

**DRAFT**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 5.1-GROSS ACRES SITUATED ON THE NORTHERLY SIDE OF HILLSDALE AVENUE, APPROXIMATELY 127 FEET WEST OF REGENCY AVENUE (545 HILLSDALE AVENUE) (APN 455-10-043) FROM THE A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO THE PQP PUBLIC/QUASI-PUBLIC ZONING DISTRICT**

**WHEREAS**, all rezoning proceedings required under the provisions of Chapter 20.120 of Title 20 of the San José Municipal Code have been duly had and taken for the real property hereinafter described; and

**WHEREAS**, pursuant to Section 15168(c)(2) of the CEQA Guidelines, the City of San José (“City”) has determined that the proposed rezoning is pursuant to, in furtherance of, and within the scope of the previously approved program evaluated in the Final Program Environmental Impact Report for the Envision San José 2040 General Plan (the “FEIR”), for which findings were adopted by City Council through its Resolution No. 76041 on November 1, 2011, and Supplemental Environmental Impact Report (the “SEIR”), through Resolution No. 77617, adopted by City Council on December 15, 2015, and Addenda thereto, and does not involve new significant effects beyond those analyzed in the FEIR and SEIR; and

**WHEREAS**, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to the PQP Public/Quasi-Public Zoning District; and

**WHEREAS**, this City Council has considered and approved the information contained in the FEIR and related City Council Resolution No. 76041 and the SEIR and related City Council Resolution No. 77617, and Addenda thereto, and the Determination of Consistency

therewith prior to acting upon or approving the subject rezoning; and

**WHEREAS**, the proposed rezoning is consistent with the designation of the site in the applicable General Plan; and

**WHEREAS**, pursuant to Senate Bill 330, the proposed rezoning (File No. C24-049) does not reduce the capacity for residential units within the City because the current A(PD) Planned Development Zoning District does not allow residential use;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:**

**SECTION 1.** The recitals above are incorporated herein.

**SECTION 2.** All that real property described in this section, referred to as "subject property," is hereby rezoned to the PQP Public/Quasi-Public Zoning District.

The subject property referred to in this section is all that real property situated in the County of Santa Clara, State of California, described in Exhibit "A" and depicted in Exhibit "B" attached and incorporated by this reference.

**SECTION 3.** The district map of the City is hereby amended accordingly.

**SECTION 4.** Any land development approval that is the subject of City File No. C24-049 is subject to the operation of Part 2.75 of Chapter 15.12 of Title 15 of the San José Municipal Code. The applicant for or recipient of such land use approval hereby acknowledges receipt of notice that the issuance of a building permit to implement such land development approval may be suspended, conditioned, or denied where the City Manager has determined that such action is necessary to remain within the aggregate operational capacity of the sanitary sewer system available to the City of San José or to meet the

discharge standards of the sanitary sewer system imposed by the California Regional Water Quality Control Board for the San Francisco Bay Region.

PASSED FOR PUBLICATION of title this \_\_\_\_ day of \_\_\_\_\_, 2024 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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Matt Mahan  
Mayor

ATTEST:

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TONI J. TABER, MMC  
City Clerk



Legal Description

**REZONING, FILE No. C24-049**  
(545 Hillsdale Avenue, San Jose, CA)

Real property in the City of San Jose, County of Santa Clara, State of California, and being described as follows:

Being the same lands described and being Parcel B, as said Parcel is described in that certain Lot Line Adjustment Permit, File No. AT 97-05-056, recorded on June 27, 1997 as Document No. 13757846, Official Records of Santa Clara County, and more particularly described as follows:

**BEGINNING** at the southeasterly corner of said Parcel B (Doc. 13757846), said corner also being a point on the northerly line of Hillsdale Avenue, being 106.00 feet in width;

Thence leaving said corner and along said northerly line of Hillsdale Avenue, North 89°43'00" West, 255.81 feet to the beginning of a tangent curve to the right, having a Radius of 947.00 feet;

Thence northwesterly along said curve, having a central Angle of 12°18'44", with an arc Length of 203.50 feet to the westerly line of said Parcel B;

Thence along said westerly line, North 02°09'21" East, 465.47 feet to the northerly line of said Parcel B;

Thence along said northerly line, South 89°43'00" East, 472.67 feet to the northeasterly corner of said Parcel B;

Thence leaving said corner and along the general easterly line of said Parcel B, the following courses:

- South 00°17'00" West, 140.00 feet;
- North 89°43'00" West, 30.00 feet;
- South 00°18'18" West, 347.00 feet to the point of **BEGINNING**.

Containing and area of 5.100 acres, more or less.

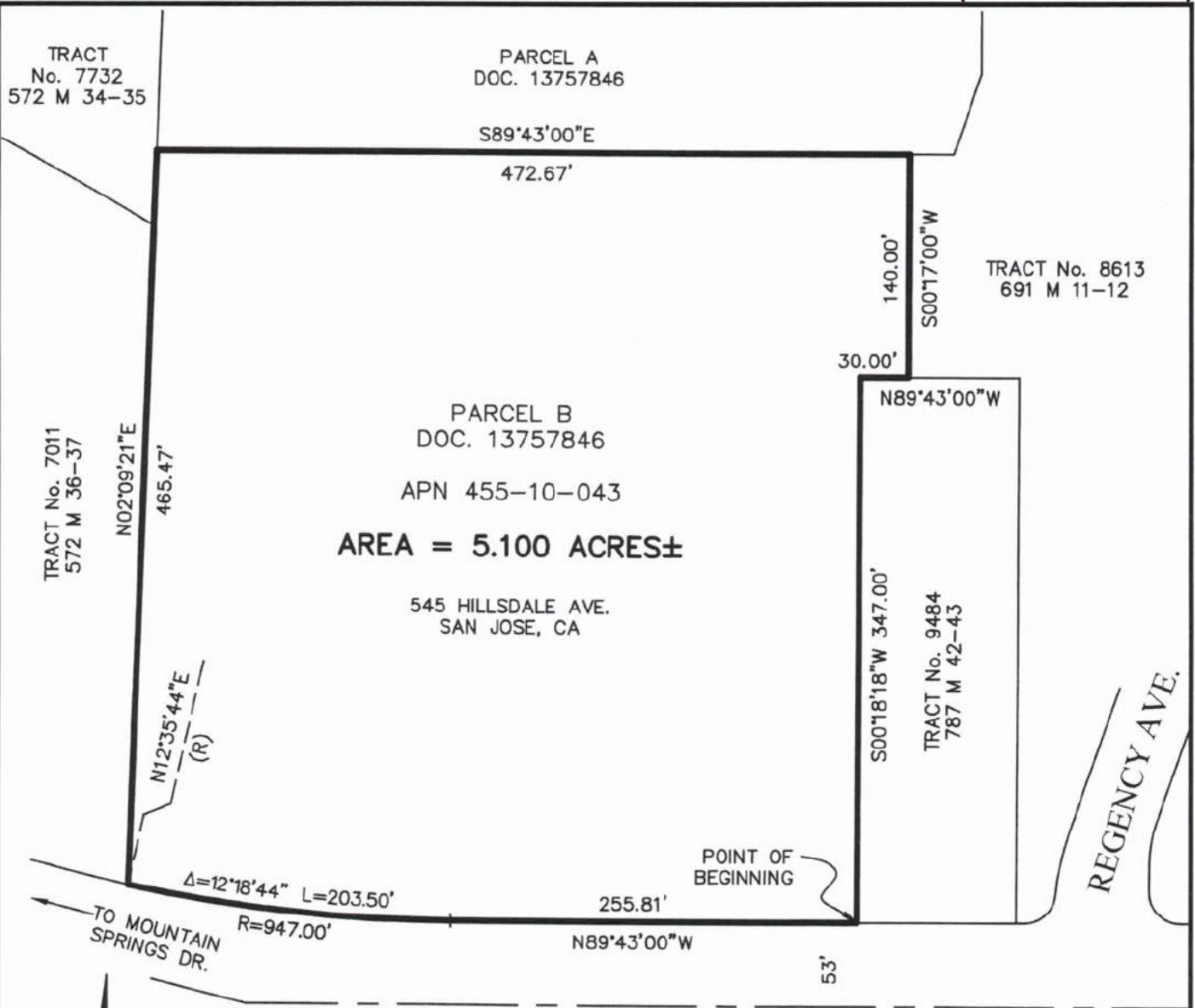
Being also Assessor's Parcel Numbers 455-10-043 per Roll Year 2023-2024.

**As shown on plat attached hereto and made a part hereof as EXHIBIT "A".**

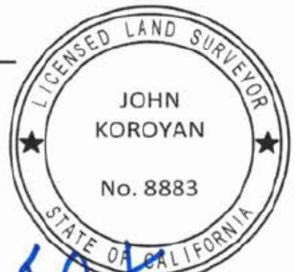
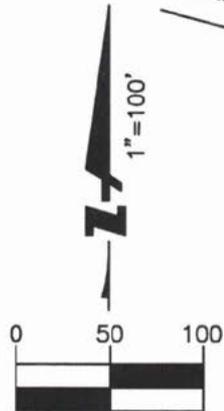
By: John Koroyan  
John Koroyan  
P.L.S. No. 8883

Date: SEP. 10, 2024





HILLSDALE AVENUE  
(106' WIDE)



*John Koroyan*

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PLAT MAP TO ACCOMPANY  
LEGAL DESCRIPTION



1730 N. FIRST STREET  
SUITE 600  
SAN JOSE, CA 95112  
408-467-9100  
www.bkf.com

Subject REZONING, FILE No. C24-049  
545 HILLSDALE AVENUE  
Job No. 20230874 SAN JOSE, CA  
By DIS Date 09-10-2024 Chkd. JVK  
SHEET 1 OF 1