

CITY COUNCIL AGENDA

MARCH 4, 2003

SYNOPSIS

LINDA J. LE ZOTTE
FORREST WILLIAMS
CINDY CHAVEZ
CHUCK REED
NORA CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

RON GONZALES MAYOR

KEN YEAGER
TERRY O. GREGORY
DAVID D. CORTESE
JUDY CHIRCO
PAT DANDO, VICE MAYOR

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.

Agendas and Staff Reports for City Council items may be viewed on the Internet at www.ci.san-jose.ca.us/cty_clk/agenda.htm

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 – Chirco (excused)

1:30 p.m. - Regular Session, Council Chambers, City Hall

Absent: None.

7:00 p.m. - Public Hearings, Council Chambers, City Hall - **CANCELED**

- **Invocation (District 3)**

Father Leininger delivered the Invocation.

- **Pledge of Allegiance**

Mayor Gonzales led the Pledge of Allegiance.

- **Orders of the Day**

The orders of the day were approved.

Items recommended to be added, dropped, or deferred are usually approved under Orders of the Day unless the Council directs otherwise.

1 CEREMONIAL ITEMS

- 1.1 Presentation of a plaque from the Santa Clara County Health Plan to the Mayor for his support of the Healthy Kids Program and Children's Health. (Mayor)
Leona Butler from the Santa Clara County Health Plan presented a plaque to Mayor Gonzales and Council for appreciation to the City of San José for financial and moral support of the Healthy Kids and Children's Health Programs.**

CEREMONIAL ITEMS

- 1.2 Presentation of proclamation declaring March 7-10, 2003, as the NCAA “PAC 10” Women’s Basketball Tournament Weekend. (Mayor)
Mayor Gonzales presented a proclamation to Susan Hammer, former Mayor and Chair of the Local Organizing Committee 2003 State Farm Pac-10 Women’s Basketball Tournament and Christine Hoyles, Assistant Commissioner, Amy Love and colleague Ellen Markovitz of Real Sports Magazine, for their work in building the City’s past great history of hosting both collegiate and professional basketball activities in San Jose to draw upon community’s interest in women’s basketball and being coordinated with support of our Parks, Recreation, Neighborhoods Services Department.

2 CONSENT CALENDAR

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 Minutes.

- (a) Regular meeting of June 4, 2002
- (b) General Plan Hearing of June 4, 2002
- (c) Public Hearing of June 10, 2002 on Final Proposed Budget Modifications for FY2002-2003

Approved.

2.2 Final adoption of ordinances.

Recommendation: Final adoption of ordinances:

- (a) ORD. NO. 26835 - Amends Chapter 3.36 of Title 3 of the San José Municipal Code to make technical corrections to the provisions relating to plan-approved domestic relations orders in the Police and Fire Department Retirement Plan.
Ordinance No. 26835 adopted.
- (b) ORD. NO. 26836 - Amends Sections 3.36.1640 of Chapter 3.36 of Title 3 of the San José Municipal Code to provide comparable monthly benefits for former members of the Police and Fire Department Retirement Plan who separate from City service on or after February 4, 2000, and amending Sections 3.36.1280, 3.36.1660 and 3.36.1670 to provide comparable and surviving spouse benefits for survivors of such former members and for survivors of members who retire for nonservice-connected disability.
Ordinance No. 26836 adopted.

2 CONSENT CALENDAR

2.2 Final adoption of ordinances. (Cont'd.)

- (c) ORD. NO. 26837 - Amends Section 3.36 of Title 3 of the San José Municipal Code to repeal the Police and Fire Department Retirement Plan requirement that a person who is retired for Disability and is under age 55 obtain Retirement Board approval to move out of state.

Ordinance No. 26837 adopted.

- (d) ORD. NO. 26838 - Approves rezoning certain real property situated at the southeast and southwest corners of Story and South King Roads to CP Commercial Pedestrian and CEQA: Not a Project. Commercial Neighborhood Zoning Districts. C 02-088

Ordinance No. 26838 adopted.

- (e) ORD. NO. 26839 – Approves rezoning certain real property situated on the easterly side of Highway 101, approximately 1,000 feet northerly of Hellyer Avenue, to A(PD) Planned Development Zoning District. PDC 03-003

Ordinance No. 26839 adopted.

2.3 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 2002-2003 #25 and authorization for the Director of General Services to execute the purchase orders. CEQA: Not a Project. (General Services)

Approved.

2.4 Approval of an agreement for warehouse space for the Police Department.

Recommendation: Adoption of a resolution authorizing the City Manager to negotiate and execute a 10 year lease agreement for a combined Police Department Vehicle and Evidence Warehouse with Sun Garden Tenants In Common, for 99,819 square feet of warehouse space, located at 1582 Monterey Road, at a rental rate of \$38,929.41 per month with an increase of 3% each year. CEQA: Exempt, PP03-02-056. (General Services)

Deferred to 3/11/03.

2 CONSENT CALENDAR

2.5 Approval of various actions related to the annexation of Evergreen No. 188.

Recommendation: Adoption of a resolution pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to make application to the Santa Clara County Local Agency Formation Commission (LAFCO) to allow the reorganization of territory designated as Evergreen No. 188, which involves the annexation to the City of San José of approximately 11.05 gross acres of land, located approximately 1070 feet east of Murillo Avenue and 380 feet northerly of Quimby Road, and the detachment of the same from the Central Fire Protection District and the Santa Clara County Library service Area. CEQA: Negative Declaration, PDC01-102. Council District 8. (Planning, Building and Code Enforcement)

Resolution No. 71426 adopted.

2.6 Approval of various actions related to the annexation of Franklin No. 50.

Recommendation: Adoption of a resolution authorizing the reorganization of territory designated as Franklin No. 50, which involves the annexation to the City of San José of 16.25 acres of land, located at the south side of Tully Road, approximately 500 feet easterly of Tenth Street and generally bounded by the City of San José Annexations Monterey Park No. 5, Franklin 31, Franklin 4, and Franklin 17, and the detachment of the same from the appropriate special districts including: Central Fire Protection District and the County Library Service Area. CEQA: Resolution No. 71359, PDC 02-040. Council District 7. (Planning, Building, and Code Enforcement)

Resolution No. 71427 adopted.

2.7 Approval to award a contract for the Playa Del Rey Sanitary Sewer Rehabilitation Project.

Recommendation: Report on bids and award of contract for the Playa Del Rey Sanitary Sewer Rehabilitation Project to the low bidder, Pacific Underground Construction, Inc., in the amount of \$232,656, and approval of a contingency in the amount of \$23,000. CEQA: Exempt, PP02-12-366. Council District 10. (Public Works)

Approved.

2.8 Approval to reject all bids for the Edenvale Garden Park Phases IV & V Project.

Recommendation: Report on bids and approval to reject all bids for the Edenvale Garden Park Phases IV & V Project and authorization for the Director of Public Works to re-advertise and re-bid the project with revisions to the specifications. CEQA: Negative Declaration, PP 90-03-078. Council District 2. (Public Works)

Approved.

2 CONSENT CALENDAR

2.9 Approval to travel and use Valley Transportation Authority funds.

Recommendation: Approval for Council Member Cindy Chavez to attend the American Public Transportation Association Conference in Washington, D.C., from March 8-13, 2003. Source of Funds: Valley Transportation Authority. (Chavez)
(Orders of the Day)
Approved.

2.10 Approval to travel and use Valley Transportation Authority funds.

Recommendation: Approval for Council Member Forrest Williams to attend the American Public Transportation Association Conference in Washington, D.C., from March 8-13, 2003. Source of Funds: Valley Transportation Authority. (Williams)
(Orders of the Day)
Approved.

3 STRATEGIC SUPPORT SERVICES

3.1 Report of the Study Session Mayor Gonzales, Chair No report.

3.2 Report of the Rules Committee - February 19, 2003 Vice Mayor Dando, Chair

- (a) Redevelopment Agency items reported out at Redevelopment Agency meeting
- (b) City Council
 - (1) Review March 4, 2003 Draft Agenda
The Committee recommended approval of the March 4, 2003 City Council agenda with two additions and one change.
 - (2) Add New Items to February 25, 2003 Amended Agenda
The Committee recommended two additions to the February 25, 2003 City Council Agenda
 - (3) List of Reports Outstanding
The Committee noted and filed the City Manager's report listing one staff report outstanding for the February 25, 2003 Council Agenda.
- (c) Legislative Update
Status report on Legislative and Intergovernmental Relations Plan
The Committee accepted the City Manager's Power Point presentation.

3 STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules Committee - February 19, 2003 (Cont'd)

Vice Mayor Dando, Chair

(c) Legislative Update (Cont'd)

(1) State

- (a) Acceptance of staff report on Assembly Bill 4X1 and Assembly Bill 193 and the February 5 State legislative matrix

The Committee recommended acceptance of the status report on City supported/initiated State Legislation.

(2) Federal

- (a) President's FY 2004 budget proposal – overview of impacts on local government funding, and program priorities

The Committee recommended acceptance of the overview of the President's FY 2004 budget proposal from the City's Federal lobbyist in Washington, D.C.

(d) Meeting Schedules

- (1) Approve cancellation of March 4, 2003 evening Council meeting

The Committee recommended cancellation of the March 4, 2003 evening Council session and continuation of all items, except Item 11.5 to the March 18, 2003 City Council evening session. The Committee directed the City Clerk to place Item 11.5 on next week's Rules Committee agenda to determine the date of hearing.

- (2) Call for Special Meeting.

The Committee recommended approval of a Special Council Meeting on Friday, February 21, 2003 at 2:00 p.m. in Room 106 at City Hall in conjunction with the Silicon Valley Manufacturing Group to hear presentations on "Anatomy of San Jose and Silicon Valley", and directed the City Clerk to post notice of the meeting by 2:00 p.m. on Thursday, February 20, 2003.

(e) The Public Record

The Committee noted and filed the Public Record.

(f) Boards, Commissions and Committees

- (1) Mobile Home Advisory Commission

The Committee deferred this item to next week's Rules Committee Meeting

3 STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules Committee - February 19, 2003 (Cont'd)

Vice Mayor Dando, Chair

- (g) Council Referrals for Assignment to Appropriate Committee, Administration, or Council Appointee

The Committee directed the City Attorney to return to Council as soon as possible with a draft ordinance to amend the Sign Ordinance to expand the area covered by the Downtown Sign Zone to include the Civic Center Redevelopment area.

- (h) Administrative Reviews and Approval

There were none.

- (i) Oral communications

Peter Campbell, resident from District 1, stated he has not yet received a reply from the City regarding his written request to place an item regarding Measure I on a future Council agenda. Mr. Campbell informed the Committee he would place copies in the lobby of his comments regarding the new City Hall.

- (j) Adjournment

The meeting adjourned at 2:50 p.m.

Rules Committee Report and actions of February 19, 2003 accepted, with Item 3.2(f)(1) deferred to the Rules Committee meeting of 2/26/03, and on Item 3.2(c)(2)(a) Staff directed to track the "more mundane" matters Council refers on the Intranet and notify Council of updates.

3.3 Report of the Making Government Work Better Committee – February 19, 2003

Council Member Campos, Chair

- (a) Report on Park Ranger Staffing

Deferred to 3/12/03

- (b) Fire Paramedics Staffing and Costs

The Committee accepted the staff report and directed staff to bring back additional information to the Committee at a future meeting.

- (c) Discussion of the City/Redevelopment Agency Budget Document Reduction

No Committee action taken. This item was for discussion only.

- (d) E-Government Policy

The Committee accepted the staff report for forwarding to the Council; staff will prepare an informational memorandum to respond to the issues raised by Council Member LeZotte.

SEE ITEM 3.4 FOR COUNCIL ACTION TAKEN.

3 STRATEGIC SUPPORT SERVICES

3.3 Report of the Making Government Work Better Committee – February 19, 2003 (Cont'd)

Council Member Campos, Chair

- (e) Survey of Citywide Real Property Inventory
The Committee accepted the staff report and directed staff to prepare an information memo indicating which properties (excluding airport and non-profit leases) were being leased at Marked Rate.

- (f) An Audit of the West Valley-Mission Community College District and the Santa Clara County Black Chamber of Commerce
The Committee accepted the staff report.

- (g) Targeted Neighborhood Clean-Up Program Audit Report
The Committee accepted the staff report and directed staff to prepare an information memo indicating whether or not hazardous waste drop-off sites could be made available without appointments. The Committee also requested that an update regarding number of bins per clean up and efforts to achieve program equity throughout the City be brought back as part of the Auditor's Semi-Annual Recommendation Follow-up Report.

- (h) General Services Vehicle Replacement Audit Report
The Committee accepted the staff report and requested that issues discussed as part of the Auditor's report on General Services Vehicle Replacement be brought back to the Committee as part of the Auditor's Semi-Annual Recommendation Follow-up Report.

- (i) An Audit of Hayes Renaissance, L.P.'s Compliance with the Lease Agreement for the Hayes Mansion Conference Center
The Committee accepted the staff report.

- (j) Oral Petitions
None.

- (k) Adjournment
The Committee was adjourned at 12:55 p.m.

The Making Government Work Better Committee report and actions of February 19, 2003 were accepted, with Item 3.3(d) heard under Item 3.4.

3.4 Approval to establish an E-Government Policy.

Recommendation: Adoption of a resolution establishing an E-Government Policy.

[Making Government Work Better Committee referral 2/19/03 – Item 3.3(d)]

Resolution No. 71428 adopted. Staff directed to review feasibility of adding monetary damages for infractions.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

**4.1 Report of the Building Strong Neighborhoods Committee
Council Member Chavez, Chair**

No report.

**4.2 Report of the Driving a Strong Economy Committee
Council Member Williams, Chair**

No report.

4.3 Public Hearing on the vacation of a portion of the east side of Eighth Street

Recommendation: PUBLIC HEARING and adoption of a resolution vacating a portion of the east side of Eighth Street, between Hedding and Mission Streets. CEQA: Negative Declaration, PDC 97-08-056. Council District 3. SNI: NA. (Public Works)

Resolution No. 71429 adopted.

5 RECREATION & CULTURAL SERVICES

**5.1 Report of the All Children Achieve Committee
Council Member Yeager, Chair**

No report.

**5.2 Approval of various actions related to the 2002-03 Schedule of Fees and Charges
Resolution for Parks and Recreational Facilities.**

Recommendation: Adoption of a resolution amending the 2002-03 Schedule of Fees and Charges Resolution for Parks and Recreational Facilities to re-establish the fee for baseball field reservations to the 2001-2002 level, superseding Resolution No. 71037 and authorizing the Director of PRNS to refund any fees for the upcoming season paid at the higher rate. CEQA: Not a Project. (Parks, Recreation and Neighborhood Services)

Resolution No. 71430 adopted. Staff directed to report back as part of the budget process on the issues of cost recovery and improving the condition and maintenance of playing fields.

5.3 Approval of an agreement for the Almaden Lake Park Project.

Recommendation: Approval of a master agreement with Carducci & Associates, Inc. for design services and construction support services for the Parks Bond Almaden Lake Park Project in the amount of \$400,000, from the date of execution through June 30, 2005.

CEQA: Not a Project. (Public Works)

Approved.

6 TRANSPORTATION SERVICES

- 6.1 **Report of the Building Better Transportation Committee
Council Member Cortese, Chair**
No report.

- 6.2 **Approval to amend the Master Parking Rate Schedule.**

Recommendation: Adoption of a resolution to amend the Master Parking Rate Schedule to create an event rate scale for parking fees charged to patrons of the Banquet Center at the new Fourth Street Garage. CEQA: Not a Project. Council District 3.
(Transportation/Conventions, Arts and Entertainment)

Deferred to 3/11/03.

7 ENVIRONMENTAL & UTILITY SERVICES

- 7.1 **Approval to award a contract for the Senter Road Underground Utility District Project.**

Recommendation: Report on bids and award of contract for the Senter Road Underground Utility District (Balfour Drive to Loumena Lane) Project to the low bidder, Lewis and Tibbitts, Inc., in the amount of \$598,338, and approval of a contingency in the amount of \$59,800. CEQA: Exempt, PP97-11-235. Council District 7. SNI: Senter/Tully. (Public Works)

Approved.

- 7.2 **Approval of various actions related to the Recycle Plus Program.**

Recommendation: Direction to staff to expedite all actions necessary to return to Council as quickly as possible with recommendations for an increase in service rates for the Recycle Plus Program. CEQA: Not a Project. (Environmental Services)
(Rules Committee referral 2/26/03)

Approved.

Staff directed to report back on the following issues: (1) IWM fund balances prior to current haulers by percentage or dollar amount, and the impact of declining waste generation to revenues and cost recovery goals; (2) analyze frequency of street sweepings, with options of customized service and/or clean-up days and explore methods of cleaning around cars, provide data from the street sweeping pilot program and enforcement strategies, review the adequacy of customer services versus costs, and address the high level of contamination of recycled materials; (3) provide breakdown by Council District of customers using street pickup versus containers for yard waste.

8 AVIATION SERVICES

9 PUBLIC SAFETY SERVICES

10 JOINT COUNCIL/REDEVELOPMENT AGENCY

THE REDEVELOPMENT AGENCY BOARD CONVENED AT 3:31 P.M. TO CONSIDER ITEM 10.1 IN A JOINT SESSION

10.1 Acceptance of the CIP status reports.

Recommendation: Acceptance of the quarterly report on the Citywide Capital Improvement Program (CIP) including park, library and public safety bond projects and Strong Neighborhoods Initiative (SNI) projects. CEQA: Not a Project. (City Manager's Office/Redevelopment Agency)

Approved.

Staff directed to keep Districts 1 and 6 advised of sites under consideration for the West Side Police Center; to update Council on efforts to keep NAC's and PAC's informed of project status; to update database maps with project budget status; review accuracy of KONA SNI boundaries; and to report to Council with a timeline of the Capital Park Neighborhood Center project; the status of public safety facility sites; strategy to reallocate CDBG funds from on-hold projects to eligible projects; provide comparison of original land acquisition assumptions for projects versus current assumptions, criteria for reprioritizing projects when leveraged funding becomes available; and the City Attorney directed to report in one week with limitation on City Council involvement in legislative task force activities; and Rules Committee to clear the March 25 Council agenda, with the exception of Consent Calendar, for discussion of the Mayor's March Budget Message and CIP Budget discussion.

THE REDEVELOPMENT AGENCY BOARD PORTION OF THE MEETING ADJOURNED AT 3:55P.M.

- Closed Session Report
- Notice of City Engineer's Pending Decision on Final Maps
In accordance with Sec. 19.16.140d of the San Jose Municipal Code, this is notice of the City Engineer's pending decision on the following Final Maps: **None.**

In accordance with Sec. 19.16.140d of the San Jose Municipal Code, this is notice of the City Engineer's receipt of the following Final Maps for review: **None.**

- **Open Forum—Heard jointly with Redevelopment Agency Public Discussion.**

- 1) **Ross Signorino spoke concerning societal issues.**
- 2) **William J. Garbett spoke about legislative procedures.**
- 3) **Gregory Nichols spoke concerning parking regulations.**

- **Adjournment**

The Council of the City of San José adjourned in memory of Joseph Franco of PW Markets; and in memory of Betty Breen mother of Lisa Breen Strickland, Executive Director of the Network for Battered Women.

The Council of the City of San José adjourned at 4:01 p.m.

11 PUBLIC HEARINGS

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

11.1 Public Hearing on street renaming for the streets, from College Park Drive, Way, and Place to Ryland Park Drive, Way, and Place.

Recommendation: PUBLIC HEARING ON STREET RENAMING for the streets within Tract 9349, from College Park Drive, Way, and Place to Ryland Park Drive, Way, and Place, located between N. Market Street and N. First Street, approximately 300 feet northerly of Bassett Street. (Pulte Home Corporation, Applicant). CEQA: Exempt. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1).

ST 03-001 - District 3

Continued to 3/18/03.

11.2 Public Hearing on planned development rezoning of the property located at N. First and E. Julian Streets.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the northeast corner of N. First and E. Julian Streets, from LI Light Industrial Zoning District to A(PD) Planned Development Zoning District, to allow up to 40 single-family attached dwelling units on 0.60 gross acre. (City of San José Redevelopment Agency, Owner/Regis Homes of Northern California, Developer). CEQA: Resolution No. 68839. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1).

PDC 02-077 - District 3

(Continued from 12/17/02 – Item 11.10 and 2/4/03 – Item 11.1)

Continued to 3/18/03.

11.3 Public Hearing on planned development rezoning of the property located at 890 South Winchester Boulevard.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the southeast corner of South Winchester Boulevard and Neal Avenue (890 S. Winchester Blvd.), from CN Neighborhood Commercial District to A(PD) Planned Development Zoning District, to allow single-family attached residential uses (21 town homes) on a 1.1 gross acre site. (Delta I LLC, Owner/Developer). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1).

PDC 02-071- District 6

(Continued from 1/21/03 – Item 11.2)

Continued to 3/18/03.

11 PUBLIC HEARINGS

11.4 Public Hearing on planned development rezoning of the property located at 10671 Story Lane.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the south side of Story Lane at the intersection of Schramm Way (10671 Story Lane), from A-Agriculture District to A(PD) Planned Development Zoning District, to allow construction of 2 single-family residences on a 0.62 gross acre site. (Sky River Investments Mike Miroyan, Owner). CEQA: Negative Declaration.

PDC 02-020 - District 5

(Continued from 2/4/03 – Item 11.4)

Dropped.

11.5 Public Hearing on planned development rezoning of the property located at S. Third and E. William Streets.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the northeast corner of S. Third and E. William Streets, from R-M Multiple Residence Zoning District to A(PD) Planned Development Zoning District, to allow a 10-bed emergency homeless shelter; a 10-bed residential service facility with two resident staff; a 4,500 square-foot social services agency; a 850 square-foot community center/classroom space; and five multi-family attached residential units on 0.4 gross acre. (City of San José Redevelopment Agency, Owner; Emergency Housing Consortium, Developer). CEQA: Resolution No. 68839. Director of Planning, Building and Code Enforcement recommends approval with the following conditions: (1) The historic location of the corner should be marked and the new addition should be clearly differentiated with materials, colors and construction joints; (2) Existing windows on historic structure should be restored, replacement windows should be simple wooden double-hung with no divided lights in order to differentiate from new design; (3) The new porch addition should be differentiated from the historic structure by color and construction joint/connection. Planning Commission recommends approval (6-0-1).

PDC 02-083 – District 3

(Continued from 2/18/03 – Item 11.2)

Continued –Date to be determined at 3/5/03 Rules Committee.

11 PUBLIC HEARINGS

11.6 Public Hearing on planned development rezoning of the property located at Murphy Avenue and Oakland Road.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at south side of Murphy Avenue, approximately 400 feet easterly of Oakland Road, from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District, to allow operation of a 6,000 square foot banquet facility in an existing 40,000 square foot warehouse and office building on 4.01 gross acres. (Bob Dhillon, Owner/Developer). CEQA: Exempt. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (5-0-1-1).

PDC 02-098 - District 4

Continued to 3/18/03.

11.7 Public Hearing on planned development rezoning of the property located at 3606 Pleasant Knoll Drive.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at northerly terminus of Silence Drive (3606 Pleasant Knoll Drive), from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District, to allow up to 6 single-family detached residences on a 1.58 gross acre site. (Peter J. and Judith V. Felthousen, Owner; Santa Clara Development, John Garcia, Developer). CEQA: Addendum to Negative Declaration. Director of Planning, Building and Code Enforcement recommends approval. No Planning Commission action required.

PDC 02-096 – District 8

Continued to 3/18/03.

- Open Forum
- Adjournment