



# **CITY COUNCIL AGENDA**

**NOVEMBER 21, 2000**

## **SYNOPSIS**

LINDA J. LE ZOTTE  
CHARLOTTE POWERS  
CINDY CHAVEZ  
CHUCK REED  
MANNY DIAZ

DISTRICT 1  
DISTRICT 2  
DISTRICT 3  
DISTRICT 4  
DISTRICT 5

RON GONZALES MAYOR

FRANK FISCALINI  
GEORGE SHIRAKAWA, JR.  
ALICE WOODY  
JOHN DIQUISTO  
PAT DANDO

DISTRICT 6  
DISTRICT 7  
DISTRICT 8  
DISTRICT 9  
DISTRICT 10

**To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call 1 (408) 277-4424 or 1 (408) 998-5299 (TTY) at least two business days before the meeting.**

**On occasion the City Council may consider agenda items out of order.**

## **1 CALL TO ORDER AND ROLL CALL**

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**9:00 a.m. - Closed Session, Room 600, City Hall  
Absent: Council Member Shirakawa, Jr. (excused)**

**1:30 p.m. - Regular Session, Council Chambers, City Hall  
Absent: Council Member – None**

**7:05 p.m. - Public Hearings, Council Chambers, City Hall  
Absent: Council Member – None**

## **2 INVOCATION**

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**The Almaden Country School “ZOOM” Choir comprised of 5<sup>th</sup> through 8<sup>th</sup> grade students, under the direction of their teacher Julia Hatch, performed two selections entitled “In December” and “Light One Candle”. (District 10)**

## **3 PLEDGE OF ALLEGIANCE**

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**Mayor Gonzales led in the Pledge of Allegiance.**

## **4 ORDERS OF THE DAY**

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**Approved.**

## 5 CEREMONIAL ITEMS

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- a. Presentation of a commendation to the Mexican American Community Services Agency (MACSA) Youth Center's three divisions of Eagle Warrior Athletics Soccer Teams. (Diaz)

(Deferred from 11/14/00 – Item 5a)

**Joining Mayor Gonzales and Council Member Diaz at the Podium were Team Coaches Mario Gonzales, Gabby Toruno, Agustin Arreola, and Jacob Manai, with some of the team members. Mayor Gonzales presented the commendation to the First and Second Division Winners – under 10, under 12, and under 19 competitions - and congratulated the team on its achievements. The team's parents and friends were asked to stand and be recognized.**

- b. Presentation of a commendation to Mervyn's California for their Community Closet Program, which assists women who are on welfare and entering the workforce by providing clothing. (Dando)

(Rules Committee referral 11/15/00)

**Joined by Mayor Gonzales at the Podium, Council Member Dando invited Janet Reilly, Public Administrative Manager of Mervyn's California, Hugh Barnett, President and CEO of Goodwill Industries, and three clients of the 64 women who participated in the shopping spree at the traveling clothing showroom – "Mobile Shopping Van" – stationed at Caesar Chavez Park on September 28-29, 2000. She expressed appreciation to Mervyn's and the Goodwill of Santa Clara County's Institute for Career Development, San José-Evergreen Community College District Workforce Initiative Network, and the Career Program Centers for West Valley Mission Community College and their District Network Program for Great Success, for their innovative contributions aimed at helping women make the transition into the workforce from Welfare or through educational programs. Mayor Gonzales presented the commendation to Ms. Reilly, who presented to the Mayor and Council Member Dando a replica of the 72-foot traveling van, and thanked the City of San José for its cooperation in securing the permits and licenses necessary to operate the showroom in the City.**

## 6 CONSENT CALENDAR

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- a. **Minutes for Approval**

None.

## 6 CONSENT CALENDAR

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### b. Ordinances for Final Adoption

- (1) ORD. NO. 26196 – Adopts the Neighborhood Business Clusters Redevelopment Plan and makes certain findings.

[Deferred from 9/19/00 – Item 6b(4) et al., and 10/24/00 – Item 6b(1)]

**Deferred to 12/12/00.**

- (2) ORD. NO. 26197 – Amends the Julian-Stockton Redevelopment Plan, the Olinder Redevelopment Plan, the San Antonio Plaza Redevelopment Plan, the Rincon de Los Esteros Redevelopment Plan, the Pueblo Uno Redevelopment Plan, the Edenvale Redevelopment Plan, the Guadalupe-Auzerais Redevelopment Plan, the Market Gateway Redevelopment Plan, the Century Center Redevelopment Plan, the Alum Rock Avenue Redevelopment Plan, the East Santa Clara Street Redevelopment Plan, the Almaden Gateway Redevelopment Plan, the Story Road Redevelopment Plan, The Alameda Redevelopment Plan, the West San Carlos Street Redevelopment Plan, the Japantown Redevelopment Plan, the Monterey Corridor Redevelopment Plan, the Park Center Redevelopment Plan, the Civic Plaza Redevelopment Plan, and the Neighborhood Business Clusters Redevelopment Plan to effect the merger of said Redevelopment Project Areas and making certain findings.

[Deferred from 9/19/00 – Item 6b(5) et al., and 10/24/00 – Item 6b(2)]

**Deferred to 12/12/00.**

### c. Public Hearings Set by Council

**None.**

### d. Plans and Specifications

- (1) Adoption of resolutions approving plans, final map, and contract for subdivision tract.

**None.**

### e. Contracts/Agreements

- (1) Approval of a new lease agreement with American Airlines for hangar office and floor space at 1277 Airport Boulevard, on a month-to-month term, from September 1, 1999 to August 31, 2004, with an annual rental revenue to the City in the amount of \$17,430. CEQA: Resolution No. 67380. (Airport)

**Approved.**

## 6 CONSENT CALENDAR

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### e. Contracts/Agreements

- (2) Approval of a third amendment to the agreement with CDI Communication Consultants to extend the term of the consultant agreement for preparation of the San José International Airport's Information Technology Master Plan, from September 1, 2000 to January 31, 2001, at no additional cost to the City.  
(Airport)  
**Approved.**
- (3) Approval of an agreement with Across the Bridge Foundation, Inc., for no interest gap financing for the operation of Downtown College Preparatory Charter High School during FY 2000-01, in an amount not to exceed \$150,000.  
(City Manager's Office)  
**Approved.**
- (4) Approval of amendments to agreements for commercial food waste composting services with the following contractors to extend the term to December 31, 2002, at no additional cost to the City:  
(a) Browning-Ferris Industries, of California, Inc.  
(b) Zanker Road Resource Management, Ltd.  
CEQA: Exempt. (Environmental Services)  
**Deferred to 11/28/00.**
- (5) Approval of award of open purchase orders for supplies, materials, equipment, and services for FY 2000-2001 #19, and authorization for the Director of General Services to execute the purchase orders. (General Services)  
**Approved.**
- (6) Approval of a continuation agreement with Palo Alto Medical Foundation for occupational physician services and consultation in occupational medicine, in an amount not to exceed \$35,000, for the period July 1, 2000 to December 31, 2000.  
(Human Resources)  
**Approved.**
- (7) Approval of an agreement with Asian Americans for Community Involvement for joint grant partnership work on the Department of Justice, Community Oriented Policing Services grant, for the period July 17, 2000 to June 30, 2001, at a cost not to exceed \$71,628. (Police)  
**Approved.**
- (8) Approval of a 30-year lease agreement with San José Conservation Corps for the lease of City owned property located at 2650-A Senter Road, for a monthly rent of \$1 conditioned upon the Corps continued provision of community service.  
(Public Works)  
**Deferred to 11/28/00.**

## 6 CONSENT CALENDAR

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### f. Routine Legislation

- (1) Adoption of appropriation ordinance and funding sources resolution amendments in the Construction Excise Tax Fund for the Bailey Avenue/Highway 101 Interchange project, with a net impact to the fund of \$50,000. (City Manager's Office)  
**Ordinance No. 26235 adopted.**  
**Resolution No. 70013 adopted.**
- (2) Adoption of appropriation ordinance and funding sources resolution amendments in the HOME Investment Partnership Program fund to amend and correct Ordinance No. 26220 and Resolution No. 69955 adopted by City Council on October 24, 2000 through Item 9k(3). (City Manager's Office)  
**Ordinance No. 26236 adopted.**  
**Resolution No. 70014 adopted.**
- (3) Adoption of a resolution summarily vacating a portion of a public utility easement lying within Lot 113 of Tract 1145, at 1551 Edgewood Way. (Public Works)  
**Resolution No. 70015 adopted.**
- (4) Adoption of a resolution authorizing the reorganization of territory designated as Evergreen No. 186, which involves the annexation to the City of San José of 5.26 acres of land, located on the northeast corner of Murillo Avenue and Ruby Avenue, and the detachment of the same from the Central Fire Protection District and the Santa Clara County Library Services Area. CEQA: Negative Declaration. (Planning, Building, and Code Enforcement)  
**Resolution No. 70016 adopted.**
- (5) Approval of an amendment to the agreement with Macias, Gini and Company LLP for additional audit services assistance in the conversion of the Federated and Police and Fire Retirement System Annual Financial Statement Audit into a Comprehensive Annual Financial Report (CAFR) format for a fee not to exceed \$17,120, increasing the total contract amount for the annual financial audit related to fiscal year ending June 30, 2000 from \$392,042 to \$409,162. (City Auditor) (Rules Committee referral 11/15/00)  
**Approved.**

**END OF CONSENT CALENDAR**

## 7 COMMISSION, COMMITTEE, AND STANDING REPORTS

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**a. Report of the Study Session**

**Mayor Gonzales, Chair**

**No Report.**

**b. Report of the Rules Committee – November 8, 2000**

**Vice Mayor Fiscalini, Chair**

- (1) Review November 21, 2000 Draft Agenda  
**The Committee approved the November 21, 2000 City Council Agenda with one change.**
- (2) Add New Items to November 14, 2000 Amended Agenda  
**The Committee recommended five additions to the November 14, 2000 City Council Agenda.**
- (3) Meeting Schedules  
**None Presented.**
- (4) The Public Record  
**The Committee noted and filed the Public Record for the period October 25-31, 2000**
- (5) Request to use Council General Funds by Council Member Woody to attend the National League of Cities' Congress of Cities and Exposition, December 5-10, 2000, in Boston, Massachusetts  
**The Committee approved the use of Council General funds by Council Member Woody to attend the National League of Cities' Congress of Cities and Expansion in Boston, Massachusetts, on December 4-10, 2000.**
- (6) Council Referrals for Assignment to Appropriate Committee, Administration, or Council Appointee
  - (a) Request for City Auditor Services to review the repayment terms and conditions of Development Agreements  
**The Committee referred Mayor Gonzales' request for City Auditor services to review repayment terms and conditions of development agreements to the Finance and Technology Committee.**
- (7) Oral communications  
**None Presented.**
- (8) Adjournment  
**The meeting was adjourned at 2:10 p.m.**

**The Rules Committee Report and actions of November 8, 2000 accepted.**

## 7 COMMISSION, COMMITTEE, AND STANDING REPORTS

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### c. Report of the Finance and Technology Committee – November 8, 2000 Council Member Woody, Chair

- (1) Consent Items
  - (a) Monthly Investment Report for September 2000
  - (b) September Monthly Report
  - (c) Monthly Financial Report for September 2000
  - (d) Unfunded Projects Appropriation Report as of September 30, 2000
  - (e) Parks Project Delivery

**The Committee recommended approval of the Consent Items.**

- (2) Report on Parking Garage at 4<sup>th</sup> and San Fernando Street  
**The Committee recommended acceptance of the report.**
- (3) Report on Hayes Mansion Phase III  
**The Committee recommended acceptance of the staff report and recommended that Council request that a workshop on the available financing and bond options be held after the new Council Members assume office.**
- (4) Fire Department Strategic Plan  
**The Committee recommended acceptance of the staff report with the direction that a fleet assessment component be added to the final report.**

**See Item 9a for Council action taken.**

- (5) Committee meeting schedule  
**The Committee recommended approval of the amended meeting schedule.**
- (6) Oral petitions  
**Bill Garbett spoke on 911 and response time.**
- (7) Adjournment  
**The meeting was adjourned at 12:20 p.m.**

**The Finance and Technology Committee Report and actions accepted with Item 7c(4) acted upon at Item 9a.**

## 7 COMMISSION, COMMITTEE, AND STANDING REPORTS

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### d. Report of the Economic and Community Development Committee – November 6, 2000

#### Council Member Diaz, Chair

- (1) Consent Calendar
  - (a) Quarterly Report on the Housing Rehabilitation Program
  - (b) Quarterly Report on the Project Development Program
  - (c) Quarterly Report on the Housing and Homeless Fund
  - (d) Response to Committee Questions Concerning Commercial Real Estate Vacancy Rates
  - (e) Response to Committee Questions on Revolving Loan Fund Program

**The Committee recommended approval of the Consent Calendar Items. The Committee removed Items 1b and 1d from the Consent Calendar to be considered separately; after which, approved the reports.**
- (2) Continue Discussion on the Remaining Proposed Revisions to the Sign Ordinance  
**The Committee recommended approval of the changes to the sign ordinance and directed that this item be forwarded to the full Council for consideration under General Government.**
- See Item 9b for Council action taken.**
- (3) Annual Report of Activities of the First Source Employment Program  
**The Committee recommended acceptance of the report with a recommendation to forward the report to the full Council for consideration.**
- (4) Receive and Accept the Residential Seismic Safety Program  
**The Committee recommended acceptance of the report.**
- (5) Oral petitions  
**In response to Phyllis Ward's request for an update on secondary housing, Director of Housing Alex Sanchez stated the report is not complete. ECD Committee Secretary to confirm availability of the report by the December 4<sup>th</sup> Economic and Community Development Committee Agenda and notify Phyllis Ward.**
- (6) Adjournment  
**The meeting was adjourned at 4:10 p.m.**

## 7 COMMISSION, COMMITTEE, AND STANDING REPORTS

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- d. **Report of the Economic and Community Development Committee – November 6, 2000**  
**Council Member Diaz, Chair**

**The Economic and Community Development Committee Report and actions of November 6, 2000 accepted with Item 7d(2) acted upon at Item 9b. Council Member Powers presented to Dr. Frannie Winslow an award conferred on the City of San José by the Association of Bay Area Governments (ABAG) in recognition of the City’s work on the Residential Seismic Safety Program developed to provide helpful information by the use of generic blueprints and supplemental technical information to better understand the cost of retrofitting existing soft-story, or “tuck under” buildings in San José, and the impacts to structures similar to the damage that occurred during the Northridge earthquake.**

- e. **Report of the Transportation and Environment Committee – November 9, 2000**  
**Council Member Powers, Chair**

- (1) Consent Calendar  
**No Consent Items.**

- (2) Report on Santa Clara Valley Urban Runoff Program Stormwater Permit [National Pollutant Discharge Elimination Systems (NPDES) Permit]  
**The Committee recommended acceptance of the Staff recommendation and authorization to submit formal comments to the San Francisco Bay Regional Water Quality Control Board concerning the draft Stormwater NPDES Permit.**

**Discussion/Action: Director of Environmental Services, Carl W. Mosher, stated the Regional Board is making major revisions to the Storm Urban Runoff Permit in the area of new development; these revisions will include key elements of the Los Angeles Regional Board’s “Standard Urban Stormwater Mitigation Plans”, and will be significant enough that a Revised Tentative Order will be renoticed. Since the Board will consider the Permit at its February 21, 2000 meeting, Staff recommends that the City Council affirm (a) that any new development provisions be linked to water quality impacts in the Santa Clara Basin; (b) that provisions not create an improper interference with local legislative discretion; (c) that adequate time be provided for comprehensive stakeholder review and local implementation of any new provisions; and (d) that Staff report back to the Transportation and Environment Committee after the Revised Tentative Order is renoticed.**

- (3) Report on Fueling Recommendations for Airport Alternative Fuel Program  
**The Committee recommended acceptance of the report.**

## **7 COMMISSION, COMMITTEE, AND STANDING REPORTS**

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**e. Report of the Transportation and Environment Committee – November 9, 2000  
Council Member Powers, Chair**

(4) Oral petitions  
**None Presented.**

(5) Adjournment  
**The meeting was adjourned at 2:35 p.m.**

**The Transportation and Environment Committee Report and actions of  
November 11, 2000 accepted.**

**f. Report of the Education, Neighborhoods, Youth, and Seniors Committee  
Council Member Shirakawa, Jr., Chair  
No Report.**

## **8 LAND USE AND DEVELOPMENT**

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## **9 GENERAL GOVERNMENT**

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**a. Presentation on the Fire Department Strategic Plan.**

[Finance and Technology Committee referral 11/8/00 – Item 7c(4)]

**Council approved the recommendation proposed in the 11/21/00 memorandum coauthored by Mayor Gonzales and Council Member Diquisto to (1) accept the Fire Department Strategic Plan report; (2) direct City Administration and the Mayor’s Office to develop and submit budget proposals for the Mid-year and June 2001 budget processes for implementing immediate and short-term priorities of the Strategic Plan, and (3) direct City Staff to develop a strategy and submit it to the City Council before June 2001 on how the long-term goals of the Strategic Plan and other Fire Department studies can be financed and implemented; in addition, City Staff was directed to submit status reports on the Plan to the Finance and Technology Committee.**

**b. Direction to the City Attorney to prepare proposed revisions to the sign ordinance to amend the sign ordinance policy provisions regarding the size of construction signs and the amount of directional signs on large sites, as well as to allow additional signage on large buildings Downtown. (Redevelopment Agency/Planning, Building and Code Enforcement)**

[Economic and Community Development Committee referral 11/6/00 – item 7d(2)]

**Deferred to 12/12/00.**

## 9 GENERAL GOVERNMENT

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- c. Adoption of a resolution authorizing the Director of Aviation to submit two applications to the Federal Aviation Administration to:
- (1) Impose and use Passenger Facility Charges (PFCs) at the \$4.50 PFC level for capital projects at the San José International Airport in the amount of \$93,956,000, inclusive of estimated financing cost; and
  - (2) Amend existing PFC authority for eight previously approved capital projects to authorize collection at the \$4.50 PFC level.

CEQA: Resolution No. 67380. (Airport)

**Resolution No. 70017 adopted.**

- d. Adoption of a resolution:
- (1) Authorizing the issuance of tax-exempt multifamily housing revenue bonds in the aggregate principal amount not to exceed \$7,100,000.
  - (2) Approving a loan of bond proceeds to Craig Gardens L.P., a California limited partnership created by First Community Housing for financing the construction of the Craig Gardens Apartments.
  - (3) Approving in substantial form the Bonds, Indenture, Loan Agreement and Regulatory Agreement, and Declaration of Restrictive Covenants.
  - (4) Authorizing the Acting Director of Finance and Director of Housing to execute and, as appropriate, to negotiate, execute, and deliver these documents and other related documents as necessary.

(Finance/Housing)

**Resolution No. 70018 adopted.**

- e. Adoption of a resolution authorizing the Mayor to forward correspondence, on behalf of the City of San José, to the United States Fish and Wildlife Service opposing the designation of Communications Hill as Critical Habitat. (Mayor)

**Resolution No. 70019 adopted.**

- f. (1) Adoption of a resolution calling for a Special Municipal Election to fill a vacancy in Council District 5 for an unexpired term ending December 31, 2002, and approval of an ordinance providing authorization to conduct and take actions with regard to the holding of an election to fill a vacancy in Council District 5.  
(Mayor)

**Resolution No. 70020 adopted.**

**Ordinance No. 26237 passed for publication.**

- (2) Adoption of an urgency ordinance and approval of an ordinance amending Chapter 12.06 of Title 12 of the San José Municipal Code by adding a new Part 9 to provide and clarify campaign contribution rules and regulations for Special Municipal Elections. (City Attorney's Office)

(Deferred from 11/14/00 – Item 91)

**Urgency Ordinance No. 26238 adopted.**

**Ordinance No. 26239 passed for publication.**

11 JOINT CITY COUNCIL/REDEVELOPMENT AGENCY ITEMS

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**CONVENE REDEVELOPMENT AGENCY BOARD TO CONSIDER ITEM 11a  
IN A JOINT SESSION**

- a. (1) Adoption by the City Council of a response to written objections from property owners and taxing entities to the adoption of the Neighborhood Business Clusters Redevelopment Plan and the merger of the Neighborhood Business Clusters Redevelopment Plan into the San Jose Merged Area Redevelopment Plan.
- (2) Final adoption of ORDINANCE NO. 26196 – Adopts the Neighborhood Business Clusters Redevelopment Plan and makes certain findings.
- (3) Final adoption of ORDINANCE NO. 26197 – Amends the Julian-Stockton Redevelopment Plan, the Olinder Redevelopment Plan, the San Antonio Plaza Redevelopment Plan, the Rincon de Los Esteros Redevelopment Plan, the Pueblo Uno Redevelopment Plan, the Edenvale Redevelopment Plan, the Guadalupe-Auzerais Redevelopment Plan, the Market Gateway Redevelopment Plan, the Century Center Redevelopment Plan, the Alum Rock Avenue Redevelopment Plan, the East Santa Clara Street Redevelopment Plan, the Almaden Gateway Redevelopment Plan, the Story Road Redevelopment Plan, The Alameda Redevelopment Plan, the West San Carlos Street Redevelopment Plan, the Japantown Redevelopment Plan, the Monterey Corridor Redevelopment Plan, the Park Center Redevelopment Plan, the Civic Plaza Redevelopment Plan, and the Neighborhood Business Clusters Redevelopment Plan to effect the merger of said Redevelopment Project Areas and making certain findings.

(Deferred from 9/19/00 – Item 11a et al., and 10/24/00 – Item 11a)

**Deferred to 12/12/00.**

- b. Adoption of resolutions by the City Council and Redevelopment Agency Board:
  - (1) Approving the transfer of the Redevelopment Agency-owned property located at 937-943 Locust Street to the Housing Department to provide transitional housing for fire victims and others displaced through no fault of their own;
  - (2) Authorizing the expenditure of up to \$500,000 in 20% Low and Moderate Income Housing Funds to make necessary repairs to the SRO building;
  - (3) Authorizing the City Manager to select a provider to own and manage the property and to negotiate the terms of occupancy; and
  - (4) Finding that the use of 20% Housing Funds for the project is of benefit to the Redevelopment Project Areas in San Jose.

(Fire/Housing)

(Deferred from 11/7/00 – Item 9c and 11/14/00 – Item 11c)

**Deferred to 11/28/00.**

**ADJOURN REDEVELOPMENT AGENCY BOARD PORTION OF THE  
MEETING**

**12 PERMITS AND LICENSES**

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**13 PUBLIC SAFETY AND WELFARE**

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**14 ORAL COMMUNICATIONS**

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**Ross Signorino commented on the Fire Department Strategic Plan report.**

**Following Oral Communications, Council recessed at 3:30 p.m. and reconvened at 7:05 p.m., Council Chambers, City Hall.**

**SAN JOSÉ CITY COUNCIL**  
**NOVEMBER 21, 2000**  
**7:00 P.M.**

**15 PUBLIC HEARINGS**

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- a. PUBLIC HEARING ON FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (SEIR) AND MODIFICATION TO THE EDENVALE AREA DEVELOPMENT POLICY for the property located in the vicinity of Highway 101 and State Route 85 interchanges, north of Santa Teresa Boulevard and east of Cottle Road, to allow buildout of the Edenvale Redevelopment Area, which is projected to include the construction of approximately 8 million square feet of additional industrial uses. The SEIR analyzes the impacts from the following specific modifications to the existing Area Development Policy that would be necessary for the project to proceed: 1. An increase of 200,000 square feet of development potential in Edenvale at buildout, from 4.8 million currently identified in the Policy, to a total of 5.0 million, and 2. Modification of the Policy to allow development of 5.0 million square feet to proceed ahead of area transportation improvements by removing the “triggers” in the existing policy currently required for new development beyond 2.4 million square feet. Director of Planning, Building, and Code Enforcement and Planning Commission recommend approval (6-0-1).

PP 00-07-107 - District 2

**Resolution No. 70021 adopted.**

- b. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located on the northeasterly side of Diamond Heights Drive, approximately 200 feet southeasterly of Senter Road, from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District, to allow the construction of up to six single-family detached residences on 4.3 gross acres. (Mario Ambra, Owner/Developer). CEQA: Negative Declaration. Director of Planning, Building, and Code Enforcement and Planning Commission recommend approval (6-0-1).

PDC 99-05-037 - District 2

**Ordinance No. 26240 passed for publication.**

- c. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located in the area bounded by North First, Basset, and Ryland Streets, and State Highway 87, from M-1 and M-4 Manufacturing Zoning District to A(PD) Planned Development Zoning District, to allow up to 433 multi-family attached dwelling units, including live-work uses on 10.6 gross acres (Union Pacific Railroad Company, Owner; Legacy Partners, Developer). CEQA: Resolution No. 68839. Director of Planning, Building, and Code Enforcement and Planning Commission recommend approval (6-0-1).

PDC 00-04-025 - District 3

**Ordinance No. 26241 passed for publication.**

## 15 PUBLIC HEARINGS

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- d. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the southwest corner of Piedmont Road and Maxey Drive (1065 Piedmont Road), from A-Agricultural Zoning District to A(PD) Planned Development Zoning District, to allow up to four single family detached residences on 0.73 gross acres (Sunboro Homes, Owner/Developer). CEQA: Negative Declaration. Director of Planning, Building, and Code Enforcement and Planning Commission recommend approval (5-0-1-1).  
PDC 00-05-031 - District 4  
**Ordinance No. 26242 passed for publication.**
- e. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the south side of Payne Avenue between Essex Way and Lexington Drive, from R-4 Residence Zoning District to A(PD) Planned Development Zoning District, to allow up to 16 single-family attached residences on a 0.98 gross acre site. (Pfeiffer Ranch Investors, Inc. and Madeline Mestice, Owners; Pinn Brothers Fine Homes, Developer). CEQA: Negative Declaration. Director of Planning, Building, and Code Enforcement and Planning Commission recommend approval (6-0-1).  
PDC 00-05-038 - District 1  
**Ordinance No. 26243 passed for publication.**
- f. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located on the westerly side of Edenvale Avenue and northerly of Chynoweth (200 Edenvale Avenue), from the A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District, to allow the construction of a 78,545 square foot addition and modifications to an existing 117,250 square foot conference center on 6.2 gross acres. (City of San José, Owner; Network Conference Center, Developer). CEQA: Negative Declaration. Director of Planning, Building, and Code Enforcement and Planning Commission recommend approval (6-0-1).  
PDCSH 00-06-047 - District 2  
**Ordinance No. 26244 passed for publication.**
- g. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located on the north side of Rose Avenue, approximately 200 feet westerly of South White Road, from C-3 Commercial Zoning District to A(PD) Planned Development Zoning District, to allow 68 multiple family affordable senior housing units, on 1.35 gross acres. (James Stewart, Owner; ROEM Development Co., Developer). CEQA: Negative Declaration. Director of Planning, Building, and Code Enforcement recommends approval with conditions. Planning Commission recommends approval without staff recommended conditions (6-0-1).  
PDC 00-07-062 - District 5  
**Ordinance No. 26245 passed for publication.**

## 15 PUBLIC HEARINGS

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- h. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located on the north side of Blossom Hill Road, approximately 150 feet easterly of Entrada Cedros, from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District, to allow up to 14 single family detached residential units on 0.96 gross acre. (JSM Enterprises, Inc., Owner/Developer). CEQA: Negative Declaration. Director of Planning, Building, and Code Enforcement and Planning Commission recommend approval (6-0-1).  
PDC 00-07-064 - District 10  
**Ordinance No. 26246 passed for publication.**
- i. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located on the southeast corner of Southwest Expressway and Fruitdale Avenue, from the C-1 Zoning District, to allow for a mixed use development of up to a maximum of 500 dwelling units and a maximum of 30,000 square feet of retail uses on 10.7 gross acres. (De Anza Properties, Owner/Developer). CEQA: Resolution No. 69886.  
PDC 00-08-068 - District 6  
**Continued to 12/12/00.**
- j. PUBLIC HEARING ON CONFORMING REZONING of the property located at the northeast corner of Capital Expressway and Tully Road, from R-1:B-6 Zoning District to C-1 Zoning District, to allow commercial uses on 8.39 gross acres. (Pepper Lane – N.E. Square Loop, LLC, Owner; Pacific Development Group, Developer). Director of Planning, Building, and Code Enforcement recommends approval. No Planning Commission action required.  
C 00-10-106 - District 8  
**Ordinance No. 26247 passed for publication.**
- k. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the south side of Payne Avenue between Essex Way and Lexington Drive, from R-4 Residence Zoning District to A(PD) Planned Development Zoning District, to allow up to 16 single-family attached residences on a 0.98 gross acre site. (Pfeiffer Ranch Investors, Inc. and Madeline Mestice, Owners; Pinn Brothers Fine Homes, Developer). CEQA: Negative Declaration.  
PDC 00-05-038 - District 1  
(Continued from 9/5/00 – Item 15h et al., and 11/14/00 – Item 15b)  
**Dropped. Duplicate of Item 15e.**  
**See Item 15e for Council action.**

## **15 PUBLIC HEARINGS**

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- l. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the east side of South Third Street, 50 feet northerly of East William Street (480 South Third Street), from R-4 Residence Zoning District to A(PD) Planned Development Zoning District, to allow up to 20 multi-family attached dwelling units on 0.24 gross acres. (480 South Third Street Partners, Owner/Developer). CEQA: Resolution No. 68839.

PDC 00-05-045 - District 3

(Deferred from 11/14/00 – Item 15e)

**Continued to 12/12/00.**

- m. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the southeast corner of Las Plumas and Nipper Avenues, from M-1 Manufacturing to A(PD) Planned Development Zoning District, to allow 51 multiple family attached transitional housing units and associated office, services, and childcare facilities, and a job training center in an existing warehouse on 6 gross acres. (Santa Clara County Housing Authority/Developer; City of San José/Owner). CEQA: Negative Declaration.

PDC 00-08-066 - District 5

(Deferred from 11/14/00 – Item 15g)

**Continued to 12/12/00.**

## **16 CLOSED SESSION REPORT**

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## **17 ORAL COMMUNICATIONS**

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## **18 ADJOURNMENT**

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**The Council of the City of San José recessed at 7:30 p.m. and reconvened in the second session of the City Council Public Hearing on the 2000 Annual Review of the General Plan.**

**The meeting was adjourned at 9:55 p.m. in memory of JoAnn Foreman of the City Attorney's Office, who dedicated 23 years of service to the City of San Jose.**