

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 1.0 GROSS ACRE LOCATED ON THE EAST SIDE OF CAMDEN AVENUE BETWEEN MALAPAS DRIVE AND CANNA LANE (APN: 567-26-014) FROM THE R-2 TWO-FAMILY RESIDENTIAL ZONING DISTRICT TO THE R-2(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, a Mitigated Negative Declaration was prepared in conformance with the California Environmental Quality Act of 1970 (“CEQA”), as amended, for the subject rezoning to the R-2(PD) Planned Development Zoning District under File No. PDC21-019 (the “MND”); and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to the R-2(PD) Planned Development Zoning District; and

WHEREAS, this Council of the City of San José has considered, approved, and adopted said MND and related Mitigation Monitoring and Reporting Program under separate Council resolution prior to taking any approval actions on this project; 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 R-2(PD) Planned Development Zoning District. The base district zoning of the subject property shall be the R-2 Two-Family Residence Zoning District. The Planned Development rezoning of the subject property shall be that rezoning plan set for the subject property entitled, "Planned Development Permit for Camden Avenue," dated April 29, 2022 ("General Development Plan").

Said General Development Plan is on file in the office of the Director of Planning and is available for inspection by anyone interested therein and said General Development Plan is by this reference adopted and incorporated herein the same as if it were fully set forth herein by this reference.

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. PDC21-019 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 acknowledged 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 _____, 2022 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk



EXHIBIT "A"
FOR REZONING PURPOSES

REAL PROPERTY in the City of San Jose, County of Santa Clara, State of California, being a portion of Property Two as described in the Grant Deed recorded April 25, 2000, in Document No. 15224632 of Official Records, Santa Clara County Records, described as follows:

BEGINNING at the northeasterly corner of said Property Two;
Thence along the northerly line of said Property Two; North 89°40'04" West, 203.12 feet to the easterly line of Camden Avenue (formerly Hicks Road, Los Gatos-Almaden Road and Harwood Road);

Thence along said easterly line the following two courses:

1. southerly, along a non-tangent curve to the right, having a radius of 1,008.00 feet, whose center bears North 87°58'43" West, through a central angle of 10°34'24" for an arc length of 186.02 feet;
2. Thence South 00°19'56" West, 188.87 feet to the southeasterly line of said Property Two;

Thence along said southeasterly line, the following three courses:

1. northeasterly, along a non-tangent curve to the right, having a radius of 866.50 feet, whose center bears South 61°03'35" East, through a central angle of 16°39'16" for an arc length of 251.87 feet;
2. Thence along a reverse curve to the left, having a radius of 108.50 feet, through a central angle of 33°07'50" for an arc length of 62.74 feet;
3. Thence along a reverse curve to the right, having a radius of 416.50 feet, through a central angle of 17°29'42" for an arc length of 127.18 feet, to the POINT OF BEGINNING.

Containing 1.01 acres, more or less.

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

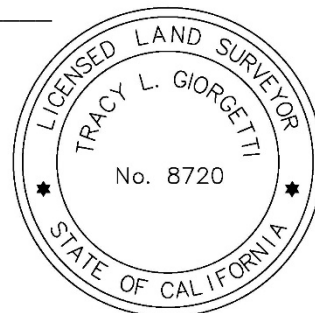
END OF DESCRIPTION

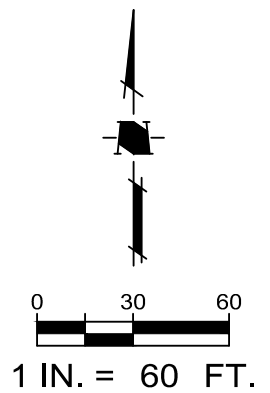
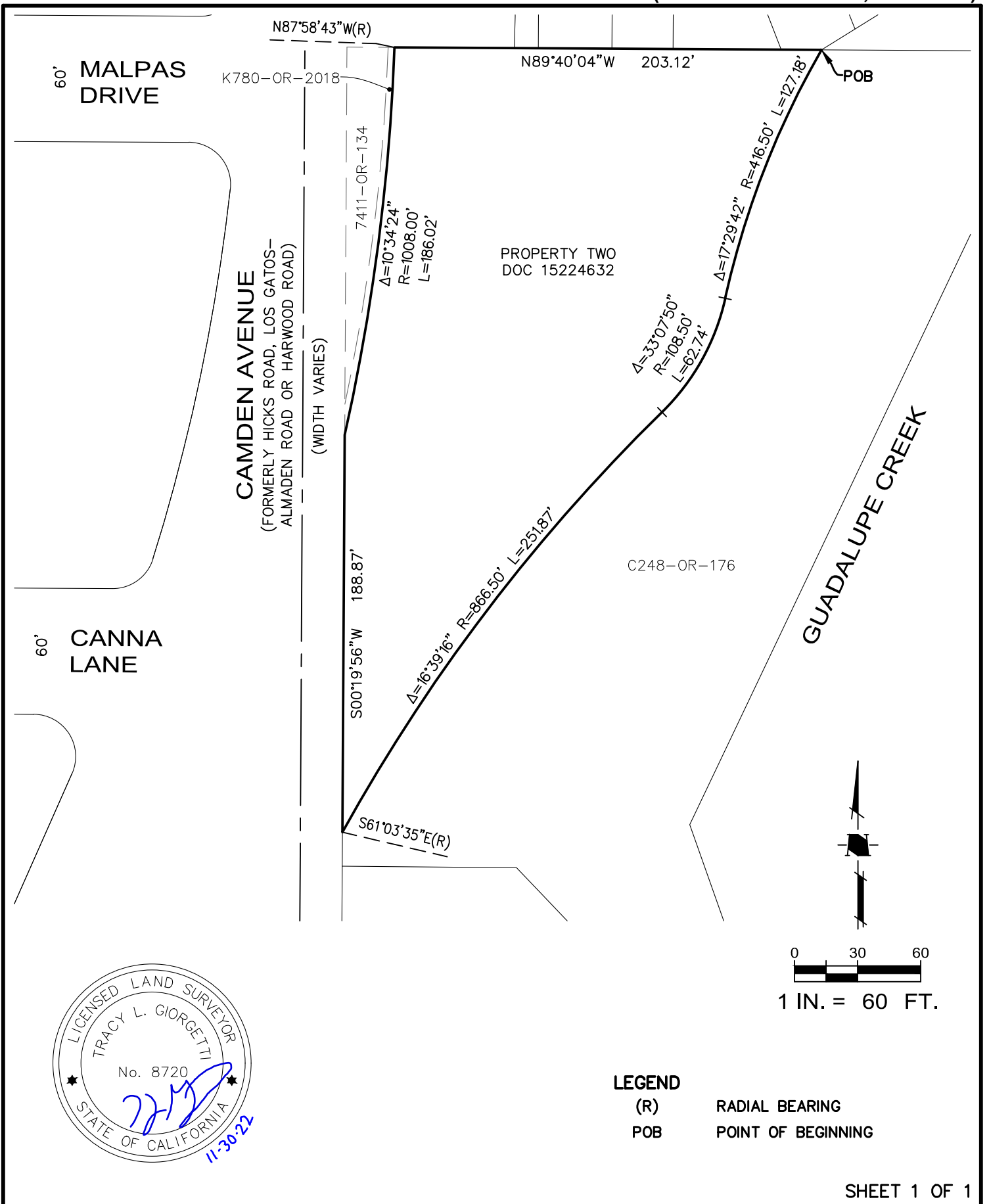
For assessment or zoning purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

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

Date: 11-30-22


Tracy L. Giorgetti, LS 8720





LEGEND
 (R) RADIAL BEARING
 POB POINT OF BEGINNING

SHEET 1 OF 1

Date:	2022-11-30
Designed:	-
Drawn:	DAW
Checked:	RF
Proj. Engr.:	-
591400PL01	

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

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

SAN JOSE CALIFORNIA