

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Joseph Horwedel

SUBJECT: SEE BELOW

DATE: November 13, 2006

Approved

Ray Warner

Date

11/22/06

COUNCIL DISTRICT: 5
SNI AREA: Not Applicable

SUBJECT: STORY NO. 62 REORGANIZATION/ANNEXATION TO THE CITY OF SAN JOSE ON AN APPROXIMATELY 0.82 GROSS ACRE COUNTY POCKET CONSISTING OF 2 PARCELS ON THE WEST SIDE OF FLEMING AVENUE 350 FEET NORTHERLY OF WARNER AVENUE

RECOMMENDATION

It is recommended that the City Council at a public hearing on December 5, 2006 at 7:00 p.m. adopt a resolution initiating proceedings, and setting January 23, 2007 at 7:00 p.m. for a public hearing on the reorganization of territory designated as Story No. 62 which involves the annexation to the City of San Jose of 0.82 gross acres of land located at the west side of Fleming Avenue 350 feet northerly of Warner Avenue, and the detachment of the same from the appropriate special districts including Central Fire Protection, and Area No. 01 (Library Services) County Service.

OUTCOME

Upon completion of the annexation/reorganization proceedings, the territory designated Story No. 62 will be within the incorporated area of the City of San José.

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 Prezoning (File No. C06-079) being processed to assign a City of San Jose zoning district to the site in preparation for annexation.

The proposed annexation consists of 2 parcels which upon annexation to the City of San Jose would be detached from the following special districts: Central Fire Protection, and Area No. 01 (Library Services) County Service.

ANALYSIS

The proposed annexation and the pending rezoning to R-1-5 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 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. An Annexation 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 County Island Annexation Program.

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.

HONORABLE MAYOR AND CITY COUNCIL

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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.

cc:

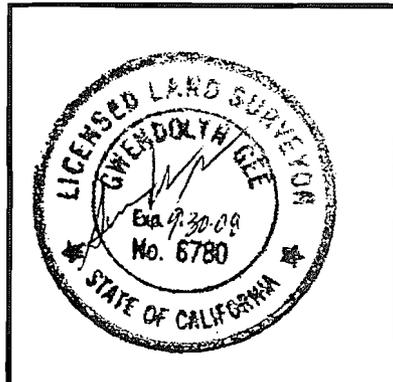
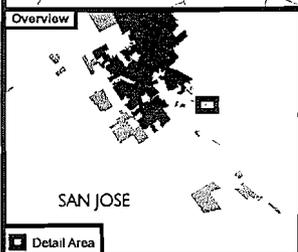
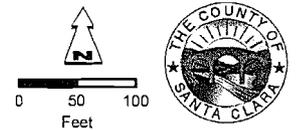


EXHIBIT A
San Jose Pocket No. 22
Story No. 62
0.82 Acres +/-
 09/20/06

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

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



6000 Scale Index Map



EXHIBIT "A"
ANNEXATION TO THE CITY OF SAN JOSE
STORY No. 62

REAL PROPERTY in the County of Santa Clara, State of California, being a portion of that parcel of land described in the deed recorded September 20, 2005, in Document No. 18585192 of Official Records, and a portion of that parcel of land described in the deed recorded December 28, 2005, in Document No. 18744782 of Official Records, both of Santa Clara County Records, more particularly described as follows:

BEGINNING at a point on the southwesterly City Limits Line of the City of San Jose as established by City's Annexation Story No. 25, at the northwesterly terminus of the course shown as "North 20° 15' West, 300.36 feet" in said Annexation Story No. 25, being on the southwesterly line of Fleming Avenue;

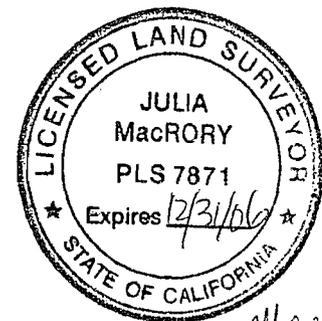
Thence along said southwesterly City Limits Line, being the southwesterly line of Fleming Avenue, South 20°11'49" East, 300.17 feet, to the northwesterly City Limits Line of the City of San Jose as established by City's Annexation Story No. 3;

Thence along the northwesterly and northeasterly lines of said City Limits Line as established by City's Annexation Story No. 3, the following two courses:

1. Thence South 69°48'13" West, 153.23 feet;
2. Thence North 20°11'47" West, 156.53 feet, to the southeasterly City Limits Line of the City of San Jose as established by said Annexation Story No. 25;

Thence along said southeasterly City Limits Line, North 26°39'13" East, 210.02 feet, to the POINT OF BEGINNING.

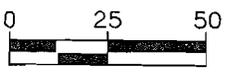
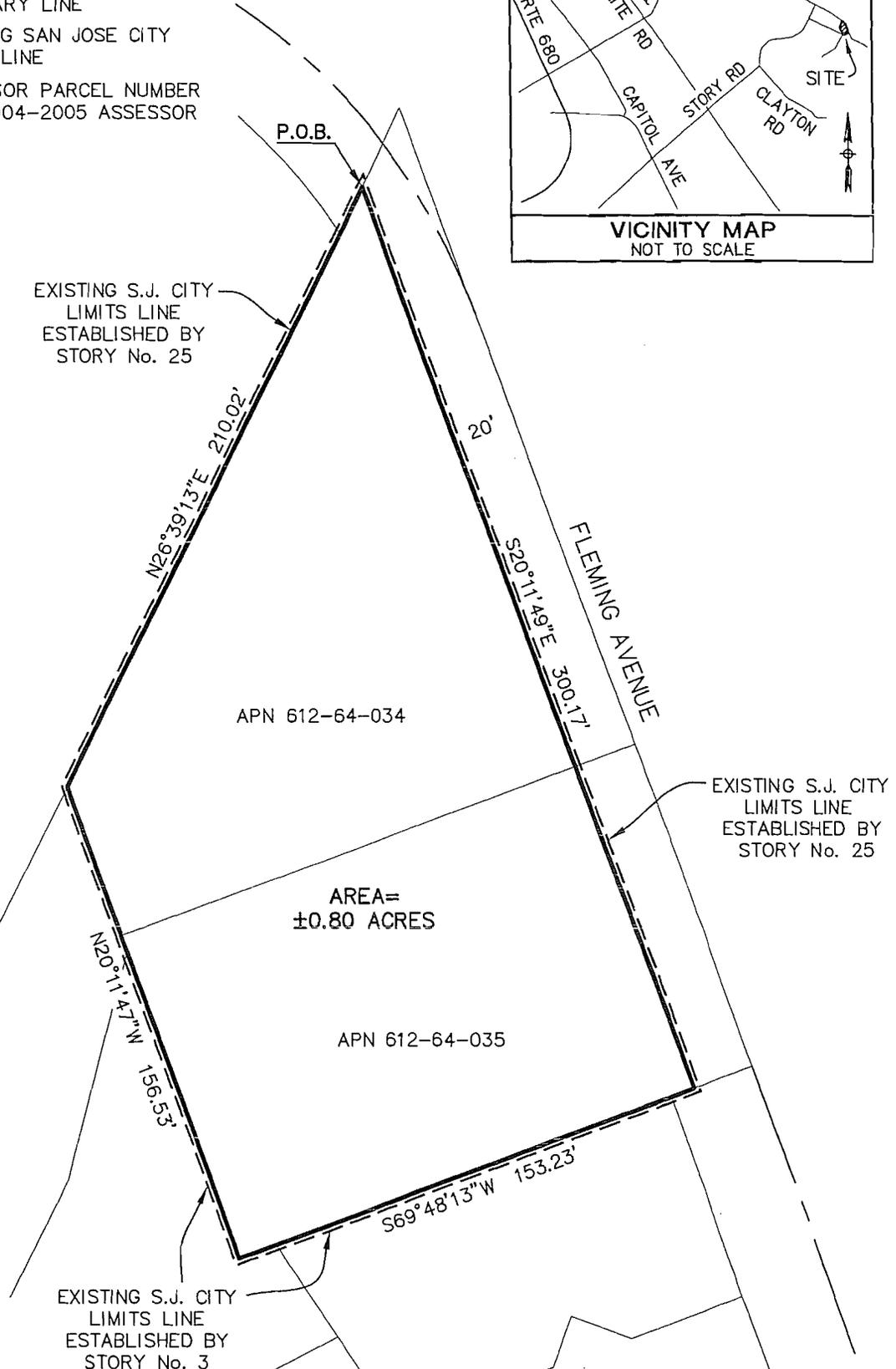
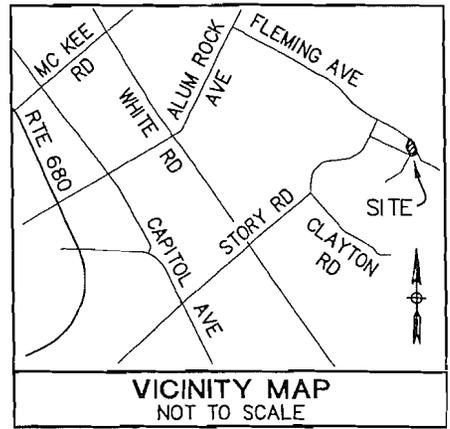
Containing 0.80 acres, more or less.



Julia MacRory

LEGEND

- PROPOSED ANNEXATION BOUNDARY LINE
- - - - - EXISTING SAN JOSE CITY LIMITS LINE
- APN ASSESSOR PARCEL NUMBER PER 2004-2005 ASSESSOR MAP

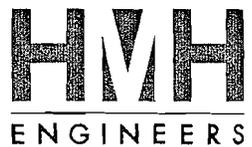


GRAPHIC SCALE
1 INCH = 50 FT.

SHEET 1 OF 1

20061031.1352

Date:	10-31-06
Scale:	1" = 50'
Designed:	-
Drawn:	TG
Checked:	JM
Proj. Engr.:	-
Dwg Name:	3521PL11



San Jose
(408) 487-2200
Gilroy
(408) 846-0707
www.hmh-engineers.com

Plat to accompany description:
PROPOSED ANNEXATION TO THE CITY OF SAN JOSE
STORY No. 62

SAN JOSE

CALIFORNIA