



# Memorandum

**TO: HONORABLE MAYOR AND  
CITY COUNCIL**

**FROM:** Stephen M. Haase

**SUBJECT: SEE BELOW**

**DATE:** March 2, 2004

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Approved

Date

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**COUNCIL DISTRICT: 3**  
**SNI AREA: None**

**SUBJECT: C03-072. EXECUTIVE DIRECTOR-INITIATED REZONING FROM CG GENERAL COMMERCIAL ZONING DISTRICT TO DC DOWNTOWN COMMERCIAL DISTRICT LOCATED IN THE AREA BOUNDED BY DEVINE STREET (NORTH), SECOND STREET (EAST), ST. JAMES STREET (SOUTH), AND FIRST STREET (WEST).**

### **REASON FOR SUPPLEMENTAL**

This item must be added to the larger, Executive-Director Rezoning for Downtown to avoid a separate rezoning for the subject site.

### **RECOMMENDATION**

Planning Staff recommends the City Council include the subject property within the ordinance being considered for the rezoning of the larger Downtown area.

### **BACKGROUND**

On October 8, 2003, the Planning Commission held a public hearing to consider an Executive Director-Initiated rezoning from CG General Commercial, R-M Multiple Residence, R-2 Two-Family Residence, LI Light Industrial Districts to DC Downtown Commercial District and DC-NT 1 Downtown Commercial-Neighborhood Transition 1 Districts to allow mixed use, commercial, and residential uses on approximately 389 gross acres Downtown. The 389 gross-acre site is located in the area generally bounded by Julian Street (north), Fourth Street (east), Interstate 280 (south), and Route 87 (west). The area generally bounded by Basset Street to the north, Julian Street to the south, Route 87 to the west and Market Street to the east was also included in the proposal.

The Director of Planning, Building and Code Enforcement recommended approval of the proposed rezoning. The Planning Commission voted 5-0-2 (Commissioners James, Dhillon absent) to recommend that the City Council adopt an ordinance approving the Executive Director-Initiated Rezoning. The subject 1.54 gross-acre site was not included with the larger rezoning.

### **ANALYSIS**

The subject 1.54 gross-acre site should be added to the larger Downtown rezoning to avoid a separate rezoning in the future. The proposed rezoning of the 1.54 gross-acre site to DC Downtown Commercial District would implement the San Jose 2020 General Plan Land Use/Transportation Diagram designation of Residential Support for the Core Area: 25+ DU/AC in that it would allow high density residential use in the Downtown Core Area. In addition, it would permit development with commercial uses on the first two floors, with residential use on the upper floors as well as wholly residential projects. Such development is intended to promote high-density residential uses in close proximity to Downtown jobs, and to create new consumer markets Downtown.

### **PUBLIC OUTREACH**

On September 21, 2003, public hearing notices for the larger rezoning were published in the San Jose Mercury News and mailed to owners and occupants within 1,000 feet of the 389 gross-acre area. On February 18, 2004, Joseph Horwedel, Deputy Director of the Department of Planning, Building and Code Enforcement, met with the Downtown Association and the Historic Landmarks Commission Development Subcommittee to discuss the subject rezoning. On March 4, 2004, revised public hearing notices were mailed to owners and occupants within 1,000 feet of the amended rezoning area that includes the subject site.

### **COORDINATION**

Preparation of this report was coordinated with the City Attorney and the Redevelopment Agency.

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**CEQA**

The environmental impacts of this project were addressed by a Final EIR entitled, "San Jose 2020 General Plan EIR", which was certified on August 16, 1994 by the City of San Jose, City Council Resolution No. 65459.

STEPHEN M. HAASE, DIRECTOR  
Planning, Building and Code Enforcement

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Attachment  
Revised Map