

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 0.10-GROSS ACRE SITUATED ON THE NORTH SIDE OF PARK AVENUE, APPROXIMATELY 160 FEET WEST OF THE INTERSECTION OF TILLMAN AVENUE AND PARK AVENUE (1131 PARK AVENUE) FROM THE CO COMMERCIAL OFFICE 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, a Statement of Exemption was prepared for a rezoning under File Nos. GP18-008 and C18-019, and said Statement of Exemption (CEQA Categorical Exemption Section 15303 for new construction or conversion of small structures) was adopted on October 5, 2018; 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 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 as 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. The land development approval that is the subject of City File No. C18-019 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 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 _____, 2019 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

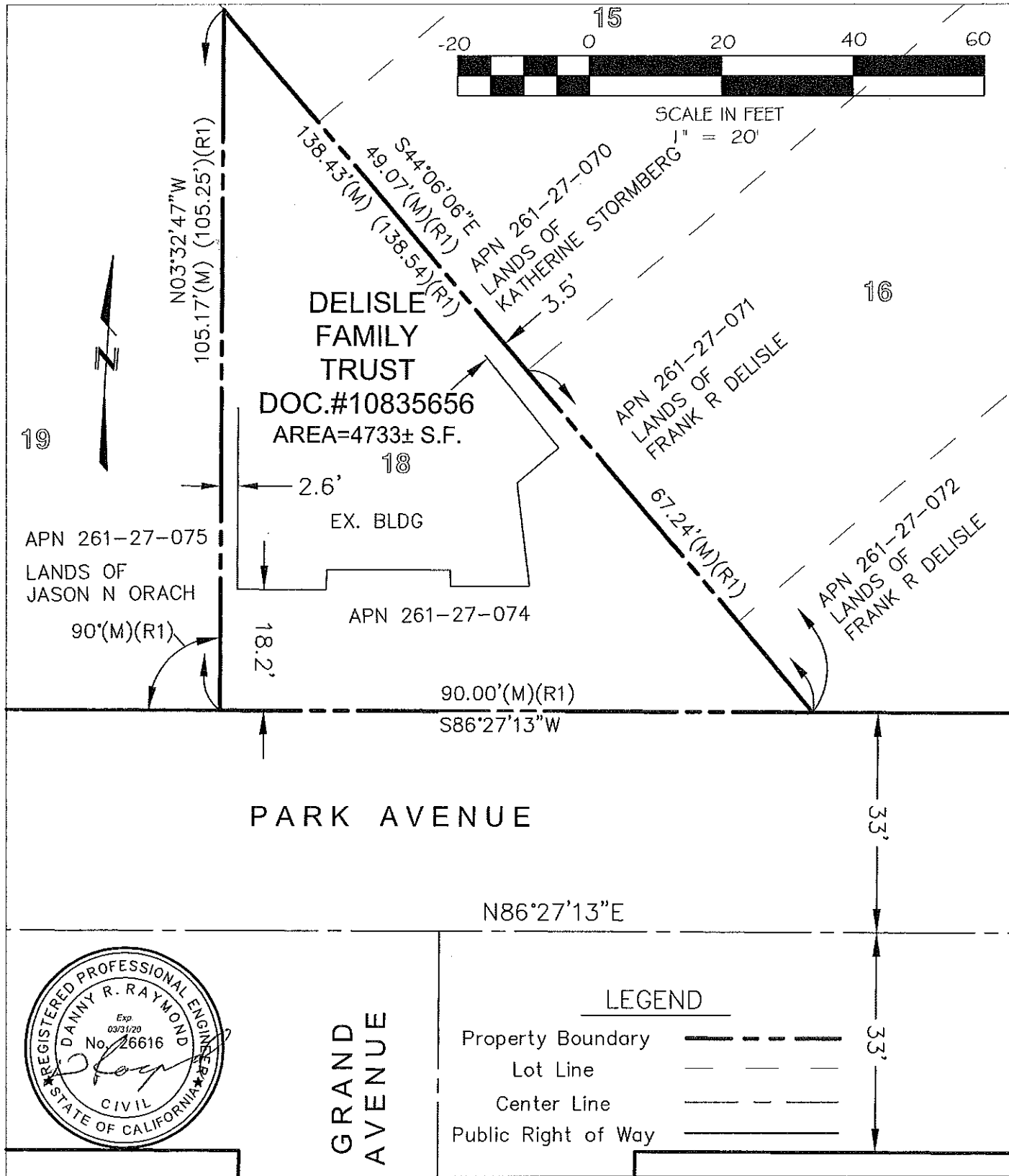
EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 261-27-074

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

ALL OF LOT 18, BLOCK 1, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "HANCHETT RESIDENCE PARK", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON DECEMBER 4, 1906, IN BOOK L OF MAPS, AT PAGE 53.





PROJECT:	2018.660
DATE:	JUN 13, 2018
SCALE:	1"=20'
DESIGNED BY:	DRR
DRAWN BY:	YC
REVIEWED BY:	VER

**EXHIBIT B
REZONING
1131 PARK AVE, SAN JOSE, CA**



**MAP CHECK
FOR
1131 PARK AVE
SAN JOSE, CA 95126**

PREPARED BY
DANNY RAYMOND
VER CONSULTANTS
1154 PARK AVE
SAN JOSE, CA 95126



Distance: 90.000'
Easting: 6882.0932'
Northing: 14218.8712'