



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: JOSEPH HORWEDEL

SUBJECT: SEE BELOW

DATE: October 27, 2006

Approved

Date

10/30/06

COUNCIL DISTRICT: 2
SNI AREA: N/A

SUBJECT: OAK GROVE 70. REORGANIZATION/ANNEXATION TO THE CITY OF SAN JOSE ON AN APPROXIMATELY 14.84 GROSS ACRE COUNTY POCKET CONSISTING OF PORTIONS OF 7 PARCELS ON THE SOUTH SIDE OF MANILA DR AND CURIE DR, WEST OF SAN IGNACIO AVENUE.

RECOMMENDATION

It is recommended that the City Council at a public hearing on November 14, 2006 at 7:00 p.m. adopt a resolution initiating proceedings, and setting January 9, 2007 at 7:00 p.m. for a public hearing on the reorganization of territory designated as Oak Grove No. 70 which involves the annexation to the City of San Jose of an approximately 14.84 gross acre County pocket consisting of portions of 7 parcels on the south side of Manila Dr and Curie Dr, west of San Ignacio Avenue. Implementation of the annexation would result in the detachment of properties within the annexation area from 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 Oak Grove No. 70 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 from 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 Planning Director initiated Prezoning (File No. C06-072) was processed to assign a City of San Jose zoning district to the site in preparation for annexation. The prezoning to the OS Open Space Zoning District was approved by the City Council on October 24, 2006. The OS Open Space Zoning District will allow open space uses consistent with the Public Park & Open Space and Low Density Residential General Plan designations, the Zoning Code, the existing neighborhood and the existing uses on the subject property.

The subject site, bounded by Manila Drive and Curie Drive to the north, the Santa Teresa County Park to the west, the S.C.V.W.D. Coyote-Alamitos Canal to the south, and San Ignacio Avenue to the east. The site is developed with a mixture of residential, historic resources, public park, and open space uses and is surrounded by public park, open space, public/quasi public, and residential uses. The site consists of 6 parcels. The Santa Clara County Parks and Recreation Department intends to develop these Park properties, which include two historic structures, in the near future, as part of a focused site plan for development of the historic interpretive site of the Rancho Santa Teresa.

ANALYSIS

The proposed annexation and prezoning to OS-Open Space District will allow open space 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 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

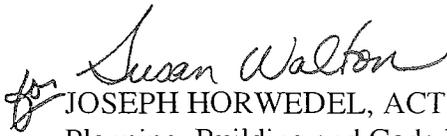
The proposed annexation is being done as part of the first phase of the County island annexation process as it has been determined that it will create a negligible impact on City services because of its size, location and number of inhabitants.

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.


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.

County of Santa Clara

Department of Planning and Development
Development Services Office

County Government Center, East Wing
70 West Hedding Street, 7th Floor
San Jose, California 95110
(408) 299-5700 FAX (408) 279-8537



July 25, 2006

Ms. Neelima Palacherla, Executive Officer
LAFCO
70 W. Hedding Street
11th Floor, East Wing
San Jose, CA 95110

SUBJECT: SAN JOSE POCKET NO. 16 "OAK GROVE NO. 70"

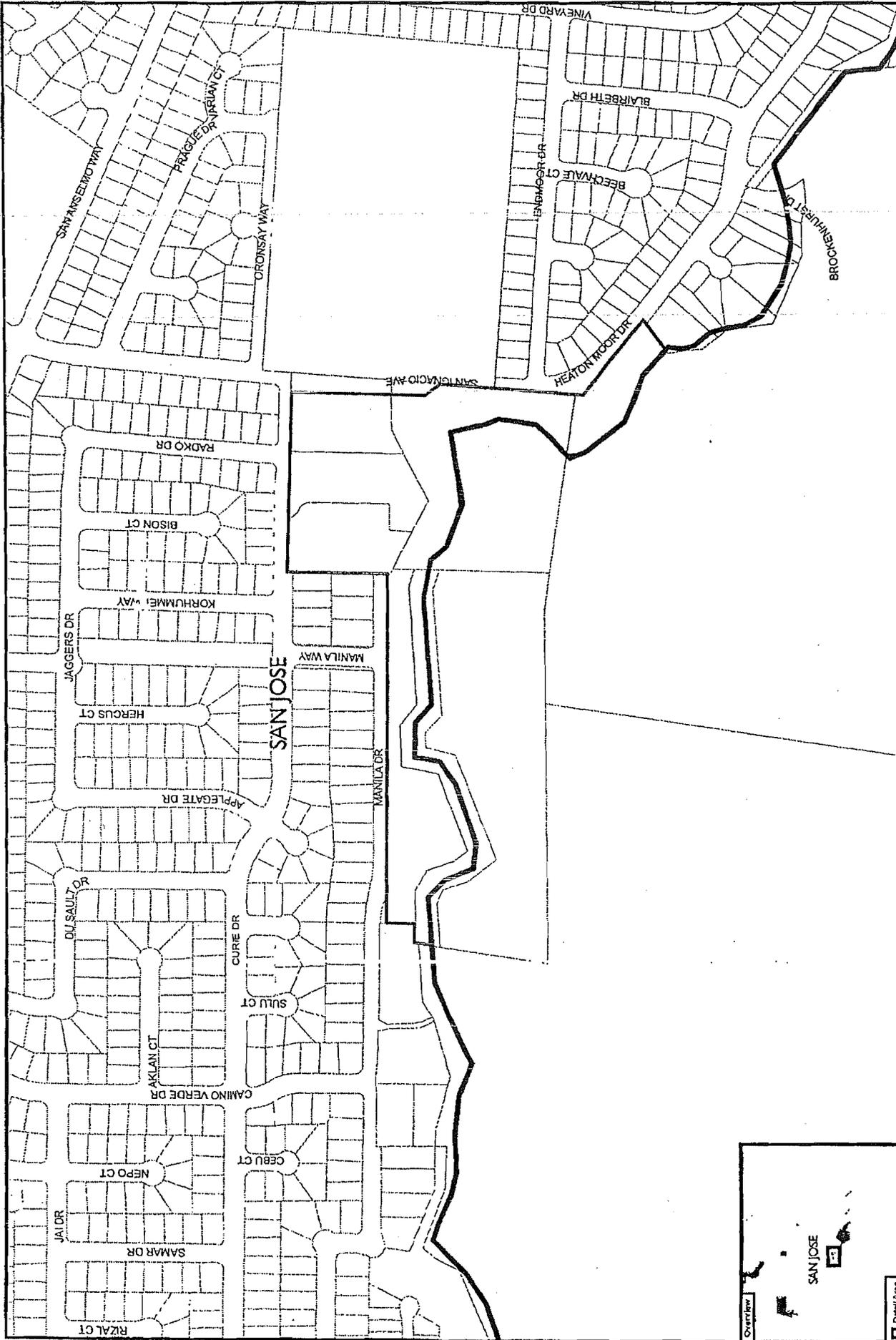
The attached legal description and plat dated July 25, 2006 of territory proposed to be annexed to the City of San Jose entitled:

SAN JOSE POCKET NO. 16 "OAK GROVE NO. 70"

is in accordance with Government Code Section 56757 (c)(2). The boundaries of said territory are definite and certain. The proposal is in compliance with the Local Agency Formation Commission's road annexation policies.

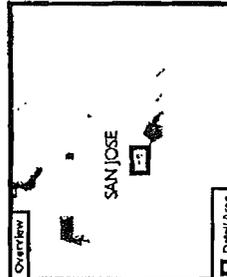
Gwendolyn Gee, PLS
County Surveyor

Attachments
Exhibit "A"
Exhibit "B"
Vicinity Map

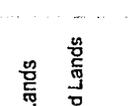
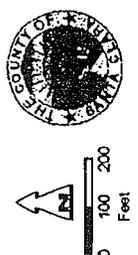
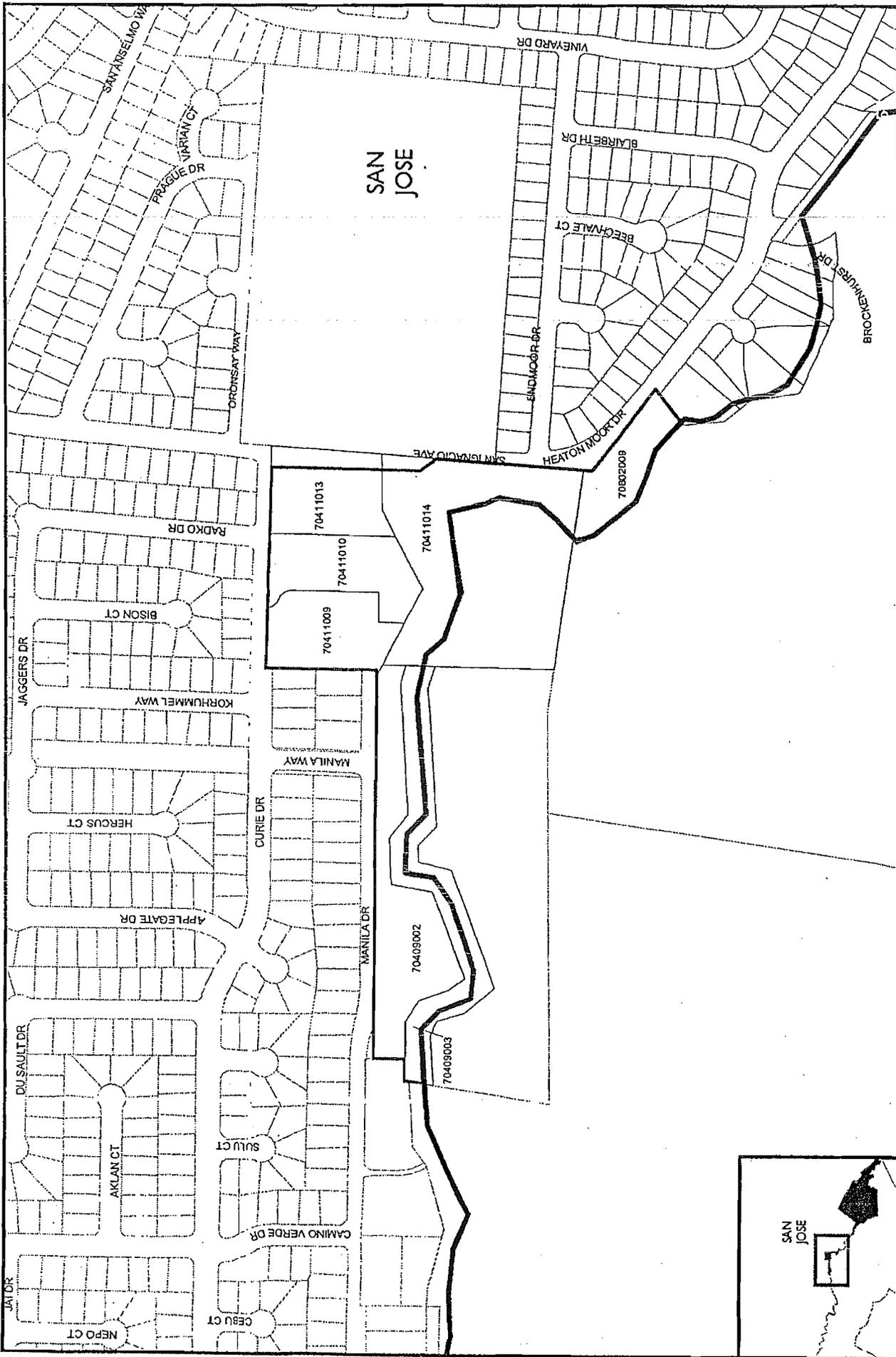


- Incorporated Lands
- Unincorporated Lands
- Area of Annexation
- 6000 Scale Index Map

County of Santa Clara
 County Surveyor's Office

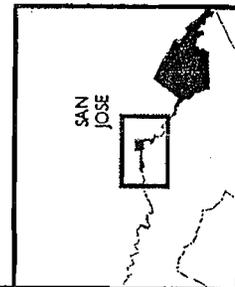


Vicinity Map
 San Jose Pocket No. 16
 Oak Grove No. 70
 05/12/06



Area of Annexation
 Incorporated Lands
 Unincorporated Lands
 6000 Scale Index Map
 12345678 Assessor's Parcel Numbers

County of Santa Clara
 County Surveyor's Office



Assessor's Parcel Numbers
 San Jose Pocket No. 16
 Oak Grove No. 70

SHEET 2 OF 2

07/20/06

EXHIBIT "A"

SAN JOSE POCKET NO. 16 "OAK GROVE NO. 70"

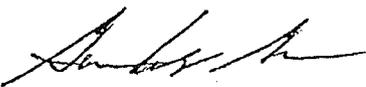
A portion of Rancho Santa Teresa and a portion of the Pueblo Lands of San Jose, Tract No. 3 being more particularly described as follows:

BEGINNING at the most northerly corner of Tract No. 8527 as shown on that certain Tract Map filed for record in Book 641, pages 12 and 13, Santa Clara County Records, said point lying on the current San Jose City boundary; thence southwesterly along the northwesterly boundary of said Tract and said City boundary to the centerline the S.C.V.W.D. Coyote-Alamitos Canal (80 feet wide); thence leaving said Tract boundary and said City boundary northwesterly and westerly along the centerline of said canal as follows:

North 65° 34' West, 248.84 feet; thence
North 35° 46' West, 213.75 feet; thence
North 41° 08' East, 125.88 feet; thence
North 11° 00' East, 149.52 feet; thence
North 07° 42' West, 165.22 feet; thence
South 77° 06' West, 94.25 feet; thence
South 80° 10' West, 157.10 feet; thence
North 63° 23' West, 246.37 feet; thence
North 70° 03' West, 64.66 feet; thence
South 85° 31' West, 401.35 feet; thence
North 51° 48' West, 106.41 feet; thence
South 87° 00' West, 86.69 feet; thence
South 08° 46' West, 116.27 feet; thence
South 68° 24' West, 154.11 feet; thence
South 63° 31' West, 172.75 feet; thence
North 39° 31' West, 94.11 feet; thence
North 17° 47' West, 86.23 feet; thence
North 62° 21' West, 54.50 feet; thence

South 87° 49' West, 99.79 feet to the current City of San Jose boundary; thence leaving said canal centerline, along said current City of San Jose boundary in a general northeasterly and southwesterly direction to the POINT OF BEGINNING.

Containing 14.66 acres +/-



Gwendolyn Gee
PLS 6780, Expires 9-30-06
County of Santa Clara, County Surveyor



COUNTY OF SANTA CLARA
OFFICE OF THE COUNTY SURVEYOR

A PORTION OF
RANCHO SANTA TERESA
PUEBLO LANDS OF SAN JOSE

SAN JOSE

SAN JOSE

SAN JOSE POCKET NO.16
OAK GROVE NO.70
ANNEXATION

14.66 acres +/-

SAN JOSE

SAN JOSE

SANTA CLARA COUNTY

SANTA CLARA COUNTY

SANTA CLARA COUNTY

SAN JOSE



EXHIBIT "B"

GWENDOLYN GEE
COUNTY SURVEYOR

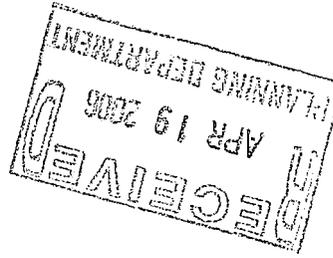
| LINE TABLE | | |
|------------|-------------|--------|
| LINE | BEARING | LENGTH |
| L1 | N63°34'00"W | 248.84 |
| L2 | N93°46'00"W | 212.75 |
| L3 | N41°08'00"E | 125.88 |
| L4 | N11°00'00"E | 149.52 |
| L5 | N07°42'00"W | 165.22 |
| L6 | S77°06'00"W | 94.25 |
| L7 | S80°10'00"W | 157.10 |
| L8 | N63°22'00"W | 246.37 |
| L9 | N70°00'00"W | 64.66 |
| L10 | S85°31'00"W | 49.35 |
| L11 | N51°48'00"W | 106.41 |
| L12 | S87°00'00"W | 96.69 |
| L13 | S08°46'00"W | 116.27 |
| L14 | S68°24'00"W | 154.11 |
| L15 | S63°31'00"W | 172.75 |
| L16 | N39°31'00"W | 94.11 |
| L17 | N17°47'00"W | 86.23 |
| L18 | N62°21'00"W | 54.50 |
| L19 | S87°49'00"W | 93.79 |

Rich

County of Santa Clara

Parks and Recreation Department

298 Garden Hill Drive
Los Gatos, California 95032-7669
(408) 355-2200 FAX 355-2290
Reservations (408) 355-2201
www.parkhere.org



April 10, 2006

Joseph Horwedel, Interim Director
Planning, Building, and Code Enforcement
City of San Jose
200 E. Santa Clara Street, Tower, 3rd Floor
San Jose, CA 95113

Dear Mr. Horwedel,

Santa Clara County Parks and Recreation Department is interested in participating in California's urban pocket annexation process administered by Local Agency Formation Commission of Santa Clara County (LAFCO) for a number of parcels located within Santa Teresa County Park.

The identified urban pocket, totaling approximately 14.84 acres, is included in the LAFCO 2005 Urban Pocket Maps (page number 19) and is within the urban service area of the City of San Jose. This pocket does not include any residential properties and is solely contained within the park boundary. The APN's for the parcels making up this urban pocket are as follows: 704-09-002, 704-09-003, 704-11-009, 704-11-010, 704-11-013 and portions of APN 704-09-002 (approximately 3.19 acres) and 708-02-009 (approximately 1.72 acres). I have included a map of these parcels showing the location within the Park and a copy of the LAFCO map page for your reference.

We understand from Supurna Sahal, in the City of San Jose's planning office, that there is an opportunity to include this urban pocket on a second list of those going before the City Council for annexation in the near future. We would appreciate the inclusion of this urban pocket in that filing.

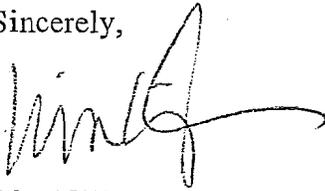
Santa Clara County Parks and Recreation Department intends to develop these Park properties, which include two historic structures, in the near future. In this instance, the Department intends to prepare a focused site plan for development of the historic interpretive site of the Rancho Santa Teresa. Unfortunately, the two historic buildings have failing and non-compliant septic systems, and in addition, they are located on or near archaeological sites. Therefore, it would be appropriate to connect these two structures to the City Sanitary Sewer system as recommended by Santa Clara County Environmental Health Department (*County of Santa Clara Ordinance Code Sec. B11-62. Public Sanitary Sewer, connection to*).



We have contacted the City and LAFCO on earlier occasions with the idea of creating an out-of-agency agreement as a means to connect to the City septic sewer system.

If there is anything our staff can do to assist in moving forward with the annexation process, or if you require any additional information, please contact Mark Frederick, Planning and Program Manager at (408) 355-2210, Mark.Frederick@prk.sccgov.org or Antoinette Romeo, Park Planner, at (408) 355-2235, Antoinette.Romeo@prk.sccgov.org. We appreciate the City's support and cooperation towards annexation of this urban pocket. Please feel free to contact me if you would like to discuss the matter further.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa Killough', with a long, sweeping horizontal stroke extending to the right.

Lisa Killough, Director
Santa Clara County Parks and Recreation Department

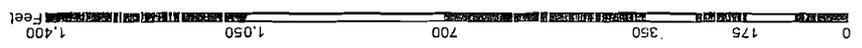
cc: Mark Frederick, County Parks
Dunia Noel, LAFCO
Stan Ketchum, Planning, Building, and Code Enforcement, City of San Jose

This map generated by the County of Santa Clara Department of Parks and Recreation. The GIS files were compiled from various sources. While deemed reliable, the Department assumes no liability.



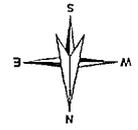
SANTA TERESA COUNTY PARK LAFCO Urban Pockets

Scale:



LEGEND

- San Jose Urban Service Area
- LAFCO Urban Pockets 2005
- Santa Clara County Park - parcels
- Parcels



Date: March 2006

Created by: A. Romero

