DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE PREZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 18.13-GROSS ACRES, SITUATED ON THE SOUTHEAST CORNER OF UNION AVENUE AND CAMDEN AVENUE (APNS 419-08-012 AND 419-08-012) FROM UNINCORPORATED TERRITORY WITHIN THE COUNTY OF SANTA CLARA COUNTY TO THE CP(PD) PLANNED DEVELOPMENT ZONING DISTRICT

WHEREAS, all pre-zoning proceedings required under the provisions of Parts 1 and 4 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 18.13-gross acre site encompassed by the proposed pre-zoning was the subject of that certain Final Environmental Impact Report for the Cambrian Park Mixed-Use Village Project (File Nos. PDC17-040, PD20-007, and ER20-189) ('FEIR"), which evaluated the impact of the demolition of existing commercial structures and a surface parking lot, and the construction of a mixed-use project with up to 229 hotel rooms, 305 apartment units, 48 single-family dwellings, 25 townhomes, a 110-bed (125,740-square foot) assisted living facility, 50 senior independent living units, up to 55,600 square feet of ground floor commercial space including restaurant, retail and other commercial uses, and approximately 4.0 acres of privately-owned public open space, situated on the southeast corner of Union Avenue and Camden Avenue (APNs 419-08-012 and 419-08-013), which FEIR was certified and for which findings were adopted by the City Council on ____, 2022; and

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

WHEREAS, this Council of the City of San José has considered, approved, and adopted said FEIR, Findings of Facts and Statement of Impacts, and related Mitigation Monitoring and Reporting Program under separate Council Resolution No. _____ prior to taking any approval actions on this project; and

WHEREAS, the proposed pre-zoning 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 pre-zoned CP(PD) Planned Development Zoning District. The base district zoning of the subject property shall be the CP Commercial Pedestrian Zoning District. The Planned Development rezoning of the subject property shall be that pre-zoning plan set for the subject property entitled, "Cambrian Park Mixed-Use Village Planned Development Zoning," dated November 8, 2021 ("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. PDC17-040 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 _____, 2022 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

_____
SAM LICCARDO
Mayor

ATTEST:

_____
TONI J. TABER, CMC
City Clerk

NOVEMBER 7, 2017 JOB NO. 17-114

EXHIBIT "A"
LEGAL DESCRIPTION
PROPOSED ANNEXATION

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

BEING A PARCEL SHOWN ON THAT CERTAIN TRACT MAP ENTITLED "TRACT NO. 542 CAMBRIAN PARK UNIT NO. 1", FILED FOR RECORD DECEMBER 6, 1948 IN BOOK 20 OF MAPS AT PAGE 49, OFFICIAL RECORDS OF SAID SANTA CLARA COUNTY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERN CORNER OF SAID PARCEL, FOLLOWING BEARING N 89° 58' 30" W WESTERLY A DISTANCE OF 232.82 FEET TO THE EASTERN BORDER OF THE RIGHT OF WAY OF UNION AVENUE;

THENCE NORTHERLY ALONG BEARING N 00° 01' 30" E FOR A DISTANCE OF 735.44 FEET ALONG THE RIGHT OF WAY OF UNION AVENUE;

THENCE NORTHWESTERLY ALONG THE ARC OF CURVE WITH A RADIUS OF 2,747.81 FEET, THROUGH A CENTRAL ANGLE OF 3° 05' 31" FOR A DISTANCE OF 148.28 FEET;

THENCE NORTHEASTERLY ALONG THE ARC OF CURVE WITH A RADIUS OF 2,747.81 FEET, THROUGH A CENTRAL ANGLE OF 3° 05' 31" FOR A DISTANCE OF 148.28 FEET;

THENCE NORTHERLY ALONG BEARING N 00° 01' 30" E FOR A DISTANCE OF 103.55 FEET;

THENCE NORTHEASTERLY ALONG THE ARC OF CURVE WITH A RADIUS OF 20.00 FEET, THROUGH A CENTRAL ANGLE OF 90° 25' 30" FOR A DISTANCE OF 31.56 FEET;

THENCE EASTERLY ALONG THE SOUTHERN BOUNDARY OF THE RIGHT OF WAY OF CAMDEN AVENUE FOLLOWING BEARING S 89° 33' 00" E FOR A DISTANCE OF 884.86 FEET;

THENCE SOUTHERLY FOLLOWING BEARING S 00° 26' 30" W FOR A DISTANCE OF 100.26 FEET;

THENCE SOUTHERLY FOLLOWING BEARING S 04° 02' 10" W FOR A DISTANCE OF 88.40 FEET;

THENCE SOUTHERLY FOLLOWING BEARING S 11° 13' 30" W FOR A DISTANCE OF 88.40 FEET;

THENCE SOUTHERLY FOLLOWING BEARING S 18° 24' 50" W FOR A DISTANCE OF 88.40 FEET;

THENCE SOUTHERLY FOLLOWING BEARING S 25° 36' 10" W FOR A DISTANCE OF 88.40 FEET;

THENCE SOUTHERLY FOLLOWING BEARING S 32° 47' 30" W FOR A DISTANCE OF 88.40 FEET;

THENCE SOUTHERLY FOLLOWING BEARING S 39° 58' 50" W FOR A DISTANCE OF 88.40 FEET;

THENCE SOUTHWESTERLY FOLLOWING BEARING S 43° 34' 30" W FOR A DISTANCE OF 364.21 FEET;

THENCE SOUTHWESTERLY FOLLOWING BEARING S 42° 00' 00" W FOR A DISTANCE OF 106.70 FEET;

THENCE SOUTHERLY FOLLOWING BEARING S 33° 14' 28" W FOR A DISTANCE OF 268.56 FEET BACK TO THE POINT OF BEGINNING;

CONTAINING 749,835 SQUARE FEET (17.21 ACRES) OF LAND, MORE OR LESS

A PLAT ENTITLED "EXHIBIT B" IS ATTACHED HERETO AND MADE PART HEREOF.

THIS DESCRIPTION AND THE ACCOMPANYING PLAT WERE PREPARED BY ME OR PREPARED UNDER MY DIRECTION.

11/7/2017
DATE

ANDREW TURNER
P.L.S. 9104
CIVIL ENGINEERING ASSOCIATES, INC.

PROFESSIONAL LAND SURVEYOR
ANDREW TURNER
No. 9104
STATE OF CALIFORNIA

EXHIBIT "B"
(File No. PDC17-040)

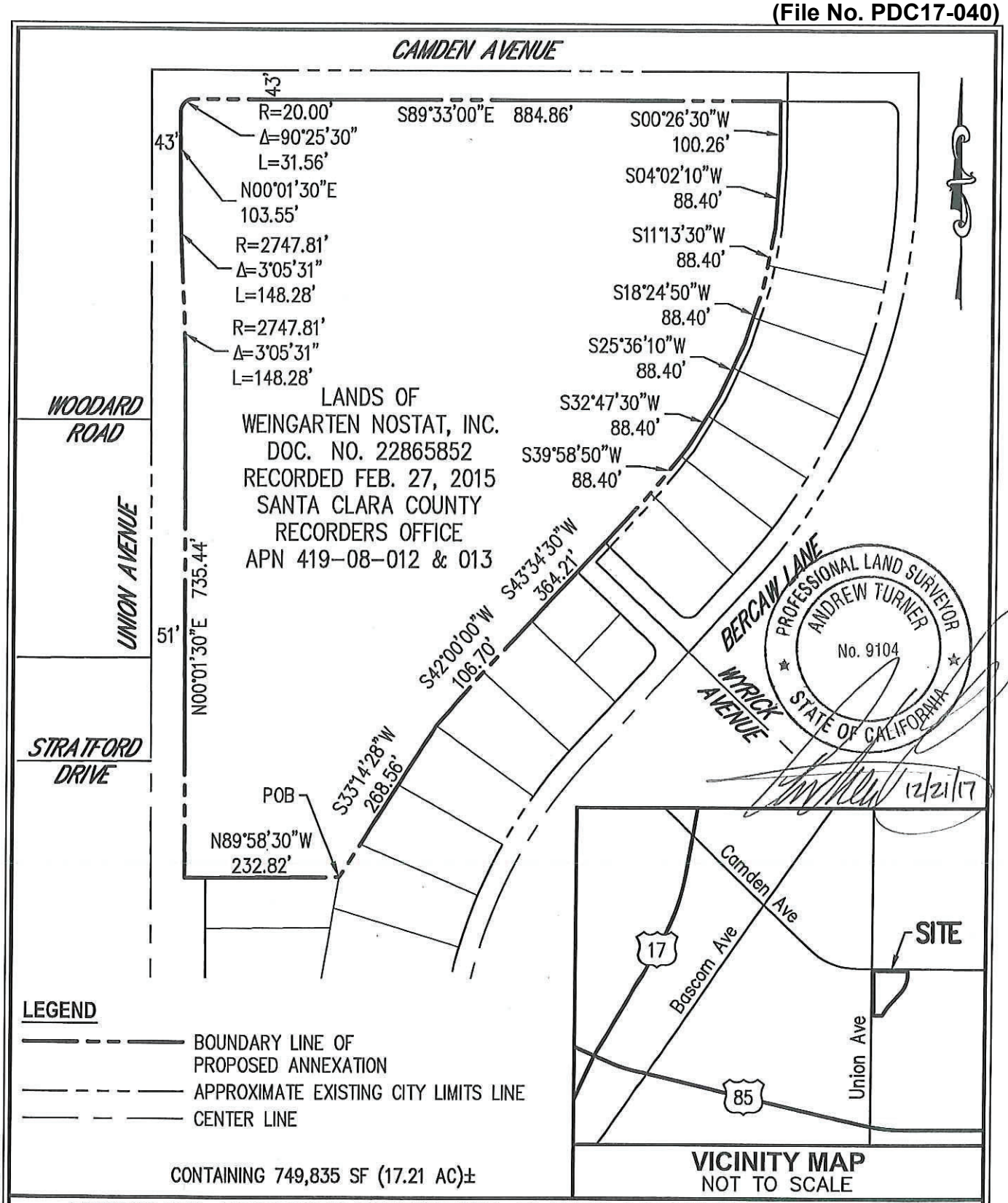

EXHIBIT "B" - PROPOSED ANNEXATION - PLAT TO ACCOMPANY DESCRIPTION TO CITY OF SAN JOSE ENTITLED CAMBRIAN PLAZA

17114 PLAT ANNEX.dwg Nov 07, 2017

Civil Engineering Associates
Civil Engineers • Planners • Surveyors
2055 Gateway Place Suite 550
San Jose, CA 95110
T: (408) 453-1066

BY:	CH
DATE:	11/7/2017
SCALE:	1"=200'
JOB NO.	17-114

1 OF 1
SHT.NO.