

***DRAFT***

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF AN APPROXIMATELY 6.9-GROSS ACRE SITE LOCATED ON THE SOUTHWEST CORNER OF SILICON VALLEY ROAD AND EDEN PARK PLACE (455 SILICON VALLEY ROAD), FROM THE A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO THE CIC COMBINED INDUSTRIAL/COMMERCIAL 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**, an Addendum to the 2000 Edenvale Redevelopment Project Final Environmental Impact Report (“RPEIR”), certified by the City Council on June 20, 2000, by Resolution No. 69699, the 2000 Edenvale Redevelopment Project Final Supplemental Environmental Impact Report (“RPSEIR”), certified by the City Council on November 21, 2000, by Resolution No. 70021, the Final Program Environmental Impact Report for the Envision San José 2040 General Plan (the “FEIR”), certified by the City Council on November 1, 2011 by Resolution No. 76041, and the Supplemental Environmental Impact Report for the Envision San José 2040 General Plan (the “SEIR”), certified by the City Council on December 15, 2015 by Resolution No. 77617, and Addenda thereto, all in conformance with the California Environmental Quality Act, was prepared and approved by the Planning Director for the subject rezoning; and

**WHEREAS**, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to the CIC Combined Industrial/Commercial Zoning District; and

**WHEREAS**, this Council of the City of San José has considered and approves the application and use of said Addendum as the appropriate environmental clearance for this proposed project prior to taking any approval actions on the project;

**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 CIC Combined Industrial/Commercial 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. C18-022 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:

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SAM LICCARDO  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk



February 7, 2019  
HMH 5223.00.110  
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EXHIBIT "A"  
PD ZONING TO CIC ZONING

REAL PROPERTY in the City of San Jose, County of Santa Clara, State of California, being all of Lot 2 as shown on that certain Parcel Map filed for record on June 21, 1989, in Book 601 of Maps, page 36, Santa Clara County Records, described as follows:

BEGINNING at the northwesterly corner of said Lot 2, being on the southerly line of Bernal Place;

Thence along said southerly line and the westerly line of Bernal Road the following five courses:

1. Thence South  $66^{\circ}54'41''$  East, 392.72 feet;
2. Thence along a tangent curve to the right, having a radius of 175.00 feet, through a central angle of  $14^{\circ}30'10''$  for an arc length of 44.30 feet;
3. Thence South  $52^{\circ}24'31''$  East, 398.66 feet;
4. Thence along a tangent curve to the right, having a radius of 30.00 feet, through a central angle of  $86^{\circ}06'50''$  for an arc length of 45.09 feet;
5. Thence along a reverse curve to the left, having a radius of 1,053.04 feet, through a central angle of  $11^{\circ}05'59''$  for an arc length of 204.00 feet;

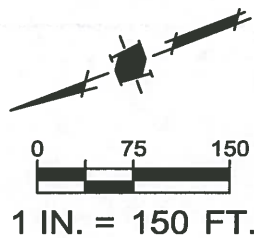
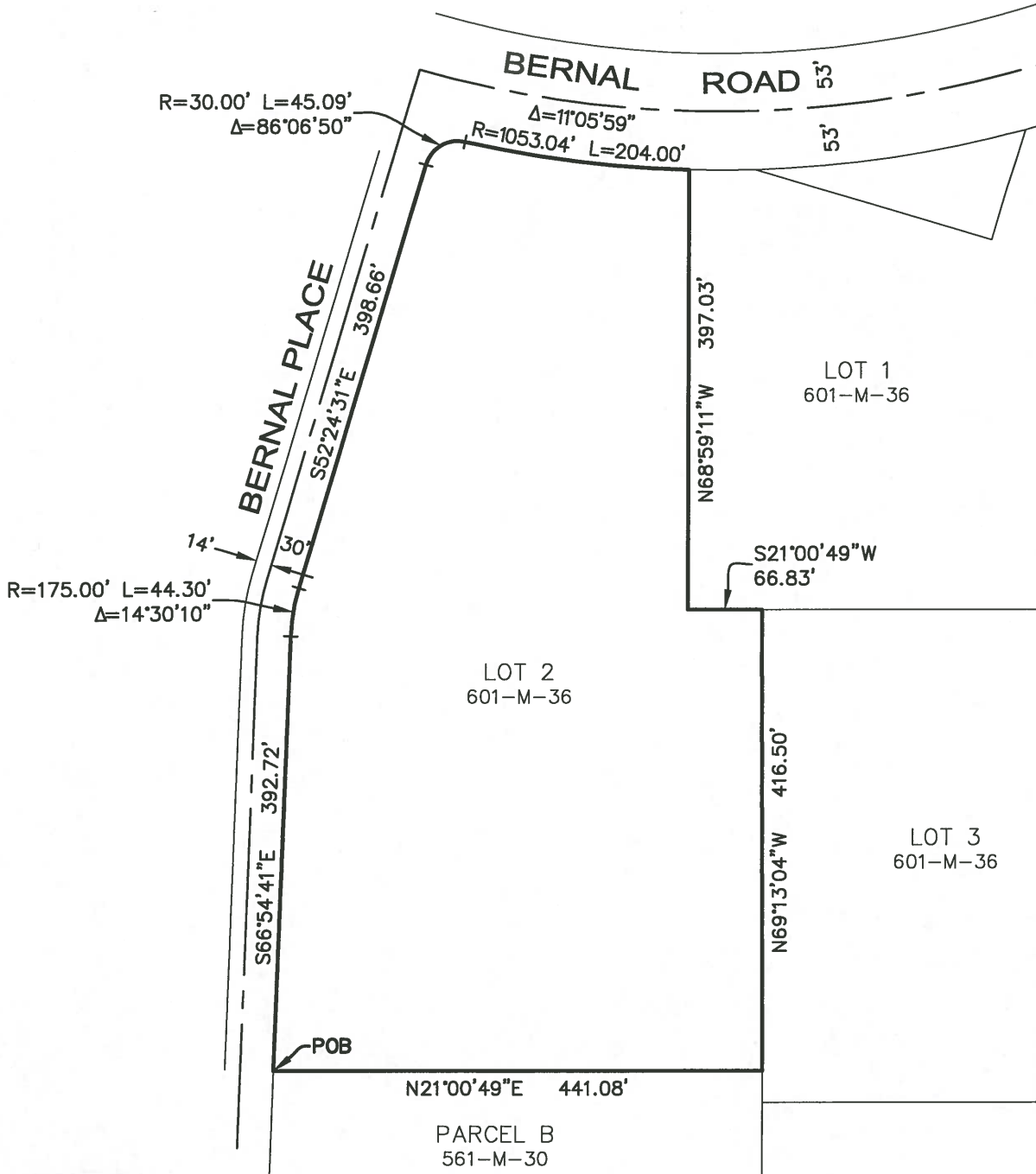
Thence along the general southerly and westerly lines of said Lot 2, the following four courses:

1. Thence North  $68^{\circ}59'11''$  West, 397.03 feet;
2. Thence South  $21^{\circ}00'49''$  West, 66.83 feet;
3. Thence North  $69^{\circ}13'04''$  West, 416.50 feet;
4. Thence North  $21^{\circ}00'49''$  East, 441.08 feet, to the POINT OF BEGINNING.

Containing 6.91 acres, more or less.

*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.*





#### LEGEND

POB

POINT OF BEGINNING

SHEET 1 OF 1

Date: 2019-02-07

Designed: —

Drawn: RF

Checked: TG

Proj. Engr.: 522300



**EXHIBIT "B"**  
**PLAT TO ACCOMPANY DESCRIPTION**  
**FOR REZONING PURPOSES**

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

8-029)