

***DRAFT***

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

**AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 59-GROSS ACRE SITUATED ON THE SOUTHWEST CORNER OF WEST TRIMBLE ROAD AND ORCHARD PARKWAY (350 AND 370 WEST TRIMBLE 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**, 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 program evaluated in the Final Program Environmental Impact Report for the North San José Area Policy Plan (the “FPEIR”) for which findings were adopted by City Council through its resolution 72768 on June 21, 2005, 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 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 CIC Combined Industrial/Commercial Zoning District; and

**WHEREAS**, this Council of the City of San José has considered and approves the information contained in the FPEIR and related City Council Resolution No. 72768, the FEIR and related City Council Resolution No. 76041 and the SEIR and related City Council Resolution No. 77617, and Addenda thereto, 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 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. C18-042 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



January 30, 2019  
HMH 5154.03.142  
Page 1 of 2

EXHIBIT "A"  
DESCRIPTION FOR ZONING PURPOSES

REAL PROPERTY in the City of San Jose, County of Santa Clara, State of California, being a portion of Parcel 1 as shown on that certain Parcel Map filed for record on September 17, 2007, in Book 818 of Maps, page 19, Santa Clara County Records, described as follows:

BEGINNING at the easterly corner of said Parcel 1, being on the southeasterly line of Trimble Road;

Thence along said southeasterly line the following six courses:

1. Thence North 49°14'39" East, 892.14 feet;
2. Thence northeasterly, along a non-tangent curve to the right, having a radius of 2,780.00 feet, whose center bears South 40°45'38" East, through a central angle of 01°40'06" for an arc length of 80.95 feet;
3. Thence South 39°05'32" East, 4.50 feet;
4. Thence northeasterly, along a non-tangent curve to the right, having a radius of 2,775.50 feet, whose center bears South 39°05'32" East, through a central angle of 04°43'17" for an arc length of 228.71 feet;
5. Thence North 34°22'15" West, 4.50 feet;
6. Thence northeasterly, along a non-tangent curve to the right, having a radius of 2,780.00 feet, whose center bears South 34°22'15" East, through a central angle of 01°03'11" for an arc length of 51.10 feet;

Thence South 33°19'04" East, 67.23 feet;

Thence South 04°06'05" East, 295.00 feet;

Thence North 85°53'55" East, 356.00 feet;

Thence North 60°42'40" East, 223.35 feet;

Thence along a tangent curve to the right, having a radius of 200.00 feet, through a central angle of 36°57'07" for an arc length of 128.99 feet;

Thence South 82°20'13" East, 23.44 feet, to the general westerly line of Orchard Parkway;

Thence along said general westerly line, the following four courses:

1. Thence South 07°40'25" West, 292.47 feet;
2. Thence along a tangent curve to the left, having a radius of 900.00 feet, through a central angle of 53°10'11" for an arc length of 835.19 feet;
3. Thence South 46°28'21" East, 90.46 feet;
4. Thence southeasterly, along a non-tangent curve to the left, having a radius of 903.00 feet, whose center bears North 38°45'18" East, through a central angle of 09°40'12" for an arc length of 152.40 feet, to the southeasterly line of said Parcel 1;

Thence along the southeasterly and southwesterly lines of said Parcel 1 the following five courses:

1. Thence South 43°14'29" West, 1,104.68 feet;
2. Thence northwesterly, along a non-tangent curve to the left, having a radius of 650.00 feet, whose center bears South 48°35'27" West, through a central angle of 14°58'06" for an arc length of 169.81 feet;
3. Thence North 56°22'39" West, 1,011.01 feet;
4. Thence northwesterly, along a non-tangent curve to the right, having a radius of 850.00 feet, whose center bears North 33°43'36" East, through a central angle of 42°51'35" for an arc length of 635.84 feet;

January 30, 2019

HMH 5154.03.142

Page 2 of 2

5. Thence North 13°29'14" West, 224.41 feet, to the POINT OF BEGINNING.

Containing 59.16 acres, more or less.

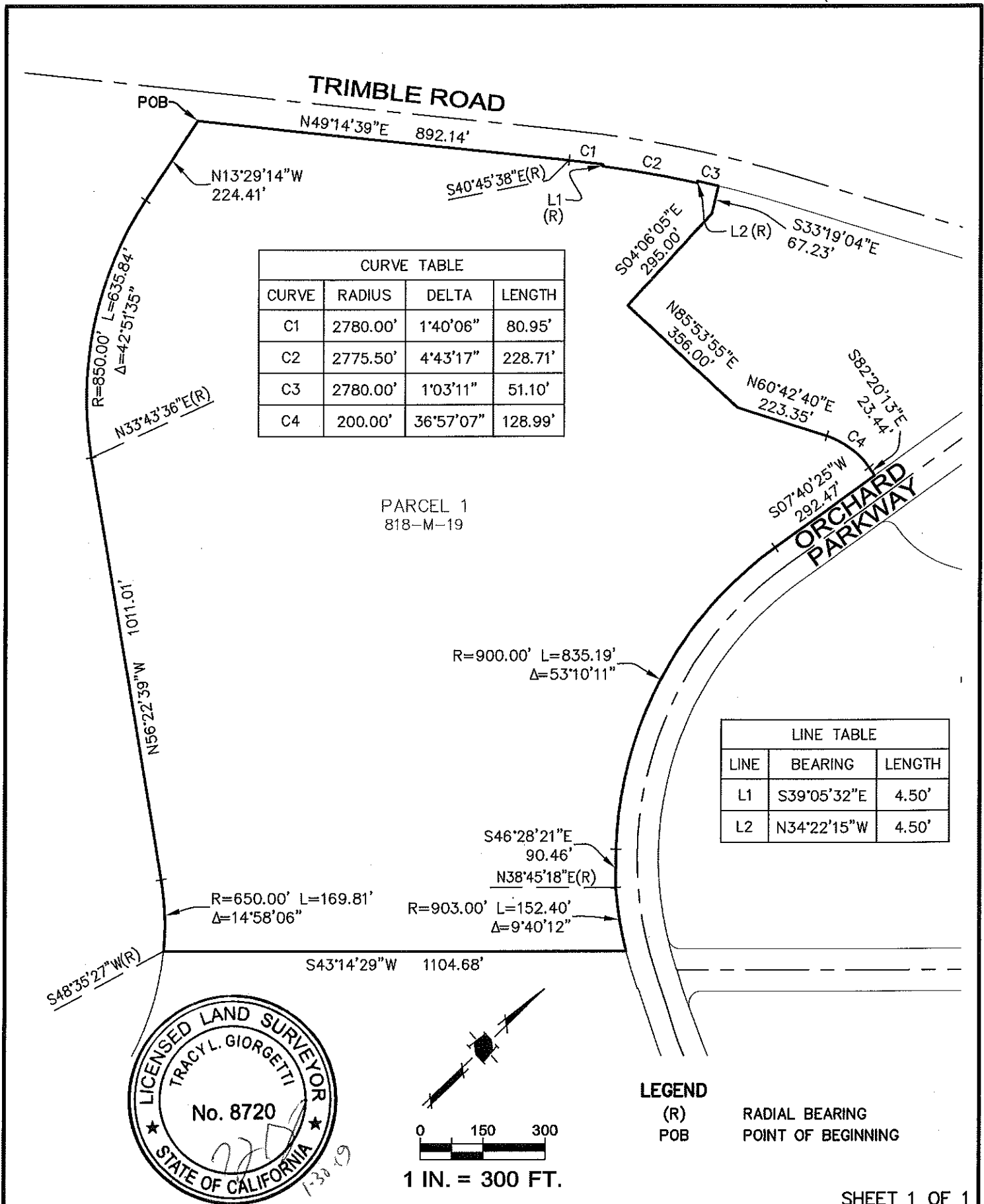
*For assessment or zoning purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.*

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

Date: 1-30-19

Tracy L. Giorgetti  
Tracy L. Giorgetti, LS 8720





SHEET 1 OF 1

Date: 2019-01-30

Designed: MD

Drawn: RF

Checked: TG

Proj. Engr.: MD

515400PL02

1570 Oakland Road  
San Jose, CA 95131(408) 487-2200  
HMHca.comEXHIBIT "B"  
PLAT TO ACCOMPANY DESCRIPTION:  
FOR ZONING PURPOSES

SAN JOSE

CALIFORNIA

<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
ID	DATE	DESCRIPTION
CHECK NO.		SUBSIDY
DISBURSED TO PLAN MEMBER FOR REDEMPTION		
DISBURSED BY:		FOR
RECEIVED BY:		CONTRIBUTOR
DATE:		APPROX. Q. 2016
TOTAL:		\$4.89 PERMANENT
NAME:		

# SITE PLAN EXHIBIT

TM-1  
OF 1