

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 3.49-ACRES SITUATED ON THE EAST SIDE OF SENTER ROAD APPROXIMATELY 415 FEET SOUTHERLY OF EAST CAPITAL EXPRESSWAY (3195 SENTER ROAD) FROM THE (A) AGRICULTURE ZONING DISTRICT TO THE PQP PUBLIC/QUASI-PUBLIC 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 in conformance with the California Environmental Quality Act (“CEQA”) for a rezoning under File No. C20-014, and said Statement of Exemption (CEQA Categorical Exemption Section 15301 for Existing Facilities) was adopted on March 30, 2021; and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to the PQP Public/Quasi-Public 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;

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 PQP Public/Quasi-Public 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. C20-014 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 _____, 2021 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

EXHIBIT "A"

SITUATE IN THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA:

BEGINNING AT A POINT IN THE CENTER LINE OF SENTER ROAD AT THE MOST EASTERLY CORNER OF THE LAND CONVEYED TO FRANK A. GARBUTT, ET AL, BY DEED RECORDED AUGUST 14, 1943 IN BOOK 1154, PAGE 325 OF OFFICIAL RECORDS OF SAID SANTA CLARA.

THENCE SOUTH 49 DEGREES 56' 20" WEST ALONG THE SOUTHEASTERLY LINE OF SAID LAND CONVEYED TO FRANK A. GARBUTT, A DISTANCE OF 883.67 FEET TO A POINT OF INTERSECTION THEREOF WITH THE EASTERLY LINE OF PARCEL NO. 1 OF THE LAND CONVEYED TO THE COUNTY OF SANTA CLARA BY DEED RECORDED NOVEMBER 27, 1964 IN BOOK 6758, PAGE 88 OF OFFICIAL RECORDS OF SANTA CLARA COUNTY; THENCE NORTH 0 DEGREE 18' 00" WEST ALONG LAST MENTIONED EASTERLY LINE, A DISTANCE OF 213.84 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1333.00 FEET; THENCE NORTHERLY ALONG LAST MENTIONED CURVE AND EASTERLY LINE OF SAID PARCEL NO. 1 THROUGH A CENTRAL ANGLE OF 02 DEGREES 20' 00", AN ARC DISTANCE OF 54.29 FEET TO A POINT ON THE NORTHWESTERLY LINE OF SAID LAND COMPANY TO FRANK A. GARBUTT; THENCE NORTH 49 DEGREES 56' 20" EASTERLY ALONG LAST MENTIONED NORTHWESTERLY LINE, DISTANCE OF 714.97 FEET TO A POINT IN THE CENTERLINE OF SENTER ROAD; THENCE SOUTH 39° DEGREES 02' 50" EAST ALONG THE CENTERLINE OF SENTER ROAD, A DISTANCE OF 205.79 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF SAN JOSE, A MUNICIPAL CORPORATION, BY DEED RECORDED MARCH 13, 1972 IN BOOK 9741 OF OFFICIAL RECORDS, PAGE 45,

DESCRIBED AS FOLLOWS:

A STRIP OF LAND 45.00 FEET WIDTH TO BE DEDICATED TO THE CITY OF SAN JOSE FOR STREET PURPOSES, THE NORTHEASTERLY LINE BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER LINE OF SENTER ROAD AT THE MOST EASTERLY CORNER OF THE LAND CONVEYED TO FRANK A. GARBUTT, ET AL, BY DEED RECORDED AUGUST 14, 1943 IN BOOK 1154, PAGE 325 OF OFFICIAL RECORDS IN THE COUNTY OF SANTA CLARA; THENCE ALONG SAID CENTER LINE NORTH 39 DEGREES 02' 50" WEST 205.79 FEET TO THE TERMINUS OF THE DESCRIPTION; SAID STRIP OF LAND BOUNDED ON THE TERMINUS OF THE DESCRIPTION; SAID STRIP OF LAND BOUNDED ON THE SOUTH BY THE SOUTHEASTERLY LINE AND ON THE NORTH BY NORTHWESTERLY LINE OF SAID LANDS OF FRANK A. GARBUTT.

APN: 494-01-017


LS 7900



PROPERTY INFORMATION

OWNER: SEVEN TREES BAPTIST CHURCH
 ADDRESS: 3195 SENTER ROAD
 SAN JOSE, CA 95111
 SITE: HOPE CHURCH
 3195 SENTER ROAD
 SAN JOSE, CA 95111
 ASSESSOR'S PARCEL NUMBER: APN:494-01-017
 EXISTING GROUND ELEVATION: AT CENTER OF SECTORS=153.5' AMSL

SURVEYOR'S NOTES

SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVELOPER TO CONTACT U.S.A. AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION, REMOVAL, RELOCATION AND/OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

UTILITY NOTES

ALL ROUTES CONTAINED IN SAID TITLE REPORT AFFECTING THE IMMEDIATE AREA SURROUNDING THE LEASE HAVE BEEN PLOTTED. SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE ISSUED. THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.

TITLE REPORT

TITLE REPORT WAS PROVIDED BY OLD REPUBLIC TITLE COMPANY
 FILE No. 877194, DATED: 03/02/2020.

BASIS OF BEARING

BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE PLANE NAD83 COORDINATE SYSTEM STATE PLANE COORDINATE ZONE 3, DETERMINED BY GPS OBSERVATIONS.

BENCHMARK

ELEVATION ESTABLISHED FROM GPS DERIVED ORTHOMETRIC HEIGHTS, APPLYING GEOID 99 SEPARATIONS, CONSTRAINING TO NGS CONTROL STATION 'LUTZ' ELEVATION=450.0' (NAVD88)

LEGEND

- P.O.B. POINT OF BEGINNING
- TIC TOP FACE CURB
- R/W RIGHT OF WAY
- OR GROUND SHOT
- OR ACCESS DRIVEWAY
- TOP TOP OF SLOPE
- SW SIDEWALK
- JP JOINT POLE
- FP FIRE HYDRANT
- EP EDGE OF PAVEMENT
- GEODETIC COORDINATES
- SPOT ELEVATION
- DISH ANTENNA
- PROPERTY LINE
- CHAIN LINK FENCE
- WATER CONTROL VALVE
- FIRE HYDRANT
- GUY CONDUCTOR
- FOUND AS NOTED
- POWER POLE
- LIGHT POLE
- ELECTRICAL TRANSFORMER
- AIR CONDITIONING UNIT
- TELEPHONE PEDESTAL
- TELEPHONE VAULT
- TELEPHONE MANHOLE
- GAS VALVE
- GAS METER

SURVEY DATE

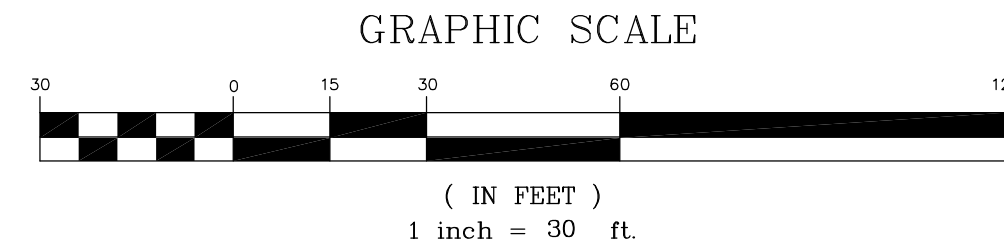
12/29/2020

LESSOR'S LEGAL DESCRIPTION

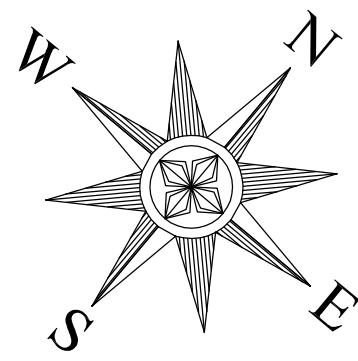
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VICINITY MAP
N.T.S.

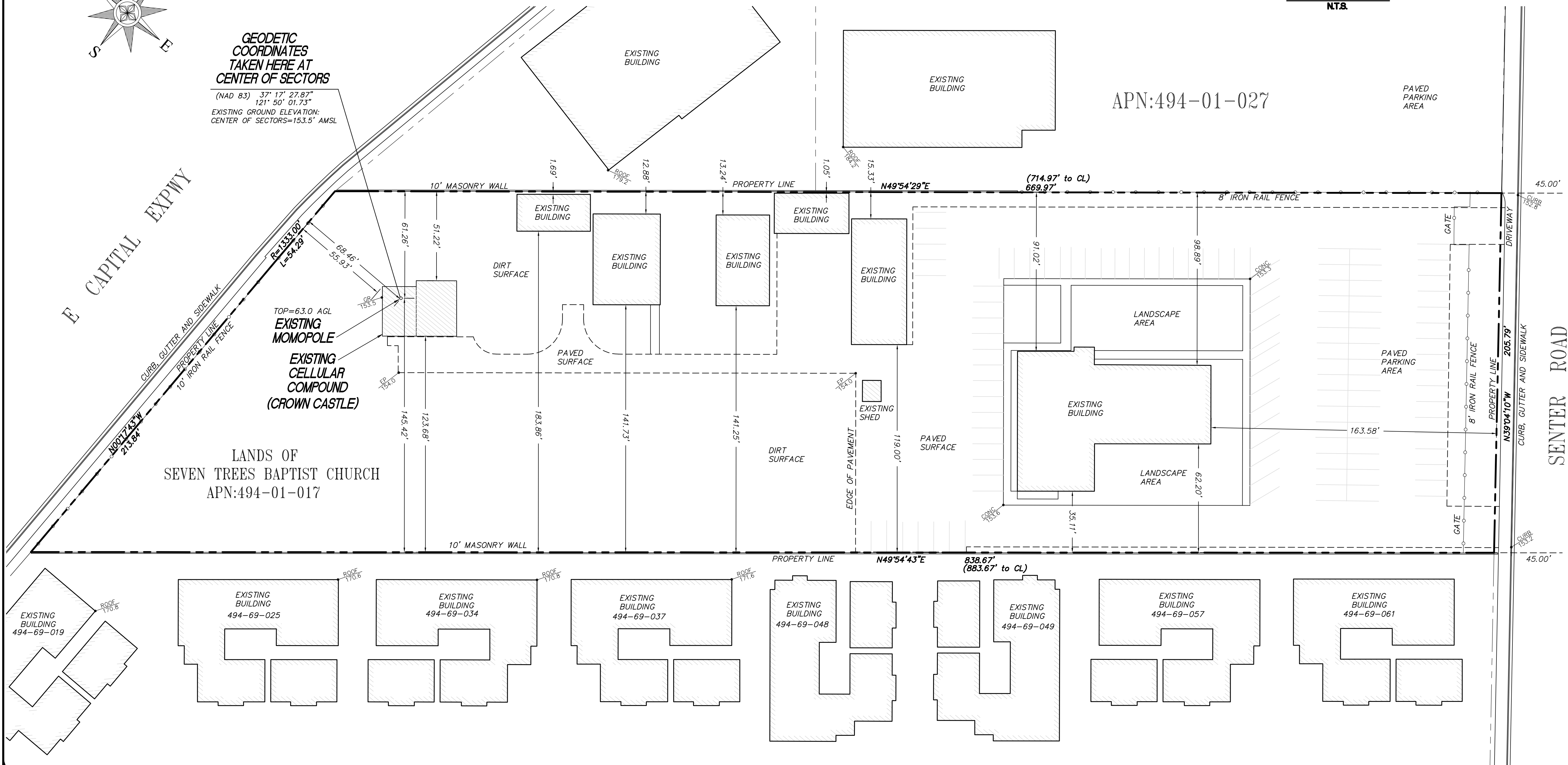


PROJECT AREA
30 SCALE



GEODETIC COORDINATES TAKEN HERE AT CENTER OF SECTORS
 (NAD 83) 37° 17' 27.87"
 121° 50' 01.73"
 EXISTING GROUND ELEVATION: CENTER OF SECTORS=153.5' AMSL

APN:494-01-027



REV.	DESCRIPTION	DATE
1	SITE PLAN	12/29/2020

HAYES
 Land Surveying
 And Mapping
 2850 MADRIGAN COURT
 CONCORD, CA 94518



CROWN CASTLE
 4301 HACIENDA DR, SUITE 410
 PLEASANTON, CA 94588

TOPOGRAPHIC SURVEY EXISTING CONDITIONS
 877194
 HOPE CHURCH
 3195 SENTER ROAD
 SAN JOSE, CA 95111
C-1
SHEET 1 of 1