

RESOLUTION NO. 73302

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A TURNKEY PARK AGREEMENT WITH KB HOME SOUTH BAY, INC. FOR THE AUTUMN TERRACE AT BONITA PARK PROJECT

WHEREAS, in December, 2004, the City Council of the City of San José (“City”) approved Planned Development Rezoning PDC03-103, to allow 80 single-family detached residences and a public park on the proposed project site located at the northeast corner of Bonita Avenue and Sunny Court and known as the “Autumn Terrace at Bonita” development; and

WHEREAS, KB Home South Bay, Inc., the developer of the proposed project, is required to dedicate 0.85 acres of land to the City to be used as a neighborhood park under Planned Development Permit PD05-006, and to construct improvements and park amenities on the land to be dedicated as a turnkey park project, in order to meet its parkland obligations for the development; and

WHEREAS, the Parks and Recreation Commission approved the proposed revised concept plan for the park on February 1, 2006, which plan includes a play area, a picnic area, a half-basketball court, and an open turf area; and

WHEREAS, the City desires to negotiate and execute an agreement with KB Home South Bay, Inc. to dedicate the property and to construct the park improvements in accordance with the revised concept plan;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The City Manager is hereby authorized to negotiate and execute an agreement with KB Home South Bay, Inc. for dedication of land and construction of park improvements for Planned Development Permit PD 05-006, associated with Tentative Map Nos. PT05-003 and Planned Development Rezoning Permit No. PDC03-103 relating to the Autumn Terrace at Bonita Park.

ADOPTED this 27th day of June, 2006, by the following vote:

AYES: CAMPOS, CHAVEZ, CHIRCO, CORTESE, LeZOTTE,
NGUYEN, PYLE, REED, WILLIAMS, YEAGER;
GONZALES

NOES: NONE

ABSENT: NONE

DISQUALIFIED: NONE

RON GONZALES
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk