

SUPPLEMENTAL

COUNCIL AGENDA: 6-7-05
ITEM: 4.4

Memorandum

**TO: HONORABLE MAYOR
AND CITY COUNCIL**

FROM: Planning Commission

SUBJECT: SEE BELOW

DATE: May 25, 2005

COUNCIL DISTRICT: 10

SUBJECT: VACATION OF A PORTION OF SERENITY WAY AT CASUAL WAY.

RECOMMENDATION

Planning Commission voted 7-0-0 to recommend that the City Council approve the vacation of a portion of the public right-of-way located on Serenity Way at Casual Way.

BACKGROUND

On April 11, 2005, the Planning Commission considered this vacation request at the public hearing. There was no one present to speak either in favor of, or in opposition to, the proposed vacation. This item, as recommended by the Planning Director on the attached memo, was considered on the consent calendar and was recommended for approval by the Planning Commission by a vote of 7-0-0.

CEQA

Exempt, File No. PW 3-16728

FOR 
STEPHEN M. HAASE, AICP
Secretary, Planning Commission

Attachment

C: Marian Dixon, Public Works

FLB: /207-22

Memorandum

TO: PLANNING COMMISSION

FROM: Stephen M. Haase

SUBJECT: SEE BELOW

DATE: March 15, 2005

COUNCIL DISTRICT: 10

SUBJECT: VACATION OF A PORTION OF SERENITY WAY AT CASUAL WAY.

BACKGROUND

This is a request to vacate a triangular shape area along the south side of Serenity Way at the intersection of Casual Way. The area to be vacated is approximately 2,503 square feet. 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. Accordingly, a public easement will be reserved over a portion of the proposed right-of-way vacation.

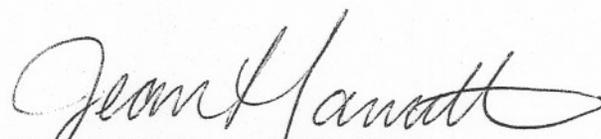
This vacation is in conformance with the adopted San José 2020 General Plan Land Use/Transportation Diagram because Serenity Way is Neighborhood Street. With the proposed vacation, two lanes can still be accommodated.

ENVIRONMENTAL REVIEW

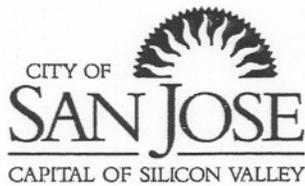
Per California Environmental Quality Act (CEQA) guidelines Section 15305, the project is exempt as there are no significant environmental effects associated with the project because it is a minor alteration in land use limitations in an area with an average slope of less than 20%, which does not result 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.



Stephen M. Haase, AICP, Director
Planning, Building and Code Enforcement



RECEIVED
DEC 10 2004
CITY OF SAN JOSE
PLANNING DIVISION

Memorandum

TO: Susan Walton
Planning and Building

FROM: Mirabel Aguilar
Public Works

SUBJECT: SEE BELOW

DATE: 12-10-04

SUBJECT: THE VACATION OF A PORTION OF SERENITY WAY AT CASUAL WAY
(3-16728)

The Public Works Department is currently processing an application to vacate a portion of Serenity Way at Casual Way. This vacation is not a condition of any development proposal.

Public Works 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 provided that a public service easement is reserved. Accordingly, a public easement will be reserved over a portion of the right-of-way proposed to be vacated.

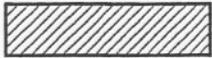
Attached is a copy of the plat. Please conduct the appropriate environmental review, review for General Plan conformance, and agendize this item for a Planning Commission hearing at the earliest possible date. If you have any questions, please contact me or Marian Dixon at extension 5161.

Mirabel Aguilar
Project Engineer
Transportation and Development Services Division

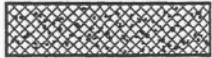
MA:MD
attachments
PCM(11/29/2000)

PLAT MAP

SHOWING THAT PORTION OF
SERENITY WAY AT CASUAL WAY



AREA TO BE VACATED



AREA TO BE VACATED AND RESERVED AS A PUBLIC SERVICE EASEMENT

FILED WITH THE CITY COUNCIL OF THE CITY OF SAN JOSE THIS _____ DAY OF _____, AND APPROVED BY SAID CITY COUNCIL THIS _____ DAY OF _____ BY RESOLUTION NUMBER _____

CITY CLERK, CITY OF SAN JOSE

APPROVED THIS _____ DAY OF _____

KATY ALLEN
DIRECTOR OF PUBLIC WORKS,
CITY OF SAN JOSE

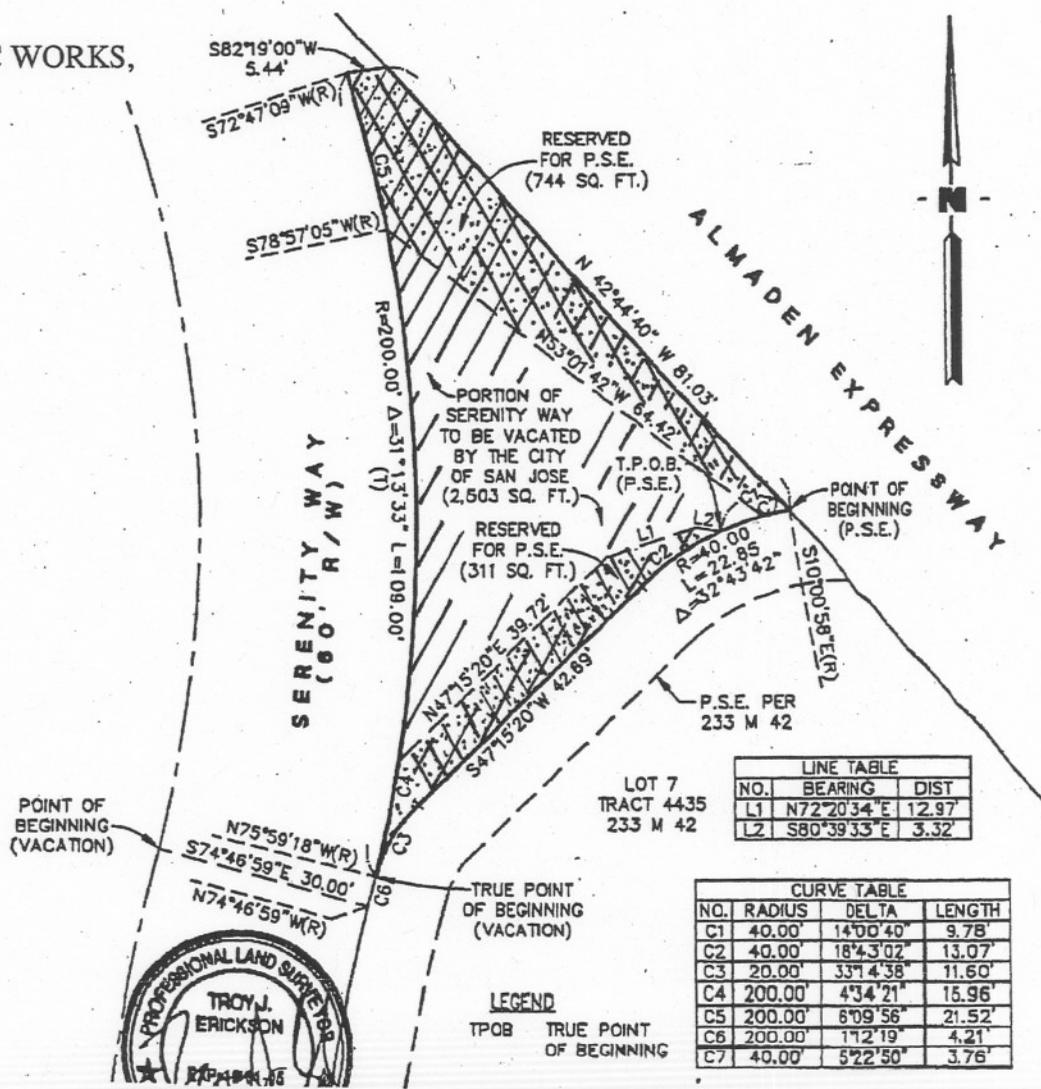


EXHIBIT "A"

All of that certain parcel of land situated in the City of San Jose, County of Santa Clara, State of California, and being a portion of Serenity Way as said Way is shown on the map of Tract No. 4435 filed in Book 233 of Maps at page 42, Records of Santa Clara County, California, and more particularly described as follows:

Beginning at a point of reverse curvature on the centerline of Serenity Way and marked by a monument as said point, monument and Way are shown on said map, thence leaving said point and centerline and continuing southeasterly South $74^{\circ}46'59''$ East 30.00 feet to a point on a curve concave to the east on the easterly line of said Serenity Way; thence northeasterly along said easterly line of Serenity Way and along said curve with a radius of 200.00 feet through a central angle of $1^{\circ}12'19''$ and an arc distance of 4.21 feet to the **TRUE POINT OF BEGINNING** of the herein described parcel said point being on a compound curve; thence northeasterly along said curve concave to the southeast from a radial point that bears South $75^{\circ}59'18''$ East 20.00 feet through a central angle of $33^{\circ}14'38''$ and an arc distance of 11.60 feet; thence continuing northeasterly North $47^{\circ}15'20''$ East 42.69 feet to a point on a curve; thence continuing northeasterly along said curve concave to the southeast with a radius of 40.00 feet through a central angle of $32^{\circ}43'42''$ and an arc distance of 22.85 feet; thence northwesterly along a line parallel with the easterly boundary line of said Tract No. 4435 North $42^{\circ}44'40''$ West 81.03 feet to the northerly line of the said Tract; thence westerly along the said northerly line South $82^{\circ}19'00''$ West 5.44 feet to a point on a curve said point being on the easterly line of said Serenity Way; thence southerly along said curve concave to the west from a radial that bears South $72^{\circ}47'09''$ West 200 feet through a central angle of $31^{\circ}13'33''$ and an arc distance of 109.00 feet to the **TRUE POINT OF BEGINNING**.

Containing 2,503 square feet of land, more or less.

This description is based on record information and does not represent a field survey. The bearings for this description were derived from the bearings of TRACT NO. 4453 filed in Book 233 of Maps at Page 42, Records of Santa Clara County, California.

The accompanying **PLAT MAP (EXHIBIT "B")** is made a part of this description and shows the intent of this description.

June 03, 2003

(EXHIBIT "A" - SHEET 1 OF 1)

serenity way