COUNCIL AGENDA: 11-20-07
ITEM: 11.1(b)

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JOSEPH HORWEDEL

SUBJECT: SEE BELOW

DATE: November 8, 2007

Approved: Deanne Sach

Date: 11/8/07

COUNCIL DISTRICT: 9
SNI AREA: Not Applicable

SUBJECT: PARKER NO. 25 REORGANIZATION/ANNEXATION TO THE CITY OF SAN JOSE OF AN APPROXIMATELY 3.49 GROSS ACRE COUNTY POCKET CONSISTING OF 13 PARCELS LOCATED ON BOTH SIDES OF WOODARD ROAD BETWEEN NOVA SCOTIA AVENUE AND TWILIGHT DRIVE

RECOMMENDATION

It is recommended that the City Council at a public hearing on November 20, 2007 at 7:00 p.m. adopt a resolution initiating proceedings, and setting December 18, 2007 at 7:00 p.m. for a public hearing on the reorganization of territory designated as Parker No. 25 which involves the annexation to the City of San Jose of 3.49 gross acres of land located on both sides of Woodard Road between Nova Scotia Avenue and Twilight Drive, and the detachment of the same from the appropriate special districts including Central Fire Protection, West Valley Sanitation, County Lighting County Service, and Area No. 01 (Library Services) County Service.

OUTCOME

Upon completion of the annexation/reorganization proceedings, the territory designated Parker No. 25 will be within the incorporated area of the City of San José.

BACKGROUND

On April 26, 2006, the City Council voted to proceed with a County island annexation program that involves the annexation of all unincorporated County pockets less than 150-acres in size. Phase 1 of this program resulted in the annexation of 21 County islands. The City of San Jose is initiating the annexation of the subject area in conjunction with Phase 2 of this program. There is a pending Planning Director initiated Prezoning (File No. C06-111) being processed to assign a City of San Jose zoning district to the site in preparation for annexation.

The proposed annexation consists of 13 parcels which upon annexation to the City of San Jose would be detached from the following special districts: Central Fire Protection, West Valley Sanitation, County Lighting County Service, and Area No. 01 (Library Services) County Service.

ANALYSIS

The proposed annexation and the pending prezoning to R-1-8 Single Family Residence 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 second 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.

EVALUATION AND FOLLOW-UP

City staff provides status updates on the County Island Annexation Program on the website dedicated to the program and in periodic updates to the City Manager's Office.

POLICY ALTERNATIVES

Not Applicable

PUBLIC OUTREACH/INTEREST

- ☐ **Criterion 1**: Requires Council action on the use of public funds equal to $1 million or greater. **(Required: Website Posting)**
- ☐ **Criterion 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)**
- ☐ **Criterion 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. Information on the County Pocket Annexation Program is available on the Planning Division's website, including specific information on the areas proposed for annexation and general information on what current county residents can expect upon the annexation of their property to the City of San Jose. An Answer Book has been distributed to all residents and property owners within the areas to be annexed as a part of Phase 2 of the program. Staff held a community meeting on August 23, 2007, with the residents and property owners within the islands proposed for annexation as part of Phase 2 of the County Island Annexation Program. This memorandum has been posted on the City's website, and staff has been available to respond to questions from the public.

Staff has received phone calls from property owners asking for clarifications regarding taxes and fees as well as sidewalks. Staff informed them that most sidewalk improvements are funded when properties redevelop. One of the properties in this pocket has been for sale, and in response to inquiries regarding the possibility of subdividing staff has stated that the property is too narrow to do so. Another property in this pocket was recently purchased and the new owner was not told about the plans for annexation by the previous owner. The new owner was provided information requested and added to the mailing list.

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 second 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

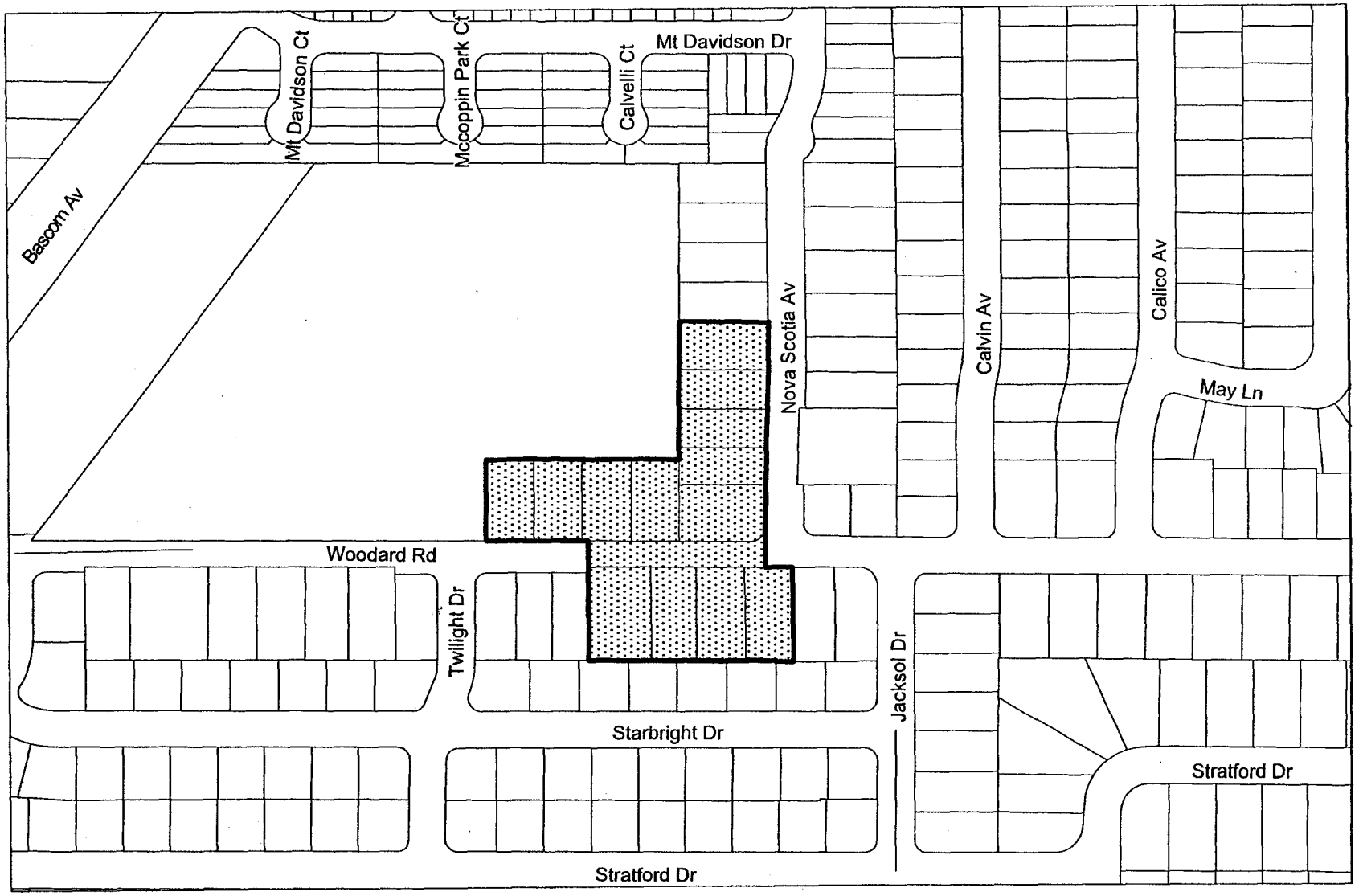
Not applicable.

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.

Andrew Crabtree
for JOSEPH HORWEDEL, DIRECTOR
Planning, Building and Code Enforcement

For questions please contact Richard Buikema, Senior Planner, at the Department of Planning, Building and Code Enforcement at 408-535-7800.



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Map Created On:
10/13/2006

Scale 1 in = 250 ft 1:3000
Noticing Radius: 300 ft

0 200 400
feet

File No: C06-111, PARKER 25
District: 09
Quad No: 113

WDW

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Department of Planning, Building and Code Enforcement
JOSEPH HORWEDEL, ACTING DIRECTOR

USE OF A PROGRAM EIR
SAN JOSE 2020 GENERAL PLAN FINAL EIR

Pursuant to Section 15168 of the CEQA Guidelines, the City of San Jose has determined that the project described below is pursuant to or in furtherance of the Final Environmental Impact Report (EIR) for the San Jose 2020 General Plan and does not involve new significant effects beyond those analyzed in this Final EIR. Therefore, the City of San Jose may take action on the project as being within the scope of the Final EIR.

PROJECT DESCRIPTION AND LOCATION

C06-111 / Parker No. 25. Planning Director-initiated prezoning to R-1-8 Single Family Residence District and reorganization/annexation to the City of San José of an approximately 3.49 gross-acre site referred to as Parker No. 25, located on both sides of Woodard Road between Nova Scotia Avenue and Twilight Drive.

Council District 9
County Assessor's Parcel Number: 414-29-005 through -013; 421-23-057 through -060

The environmental impacts of this project were addressed by a Final EIR entitled, "San Jose 2020 General Plan," and findings were adopted by City Council Resolution No. 65459 on August 16, 1994. The Program EIR was prepared for the comprehensive update and revision of all elements of the City of San Jose General Plan, including an extension of the planning timeframe to the year 2020. The following impacts were reviewed and found to be adequately considered by the EIR:

Traffic and Circulation	Soils and Geology	Noise
Cultural Resources	Hazardous Materials	Land Use
Urban Services	Air Quality	Aesthetics
Energy	Facilities and Services	Water Quality/Resources
Open Space	Schools	Drainage and Flooding
Vegetation and Wildlife		

The City of San Jose may take action on the proposed project as being within the scope of the General Plan and uses of the Program EIR in that (1) the Final EIR is a Program EIR pursuant to CEQA and CEQA Guidelines Section 15168, (2) it is determined that no new significant impacts will occur from this proposed project, and no new mitigation measures would be required beyond those contained in the General Plan and Final EIR pursuant to CEQA Guidelines 15162.

Justin Fried
Project Manager

10/11/07
Date

Joseph Horwedel, Acting Director
Planning, Building and Code Enforcement

Deputy