

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 3.89 GROSS ACRES, SITUATED ON THE SOUTH SIDE OF MURPHY AVENUE APPROXIMATELY 500 FEET EAST OF OAKLAND ROAD (1180 MURPHY AVENUE) (APN: 241-17-009) FROM THE A(PD) PLANNED DEVELOPMENT ZONING DISTRICT (FILE NO. PDC07-042) 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. C23-107, and said Statement of Exemption (CEQA Categorical Exemption Section 15301(a), Existing Facilities, for interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances) was adopted on February 25, 2025; 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, the City 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 in accordance with CEQA; and

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

WHEREAS, pursuant to Senate Bill 330, the proposed rezoning (File No. C23-107) does not reduce the intensity of residential uses; both the existing A(PD) Planned Development Zoning District and the proposed CIC Combined Industrial/Commercial Zoning District do not allow for standalone residential uses;

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 to the 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. C23-107 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 _____, 2025 by the following
vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, MMC
City Clerk

EXHIBIT "A"
LEGAL DESCRIPTION
FOR
REZONING
LANDS OF DHILLON
1172, 1180, 1188 MURPHY AVENUE, SAN JOSE, CA
APN 241-17-009

A REZONING OVER THAT CERTAIN REAL PROPERTY SITUATE IN THE INCORPORATED CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF PARCEL 1, AS SHOWN ON THAT CERTAIN MAP ENTITLED "PARCEL MAP", RECORDED ON OCTOBER, 1983, IN BOOK 527 OF MAPS AT PAGE 20, SANTA CLARA COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHEASTERLY CORNER OF SAID PARCEL 1, ALSO BEING THE POINT OF BEGINNING, THENCE ALONG SOUTHEASTERLY OF SAID PARCEL SOUTH 46°25'16" EAST 404.52 FEET;

THENCE LEAVING SAID LINE AND ALONG SOUTHWESTERLY OF PARCEL 1:

1. SOUTH 25°19'40" WEST 641.82 FEET;
2. NORTH 17°00'00" WEST 196.81 FEET TO A POINT AT THE MOST SOUTHERLY CORNER OF SAID PARCEL;
3. SOUTH 79°19'17" WEST 35.94 FEET;
4. ALONG THE CURVE TO THE RIGHT OF SAID PARCEL 1, WHOSE RADIUS OF 268.00 FEET, AN ARC LENGTH OF 154.91 FEET, A CENTRAL ANGLE OF 33°07'07", AND A CHORD DIRECTION OF NORTH 5°52'51" EAST;
5. THENCE ALONG THE CURVE TO THE LEFT OF SAID PARCEL 1, WHOSE RADIUS OF 353.50 FEET, AN ARC LENGTH OF 222.56 FEET, A CENTRAL ANGLE OF 36°04'25", AND A CHORD DIRECTION OF NORTH 4°24'12" EAST;
6. NORTH 13°38'00" WEST 282.87 FEET;

THENCE ALONG THE CURVE TO THE LEFT OF SAID PARCEL 1, WHOSE RADIUS OF 1130 FEET, AN ARC LENGTH OF 113.35 FEET, A CENTRAL ANGLE OF 5°44'50", AND A CHORD DIRECTION OF NORTH 73°25'51" EAST TO THE POINT OF BEGINNING.

CONTAINING 174,802 SQUARE FEET, MORE OR LESS.

END OF DESCRIPTION

BASIS OF BEARINGS: THE BEARING NORTH 52°44'01" EAST BEING THE CENTERLINE OF MURPHY AVENUE AS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT NO.8948", RECORDED IN BOOK 692 OF MAPS AT PAGE 28, SANTA CLARA COUNTY RECORDS, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS DESCRIPTION.

SEE EXHIBIT "B" FOR THE ACCOMPANYING PLAT, ATTACHED HERETO AND MADE A PART HEREOF.

PREPARED BY, OR UNDER THE SUPERVISION OF WAAN CHUI.

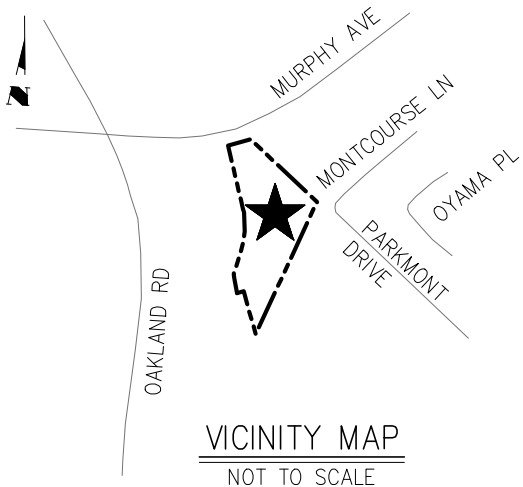
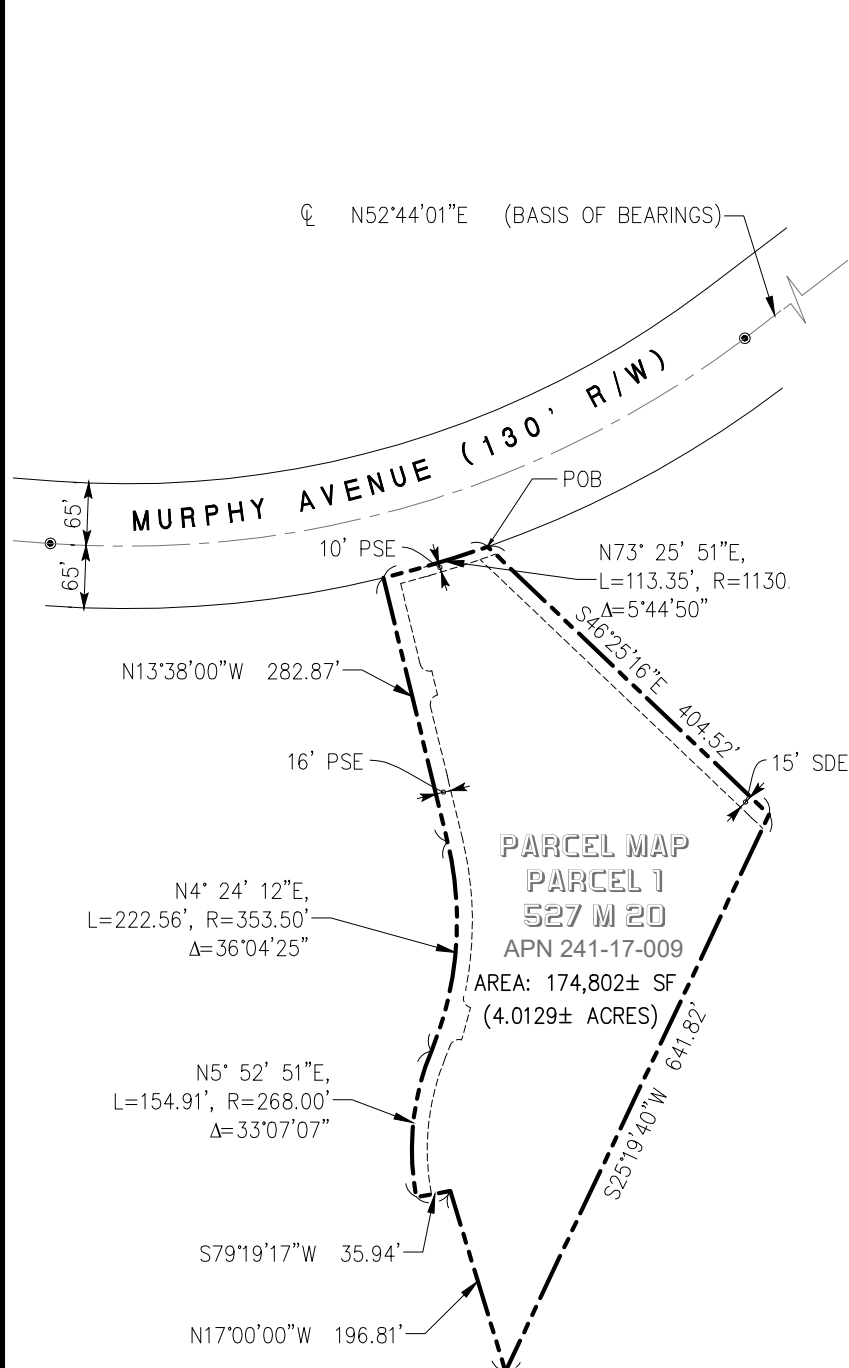
PREPARED ON SEPTEMBER 03, 2023
LC ENGINEERING



Handwritten signature of Waan Chui in black ink.

H. W. CHUI RCE NO. 32912
EXPIRATION DATE 06/30/2024

EXHIBIT "B"



LEGEND

- EASEMENT
- - - CENTERLINE
- OTHER PROPERTY LINE
- PROPERTY LINE
- POB POINT OF BEGINNING
- PSE PUBLIC SERVICE EASEMENT
- SDE STORM DRAINAGE EASEMENT

BASIS OF BEARINGS

THE BEARINGS SHOWN ON THIS MAP ARE BASED ON THE CENTERLINE OF MURPHY AVENUE, AS SHOWN AS N52°44'01"E, RECORDED IN BOOK 692 OF MAPS, AT PAGES 28, SANTA CLARA COUNTY RECORDS.

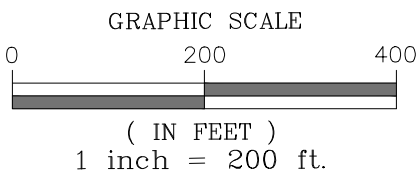


EXHIBIT "B"
 PLAT TO ACCOMPANY LEGAL DESCRIPTION
 FOR REZONING
 1172, 1180, 1188 MURPHY AVENUE
 APN 241-17-009
 San Jose California

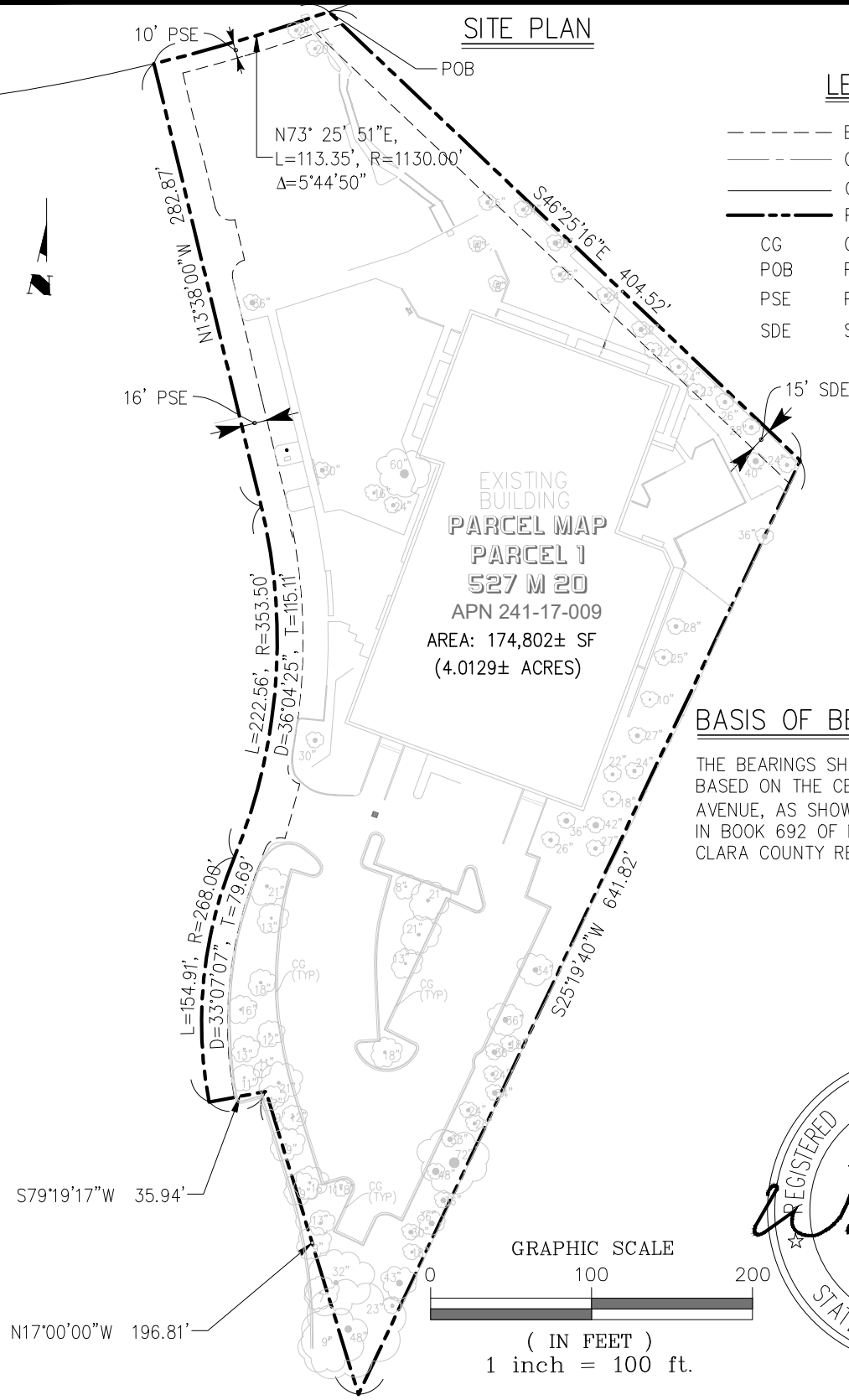
ENGINEERING
 598 E Santa Clara St #270
 San Jose, CA 95112
 Phone: (408) 806-7187
 Fax: (408) 583-4006

SCALE: AS SHOWN	DATE: 08/14/23	DRWG. NAME:	PROJECT NO.	SHEET 1 OF 1
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SITE PLAN

LEGEND

- EASEMENT
- - - CENTERLINE
- OTHER PROPERTY LINE
- PROPERTY LINE
- CG CURB AND GUTTER
- POB POINT OF BEGINNING
- PSE PUBLIC SERVICE EASEMENT
- SDE STORM DRAINAGE EASEMENT



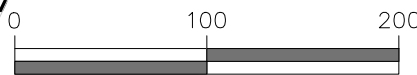
EXISTING BUILDING
 PARCEL MAP
 PARCEL 1
 527 M 20
 APN 241-17-009
 AREA: 174,802± SF
 (4.0129± ACRES)

BASIS OF BEARINGS

THE BEARINGS SHOWN ON THIS MAP ARE BASED ON THE CENTERLINE OF MURPHY AVENUE, AS SHOWN AS N52°44'01"E, RECORDED IN BOOK 692 OF MAPS, AT PAGES 28, SANTA CLARA COUNTY RECORDS.



GRAPHIC SCALE



(IN FEET)
 1 inch = 100 ft.

EXHIBIT "B"
 SITE PLAN
 FOR REZONING
 1172, 1180, 1188 MURPHY AVENUE
 APN 241-17-009

ENGINEERING

598 E Santa Clara St #270
 San Jose, CA 95112
 Phone: (408) 806-7187
 Fax: (408) 583-4006

San Jose

California

SCALE: AS SHOWN	DATE: 09/04/23	DRWG. NAME:	PROJECT NO.	SHEET 1 OF 1
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