

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF SAN JOSE REZONING
CERTAIN REAL PROPERTY OF APPROXIMATELY 22.36
GROSS ACRES SITUATED AT THE NORTHERN
TERMINUS OF GRANITE ROCK WAY AT 120 GRANITE
ROCK WAY (APNS: 462-17-024 AND 462-17-025)
FROM THE IP INDUSTRIAL PARK AND IP(PD) PLANNED
DEVELOPMENT ZONING DISTRICT TO A HI(PD) PLANNED
DEVELOPMENT ZONING DISTRICT**

FILE NO. PDC20-023

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 22.36-gross acre site encompassed by the proposed rezoning was the subject of that certain Final Environmental Impact Report (“FEIR”) for the Graniterock Capitol Site Modernization Project (File Nos. GP19-010, PDC20-023 & PD20-013) was prepared in conformance with the California Environmental Quality Act of 1970 (“CEQA”), as amended, which evaluated the impact of the demolition of approximately 15,072 square feet of existing industrial buildings and the removal of 30 trees (9 ordinance-size and 21 non-ordinance-size), and 35 replacement trees for the expansion and modernization of the existing Graniterock recycling, manufacturing, and distribution facility, which FEIR was certified for and for which findings were adopted by the City Council on _____, 2023; and

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

WHEREAS, this Council of the City of San José has considered, approved, and adopted said FEIR 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 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 HI(PD) Planned Development Zoning District. The base district zoning of the subject property shall be the HI Heavy Industrial Zoning District. The Planned Development Zoning of the subject property shall be that development plan set for the subject property entitled, "Planned Development Zoning for Granite Rock" last revised October 17, 2022 ("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 PDC20-023 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 _____, 2023 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk



EXHIBIT "A"
FOR ZONING PURPOSES

REAL PROPERTY in the City of San Jose, County of Santa Clara, State of California, being all of that parcel of land described in the Lot Line Adjustment Permit recorded May 24, 2018, in Document No. 23940378 of Official Records and a portion of Parcel 2 as shown on that certain Parcel Map filed for record on October 16, 1978, in Book 428 of Maps, page 21, both of Santa Clara County Records, described as follows:

BEGINNING at the southerly corner of said parcel of land described in the Lot Line Adjustment Permit;

Thence along the southeasterly, northeasterly, general northwesterly and the southwesterly line of said parcel of land the following ten courses:

1. Thence North 25°52'56" East, 1,091.07 feet;
2. Thence North 38°21'16" West, 925.39 feet;
3. Thence North 44°34'36" West, 407.48 feet;
4. Thence along a tangent curve to the left, having a radius of 2,814.84 feet, through a central angle of 00°53'37" for an arc length of 43.90 feet;
5. Thence South 47°24'35" West, 126.32 feet;
6. Thence South 00°45'29" East, 385.77 feet;
7. Thence South 08°29'31" West, 132.00 feet;
8. Thence South 19°44'42" West, 132.00 feet;
9. Thence South 30°39'35" West, 17.90 feet;
10. Thence South 36°40'50" East, 660.45 feet, to the northwesterly line of said Parcel 2;

Thence along said northwesterly line and the southwesterly line of said Parcel 2 the following two courses:

1. Thence South 26°00'10" West, 250.41 feet;
2. Thence South 64°07'04" East, 206.65 feet, to the northwesterly line of Granite Rock Way;

Thence along said northwesterly line and the general southeasterly line of Granite Rock Way the following six courses:

1. Thence North 25°52'56" East, 411.83 feet;
2. Thence along a tangent curve to the left, having a radius of 30.00 feet, through a central angle of 33°33'26" for an arc length of 17.57 feet;
3. Thence along a reverse curve to the right, having a radius of 42.00 feet, through a central angle of 247°06'52" for an arc length of 181.14 feet;
4. Thence along a reverse curve to the left, having a radius of 30.00 feet, through a central angle of 33°33'26" for an arc length of 17.57 feet;
5. Thence South 25°52'56" West, 415.29 feet;
6. Thence along a tangent curve to the right, having a radius of 580.00 feet, through a central angle of 23°19'34" for an arc length of 236.13 feet, to the southwesterly line of said parcel of land described in the Lot Line Adjustment Permit;

Thence along said southwesterly line, South 40°47'30" East, 299.84 feet, to the POINT OF BEGINNING.

Containing 21.89 acres, more or less.

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

For assessment or zoning purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

This legal description was prepared by me or under my direction in accordance with the Professional Land Surveyors Act.

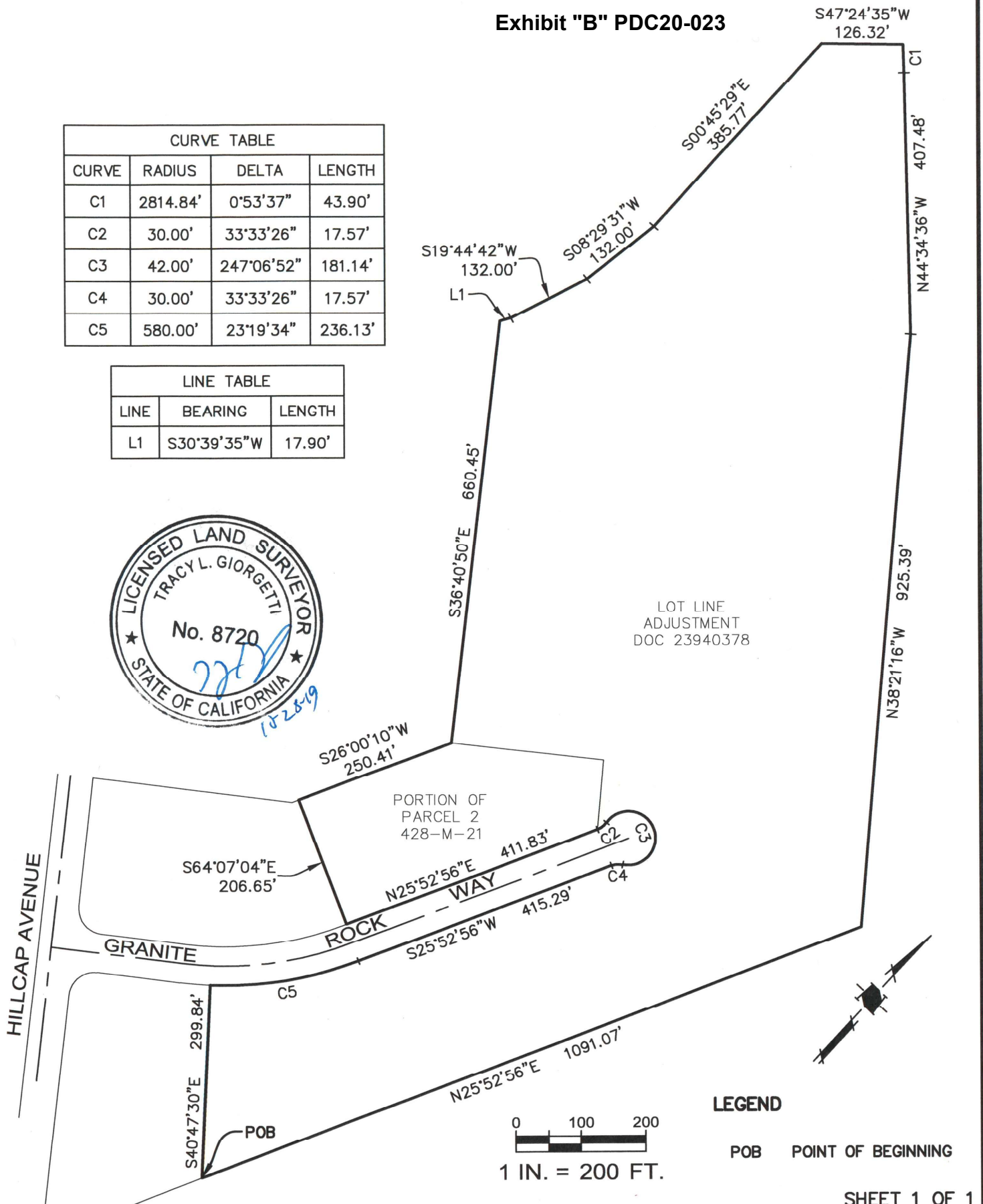
Date: 10-28-19

Tracy L. Giorgetti, LS 8720



S47°24'35"W
126.32'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S30°39'35"W	17.90'



POB POINT OF BEGINNING

SHEET 1 OF 1

484000PLC



1570 Oakland Road (408) 487-2200

EXHIBIT "B"
PLAT TO ACCOMPANY DESCRIPTION:
FOR ZONING PURPOSES

CALIFORNIA

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