

# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Joseph Horwedel

**SUBJECT:** SUNOL NO. 68

**DATE:** March 15, 2006

Approved

*Deanna Santana*

Date

*3/20/06*

**COUNCIL DISTRICT:** 6

## RECOMMENDATION

It is recommended that the City Council adopt a resolution ordering the reorganization of territory designated as Sunol No. 68 which involves the annexation to the City of San Jose of 0.42 gross acres of land located at the west side of South Willard Avenue, approximately 180 feet southerly of Douglas Street and adjacent to the City of San Jose annexation Sunol No. 13 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 February 7<sup>th</sup>, 2006, the City Council adopted Zoning Ordinance 27662 which rezoned the subject property from County to A(PD) Planned Development Zoning District ( File No. PDC04-095) to allow 7 single-family attached and detached residential units.

The proposed annexation consists of a parcel of land identified as Assessor's Parcel Number 277-18-034 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 0.42 acres undeveloped parcel. 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 residential uses on land that is within the City's Urban Service Area (USA). The parcel is adjacent to City territory to the west and northwest, and County territory to the south, east and northeast. 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.

HONORABLE MAYOR AND CITY COUNCIL

April 4, 2006

**Subject: Sunol No. 68**

Page 2

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. 68" shall be annexed into the City of San José.

### **PUBLIC OUTREACH**

Notices of the public hearings for the rezoning (PDC04-095) 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.

HONORABLE MAYOR AND CITY COUNCIL

April 4, 2006

**Subject: Sunol No. 68**

Page 3

### 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

Mitigated Negative Declaration adopted January 17, 2006 (File No. PDC04-095).

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

Attachments: Legal Description and Annexation Map

c: Steven & Nancy McVay, 960 Stonehurst Way, Campbell, CA 95008

SS

Silicon Valley Land Surveying, Inc.  
Project No. 04-0430  
February 2005

**Legal Description for Annexation to the  
City of San Jose  
Sunol No. 68**

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

Beginning at the northwesterly corner of Lot 13 of Maypark Half Acres, a map which is recorded in the Office of the County Recorder of Santa Clara County in Book "M" of Maps at Page 47, also being a point on the boundary of that land area officially annexed to the City of San Jose entitled Sunol No. 13;

thence North 89°30'00" East 60.00 feet along the northerly line of Lot 13, also being a boundary line of Sunol No. 13;

thence continuing along the northerly line of Lot 13, North 89°30'00" East 202.05 to the easterly line of Lot 13;

thence South 0°17'00" East 70.00 feet to the southerly line of Lot 13;

thence South 89°30'00" West 262.06 feet to the westerly line of Lot 13, and also being a portion of the boundary of Sunol No. 13;

thence North 0°15'43" West 70.00 feet, along the westerly line of Lot 13, also being a boundary line of Sunol 13, to the point of beginning of this description.

The West right of way line of Willard Avenue as shown on the Record of Survey recorded in the Office of the County Recorder of Santa Clara County in Book 738 of Maps at Page 30 was taken as the basis of bearings for this description.

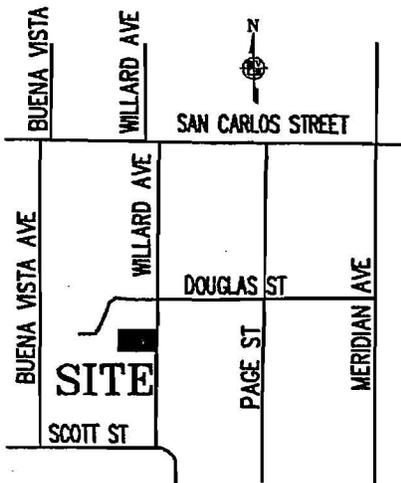
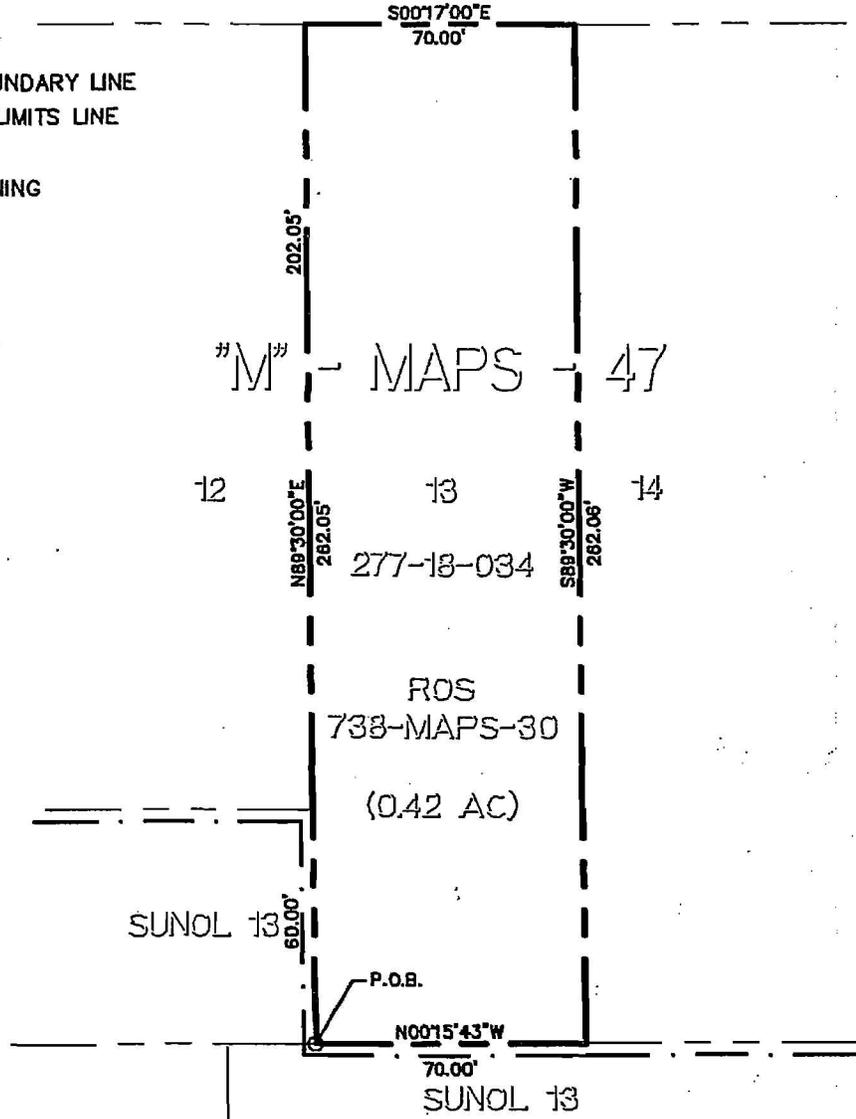
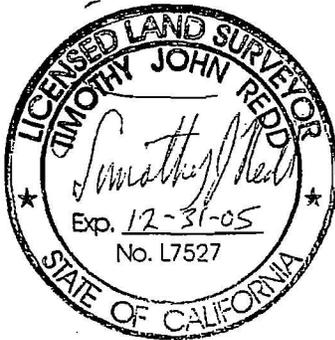
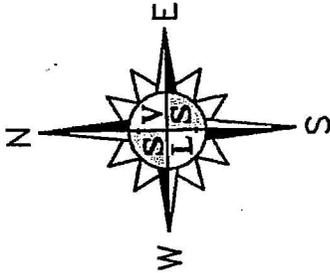
End of Description



WILLARD AVENUE

LEGEND

- PROPERTY LINE
- ANNEXATION BOUNDARY LINE
- SAN JOSE CITY LIMITS LINE
- CENTERLINE
- P.O.B. POINT OF BEGINNING



VICINITY MAP  
1" = 1000'

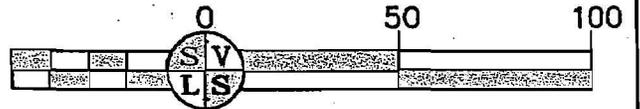


EXHIBIT B  
PROPOSED ANNEXATION  
TO CITY OF SAN JOSE  
ENTITLED SUNOL NO. 68

REVISED: 02-08-05

SCALE: 1"=50'

JOB NO. 04-0430



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