



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Councilmember Tordillos

**SUBJECT:** See below

**DATE:** 10/21/2025

Approved

**SUBJECT: CPA16-005-01 and ER25-125 - Conditional Use Permit Amendment for the Project Located at 58 South 1st Street**

## **RECOMMENDATION**

1. Accept staff recommendations, and amend recommendation 2d of the resolution approving a Conditional Use Permit to allow the following conditions for amplified music on the outdoor patio:
  - a. Monday through Thursday: amplified music permitted until 10:00 p.m.
  - b. Friday and Saturday: amplified music permitted until 2:00 a.m.
  - c. Sunday: amplified music permitted until midnight

## **ANALYSIS**

I appreciate the work done over recent weeks by PBCE staff, the San Jose Downtown Association, the project applicant, and residents to create a workable compromise that meets the needs of both neighbors and Fuze. The conditions presented in this memo and in the staff presentation are the culmination of conversations between multiple local resident groups, including the condo association at the 88, and the business owner. This memo formalizes these conditions in writing and ensures the Council can vote to affirm them without the need to amend the staff recommendation from the dais. The resulting CUP, amended to incorporate the compromise, will reflect the city's commitment to fairness and support for small businesses while accommodating the needs of Fuze's neighbors.