



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Planning Commission

**SUBJECT:** SEE BELOW

**DATE:** November 4, 2009

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

**SUBJECT: PDC06-069. PLANNED DEVELOPMENT REZONING FROM LI LIGHT INDUSTRIAL ZONING DISTRICT TO A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO ALLOW UP TO 166 ATTACHED RESIDENTIAL UNITS ON A 3.28 GROSS ACRE SITE.**

## RECOMMENDATION

The Planning Commission voted 5-0-2 (Kamkar and Do absent) to recommend that the City Council adopt an ordinance to approve the subject Planned Development Rezoning from LI Light Industrial Zoning District to A(PD) Planned Development Zoning District to allow up to 166 attached residential units on a 3.28 gross acre site, located at the west side of N. Tenth Street between E. Mission and Vestal Streets.

## OUTCOME

Should the City Council approve the Planned Development Rezoning, the development of 166 attached residential units with a maximum height of 60 feet would be allowed on the 3.28 gross acre site, consistent with the development standards for the subject rezoning.

## BACKGROUND

On November 4, 2009, the Planning Commission held a public hearing to consider the proposed Planned Development Rezoning. Other than the applicant's representative, no member of the public was present to speak on the project. Commissioner Zito asked for clarification regarding the General Plan designation of Mixed Use #1 with no commercial use required. The applicant and Planning staff clarified that the project is consistent with the original Jackson-Taylor Planned Residential Community General Plan Land Use/Transportation Diagram designation of High Density Residential (25-50 DU/AC), which included no commercial requirement. The Commission then voted 5-0-2 (Kamkar and Do absent) to recommend approval of the Planned Development Zoning as recommended by staff.

## ANALYSIS

For complete analysis please see the original Staff Report (see attached).

## EVALUATION AND FOLLOW-UP

The applicant will be required to secure a Planned Development Permit in order to implement the subject rezoning.

**POLICY ALTERNATIVES**

Not Applicable

**PUBLIC OUTREACH/INTEREST**

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater.  
**(Required: Website Posting)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

A notice of this Planning Commission public hearing and subsequent City Council hearing was mailed to the owners and tenants of all properties located within 1,000 feet of the project site and posted on the City website. This staff report is also posted on the Planning division website and staff has been available to respond to questions from the public.

**COORDINATION**

This project was coordinated with the City Attorney's Office, Department of Public Works, Building Department, Environmental Services Department, Fire Department, Department of Transportation, San José Police Department, and San José Water Company.

**FISCAL/POLICY ALIGNMENT**

This project is consistent with applicable General Plan policies and the Zoning Ordinance as further discussed in attached staff report.

**COST SUMMARY/IMPLICATIONS**

Not applicable.

**BUDGET REFERENCE**

Not applicable.

**CEQA**

CEQA: Mitigated Negative Declaration

*for*   
JOSEPH HORWEDEL, SECRETARY  
Planning Commission