

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF SAN JOSE REZONING
CERTAIN REAL PROPERTY OF APPROXIMATELY 1.88
GROSS ACRES, SITUATED SOUTH OF THE EASTERN
TERMINUS OF BERN COURT (908 BERN COURT) (APN:
241-15-009) FROM THE LI(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 conforming 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 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, the City 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 in accordance with CEQA; and

WHEREAS, the conforming 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 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. The land development approval that is the subject of City File No. C25-038 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 APN/Parcel ID(s): 241-15-009

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

Parcel One:

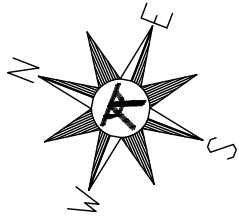
All of Parcel 2 as shown on that certain Parcel Map filed for record February 25, 1987 in the Office of the Recorder, County of Santa Clara, State of California in Book 571 of Maps at pages 28 and 29, Santa Clara County Records, as corrected by that certain Certificate of Correction recorded March 25, 1987 in Book K83, page 692, Santa Clara County Records, and that certain Notice of Correction recorded on May 1, 1987 in Book K132, page 2061, Santa Clara County Records.

Parcel Two:

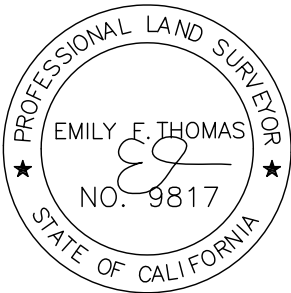
Those certain Easements for Ingress and Egress and Private Storm Drainage over Parcels 1 and 2 as shown upon that certain Parcel Map filed for record July 22, 1983 in the Office of the Recorder, County of Santa Clara, State of California in Book 515 of Maps, pages 12 and 13, designated thereon as I.E.E. and P.S.D.E. on said Map.

Parcel Three:

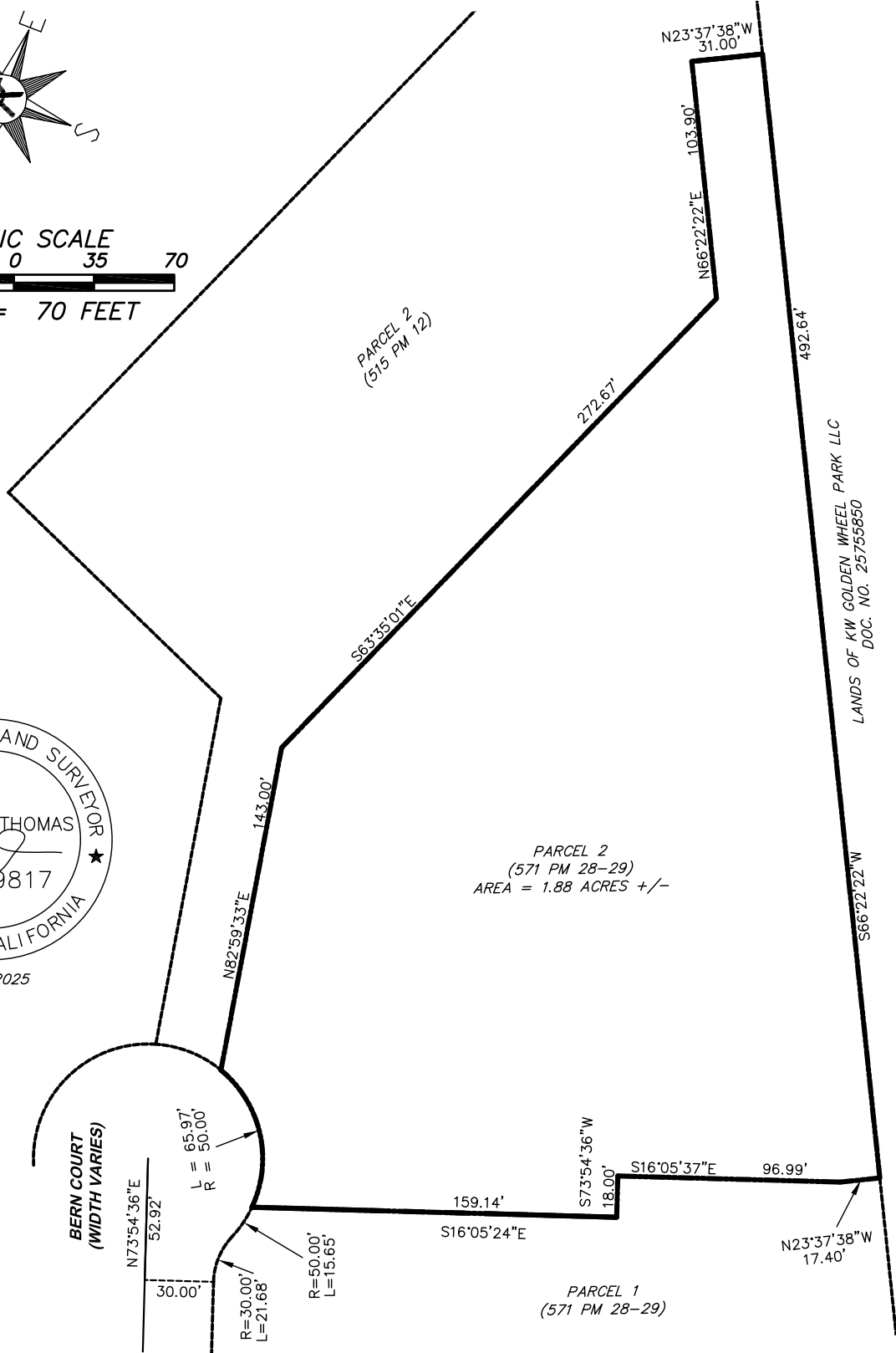
An easement for ingress and egress over and across all roadways and driveways located within 45 feet of the property line of Parcel 1 as shown on that Parcel Map filed for record on February 25, 1987 in Book 571 of Maps, pages 28 and 29, as corrected by that certain Certificate of Correction recorded March 25, 1987 in Book K83, page 692, Santa Clara County Records, and that certain Notice of Correction recorded on May 1, 1987 in Book K132, page 2061, Santa Clara County Records, as granted in that Reciprocal Ingress and Egress Easement Agreement recorded May 1, 1987 in Book K132, page 2077, Santa Clara County Records.



GRAPHIC SCALE
70 0 35 70
1 INCH = 70 FEET



09/24/2025



TRANSIT LAND SURVEYING

3025 VAN NESS AVENUE APT 5
SAN FRANCISCO, CA 94109
(415) 850-2955

138 NALISTY DRIVE
VALLEJO, CA 94590
(415) 850-3645

EXHIBIT "B" PLAT FOR: PLANNING PURPOSES

SAN JOSE CALIFORNIA
SANTA CLARA COUNTY

DATE SEPTEMBER, 2025

SCALE 1" = 70'

BY EFT

JOB NO. 25041

SHEET 1 OF 3

Lot Closure Report - Lot : PARCEL 2

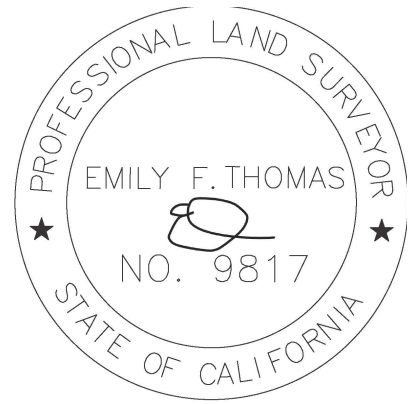
=====

file- C:\Users\emily\OneDrive - Transit Land

Surveying\TRANSIT\PROJECTS\2025\25041\DWG\25041 EXHIBIT B PLAT

EXHIBIT.ms\lc_PARCEL 2.txt

Tuesday, September 23, 2025, 4:44:42p.m.



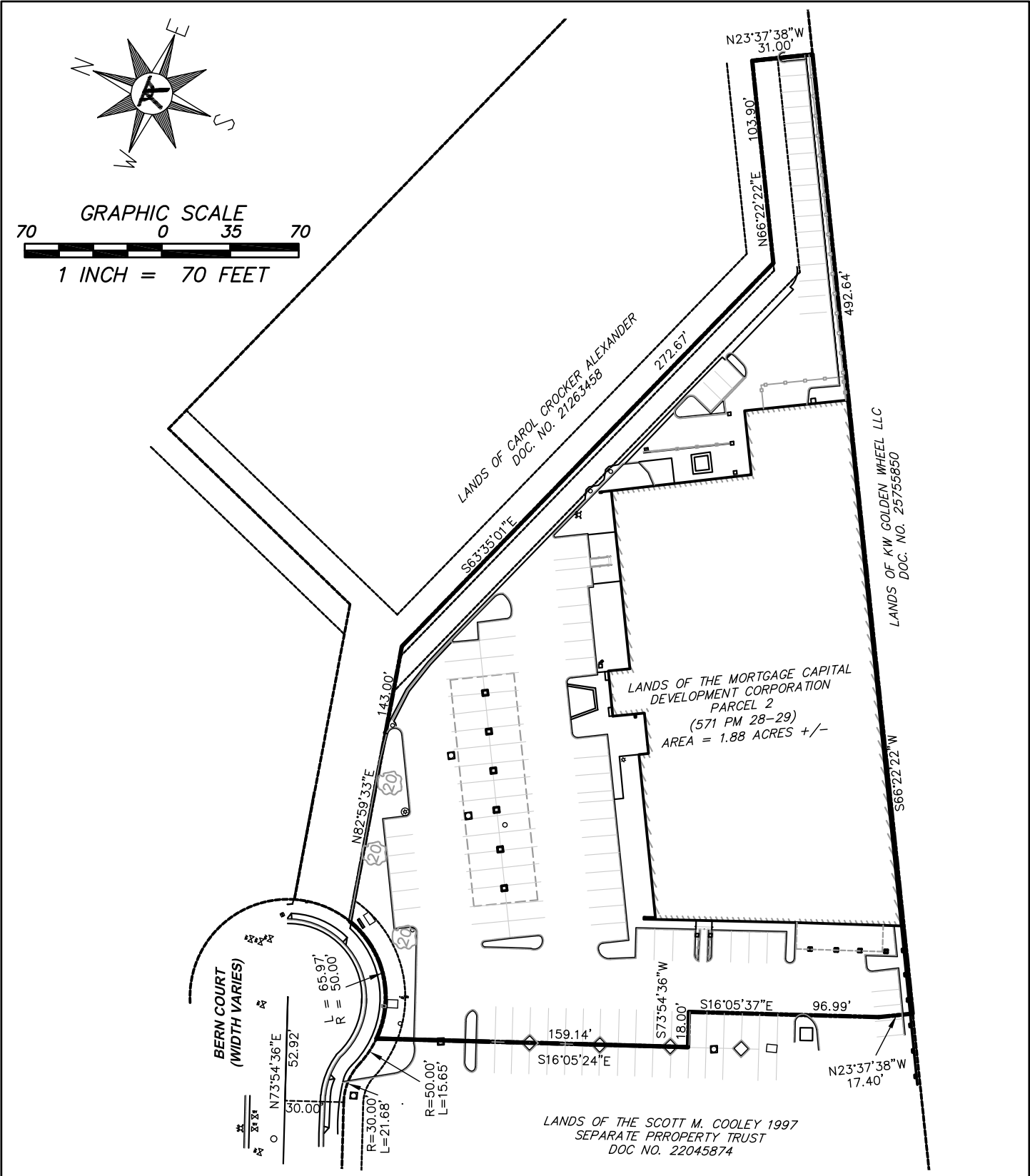
Starting location (North, East) = (9057.68, 13541.42)

(In the table below, the Length of Curves refers to the chord length.
and the Bearing of Curves refers to the chord bearing.)

Leg	Segment	Bearing	Length	Front	End_Northing	End_Easting
---	-----	-----	-----	-----	-----	-----
1	Line	N82°59'33"E	143.00	No	9075.13	
13683.35						
2	Line	S63°35'01"E	272.67	No	8953.82	
13927.55						
3	Line	N66°22'22"E	103.90	No	8995.46	
14022.74						
4	Line	S23°37'38"E	31.00	No	8967.06	
14035.16						
5	Line	S66°22'22"W	492.64	No	8769.62	
13583.82						
6	Line	N23°37'38"W	17.40	No	8785.56	
13576.84						
7	Line	N16°05'37"W	96.99	No	8878.75	
13549.96						
8	Line	S73°54'36"W	18.00	No	8873.76	
13532.66						
9	Line	N16°05'24"W	159.14	No	9026.66	
13488.56						
10	Curve	N59°35'07"E	61.29	No	9057.69	13541.41
ARC= 65.97, RAD= 50.00, DELTA= 75°35'46"						
BC_TO_RAD= S68°12'46"E						
RAD_TO_EC= N7°23'00"E						
ADD_ARC_AREA = 438.54						

Ending location (North, East) = (9057.69, 13541.41)

Total Distance : 1400.71
 Total Traverse Stations : 11
 Misclosure Direction : S21°17'19"E (from ending location to starting location)
 Misclosure Distance : 0.01
 Error of Closure : 1:126786.0
 Frontage : 0.00
 Frontage/Perimeter : 0.0 percent
 AREA : 82805.175 sq. ft.
 = 1.900945 Acres



TRANSIT LAND SURVEYING 3025 VAN NESS AVENUE APT 5 SAN FRANCISCO, CA 94109 (415) 850-2955 138 NALISTY DRIVE VALLEJO, CA 94590 (415) 850-3645	EXHIBIT "B" PLAT SITE EXHIBIT SAN JOSE SANTA CLARA COUNTY CALIFORNIA	DATE	SEPTEMBER, 2025
		SCALE	1" = 70'
		BY	EFT
		JOB NO.	25041
		SHEET	3 OF 3