

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 21 GROSS ACRES SITUATED ON THE NORTH SIDE OF SAMARITAN DRIVE AND THE WEST SIDE OF SAMARITAN PLACE, APPROXIMATELY 275 FEET EAST OF KINGHURST DRIVE (APNs 421-36-009 AND 421-36-011), FROM THE A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO THE CG(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, the approximately 21-gross-acre site encompassed by the proposed rezoning was the subject of that certain Final Environmental Impact Report (“FEIR”) for the Good Samaritan Hospital Project (File No. ER23-041) in conformance with the California Environmental Quality Act of 1970 (“CEQA”), as amended, which evaluated the impact of the phased demolition of a portion of the hospital and the child care center, for the construction of two new hospital wings with a total floor area of approximately 750,000 square feet, an approximately 200,000-square-foot medical office building, and an approximately 24,000 square foot central utility plant, on an approximately 21-gross-acre site, which FEIR was certified and for which findings were adopted by the City Council on _____, 2024 ; and

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

WHEREAS, this Council of the City of San José has considered and approves the information contained in the EIR and related City Council Resolution No. ___ and the determination of consistency therewith 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 to the CG(PD) Planned Development Zoning District. The base district zoning of the subject property shall be the CG Commercial General Zoning District. The Planned Development Zoning of the subject property shall be that development plan set for the subject property entitled, "Good Samaritan Hospital Planned Development Zoning PDC22-132" dated September 13, 2024 ("General Development Plan").

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. PDC22-132 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 _____, 2024 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, MMC
City Clerk

ALL THAT CERTAIN REAL PROPERTY IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, BEING A PORTION OF PARCEL "C" AS SHOWN UPON THAT RECORD OF SURVEY FILED FOR RECORD MAY 7, 1963 IN THE BOOK 160 OF MAPS AT PAGE 52, SANTA CLARA COUNTY RECORDS, ALSO BEING A PORTION OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 1 WEST, MOUNT DIABLO BASE MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF PARCEL 1 OF DEED OF TRUST, INSTRUMENT NO. 19308858, RECORDED 28 FEBRUARY 2007 WITH THE COUNTY RECORDER OF SAID COUNTY, SAID POINT BEING ON THE CENTERLINE OF SAMARITAN DRIVE;

THENCE CONTINUING ALONG SAID WESTERLY LINE NORTH 00°12'05" WEST 844.62 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF THE WEST VALLEY FREEWAY;

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 80° 10'18" EAST 61.08 FEET;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 78°19'17" EAST 1318.50 FEET;

THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 11°40'43" WEST 4.92 FEET TO THE BEGINNING OF A NON-TANGENT CURVE HAVING A RADIUS OF 40.00 FEET, CONCAVE SOUTHEASTERLY, A RADIAL LINE TO SAID POINT BEARS SOUTH 10°20'48" EAST;

THENCE ALONG THE ARC OF SAID CURVE 72.35 FEET, THROUGH A CENTRAL ANGLE OF 103°38'03" TO THE BEGINNING OF A REVERSE CURVE HAVING A RADIUS OF 40.00 FEET, CONCAVE WESTERLY;

THENCE ALONG THE ARC OF SAID CURVE 24.94 FEET, THROUGH A CENTRAL ANGLE OF 35°43'47" TO THE BEGINNING OF A COMPOUND CURVE HAVING A RADIUS OF 590.00 FEET, CONCAVE WESTERLY;

THENCE ALONG THE ARC OF SAID CURVE 23.12 FEET, THROUGH A CENTRAL ANGLE OF 2°14'44";

THENCE SOUTH 76°00'17" EAST 10.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE HAVING A RADIUS OF 600.00 FEET, CONCAVE NORTHWESTERLY, A RADIAL LINE TO SAID POINT BEARS NORTH 76°00'17" WEST;

THENCE ALONG THE ARC OF SAID CURVE 793.80 FEET, THROUGH A CENTRAL ANGLE OF 75°48'10";

THENCE SOUTH 89°47'55" WEST 745.16 FEET TO THE **POINT OF BEGINNING**.

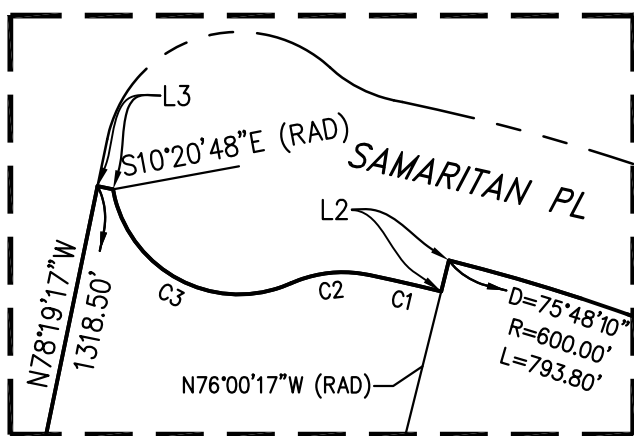
ALL AS SHOWN ON EXHIBIT "B", ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

SUBJECT TO ALL MATTERS OF RECORD, IF ANY.

PREPARED BY ME OR UNDER MY DIRECTION.
ON OCTOBER 14, 2022.

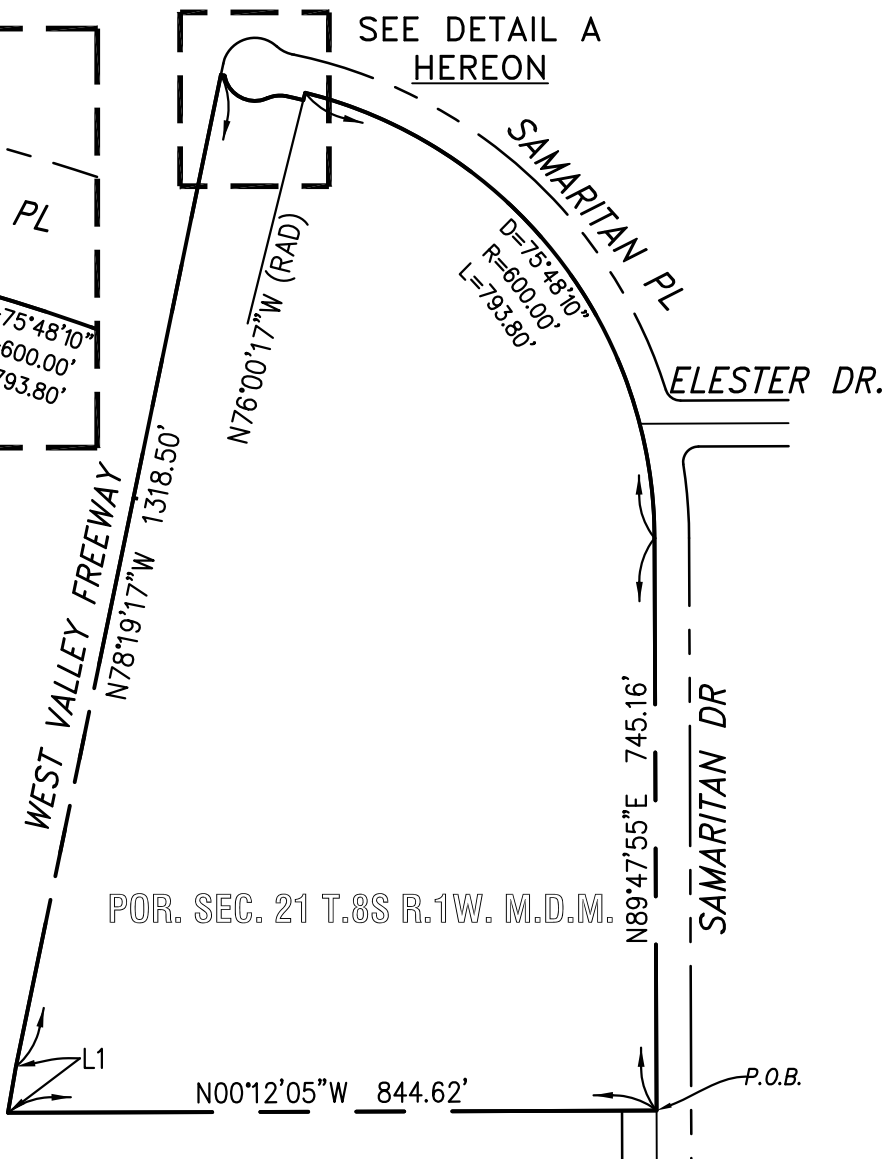
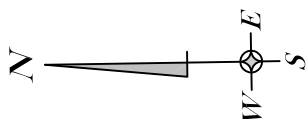
PETER E. WEILBACHER
P.L.S. 8403

DATE



DETAIL A
N.T.S.

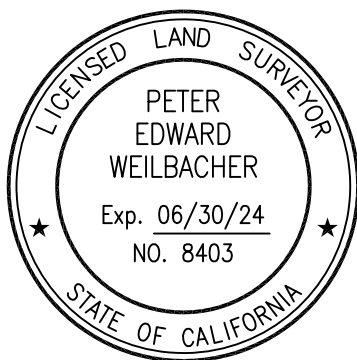
SEE SHEET 2 FOR
LEGEND, CURVE
AND LINE TABLES.



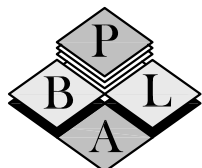
POR. SEC. 21 T.8S R.1W. M.D.M.

LEGEND

- PROPERTY LINE
- EXISTING CENTERLINE
- LANDS AS DESCRIBED IN EXHIBIT "A"
- P.O.B. POINT OF BEGINNING



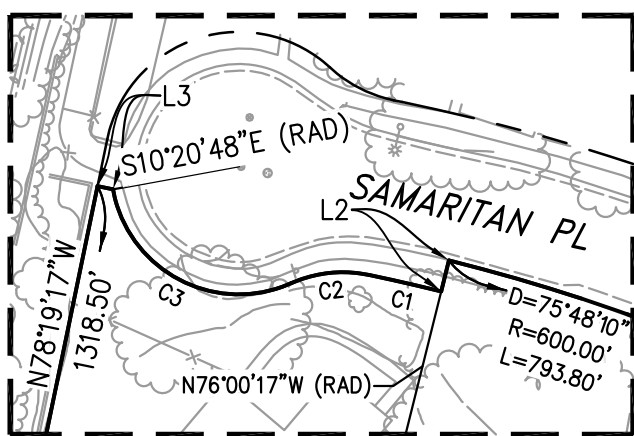
PETER WEILBACHER, PLS 8403
EXPIRES 06-30-24



PBLA SURVEYING, INC.
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981 CORPORATE CENTER DR., STE 168
POMONA, CALIF. 91768
(888) 714-9642 • (714)389-9191 FAX

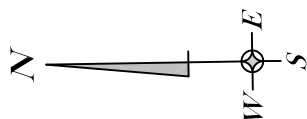
**EXHIBIT 'B'
PLAT**
SAN JOSE, CALIFORNIA

DATE	OCTOBER, 2022
SCALE	1" = 250'
BY	SC
JOB NO.	5001-612
SHEET	1 OF 1



LINE TABLE

LINE	BEARING	LENGTH
L1	N80°10'18"W	61.08'
L2	N76°00'17"W	10.00'
L3	N11°40'43"E	4.92'

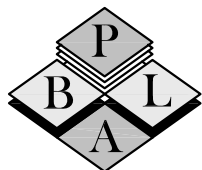


CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
C1	590.00'	23.12'	2°14'44"
C2	40.00'	24.94'	35°43'47"
C3	40.00'	72.35'	103°38'03"

LEGEND

- PROPERTY LINE
- EXISTING CENTERLINE
- LANDS AS DESCRIBED IN EXHIBIT "A"
- P.O.B.
- POINT OF BEGINNING



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**EXHIBIT 'B'
 PLAT
 SITE EXHIBIT**

SAN JOSE, CALIFORNIA

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