



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: JOSEPH HORWEDEL

SUBJECT: SEE BELOW

DATE: August 16, 2006

Approved:

Seama Antine

Date:

8/17/06

COUNCIL DISTRICT: #1

SNI AREA: N/A

SUBJECT: CYPRESS NO. 30. REORGANIZATION/ANNEXATION TO THE CITY OF SAN JOSE OF AN APPROXIMATELY 3.2-ACRE COUNTY POCKET CONSISTING OF FIFTEEN (15) PARCELS ON BOTH SIDES OF MARIA WAY AND ANTONIO LANE AND THE WEST SIDE OF ESSEX WAY, EXTENDING APPROXIMATELY 180 FEET NORTH OF VALLEY FORGE WAY.

RECOMMENDATION

It is recommended that the City Council at a public hearing on August 29 at 7:00 p.m. adopt a resolution initiating proceedings, and setting October 3, 2006 at 7:00 p.m. for a public hearing on the reorganization of territory designated as Cypress No. 30 which involves the annexation to the City of San Jose of approx 3.2 gross acres of land located at on both sides of Maria Way and Antonio Lane and the west side of Essex Way, extending approximately 180 feet north of Valley Forge Way, and the detachment of the same from the appropriate special districts including West Valley Sanitation, Central Fire Protection, Area No. 01 (Library Services) County Service and County Lighting County Service Districts.

OUTCOME

Upon completion of the annexation/reorganization proceedings, the territory designated Cypress No. 30 will be within the incorporated area of the City of San José and eligible to receive City services. Implementation of the annexation would result in the detachment of properties within the annexation area from the special districts which include West Valley Sanitation, Central Fire Protection, Area No. 01 (Library Services) County Service and County Lighting County Service Districts.

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 is initiating the annexation of the subject area in conjunction with this program. There is a pending Planning Director initiated Rezoning (File No.C06-045) being processed to assign a City of San Jose zoning designation to the site in preparation for annexation. The proposed R-1-8 Single Family Residence District , which allows a single-family dwelling with a 5,445 square-foot minimum lot area is the zoning designation that is most consistent with the existing development of single-family residential homes on approximately 6000 square foot lots.

ANALYSIS

The proposed annexation and the pending rezoning to R-1-8 Single Family Residence will allow residential uses consistent with the Zoning Code, the existing neighborhood and the existing uses and/or structures on the subject property. 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.

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.

COORDINATION

The project was coordinated with the Departments of Transportation, Fire, Police, Parks, Recreation and Neighborhood Services, Environmental Services, Public Works, Library, and the Redevelopment Agency. These departments are participating in a working group to coordinate, discuss and resolve issues associated with the annexation efforts

FISCAL/POLICY ALIGNMENT

This project is consistent with the City Council's direction to initiate annexation of unincorporated islands of less than 150-acres.

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 JOSEPH HORWEDEL, ACTING DIRECTOR
Planning, Building and Code Enforcement

For questions please contact Andrew Crabtree at the Department of Planning, Building and Code Enforcement at 408-535-7800.

EXHIBIT 'A'
DESCRIPTION OF REAL PROPERTY

Annexation to the City of San Jose, State of California

Name of Annexation: CYPRESS NO. 30

Date: August 10, 2006

All that certain real property situated in the County of Santa Clara, State of California, being a portion of Tract No. 2627, Alvernaz Estate Unit No. 2, filed for record on November 2, 1960 in Book 127 of Maps, at Page 12, Records of Santa Clara County; and a portion of Tract No. 2628, Alvernaz Estate Unit No. 3, filed for record on January 16, 1963 in Book 156 of Maps, at Page 14, Records of Santa Clara County; and being more particularly described as follows:

Beginning on the City Limits Line at the northwest corner of Lot 172 as shown on the map of said Tract No. 2628, said point also being the southwest corner of the Cypress No. 5 annexation to the City of San José; thence along the City Limits Line as shown on said maps of Tract Nos. 2628 and 2627, said City Limits Line also being the southerly line of said Cypress No. 5 annexation, and along the southerly line of the Cypress No. 4 annexation to the City of San José and a portion of the southerly line of the Cypress No. 17 annexation to the City of San José, N 89°59'38" E 731.93 feet to the general westerly line of the Cypress No. 6 annexation, said general westerly line also being on said City Limits Line as shown on said map of Tract No. 2627; thence southerly along said general westerly line and said City Limits Line as shown on said map of Tract No. 2627, S 00°00'22" E 205.00 feet to an angle point in said general westerly line and in said City Limits Line as shown on said map of Tract No. 2627; thence continuing westerly along said general westerly line and along said City Limits Line on said map of Tract Nos. 2627 and 2628, S 89°59'38" W 732.26 feet to the westerly line of said Tract No. 2628; thence northerly along said westerly line of Tract No. 2628, N 00°05'03" E 205.00 feet to the Point of Beginning.

Containing approximately 3.445 acres.

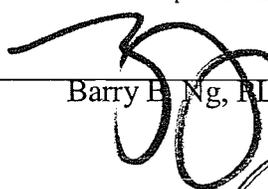
EXHIBIT 'A'

The Basis of Bearings for this description is the bearing N 89°59'38" E of the northerly line of Lots 86, 85, 52, 57, and 58 as shown upon the map of "Tract No. 2627, Alvernaz Estate Unit No. 2," filed for record on November 2, 1960 in Book 127 of Maps, at Page 12, Records of Santa Clara County.

This description was prepared from record information only.

Attached hereto and by reference a part hereof is a plat labeled "PLAT TO ACCOMPANY DESCRIPTION OF REAL PROPERTY" depicting the subject property.

The above description of real property was prepared by me in conformance with the requirements of Section 8726 (g,k,l,m) of the Business and Professions Code of the State of California.


Barry E. Ng, RLS 7713

8-10-06



