

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 6.4 GROSS ACRES SITUATED ON THE NORTH SIDE OF WEST CAPITOL EXPRESSWAY APPROXIMATELY 200 FEET WESTERLY OF SNELL AVENUE AND ON THE WEST SIDE OF SNELL AVENUE APPROXIMATELY 200 FEET NORTHERLY OF CAPITOL EXPRESSWAY (231 WEST CAPITOL EXPRESSWAY AND 3911 SNELL AVENUE) FROM THE A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO THE LI LIGHT INDUSTRIAL 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, an Addendum to 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, all in conformance with the California Environmental Quality Act, was prepared and approved by the Planning Director for the subject rezoning; and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to the LI Light Industrial Zoning District; and

WHEREAS, this Council of the City of San José has considered and approves the application and use of said Addendum as the appropriate environmental clearance for this proposed project prior to taking any approval actions on the project;

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 site," is hereby rezoned as LI Light Industrial 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. C18-010 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 _____ 2018 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

EXHIBIT A

City of San Jose Santa Clara County, California
June 5, 2018

LEGAL DESCRIPTION

PARCEL A

PARCEL A, AS SHOWN ON PARCEL MAP FILED MARCH 3, 1978 IN BOOK 414 OF MAPS PAGES 11 AND 12, SANTA CLARA COUNTY RECORDS.

APN: 462-19-014
OWNER: STORAGE EQUITIES, INC.

PARCEL B

PARCEL ONE:

PARCEL B, AS SHOWN UPON THAT CERTAIN PARCEL MAP, BEING A PORTION OF PARCEL 2, AS SHOWN ON THE PARCEL MAP FILED JUNE 30, 1971, IN BOOK 285 OF MAPS, AT PAGE 37, WHICH MAP WAS FILED MARCH 3, 1978, IN BOOK 414 OF MAPS, AT PAGE 11, SANTA CLARA COUNTY RECORDS.

PARCEL TWO:

AN EASEMENT 15 FEET WIDE FOR THE INSTALLATION, REPAIR, REBUILD, MAINTAIN, OPERATE AND USE SUCH GAS, ELECTRICAL FACILITIES, TELEPHONE LINES, SANITARY SEWERS, STORM DRAINS, WATER MAINS AND UTILITIES, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH MOST CORNER OF PARCEL 1 AS SHOWN ON THAT CERTAIN PARCEL MAP FILED FOR RECORDING ON JUNE 30, 1971, IN BOOK 285 OF MAPS, AT PAGE 37, IN THE RECORDS OF SANTA CLARA COUNTY, CALIFORNIA; THENCE SOUTH 57° 41' 00" WEST, ALONG THE SOUTHEASTERLY LINE OF PARCEL 2 OF SAID PARCEL MAP, 120.00 FEET; THENCE NORTH 38° 19' 00" WEST, TO A POINT THAT LIES 15.00 FEET, EASTERLY AT RIGHT ANGLES FROM THE NORTHWEST LINE OF THAT PARCEL OF LAND DESCRIBED IN DEED TO FRANZO BORGHI, RECORDED JUNE 30, 1937, IN BOOK 830 OF OFFICIAL RECORDS, PAGE 239 IN THE RECORDS OF SANTA CLARA COUNTY, CALIFORNIA, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 38° 19' 00" WEST, TO SAID NORTHWEST LINE OF THE FRANZO BORGHI PARCEL OF LAND; THENCE NORTH 25° 51' 56" EAST, ALONG SAID NORTHWESTERN LINE OF FRANZO BORGHI PARCEL OF LAND, 383.05 FEET, NORTH, SOUTHWESTERLY LINE OF SNELL AVENUE AS DESCRIBED IN A DEED RECORDED ON BOOK D255 OF OFFICIAL RECORDS, PAGE 40, IN THE RECORDS OF SANTA CLARA COUNTY, CALIFORNIA; THENCE SOUTH 36°40' 50" EAST, ALONG SAID SOUTHWEST LINE OF SNELL AVENUE TO A POINT THAT LIES 15.00 FEET EASTERLY AT RIGHT ANGLES FROM SAID NORTHWEST LINE OF THE FRANZO BORGHI PARCEL OF LAND; THENCE SOUTH 25° 51' 56" WEST, PARALLEL TO SAID FRANZO BORGHI PARCEL OF LAND TO THE POINT OF BEGINNING.

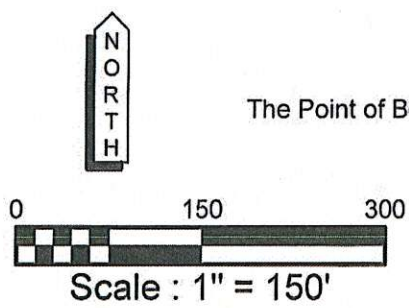
APN: 462-19-013
OWNER: STORAGE EQUITIES, INC.

[Handwritten signature]
6/5/18



LARS ANDERSEN & ASSOCIATES, INC.
CIVIL ENGINEERS - LAND SURVEYORS - PLANNERS
4694 WEST JACQUELYN AVENUE FRESNO CA 93722
Ph: 559 276-2790 Fx: 559 276-0850 Web: LARSANDERSEN.COM

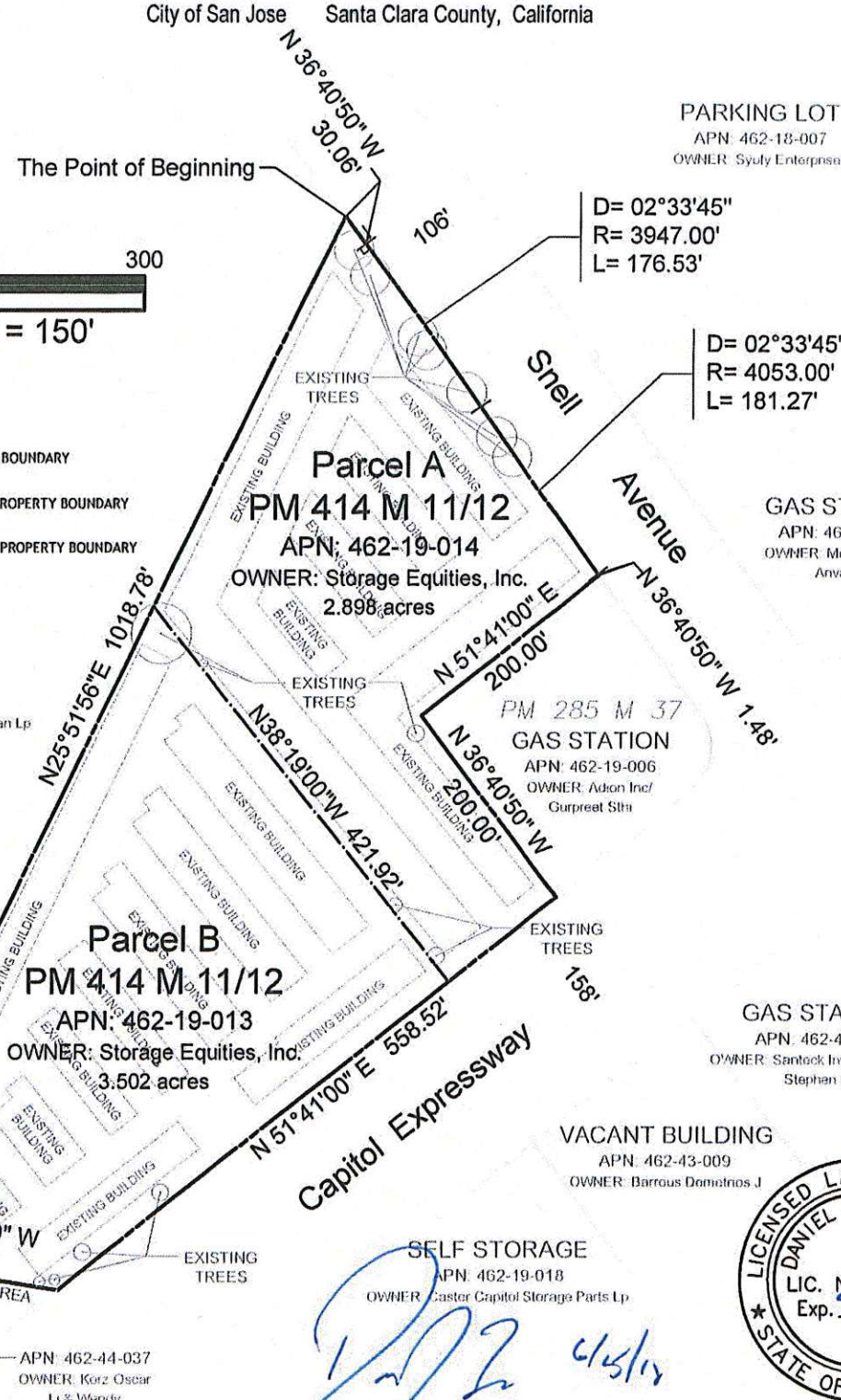
**EXHIBIT B
REZONING PLAT MAP**
Conforming Rezoning File No. C18-010
City of San Jose Santa Clara County, California



LEGEND

- PROPERTY BOUNDARY
- - - - - EXISTING PROPERTY BOUNDARY
- ADJACENT PROPERTY BOUNDARY

RESIDENTIAL
APN: 462-19-005
OWNER: Mhc California Hawaiian Lp



PARKING LOT
APN: 462-18-007
OWNER: Syuly Enterprises

D= 02°33'45"
R= 3947.00'
L= 176.53'

D= 02°33'45"
R= 4053.00'
L= 181.27'

GAS STATION
APN: 462-18-003
OWNER: Mehrabi Karim/
Anvari Ali

Parcel A
PM 414 M 11/12
APN: 462-19-014
OWNER: Storage Equities, Inc.
2.898 acres

PM 285 M 37
GAS STATION
APN: 462-19-006
OWNER: Adion Inc/
Gurpreet Sira

Parcel B
PM 414 M 11/12
APN: 462-19-013
OWNER: Storage Equities, Inc.
3.502 acres

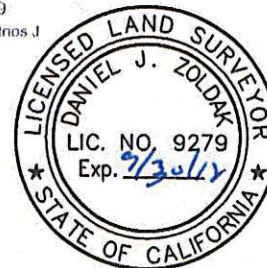
GAS STATION
APN: 462-43-005
OWNER: Santock Investments Llc/
Stephen Ng

VACANT BUILDING
APN: 462-43-009
OWNER: Barrous Demetrios J

SELF STORAGE
APN: 462-19-018
OWNER: Easter Capitol Storage Parts Lp

EXISTING TREE
APN: 462-44-040
OWNER: Purcell
Family Living Trust

RESIDENTIAL
APN: 462-44-037
OWNER: Korz Oscar
Li & Wendy



Handwritten signature and date: 6/15/18



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PROJECT: 231 W CAPITOL EXPY SAN JOSE, CA	REVISION DATE: 06/05/18
PLANNING REZONING FILE NO: C18-010	SCALE: AS SHOWN
PROJECT NO: 17051	BY: DF
TITLE: REZONING PLAT MAP	ISSUES/REV.: 1
DRAWING NO.	SHEET 2 OF 2