COUNCIL AGENDA: 01-09-07
ITEM: 4.3

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JOSEPH HORWEDEL

SUBJECT: SEE BELOW

DATE: December 11, 2006

Approved Deanna Santana

Date 12/12/06

COUNCIL DISTRICT: 2
SNI AREA: None

SUBJECT: OAK GROVE NO. 70. REORGANIZATION/ANNEXATION TO THE CITY OF SAN JOSE ON AN APPROXIMATELY 14.66 GROSS ACRE COUNTY POCKET CONSISTING OF 6 PARCELS ON THE SOUTH SIDE OF MANILA DRIVE AND CURIE DRIVE, WEST OF SAN IGNACIO AVENUE.

RECOMMENDATION

It is recommended that the City Council adopt a resolution ordering the reorganization of territory designated as Oak Grove No. 70 which involves the annexation to the City of San Jose of an approximately 14.66 gross acre County pocket consisting of 6 parcels on the south side of Manila Drive and Curie Drive, west of San Ignacio Avenue. Implementation of the annexation would result in the detachment of properties within the annexation area from Central Fire Protection and Area No. 01 (Library Services) County Service Districts.

OUTCOME

Upon completion of the annexation/reorganization proceedings, the territory designated Oak Grove No. 70 shall be annexed into the City of San Jose.

BACKGROUND

On April 26, 2006, the City Council voted to provide direction to City staff to proceed with a County Island annexation program that involves the annexation of all unincorporated County pockets less than 150-acres in size. The City of San Jose has initiated the annexation of the subject area in conjunction with this program.

The proposed annexation consists of 6 parcels (Assessor's Parcel Numbers 704-09-006, 704-11-016, 708-02-012, 704-11-009, 704-11-010, 704-11-013) and the detachment of the same from the appropriate special districts including: Central Fire Protection and Area No.01 (Library Services) County Service Districts. Maps showing the affected territory are attached.

The City Council approved a Director-Initiated Prezoning (File No. C06-072) on November 14, 2006 which prezoned the parcels from unincorporated County to OS Open Space District to allow open space uses consistent with the Public Park & Open Space and Low Density Residential General Plan designations, the existing neighborhood and the existing uses and/or structures on the subject property. The subject site, bounded by Manila Drive and Curie Drive to the north, the Santa Teresa County Park to the west, the S.C.V.W.D. Coyote-Alamitos Canal to the south, and San Ignacio Avenue to the east. The site is developed with a mixture of residential, historic resources, public park, and open space uses and is surrounded by public park, open space, public/quasi public, and residential uses.

The Santa Clara County Parks and Recreation Department intends to develop these Park properties, which include two historic structures, in the near future, as part of a focused site plan for development of the historic interpretive site of the Rancho Santa Teresa. For the near term, the County Parks Department hopes to connect to the City sewers to continue the current use of two houses for park staff residences. For the long term, there will be a master planning study in the Spring of 2007, and the County Parks Department hopes to develop the Oak Grove site as an interpretive area of Native American history to show progression of use on the site from Native American to Spanish Ranch. Beyond the interpretive areas, development of the site is anticipated to include restroom facilities, a small staging parking area to access the trails and interpretive area, and street improvements on Currie Drive.

The City Council voted unanimously to initiate this annexation as part of Phase 1 of the County Island Annexation program on November 14, 2006. There were no speakers at the public hearing regarding this item.

ANALYSIS

The proposed annexation is being done as part of the first phase of the County island annexation program as it has been determined that it will create a negligible impact on City services because of its size, location and number of inhabitants. The area is surrounded on all sides by the City of San Jose and its annexation is logical for the purposes of providing urban services in an efficient manner. It is inefficient and potentially confusing for the same urban services to be provided by different service providers to residents within the same general area.

Before approving the reorganization proposal, the City Council is required to make certain findings as listed below. Staff comments follow each such finding.

1. **The unincorporated territory is within the City's Urban Service Area as adopted by LAFCO**. The site is located within the City's Urban Service Area.

2. **The County Surveyor has determined the boundaries of the proposal to be definite and certain and in compliance with LAFCO Annexation Policies.** The County Surveyor has certified the boundaries of the reorganization.

3. **The proposal does not split lines of assessment or ownership**. All affected parcels are being reorganized in their entirety.

4. **The proposal does not create island or areas in which it would be difficult to provide municipal services**. As proposed, the annexation will not create islands. The completion of reorganization proceedings would result in the elimination of a pocket of unincorporated territory.

5. **The proposal is consistent with the City's adopted General Plan**. The proposed annexation is consistent with the City's adopted policy in that existing and future urban development should be located within cities.

6. **The territory is contiguous to existing City limits**. The area proposed to be reorganized is contiguous to the City limits as shown on the attached map.

POLICY ALTERNATIVES

Not Applicable

PUBLIC OUTREACH/INTEREST

- ☐ **Criteria 1**: Requires Council action on the use of public funds equal to $1 million or greater.
  (Required: Website Posting)
- ☐ **Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- ☐ **Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although this item does not meet any of the above criteria, Outreach will occur consistent with Council Policy 6-30: Public Outreach for Pending Land Use and Development Proposals. A notice of the public hearing was distributed to the owners and tenants of all properties located within 300 feet of the project site and posted on the City website. The rezoning was also published in a local newspaper, the Post Record. This staff report is also posted on the City's website. Staff has been available to respond to questions from the public. All property owners within areas proposed for annexation were mailed a copy of the "Annexation Answer Book".

COORDINATION

This project was coordinated with the Department of Public Works, Fire Department, Police Department, Environmental Services Department, Local Agency Formation Commission and the City Attorney.

FISCAL/POLICY ALIGNMENT

This project is consistent with applicable General Plan policies that urban development should take place within the Urban Service Area.

COST SUMMARY/IMPLICATIONS

The proposed annexation is being done as part of the first phase of the County island annexation process as it has been determined that it will create a negligible impact on City services because of its size, location and number of inhabitants.

BUDGET REFERENCE

Not applicable.

CEQA

The environmental impacts of this project were addressed by a Final EIR entitled, "San José 2020 General Plan," and certified on August 16, 1994, by the City of San José City Council.

for Susan Walton
JOSEPH HORWEDEL, ACTING DIRECTOR
Planning, Building and Code Enforcement

For questions, please contact Richard Buikema at (408) 535-7800.

Attachments

Vicinity Map

San Jose Pocket No. 16
Oak Grove No. 70

05/12/06

County of Santa Clara
County Surveyor's Office

Area of Annexation
6000 Scale Index Map
Incorporated Lands
Unincorporated Lands

N

0 125 250
Feet

THE COUNTY OF SANTA CLARA