

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 0.15 GROSS ACRE SITUATED ON THE WEST SIDE OF SOUTH SECOND STREET, APPROXIMATELY 175 FEET SOUTHERLY OF MARGARET STREET (735 SOUTH SECOND STREET), FROM THE R-2 TWO FAMILY RESIDENCE ZONING DISTRICT TO THE R-M MULTIPLE 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, an Addendum to 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, all in conformance with the California Environmental Quality Act, was prepared and approved by the Planning Director for the subject rezoning; and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to R-M Multiple Residence Zoning District; and

WHEREAS, this Council of the City of San José has considered and approves the application and use of said Addendum as the appropriate environmental clearance for this proposed project prior to taking any approval actions on the project.

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-M Multiple 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. C17-014 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 _____, 2018 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

**ADVANCED
DEVELOPMENT**

July 12, 2018
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EXHIBIT "A"

DESCRIPTION OF PARCEL PROPERTY

For Planned Development Permit Zoning

Address: 735 Second Street, San Jose California 95112

All that certain real property situated in the City of San Jose, County of Santa Clara, State of California described as follows:

Being a part of lots 5 & 8 in Block 63 of said Reed's addition according to a map thereof recorded in the Office of the Recorder of the County of Santa Clara, State of California on March 18, 1869 in Book "C" of Miscellaneous Records, at page 322.

BEGINNING at the intersection of the Westerly line of Second Street with the Southerly line of Margaret Street, as said streets are shown on said map.

Thence from said Point of Beginning along Westerly Right of Way line of Second Street South 30°39'00" East 179.84 feet to True Point of Beginning.

Thence from said True Point of Beginning with following courses:

South 59°21'00" West 125.34 feet; Thence

Parallel to Westerly line of Second Street South 30°39'00" East 53.50 feet; Thence

North 59°21'00" East 125.34 feet to a point on said Westerly Right of Way line of Second Street; Thence

Along said Westerly line North 30°39'00" West 53.50 feet to the True Point of **Beginning**

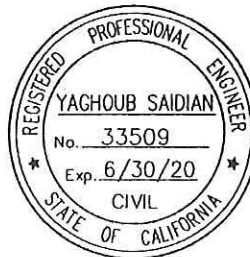
Containing an area of 6,706 square feet more or less

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

ADVANCED DEVELOPMENT

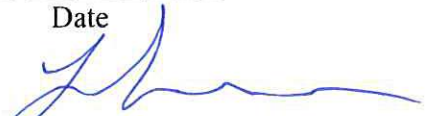


Yaghoub Saidian, R.C.E. No. 33509



7-12-2018

Date



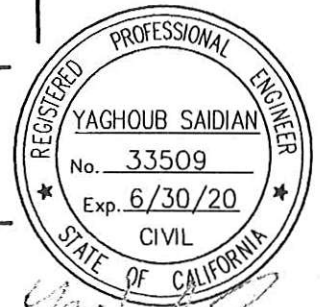
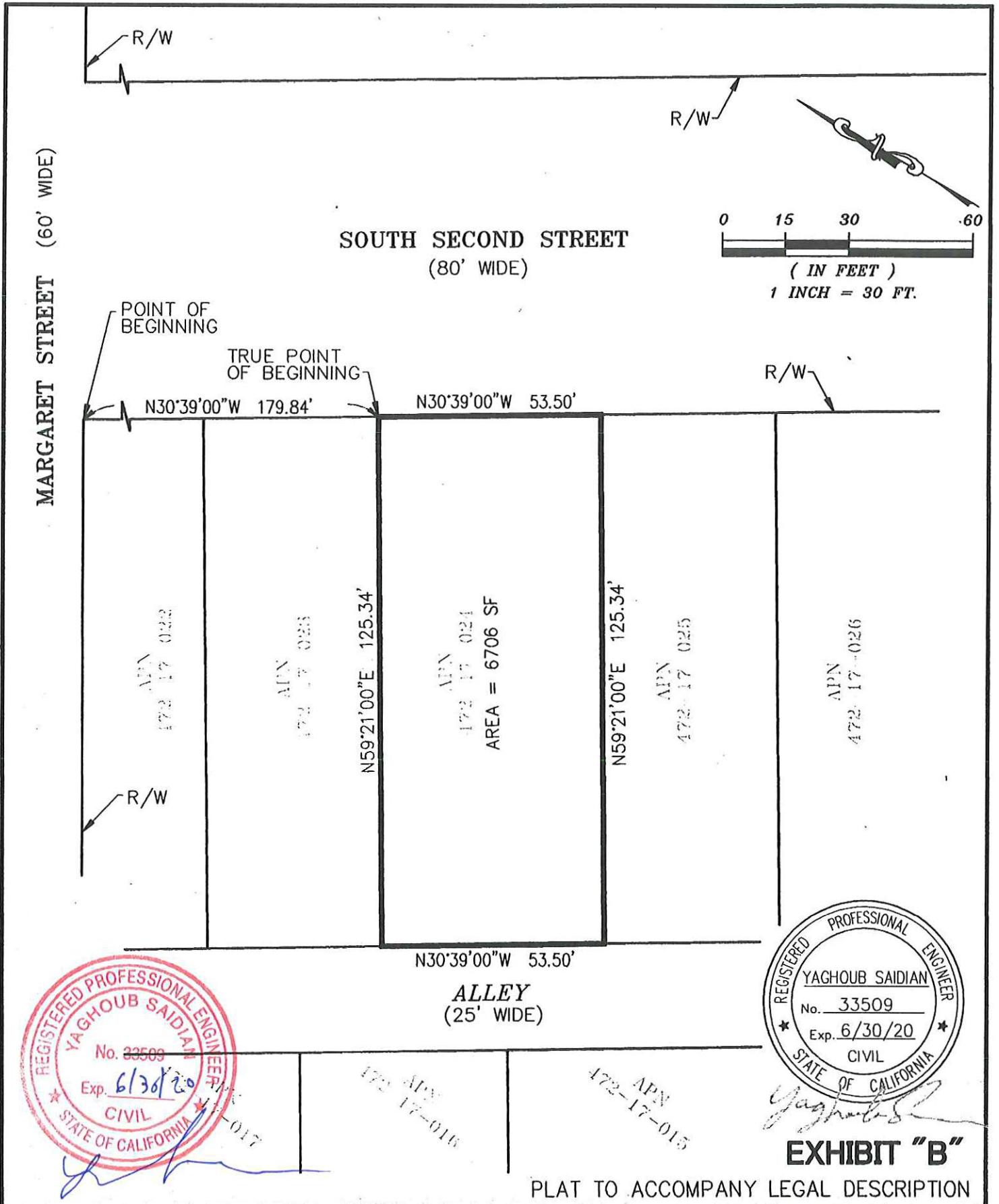


EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION

ADVANCED DEVELOPMENT

Subject PLANNED DEVELOPMENT PERMIT
735 S. SECOND STREET
SAN JOSE, CALIFORNIA

2933 BENJAMIN COURT

DRAFT--Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.