

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: JOSEPH HORWEDEL

SUBJECT: SEE BELOW

DATE: September 13, 2006

Approved

Date

9/15/06

COUNCIL DISTRICT: 6
SNI AREA: N/A

SUBJECT: SUNOL NO. 75. REORGANIZATION/ANNEXATION TO THE CITY OF SAN JOSE OF AN APPROXIMATELY 3.6-ACRE COUNTY POCKET CONSISTING OF 13 PARCELS ON THE NORTH SIDE OF PAULA STREET, EAST OF NORTHRUP STREET AND THE WEST SIDE OF LINCOLN AVENUE SOUTH OF INTERSTATE 280 AND NORTH OF PAULA STREET (PREZONING FILE NO. C06-046).

RECOMMENDATION

It is recommended that the City Council at a public hearing on October 3, 2006 at 7:00 p.m. adopt a resolution initiating proceedings, and setting October 24, 2006 at 7:00 p.m. for a public hearing on the reorganization of territory designated as Sunol No. 75 which involves the annexation to the City of San Jose of an approximately 3.6-Acre County Pocket consisting of 13 parcels on the north side of Paula Street, east of Northrup Street and the west side of Lincoln Avenue south of Interstate 280 and north of Paula Street, and the detachment of the same from the appropriate special districts including Sunol Sanitary, County Lighting County Service, Central Fire Protection, and Area No. 01 (Library Services) County Service. A map showing the affected territory is attached.

OUTCOME

Upon completion of the annexation/reorganization proceedings, the territory designated Sunol No. 75 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 Sunol Sanitary, County Lighting County Service, Central Fire Protection, and Area No. 01 (Library Services) County Service.

BACKGROUND

On April 26, 2006, the City Council voted to provide direction to City staff to proceed with a County island annexation program which involves the annexation of all unincorporated County pockets less than 150-acres in size. On August 8, 2006 the City Council approved the proposed phasing for the

annexation of the County pockets. The City of San Jose is initiating the annexation of the subject area as a part of Phase 1 of this program.

A pending Planning Director initiated Prezoning (File No. C06-046) is being processed to approve a City of San Jose zoning district for the site in preparation for annexation. The prezoning is scheduled for the City Council meeting on September 19, 2006. The proposed R-M Multiple Residence Zoning District will allow residential uses consistent with the Zoning Code, the existing neighborhood and the existing uses on the subject property. The proposed prezoning will also bring the zoning into conformance with the General Plan.

ANALYSIS

The proposed annexation and the pending prezoning to R-M Multiple Residence Zoning District 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. An Answer Book has been distributed to all residents and property owners within the areas to be annexed as a part of Phase I of the program. Staff has also 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

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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. The zoning and annexation of this unincorporated pocket furthers the Urban Service Area policies of the General Plan which encourage the County and LAFCO to join in cooperative efforts to seek the annexation of urbanized County pockets within the City's Urban Service Area.

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

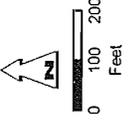
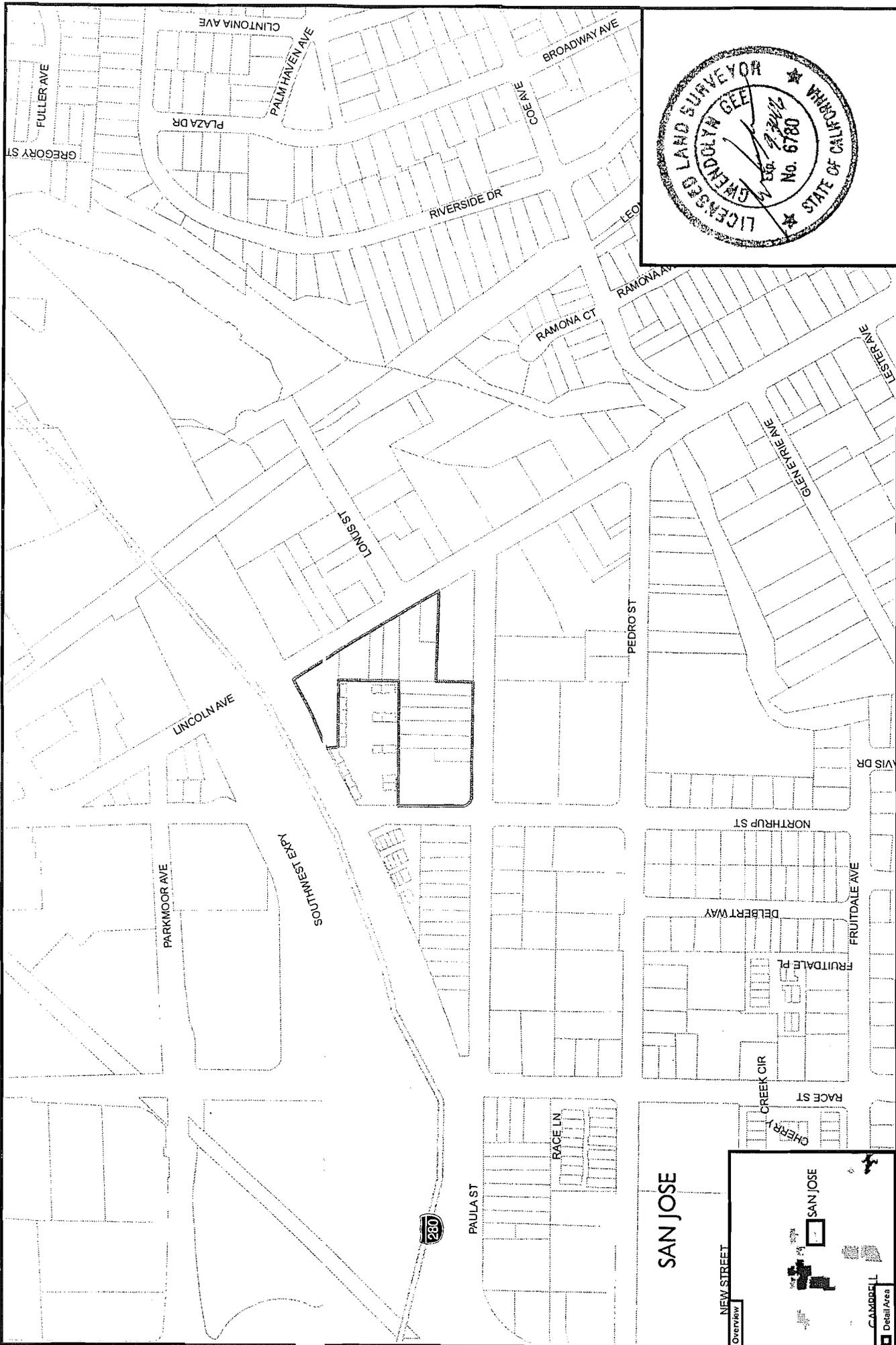
Not applicable.

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 Richard Buikema at the Department of Planning, Building and Code Enforcement at 408-535-7800.



- Urban Service Area
- Incorporated Lands
- Area of Annexation
- Unincorporated Lands

County of Santa Clara
 County Surveyor's Office
 Gwendolyn Gee, PLS, County Surveyor

6000 Scale Index Map

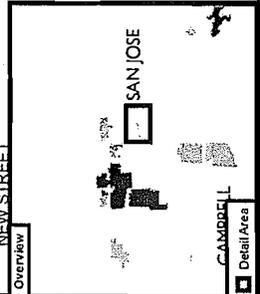


EXHIBIT A
 San Jose Pocket No. 9
 Sunol No. 75
 3.63 Acres +/-
 07/19/06