

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 12.41 GROSS ACRES SITUATED ON THE SOUTHWEST CORNER OF GATEWAY PLACE AND AIRPORT PARKWAY (2050 GATEWAY PLACE) (APNS: 230-01-048 AND 230-01-049) FROM THE A(PD) ZONING DISTRICT TO THE IP INDUSTRIAL PARK 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 with respect to the real property hereinafter described; and

WHEREAS, a Statement of Exemption was prepared for a rezoning under File No. C20-009, and said Statement of Exemption (CEQA Categorical Exemption Section 15301[a] Existing Facilities that applies to interior or exterior alterations involving negligible or no expansion of the existing or former use) was adopted on May 18, 2020; and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to the IP Industrial Park Zoning District; and

WHEREAS, this Council of the City of San José has considered and approves the Statement of Exemption as the appropriate environmental clearance for the proposed project 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.

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 hereinafter described in this section, hereinafter referred to as "subject property," is hereby rezoned IP Industrial Park 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 hereto and incorporated herein 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. C20-009 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.

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PASSED FOR PUBLICATION of title this ____ day of _____, 2020 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

EXHIBIT "A"

(City of San Jose)

Parcel One:

All of Parcel 1 as shown upon that certain Map entitled, "Being all of Parcels "A", "B" and a portion of "D" and a portion of Pueblo Tract No. 1," which Map was filed for record in the Office of the Recorder of the County of Santa Clara, State of California, on October 12, 1979 in Map Book 451 at Pages 17 and 18, Santa Clara County Records.

Parcel Two:

An easement for ingress and egress over the following Parcel of land, being a portion of that certain 15.242 acre + Parcel of land shown as Parcel 3 on that certain Parcel Map recorded in Book 451 of Maps at pages 17 and 18, Santa Clara County Records, being a strip of land of a uniform width of 5.00 feet, the Southeasterly line of which is described as follows:

Beginning at a point on the curved Northwesterly terminus of Gateway Place at the common dividing line between Parcels 1 and 3 as shown on said Map; thence leaving said Point of Beginning and running North 39° 47' 25" East 210.00 feet to the terminus of the line herein being described, said strip being bounded on the Southwest by said curved Northwesterly terminus of Gateway Place and on the Northeast by a line drawn at right angles to said common dividing line between Parcels 1 and 3.

Assessor's Parcel Number 230-01-048 and 230-01-049
Joint Plant Numbers 230-01-026, 230-01-038 and 230-01-039

OWNER'S CERTIFICATE

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN ON THIS MAP AND THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID PROPERTY AND WE CONSENT TO THE MAKING OF THIS MAP AND SUBDIVISION AS SHOWN WITHIN THE "BORDER" LINES AND TO THE RECORDING THEREOF. WE HEREBY OFFER FOR DEDICATION TO PUBLIC USE ALL STREETS AND PORTIONS OF STREETS NOT HERETOFORE EXISTING AS SHOWN ON THE HEREON MAP WITHIN SAID SUBDIVISION, AND ALSO DEDICATE TO PUBLIC USE EASEMENTS FOR ANY AND ALL PUBLIC USES UNDER, UPON AND OVER SAID STREETS AND SAID PORTIONS THEREOF.

CROW-SPIEKER - FRENCH #85, A LIMITED PARTNERSHIP

BY John K. French
OWNER
JOHN K. FRENCH, PARTNER

~~CROCKER CUSTODY CORPORATION, TRUSTEE~~

~~BY _____~~

PARCEL MAP

CONSISTING OF TWO SHEETS

BEING ALL OF PARCELS "A", "B" & A PORTION OF "D" AND A PORTION OF PUEBLO TRACT NO. 1 AS SHOWN ON THE PARCEL MAP RECORDED IN BOOK 300 OF MAPS AT PAGE 19.

AND LYING WITHIN THE

CITY OF SAN JOSE, CALIFORNIA

SCALE: 1"=100'

OCTOBER 1979

SURVEYOR'S CERTIFICATE

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND WAS COMPILED FROM RECORD DATA AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AT THE REQUEST OF John K. French IN October 1979. I HEREBY STATE THAT THE PARCEL MAP PROCEDURES OF THE LOCAL AGENCY HAVE BEEN COMPLIED WITH AND THAT THIS PARCEL MAP CONFORMS TO THE APPROVED TENTATIVE MAP AND THE CONDITIONS OF APPROVAL THEREOF WHICH WERE REQUIRED TO BE FULFILLED PRIOR TO THE FILING OF THE PARCEL MAP.

Harry F. Aumack, Jr.
HARRY F. AUMACK, JR. R.E. 8353

CITY ENGINEER'S CERTIFICATE

THIS MAP CONFORMS WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE.

DATED: Oct 10, 1979

A.R. TURTURICI - CITY ENGINEER, R.C.E. 10081

BY: J. P. Castro DEPUTY

RECORDER'S CERTIFICATE

FILE NO. 652900 FEE \$7.00 PAID
FILED THIS 12th DAY OF October 1979, AT 2:00 P.M.
IN BOOK 457 OF MAPS AT PAGE 1748 AT THE REQUEST OF MARK THOMAS & CO. INC.

GEORGE A. MANN - COUNTY RECORDER

BY: Andrea Florio DEPUTY

CERTIFICATE OF ACCEPTANCE

I HEREBY ACCEPT FOR THE CITY OF SAN JOSE THE DEDICATION OF ALL EASEMENTS OFFERED ON THIS MAP.

A. R. TURTURICI

DIRECTOR OF PUBLIC WORKS BY: _____ DEPUTY

~~STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA) S.S.
ON THE _____ DAY OF _____, 19____,
BEFORE ME _____ A NOTARY PUBLIC IN
AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED
AND _____
KNOWN TO ME TO BE THE _____
AND _____ RESPECTIVELY OF THE
CORPORATION THAT EXECUTED THE WITHIN INSTRUMENT,
AND ALSO KNOWN TO ME TO BE THE PERSONS WHO EXECUTED
THE WITHIN INSTRUMENT ON BEHALF OF THE
CORPORATION THEREIN NAMED AND ACKNOWLEDGED TO
ME THAT SUCH CORPORATION EXECUTED THE WITHIN
INSTRUMENT PURSUANT TO IT'S BY-LAWS OR A RESOLUTION
OF IT'S BOARD OF DIRECTORS.~~

~~NOTARY PUBLIC~~

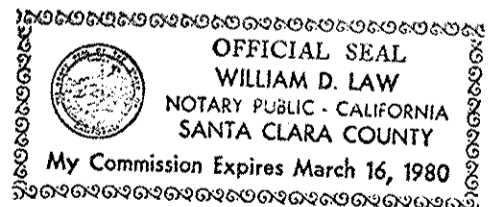
~~STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA) S.S.
ON THE _____ DAY OF _____, 19____,
BEFORE ME _____ A NOTARY PUBLIC IN
AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED
AND _____
KNOWN TO ME TO BE THE _____
AND _____ RESPECTIVELY OF THE
CORPORATION THAT EXECUTED THE WITHIN INSTRUMENT,
AND ALSO KNOWN TO ME TO BE THE PERSONS WHO EXECUTED
THE WITHIN INSTRUMENT ON BEHALF OF THE
CORPORATION THEREIN NAMED AND ACKNOWLEDGED TO
ME THAT SUCH CORPORATION EXECUTED THE WITHIN
INSTRUMENT PURSUANT TO IT'S BY-LAWS OR A RESOLUTION
OF IT'S BOARD OF DIRECTORS, AS TRUSTEE.~~

~~NOTARY PUBLIC~~

STATE OF CALIFORNIA) S.S.
COUNTY OF SANTA CLARA) S.S.
ON THIS 5th DAY OF October, 1979, BEFORE
ME _____ A NOTARY PUBLIC, STATE OF CALIFORNIA,
DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED
John K. French
KNOWN TO ME TO BE ONE OF THE PARTNERS OF THE PARTNERSHIP
THAT EXECUTED THE WITHIN INSTRUMENT, AND ACKNOWLEDGED
TO ME THAT SUCH PARTNERSHIP EXECUTED THE SAME, AS OWNER.
IN WITNESS WHEREOF I HAVE HERELINTO SET MY HAND AND AFFIXED
MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE
FIRST ABOVE WRITTEN.

William D. Law
NOTARY PUBLIC

MY COMMISSION EXPIRES:
March 16, 1979



~~STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA) S.S.
ON THE _____ DAY OF _____, 19____,
BEFORE ME _____ A NOTARY PUBLIC IN
AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED
AND _____
KNOWN TO ME TO BE THE PERSONS WHOSE NAME IS SUB-
SCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED
TO ME THAT THEY EXECUTED THE SAME AS OWNERS.~~

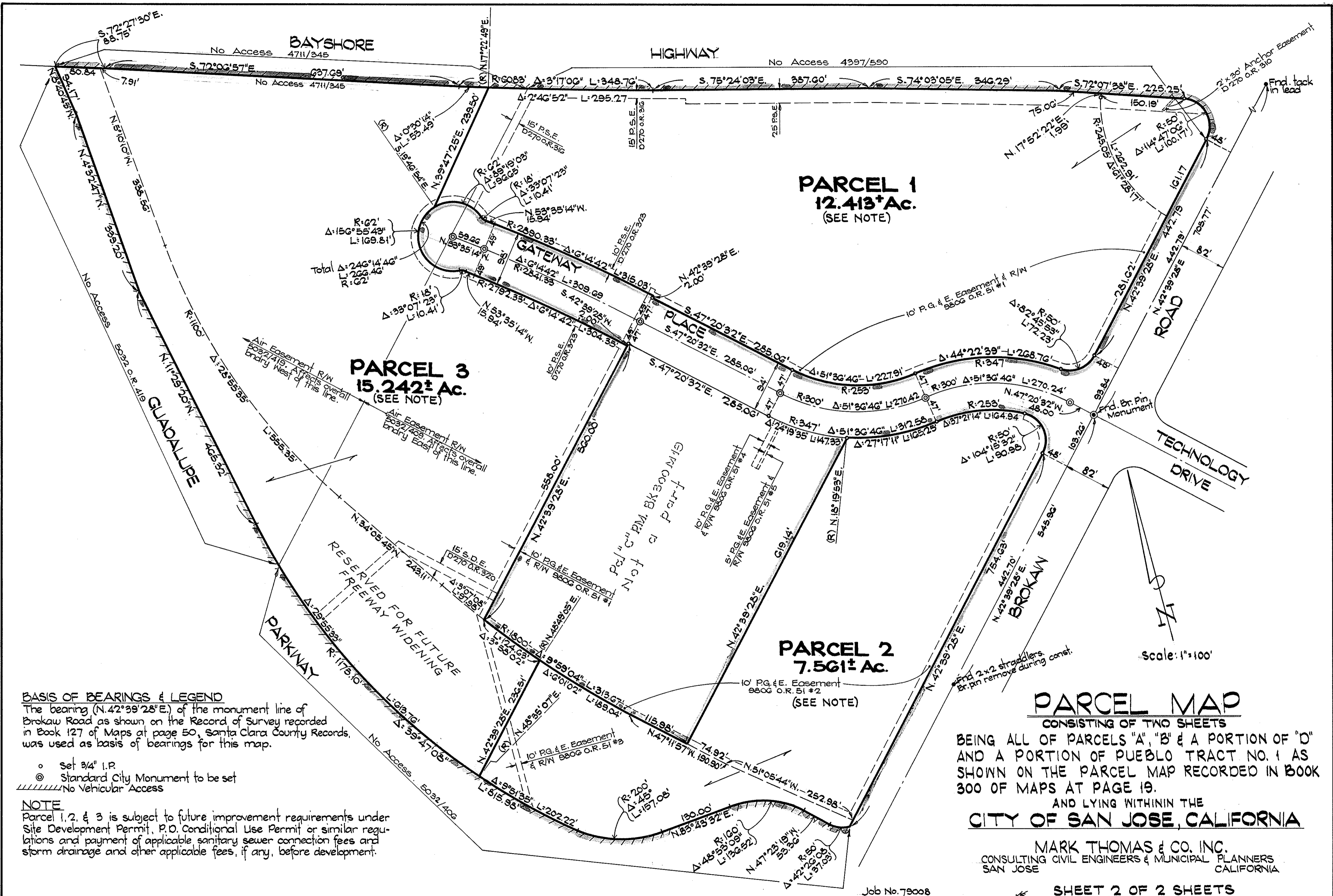
~~NOTARY PUBLIC~~



MARK THOMAS & CO. INC.
CONSULTING CIVIL ENGINEERS & MUNICIPAL PLANNERS
18 N. SAN PEDRO STREET, SAN JOSE, CALIF. 95110 • (408) 289-2425
OFFICES IN SAN JOSE AND CUPERTINO

Job No 79008

SHEET 1 OF 2 SHEETS



BASIS OF BEARINGS & LEGEND
 The bearing (N.42°39'28"E) of the monument line of Brokaw Road as shown on the Record of Survey recorded in Book 127 of Maps at page 50, Santa Clara County Records, was used as basis of bearings for this map.

- Set 3/4" I.P.
- ⊙ Standard City Monument to be set
- ////// No Vehicular Access

NOTE
 Parcel 1, 2, & 3 is subject to future improvement requirements under Site Development Permit, P.O. Conditional Use Permit or similar regulations and payment of applicable sanitary sewer connection fees and storm drainage and other applicable fees, if any, before development.

PARCEL MAP
 CONSISTING OF TWO SHEETS
 BEING ALL OF PARCELS "A", "B" & A PORTION OF "D" AND A PORTION OF PUEBLO TRACT NO. 1 AS SHOWN ON THE PARCEL MAP RECORDED IN BOOK 300 OF MAPS AT PAGE 19.
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MARK THOMAS & CO. INC.
 CONSULTING CIVIL ENGINEERS & MUNICIPAL PLANNERS
 SAN JOSE CALIFORNIA

SHEET 2 OF 2 SHEETS

October 12th, 1979 Book 451 of maps Pgs. 17 & 18 Fee \$ 7.00

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451/18

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