



September 27, 2010

Attn: Laurel Prevetti
Planning Department
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

Re: Envision 2040 General Plan Update

Dear Laurel,

We would like to applaud the efforts of the Planning Department in the development of the Envision 2040 GP update and thank you for the meetings we've held together in regards to our questions. As we have indicated, we have received inquiries from several nationally recognized providers of assisted and independent living facilities who are interested in future development of a facility on our property. This proposed use would provide employment opportunities and would allow local senior residents to reside close to their families during retirement and continue to contribute to the local economy and community.

In order to position our property to pursue this future opportunity, we are requesting that the City proposed GP designation for our referenced property is revised to provide for this use. Noted in the table below is one option that would accomplish this.

Designations	Parcel # 567-49-054-00	Parcel # 567-49-044-00
Current GP Designation	Medium Density Residential	General Commercial
Proposed GP Designation	Neighborhood/Community Commercial	
Requested GP Designation	Mixed use Neighborhood	

As currently proposed by the draft Envision 2040 GP, the designation of our property as "Neighborhood/Community Commercial" with a Village Overlay would prohibit our development of the proposed use for at least eight years after the implementation of the General Plan. This is based on the proposed phasing of and the requirements contained within Envision SJ 2040 Policy UD-6.1, which requires that Villages not be intensified with residential development until a village plan has been developed. Our property is located within the Horizon 3 area.

Our current temporary tenant in the vacant theatre building is a church, and they have been granted an exemption from paying a majority of the property taxes. Therefore, our property is currently underutilized and as the owners of multiple properties in the City of San Jose, we are requesting the opportunity to invest money and increase the value of this asset. With the City's assistance, this would provide us with the opportunity to redevelop the property based upon

market conditions and bring greater value to the community in a more certain and shorter time frame than what would be imposed by the current draft Envision 2040 GP changes.

Respectfully,

A handwritten signature in black ink that reads "Robert Atkinson / ja". The signature is written in a cursive style with a large initial "R" and a distinct "ja" at the end.

Robert Atkinson
SVP, Development

RA/la