

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 3.4-GROSS ACRES, SITUATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF MONTEREY ROAD AND EAST ALMA AVENUE (1402 MONTEREY ROAD; APN 477-07-012) FROM THE CIC(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 for the real property hereinafter described; and

**WHEREAS**, pursuant to Section 15168(c)(2) of the CEQA Guidelines, the City of San José (“City”) 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 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**, this City Council has considered and approved 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 Combined Industrial/Commercial designation of the site in the applicable General Plan; and

**WHEREAS**, pursuant to Senate Bill 330, the proposed rezoning (File No. C26-005) does not reduce the capacity for residential units within the City because the current CIC(PD) Planned Development Zoning District does not allow 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 described in this section, 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 and incorporated 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. C26-005 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 \_\_\_\_\_, 2026 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

---

MATT MAHAN  
Mayor

ATTEST:

---

TONI J. TABER, MMC  
City Clerk



**EXHIBIT "A"**  
Legal Description

**REZONING, FILE No. C26-005**  
Lands of San Jose Unified School District  
(1402 Monterey Road, San Jose, CA)

Real property in the City of San Jose, County of Santa Clara, State of California, and described as follows:

Being the same lands as described in that certain Grant Deed, conveyed from Imwalle Annex HBD, LLC, a California limited liability company to San Jose Unified School District, recorded on November 12, 2015, as Document No. 23140271, Official Records of Santa Clara County, California.

Containing an area of 3.783 acres, more or less.

Being also Assessor's Parcel Number 477-07-012 per Roll Year 2025-2026.

**As shown on EXHIBIT "B" plat map attached hereto and made a part hereof.**

By: John Koroyan  
John Koroyan  
P.L.S. No. 8883

Date: MAY 12, 2026



## LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of Santa Clara, City of San Jose and described as follows:

Commencing on the Easterly line of the road leading from San Jose to Monterey known as the Monterey Road, at a point where the Southern boundary line of the City of San Jose intersects said line of road; and from thence running along said boundary line of the City of San Jose (which is parallel with San Fernando Street in said City) North 59° 45' East 11.22 chains to the Western line of the land of the Southern Pacific Railroad Company; and thence along said Westerly line South 33° East, 3.63 chains to stake; thence South 59° 45' West and parallel to the aforesaid City boundary line 10.92 chains to the Eastern line of the Monterey Road; and thence along said line of road North 38° 10' West, 3.64 chains to the point of beginning.

Excepting therefrom that portion of land granted to the State of California by Deed filed for record in the Office of the Recorder, County of Santa Clara on September 05, 1939 in [Book 948 at Page 138](#), Official Records and being more particularly described as follows:

A portion of that certain 4.0239 acre Tract of land conveyed by Alfred Seale and Mabel S. Laumeister, formerly Mabel Seale to Southern Lumber Company, a corporation, which name is erroneously spelled and should be spelled Southern Lumber Company, by Deed dated April 29, 1910 and recorded April 29, 1910 in [Book 356 of Deeds at Page 211](#), Records of Santa Clara County; said portion being more particularly described as:

Commencing at the most Westerly corner Above mentioned tract of land, distant North 59° 27' East, 33.92 feet from Engineer's Station 87+24.20 on the center line of the Dept. of Public Works' Survey for the relocation of the existing State Highway between San Jose and Coyote Road IV-S.CL-2-B; thence along the Northwesterly line said tract of land North 59° 27' East 6.48 feet to a line parallel to and 40 feet Northeasterly, measured at right angles from the center line of said survey; thence along said parallel line, South 38° 40' East, 240.41 feet to the Southeasterly line said tract of land; thence along said Southeasterly line South 59° 27' West, 7.49 feet to the most Southerly corner said tract of land; thence along the Northerly line of Monterey Road, North 38° 25' 41" West, 240.27 feet to the point of commencement.

Also excepting therefrom that portion of land granted to the State of California by Deed filed for record in the Office of the County of Santa Clara on February 08, 1952 in [Book 2362 at Page 559](#), Official Records and being more particularly described as follows:

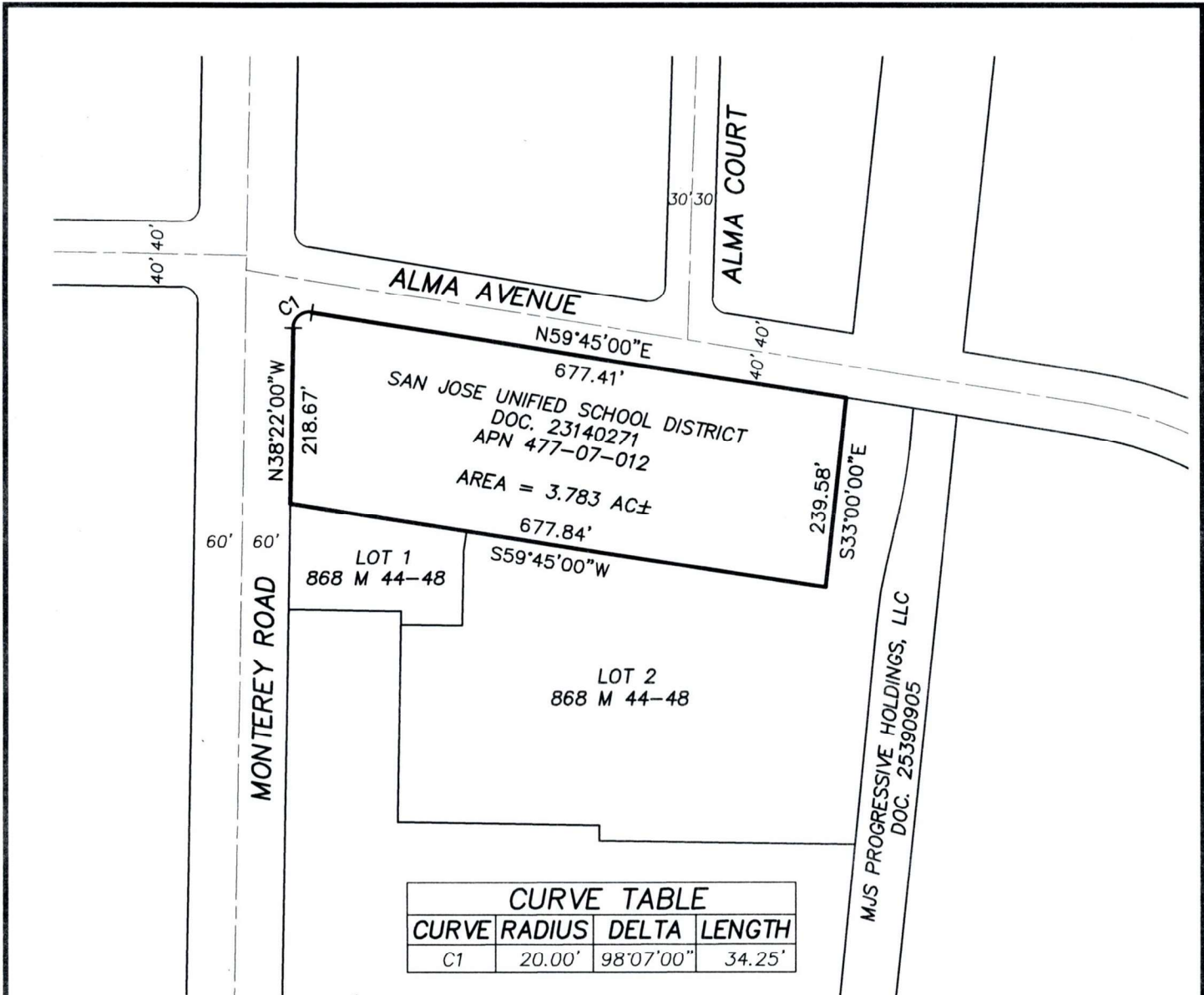
Commencing at the most Eastern corner of that certain 0.039 acre Tract of land described in the Deed from Southern Lumber Company, a corporation to the State of California, recorded September 05, 1939 in [Volume 948, Page 138](#), Official Records of Santa Clara County; said point of commencement being distant North 59° 27' East, 40.40 feet from Engineer's Station 89+64.61 on the center line of the Dept. of Public Works' survey for the relocation of the State highway between San Jose and Coyote, Road IV-SCL-2-B; thence along the Northeastern line Said Tract North 38° 40' West, 240.41 feet to the Southern corporate limited line of the City of San Jose; thence along said City limit line North 59° 27' East, 40.41 feet to a line parallel with and 80.00 feet Northeasterly, at right angles to said center line; thence along said parallel line South 38° 40' East, 240.41 feet to the Northwesterly line of that certain 8.779 acre tract of land described in the Deed from Bank of America National Trust and Savings Association to Mayfair Packing Company, recorded August 23, 1940 in [Volume 1001, Page 87](#), Official Records of Santa Clara

County; thence along said Northwestern line, South 59° 27' West, 40.41 feet to the point of commencement.

Also excepting therefrom that portion of land granted to the City of San Jose, a municipal corporation by Deed filed for record in the Office of the Recorder of the County of Santa Clara on April 24, 1970 in [Book 8901 at Page 11](#), Official Records and being more particularly described as follows:

Beginning at the point of intersection of the Southeasterly line of Alma Avenue (80 feet wide) as shown on that certain record of Survey Map filed for record in the Office of the County Recorder, Santa Clara County, California on April 29, 1953 in [Book 43 of Maps, Page 14](#), also being in the Southern corporate limit line of the City of San Jose, with the Northeasterly line of Monterey Road, as said line was established by Deed from Southern Lumber Company, a corporation to State of California recorded February 08, 1952 in [Book 2362, Page 559](#) of Official Records, Santa Clara County Records; thence Southeasterly along the aforesaid Northeasterly line of Monterey Road, a distance of 22.99 feet to a point of cusp with a tangent curve; concave Northeasterly with a radius of 20.00 feet through a central angle of 97° 57' 24", an arc distance of 34.19 feet to a point on the aforesaid Southeasterly line of Alma Avenue; thence Southwesterly along the aforesaid Southeasterly line of Alma Avenue, a distance of 22.99 feet to the point of beginning of this description, containing approximately 118 square feet.

APN: 477-07-012



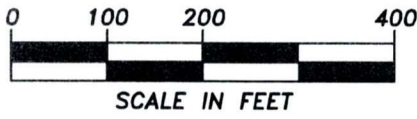
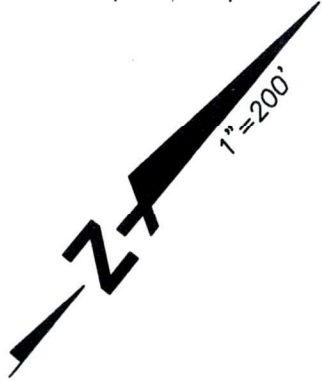
| CURVE TABLE |        |           |        |
|-------------|--------|-----------|--------|
| CURVE       | RADIUS | DELTA     | LENGTH |
| C1          | 20.00' | 98°07'00" | 34.25' |

**NOTE**  
 THE PERIMETER BOUNDARY LIMITS OF SUBJECT SITE AS SHOWN ON THIS PLAT MAP ARE BASED ON THE RECORD PAPER BOUNDARY OF THE SITE FOR USE WITH THIS REZONING AND IS NOT THE RESULT OF A FIELD SURVEY.



*John Koroyan*  
 MAY 12, 2026

**EXHIBIT "B"**  
 PLAT MAP TO ACCOMPANY  
 LEGAL DESCRIPTION



1650 TECHNOLOGY DRIVE  
 SUITE 650  
 SAN JOSE, CA 95110  
 408-467-9100  
 408-467-9199 (FAX)

Subject REZONING, FILE NO. C26-005  
1402 MONTEREY ROAD, SAN JOSE, CA  
 Job No. 26000866  
 By DIS Date 05-12-26 Chkd. JVK  
 SHEET 1 OF 1