



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Joseph Horwedel

SUBJECT: SEE BELOW

DATE: November 13, 2006

Approved

Debra J. Jarama

Date

11/18/06

COUNCIL DISTRICT: 7

SNI AREA: Not Applicable

SUBJECT: MONTEREY PARK NO. 108 REORGANIZATION/ANNEXATION TO THE CITY OF SAN JOSE ON AN APPROXIMATELY 8.58 GROSS ACRE AREA CONSISTING OF 9 PARCELS ON BOTH SIDES OF PERRYMONT AVENUE, SOUTHWESTERLY OF STONE 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 Monterey Park No. 108 which involves the annexation to the City of San Jose of 8.58 gross acres of land located on both sides of Perrymont Avenue, southwesterly of Stone Avenue, and the detachment of the same from the appropriate special districts including County Lighting County Service, Central Fire Protection, Area No. 01 (Library Services) County Service, and County Sanitation District 2-3.

OUTCOME

Upon completion of the annexation/reorganization proceedings, the territory designated Monterey Park No. 108 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 Rezoning (File No.C06-048) being processed to assign a City of San Jose zoning district to the site in preparation for annexation.

The proposed annexation consists of 9 parcels which upon annexation to the City of San Jose would be detached from the following special districts: County Lighting County Service, Central Fire Protection, Area No. 01 (Library Services) County Service, and County Sanitation District 2-3.

ANALYSIS

The proposed annexation and the pending rezoning to HI Heavy Industrial Zoning District will allow heavy industrial uses consistent with the Zoning Code 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.

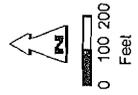
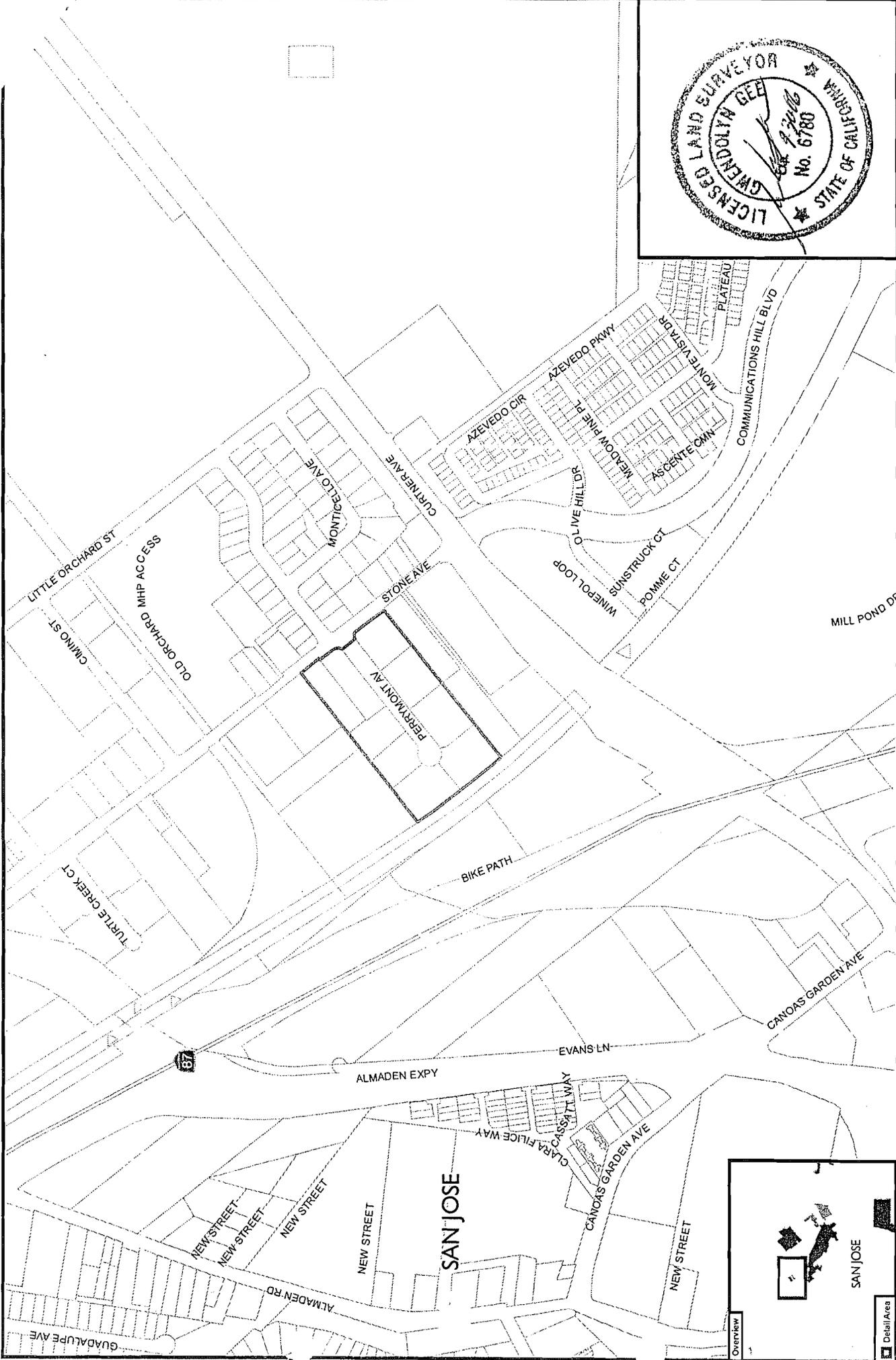
CEQA

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:



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

6000 Scale Index Map

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

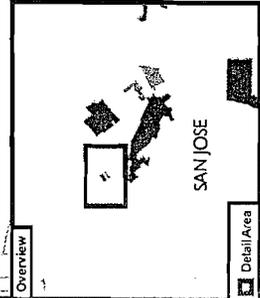


EXHIBIT A
 San Jose Pocket No. 11
 Monterey Park No. 108
 8.58 Acres +/-
 07/19/06

EXHIBIT "A"
ANNEXATION TO THE CITY OF SAN JOSE
MONTEREY PARK No. 108

REAL PROPERTY in the County of Santa Clara, State of California, being all of Parcels 1 through 4 as shown on that certain Record of Survey filed for record on January 8, 1965, in Book 189 of Maps, page 53, Santa Clara County Records; a portion of Perrymont Avenue as shown on said Record of Survey; and a portion of that parcel of land described in the deed recorded June 12, 2000, in Document No. 15277212 of Official Records, Santa Clara County Records, more particularly described as follows:

BEGINNING at the most southerly corner of the City of San Jose's Annexation Monterey Park No. 10A;

Thence along the southeasterly City Limits Line of the City of San Jose as established by said Annexation Monterey Park No. 10A, North 49°13'00" East, 821.59 feet, to the general southwesterly City Limits Line of the City of San Jose as established by City's Annexation Monterey Park No. 85, also being the southwesterly line of Stone Avenue (20 foot half-width);

Thence along said general southwesterly City Limits Line, the following seven courses:

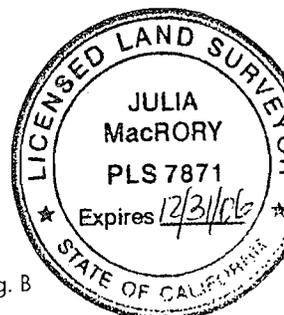
1. Thence along said southwesterly line of Stone Avenue, South 39°10'00" East, 99.84 feet;
2. Thence South 49°13'00" West, 10.00 feet, to the southwesterly line of Stone Avenue (30 foot half-width);
3. Thence along said southwesterly line of Stone Avenue, South 39°10'00" East, 83.61 feet, to the northwesterly line of Perrymont Avenue;
4. Thence along said northwesterly line, along a tangent curve to the right, having a radius of 20.00 feet, through a central angle of 88°23'00" for an arc length of 30.85 feet;
5. Thence South 38°14'38" East, 70.07 feet, to the southeasterly line of Perrymont Avenue;
6. Thence easterly along said southeasterly line, along a non-tangent curve to the right, having a radius of 20.00 feet, whose center bears South 40°47'00" East, through a central angle of 91°37'00" for an arc length of 31.98 feet, to the southwesterly line of Stone Avenue (30 foot half-width);
7. Thence along said southwesterly line, South 39°10'00" East, 165.86 feet, to the northwesterly City Limits Line of the City of San Jose as established by City's Annexation Monterey Park No. 100;

Thence along said northwesterly City Limits Line, South 49°13'00" West, 817.68 feet, to the northeasterly City Limits Line of the City of San Jose as established by City's Annexation Monterey Park No. 74;

Thence along said northeasterly City Limits Line, northwesterly, along a non-tangent curve to the right, having a radius of 5,679.60 feet, whose center bears North 49°16'25" East, through a central angle of 04°38'15" for an arc length of 459.70 feet, to the POINT OF BEGINNING.

Containing 8.61 acres, more or less.

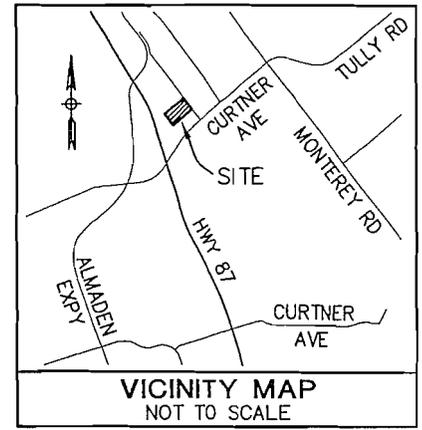
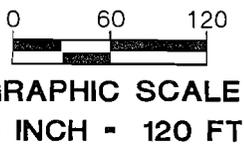
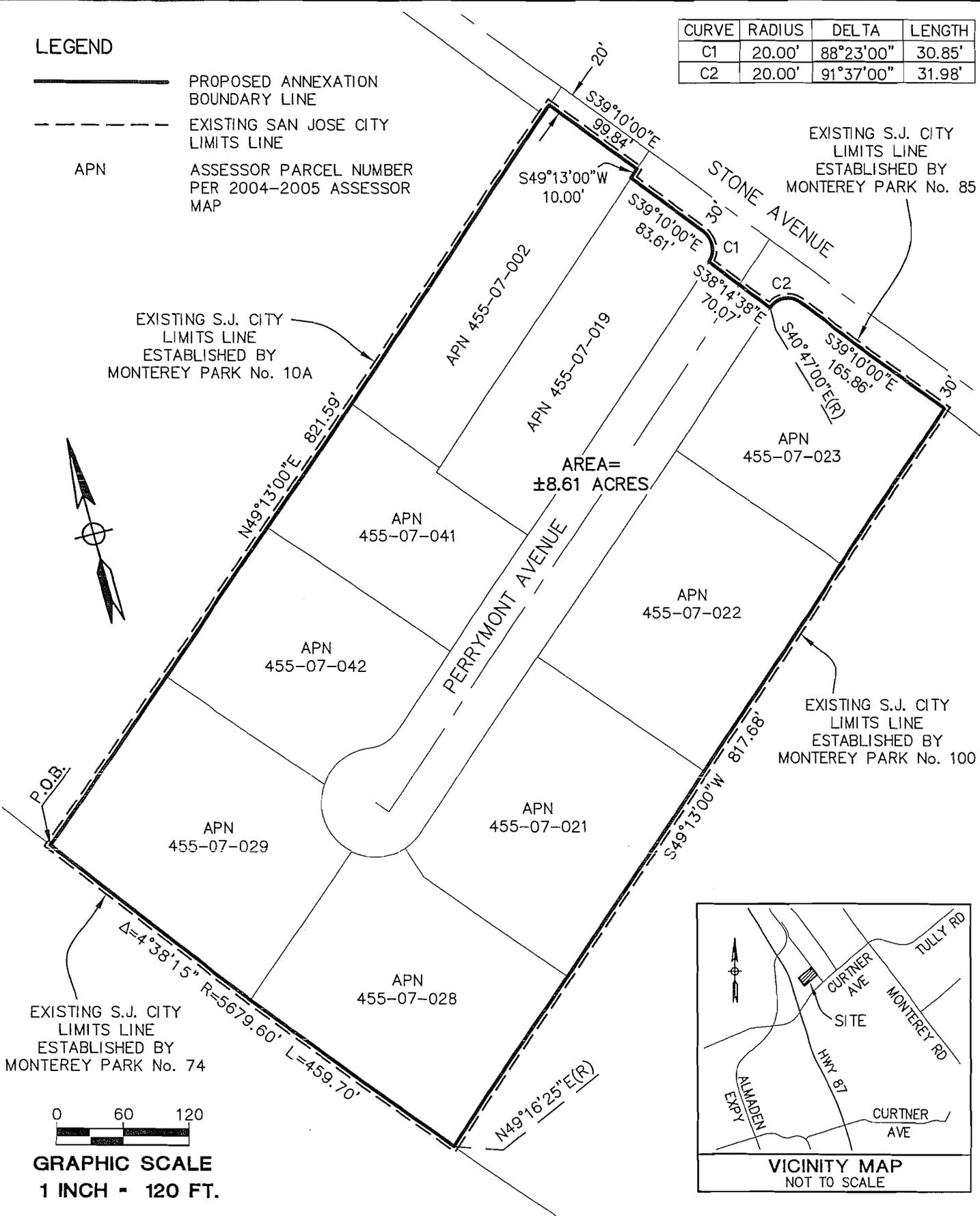
Julia MacRory



LEGEND

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

CURVE	RADIUS	DELTA	LENGTH
C1	20.00'	88°23'00"	30.85'
C2	20.00'	91°37'00"	31.98'



SHEET 1 OF 1

20061031.1446

Date:	10-31-06
Scale:	1" = 120'
Designed:	-
Drawn:	TG
Checked:	JM
Proj. Engr.:	-
Dwg Name:	3521PL12

HMH
ENGINEERS

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
MONTEREY PARK No. 108

SAN JOSE CALIFORNIA