DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 0.93-GROSS ACRE SITUATED ON THE SOUTH SIDE OF STORY ROAD, APPROXIMATELY 120 FEET WESTERLY OF BELTRAMI DRIVE (14380 STORY ROAD), FROM THE A AGRICULTURAL ZONING DISTRICT TO THE R-1-8 SINGLE FAMILY RESIDENCE 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 Supplemental Environmental Impact Report for the Revision to the Evergreen Development Policy Project (the "Project SEIR") for which findings were adopted by City Council through its Resolution No. 74742 on December 16, 2008, and 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 Project SEIR, FEIR and SEIR; and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to the R-1-8 Single Family Residence Zoning District; and

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WHEREAS, this Council of the City of San José has considered and approves the information contained in the Project SEIR, FEIR and SEIR, and addenda thereto, and related City Council Resolution Nos. 74742, 76041, and 77617, respectively, 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 R-1-8 Single Family Residence 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. The land development approval that is the subject of City File No. C18-003 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:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

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ADVANCED DEVELOPMENT April 14, 2018

EXHIBIT "A"

DESCRIPTION OF PARCEL PROPERTY
14380 Story Road, San Jose, CA
File No. C18-003

Real property in the City of San Jose, County of Santa Clara, State of California, described as follows:

Being a portion of Lots 9 and 10, as said Lots are shown on that certain Map entitled "Map of the Richards & North Subdivision of a portion of the Rancho Pala", as said Map was filed for record on October 2, 1888 in Book D of Maps at Page 27, Records of Santa Clara County, described as follows:

Being also the lands described in that certain Grant Deed, conveyed to Narinder Pal and Sushma Pal, Trustees of the Pal Family Trust, created on April 2, 1993, recorded on February 11, 2003 as Document No. 16813803, Official Records of Santa Clara County, more particularly described as follows:

BEGINNING at the most westerly corner of said lands of Pal (Doc. 16813803), said corner being also a point on the southeasterly line of Story Road;

Thence leaving said corner and along said southeasterly line of Story Road, North 49°29'00" East, 120.68 feet to the most northerly corner of said lands of Pal;

Thence leaving said corner and along the northeasterly line of said lands of Pal, South 41°14'52" East, 339.03 feet to the most easterly corner of said lands of Pal;

Thence leaving said corner and along the southeasterly line of said lands of Pal, South 49°26'54" West, 120.68 feet to the most southerly corner of said lands of Pal;

Thence leaving said corner and along the southwesterly line of said lands of Pal, North 41°14'52" West, 339.11 feet to the point of **BEGINNING**.

Containing an area of 0.94 acres (gross), more or less.

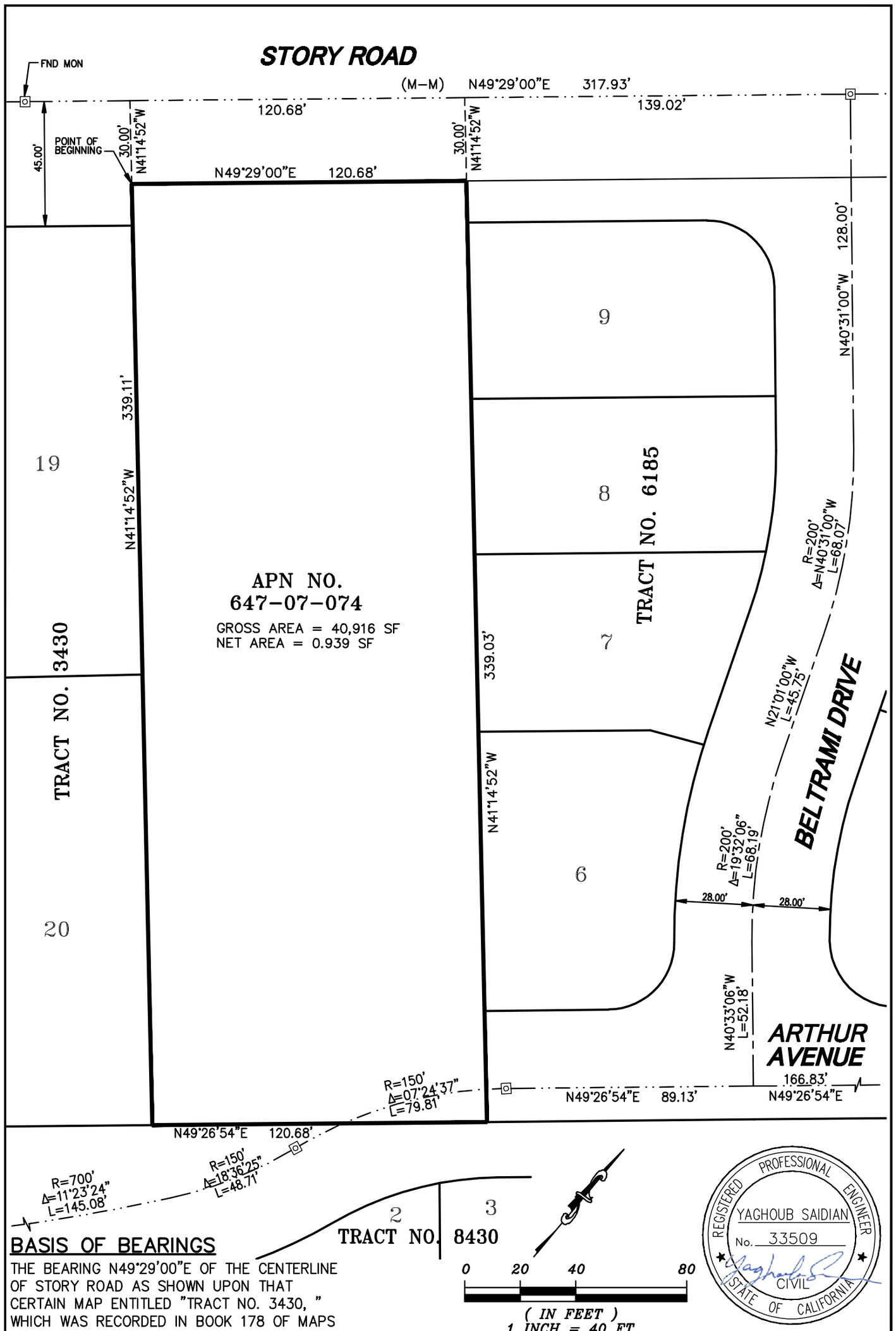
Subject to street easements and other matters of record.

Being also Assessor's Parcel Number 647-07-074 per Roll Year 2016-2017.

Yaghoub Saidian
R.C.E. No. 33509

4-14-2018
Dated

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REGISTERED PROFESSIONAL ENGINEER
YAGHOUB SAIDIAN
No. 33509
CIVIL
STATE OF CALIFORNIA

BASIS OF BEARINGS

THE BEARING N49°29'00"E OF THE CENTERLINE OF STORY ROAD AS SHOWN UPON THAT CERTAIN MAP ENTITLED "TRACT NO. 3430, " WHICH WAS RECORDED IN BOOK 178 OF MAPS AT PAGE 7, SANTA CLARA COUNTY RECORDS, WAS USED AS THE BASIS OF ALL BEARINGS SHOWN UPON THIS MAP.

ADDRESS :
14380 STORY ROAD
SAN JOSE, CALIFORNIA

EXHIBIT "A" (FILE NO. C18-003)
PLAT TO ACCOMPANY LEGAL DESCRIPTION

ADVANCED DEVELOPMENT
2933 BENJAMIN COURT
SAN J

Subject DESCRIPTION OF PARCEL PROPERTY
Job No. 382 Tract No.

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