



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Joseph Horwedel

SUBJECT: SUNOL NO. 65

DATE: February 28, 2006

Approved

Ray Winter

Date

2/10/06

COUNCIL DISTRICT: 6

RECOMMENDATION

It is recommended that the City Council adopt a resolution ordering the reorganization of territory designated as Sunol No. 65 which involves the annexation to the City of San Jose of 0.62 gross acres of land located at the south side of Park Avenue, approximately 500 feet easterly of Race Street and adjacent to the City of San Jose annexation Sunol No. 43 and the detachment of the same from Sunol Sanitary, County Lighting County Service, Central Fire Protection and Area No.01 (Library Services) County Service Districts.

BACKGROUND

On June 4th, 2002, the City Council adopted Zoning Ordinance 26653 which rezoned the subject property from County to CP Commercial Pedestrian Zoning District.

The proposed annexation consists of a parcel of land identified as Assessor's Parcel Number(s) 261-41-038 and -039 and the detachment from Sunol Sanitary, County Lighting County Service, Central Fire Protection and Area No.01 (Library Services) County Service Districts.

ANALYSIS

The reorganization is defined as 100 percent consent, since the property owner(s) of the parcel signed the annexation petition. The site consists of a discreet 0.62 acres developed parcel(s). The Registrar of Voters has certified that there are no registered voters in the affected area of the reorganization.

The proposed annexation would facilitate development and intensification of the site with religious assembly uses on land that is within the City's Urban Service Area (USA). The parcel(s) are adjacent to City territory to the west and north, and County territory to the east, south. The proposed reorganization and annexation of the subject site conforms to the City's General Plan and Santa Clara County LAFCO policies in that existing and future urban development should take place within cities.

Proceedings are being conducted under provisions of the California Government Code Section 56757, which grants the City conducting authority and allows the completion of reorganization in Santa Clara County without Local Agency Formation Commission (LAFCO) approval. Before approving the reorganization proposal, the City Council is required to make certain findings as listed below. Staff comments follow each 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 parcel(s) are being reorganized in their entirety.*
4. The proposal does not create islands or areas in which it would be difficult to provide municipal services. *No such islands are being created. The completion of reorganization proceedings would result in the reduction 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 within the General Plan, as well as LAFCO and the County of Santa Clara policy in that existing and future urban development 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 along one side as shown on the attached map.*
7. The City has complied with all conditions imposed by LAFCO for inclusion of the territory in the City's Urban Service Area. *No such conditions have been imposed.*

OUTCOME

Upon completion of the annexation/reorganization proceedings the territory designated "Sunol No. 65" shall be annexed into the City of San José.

PUBLIC OUTREACH

Notices of the public hearings for the rezoning (C02-012) were mailed to all property owners and tenants within 500 feet of the project site. Notice of the public hearings was also published in the newspaper.

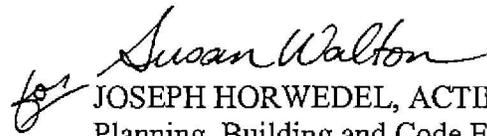
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COORDINATION

As standard procedure in the development review process, this project was coordinated with the Department of Public Works, Fire Department, Police Department, Environmental Services Department, Finance Department and the City Attorney.

CEQA

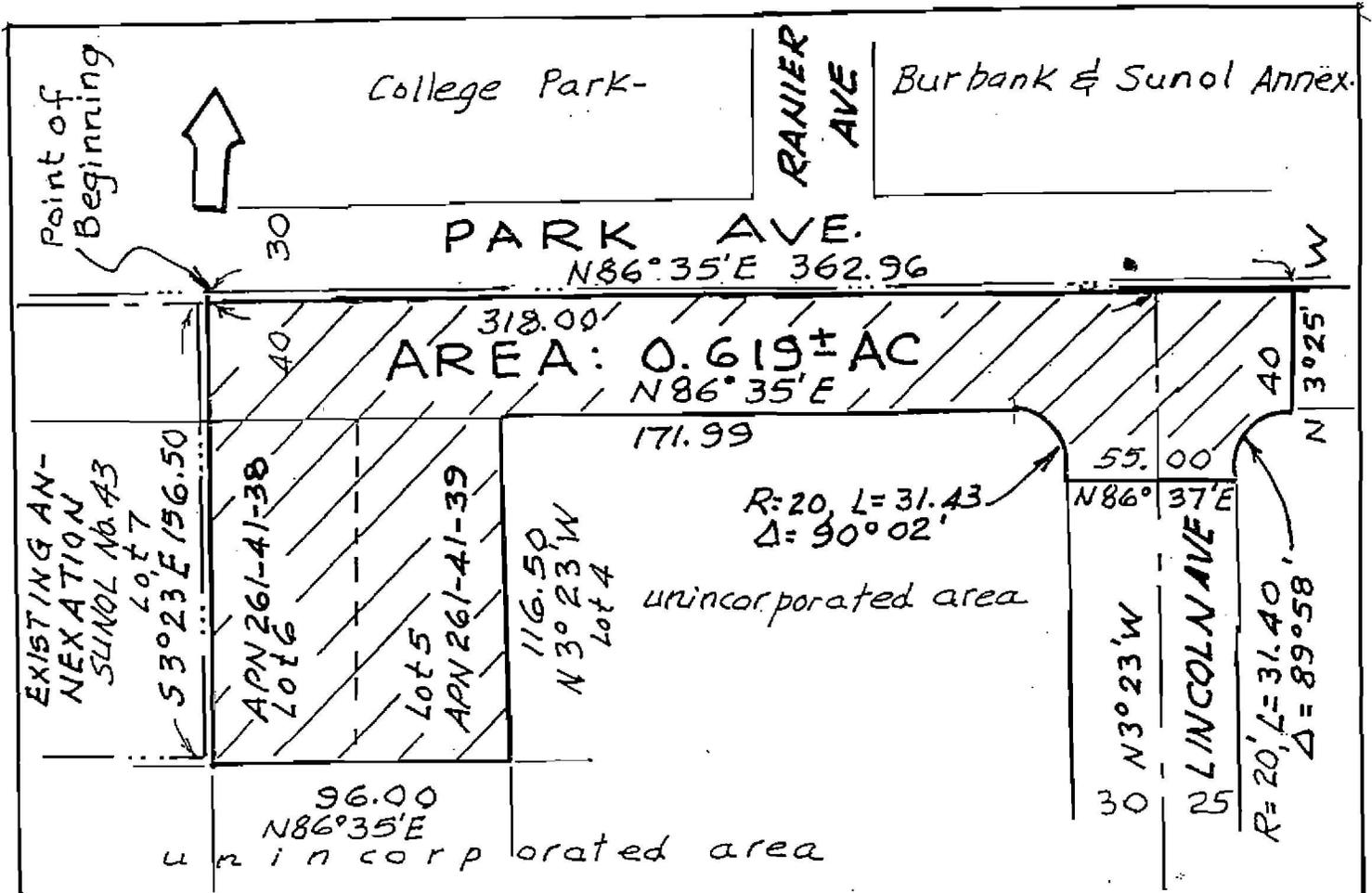
GP2020 EIR (Resolution No. 65459). (C02-012)


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

Attachments: Legal Description and Annexation Map

c: Chinmaya Mission San Jose, 1054 Park Avenue, San Jose, CA 95126
Ravindra Kumar, 469 Redwood Avenue, San Bruno, CA 94066

ss



LEGEND

----- Line of existing annexation
 _____ Line of proposed annexation.

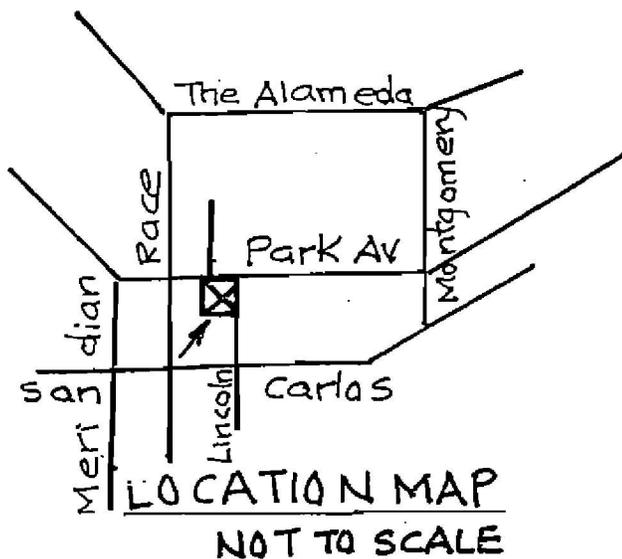
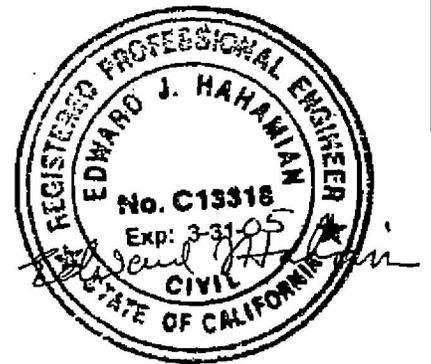


EXHIBIT "B"
 PROPOSED ANNEXATION
 TO THE CITY OF SAN JOSE
 ENTITLED:
 SUNOL No. 65
 JAN 21, 2002 SCALE: 1"=60'

EXHIBIT "A"

ANNEXATION TO THE CITY OF SAN JOSE, CA

ENTITLED:
SUNOL No. 65

All that certain real property situated in the County of Santa Clara, State of California, described as follows:

Beginning at the point of intersection of the centerline of Park Avenue with the northerly prolongation of the common lot line of Lots 6 and 7 as shown upon that certain map of Tract No. 41, which was filed for record in the Office of the County Recorder of said County in Book 1 of Maps at Page 40 and 41, said point of beginning being on the City Limits line of the City of San Jose as established by said City's Annexation of College Park, Burbank and Sunol, Ordinance No. 2020;

Thence along the northerly prolongation of said common lot line, also being the easterly boundary of that certain annexation to said City entitled "Sunol No. 43", S3°23'E 156.50 feet to the southwesterly corner of said Lot 6;

Thence along the southerly line of Lots 5 and 6, N89°35'E 96.00 feet to the southeasterly corner of said Lot 5;

Thence along the easterly line of said Lot 5, N3°23'W 116.50 feet to the northeasterly corner thereof on the southerly line of Park Avenue;

Thence along said southerly line, N86°35'E 171.99 feet;

Thence along a curve to the right having a radius of 20 feet through a central angle of 90°02' an arc length of 31.43 feet to a point on the westerly line of Lincoln Avenue;

Thence N86°37'E 55.00 feet to a point on the easterly line of said Lincoln Avenue;

Thence along a curve to the right having a radius of 20 feet through central angle of 89°58' an arc length of 31.40 feet to a point on the southerly line of Park Avenue;

Thence leaving said southerly line N3°25'W 40.00 feet to a point on the centerline of said Park Avenue;

Thence along said centerline, S86°35'W 362.96 feet to the point of beginning.

Containing 0.619 of an acre, more or less.

January 21, 2002

