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October 21, 2015

Via Email Only

City of San Jose Planning Commission
c/o Carina Shattuck
Email: carina.shattuck@sanjoseca.gov

Jennifer Piozet
Project Manager
City of San Jose
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David Keyon
Environmental Project Manager
City of San Jose
Email: david.keyon@sanjoseca.gov

**Re: Continuance of the October 21, 2015 Planning Commission
Hearing for the Cannery Park/Hanover Project (File Nos. GP15-
001, PDC15-001, PD15-004, and PT15-001)**

Dear Chair Yob and Honorable Members of the Planning Commission, Ms. Piozet,
and Mr. Keyon:

We are writing on behalf of San Jose Residents for Responsible Development with regard to the Planning Commission's October 21, 2015 public hearing for the Cannery Park/Hanover Project ("Project"), proposed by the Hanover Company. The Planning Commission will consider an Initial Study and Mitigated Negative Declaration ("IS/MND") prepared for the Project pursuant to CEQA, which includes the construction and operation of 403 apartments and up to 5,000 square foot of retail and common amenity space, along with entitlements such as a General Plan Amendment and a Planned Development Rezoning and Permit.

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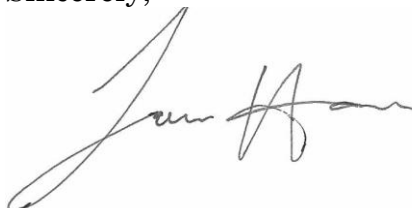
The purpose of this letter is to inform the Planning Commission that, in light of Staff's indication that it will request a continuance on tonight's hearing¹, we expect that the hearing and any decisions regarding the Project will be continued and we do not plan to attend.

We submitted extensive comments, supported by substantial evidence, showing that the IS/MND does not comply with the basic requirements of CEQA. The IS/MND fails to meet the informational and public participation requirements of CEQA because it does not provide evidence to support the City's environmental conclusions. Moreover, substantial evidence exists that the Project may result in significant impacts, and mitigation and avoidance measures provided are vague, deferred, or ineffective. These potentially significant impacts are related to air quality, greenhouse gas emissions, hazardous site conditions, noise, and cumulative impacts. We commented that because there is substantial evidence supporting a fair argument that the Project may have one or more significant effects on the environment, the City cannot approve an IS/MND and must instead prepare an EIR.

In light of Staff's indication that responses to our comments are forthcoming, we hereby reserve our right to submit supplemental written comments and testimony, including additional consultant comments and testimony, prior to final Planning Commission and City Council action on the Project.

Thank you for your attention to these matters.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura Horton", with a large, stylized flourish at the end.

Laura E. Horton

LEH:ljl

¹ Phone Communication from Jennifer Piozet, City of San Jose Project Manager, to Laura Horton, Attorney at Adams Broadwell Joseph & Cardozo, Wednesday, October 21, 2015. Ms. Piozet informed us that that the City needs more time to respond to our comment letter submitted to the City on October 19, 2015.