



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Joseph Horwedel

SUBJECT: SEE BELOW

DATE: January 26, 2006

COUNCIL DISTRICT: 4

SUBJECT: PDC05-039. PLANNED DEVELOPMENT REZONING BOUNDED BY THE STEAMBOAT SLOUGH AND ELIZABETH STREET TO THE NORTH, THE GUADALUPE RIVER CORRIDOR TO THE SOUTH, LIBERTY AND NORTH FIRST STREET TO THE EAST, AND EL DORADO STREET/SOUTHERN PACIFIC RAILROAD RIGHT-OF-WAY TO THE WEST.

RECOMMENDATION

The Planning Commission voted 6-0-1, with Commissioner Pham absent, to recommend that the City Council approve the proposed rezoning.

BACKGROUND

On January 25, 2006, the Planning Commission held a public hearing to consider a Planned Development rezoning from CN Commercial Neighborhood, HI Heavy Industrial, and R-MH Mobilehome Park zoning districts to CP (PD) Planned Development and OS Open Space zoning districts to allow commercial, residential, civic and open space uses.

The Director of Planning, Building and Code Enforcement recommended approval of the proposed rezoning.

Mr. Bob Gross, an alternate on the Alviso task force, requested clarification regarding the location of areas currently zoned HI Heavy Industrial and R-MH Mobilehome Park within the rezoning area. Mr. Gross expressed concern regarding the new PD permitting process that would be required for new development in the area under the Planned Development zoning, and stated he thought the rezoning could have a deleterious effect on the historic structures in the rezoning area. Commissioner Levy responded that the Heavy Industrial and Mobilehome Park zoning districts were currently found in the Guadalupe River bed, which is also being rezoned to OS Open Space. Staff further responded that most new development in the proposed rezoning area would currently require a permit through Planning, including most single family houses, due to

HONORABLE MAYOR AND CITY COUNCIL

January 26, 2006

Subject: PDC05-039

Page 2

flooding issues in Alviso. With regard to the stated concerns about preservation of the historic structures in the area, staff responded that the proposed rezoning would allow for greater flexibility in the range of uses allowed within those historic structures. Staff also reiterated that the purpose of the proposed rezoning is to better implement the Alviso Master Plan. No other members of the public spoke.

The Planning Commission then closed the public hearing.

Commissioner Campos recommended approval of the proposed rezoning. Commissioners James and Zito seconded the motion. No further discussion took place among the commissioners.

PUBLIC OUTREACH

A notice of the public hearing was distributed to the owners and tenants of all properties located within 1000 feet of the project site. In addition, the Planning Division's website contains information regarding the zoning process, the legal nonconforming use process, the Zoning Ordinance and the *San Jose 2020 General Plan*. Furthermore, the web page contains information on this proposed rezoning application, including staff reports and public hearing schedule. This website is used by the community to keep informed of the status of development applications. Staff has also made itself available to discuss the subject project on an individual meeting-basis with property owners and members of the public.

Two community meetings were held for this project on June 8, 2005 and July 13, 2005. Approximately 45 community members took part in the community meetings. At the conclusion of the second public meeting, there was a general consensus of support for the proposed rezoning from the property owners, residents and community stakeholders that attended the public meeting.

COORDINATION

As standard procedure in the development review process, this project was coordinated with the Department of Public Works, Fire Department, Police Department, Environmental Services Department and the City Attorney.

CEQA

Alviso Master Plan EIR Resolution No. 68577.


for JOSEPH HORWEDEL
Secretary, Planning Commission

