

**DRAFT**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 1.86-GROSS ACRES LOCATED ON THE NORTHEAST CORNER OF EAST SANTA CLARA AND NORTH 17TH STREETS (ASSESSOR'S PARCEL NUMBERS 467-13-001, 467-13-002), FROM THE CG COMMERCIAL GENERAL ZONING DISTRICT AND LI LIGHT INDUSTRIAL 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**, 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, SEIR, and Addenda; 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**, the 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 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 and depicted in Exhibit "A" 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. C17-037 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:

ATTEST:

---

SAM LICCARDO  
Mayor

---

TONI J. TABER, CMC  
City Clerk

# LEGAL DESCRIPTION

SAN JOSE WATER COMPANY

SEVENTEENTH STREET STATION

APN 467-13-001, 467-13-002, 467-13-003 AND 467-13-055

Assessment Lot No. 104 shown on that certain Record of Survey Map recorded in Book "Q" of Maps at page 40 on March 24, 1924, Santa Clara County Records.

Together with;

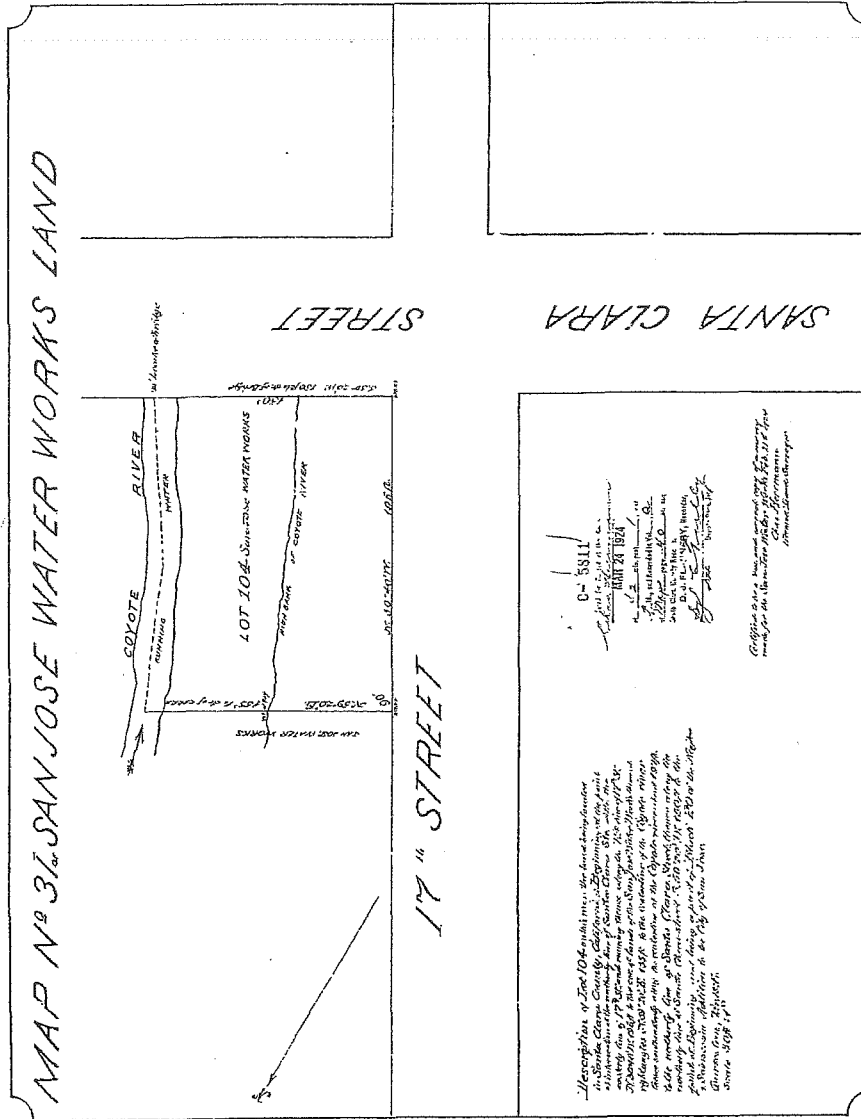
Assessment Lot No. 62 shown on that certain Record of Survey Map recorded in Book "N" of Maps at page 45 on April 10, 1911, Santa Clara County Records.

Together with;

Assessment Lot No. 224 shown on that certain Record of Survey Map recorded in Book 127 of Maps at page 24 on November 7, 1960, Santa Clara County Records.

Together with;

Assessment Lot No. 247 shown on that certain Record of Survey Map recorded in Book 172 of Maps at page 55 on February 4, 1964, Santa Clara County Records.



ASSN. Lot 104  
 "Q" MAPS Pg. 40

MAP N:14 OF SAN JOSE WATER CO LANDS

[illegible]

Description of Lot No 2<sup>nd</sup> on this  
 Map the large rectangular area is  
 bounded on the north by the  
 railroad, on the east by the  
 railroad, on the south by the  
 corner of land of James H. H. H.  
 and on the west by the  
 boundary line of the railroad.  
 The area is bounded on the  
 north by the railroad, on the  
 east by the railroad, on the  
 south by the corner of land of  
 James H. H. H. and on the  
 west by the boundary line of the  
 railroad.

|   |            |      |
|---|------------|------|
| 1 | 3-48-45-14 | 1-14 |
| 2 | 3-48-45-14 | 1-14 |
| 3 | 3-48-45-14 | 1-14 |
| 4 | 3-48-45-14 | 1-14 |
| 5 | 3-48-45-14 | 1-14 |

Cells the point of bearing  
 containing 30 acres.

[illegible][illegible]

Find Lee David at the Request of  
Officer G.  
Adm. 10 J. Q. 111/  
Adm. 36 John Paul P.  
Adm. 4 and Resided in Y.L.  
Adm. 45 Price \$65 - 4 mos.  
 Basic Chain Entry Records  
D. J. PLANNERY, Assistant  
P. L. ...  
... & ...

Assmt. Lot 62

"N" Maps Pg. 45



