typically cannot meet the 5% limitation. Similarly, a business that sells ceramic tile, both wholesale and retail, may need a significant display area due to the variety of product that it carries, an area significantly larger than 5% of the total floor area. To provide greater flexibility for the needs of these businesses, the proposed ordinance includes an increase in the amount of allowed incidental retail area allowed for industrial uses in general from 5% to 15%. It also allows up to 30% retail sales area for industrial businesses engaged in both the wholesale and retail of construction materials, including but not limited to lumber, tile, stone, plumbing materials, garage doors, windows and roofing. Staff believes that these requirements will better meet the needs of industrial businesses, while ensuring that retail sales continues to be an ancillary use in the industrial zoning districts.

Performing Arts Rehearsal Space

Performing arts production/rehearsal space is currently allowed with a Conditional Use Permit (CUP) in the IP Industrial Park, LI Light Industrial and HI Heavy Industrial Zoning Districts on sites that are designated on the San Jose 2020 General Plan Land Use Transportation Diagram with the Mixed Industrial Overlay. Staff has heard from a variety of performing arts groups that appropriate and affordable rehearsal space is difficult to find. Industrial areas with available building space are attractive locations for these groups due to their large, open formats. The current requirement for the Mixed Industrial Overlay significantly limits the opportunities for these uses in industrial areas. Staff is proposing that the provision requiring the Mixed Industrial Overlay be retained for the LI and HI Districts, but that it be eliminated for the IP District. This will allow increased flexibility for location of rehearsal space in the IP District where the allowed industrial uses are more compatible, but retain the existing requirements in LI and HI Districts. Retention of the CUP requirement for rehearsal space in the IP District will allow for a site-specific review of each proposal to ensure that it will not result in undue impacts on the surrounding industrial uses. It is important to note that only

rehearsal space is encompassed by this designation and not the provision of actual performances or any type of theater use because the latter would raise very different land use issues.

Staff is also proposing to change the parking requirement for rehearsal space from one space per 150 square feet to one space per 250 square feet to better reflect the actual parking demand for this use and to avoid the provision of greater parking than may be suitable for future industrial use of the property. The ordinance also includes a provision allowing further reduction of the parking requirement through the Conditional Use Permit. This will allow a lower parking ratio where a parking analysis indicates this is appropriate.

Outdoor Uses in Commercial Zoning Districts

Currently, Section 20.40.520 of Title 20 requires a Conditional Use Permit in the commercial zoning districts for outdoor uses (with specific exceptions) that are located within 150 feet of residentially zoned property. The use permit requirement is intended to ensure that outdoor uses, including outdoor sales and dining, are located and operated in a manner that avoids undue impacts (such as those related to noise, smells, dust or traffic) on proximate residential uses. Applicants seeking to open restaurants with patio dining in the Neighborhood Business Districts, where residential uses are typically immediately adjacent, have indicated that the length of the Conditional Use Permit process is onerous for a small business. The proposed ordinance would change the Conditional Use Permit requirement to a Special Use Permit (SUP) in order to streamline the process. The SUP requirement would continue to provide for staff review of outdoor use proposals, a noticed public hearing to elicit community input, and permit conditions as necessary to ensure that the use is compatible with adjacent residential. The SUP process would also allow appeal of the Director's decision to the Planning Commission, thereby providing additional public process where the applicant or neighboring residents are dissatisfied with the outcome of the SUP process.

POLICY ALTERNATIVE

Alternative #1: Retain existing Zoning Ordinance provisions and do not streamline and clarify the requirements relative to data centers, big box retail, tow yards, performing arts rehearsal space and outdoor uses proximate to residential.

Pros: This alternative would maintain consistency regarding Zoning Ordinance requirements for specific uses over time.

Cons: Retaining current requirements would not address problems with these requirements that have been identified through the development review process and would not allow for permit streamlining where such streamlining would facilitate implementation of businesses that are important to the community and would not compromise the City's land use or public outreach goals.

Reason for not recommending: The proposed streamlining measures offer tangible benefits in reduced time and costs for applicants without compromising the objectives of the City's land use approval processes.

Alternative #2: Further streamline the requirements of the Zoning Ordinance by allowing specific industrial uses by right that currently require a use permit.

Pros: This alternative could provide additional time and cost savings for industrial applicants by eliminating Conditional or Special Use Permit requirements for specific uses in the industrial zoning districts.

Cons: Environmental review for additional streamlining is not yet complete and inclusion of this alternative would delay the currently proposed ordinance.

Reason for not recommending: This alternative will be addressed in a second phase streamlining ordinance when the CEQA review is complete.

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.
- 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.

A notice of the public hearing was posted on the City website, published in the Mercury News and emailed to a citywide list of development interests, neighborhood associations and interested individuals. Staff has been available to discuss the proposal with interested members of the community. Electronic communications regarding this item from Lowell Grattan and Phil Foster, MCNA President, are attached.

COORDINATION

This project was coordinated with the San Jose Redevelopment Agency, the Office of Economic Development and the City Attorney.

FISCAL/POLICY ALIGNMENT

This project is consistent with applicable General Plan policy that promotes economic development through a streamlined development review process.

CEQA

The proposed ordinance is exempt pursuant to CEQA Guidelines Section 15061(b)(3), which states that if it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, then the activity is not subject to CEQA. In that this ordinance allows no physical activities as of right, but simply sets forth the appropriate processes and standards by which future proposals shall be considered, adoption of this ordinance would not result in any physical changes to the environment and all future development proposals will be examined for their environmental impacts. (File No. PP08-056).


for JOSEPH HORWEDEL, Director
Department of Planning, Building and Code
Enforcement

For questions please contact Carol Hamilton at 408-535-7837.

Hamilton, Carol

From: phfoster2@netzero.com
Sent: Tuesday, April 29, 2008 8:47 PM
To: Carol.Hamilton@sanjoseca.gov
Subject: Re: Proposed Industrial/Commercial Streamlining Ordinance

Dear Carol Hamilton,

I object to the reduced parking requirements in the proposal. The problem that I see is that the without adequate parking for the commercial establishment the surrounding neighborhood will experience a parking problem.

Phil Foster
MCNA President
Home: 408-578-8130

-- "Hamilton, Carol" <Carol.Hamilton@sanjoseca.gov> wrote:

Return-Path: <Carol.Hamilton@sanjoseca.gov>

Received: from mx15.dca.unttd.com (mx15.dca.unttd.com [10.171.44.45])
by maildeliver03.vgs.unttd.com with SMTP id AABEBN7KGADNKRSJ
for <phfoster2@netzero.net> (sender <Carol.Hamilton@sanjoseca.gov>);
Mon, 28 Apr 2008 18:08:54 -0700 (PST)

Received: from relay1.sjcity.net (relay1.sanjoseca.gov [156.39.160.55])
by mx15.dca.unttd.com with SMTP id AABEBN7KDAL4PCXA
for <phfoster2@netzero.net> (sender <Carol.Hamilton@sanjoseca.gov>);
Mon, 28 Apr 2008 18:08:51 -0700 (PST)

Received: by relay1.sjcity.net with Internet Mail Service (5.5.2657.72)id
<2Y2L8WQ1>; Mon, 28 Apr 2008 18:06:35 -0700

Message-ID: <02839363BA87B447B34ECE391D0DC65406313FB3@ex01.sjcity.net>

From: "Hamilton, Carol" <Carol.Hamilton@sanjoseca.gov>

To: "Hamilton, Carol" <Carol.Hamilton@sanjoseca.gov>

Subject: Proposed Industrial/Commercial Streamlining Ordinance

Date: Mon, 28 Apr 2008 18:06:26 -0700

MIME-Version: 1.0

X-Mailer: Internet Mail Service (5.5.2657.72)

Content-Type: multipart/mixed;

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4/30/2008

Hamilton, Carol

From: LOWELL E GRATTAN [lowell_grattan@prodigy.net]
Sent: Tuesday, April 29, 2008 10:46 AM
To: carol.hamilton@sanjoseca.gov
Subject: Streamlining ordnnce

Carol,

I attended the New General Plan Meeting last night. It is a completely dysfunctional group that has no ideas what the City problems are or any possible solutions. So much of what they know are not facts.

The main problems are **Housing Costs and Road Congestion** which are caused by the **Urban Growth Boundary** and **Smart growth**.

The great companies in the valley are going to start to move if livability continues to be reduced.

You are on the right track stay with Streamlining building permits.

I have a letter from the T. J. Rodgers, CEO of Cypress Semiconductor who reports that his company received a building permit in Round Rock, Texas for a Wafer Fabrication Plant more easily than it did to build an employee gas station at their San Jose Plant. He finishes by saying he is moving the last of his manufacturing out of the state.

Best,

Lowell Grattan

4/30/2008