

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 0.26-GROSS ACRE SITUATED ON THE NORTH SIDE OF WABASH STREET, APPROXIMATELY 640 FEET WESTERLY OF ARCHER STREET (APN: 015-12-049), FROM THE CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT TO THE R-1-8 SINGLE-FAMILY RESIDENCE 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 R-1-8 Single-Family Residence 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 R-1-8 Single Family Residence 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. C18-012 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 _____, 2018 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

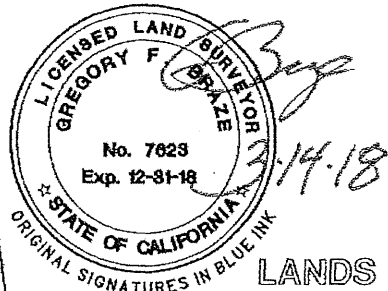
TONI J. TABER, CMC
City Clerk

Exhibit A

REAL PROPERTY IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

Lots 54, 55, 56, and 57 in Block Numbered 1, as shown upon that certain Map entitled "Map of New Chicago at Port of Alviso, Santa Clara County, California", which Map was filed for record in the office of the Recorder of the County of Santa Clara, State of California on April 11, 1890 in Book D of Maps, at pages 184, 185.

APN: 015-12-049



BASIS OF BEARINGS

THE BEARING NORTH 48°12'10" EAST OF THE NORTHWESTERLY LINE OF WABASH STREET AS SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED IN BOOK 532 OF MAPS AT PAGE 2, SANTA CLARA COUNTY RECORDS IS THE BASIS OF ALL BEARINGS SHOWN UPON THIS PLAT.

APN 015-02-033

LANDS OF
VIZCARRA

LANDS OF
VIZCARRA

APN 015-12-087

N48°12'10"E 101.99'

APN 015-12-086

LANDS OF
VIZCARRA

LIBERTY
COURT (30')

N50°24'44"W

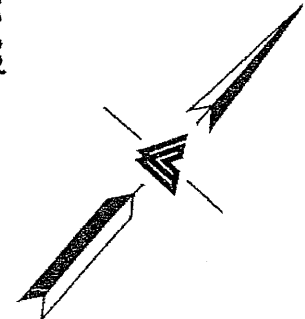
LANDS OF
SALAZAR AND
ORELLANA
11,350 SQ.FT.
0.26 ACRES
APN 015-12-049

N43°22'50"W 120.09'

LANDS OF
ROMO
APN 015-12-048

LANDS OF
GARCIA
APN 015-02-037

RECORD OF SURVEY
532 MAPS 2

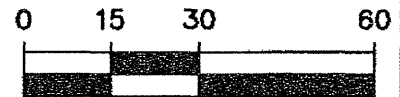


N48°12'10"E 87.12'

APN 015-02-036

LANDS OF
MORALES

WABASH STREET (50')



SCALE: 1" = 30'



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WWW.LEABRAZE.COM

1214 WABASH STREET
 ALVISO, CALIFORNIA
 APN 015-12-049

JOB NO 2171228

DRAWN BY MT

MARCH 2018

C18-012