

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 1.35 GROSS ACRES SITUATED ON THE SOUTHWEST SIDE OF THE INTERSECTION OF MERIDIAN AVENUE AND CAMINO MONDE (1333 MERIDIAN AVENUE) (APN: 284-14-044) FROM THE CO COMMERCIAL OFFICE ZONING DISTRICT TO THE CP COMMERCIAL PEDESTRIAN 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 No. C22-002, and said Statement of Exemption (CEQA Guidelines Section 15301[e] for Existing Facilities) was adopted on May 5, 2022; and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to the CP Commercial Pedestrian 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 CP Commercial Pedestrian 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. C22-002 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 _____, 2022 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

EXHIBIT A

The land referred to is situated in the County of Santa Clara, City of San Jose, State of California, and is described as follows:

Being a merger of three contiguous parcels of land, as said parcels being Lots 59 and 60 of Tract No. 523 entitled "Western Gardens", filed for record on July 6, 1948 in Book 18 of Maps at Pages 48 and 49, Records of Santa Clara County and the lands described in that certain Grant Deed, conveyed to The Indian Health Center of Santa Clara Valley Incorporated, a California corporation, recorded January 2, 2002 as Document Number 16038239 of Official Records of Santa Clara County, more particularly described as follows:

Beginning at the Southeasterly corner of said Lot 59, said corner being also a point on the Westerly line of Meridian Avenue as shown on said map of Tract No. 523;

Thence leaving said corner and said point, along said Westerly line of Meridian Avenue, North, 150.00 feet to the Northeast corner of said Lot 60, said corner being also a point on the Southerly line of said lands of Indian Health Center (Doc. 16038239);

Thence along said Southerly line of said lands, North $89^{\circ} 51' 36''$ East, 10.00 feet to the Southeasterly corner of said lands of Indian Health Center, said corner being also a point on the Westerly line of Meridian Avenue, being 66.00 feet in width;

Thence along said Westerly line of Meridian Avenue, North, 125.40 feet to the Northeast corner of said lands of Indian Health Center;

Thence leaving said corner of said Westerly line of Meridian Avenue, South $89^{\circ} 51' 36''$ West, 318.36 feet to the Northwesterly corner of said lands of Indian Health Center;

Thence leaving said corner, South, 105.40 feet to the Northerly line of Santa Lucia Drive, being 60.00 feet in width;

Thence along said Northerly line of Santa Lucia Drive, North $89^{\circ} 51' 36''$ East, 1.00 feet;

Thence South, 19.00 feet;

Thence North $89^{\circ} 51' 36''$ East, 57.36 feet to the Easterly line of Santa Inez Drive, being 60.00 feet in width;

Thence South, 1.00 feet to said Southerly line of said lands of Indian Health Center;

Thence along said Southerly line of said lands, North $89^{\circ} 51' 36''$ East, 125.00 feet to the Northwesterly corner of said Lot 60;

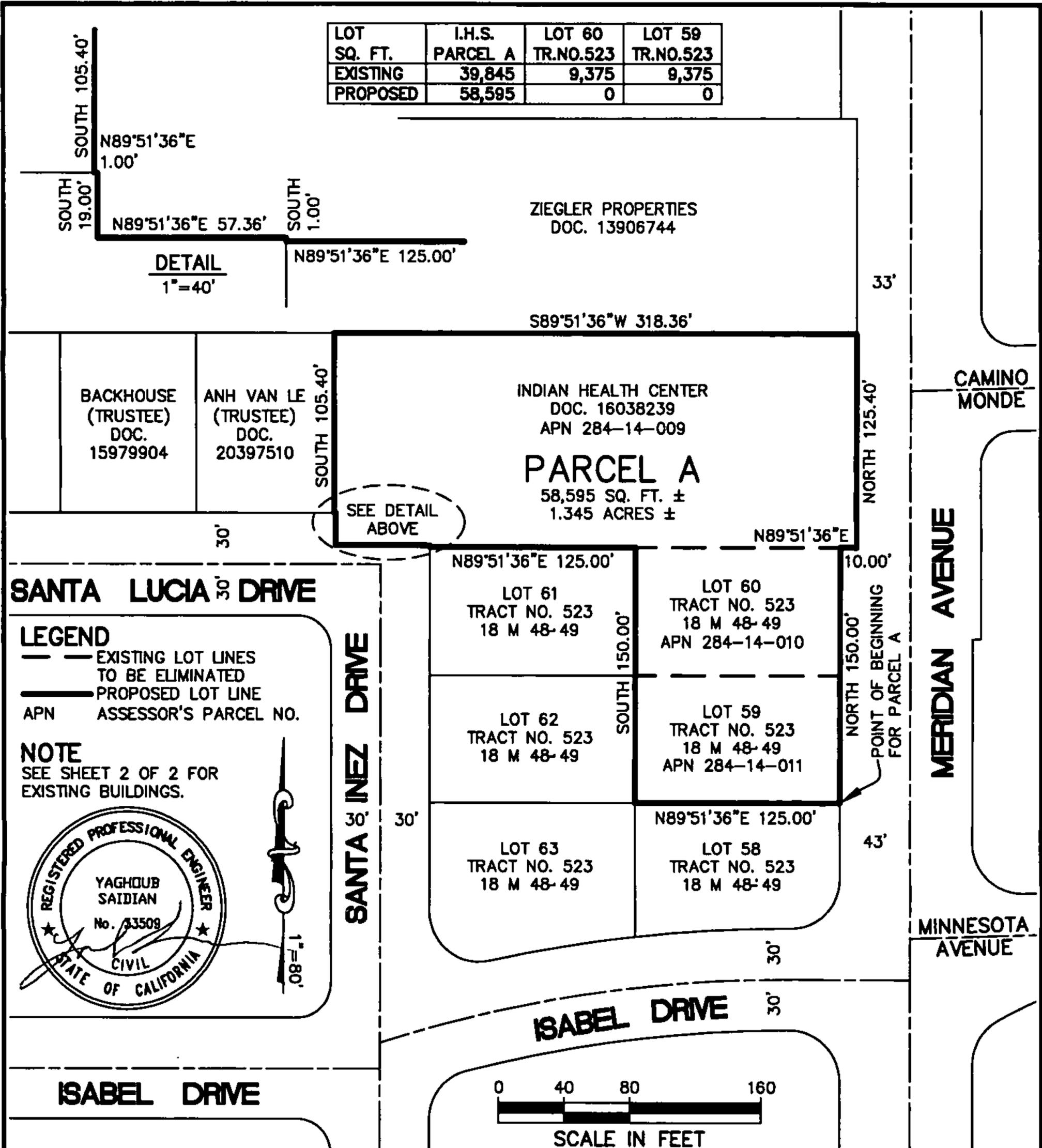
Thence leaving said corner and along the Westerly line of said Lot 60, South, 150.00 feet to the Southwesterly corner of said Lot 59;

EXHIBIT "A"
(File Nos. C22-002; SP21-043)

Thence leaving said corner and along the Southerly line of said Lot 59, North 89° 51' 36" East, 125.00 feet to the point of beginning and being Parcel A described in that certain Lot Line Adjustment Permit recorded September 26, 2012 in Official Records, as Document No. 21875622, Santa Clara County Records.

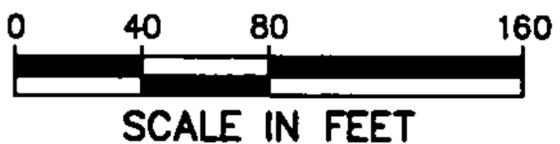
APN: 284-14-044

LOT SQ. FT.	I.H.S. PARCEL A	LOT 60 TR.NO.523	LOT 59 TR.NO.523
EXISTING	39,845	9,375	9,375
PROPOSED	58,595	0	0



LEGEND
 - - - EXISTING LOT LINES TO BE ELIMINATED
 ——— PROPOSED LOT LINE
 APN ASSESSOR'S PARCEL NO.

NOTE
 SEE SHEET 2 OF 2 FOR EXISTING BUILDINGS.



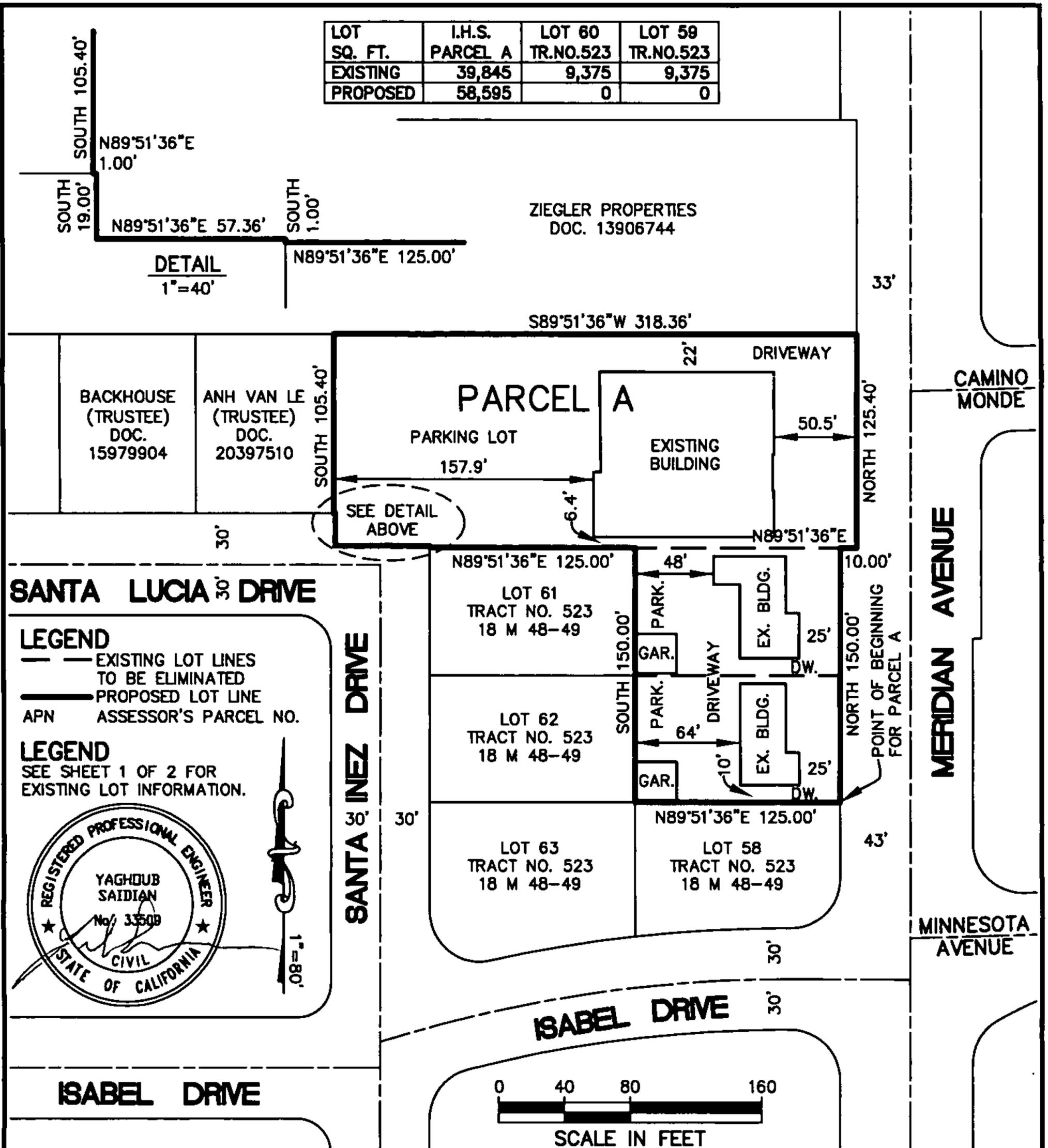
ADDRESS: 1333, 1341 & 1361 MERIDIAN AVENUE, SAN JOSE, CA 95125

EXHIBIT "A"

ADVANCED DEVELOPMENT
 2933 Benjamin Court, San Jose, Ca 95124

Subject LOT LINE ADJUSTMENT PLAT
LANDS OF INDIAN HEALTH CENTER
SAN JOSE, SANTA CLARA COUNTY, CALIF.
 Scale 1"=80' Date 06-17-2012 By _____
 SHEET 1 OF 2

LOT SQ. FT.	I.H.S. PARCEL A	LOT 60 TR.NO.523	LOT 59 TR.NO.523
EXISTING	39,845	9,375	9,375
PROPOSED	58,595	0	0



LEGEND
 - - - EXISTING LOT LINES TO BE ELIMINATED
 — PROPOSED LOT LINE
 APN ASSESSOR'S PARCEL NO.

LEGEND
 SEE SHEET 1 OF 2 FOR EXISTING LOT INFORMATION.

REGISTERED PROFESSIONAL ENGINEER
 YAGHOUB SAIDIAN
 No. 33508
 CIVIL
 STATE OF CALIFORNIA

1"=80'

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