

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Planning Commission

SUBJECT: SEE BELOW

DATE: August 13, 2009

COUNCIL DISTRICT: 8
SNI AREA: N/A

SUBJECT

FILE NO. PDC09-003, Planned Development Rezoning from R-1-5 Single-Family Residence Zoning District to A(PD) Planned Development Zoning District allow up to 8 single-family detached residences and up to 12,000 square feet of office space on a 2.98 gross acre site.

RECOMMENDATION

The Planning Commission voted 5-0-2 (Commissioners Platten and Cahan absent) to transmit their comments and concerns with out a formal recommendation. The Commission added that they would like the riparian setback area to be shown as Private Open Space (or "riparian setback") on the land use plan with appropriate uses identified for this "use" in the General Development Standards.

OUTCOME

Should the City Council approve the Planned Development Rezoning, the applicant would be able to move forward with a Planned Development Permit and subsequent building permits to allow for the construction of 8 single-family detached residential units and a 12,000 square foot office building on the subject site.

BACKGROUND

On July 22, 2009, the Planning Commission opened a public hearing to consider the proposed Planned Development Rezoning. The Director of Planning, Building and Code Enforcement recommended approval of the proposed Planned Development Rezoning. The project was on the evening's public hearing calendar.

Planning staff made the following additions and corrections to the staff report:

- At the Planned Development Permit stage of the process, this project will be conditioned to comply with the Green Building Policy, which will require the project to submit a Green Building Checklist.
- Additional comment letters were recently received. All of the letters are in support of the proposed project.

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The applicant, Reyad Katwan of HawkStone, then spoke on the item and added that he was recently before the Commission for the General Plan Amendment and has since done community outreach and revised the project based on community concerns and direction from the City Council at the General Plan hearing.

There were no speakers from the public on the proposed project and the Planning Commission then closed the public hearing to discuss the item.

Commissioner Kamkar questioned the applicant whether or not any structures were within the riparian setback area. The applicant responded that the only structures would be fences for the single-family residences and that as a part of the project he would be improving the riparian area by removing existing septic tanks, leech fields, and invasive plant species.

The Deputy City Attorney added into the public record that Commissioner Zito, who was absent, had sent an e-mail stating his recommendation on the project, which was that he would only recommend approval if the General Development Standards were changed to include a 75 foot riparian setback and that no structures or parking lots would be permitted within this setback area. (See attached copy)

Commissioner Campos made a motion to approve the proposed Planned Development Rezoning as recommended by staff. The Commissioners then spoke at length on the motion. Commissioner Jensen also encouraged for buildings to be placed entirely outside of the 75 foot riparian setback area. Commissioner Cahan was also concerned about the encroachment into the riparian corridor and the continuance of losing riparian areas to development.

The first motion failed 3-3-1 (Commissioners Do, Campos, and Platten in support and Commissioners Cahan, Jensen, and Kamkar opposed, Commissioner Zito absent)

Commissioner Campos stated that the Commission knew at the General Plan stage of this project that the setback would be at 75 feet. Commissioner Do stated that a bulk of the parking lot was in the riparian setback and that maybe the building could be reconfigured. A second motion was made to approve the Planned Development Rezoning with a clear 75 foot riparian setback unobstructed of all structures including fences. The second motion failed 3-3-1 (Commissioners Cahan, Jensen, and Kamkar in support, Commissioners Do, Campos, and Platten opposed Commissioner Zito absent)

The Deputy City Attorney added that if the Commission failed to make a motion a recommendation of denial would be forwarded to the City Council.

A third motion was made to continue the project to the Planning Commissions August 12, 2009 hearing. The Planning Commission voted 6-0-1 (Commissioner Zito absent) to continue the item

On August 12, 2009, the Planning Commission reopened the public hearing to further consider the proposed Planned Development Rezoning. The Director of Planning, Building and Code Enforcement recommended approval of the proposed Planned Development Rezoning. The project was on the evening's public hearing calendar.

Planning staff made the following additions to the staff report:

- The site was the subject of a General Plan Amendment in December 2008. The Planning Commission recommended approval of the land use change from Low Density Residential to Office on 0.69 acres and Private Open Space on 0.92 acres and to forward to the City Council a diagram illustrating the implications of the 50 ft, 75 ft, and 100 ft riparian setback. The City Council was given that information and approved the said General Plan Amendment and asked that staff work with the applicant to achieve an optimal riparian setback.
- The applicant and staff have worked together, the result being the proposed land use plan that is being brought to hearing, which includes a 75 riparian setback to edge of building with a small exception of approximately 320 square feet of the proposed office building corner.
- In addition, Commissioner Cahan, who was absent, had sent an e-mail stating her recommendation on the project, which was that she supported the project as proposed. (See attached copy)

The applicant, Reyad Katwan of HawkStone, then spoke on the item and presented the information contained in his letter to the Commission that detailed how the Thompson Creek frontage would be improved with the development of the proposed project and the benefits to the community. (See attached copy)

There were no speakers from the public on the proposed project and the Commission closed the public hearing to discuss the item.

Commissioner Zito disclosed that he met with the applicant and that his family dentist may potentially occupy the proposed office building. He also stated that any project couldn't help but improve Thompson Creek and that a 75 foot setback could be achieved if the project lost one residential unit. He was also concerned about how this project may interface with the underutilized lots to the south. He then made a motion to approve the Planned Development Rezoning with a 75 foot riparian setback for all structures.

The Commission then discussed the motion. Commissioner Campos question staff as to whether or not they were satisfied with the site plan and encroachment into the setback. Staff responded yes, and added that area of encroachment was minimal and that the benefit of the project to the community and the improvements to be made to the riparian area balanced out that small encroachment.

Commissioner Kamkar questioned staff whether or not the office building could be cantilevered and if a 3rd story could be considered. Staff did not feel that a cantilevered building would change the encroachment area as the setback is meant to be vertical as well as horizontal. Staff also added that a 3 story building at this location would stand out from adjacent development and that the site plan had narrowed down as far as it could and still provide a pleasing entrance into the project, particularly for the residences. Narrowing the street by eliminating park strips would make it feel as if the residents were driving through a commercial parking lot to get to their homes.

Commissioner Jensen stated that there were two developments to the south of the site that were 3 stories tall. Staff confirmed this. Commissioner Jensen then stated that San Felipe Road is already developed with higher density urban development and that it could be appropriate at this site. She indicated that we have a Riparian Policy and that it would not be appropriate to deviate from it.

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Commissioner Campos stated that the applicant has come a long way from the General Plan hearings and that the project works for the site and improves the riparian corridor and he wholeheartedly supported staff's recommendation.

Commissioner Zito stated that there is a need to hold the line on riparian setbacks and that it was not about the project, but about that the encroachment into the setback area would set a precedent. He then made a motion to approve the project with any building encroachment in to the 75 foot riparian setback. The first motion failed 3-2-2 (Commissioners Zito, Jensen, and Kamkar in support, Commissioners Do and Campos opposed, Commissioners Platten and Cahan absent)

Commissioner Campos made a motion to approve the proposed Planned Development rezoning as recommended by staff. The second motion failed 3-2-2 (Commissioners Do, Campos, and Jensen in support and Commissioners Zito and Kamkar opposed, Commissioners Platten and Cahan absent)

The Deputy City Attorney added that original public hearing notice was dated July 8, 2009 if the Commission failed to make a motion within 60 days of that date, per the Municipal Code the motion would be to forward a recommendation of denial to the City Council.

A final third motion was made to send the project to the City Council with no recommendation from the Planning Commission and to transmit their comments and concerns. The Planning Commission voted 5-0-2 (Commissioners Platten and Cahan absent). Staff added that they would like the riparian setback area to be shown as Private Open Space (or "riparian setback") on the land use plan with appropriate uses identified for this "use" in the General Development Standards.

ANALYSIS

A complete analysis of the issues regarding this project, including General Plan conformance, is contained in the attached staff report.

EVALUATION AND FOLLOW-UP

The applicant would be required to file subsequent development permits with the Planning Division in order to implement the project on the subject site.

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)**

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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 General Plan Amendment 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.

On April 16, 2009, a community meeting was held at the Evergreen Branch Public Library on Aborn Road, at which one area neighbor was present. The neighbor did not express any concerns with the proposal.

COORDINATION

This project was coordinated with the Department of Public Works, Department of Transportation, Fire Department, Parks, Recreation and Neighborhood Services 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 further discussed in attached staff report.

COST SUMMARY/IMPLICATIONS

Not applicable.

BUDGET REFERENCE

Not applicable.

CEQA

The environmental impacts of this project were addressed by a Mitigated Negative Declaration adopted for File No. PDC09-003 on June 16, 2009. The Mitigated Negative Declaration states that no significant impacts will result from the subject project.


for JOSEPH HORWEDEL, SECRETARY
Planning Commission

For questions please contact Lesley Xavier, Project Manager at 408-535-7852.

Attachments:

Planned Development Rezoning Staff Report
Letter from the applicant with attachments,
E-mails from Commissioner Zito and Cahan
Additional Neighbor Correspondence

Commissioner Cahari's e-mail

PC Agenda: 8-12-09

Item: 3.b.

-----Original Message-----

From: Gurza, Renee
Sent: Tuesday, August 11, 2009 9:40 AM
To: 'HOPE A CAHAN'; Boyd, Darryl
Subject: RE: Feedback on item 3b PDC09-003 for public comment

Thanks Hope --

Darryl - Can you have someone on your team make sure this gets distributed as a part of the public packet for this item?

Thanks!
Renee

-----Original Message-----

From: HOPE A CAHAN [<mailto:hopecahan@mac.com>]
Sent: Tuesday, August 11, 2009 9:08 AM
To: Boyd, Darryl; Thang Do
Cc: Gurza, Renee; Christopher Platten; Christopher Platten; Zito, Jim; Lisa Jensen; Matt Kamkar; Xavier Campos; xavier campos
Subject: Feedback on item 3b PDC09-003 for public comment

Chair Do,

I will not be able to attend the Planning Commission meeting on August 12th, but would like to add my support for PDC09-003, agenda item 3b to the public record.

At the last Planning Commission meeting, I did not support this project due to my concern with the less than 75-foot Riparian setback. I have since met with the developer onsite to discuss the project and walk the property lines of the proposed setbacks.

After my meeting with the developer, I drove around to view the Riparian setbacks of neighboring developments. I found from this drive and aerial pictures provided to me by the developer that the neighboring setbacks are, for the most part, less than those proposed for this project.

After a detailed review of the project's setback implications and comparison of the surrounding setbacks, I now support this project.

I do agree that we should attempt to keep Riparian setbacks to 100 feet and will most likely hold projects to this setback in the future. However, I find justification for this particular project very difficult to insist upon for a small area:

- That was recently approved for a General Plan amendment with no indication that the setback exemptions allowed for a property of this geometric shape would not be allowed. (This sends an unclear and

inconsistent message to this developer and developers for future projects in our city.)

-That has only a small portion of the proposed development with any building structure within less than 75 feet of the setback.

-That has neighboring lands that do not have this setback and, in all probability, will never be made to increase their setbacks.

I found the developer to be very knowledgeable about the environmental concerns of the city and the commission and a true attempt to produce a project that meets the city's desired infill for this area with enhancements and protections of the Riparian Corridor.

The developer agreed to work with staff to try to move the corner of the office building that pushes into the Riparian Corridor by up to 5 feet away from the corridor and to use a natural looking paving method for the parking lot to help create a more natural looking setting. The developer also announced his intention to use as many green building techniques as possible, including solar roofing.

Because of the reasons mentioned here and my belief that the developer will continue to work with staff to meet the city's goals, I agree with staff's recommendation to approve of this project.

Respectfully,
Hope Cahan

Commissioner Zito's Email

Boyd, Darryl

From: Gurza, Renee
Sent: Wednesday, July 22, 2009 8:10 PM
To: Boyd, Darryl; Prevetti, Laurel
Subject: FW: Feedback on item 3b - PDC09-003 and the 7/8 synopsis for PC on Wed 7/22 a

Here is the e-mail that should be in the public record for this item tonight. Thanks!
Renee

From: Zito, Jim [mailto:Jim.Zito@lifetech.com]
Sent: Monday, July 20, 2009 6:37 PM
To: Gurza, Renee; Walton, Susan; cplatten@wmjpr.com; ltodd@wmjpr.com; hopecahan@mac.com; lajensen_pc@yahoo.com; mkamkar7@gmail.com; tdo@aedisgroup.com; Xavierxec@gmail.com; xeccampos@yahoo.com
Subject: Feedback on item 3b - PDC09-003 and the 7/8 synopsis for PC on Wed 7/22 a

Hello Chair Do -

I will not be attending our PC meeting on Wednesday as I will be away on Vacation.

I wanted to submit this commentary on Item 3b (PDC09-003) for the public record:

I want to start by saying that I am all in favor of this mixed use project in that it will provide much needed commercial space to the Southeast side of the City. With that said, I want to also state my one concern with this project. Specifically the Riparian Setback.

I could only approve the staff recommendation of this project if it was amended to provide a development plan with a minimum of 75 feet Riparian Setback. This should ensure that no permanent structures, including parking lots were built within 75 of the Thompson Creek Riparian Setback.

While the staff report discusses this in regards to the earlier GP change, current decisions and applications have actually strengthened the argument for adequate Riparian setback.

- At our last PC Meeting we approved a DAL rezoning with the stipulation that all property lines of the proposed homes MUST be outside the 75 foot setback.
- If you read the SE Branch Library Initial Study, you will see that the project proposes no building or permanent structures within 100' Riparian setback.
- Both of these project have irregular shaped frontages along the creek top of bank.

Additionally, one only has to look at the Pinn Bros. project down the road, just south of this project along San Felipe Rd, and also fronting along the Thompson Creek. I believe it was given the approval to build permanent structures and roads up to 50 feet from the top of bank, and now the project lay fallow with excavations and incomplete development along the creek with no new plans to restore or improve the Riparian corridor. Again, the justification given for allowing this reduced setback was to enable the project to meet its unit count goals, and that it had an irregularly shaped frontage along the

creek.

In the interest of disclosure, I have met with the applicant on this project before the GP change. During those sincere and thoughtful discussions, a comment was made to the affect that other projects were approved at a 50 foot setback, so it should be allowed for his as well.

I urge the Planning Commission to approve recommendation of this project, but only with the assurance of a full 75 foot Riparian setback. I believe this project can be accomplished including a 75 foot setback with a reorganization of the layout to perhaps provide slightly fewer homes - and possibly a slightly more flexible application of the commercial and residential design guidelines to allow slightly smaller setbacks to adjacent properties.

We must protect Thompson Creek and establish a president that we will protect our Riparian Corridors throughout the City. Please remember the 100 foot setback requirement was meant as a MINIMUM, but yet we routinely managed to consider this a maximum starting point and work down significantly from there.

Regarding the July 8th synopsis, please update the result of the vote for item 3b PDC09-007 to include the amendment to ensure that all property lines were outside the 75 foot Riparian setback, and the additional comment from Comm Jensen regarding the removal of the specified trees.

Respectfully submitted - Jim Zito

Jim Zito, Planning Commissioner
Mobile: 408-506-1762

This communication constitutes an electronic communication within the meaning of the Electronic Communications Privacy Act, 18 USC 2510, and its disclosure is strictly limited to the recipient intended by the sender of this message. This communication may contain confidential and privileged material for the sole use of the intended recipient and receipt by anyone other than the intended recipient does not constitute a loss of the confidential or privileged nature of the communication. Any review or distribution by others is strictly prohibited. If you are not the intended recipient please contact the sender by return electronic mail and delete all copies of this communication.

Letter From Applicant w/ Attachments

HawkStone

Memorandum

To: City of San Jose Planning Commission
From: Reyad Katwan
Subject: PDC09-003, 4203 San Felipe Road
Date: August 5, 2009

In November of 2008, the Planning Commission voted 6-0 for a recommendation to move forward and recommended that the applicant continue to work with City Staff to improve the plans. In December of 2008 the City Council voted 11-0 for approval of our General Plan Amendment which allows for a mixed use development. The 50' minimum riparian corridor set back is in compliance with the Riparian Corridor Policy. The proposed minimum set back was vetted out by well respected environmental experts including City Staff.

Since our last approval, we have worked closely with City Staff, our neighbors and local organizations like the Evergreen Community Round Table to further improve our plans and increase our average Riparian set back from 66' to 71' feet.

This site is not in the flood plane and even though the current and historic drainage patterns have been to Thompson Creek. We have worked with the City's Engineering Department and the Santa Clara Valley Water District to have all the site drainage, drain to the existing storm drain lines on San Felipe Road with the exception of the Riparian set back area. All the rear fence lines will be open view fences.

This project is a build to suit medical office building and my partners are local well respected phsicians and medical professionals. We currently have both our immediate neighbors and community support and request that you recommend our project for approval as soon as possible without further delay.

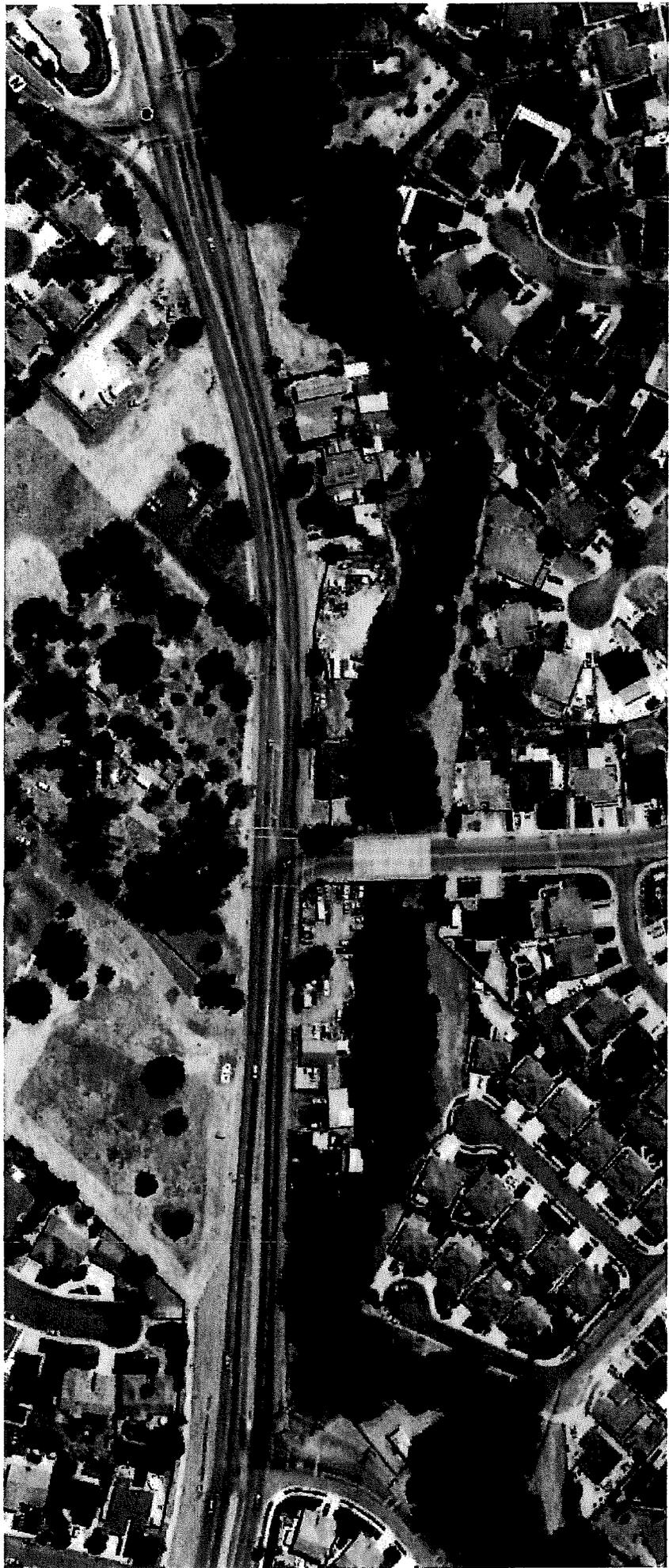
Enclosed please find additional information that will help in addressing some of the questions and comments you had at our last Planning Commision Hearing:

1. Arial photos of Thompson Creek from Yerba Buena Rd. to Aborn Rd.
2. Photos of Thompson Creek along the property line.
3. Live Oak's letter regarding the City of San Jose's Riparian Policy Study with relevant components and considerations.
4. Site plan comparing the current and the old General Plan Amendment submittal plan.
5. Land Use Break Down.
6. Community Benefits.
7. Letter from Dr. Douglas Vierra.

























LIVE OAK ASSOCIATES, INC.

an Ecological Consulting Firm

CITY OF SAN JOSE'S RIPARIAN POLICY STUDY RELEVANT COMPONENTS AND CONSIDERATIONS FOR 4203 SAN FELIPE ROAD

- Key goal of the guidelines is “to protect biotic resource values when development occurs near corridors (pg 1)
- “These development guidelines are intended for use within the context of the overall goals of the City.” (pg 1)
- Riparian habitat widths important for some breeding bird populations (pg 2)
- Vegetative buffers protect water quality; provide food cover and dispersal for a variety of smaller wildlife species within riparian zone; provide connectivity between riparian and upland habitats; provide refuge during high flood flows (pg 2)
- The City’s General Plan 2020 (pg 103) calls for new development to setback “...a distance sufficient to buffer the impacts of adjacent human activities and provide avenues for wildlife dispersal; and to “protect adjacent riparian corridors from encroachment of lighting, exotic landscaping, noise and toxic substances into the riparian zone
- **ECOLOGICAL SCALE** is the key to evaluating what affect any new development would have on the existing riparian system
 - Ones perspective changes moving from the scale of the project, to an ecological scale that is relevant for the species using the creek such as consideration of both sides of the creek from Yerba Buena to Aborn Road
 - Thompson Creek outside the Urban Service Area is of higher value due to lack of adjacent residential or commercial development
 - Downstream the creek degrades into a vegetation managed channel toward, Lake Cunningham and than leaves the Lake as a highly managed channel with minimal wildlife value before entering Coyote Creek some miles downstream
- Important to consider existing condition, presence of existing buildings within close proximity of the riparian zone, existing permitted uses such as farming, etc.
- Guidelines based on a historic setback criteria of 100 ft. and not empirically derived (seems like a large number and has been the default or starting setback number used by CDFG for the last 3 decades – they have usually settled for less unless the stream is shown to support high value)
- Guidelines permit exceptions to the 100 ft setback recommendation. Those applicable here include (pg 32):
 - Urban infill
 - Sites with unusual geometric characteristics
 - Instances where measures can be implemented that provide more benefit than a 100 ft setback alone
- An exception may apply if there:
 - is no reasonable alternative
 - reduced setback will not significantly reduce or adversely impact the riparian corridor (i.e., the importance of ecological scale)
 - there is no evidence of stream bank erosion
 - not detrimental to adjacent or downstream properties

Land Use Break Down For 4203 San Felipe Road

	50' Minimum Set-Back	71' Actual Average Set- Back	
Total Site Acreage	2.98	2.98	
San Felipe Road Right of Way dedication to the City	0.41	0.41	
Open Landscape Area	0.16	0.16	
Riparian Set-Back	0.92	1.18	
Net Developable Area (Acers)	1.49	1.22	41% of The Total Land

Please note that with the 50' minimum Set-Back the average Actual Set-Back is approximately 71' with only 41% of the total land area is being developed.

COMMUNITY BENEFITS

PDC09-003-4203 San Felipe Road

- **This Mixed use development will contribute to the economic base of the City and will be compatible with the existing use, and serve the surrounding community.**
- **The Medical and Professional Office Space will provide Jobs and vitally needed services for the Evergreen community.**
- **The Medical Office will reduce traffic out of Evergreen and keep peak hour traffic trips off highly impacted major intersections, including Capital Expwy and 101 Hgwy interchanges.**
- **This opportunity will allow us to utilize Green Building for the residential and the LEED standards for the office.**
- **Existing structures, concrete debris, base rock, none native invasive grass and plants that are currently within the 50' Riparian setback will be removed. The Riparian setback will be enhanced and planted with native planting maintained for a period of 3 years and monitored for a period of 5 years.**
- **This Private Open Space will be made available for use by the future Thompson Creek Trail.**
- **We would remove existing septic tanks and leach fields and will provide City Sewer Service to the site and our neighbors.**
- **We will be paying City and School fees, Employing Local Planners, Engineers, Architects and Contractors to help get ourselves out of this current economic crisis.**



1654 East Capitol Expressway

San Jose, CA 95121-1839

Douglas W. Vierra, D.D.S & Associates

Subject: PDC09-003, 4203 San Felipe Road

City of San Jose Planning Commission,

I have been practicing dentistry in the Evergreen community of San Jose since 1986. Over these 25 years I have established a customer base of thousands of Evergreen residents. Several years ago, when forced to move my practice location within Evergreen, I recognized a need for medical/dental office space to serve our community. Last year I began the process of finding a suitable location to provide medical/dental services in Evergreen.

I partnered with another local Evergreen health care professional and HawkStone, LLC to build and retain a professional medical office as proposed in the above referenced application. This process started in November of 2007, when we entered into contract to acquire the above referenced property. We conducted an extensive due diligence analysis that included some of the following; submitting preliminary applications to the City, paying numerous City fees, hiring local Civil Engineers, Architects, Land Use experts, environmental and historical consultants.

In November of 2008, the Planning Commission voted 6-0 for a recommendation to move forward and in December of 2008 the City Council voted 11-0 for approval of our General Plan Amendment which allows for a mixed use development. The 50' minimum riparian corridor set back is in compliance with the Riparian Corridor Policy. The proposed minimum set back was vetted out by well respected environmental experts including City Staff.

Since our last approval, we have worked closely with City Staff, our neighbors and local organizations like the Evergreen Community Round Table to further improve our plans and increase our average Riparian set back from 66' to 71' feet. We currently have community and our immediate neighbors support and request that you recommend our project for approval as soon as possible without further delay.

Sincerely,

Douglas W. Vierra DDS

Additional Neighbor Correspondence

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Item 3.b

Xavier, Lesley

From: Carla Evans [carla@plazadental.com]

Sent: Thursday, July 16, 2009 2:41 PM

To: Xavier, Lesley

Subject: 4203 San Felipe Road, PDC09-003

I am the President of the Evergreen Business & Professional Association, a resident and business owner of the San Jose Evergreen Community and would like to support HawkStone's plan to develop this mixed use site for a 12,000 square foot professional medical office building and the 8 detached single family residential homes at 4203 San Felipe Road.

Evergreen vitally needs close access to medical services so residents do not have to travel out of our community for these services, and so additional jobs are available to Evergreen residents.

Carla Evans

Manager

Plaza Dental Group

1654 E. Capitol Expressway
San Jose, CA 95121-1839

408.270.4333 ext. 205

www.plazadental.com

Xavier, Lesley

From: Bill Evans [billevans4u@comcast.net]
Sent: Thursday, July 16, 2009 7:09 PM
To: Xavier, Lesley
Subject: 4203 San Felipe Road, PDC09-003

Lesley Xavier:

I am the a resident and business owner of the San Jose Evergreen Community and would like to support HawkStone's plan to develop this mixed use site for a 12,000 square foot professional medical office building and the 8 detached single family residential homes at 4203 San Felipe Road.

Evergreen vitally needs close access to medical services so residents do not have to travel out of our community for these services, and so additional jobs are available to Evergreen residents.

COUNCIL AGENDA: 08-25-09
ITEM: 4.2



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Joseph Horwedel

SUBJECT: SEE BELOW

DATE: August 5, 2009

COUNCIL DISTRICT: 8

SNI: None

TRANSMITTAL MEMO

PDC09-003. Planned Development Rezoning to allow up to eight (8) single-family detached residences and one (1) 12,000 square foot office building on a 2.98 gross-acre site, located on the west side of San Felipe Road, approximately 600 feet south of Delta Road (4203 San Felipe Road) (Hawkstone San Felipe LLC, Owner/Developer).

The Planning Commission will hear this project on August 12, 2009. The memorandum with Planning Commission recommendations will be submitted under different cover. We hope the submittal of this staff report is of assistance in your review of this project.

Jw *Akoni Smiles*
JOSEPH HORWEDEL, DIRECTOR
Planning, Building and Code Enforcement

For questions please contact Darryl Boyd at (408) 535-7898.