

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF SAN JOSE REZONING
CERTAIN REAL PROPERTY OF APPROXIMATELY 0.94
GROSS ACRES SITUATED ON THE NORTHWESTERLY
CORNER OF HAYES AVENUE AND ENDICOTT
BOULEVARD (15 COTTLE ROAD) (APN 690-02-003)
FROM THE IP INDUSTRIAL PARK 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, pursuant to Section 15168(c)(2) of the CEQA Guidelines, the City of San José 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 conforming rezoning to the LI Light Industrial Zoning District; and

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

WHEREAS, pursuant to Senate Bill 330, the conforming rezoning (File No. C23-115) does not reduce the capacity for residential units within the City because the current IP Industrial Park 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 hereinafter described in this section, hereinafter referred to as "subject property," is hereby rezoned to the 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. C23-115 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



October 16, 2023
HMH 6579.00.130
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EXHIBIT "A"
FOR REZONING PURPOSES

REAL PROPERTY in the City of San Jose, County of Santa Clara, State of California, being all of Parcel D-1 as shown on that certain Record of Survey filed for record on February 25, 1970, in Book 264 of Maps, page 56, in the Official Records of Santa Clara County, described as follows:

BEGINNING at the northwesterly corner of said Parcel D-1, being on the southerly line of Hayes Avenue;
Thence South $00^{\circ}08'58''$ West, 264.68 feet;
Thence South $89^{\circ}40'14''$ East, 89.51 feet;
Thence North $47^{\circ}55'28''$ East, 20.30 feet;
Thence along a tangent curve to the right, having a radius of 253.00 feet, through a central angle of $24^{\circ}14'11''$ for an arc length of 107.02 feet;
Thence along a reverse curve to the left, having a radius of 15.00 feet, through a central angle of $15^{\circ}06'55''$ for an arc length of 3.96 feet;
Thence North $00^{\circ}08'58''$ East, 57.48 feet;
Thence northwesterly, along a non-tangent curve to the left, having a radius of 135.00 feet, whose center bears South $74^{\circ}00'22''$ West, through a central angle of $36^{\circ}24'09''$ for an arc length of 85.77 feet;
Thence North $49^{\circ}04'34''$ West, 20.03 feet;
Thence North $52^{\circ}23'47''$ West, 91.98 feet;
Thence North $89^{\circ}40'06''$ West, 64.23 feet, to the POINT OF BEGINNING.

Containing 40,950 square feet or 0.94 acres, more or less.

As shown on Exhibit "B" attached hereto and made a part hereof.

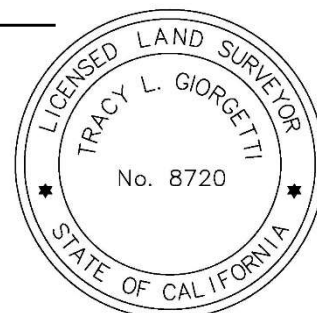
END OF DESCRIPTION

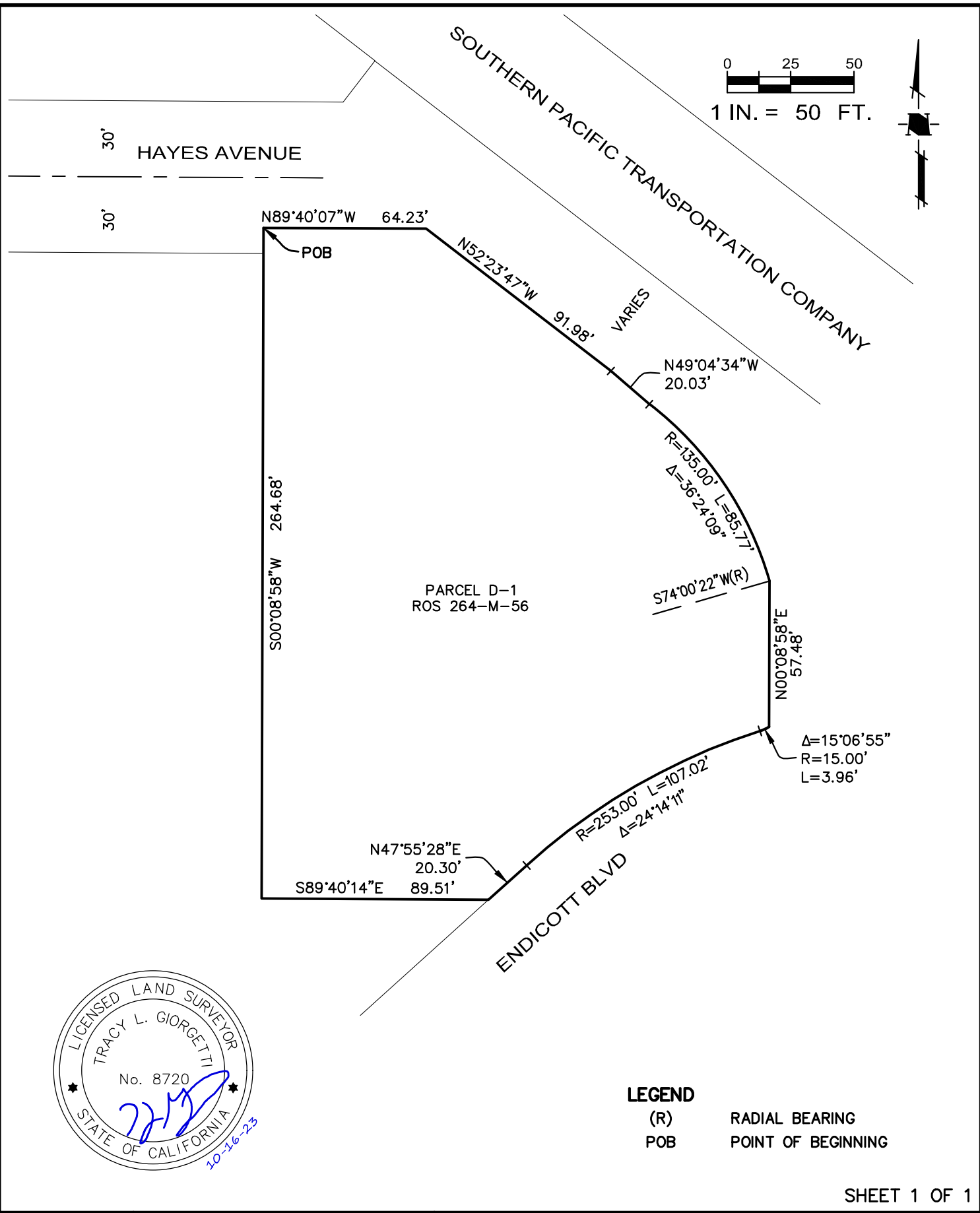
For assessment or zoning purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

This legal description was prepared by me or under my direction in accordance with the Professional Land Surveyors Act.

Date: 10-16-23

Tracy L. Giorgetti
Tracy L. Giorgetti, LS 8720





Date:	2023-10-16
Designed:	—
Drawn:	RF
Checked:	TG
Proj. Engr.:	—
657900PL01	



1570 Oakland Road (408) 487-2200
 San Jose, CA 95131 HMHca.com

EXHIBIT "B"
PLAT TO ACCOMPANY DESCRIPTION:
FOR REZONING PURPOSES

SAN JOSE **CALIFORNIA**