

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 5.38 ACRES LOCATED ON THE NORTHEAST CORNER OF WEST JULIAN STREET AND NORTH AUTUMN STREET (ASSESSOR'S PARCEL NOS. 259-25-061, 259-25-059, 259-25-042, 259-25-063, 259-25-004, 259-25-005, 259-25-007, 259-25-035, 259-25-062, 259-29-104, 259-29-093, 259-29-099) FROM THE LI LIGHT INDUSTRIAL ZONING DISTRICT AND HI HEAVY INDUSTRIAL ZONING DISTRICT TO THE TEC TRANSIT EMPLOYMENT CENTER 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, pursuant to Section 15168(c)(2) of the CEQA Guidelines, the City of San José 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 TEC Transit Employment Center Zoning District; and

WHEREAS, this Council of the City of San José has considered and approves 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;

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 as TEC Transit Employment Center 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. The land development approval that is the subject of City File No. C17-038 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 _____, 2017 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

EXHIBIT "A"
LEGAL DESCRIPTION
FOR: PLANNING PURPOSES

All that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of Old West Julian Street as described in that certain Deed dated January 20, 1870 in Book 15 of Deeds at Page 599, being all of that certain property as described in that certain Grant Deed recorded on September 29, 1975 in Book B635, Page 70, being a portion of Parcel 1 as described in that certain Quitclaim Deed recorded on April 1, 1988 in Book K489, Page 1142, being a portion of that certain property as described in that certain Grant Deed recorded on February 26, 1991 in Book L626, Page 1675, being all of Parcels One and Four, and a portion of Parcels Two and Three as described in that certain Quitclaim Deed recorded on September 15, 1993 in Book N006, Page 1291, being all of Parcels One, Two, Six, Seven, Eight, and a portion of Parcels Three, Four and Five as described in that certain Quitclaim Deed recorded on September 15, 1993 in Book N006, Page 1298, being a portion of Parcels One, Two, Three and Four as described in that certain Grant Deed recorded on June 2, 2010 as Document No. 20728173, being all of Parcels 1, 2 and 3 as described in that certain Grant Deed recorded on June 22, 2010 as Document No. 20747858, being all of the Remnant Property as described in that certain Grant Deed recorded on May 3, 2011 as Document No. 21163261, being all of Parcels One and Two as described in that certain Grant Deed recorded on February 6, 2013 as Document No. 22082411, being all of that certain property as described in that certain Grant Deed recorded on April 12, 2013 as Document No. 22171018, being a portion of that certain APN 259-25-062 parcel as described in that certain Grant Deed recorded on May 23, 2016 as Document No. 23312037, being a portion of that certain property as described in that certain Grant Deed recorded on February 8, 2017 as Document No. 23578754, all of Official Records, Santa Clara County, and being more particularly described as follows:

Beginning at the southwesterly corner of Parcel B as described in that certain Grant Deed recorded on May 22, 1998 as Document No. 14198434 of Official Record, Santa Clara County, said point also being on the northerly line of North Autumn Street;

Thence along the following twenty-eight (28) courses and distances:

1. Along a non-tangent curve to the right having a radius of 550.00 feet, to which point a radial line bears North 33°17'11" West, through a central angle of 10°56'34" for an arc distance of 105.04 feet;
2. Along a curve to the right having a radius of 2970.00 feet, through a central angle of 3°34'39" for an arc distance of 185.44 feet;
3. North 71°14'02" East, 27.82 feet;
4. Along a curve to the left having a radius of 673.26 feet, through a central angle of 0°50'47" for an arc distance of 9.95 feet;
5. South 27°18'08" East, 144.41 feet;
6. Along a curve to the left having a radius of 580.00 feet, through a central angle of 13°41'52" for an arc distance of 138.66 feet;

August 29, 2017
 Project No. A16216
 Page 2 of 2

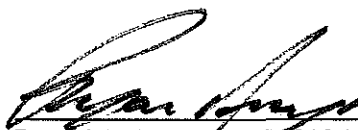
7. South 41°00'00" East, 92.19 feet;
8. North 49°00'00" East, 5.00 feet;
9. South 41°00'00" East, 242.03 feet;
10. South 49°08'42" West, 22.00 feet;
11. South 40°51'18" East, 60.00 feet;
12. North 49°08'42" East, 26.75 feet;
13. South 41°00'00" East, 80.59 feet;
14. Along a curve to the right having a radius of 1163.50 feet, through a central angle of 1°33'40" for an arc distance of 31.70 feet;
15. South 50°33'40" West, 4.50 feet;
16. Along a non-tangent curve to the right having a radius of 1159.00 feet, to which point a radial line bears North 50°33'40" East, through a central angle of 3°49'15" for an arc distance of 77.29 feet;
17. Along a curve to the right having a radius of 20.00 feet, through a central angle of 116°33'16" for an arc distance of 40.69 feet;
18. South 80°56'11" West, 164.21 feet;
19. North 9°03'49" West, 10.00 feet;
20. South 80°56'11" West, 55.00 feet;
21. South 9°03'49" East, 10.00 feet;
22. South 80°56'11" West, 36.21 feet;
23. Along a curve to the right having a radius of 30.00 feet, through a central angle of 58°08'21" for an arc distance of 30.44 feet;
24. North 40°55'28" West, 44.47 feet;
25. North 49°08'42" East, 31.72 feet;
26. North 40°51'18" West, 60.00 feet;
27. South 49°08'42" West, 31.79 feet;
28. North 40°54'41" West, 714.10 feet to the Point of Beginning.

Containing 5.383 ± acres.

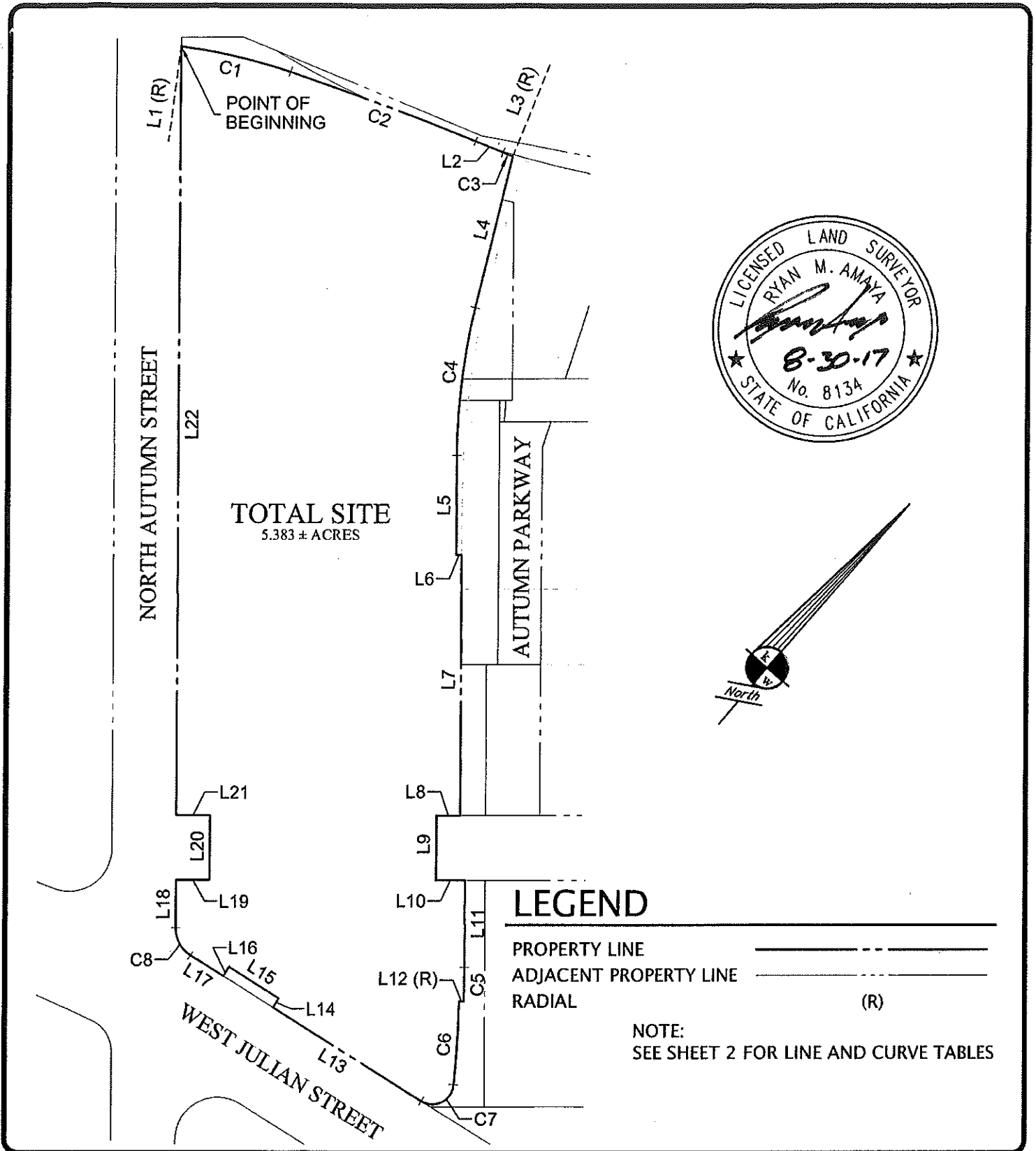
As shown on Exhibit "B" attached hereto and by this reference made a part hereof.


Legal Description prepared by Kier & Wright Civil Engineers and Surveyors, Inc.

B-30-17
 Date


 Ryan M. Amaya, L.S. 8134





<p>PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR: PLANNING PURPOSES</p>		DATE	AUG., 2017	
		SCALE	1" = 120'	
SAN JOSE	CALIFORNIA		DR. BY	EK
<p>EXHIBIT "B"</p>	 <p>KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC. 3350 Scott Boulevard, Building 22 Santa Clara, California 95054 (408) 727 6665 fax (408) 727 5641</p>	JOB	A16216	
		SHEET NO.	1 OF 2	

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 33°17'11" W	550.00'
L2	N 71°14'02" E	27.82'
L3	S 19°36'45" E	673.26'
L4	S 27°18'08" E	144.41'
L5	S 41°00'00" E	92.19'
L6	N 49°00'00" E	5.00'
L7	S 41°00'00" E	242.03'
L8	S 49°08'42" W	22.00'
L9	S 40°51'18" E	60.00'
L10	N 49°08'42" E	26.75'
L11	S 41°00'00" E	80.59'
L12	S 50°33'40" W	4.50'
L13	S 80°56'11" W	164.21'
L14	N 9°03'49" W	10.00'
L15	S 80°56'11" W	55.00'
L16	S 9°03'49" E	10.00'
L17	S 80°56'11" W	36.21'
L18	N 40°55'28" W	44.47'
L19	N 49°08'42" E	31.72'
L20	N 40°51'18" W	60.00'
L21	S 49°08'42" W	31.79'
L22	N 40°54'41" W	714.10'

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	550.00'	10°56'34"	105.04'
C2	2970.00'	3°34'39"	185.44'
C3	673.26'	0°50'47"	9.95'
C4	580.00'	13°41'52"	138.66'
C5	1163.50'	1°33'40"	31.70'
C6	1159.00'	3°49'15"	77.29'
C7	20.00'	116°33'16"	40.69'
C8	30.00'	58°08'21"	30.44'

<p align="center">PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR: PLANNING PURPOSES</p>		DATE	AUG., 2017	
		SCALE	N.T.S.	
<p>SAN JOSE</p> <p align="center">EXHIBIT "B"</p>	<p align="center">KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC. 3350 Scott Boulevard, Building 22 (408) 727 6665</p>		DR. BY	EK
			JOB	A16216
			SHEET NO.	2 OF 2

DRAFT--Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.

Project: PLANNING PURPOSES
8/28/2017

Boundary: TOTAL SITE

POB: N: 5000.0000 E: 5000.0000

1. Curve Delta: 10°56'34" Radius: 550.00' Length: 105.04'
PC to RP: SE 33°17'11"
RP North: 4540.2342 RP East: 5301.8533
RP to PT: NW 22°20'37"
Chord: NE 62°11'06" 104.88'
N: 5048.9406 E: 5092.7652
2. Curve Delta: 03°34'39" Radius: 2970.00' Length: 185.44'
PC to RP: SE 22°20'37"
RP North: 2301.9263 RP East: 6221.8412
RP to PT: NW 18°45'58"
Chord: NE 69°26'43" 185.41'
N: 5114.0402 E: 5266.3752
3. Line NE 71°14'02" 27.82'
N: 5122.9901 E: 5292.7163
4. Curve Delta: -01°50'47" Radius: 673.26' Length: 21.70'
PC to RP: NW 18°45'58"
RP North: 5760.4594 RP East: 5076.1247
RP to PT: SE 20°36'45"
Chord: NE 70°18'39" 21.70'
N: 5130.2997 E: 5313.1431
5. Curve Delta: 01°00'00" Radius: 673.26' Length: 11.75'
PC to RP: NW 20°36'45"
RP North: 5760.4594 RP East: 5076.1247
RP to PT: SE 19°36'45"
Chord: SW 69°53'15" 11.75'
N: 5126.2591 E: 5302.1092
6. Line SE 27°18'08" 144.41'
N: 4997.9364 E: 5368.3478
7. Curve Delta: -13°41'52" Radius: 580.00' Length: 138.66'
PC to RP: NE 62°41'52"
RP North: 5263.9732 RP East: 5883.7354
RP to PT: SW 49°00'00"
Chord: SE 34°09'04" 138.33'
N: 4883.4589 E: 5446.0039
8. Line SE 41°00'00" 92.19'
N: 4813.8823 E: 5506.4860
9. Line NE 49°00'00" 5.00'
N: 4817.1626 E: 5510.2595
10. Line SE 41°00'00" 242.03'
N: 4634.5002 E: 5669.0455
11. Line SW 49°08'42" 22.00'
N: 4620.1090 E: 5652.4054
12. Line SE 40°51'18" 60.00'
N: 4574.7269 E: 5691.6542
13. Line NE 49°08'42" 26.75'
N: 4592.2253 E: 5711.8870
14. Line SE 41°00'00" 80.59'
N: 4531.4033 E: 5764.7588
15. Curve Delta: 01°33'40" Radius: 1163.50' Length: 31.70'
PC to RP: SW 49°00'00"
RP North: 3768.0786 RP East: 4886.6542
RP to PT: NE 50°33'40"
Chord: SE 40°13'10" 31.70'
N: 4507.1976 E: 5785.2283
16. Line SW 50°33'40" 4.50'
N: 4504.3390 E: 5781.7529
17. Curve Delta: 03°49'15" Radius: 1159.00' Length: 77.29'
PC to RP: SW 50°33'40"
RP North: 3768.0786 RP East: 4886.6542
RP to PT: NE 54°22'55"
Chord: SE 37°31'42" 77.27'
N: 4443.0561 E: 5828.8254
18. Curve Delta: 116°33'16" Radius: 20.00' Length: 40.69'

RP North: 4431.4085 RP East: 5812.5670
 RP to PT: SE 09°03'49"
 Chord: SW 22°39'33" 34.02'

19. Line	SW 80°56'11"	164.21'	N: 4411.6582	E: 5815.7176
20. Line	NW 09°03'49"	10.00'	N: 4385.7901	E: 5653.5580
21. Line	SW 80°56'11"	55.00'	N: 4395.6652	E: 5651.9826
22. Line	SE 09°03'49"	10.00'	N: 4387.0010	E: 5597.6694
23. Line	SW 80°56'11"	36.21'	N: 4377.1259	E: 5599.2447
24. Curve	Delta: 58°08'21"	Radius: 30.00'	N: 4371.4217	E: 5563.4868
	PC to RP: NW 09°03'49"	Length: 30.44'		
	RP North: 4401.0471	RP East: 5558.7609		
	RP to PT: SW 49°04'32"			
	Chord: NW 69°59'38"	29.15'		
25. Line	NW 40°55'28"	44.47'	N: 4381.3952	E: 5536.0936
26. Line	NE 49°08'42"	31.72'	N: 4414.9956	E: 5506.9630
27. Line	NW 40°51'18"	60.00'	N: 4435.7451	E: 5530.9550
28. Line	SW 49°08'42"	31.79'	N: 4481.1272	E: 5491.7061
29. Line	NW 40°54'41"	714.10'	N: 4460.3318	E: 5467.6612
			N: 4999.9938	E: 5000.0035

Perimeter: 2505.50' Area: 234482.81 sq.ft. 5.383 acres

Error Closure: 0.0071' Bearing: NW 29°47'24"
 Error North: -0.00616' Error East: 0.00352'
 Precision: 1: 353,146.01