



# CITY COUNCIL AGENDA

**MARCH 6, 2001**

## **SYNOPSIS**

LINDA J. LE ZOTTE  
FORREST WILLIAMS  
CINDY CHAVEZ  
CHUCK REED  
VACANT

DISTRICT 1  
DISTRICT 2  
DISTRICT 3  
DISTRICT 4  
DISTRICT 5

RON GONZALES MAYOR

KEN YEAGER  
GEORGE SHIRAKAWA, JR.  
DAVID D. CORTESE  
JOHN DIQUISTO  
PAT DANDO

DISTRICT 6  
DISTRICT 7  
DISTRICT 8  
DISTRICT 9  
DISTRICT 10

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- **Strategic Support Services** — The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- **Economic and Neighborhood Development** — Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.
- **Recreation and Cultural Services** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- **Transportation Services** — A safe and efficient transportation system that contributes to the livability and economic health of the City.
- **Environment and Utility Services** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- **Aviation Services** — Provide for the air transportation needs of the community and the region at levels that are acceptable to the community.
- **Public Safety Services** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

Items listed in Section 10 require approval of both the City Council and the San José Redevelopment Agency Board.

You may speak to the City Council about any item that is on the agenda, and you may also speak on items that are not on the agenda during Open Forum. If you wish to speak to the City Council, please refer to the following guidelines:

1. **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item/s that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
2. When the Council reaches your item on the agenda, Mayor Ron Gonzales will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table.
3. Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
4. To assist you in tracking your speaking time, there are three lights located to the far right of the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

**The San José City Council meets every Tuesday at 1:30 p.m. and every first and third Tuesday at 7 p.m., unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.**

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.

- **Call to Order and Roll Call**
  - 9:30 a.m. - Closed Session, Room 600, City Hall
    - Absent: Council Members – None.**
    - Vacant: District 5**
  - 1:35 p.m. - Regular Session, Council Chambers, City Hall
    - Absent: Council Members – None.**
    - Vacant: District 5**
  - 7:00 p.m. - Public Hearings, Council Chambers, City Hall
    - Absent: Council Members – None.**
    - Vacant: District 5**
- **Invocation**
  - Pastor Cal Cook of Golden Altar Ministries, Cathedral of Faith, delivered the invocation. (District 3)**
- **Pledge of Allegiance**
  - Mayor Gonzales led in the Pledge of Allegiance.**
- **Orders of the Day**
  - Approved.**

## **1 CEREMONIAL ITEMS**

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- 1.1** Acceptance of the “Spare the Air Recognition Award” from the Bay Area Air Quality Management District for the City’s exemplary “Spare the Air” and other air pollution prevention efforts during 2000. (Environmental Services)  
**Mayor Gonzalez introduced Carl Mosher, Director of Environmental Services, Joni Pattillo, Chief Deputy Director, Environmental Services, and Ralph Borrmann, Public Information Officer, Bay Area Air Quality Management District, who presented to the City of San José the plaque for “Spare the Air Recognition Award”, which was accepted by Rita Norton, Environmental Program Manager, Conservation and Management Division, Environmental Services.**

# 1 CEREMONIAL ITEMS

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- 1.2 Presentation of a Governor’s Historic Preservation Award by Dr. Knox Mellon, California’s new State Historic Preservation Officer, to the City of San José, Preservation Action Council of San José, San José Historic Landmarks Commission, and the San José Redevelopment Agency for their efforts in the preservation and relocation of the Montgomery Hotel. (LeZotte)  
(Rules Committee referral 2/28/01)  
**Joining Mayor Gonzales at the Podium were Council Member LeZotte, Patricia Curia, President, Preservation Action Council of San José, Mark Lazzarini, Chair, Historic Landmarks Commission, Susan Shick, Executive Director, Redevelopment Agency, and Dr. Knox Mello, State Historic Preservation Officer for California, who presented awards to each honoree.**
- 1.3 **Joined by Mayor Gonzales and the City Council, Council Member Yeager welcomed special guests from the Rose Garden, Webelos Scouts Hawks, Den One, Pack 390, attending the meeting as a requirement for their Citizen Activity Badge. The Scouts were asked to stand and be recognized**

# 2 CONSENT CALENDAR

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**Notice to the public:** There will be no separate discussion of Consent Calendar items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council, staff, or public requests discussion on a particular item, that item will be removed from the Consent Calendar and considered separately.

- 2.1 **Approval of open purchase orders for the purchase of supplies, materials, equipment and services.**

**Recommendation:** Approval of award of open purchase orders for supplies, materials, equipment, and services for FY 2000-2001 #31, and authorization for the Director of General Services to execute the purchase orders. (General Services)  
**Approved.**

- 2.2 **Approval of a maintenance agreement for the Police Department’s helicopter.**

**Recommendation:** Adoption of a resolution authorizing the Director of General Services to execute a one-year agreement with Aris Helicopters Ltd. for the maintenance of the Police Department’s helicopter, Model EC120B Eurocopter, for a total cost of \$183,000 with the option to renew for up to four one-year periods contingent upon City Council approval of funds. (General Services)  
**Resolution No. 70187 adopted.**

## 2 CONSENT CALENDAR

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### 2.3 Approval to initiate proceedings to consider the Montgomery Hotel a historical landmark.

**Recommendation:** Adoption of a resolution:

- (a) Initiating proceedings to consider the Montgomery Hotel as a landmark of special historic, architectural, cultural, aesthetic or engineering interest or value of a historic nature.
- (b) Setting a public hearing on April 3, 2001 at 1:30 p.m.
- (c) Referring the matter back to the Historic Landmarks Commission for its consideration at a public hearing, report and recommendation.

(Planning, Building and Code Enforcement)

**Resolution No. 70188 adopted.**

### 2.4 Approval to initiate conforming rezoning procedures and to set a public hearing.

**Recommendation:** Adoption of a resolution initiating the conforming rezoning of approximately 0.47 gross acres of property consisting of the public right-of-way on the north side of Curtner Avenue approximately 540 easterly of Salerno Drive to the intersection of Curtner Avenue and Salerno Drive from County to A-Agricultural Zoning District and setting a public hearing on March 20, 2001 at 7:00 p.m.

(Planning, Building and Code Enforcement)

CC 1-02-018 – District 9

**Resolution No. 70189 adopted.**

### 2.5 Approval to initiate various actions to annex land into Community Facilities District No. 2.

**Recommendation:** Adoption of a resolution of intention to annex Annexation Area 4 into Community Facilities District No. 2 (Aborn - Murillo) and to authorize levy of the special tax on land within Annexation Area 4 and setting a public hearing on April 10, 2001 at 1:30 p.m. (Public Works)

**Resolution No. 70190 adopted.**

### 2.6 Approval of an agreement for the Wooster Avenue Bridge Project.

**Recommendation:** Approval of a consultant agreement with David G. Schott, dba Advance Engineering Design (AED), for the design and construction monitoring of the Wooster Avenue Bridge Project, in an amount not to exceed \$261,000. CEQA: ND.  
(Public Works)

**Approved.**

## 2 CONSENT CALENDAR

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### 2.7 Approval of an agreement to purchase a parcel of land for a neighborhood park.

**Recommendation:** Approval of an agreement with David Seven for the purchase of a parcel of land located at 498 Menker Avenue in the amount of \$320,000, and authorization for the Director of Public Works to execute the necessary additional documents to complete the transaction. CEQA: Exempt. (Public Works)

**Approved.**

### 2.8 Approval to extend the agreement with Emery Worldwide Airlines, Inc.

**Recommendation:** Approval of a second amendment to the agreement with Emery Worldwide Airlines, Inc. to extend the hangar office space lease through April 30, 2006, with projected annual revenue to the City of \$2,400. CEQA: Resolution No. 67380.

(Airport)

(Deferred from 2/20/01 – Item 2.8)

**Approved.**

### 2.9 Approval of the reorganization and annexation of Cambrian No. 31.

**Recommendation:** Adoption of a resolution authorizing the reorganization of territory designated as Cambrian No. 31, which involves the annexation to the City of San José of 2.02 gross acres of land, located on the north side of Curtner Avenue, 90 feet southerly of Salerno Drive, and detachment of the same from the Central Fire Protection District, Santa Clara County Library Services Area, and the County Lighting Services District. CEQA: Negative Declaration. (Planning, Building and Code Enforcement)

**Deferred to 03/20/01 – Evening Session.**

### 2.10 Final adoption of Ordinance 26196.

**Recommendation:** 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 2/27/01 – Item 2.1]

**This Item Heard With Item 10.2(b).**

**Ordinance No. 26196 adopted.**

## 2 CONSENT CALENDAR

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### 2.11 Final adoption of Ordinance 26197.

**Recommendation:** 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 2/27/01 – Item 2.2]

**This Item Heard With Item 10.2(c).**

**Ordinance No. 26197 adopted.**

### 2.12 Final adoption of Ordinance 26299.

**Recommendation:** ORD. NO. 26299 - Sets forth the very limited and extraordinary circumstances warranting an additional General Plan amendment hearing related to housing issues prior to the General Plan Annual Review and Amendment Process.

**Ordinance No. 26299 adopted.**

### 2.13 Final adoption of Ordinance 26301.

**Recommendation:** ORD. NO. 26301 – Prezones certain real property situated on the north side of Alum Rock Avenue, approximately 150 feet easterly of Pala Drive.  
C 98-08-061

**Ordinance No. 26301 adopted.**

### 2.14 Final adoption of Ordinance 26302.

**Recommendation:** ORD. NO. 26302 – Rezones certain real property situated on the south side of Hillsdale Avenue between Snell Avenue and Hillcap Road.  
C 00-11-118

**Ordinance No. 26302 adopted.**

## 2 CONSENT CALENDAR

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### 2.15 Approval of limitations on the City's sale of parking garages.

**Recommendation:** Adoption of a resolution approving certain conditions on the disposition of parking facilities required by AMBAC Assurance Corporation, the proposed bond insurer for the parking revenue bonds, for the 4<sup>th</sup> and San Fernando Street Parking Facility and to allow for eBond Trade to participate in the competitive bond sale. (City Attorney's Office/Finance)

(Deferred from 2/20/01 – Item 2.25 and 2/27/01 – Item 2.11)

**Resolution No. 70191 adopted.**

### 2.16 Approval of the plans, final map, contract and water main extension for Tract No. 9296.

**Recommendation:** TRACT NO. 9296 - Northwest corner of Aborn Road and Voltaire Drive - Shapell Industries, Inc., A Delaware Corporation (Developer) - 27 single family detached residential units. Adoption of a resolution approving the plans, final map, contract, and water main extension for Tract No. 9296. CEQA: Resolution No. 63179. Council District 8. (Public Works)

**Dropped.**

### 2.17 Approval to submit a grant application to the California Department of Forestry and Fire Protection's Urban Forestry Tree Planting Program.

**Recommendation:** Adoption of a resolution providing for the following actions relating to the Urban Forestry Tree Planting Program within the Watershed, Wildlife and Parks Improvement Bond Act of 2000:

- (a) Direction to staff to work with "Our City Forest" to define locations for trees beyond City park properties.
- (b) Authorization for the City Manager to fulfill the required match rate of 25%, through hard and/or soft costs, along with completing the planting prior to March 31, 2003.
- (c) Authorization for the City Manager to submit the grant application to Urban and Community Forestry Program within the California Department of Forestry and Fire, accept the grant if awarded and execute any related grant documents.

CEQA: Exempt. (Parks, Recreation and Neighborhood Services)

(Rules Committee referral 2/28/01)

**Resolution No. 70192 adopted.**

## 2 CONSENT CALENDAR

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### 2.18 Approval of agreements for aerial photography.

**Recommendation:**

- (a) Approval of a cost-sharing agreement with the City of San José, County of Santa Clara, and the Santa Clara Valley Water District in an amount not to exceed \$150,000 each regarding the acquisition of aerial photographs, for a total agreement amount of \$450,000; and
- (b) Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with Triathlon for countywide aerial photography, in an amount not to exceed \$375,000, after the cost-sharing agreement with the County of Santa Clara and the Santa Clara Valley Water District is fully executed.

(Public Works)

(Rules Committee referral 2/28/01)

**Cost-Sharing Agreement Approved.**

**Resolution No. 70193 adopted.**

### 2.19 Approval of Council Member Williams' travel.

**Recommendation:** Approval of Council Member Forrest Williams' travel to Washington, D.C., March 10-14, 2001, to attend the American Public Transportation Agency Conference. Funding: Valley Transportation Authority. (Williams)

(Orders of the Day)

**Approved.**

**END OF CONSENT CALENDAR**

## 3 STRATEGIC SUPPORT SERVICES

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### 3.1 Report of the Study Session, Mayor Gonzales, Chair

**No. Report.**

### 3.2 Report of the Rules Committee – February 21, 2001

**Vice Mayor Shirakawa, Jr., Chair**

- (a) Redevelopment Agency items reported out at Redevelopment Agency meeting  
**The Committee referred Redevelopment Agency items to the Redevelopment Agency Board for consideration.**

- (b) City Council

- (1) Review March 6, 2001 Draft Agenda

**The Committee approved the March 6, 2001 City Council Agenda.**

### 3 STRATEGIC SUPPORT SERVICES

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#### 3.2 Report of the Rules Committee – February 21, 2001 (Cont'd) Vice Mayor Shirakawa, Jr., Chair

- (b) City Council
  - (2) Add New Items to February 27, 2001 Amended Agenda.  
**The Committee recommended three additions to the February 27, 2001 City Council Agenda.**
  
- (c) City Council Committees
  - (1) Amendments to Council Committee Agendas
    - (a) Finance and Infrastructure Committee
    - (b) Economic Development and Environment Committee
    - (c) Education, Neighborhoods, Youth, and Seniors Committee
    - (d) Ad Hoc Traffic Calming Advisory Committee**None Presented.**
  
- (d) Meeting Schedules  
**None Presented.**
  
- (e) The Public Record  
**The Committee noted and filed the Public Record for the period February 7-13, 2001.**
  
- (f) Appointments to Project Diversity Screening Committee  
(Continued from February 14, 2001, Item G)  
**None Presented.**
  
- (g) Council Referrals for Assignment to Appropriate Committee, Administration or Council Appointee.  
**None Presented.**
  
- (h) Oral Communications  
**None Presented.**
  
- (i) Adjournment  
**The meeting was adjourned at 2:15 p.m.**

**The Rules Committee Report and actions of February 21, 2001 accepted.**

#### 3.3 Report of the Finance and Infrastructure Committee Council Member Dando, Chair **No Report.**

## **4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT**

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- 4.1 Report of the Economic Development & Environment Committee  
Council Member Williams, Chair  
No Report.**

- 4.2 Approval of grants for the Housing Rehabilitation Program and to establish a separate program to implement HUD lead-based paint abatement regulations.**

**Recommendation:** Adoption of a resolution:

- (a) Authorizing the Director of Housing to make grants rather than interest-free conditional loans to income-qualified homeowners for home repairs and rehabilitation work, under the Housing Rehabilitation Program.
- (b) Authorizing a separate grant program for costs associated with implementing U.S. Department of Housing and Urban Development regulations on lead-based paint abatement, under the Housing Rehabilitation Program.

(Housing)

(Deferred from 2/20/01 – Item 4.4)

**Dropped.**

- 4.3 Cancellation of an existing contract to close The Alameda undercrossing and direction to have The Alameda undercrossing remain open.**

**Recommendation:** Approval to terminate the existing contract with J.J.R. Construction, Inc., (executed on May 7, 1999 and in an amount not to exceed \$27,000 to permanently close The Alameda undercrossing) and that the undercrossing continue to remain open and be maintained by the City. (Yeager)

(Rules Committee referral 2/28/01)

**Council directed Public Works to terminate the contract to permanently close The Alameda Undercrossing.**

## **5 RECREATION & CULTURAL SERVICES**

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- 5.1 Report of the Education, Neighborhoods, Youth, and Seniors Committee  
Council Member Chavez, Chair  
No Report.**

## 5 RECREATION & CULTURAL SERVICES

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### 5.2 Approval of an agreement for the New Blossom Hill Branch Library Project.

**Recommendation:** Approval of an agreement with Field Paoli Architects for consultant services including project design, preparation of construction documents, and construction administration services for the New Blossom Hill Branch Library Project, for the period March 15, 2001 to March 15, 2004, in the amount of \$977,500. (Public Works)

**Approved.**

## 6 TRANSPORTATION SERVICES

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### 6.1 Traffic Calming Advisory Committee (Ad Hoc) – February 22, 2001 Council Member Reed, Chair

(a) Approval of Six Month Work Plan

**The Committee approved the six-month workplan with the following modifications:**

- **Move the Public Education/Awareness Program item from March 22 to April 12, 2001.**
- **Add Evening Council Session to be held on April 17, 2001**
- **Add item for April 26, 2001 – Review Progress of Workplan**
- **Move the Review of One-Way Couplets item from March 8 to June 14, 2001.**

(b) Report on Traffic Calming Program Performance Measures  
**The Committee accepted the staff report with additional comments incorporated and directed Staff to return at a future date to Committee with a status report.**

(c) Oral Petitions  
**None Presented.**

(d) Adjournment  
**The Committee adjourned at 3:50 p.m.**

**The Traffic Calming Advisory Committee Report and actions of February 22, 2001 accepted with emphasis on the April 17, 2000 Evening Council Session agenda to include (1) status report on all current traffic calming projects occurring in the community, (2) update on what has actually been accomplished in those neighborhoods where traffic calming meetings have been held, (3) review of traffic signal policy and policy changes affecting elements of the traffic calming program, and (4) to provide an opportunity for public comment on the traffic calming efforts.**

## 6 TRANSPORTATION SERVICES

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### 6.2 Approval of various actions related to the proposed formation of a Community Facilities District.

**Recommendation:** Adoption of the following resolutions in connection with the formation of Community Facilities District No. 6 (Great Oaks - Route 85):

- (a) A resolution of intention to form Community Facilities District No. 6 (Great Oaks - Route 85), to authorize the levy of special taxes pursuant to the City of San José Community Facilities District Financing Procedure, setting a public hearing on March 20, 2001 at 1:30 p.m., and to:
  - (1) Authorize the City Manager to execute a joint community facilities agreement with the California Department of Transportation and to negotiate and execute agreements with E. Wagner & Associates for financial advisory services in an amount not to exceed \$95,000, for the term of January 1, 2000 to December 31, 2001, and with Berryman & Henigar, Inc. for special tax consulting services in an amount not to exceed \$50,000, for the term of August 15, 2000 to December 31, 2001.
  - (2) Authorize the City Attorney to negotiate and execute an agreement with Quint & Thimmig for bond counsel services in an amount not to exceed \$70,000, for the term of August 15, 2000 to December 31, 2001.
- (b) A resolution of intention to incur bonded indebtedness of the Proposed Community Facilities District No. 6 (Great Oaks - Route 85) pursuant to the City of San José Community Facilities District Financing Procedure in an amount not to exceed \$15,600,000.

CEQA: Resolution No. 69699. (Public Works/Finance)

(Deferred from 2/20/01 – Item 6.2)

**Deferred to 03/13/01.**

## 7 ENVIRONMENTAL & UTILITY SERVICES

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## 8 AVIATION SERVICES

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## 9 PUBLIC SAFETY SERVICES

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### 9.1 Acceptance of the Fire Fleet Assessment Report.

**Recommendation:**

- (a) Acceptance of the Fire Fleet Assessment Report for the period covering July 2000 through December 2000; and
  - (b) Direction to the Administration to begin submitting the Fire Fleet Assessment Report as a Fiscal Year Annual Report beginning with FY 2000-01.
- (General Services/Fire)

**Council accepted the Fire Fleet Assessment Report and directed future reports be incorporated into the annual budget process.**

## 10 JOINT COUNCIL/REDEVELOPMENT AGENCY

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**REDEVELOPMENT AGENCY BOARD CONVENED AT 2:23 P.M. TO CONSIDER ITEMS 10.1 AND 10.2 IN A JOINT SESSION**

### 10.1 Approval of various actions with the intent to provide transitional housing for fire victims.

**Recommendation:** Adoption of resolutions by the City Council and Redevelopment Agency Board:

- (a) 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;  
**Dropped.**
- (b) Authorizing the expenditure of up to \$500,000 in 20% Low and Moderate Income Housing Funds to make necessary repairs to the SRO building;  
**Dropped.**
- (c) Authorizing the City Manager to select a provider to own and manage the property and to negotiate the terms of occupancy; and  
**Dropped.**
- (d) Finding that the use of 20% Housing Funds for the project is of benefit to the Redevelopment Project Areas in San José.  
**Dropped.**

(Fire/Housing)

(Deferred from 1/23/01 – Item 10.1 and 2/20/01 – Item 10.1)

## 10 JOINT COUNCIL/REDEVELOPMENT AGENCY

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### 10.2 Adoption of the Neighborhood Business Clusters Redevelopment Plan.

#### Recommendation:

- (a) 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.

**Council approved staff recommendation.**

- (b) Final adoption of ORDINANCE NO. 26196 – Adopts the Neighborhood Business Clusters Redevelopment Plan and makes certain findings.

**Items (a) and (b) Heard With Item 2.10**

**Ordinance No. 26196 adopted.**

- (c) 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

**TO BE HEARD WITH ITEM 2.11**

(Deferred from 9/19/00 – Item 11a et al., and 2/27/01 – Item 10.1)

**Ordinance No. 26197 adopted.**

**REDEVELOPMENT AGENCY BOARD ADJOURNED AT 2:30 P.M.**

- Closed Session Report
- Open Forum  
The following individuals spoke on a variety of topics: Renata Milanovic, Deborah Grant, Charise Sandoval, John Williamson, and William J. Garbett.

Following Open Forum, Council recessed at 2:40 p.m. and reconvened at 7:00 p.m.

# 11 PUBLIC HEARINGS

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(To be heard by the City Council at 7:00 p.m.)

## 11.1 Public hearing and approval of an ordinance establishing a Parking Management Zone.

**Recommendation:** PUBLIC HEARING and approval of an ordinance amending Chapter 20.90 of Title 20 of the San José Municipal Code to establish a Parking Management Zone for the Alum Rock Village Area, and making technical corrections to Title 20. (Planning, Building, and Code Enforcement)

**Continued to 03/20/01.**

## 11.2 Public hearing on planned development rezoning at 1135 Auzerais Street.

**Recommendation:** PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the northeast corner of Auzerais and Race Streets (1135 Auzerais Street), from M-1 Manufacturing Zoning District to (A) PD Planned Development Zoning District, to allow for the relocation of a billboard on 2.86 gross acres. (Chester C. Lehmann, Owner/Developer). CEQA: Exempt.

PDC 00-08-082 - District 6

(Continued from 12/12/00 – Item 15n and 1/16/01 – Item 11.6)

**Continued to 03/20/01.**

## 11.3 Public hearing on planned development rezoning on Lone Hill Road.

**Recommendation:** PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the west side of Lone Hill Road, 350 feet northerly of Los Gatos-Almaden Road, from R-1:B-8 Residence Zoning District to A(PD) Planned Development Zoning District, to allow up to two single-family detached units on 0.47 gross acre. (Christopher Harris and Marco DeGeorge, Owner/Developer). CEQA: Exempt.

PDC 00-08-076 - District 9

(Continued from 1/16/01 – Item 11.7 and 2/6/01 – Item 11.3)

**Dropped.**

## 11.4 Public hearing on planned development rezoning at Hedding Street and Park Avenue.

**Recommendation:** PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the southeast corner of Hedding Street and Park Avenue, from R-1:B-6 Residence Zoning District to A(PD) Planned Development Zoning District, to allow the construction of 11 single-family detached residences on 1.14 gross acres. (University Park Partners, Owner; Rosegarden Courtyards, LLC, Developer). CEQA: Negative Declaration.

PDC 00-10-107 - District 6

(Continued from 1/16/01 – Item 11.10 and 2/6/01 – Item 11.4)

**Continued to 03/20/01.**

# 11 PUBLIC HEARINGS

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## 11.5 Public hearing on planned development rezoning on Bonita Avenue.

**Recommendation:** PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the east side of Bonita Avenue, 200 feet northerly of Herald Avenue, from R-2 Residence and M-1 Manufacturing Zoning District to A(PD) Planned Development Zoning District, to allow up to 24 attached dwelling units on 1.25 gross acres. (Carl Baustreri, Owner; Willow Equities, Developer). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend denial (7-0-0).

PDC 00-08-075 - District 3

(Continued from 2/6/01 – Item 11.7)

**Ordinance No. 26311 passed for publication.**

- (1) **The Planning Director reversed “recommend denial” of the proposed rezoning to one of “support” predicated on revised plans submitted by the Developer; and**
- (2) **Council Member Chavez recommended approval of the revised project with the conditions and directions to Staff contained in the March 5, 2001 memorandum with revision to the “Open Space” component: Change the wording from “Direct the developer to construct” to “Accept the offer of the developer to construct a tot lot as part of the project to be “turn-keyed” to the City of San José”.**

## 11.6 Public hearing on planned development rezoning on Stallion Way.

**Recommendation:** PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located on both sides of Stallion Way, approximately 160 feet southerly of Staghorn Lane, from the R-1:B-2 Residence Zoning District to A(PD) Planned Development Zoning District, to allow up to 30 single-family detached residences on 3.7 gross acres. (Bhupinder S. Dhillon, Owner; Braddock & Logan, Developer). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-0-1).

PDC 00-08-081 - District 7

(Continued from 2/6/01 – Item 11.8)

**Ordinance No. 26312 passed for publication.**

# 11 PUBLIC HEARINGS

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## 11.7 Public hearing on planned development rezoning at 1221 and 1265 South Bascom Avenue.

**Recommendation:** PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the southwest corner of South Bascom Avenue and Eisenhower Drive (1221 & 1265 South Bascom Avenue), from R-1 Residence and C-1 Commercial Zoning Districts to A(PD) Planned Development Zoning District, to allow for the reconfiguration of an existing water utility facility and the construction of up to 4,300 square feet of additional office facilities on 8.25 gross acres. (San José Water Company, Owner/Developer). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (7-0-0). PDC 98-09-071 - District 6

**Ordinance No. 26313 passed for publication.**

**Council approved the recommendation with direction to Staff to work with the Applicant at the Planned Development permit stage to ensure neighborhood concerns are addressed related to the height of wall between the site and the adjacent single-family residences.**

## 11.8 Public hearing on planned development rezoning and prezoning of Hillsdale Avenue.

**Recommendation:** PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING AND PREZONING of the property located at the north side of Hillsdale Avenue, opposite the terminus of Vista Park Drive, from County, A, R-3, and A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District, to allow up to 765 single family attached dwelling units on 129.2 gross acres. (Viera, Kwei, Berns/Ross, MTA Properties, Owner; Kaufman & Broad, Developer). CEQA: Resolution No. 70194. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-0-1). PDC 99-10-083 - District 7

**This Item Heard Immediately Following Item 11.15.**

**Ordinance No. 26319 passed for publication.**

**Council approved PD Prezoning as conditioned by the Planning Commission.**

## 11.9 Public hearing on planned development rezoning on Berryessa Road.

**Recommendation:** PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the south side of Berryessa Road, between Sixteenth and Seventeenth Streets, from M-1 Manufacturing Zoning District to A(PD) Planned Development Zoning District, to allow the construction of six single family detached residences on 0.5 gross acres. (Son Nguyen, Owner/Developer). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (7-0-0). PDC 00-09-092 - District 3

**Continued to 03/20/01.**

# 11 PUBLIC HEARINGS

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## 11.10 Public hearing on planned development rezoning at Park and Naglee Avenues.

**Recommendation:** PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the northeast corner of Park and Naglee Avenues, from C-1 Commercial Zoning District to A(PD) Planned Development Zoning District, to allow 13 single-family detached residential units, 13 single-family attached residential units, 6 multi-family attached residential units and up to 6,500 square feet of ground floor commercial uses on 2.8 gross acres. (Classics at the Rose Garden, LP, Owner; Classic Communities, Developer). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (7-0-0).  
PDC 00-10-105 - District 6

**Ordinance No. 26314 passed for publication.**  
**Council approved PD rezoning consistent with the Applicant's original application as recommended by the Planning Commission.**

## 11.11 Public hearing on planned development rezoning.

**Recommendation:** PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located between Roberts Avenue, Lucretia Avenue, Mistflower Drive and Vintage Way, from R-1:B-3 Residence Zoning District to A(PD) Planned Development Zoning District, to allow 100 affordable senior residential units and 100 affordable multi-family attached residential units on 6.2 gross acres. (Community Housing Builders/Bridge housing, Owner/Developer). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1).  
PDCSH 00-10-103 - District 7

**Ordinance No. 26315 passed for publication.**

## 11.12 Public hearing on conforming rezoning on Piercy Road.

**Recommendation:** PUBLIC HEARING ON CONFORMING REZONING of the property located at the west side of Piercy Road, approximately 200 feet southerly of Silver Creek Road, from A Agriculture Zoning District to IP Industrial Park Zoning District, to allow industrial uses on 7.5 gross acres. (Timothy Knea, Owner/Developer). CEQA: Resolution No. 69699. Director of Planning, Building and Code Enforcement recommends approval. No Planning Commission action required.  
C 00-11-114 - District 2

**Ordinance No. 26316 passed for publication.**

# 11 PUBLIC HEARINGS

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## 11.13 Public hearing on conforming rezoning on Piercy Road.

**Recommendation:** PUBLIC HEARING ON CONFORMING REZONING of the property located at the southeast side of Piercy Road, approximately 500 feet southwest of English Place, from A Agriculture Zoning District to IP Industrial Park Zoning District, to allow industrial uses on 8.86 gross acres. (Tony and Eva Mellow, Owner/Developer). CEQA: Resolution No. 69699. Director of Planning, Building and Code Enforcement recommends approval. No Planning Commission action required.  
C 00-11-119 - District 2

**Ordinance No. 26317 passed for publication.**

## 11.14 Public hearing on conforming rezoning on Piercy Road.

**Recommendation:** PUBLIC HEARING ON CONFORMING REZONING of the property located at the northwest side of Piercy Road, approximately 400 feet southwest of English Place, from A Agriculture Zoning District to IP Industrial Park Zoning District, to allow industrial uses on 4.9 gross acres. (Tony and Eva Mellow, Owner/Developer). CEQA: Resolution No. 69699. Director of Planning, Building and Code Enforcement recommends approval. No Planning Commission action required.  
C 00-11-120 - District 2

**Ordinance No. 26318 passed for publication.**

## 11.15 Appeal certification of FSEIR on planned development rezoning and rezoning of Hillsdale Avenue.

**Recommendation:** PUBLIC HEARING ON APPEAL of the Planning Commission's certification of the Final Supplemental Environmental Impact Report for a Planned Development Rezoning and Rezoning for the property located at the north side of Hillsdale Avenue opposite the northerly terminus of Vista Park from County and A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District to allow the development of up to 765 attached residential dwelling units on 129.2 gross acres. CEQA: Resolution to be adopted. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-0-1).

PDC 99-10-083 – District 7

**This Item Heard Prior To Item 11.8.**

**Appeal Denied. Planning Commission Decision Upheld.**

**Statement of Overriding Consideration Entered into the Public Record.**

**CEQA Resolution No. 70194 adopted.**

- Open Forum

- Adjournment

**The Council of the City of San José adjourned at 8:12 p.m.**

