

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 4.70-GROSS ACRES, SITUATED APPROXIMATELY 830 FEET SOUTH OF THE SOUTHEAST CORNER OF NORTH 1ST STREET AND CHARCOT AVENUE (2150 NORTH 1ST STREET) (APN: 237-17-136; 237-17-157) FROM THE A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO THE TEC TRANSIT EMPLOYMENT CENTER 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 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 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 TEC Transit Employment Center Zoning District; and

WHEREAS, this Council of the City of San José has considered and approves the information contained in 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; and

WHEREAS, the proposed rezoning is consistent with the designation of the site in the applicable General Plan.

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 TEC Transit Employment Center 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. C19-047 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 _____, 2020 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

EXHIBIT "A"
(File No. C19-047)

EXHIBIT A

LEGAL DESCRIPTION

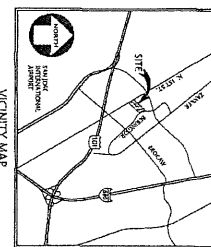
Land situated in the County of Santa Clara, City of San Jose, State of California, described as follows:

PARCEL A, AS SHOWN ON THE PARCEL MAP RECORDED FEBRUARY 15, 1985 IN BOOK 539
OF MAPS, PAGE(S) 27, SANTA CLARA COUNTY RECORDS.

Property Address: 2150 North First Street, San Jose, California

Parcel ID Numbers: 237-17-136 and 237-17-157

2016 ALTA/NSPS TABLE A OPTIONAL SURVEY ITEMS

[illegible][illegible][illegible]

GENERAL NOTES

- [illegible]

LEGAL DESCRIPTION

THE LAND REFERRED TO IS SITUATED IN THE COUNTY OF SANTA CLAY, CITY OF SAN JOSE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL A IS 9.00% OF THE PARCEL, WAS RECEIVED FEBRUARY 15, 1963 IN BOOK 539 OF MAPS, PAGE 27, SANTA CLAY COUNTY RECORDS.

SURVEYOR'S CERTIFICATE

[illegible]

100-443886-1001
 DATE 8/29/17
 FILE

ALTA/NSPS LAND TITLE SURVEY
OF
2150 NORTH 1ST STREET
FOR
RYAN COMPANIES US, INC.

 **KIER & WRIGHT**
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