

NOTICE OF PUBLIC HEARING ON AN ENVIRONMENTAL IMPACT REPORT

Notice is hereby given that the Planning Commission of the City of San José will hold a Public Hearing on **Wednesday, November 18, 2009, at 6:30 p.m.**, to certify that the Final Environmental Impact Report (EIR) prepared for the project identified below has been completed in compliance with the California Environmental Quality Act (CEQA).

These Public Hearings will be held in accordance with Title 21 of the San José Municipal Code, during and before which all persons interested in the matter shall be given a reasonable opportunity to be heard. You are welcome to attend and to speak on this issue. If you choose to challenge the decision on this Environmental Impact Report in court, you may be limited to only those issues you, or someone else, raised and discussed at the Public Hearing or in written correspondence delivered to the City at or prior to the Public Hearing. These public hearings will be held at the dates and times stated above, in the Council Chambers, on the second floor of City Hall, at 200 East Santa Clara Street, San José, California.

The project being considered is: **FINAL ENVIRONMENTAL IMPACT REPORT FOR Ohlone Mixed Use Project. Planned Development Zoning File No PDC08-061, General Plan Amendment File No GP09-T-01, SCH# 2009042075**: The proposed mixed use project is a Planned Development (PD) Rezoning application from HI, Heavy Industrial District, to A(PD), Planned Development District to allow the construction of a mixed use development consisting of up to 800 condominium/apartment and live/work residential dwelling units and 30,000 square feet of ground-level retail space along W. San Carlos Street on an approximately 8.25-gross-acre site. The project will include General Plan amendment(s) to the Midtown Specific Plan to allow the increased density of approximately 125 DU/AC, height, and changes in the Vasona Mall subarea urban design guidelines applicable to this project site. The Project is also dedicating and improving, 3.99 acres of public parkland adjacent to Del Monte Park on the easterly side of Sunol Avenue between Auzerais and W. Home Street.


Council District: 6

The Final Environmental Impact Report, including the City's responses to comments received during the Public Review Period (8/24/09 – 10/7/09), will be available for review beginning November 6, 2009, on weekdays between 8:00 a.m. and 5 p.m.. at the Department of Planning, Building and Code Enforcement, 3rd Floor, 200 East Santa Clara Street, San José and on the Internet at <http://www.sanjoseca.gov/planning/eir/eir.asp>. The certification of the Final EIR may be appealed in writing by any person prior to 5:00 p.m. on **Monday, November 23, 2009**. Such appeal shall be filed at the Department of Planning, Building and Code Enforcement and shall include a statement specifying the basis of the appeal. **It should be noted that the certification of a Final EIR does not constitute approval of the project for which it was prepared. The decision to approve or deny the project will be made separately as required by City Ordinance.**

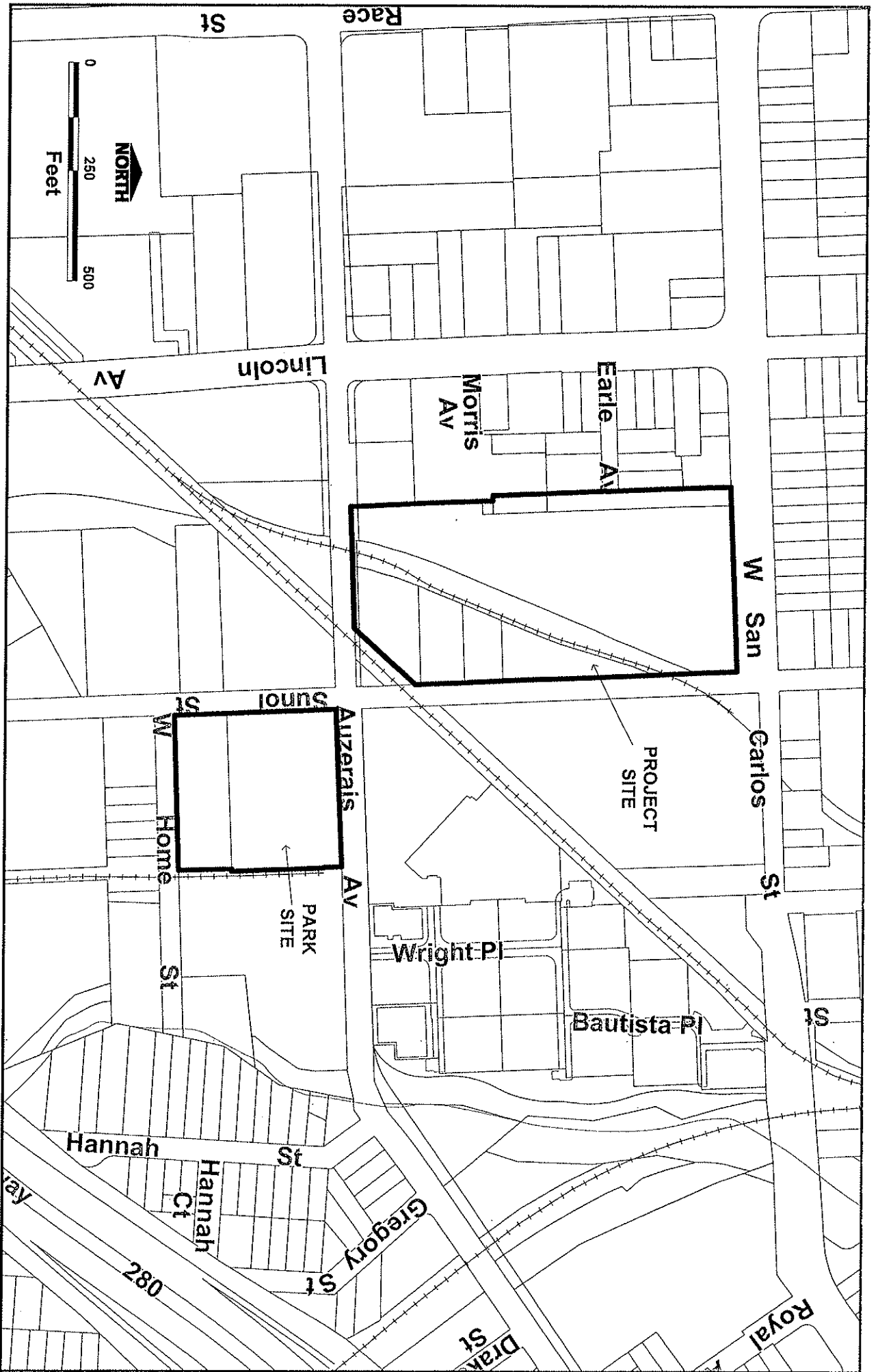
To arrange an accommodation under the Americans With Disabilities Act to participate in this public meeting, please call (408) 294-9337 (VOICE) or (408) 535-3500 at least 48 hours before the meeting. **Muốn biết tin tức bằng tiếng Việt Nam về tờ thông tin này, xin quý vị liên lạc Trung Nguyen ở số (408) 535-7883. Para información en Español acerca de esta solicitud, comuníquese con Juan Borrelli al (408) 535-3555.**

Inquires regarding the EIR are welcome and should be referred to **Akoni Daniels** of the Department of Planning, Building and Code Enforcement (408) 535-7823 or via email akoni.danielsen@sanjoseca.gov .

Joseph Horwedel, Director
Planning, Building and Code Enforcement


Akoni Daniels, Principal Planner

Date: 10/27/09



File No: GP09-T-01 & PDC08-061

District: 6