
FW: Transcript of Audio Message from Rosemary Zotta for The Zotta Family Trust - H24-046 & ER24-195 for SJ City Council Meeting of 9.16.25

From City Clerk <city.clerk@sanjoseca.gov>
Date Mon 9/15/2025 8:12 AM
To Agendadesk <Agendadesk@sanjoseca.gov>

 1 attachment (43 KB)

Transcript of Audio Message from Rosemary Zotta for The Zotta Family Trust - H24-046 & ER24-195 for SJ City Council Meeting of 9.16.25.pdf;

From: Joshua Safran [REDACTED]
Sent: Sunday, September 14, 2025 10:32 PM
To: City Clerk <city.clerk@sanjoseca.gov>
Cc: Lee, Jason <Jason.Lee@sanjoseca.gov>
Subject: Transcript of Audio Message from Rosemary Zotta for The Zotta Family Trust - H24-046 & ER24-195 for SJ City Council Meeting of 9.16.25

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Dear City Clerk,

Please find attached for inclusion into the public record, and the consideration of the City Council of the City of San Jose, a written transcription of a voice memorandum prepared by Rosemary Zotta for The Zotta Family Trust – the owner and administrative appellant whose administrative appeals (H24-046 & ER24-195) are being considered by the San Jose City Council at its meeting for September 16, 2025.

Please do not hesitate to contact me with any questions or concerns.

Thank you for your assistance and all the best,

Joshua

STRATEGYLAWLLP

Joshua Safran, Esq.
One Almaden Boulevard, Suite 700
San Jose, California 95113

Transcript of Audio Message from
Rosemary Zotta for The Zotta Family Trust,
Owner of (1301 West San Carlos Street; APNs: 261-42-059, -060, and -064) &
Administrative Appellant for H24-046 & ER24-195 - Administrative Hearing on the
Appeal of the Planning Director's Approval of a Site Development Permit for
San Jose City Council Meeting of September 16, 2025

Hello, Mr. Mayor and the City of San Jose Councilmembers -

My name is Rosemary Zotta. I am the sole owner of the parcel at 1301 West San Carlos Street and Race. My grandfather and grandmother bought this property in 1915, over 100 years ago. I am 89 years old. I lived on that property as a child, then, moved a few blocks north to Race and Yosemite, and I have lived here in the neighborhood ever since. My family and I have been good and responsible owners. We have maintained and improved the property under our ownership to help improve our neighborhood and District 6.

Over the past 6 years since 2019, I have been working with a team of professionals to redevelop the property. Tom Spilsbury, my real estate broker, has brought to me three different proposals, all of which have fallen through, all due to outside circumstances that were beyond and outside my control. However, now we are very grateful and lucky to have finally found a good and viable partner in Chick-fil-A. Chick-fil-A is my ideal partner and has proven to be the only partnership that I have excellent trust in. Chick-fil-A is now my economically viable option.

Since 2019, my broker and I have worked very hard to be kind and considerate to the existing month to month tenants like Eduardo Taqueria. We informed him both verbally and in writing consistently since 2019 of their short-term status and their need to relocate, as my plans for this property is to be redeveloped.

I am thankful to the City of San Jose for approving the Chick-fil-A project on June 11th, but I need Condition 6 to be completely removed. Condition 6 is a clear violation of my property rights and forces me to retain an economically obsolete building that has no historical or architectural significance and will soon be vacant without tenants. Retaining the building permanently will also drastically and fundamentally alter any current or future good quality development opportunities I would be forced to pursue. Condition 6 occurred at the 11th hour and without any consultation whatsoever with my team. It threw a hand grenade into a well-designed, well-intentioned, and completely compliant project that is allowed by right under the current City of San Jose Zoning Code.

Please uphold our appeal. Please remove Condition 6 and allow me to properly develop a beautifully designed, approved project. Thank you for your service to the City of San Jose, and of course, for correcting this inappropriate last-minute addition with the removal of Condition 6 to the Chick-fil-A approval.

Thank you, Rosemary Zotta