

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 0.23-GROSS ACRE SITUATED ON THE SOUTHWEST SIDE OF COLEMAN AVENUE APPROXIMATELY 200 FEET NORTHWESTERLY OF EMORY STREET (821 COLEMAN AVENUE) (APN:259-01-035) FROM THE R-2 TWO FAMILY RESIDENCE ZONING DISTRICT TO THE LI LIGHT INDUSTRIAL 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. C19-044, and said Statement of Exemption (CEQA Categorical Exemption Section for 15303[c] for New Construction or Conversion of Small Structures, installation of small new equipment and facilities in small structures, and the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structures, was adopted on January 22, 2020; and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to the LI Light Industrial 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 LI Light Industrial 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. C19-044 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



October 18, 2019
HMH 5596.00.827
Page 1 of 1

EXHIBIT "A"
FOR REZONING PURPOSES

REAL PROPERTY in the City of San Jose, County of Santa Clara, State of California, being all of Parcel 3 described in the Grant Deed recorded August 14, 2018, in Document No. 24002316 of Official Records, Santa Clara County Records, described as follows:

BEGINNING at the northerly corner of said Parcel 3 being on the southwesterly line of Coleman Avenue;
Thence along said southwesterly line, South 40°18'27" East, 50.00 feet, to the southeasterly line of said Parcel 3;
Thence along said southeasterly line and the southwesterly and the northwesterly lines of said Parcel 3 the following three courses:
1. Thence South 49°58'34" West, 200.00 feet;
2. Thence North 40°18'27" West, 50.00 feet;
3. Thence North 49°58'34" East, 200.00 feet, to the POINT OF BEGINNING.

Containing 0.23 acres, more or less.

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

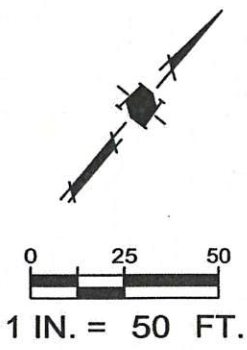
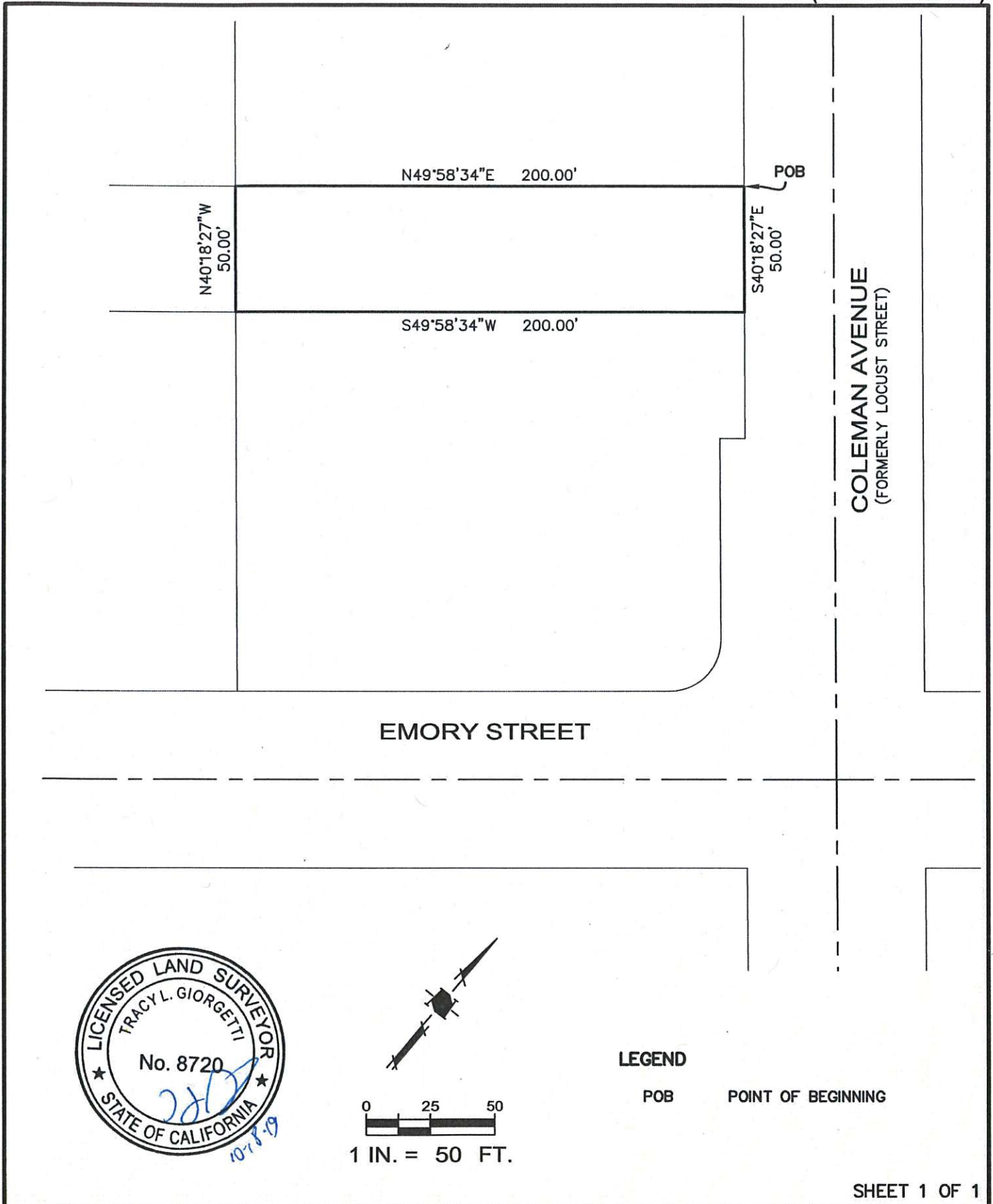
For assessment or zoning purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

This legal description was prepared by me or under my direction in accordance with the Professional Land Surveyors Act.

Date: 10-18-19


Tracy L. Giorgetti, LS 8720





LEGEND

POB POINT OF BEGINNING

SHEET 1 OF 1

| | |
|--------------|------------|
| Date: | 2019-10-18 |
| Designed: | - |
| Drawn: | RF |
| Checked: | TG |
| Prof. Engr.: | BC |
| | 559600PL01 |

1570 Oakland Road (408) 487-2200
 San Jose, CA 95131 HMHca.com

EXHIBIT "B"
 PLAT TO ACCOMPANY DESCRIPTION:
 FOR REZONING PURPOSES

SAN JOSE

CALIFORNIA