

DRAFT

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF SAN JOSE REZONING
CERTAIN REAL PROPERTY OF APPROXIMATELY 0.28
GROSS ACRE, SITUATED ON THE NORTHWEST
CORNER OF EAST WILLIAM STREET AND SOUTH 24TH
STREET (399 SOUTH 24TH STREET) (APN: 467-36-100)
FROM THE LI LIGHT INDUSTRIAL 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, a Statement of Exemption was prepared for a rezoning under File No. C19-023, and said Statement of Exemption (Section 15301 for Existing Facilities) was adopted on June 26, 2019; 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 Statement of Exemption as the appropriate environmental clearance for the proposed project 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 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. Any land development approval that is the subject of City File No. C19-023 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.

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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
REZONING
PARCEL B: APN 467-36-100

REAL PROPERTY IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, BEING ALL OF PARCEL B AS SHOWN ON THAT CERTAIN PARCEL MAP FILED FOR RECORD ON DECEMBER 15, 1987, BOOK 581 OF MAPS, PAGES 25 AND 26, SANTA CLARA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

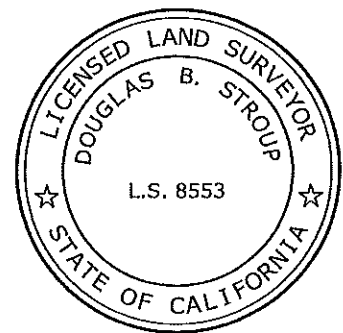
BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID PARCEL B;

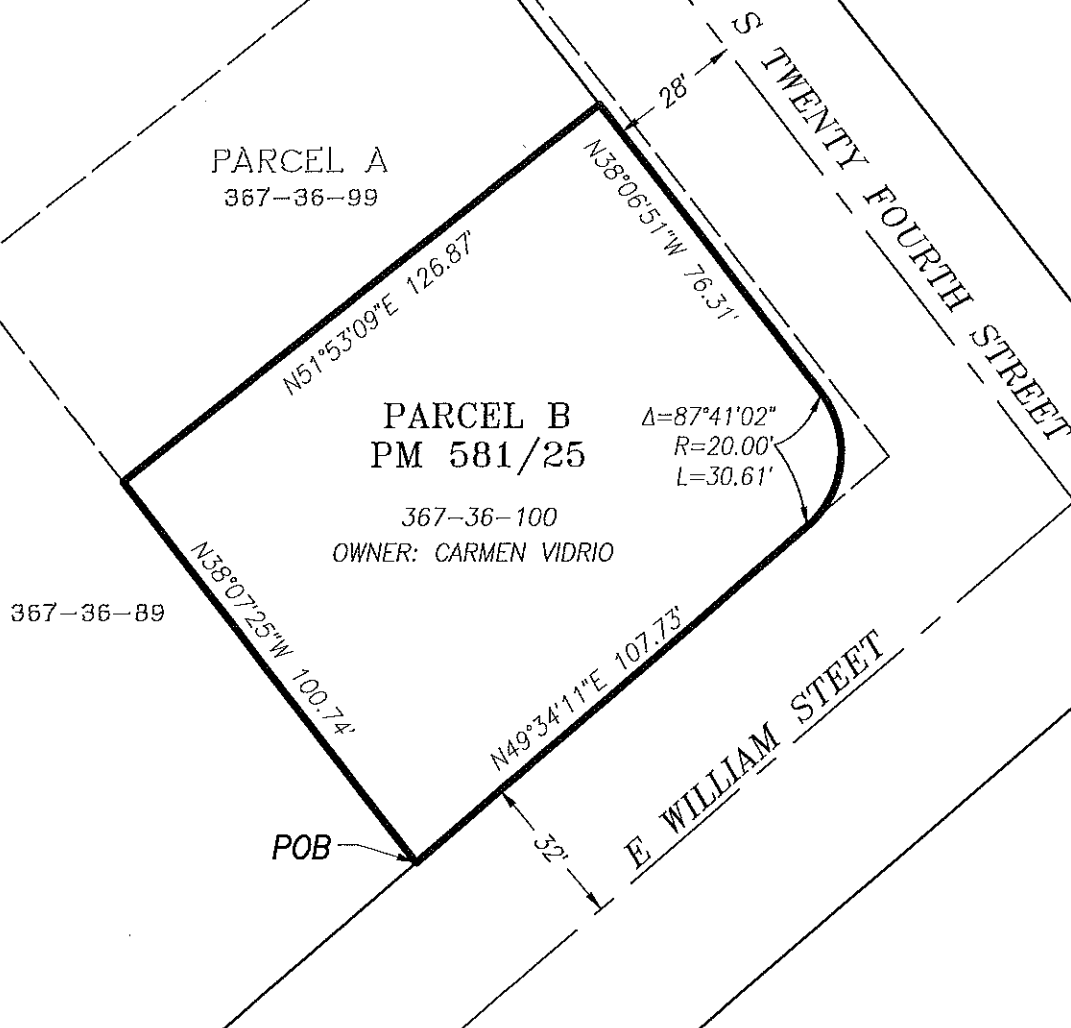
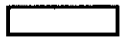
1. THENCE ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL B NORTH 38°07'25" WEST, 100.74 FEET TO THE NORTHWESTERLY LINE OF SAID PARCEL B;
2. THENCE ALONG SAID NORTHWESTERLY LINE NORTH 51°53'09" EAST, 126.87 FEET TO THE NORTHEASTERLY LINE OF SAID PARCEL B;
3. THENCE ALONG SAID NORTHEASTERLY LINE SOUTH 38°06'51" EAST, 76.31 TO THE BEGINNING OF A 20.00 FOOT RADIUS CURVE CONCAVE WESTERLY;
4. THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 87°41'02" A DISTANCE OF 30.61 FEET;
5. THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL B SOUTH 49°34'11" WEST, 107.73 FEET TO THE **POINT OF BEGINNING**.

THE HEREINABOVE DESCRIBED PARCEL OF LAND CONTAINS 12,373 SQUARE FEET MORE OR LESS.

FOR ASSESSMENT OF 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.


DOUGLAS B. STROUP
HUNSAKER & ASSOCIATES SAN DIEGO, INC.
5/24/19
P.L.S. 8553



**LEGEND**

PROPERTY BOUNDARY
AREA = 12,373 SQ.FT.

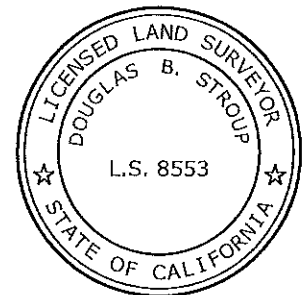
POB POINT OF BEGINNING



SCALE 1" = 40'

DOUGLAS B. STROUP

L.S. 8553



R:\1581\&Map\Exhibits\1581 EX Rezoning Plat SHT 01.dwg[]May-23-2019 W.O. 9999-2160



HUNSAKER
& ASSOCIATES
SAN DIEGO, INC.

9707 Waples Street (858)558-4500
San Diego, CA 92121

EXHIBIT "B"
REZONING PLAT
APN 467-36-100

CITY OF SAN JOSE, COUNTY OF SANTA CLARA