



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Stephen M. Haase

SUBJECT: CAMBRIAN NO. 34

DATE: September 28, 2005

Approved

Date

10/04/05

COUNCIL DISTRICT: 9

RECOMMENDATION

It is recommended that the City Council adopt a resolution ordering the reorganization of territory designated as Cambrian No. 34 which involves the annexation to the City of San Jose of 0.70 gross acres of land located at the east side of Bercaw Lane, approximately 450 feet southerly of Camden Avenue, and adjacent to the City of San Jose annexations Cambrian Nos. 27 and 8 the detachment of the same from Central Fire Protection, Area No.01 (Library Services) County Services, County Lighting County Services and West Valley Sanitation.

BACKGROUND

On June 21, 2005, the City Council adopted Zoning Ordinance 27487 which rezoned the subject property from County to R-1-8 Single-Family Residence Zoning District.

The proposed annexation consists of a parcel of land identified as Assessor's Parcel Number 419-10-006 and the detachment from Central Fire Protection, Area No.01 (Library Services) County Services, County Lighting County Services and West Valley Sanitation.

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 0.70 acres developed parcel. The Registrar of Voters has certified that there are two (2) 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). This parcel is adjacent to City territory to the west, and County territory to the north, east, and south. 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.

Proceedings are being conducted under provisions of the California Government Code Section 56826, 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 "Cambrian No. 34" shall be annexed into the City of San José.

PUBLIC OUTREACH

Notices of the public hearings for the rezoning (C05-044) 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

September 28, 2005

Subject: Cambrian No. 34

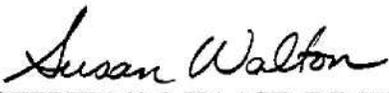
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COORDINATION

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

GP2020 EIR (Resolution No. 65459).


STEPHEN M. HAASE, DIRECTOR
Planning, Building and Code Enforcement

Attachments: Legal Description and Annexation Map

c: Henry Roux, Clayton & McEvoy, 333 W. Santa Clara Street, San Jose, CA 95113-1721

Patrick Sheridan & Brenda Sutherland, 14312 Bercaw Lane, San Jose, CA 95124-2834

SS

EXHIBIT "A"

CAMBRIAN NO. 34
ANNEXATION TO THE CITY OF SAN JOSE

June 13, 2005

BEGINNING at a point on the southeasterly City Limits of the City of San Jose, as said City Limits was established by the City of San Jose Annexation entitled Cambrian No. 27, said point being on the southeasterly line of Bercaw Lane, said point being the northernmost corner of Lot 20 in Block 4, as said Bercaw Lane and said Lot 20 is shown on the map of Tract No. 542, Cambrian Park Unit No. 1, recorded in Book 20 of Maps, at Page 48, Santa Clara County Records:

Thence from said Point of Beginning along the northwesterly line of said Lot 20 and the said southeasterly line of Bercaw Lane and said Annexation entitled Cambrian No. 27 along the arc of a curve to the right from a tangent that bears South 15° 41' 40" West having a radius of 940 feet, through a central angle of 5° 34' 34" for an arc length of 91.48 feet to the southwest corner of said Lot 20; thence leaving said southeasterly line of Bercaw Lane and said Annexation entitled Cambrian No. 27 along the lines of said Lot 20 the following courses and distances:

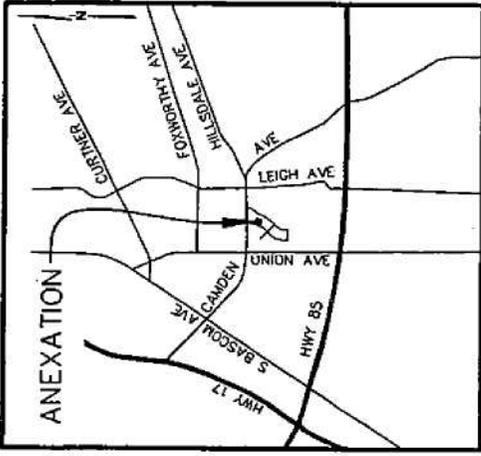
South 68° 43' 46" East 175.00 feet; North 18° 28' 57" East 108.47 feet; and North 74° 18' 20" West 175.00 feet to the Point of Beginning and containing 0.40 acres of land, more or less.

Prepared By:

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2216 The Alameda
Santa Clara, CA 95050



05-027A



LOCATION MAP

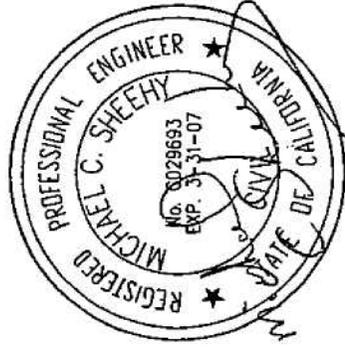
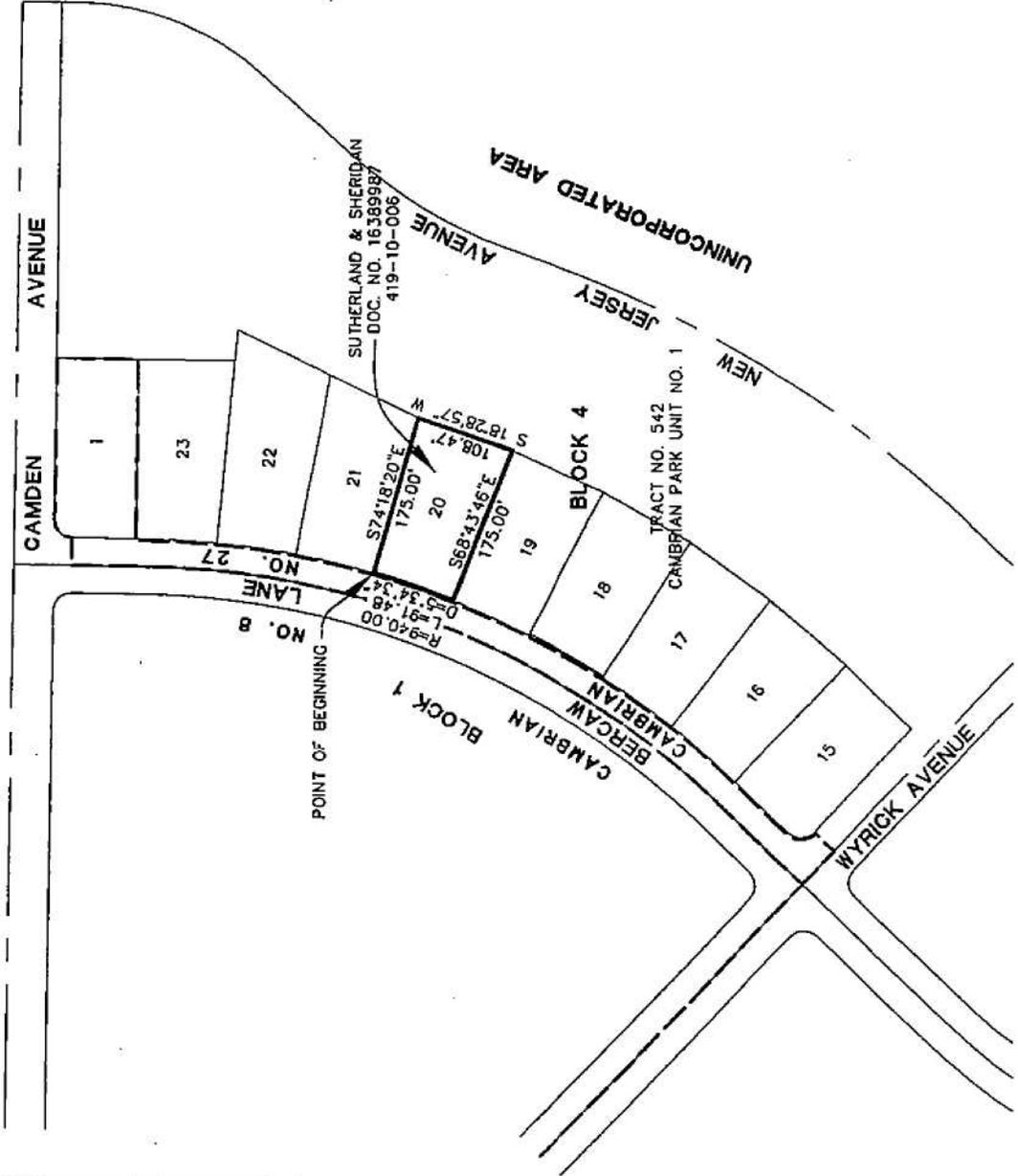


EXHIBIT B
 CAMBRIAN NO. 34, ANNEXATION
 TO THE CITY OF SAN JOSE

DATE: 06-13-05 SCALE: 1"=200'
 BY: DAW 0.400± AC



LEGEND

———— BOUNDARY LINE OF PROPOSED ANNEXATION

- - - - - EXISTING CITY LIMITS LINE