

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF AN APPROXIMATELY 94.8-GROSS ACRE SITE GENERALLY BOUNDED BY COLEMAN AVENUE TO THE NORTH; UNION PACIFIC RIGHT-OF-WAY TO THE SOUTH; NEWHALL STREET TO THE EAST AND THE CITY OF SANTA CLARA BORDER, TO THE WEST, FROM THE A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO THE A(PD) PLANNED DEVELOPMENT 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 programs evaluated in the FMC/Coleman Avenue Planned Development Rezoning Environmental Impact Report (“EIR”), for which findings were adopted by City Council through its Resolution No. 71716 on August 19, 2003; the Airport West Stadium and Great Oaks Place Project EIR, for which findings were adopted by City Council through its Resolution No. 73509 on March 16, 2010; 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 the General Plan 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 EIRs, 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 A(PD) Planned Development Zoning District; and

WHEREAS, this Council of the City of San José has considered, and approves the information contained in the EIRs, FEIR, and SEIR, and Addenda thereto, and the related City Council Resolution Nos. 71716, 73509, 76041, and 77617 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 A(PD) Planned Development Zoning District. The base zoning district of the subject property shall be the Agricultural Zoning District. The Planned Development zoning of the subject property shall be that development plan for the subject property entitled, "Airport West Master Plan Stadium Project," dated Received February 27, 2019.

Said General Development Plan is on file in the office of the Director of Planning and is available for inspection by anyone interested therein, and said General Development Plan is by this reference adopted and incorporated herein the same as if it were fully set forth herein.

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. PDC19-007 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 _____, 2019 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

EXHIBIT 'A'

LEGAL DESCRIPTION

FOR: PLANNING PURPOSES ONLY

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

PARCELS 1 AND 2 (829 M 50&51):

Parcels 1 and 2, as shown on that certain Parcel Map recorded in the Office of the Recorder of the County of Santa Clara, State of California on December 24, 2008 in Book 829 of Maps at Pages 50 and 51.

Excepting therefrom that portion of the land granted to the Santa Clara Valley Transportation Authority in that certain corrected Grant Deed recorded December 18, 2008 as Instrument No. 20072371 of Official Records.

Containing 21.026 ± acres.

PARCEL ONE & PORTION OF PARCEL TWO (GRANT DEED DOC. NO. 21052358) AND PARCEL B (LLA, DOC. NO. 14867793):

All that certain real property situated partially in the City of San José and partially in the City of Santa Clara, County of Santa Clara, State of California, being all of Parcel One and Parcel Two as described in the Grant Deed recorded on January 19, 2011 as Document No. 21052358, Official Records of Santa Clara County and all of "Adjusted Parcel B" described in that Lot Line Adjustment permit filed for record in the office of the recorder of the County of Santa Clara on June 22, 1999 under Recorder's Series No. 14867793, Santa Clara County Official Records and being more particularly described as follows:

Beginning at the most easterly corner of Adjusted Parcel B as described in the Lot Line Adjustment Permit recorded on June 22, 1999 as Document No. 14867793, Official Records of Santa Clara County, said corner being on the southwesterly line of Coleman

EXHIBIT 'A'

Avenue, shown as "Proposed Coleman Ave." on the Record of Survey recorded on January 25, 1960 in Book 116 of Maps, at Page 18, Records of Santa Clara County;

Thence along the northeasterly line of said Adjusted Parcel B and the northeasterly lines of said Parcel One and said Parcel Two, also being said southwesterly line of Coleman Avenue, North 57° 34' 50" West, 3,010.02 feet to a point at the most northerly corner of said Parcel Two;

Thence leaving said southwesterly line along the northwesterly line of said Parcel Two South 32° 25' 10" West, 197.10 feet to the City Limit Line between the City of San Jose and the City of Santa Clara;

Thence leaving said northwesterly line along said City Limit Line South 00° 05' 36" East, 1,050.64 feet to a point on the southwesterly line of said Parcel Two;

Thence leaving said City Limit Line along the southwesterly lines of said Parcel One, Parcel Two and Parcel B, South 57° 34' 50" East, 2,484.31 feet to the most southerly corner of said Parcel B;

Thence along the southeasterly lines of said Parcel B the following three (3) courses and distances:

1. North 32° 25' 10" East, 35.14 feet;
2. North 57° 34' 50" West, 39.00 feet;
3. North 32° 25' 10" East, 1047.94 feet to the Point of Beginning;

EXHIBIT 'A'

Containing 69.130 ± acres.

The above described Parcels having a combined acreage of 90.1 ± acres.

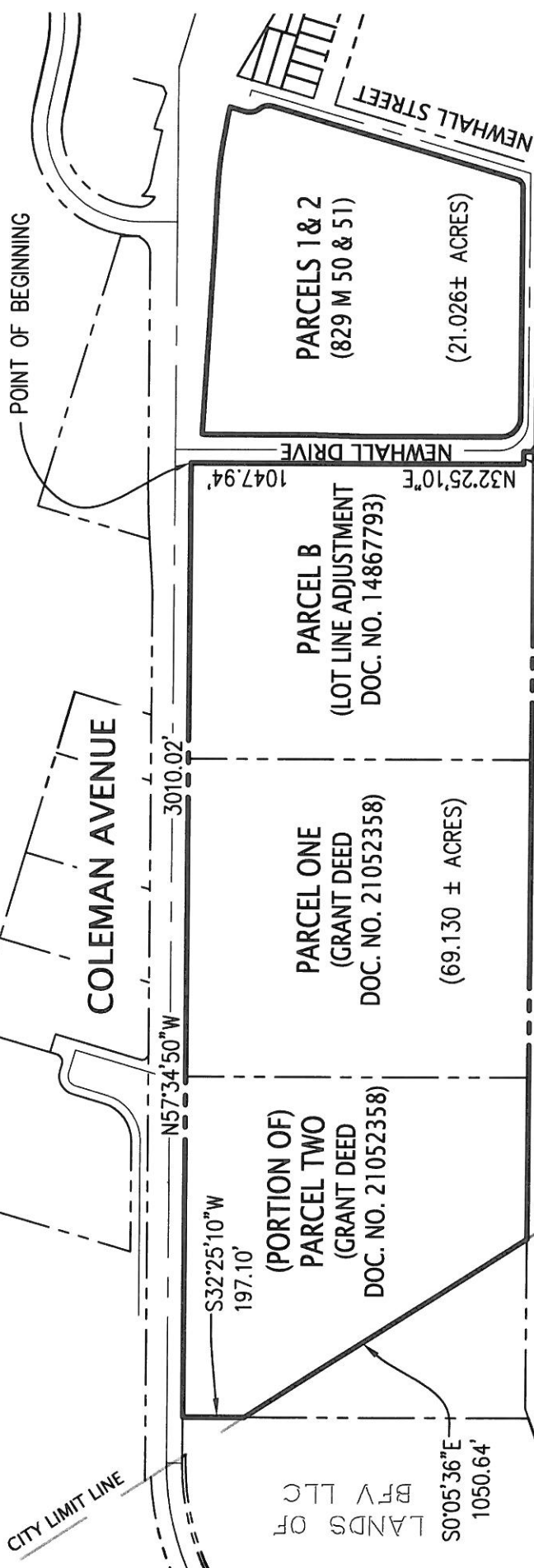
As shown on "EXHIBIT 'B' attached hereto and made a part hereof.

3-12-19
Date

Jimmy R. Vigil
Jimmy R. Vigil, PLS 6256

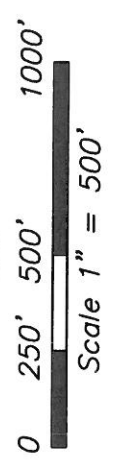


SAN JOSE INTERNATIONAL AIRPORT



LEGEND

- DOC. NO. DOCUMENT NUMBER
- SCVTA SANTA CLARA VALLEY TRANSPORTATION AUTHORITY
- DISTINCTIVE BORDER
- ADJACENT PROPERTY LINE
- CENTERLINE
- CITY LIMIT LINE



DATE	MARCH 12, 2019
SCALE	1" = 500'
BY	CJ
JOB NO.	A08034-2
SHEET	1 OF 1

EXHIBIT "B"
PLAT TO ACCOMPANY LEGAL DESCRIPTION

SANTA CLARA COUNTY CALIFORNIA

KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
 3350 Scott Boulevard, Building 22 Phone (408) 727-6665
 Santa Clara, California 95054 Fax (408) 727-5641
 www.kierwright.com

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