

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

**AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 9.8 GROSS ACRES SITUATED ON THE WESTERLY SIDE OF SOUTH KING ROAD, APPROXIMATELY 250 FEET SOUTH OF THE INTERSECTION OF SOUTH KING ROAD AND BARBERRY LANE (2905-2919 SOUTH KING ROAD) (APNS 670-12-014 & 670-12-015) FROM THE LI(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO A NEW LI(PD) PLANNED DEVELOPMENT 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. PDC24-036, and said Statement of Exemption (CEQA Categorical Exemption Section 15303, New Construction of Small Structures, consisting of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure) was adopted on November 3, 2023; and

**WHEREAS**, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to a new LI(PD) Planned Development Zoning District; and

**WHEREAS**, this 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; and

**WHEREAS**, the proposed 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 herein described in this section, hereinafter referred to as "subject property" is hereby rezoned to a new LI(PD) Planned Development Zoning District. The base district zoning of the subject property shall be the LI Light Industrial Zoning District. The Planned Development rezoning of the subject property shall be that rezoning plan set for the subject property entitled, "Planned Development Rezoning / BAY AREA SELF STORAGE-KING ROAD," as submitted on March 15, 2024.

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. PDC24-036 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 \_\_\_\_\_, 2024 by the following  
vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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MATT MAHAN  
Mayor

ATTEST:

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TONI J. TABER, MMC  
City Clerk

**LEGAL DESCRIPTION**

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

PARCEL ONE, AS SAID PARCEL IS SHOWN ON THAT CERTAIN LOT LINE ADJUSTMENT PERMIT, FILE NO. AT17-034, RECORDED SEPTEMBER 1, 2017 AS DOCUMENT NO. 23744392 OF OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REAL PROPERTY IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, BEING ALL OF PARCEL A AS DESCRIBED IN THE LOT LINE ADJUSTMENT PERMIT, RECORDED JUNE 7, 2017, IN DOCUMENT NO. 23668200 OF OFFICIAL RECORDS, SANTA CLARA COUNTY RECORDS;

AND, IN ADDITION THERETO, THE FOLLOWING AREA:

REAL PROPERTY IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, BEING A PORTION OF PARCEL B AS DESCRIBED IN THE LOT LINE ADJUSTMENT PERMIT, RECORDED JUNE 7, 2017, IN DOCUMENT NO. 23668200 OF OFFICIAL RECORDS, SANTA CLARA COUNTY RECORDS;

BEGINNING AT THE NORTHERLY CORNER OF SAID PARCEL B, BEING ON THE SOUTHWESTERLY LINE OF KING ROAD;

THENCE ALONG SAID SOUTHWESTERLY LINE, SOUTH 43°02'24" EAST, 2.01 FEET;

THENCE SOUTH 50°49'56" WEST, 508.67 FEET;

THENCE SOUTH 39°10'05" EAST, 398.91 FEET, TO THE SOUTHEASTERLY LINE OF SAID PARCEL B,

THENCE ALONG SAID SOUTHEASTERLY LINE, SOUTH 50°40'36" WEST, 1.21 FEET, TO THE SOUTHWESTERLY LINE OF SAID PARCEL B;

THENCE ALONG THE SOUTHWESTERLY AND NORTHWESTERLY LINES OF SAID PARCEL B THE FOLLOWING TWO COURSES:

1. THENCE NORTH 39°25'55" WEST, 400.28 FEET;
2. THENCE NORTH 50°45'36" EAST, 511.58 FEET, TO THE POINT OF BEGINNING.

APN: 670-12-014

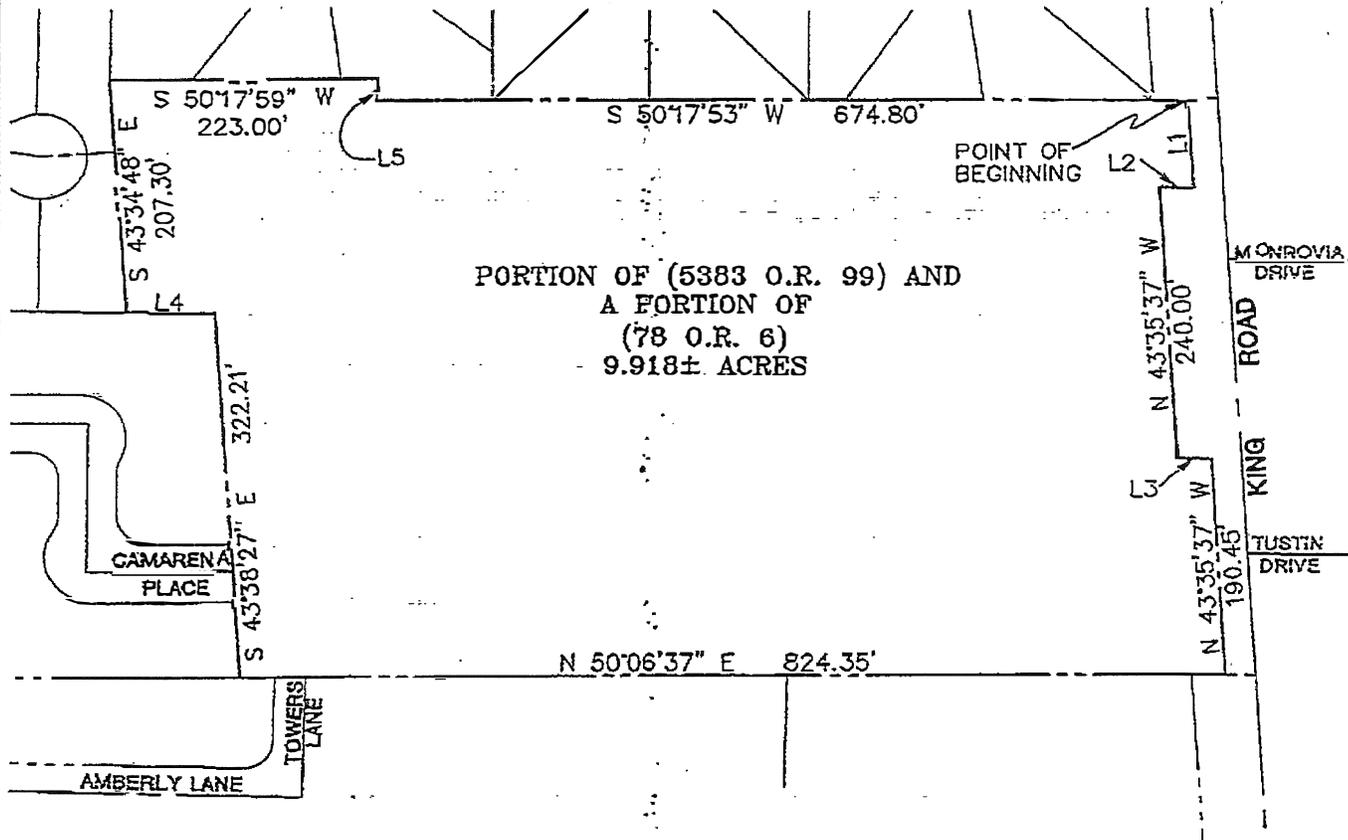
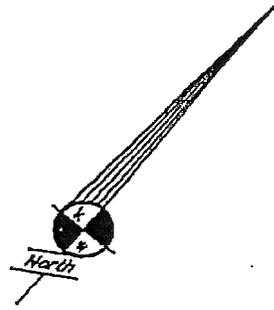
27289

# EXHIBIT "B"

FILE NO. PD23-013

LINE TABLE:

LINE	BEARING	DISTANCE
L1	N 43°35'37" W	79.95'
L2	N 50°17'53" E	28.07'
L3	S 50°18'53" W	28.07'
L4	N 50°47'56" E	73.10'
L5	N 43°34'51" W	17.00'



PORTION OF (5383 O.R. 99) AND  
A PORTION OF  
(78 O.R. 6)  
9.918± ACRES

PLAT TO ACCOMPANY LEGAL DESCRIPTION  
FOR: BAY AREA SELF STORAGE

SAN JOSE

CALIFORNIA

DATE	MARCH, 2004
SCALE	1"=150'
DR. BY	CCB
JOB	A03228
SHEET NO.	2 OF 2

**KIER & WRIGHT**  
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