



CITY COUNCIL AGENDA

AUGUST 28, 2001

SAN JOSÉ 2020 GENERAL PLAN 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
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.

- **Call to Order and Roll Call**
7:00 p.m. - Public Hearings, Council Chambers, City Hall
Absent: Council Members – Dando (excused).

Documents relating to the 2001 Annual Review of the General Plan were available for inspection at the Press Table during the evening in the Council Chambers.

1 CONSENT CALENDAR

1.1 General Plan Amendment change for property bounded by Santa Clara Street, Union Pacific Railroad tracks, Shortridge Avenue, and South 26th Street.

Recommendation: General Plan Amendment request to change the Land Use/Transportation Diagram designation from Medium density Residential (8-16 DU/AC) on 1.38 acres and General Commercial on 1.38 acres to Transit Corridor Residential (20+ DU/AC) on a 2.76 gross acre site located in an area generally bounded by Santa Clara Street, Union Pacific Railroad tracks, Shortridge Avenue, and South 26th Street (Empire Lumber Site). (Pacific States Investment Company, Owner/Chris Lamien and Associates, Inc., Applicant). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1). SNI: Five Wounds/Brookwood Terrace.

GP 01-03-03 – District 3

(Deferred from 8/21/01 GP – Item 1.5)

Staff and Planning Commission recommendation was tentatively approved.

Vote: 10-0-1-0. Absent: Dando.

END OF CONSENT CALENDAR

2 PUBLIC HEARINGS

Items 2.1 (GP 01-01-01) and 2.2 (GP 01-T-13) heard together.

2.1 PUBLIC HEARING on General Plan Amendment change for property at Winchester Boulevard and Moorpark Avenue.

Recommendation: PUBLIC HEARING on General Plan Amendment request to change the General Plan Land Use/Transportation Diagram designation from Medium Low Density Residential (8 DU/AC) on 0.58 acre, High Density Residential (25-50 DU/AC) on 0.55 acre, and General Commercial on 0.58 acre to Transit Corridor Residential (20+ DU/AC) on a 1.71 gross acre site located at the southwest corner of Winchester Boulevard and Moorpark Avenue. (Margaret & Richard Orlandi, and Saberi & Hermosillo Ramiro, Owner/Silicon Valley Advisors, Applicant). CEQA: Negative Declaration pending. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1). District 1. SNI: Winchester.

GP 01-01-01 – District 1

(Continued from 8/21/01 GP – Item 2.1)

Staff and Planning Commission recommendation to change the land use designation to Transit Corridor Residential (20+ DU/AC) on a 1.71 gross acre site was tentatively approved. Council directed that the future zoning of the property include (a) Neighborhood-serving commercial along Moorpark and Winchester; (b) Adequate on-site parking; and (c) Traffic calming for Riddle and Eden. Vote: 10-0-1-0. Absent: Dando.

2.2 PUBLIC HEARING on General Plan Text Amendment change for property at Winchester Boulevard and Moorpark Avenue.

Recommendation: PUBLIC HEARING on General Plan Text Amendment to modify the Urban Design Policies to increase the maximum building height from 50 to 120 feet on a 1.71 gross acre site located at the southwest corner of Winchester Boulevard and Moorpark Avenue. (Margaret & Richard Orlandi, Andy Saberi & Hermosillo Ramiro, Owner/Silicon Valley Advisors, Applicant). CEQA: Negative Declaration pending. Director of Planning, Building and Code Enforcement recommends no change to the General Plan. Planning Commission failed to make a recommendation (3-3-1). Per San José Municipal Code 18.08.100, the Commission's failure to make a report is deemed to be a negative recommendation. SNI: Winchester.

GP 01-T-13 – District 1

(Continued from 8/21/01 GP – Item 2.2)

Council Member LeZotte's recommendation to increase the maximum building height to 75 feet on the subject site was tentatively approved with Council direction for step-down heights on Riddle at PD zoning stage of a development. Vote: 10-0-1-0. Absent: Dando.

2 PUBLIC HEARINGS

2.3 PUBLIC HEARING on General Plan Amendment change for property at Tully Road and South 10th Street.

Recommendation: PUBLIC HEARING on General Plan Amendment request to change the Land Use/Transportation Diagram designation from Public Park/Open Space on a 15.8 acre site to High Density Residential (25-50 DU/AC) on 12.33 acres and Public/Quasi-Public on 3.5 acres located on the south side of Tully Road, approximately 100 feet east of South 10th Street. (County of Santa Clara, Owner/Applicant). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (4-2-1).

GP 01-07-01 – District 7

(Continued from 8/21/01 GP – Item 2.10)

Staff and Planning Commission recommendation was tentatively approved.

Vote: 10-0-1-0. Absent: Dando.

2.4 PUBLIC HEARING on General Plan Amendment change for property at Murrillo Avenue and Quimby Road.

Recommendation: PUBLIC HEARING on General Plan Amendment request to change the Land Use/Transportation diagram designation from Very Low Density Residential (2.0 DU/AC) on 6.3 acres, Non-Urban Hillside on 1.7 acres and Outside the Urban Service Area to Low Density Residential (5 DU/AC) and inclusion in the Urban Service Area for property located approximately 1,070 feet east of Murrillo Avenue and 380 feet northerly of Quimby Road. (Richard Ceraolo, Owner/HMH, Inc, Applicant). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval of Inclusion in the Urban Service area only. No change in Land Use Designation (6-0-1).

GP 01-08-01 – District 8

(Continued from 8/21/01 GP – Item 2.11)

Staff and Planning Commission recommendation was tentatively approved.

Vote: 10-0-1-0. Absent: Dando.

2 PUBLIC HEARINGS

2.5 PUBLIC HEARING on General Plan Amendment and associated Text Amendment change for property at Wendover Lane, between Yerba Buena Road and Neiman Avenue, north of Woodbury Lane.

Recommendation: PUBLIC HEARING on General Plan Amendment request to change the Land Use/Transportation Diagram designation from Non-Urban Hillside on 24.9 acres and Rural Residential (0.2 DU/AC) on 8.5 acres (Silver Creek Planned Residential Community) to Estate Residential (1 DU/AC) (Silver Creek Planned Residential Community) on a 33.4 acre site located at the terminus of Wendover Lane between Yerba Buena Road and Neiman Avenue northerly of Woodbury Lane, and an associated Text Amendment to reflect changes to the Silver Creek Planned Residential Community. (Lion Estates, Owner/HMH, Inc., Applicant). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend no change to the General Plan (6-0-1).

GP 01-08-02/GP 01-T-28 – District 8

(Continued from 8/21/01 GP – Item 2.12)

Continued to November 6, 2001 General Plan Review, as requested by Applicant. Vote: 10-0-1-0. Absent: Dando.

2.6 PUBLIC HEARING on General Plan Amendment change for property at Fleming Avenue and Warner Drive.

Recommendation: PUBLIC HEARING on General Plan Amendment request to change the Land Use/Transportation Diagram designation from Very Low Density Residential (2 DU/AC) to Low Density Residential (5 DU/AC) on a 5.6 gross acre site located on the north side of Fleming Avenue at Warner Drive. (Lands of Touce Properties, Owner/HMH, Inc, Applicant). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend no change to the General Plan (6-0-1).

GP 01-08-03 – District 8

(Continued from 8/21/01 GP – Item 2.13)

Staff and Planning Commission recommendation was not approved.

Applicant's request to change the land use designation to Low Density Residential (5-DU/AC) on a 5.6 gross acre site was tentatively approved with direction to Staff to ensure the number of units does not exceed 12 lots with a minimum lot size of 8,000 square feet. Vote: 10-0-1-0. Absent: Dando.

2 PUBLIC HEARINGS

2.7 PUBLIC HEARING on General Plan Amendment change for property at Russo Drive and Cherryview Lane.

Recommendation: PUBLIC HEARING on General Plan Amendment request to change the Land Use/Transportation Diagram designation from General Commercial to High Density Residential (25-50 DU/AC) on a 4.18 gross acre site located on the southeasterly corner of Russo Dive and Cherryview Lane. (John Giacomazzi Owner/Applicant). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend no change to the General Plan (6-0-1).

GP 01-09-01 – District 9

(Continued from 8/21/01 GP – Item 2.14)

Continued to November 6, 2001 General Plan Review, as requested by Applicant. Vote: 10-0-1-0. Absent: Dando.

2.8 General Plan Amendment change for property at U.S. 101/Bayshore Freeway and Oakland Road.

Recommendation: General Plan Amendment request to change the Land Use/Transportation Diagram designation from Combined Industrial/Commercial to High Density Residential (25-50 DU/AC) on a 9.0 gross acre site located on the southeast corner of U.S. 101/Bayshore Freeway and Oakland Road. (Modern Ice Company, Owner/Ruth & Going, Inc., Applicant). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1). SNI: 13th Street.

GP 01-03-02 – District 3

(Continued from 8/21/01 GP – Item 2.18)

Staff and Planning Commission recommendation was tentatively approved. Vote: 10-0-1-0. Absent: Dando.

2.9 General Plan Amendment change for property at North King Road and Berryessa Road.

Recommendation: General Plan Amendment request to change the Land Use/Transportation Diagram designation from Light Industrial on 5.6 acres and Public Park/Open Space on 1.3 acres to Medium High Density Residential (12-25 DU/AC) on a 6.9 gross acre site located on the west side of North King Road, approximately 1,150 feet south of Berryessa Road. (Angie Salamoni, Owner/HMH, Inc., Applicant). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval with direction to confirm Public Park and Open Space Acreage and Trail location prior to City Council (6-0-1).

GP 01-04-02 – District 4

(Continued from 8/21/01 GP – Item 2.19)

Staff and Planning Commission recommendation was tentatively approved with modification to relocate park acreage adjacent to riparian corridor area for a future trail connection. Vote: 10-0-1-0. Absent: Dando.

2 PUBLIC HEARINGS

2.10 Reconsideration of tentative motions made on August 21, 2001.

Recommendation: Reconsideration of tentative motions made on August 21, 2001.

There was no reconsideration of tentative actions made on August 21, 2001.

2.11 Adoption of a resolution approving City Council actions regarding the August 2001 General Plan amendments.

(Rules Committee referral 8/22/01)

Recommendation: Adoption of a resolution approving City Council actions regarding the August 2001 General Plan amendments.

(Rules Committee referral 8/22/01)

Resolution No. 70596 adopted.

- **Open Forum**

- (1) **Alfredo D. Garza, representing Plata Arroyo Community Association, expressed appreciation for the approval of Item 3.2 on the Redevelopment Agency Agenda, which amends the Strong Neighborhoods Initiative Survey Area to include the Plata Arroyo neighborhood.**

- (2) **Fredella Stewart, Principal, Santa Teresa High School, and Retired Police Officer Donald Black requested a public hearing for an issue against the San José Police Department related to an alleged hate crime committed in June 2001 on the campus of Santa Teresa High School. City Manager Borgsdorf, City Attorney Doyle, and Chief of Police Lansdowne to follow up with the citizens.**

- **Adjournment**

- The General Plan Hearings were adjourned at 8:00 p.m.**

- Following Open Forum, the Council of the City of San José adjourned at 8:10 p.m. in memory of Doris Dillon, exceptional wife, mother and grandmother, friend and community activist, national and international educator, author, and philanthropist.**