



COUNCIL AGENDA: 3-7-06  
ITEM: 2.5

## Memorandum

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**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Joseph Horwedel

**SUBJECT:** SEE BELOW

**DATE:** February 7, 2006

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COUNCIL DISTRICT: 3

**SUBJECT:** ALLEY VACATION BETWEEN 10<sup>TH</sup> AND 11<sup>TH</sup> STREETS,  
APPROXIMATELY 140 FEET NORTH OF MARGARET STREET

### TRANSMITTAL MEMO

The Planning Commission will hear this project on February 16, 2006. The memorandum with Planning Commission recommendations will be submitted under different cover. We hope the submittal of this staff report is of assistance in your review of this project.

JOSEPH HORWEDEL, ACTING DIRECTOR  
Planning, Building and Code Enforcement



PC AGENDA: 2/16/06

ITEM: 310

# Memorandum

**TO: PLANNING COMMISSION**

**FROM: Joseph Horwedel**

**SUBJECT: SEE BELOW**

**DATE: February 9, 2006**

**COUNCIL DISTRICT: 3**

**SUBJECT: ALLEY VACATION BETWEEN SOUTH 10<sup>TH</sup> AND 11<sup>TH</sup> STREETS,  
APPROXIMATELY 140 FEET NORTH OF MARGARET STREET**

## **BACKGROUND**

This is a request to vacate a portion of the alley between 10<sup>th</sup> and 11<sup>th</sup> Streets, approximately 140 feet north of Margaret Street. The area to be vacated is not used for public street purposes and is only an alley on paper. The alley vacation necessary in order to remove the encumbrance on a two-lot parcel map approved under File No. PD04-014 for a paired dwelling. The Department of Public Works has determined that this area is no longer needed for public street purposes and have no objections to the proposed vacation and recommends that it be approved. All concerned utility companies have been contacted and they have no objections to the proposed vacation provided that a public service easement is reserved.

This vacation is in conformance with the adopted San José 2020 General Plan Land Use/Transportation Diagram because the Alley is no longer needed for public street purposes.

## **ENVIRONMENTAL REVIEW**

Per California Environmental Quality Act (CEQA) guidelines Section 15305, the project is exempt as from environmental review because it is a minor alteration in land use limitations in an area with an average slope of less than 20%, which does not result in any changes in land use or density.

## **RECOMMENDATION**

Planning staff recommends the Planning Commission forward a recommendation to the City Council to approve the vacation to the satisfaction of the Director of Public Works.

Joseph Horwedel, Acting Director  
Planning, Building and Code Enforcement



Scale: 1"= 200'

Map Created On:

01/10/2006

# Location Map

**CITY OF SAN JOSÉ, CALIFORNIA**  
**DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT**  
**STATEMENT OF EXEMPTION**

**FILE NO.** Alley Vacation between South 10<sup>th</sup> and 11<sup>th</sup> Streets  
(PW# 3-14985)

**LOCATION OF PROPERTY** West side of South 11<sup>th</sup> Street, approximately 140 feet  
northerly of Margaret Street (671 S. 11<sup>th</sup> Street)

**PROJECT DESCRIPTION** Vacate a portion of the Alley, mid-block between  
South 10<sup>th</sup> and 11<sup>th</sup> Streets, northerly of Margaret  
Street, attached to a 2-lot subdivision

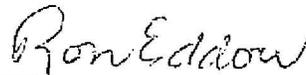
**ASSESSOR'S PARCEL NUMBER** 472-23-022

**CERTIFICATION**

Under the provisions of Section 15305 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) as stated below, this project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended.

- **15305. Minor Alterations in Land Use Limitations:** minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density.

Joseph Horwedel, Acting Director  
Planning, Building and Code Enforcement



Deputy

Date January 10, 2006

Project Manager: Lesley Xavier

(Rev. 10/23/02)



# Memorandum

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**TO:** Lee Butler  
Planning and Building

**FROM:** Ryan Do  
Public Works

**SUBJECT:** SEE BELOW

**DATE:** 12-20-05

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**SUBJECT:** THE VACATION OF A PORTION OF AN ALLEY LYING AT THE REAR YARD OF 671 S. 11<sup>TH</sup> ST., MID-BLOCK BETWEEN 10<sup>TH</sup> AND 11<sup>TH</sup> STREETS, NORTHERLY OF MARGARET ST.

The Public Works Department is currently processing an application to vacate a portion of this alley. This vacation is necessary to remove this encumbrance on a 2-lot parcel map, approved under PD04-014.

Public Works has reviewed the application and has determined that this area is no longer needed for public street purposes. All concerned utility companies have been contacted and have no objections to the proposed vacation.

Attached is a copy of the application. Please conduct the appropriate environmental review, review for General Plan conformance, and agendize this item for a Planning Commission hearing at the earliest possible date. If you have any questions, please contact me at 535-6897 or Gary Jansen at 535-6895.

Ryan Do  
Project Engineer  
Development Services Division

RD:gj  
attachments

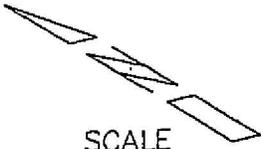
PLAT OF DESCRIPTION  
 VACATION OF A PORTION OF ALLEY  
 ADJOINING LOT 12, BLOCK 8, MAP OF REED'S  
 ADDITION, BOOK "A" MAPS PAGES 72 AND 73

IN THE CITY OF SAN JOSE

SANTA CLARA COUNTY RECORDS, CALIFORNIA

EXHIBIT "A"

PAGE 2 OF 2

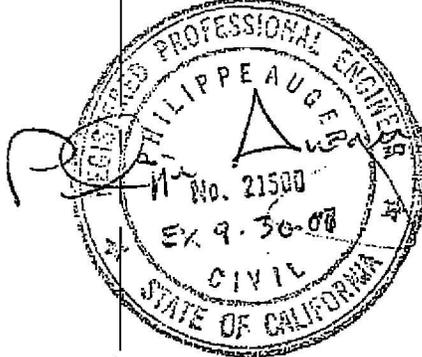
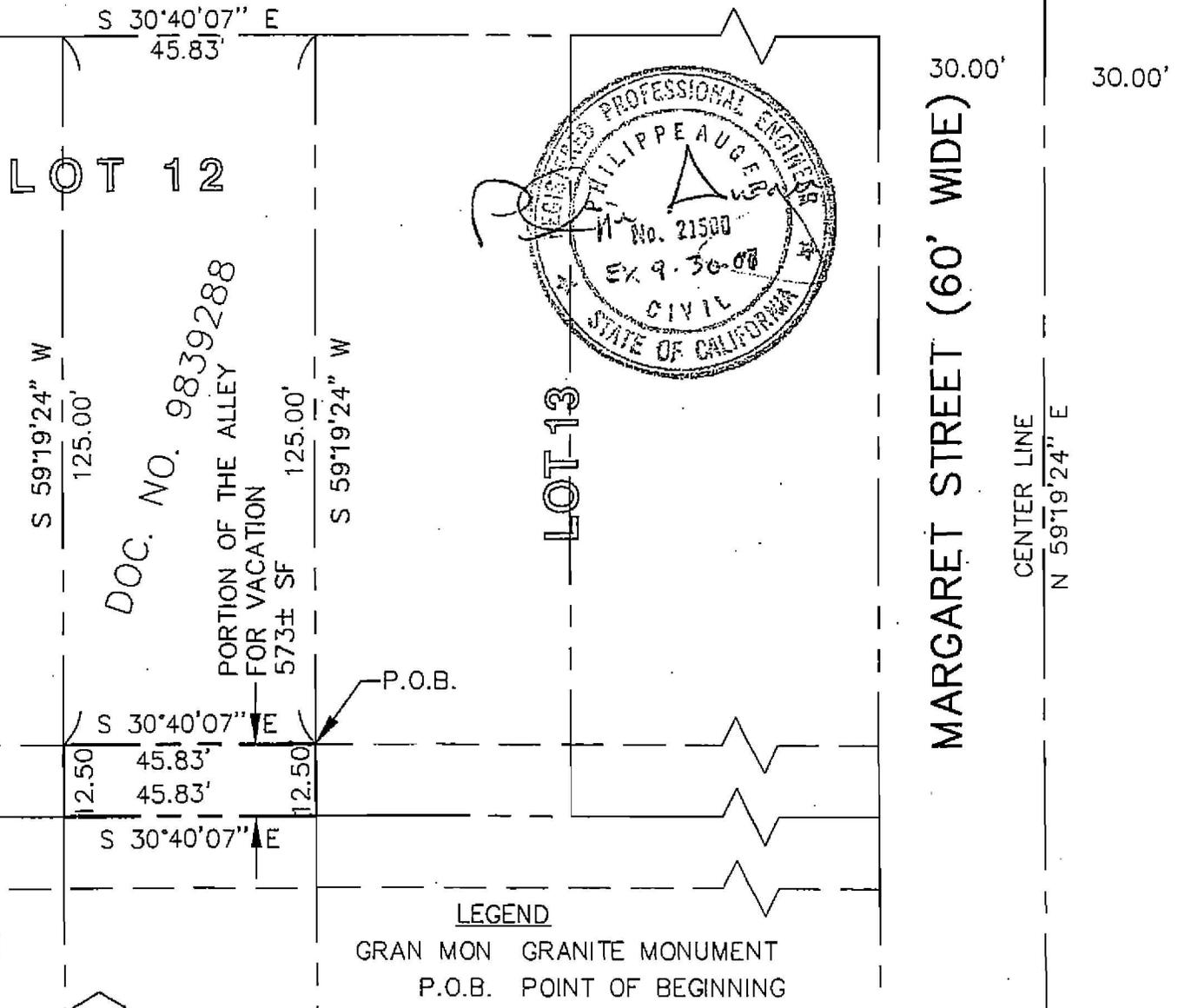


SCALE  
 1"=30'

MONUMENT LINE S 30°40'07" E

FOUND GRAN MON  
 ORIGIN UNKNOWN

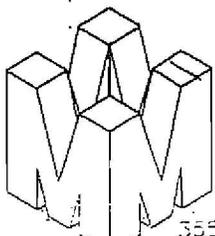
SOUTH ELEVENTH STREET (80' WIDE)



DOC. NO. 9839288  
 PORTION OF THE ALLEY  
 FOR VACATION  
 573± SF

LEGEND

- GRAN MON GRANITE MONUMENT
- P.O.B. POINT OF BEGINNING



MISSION ENGINEERS, INC.

RESPONSIVE, RELIABLE RESULTS SINCE 1953

355 Reed St. Santa Clara, Calif 95050 (408) 727-8262 FAX: (408) 727-8285 DWG. NO. S13479

SCALE:	1"=30'
DATE	11/01/05
DWN	MCE MEJ
CHK'D BY	PA 12-6-05
JOB NO.	04196
DWG. NO.	S13479

November 1, 2005

Job No. 04196

EXHIBIT "A"  
LEGAL DESCRIPTION FOR VACATION OF A  
PORTION OF ALLEY IN LOT 12, BLOCK 8  
MAP OF REED'S ADDITION  
BOOK "A" MAPS, PAGES 72 AND 73  
SANTA CLARA COUNTY RECORDS  
IN THE CITY OF SAN JOSE, CALIFORNIA

(See Mission Engineers Inc. Drawing No. S13479 attached hereto and made part hereof)

All that certain real property situate in the City of San Jose, County of Santa Clara, State of California, described as follows.

Portion of 25 foot wide alley, adjoining Lot 12, Block 8, Map of Reed's Addition filed in Book "A" of Maps, at Pages 72 and 73, Santa Clara County Records, and being more particularly described as follows:

Beginning at the southerly most corner of said Lot 12, being a common corner of Lots 12 and 13;

Thence, along the southwesterly extension of the southeasterly boundary line of said Lot 12, South 59°19'24" West, 12.50 feet to the centerline of said 25 foot alley;

Thence, along said centerline, North 30°40'07" West, 45.83 feet;

Thence, North 59°19'24" East, 12.50 feet to the southwesterly boundary line of said Lot 12;

Thence, along last said line, South 30°40'07" East, 45.83 feet to the Point of Beginning, and containing 573 square feet, more or less.

