



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Joseph Horwedel

SUBJECT: SEE BELOW

DATE: September 15, 2009

Approved

Date

COUNCIL DISTRICT: 6

SNI AREA: Burbank/Del Monte

SUBJECT: SUNOL NO. 82 REORGANIZATION/ANNEXATION TO THE CITY OF SAN JOSE OF APPROXIMATELY 42 GROSS ACRES CONSISTING OF 282 PARCELS LOCATED IN AN AREA GENERALLY BOUNDED BY THE SOUTH SIDE OF PARK AVENUE, WEST SIDE OF MCEVOY STREET, NORTH AND SOUTH SIDES OF WEST SAN CARLOS STREET, AND THE EAST SIDE OF MERIDIAN AVENUE.

RECOMMENDATION

It is recommended that the City Council adopt a resolution initiating proceedings and setting November 17, 2009 at 7:00 p.m. for a public hearing on the reorganization of territory designated as Sunol No. 82 which involves the annexation to the City of San Jose of approximately 42 gross acres consisting of 282 parcels located in an area generally bounded by the south side of Park Avenue, west side of McEvoy Street, north and south sides of West San Carlos Street, and the east side of Meridian Avenue, and the detachment of the same from Central Fire Protection, County Lighting, Santa Clara Valley Zone C-1 County Water, Sunol Sanitary, and Area No. 01 (Library Services) County Service Districts.

OUTCOME

Upon completion of the annexation/reorganization proceedings, the territory designated Sunol No. 82 will be within the incorporated area of the City of San José and eligible to receive City services (see attached map showing the affected territory).

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 3 of this program.

The proposed annexation consists of approximately 282 parcels developed with a variety of uses, including single-family and multi-family residences, commercial businesses, and industrial uses. A pending Planning Director initiated Prezoning (File No. C08-023) is being processed to approve appropriate City of San Jose zoning districts for the territory in preparation for annexation. The prezoning is scheduled for the City Council meeting on September 15, 2009. The proposed prezoning consists of R-1-8 Single-Family Residence Zoning District, RM Multiple Residence Zoning District, CP Commercial Pedestrian Zoning District, and CIC Combined Industrial/Commercial Zoning District to reflect generally the existing development pattern, uses, County zoning, and the San Jose 2020 General Plan land use designations.

ANALYSIS

Annexation of this and other islands less than 150 acres as part of the County Island Annexation Program fulfills the longstanding policy of the City, County and Local Agency Formation Commission (LAFCO) that existing and future urban development should be located within cities. The County Island Annexation Program implements the Urban Service Area policies of the San Jose 2020 General Plan that encourage cooperative efforts to seek the annexation of urbanized County pockets within San Jose's Urban Service Area. Annexation of County Pockets will ultimately result in more efficient delivery of services throughout San Jose by creating logical City boundaries and removing existing gaps in infrastructure.

The proposed Sunol No. 82 annexation is being done as part of the third 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 a website dedicated to this topic, to the City Manager's Office, and to the County of Santa Clara on a periodic basis.

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 is occurring consistent with Council Policy 6-30: Public Outreach for Pending Land Use and Development Proposals. Direct outreach to affected property owners occurred in 2008 and in 2009. In addition, staff has provided each property owner with an Annexation Answer Book, which summarizes key information pertaining to the program. This document is available on the Planning website at <http://www.sanjoseca.gov/planning/annex/docs/AnnexationAnswerBook0509.pdf>.

A community meeting was conducted on July 22, 2009 at the Rose Garden Branch Library for property owners, interested neighbors, and other members of the public. Approximately 25 people were in attendance. 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 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, the Redevelopment Agency, and the City Attorney's Office. These departments are participating in a working group to coordinate, discuss and resolve issues associated with the annexation efforts. The City provides regular updates to the County of Santa Clara on the status of the program.

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 rezoning 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 third phase of the County Island Annexation Program and it has been determined that the annexation will create a negligible impact on City services because of its size, location and number of inhabitants.

BUDGET REFERENCE

Not applicable.

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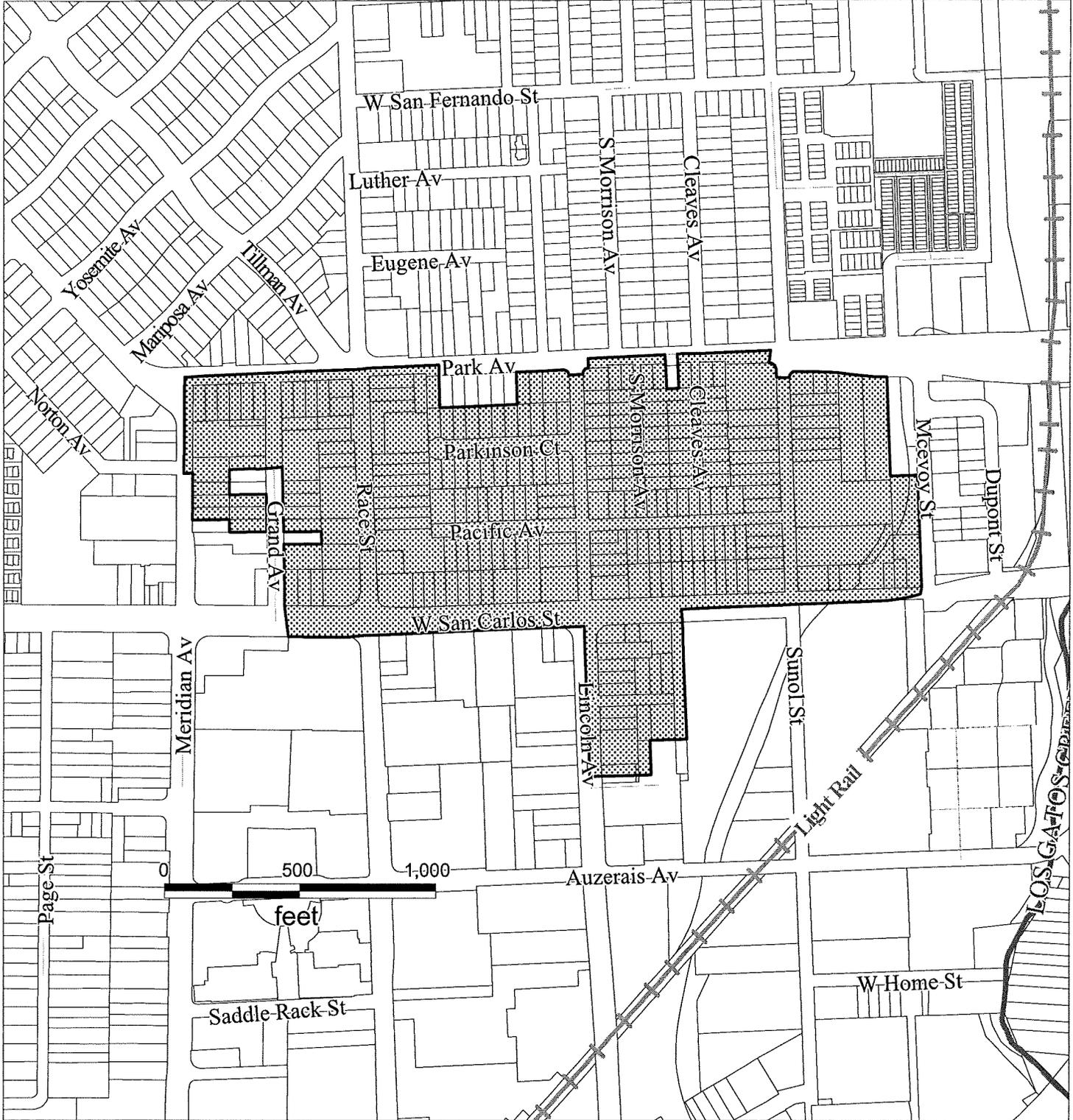
CEQA

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, 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.

C08-023, SUNOL 82 Location Map



Noticing Radius = 300 Ft

Map Created On:
6/19/2008

Prepared by the Department of Planning, Building, and Code Enforcement
City of San Jose, California
Joseph Horwedel, Director

District: 6
Quad: 83

