

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF AN APPROXIMATELY 0.37-GROSS-ACRE SITE, SITUATED EASTERLY ON COLEMAN AVENUE 80 FEET SOUTH OF ASBURY STREET (APNS 259-08-101 (WESTERN PORTION) AND 259-08-072) FROM THE OS OPEN SPACE ZONING DISTRICT TO THE OS(PD) PLANNED DEVELOPMENT 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, an Environmental Impact Report (“EIR”) was prepared in conformance with the California Environmental Quality Act of 1970 (“CEQA”), as amended, for the subject rezoning to the OS(PD) Planned Development Zoning District under File Number PDC23-009, and GP18-012, which EIR was certified for and for which findings were adopted by the City Council on _____, 2025; and

WHEREAS, this Council of the City of San José has considered and approved the application and use of said “EIR” as the appropriate environmental clearance for the proposed project prior to acting upon or approving the subject rezoning; and

WHEREAS, this Council of the City of San José has considered, approved, and adopted said “EIR” and related Mitigation Monitoring and Reporting Program under separate Council Resolution No. _____ prior to taking any approval actions on this project; and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to the OS(PD) Planned Development Zoning District; and

WHEREAS, the proposed rezoning is consistent with the proposed Combined Industrial/Commercial land use designation (File No. GP18-012) of the site in the applicable General Plan; and

WHEREAS, no net loss of residential capacity will result from this rezoning because the zoning district of the properties situated easterly of Coleman Avenue 80 feet south of Asbury Street (APNs 259-08-101 (western portion) and 259-08-072) is being amended from OS Open Space (0 DU/AC or 0 units for this site) to OS(PD) Planned Development (0 DU/AC or 0 units for this site) in which the proposed project does not change the residential capacity, therefore, the change in zoning districts set forth within satisfies Senate Bill 330 (2019);

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 to the OS(PD) Planned Development Zoning District. The base district zoning of the subject property shall be the OS Open Space Zoning District. The Planned Development Zoning of the subject property shall be that development plan set for the subject property entitled, "Planned Development Zoning for Coleman and Hedding Commercial Development Project" last revised March 24, 2025 ("General Development Plan")

The subject properties referred to in this section is all those real properties situated in the County of Santa Clara, State of California, depicted in Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION 3. The zoning district map of the City is hereby amended from the map in Exhibit “A-1” to the map depicted in Exhibit “A-2” accordingly.

SECTION 4. Any land development approval that is the subject of City File No. PDC23-009 is subject to the operation of Part 2.75 of Chapter 15.12 of Title 15 of the San José Municipal Code. 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 _____, 2025 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

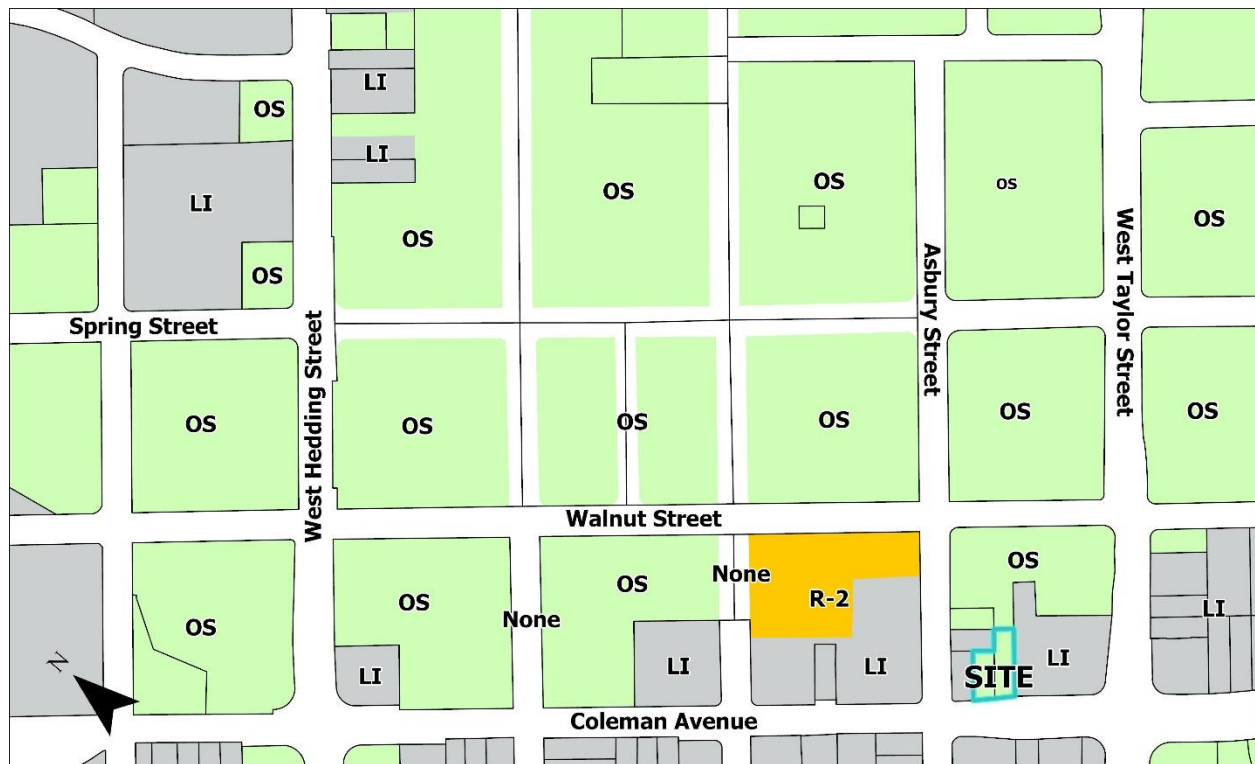
ATTEST:

TONI J. TABER, MMC
City Clerk

EXHIBIT “A”

File No. PDC23-009. The zoning district map of the City of San José is hereby amended from the OS Open Space Zoning District as depicted in Exhibit A-1 to the OS(PD) Planned Development Zoning District as depicted in Exhibit A-2 as follows:

EXHIBIT “A-1”: Existing Zoning District: OS Open Space



A-1

EXHIBIT “A-2”: Amended Zoning District: OS(PD) Planned Development

