

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE ORDERING THE ANNEXATION OF CERTAIN UNINCORPORATED TERRITORY DESIGNATED AS CAMBRIAN NO. 37, SUBJECT TO LIABILITY FOR GENERAL INDEBTEDNESS OF THE CITY**

**WHEREAS**, the City of San José desires to order proceedings, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code, as the same may be amended from time to time, of the annexation of territory designated as Cambrian No. 37 to the City of San José, and the detachment of certain territory from County Lighting District, Central Fire Protection District, West Valley Sanitation District, and Santa Clara County Library District; and

**WHEREAS**, this proposal includes an annexation to the City of San José of certain unincorporated territory located within the County of Santa Clara and within the Urban Service Area of said City which is not subject to review by the Local Agency Formation Commission as provided under Section 56757 of the California Government Code; and

**WHEREAS**, such territory is known by the short form designation of “**Cambrian No. 37**,” and a description of the boundaries of this territory is set forth in Exhibit “A” attached hereto and incorporated herein by this reference, which description is subject to correction or revision as required; and

**WHEREAS**, a map showing the location of such territory is attached hereto as Exhibit “B” and incorporated herein by this reference; and

**WHEREAS**, the subject real property, comprising of approximately 19.92-gross acres located on the southeast corner of Union Avenue and Camden Avenue (APNs 419-08-

012 and 419-08-013) and includes the adjacent streets including 735.44 feet of Union Avenue and 948.32 feet of Camden Avenue along the project frontage, and is contiguous to the City of San José and is within the City's Urban Service Area; and

**WHEREAS**, the subject property currently is receiving or will receive the following benefits from the City, to wit: all municipal services, including but not limited to street maintenance, streetlights, law enforcement, sanitary sewer, code enforcement, street sweeping, garbage collection, and fire protection; and

**WHEREAS**, this territory was considered for pre-zoning to CP(PD) Planned Development Zoning District (under File No. PDC17-040) on August 9, 2022 (Ordinance No. 30808) and will be so zoned upon its annexation to the City of San José in accordance with Section 20.120.300 of the Zoning Ordinance (Title 20 of the San José Municipal Code); and

**WHEREAS**, the City of San José is the Lead Agency for environmental review for the reorganization known as "**Cambrian No. 37**" under the California Environmental Quality Act of 1970, as amended ("CEQA"); and

**WHEREAS**, pursuant to Section 15168(c)(2) of the CEQA Guidelines, the City of San José has determined that the annexation is consistent with the Cambrian Park Mixed-Use Village Project Environmental Impact Report (EIR) (Resolution No. 80647); and

**WHEREAS**, the County Surveyor of Santa Clara County has found the real property description of the subject property and the map of the subject property (Exhibits "A" and "B," respectively) to be in accordance with California Government Code Section 56757, the boundaries to be definite and certain, and the proposal to be in compliance with the County's Local Agency Formation Commission's annexation policies; and

**WHEREAS**, as provided in Government Code Section 56757, the City Council of the City of San José shall be the conducting authority for a reorganization to the City, and the City Council by this resolution is proposing the reorganization described in this Resolution; and

**WHEREAS**, all owners of land included in this proposal have consented to this annexation; and

**WHEREAS**, Government Code Section 56662 provides that if a proposal for an annexation is accompanied by proof that all owners of land within the affected territory have given their written consent the City Council may approve or disapprove the annexation without public hearing; and

**WHEREAS**, this proposal is consistent with the sphere of influence of the City of San José; and

**WHEREAS**, the reason for the proposed reorganization is as follows: to annex the subject territory and detach the same from special districts to eliminate a duplication of services; and

**WHEREAS**, evidence pertaining to the proposed reorganization was presented to the City Council at the City Council's public hearings on this matter; and

**WHEREAS**, the following facts pertain to the findings required by the Council in accordance with Government Code Section 56757:

1. The unincorporated territory proposed for reorganization is within the City's Urban Service Area, as adopted by the Santa Clara Local Agency Formation Commission.

2. The County Surveyor has determined the boundaries of the proposed reorganization to be definite and certain, and in compliance with the Santa Clara County Local Agency Formation Commission's road annexation policies.
3. The annexation does not split lines of assessment or ownership in that all affected parcels are being organized in their entirety.
4. The annexation does not create islands or areas in which it would be difficult to provide municipal services in that the completion of reorganization proceedings would result in the reduction in size of a county pocket of unincorporated territory.
5. The proposal is consistent with the City's adopted General Plan in that existing and future urban development should be located within cities.
6. The territory is contiguous to existing City limits.
7. The City has complied with all conditions imposed by the Local Agency Formation Commission for inclusion of the territory in the City's Urban Service Area as follows: On January 8, 2018, the City of San José informed LAFCO of its intent to annex the subject territory. During the review process, the annexation boundary was modified per LAFCO's request to include the adjacent streets to comply with LAFCO's Street Annexation Policy. Since then, the City has received no conditions of approval from LAFCO with respect to the subject annexation. Furthermore, on October 21, 2020, the City advised the following applicable special districts, from which the territory would be detached, of its intent to annex the subject property: County Lighting District, Central Fire Protection District, West Valley Sanitation District, and Santa Clara County Library District. To date, the City has received no objections from said districts to the proposed annexation.
8. The pre-zoning designation on the subject territory is CP(PD) Planned Development Zoning District (File No. PDC17-040) inasmuch as the City Council on August 9, 2022 approved an ordinance and adopted said ordinance on August 16, 2022 pre-zoning the subject territory (Ordinance No. 30808).

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:**

1. That it is the conducting authority pursuant to Section 56757 of the California Government Code for the annexation of property designated "**Cambrian No. 37,**" more particularly described in Exhibit "A" and more particularly shown upon that

certain map attached hereto as Exhibit “B”, both of which exhibits are incorporated herein by this reference;

2. That the following findings are made by the City Council for the City of San José:
  - a. That said territory is occupied by an existing retail shopping center totaling 170,427 square feet and surface parking lots with a total of 764 existing parking spaces (per California Government Code Section 65046, territory within which fewer than 12 registered voters reside) and comprises approximately 19.92 gross acres.
  - b. That the annexation is consistent with the orderly annexation of territory within the City's urban service area and is consistent with the City policy for annexation when providing City services.
  - c. The City of San José has determined that the proposed annexation is consistent with the Cambrian Park Mixed-Use Village Project Environmental Impact Report (EIR) (Resolution No. 80647).
  - d. That the subject territory will be zoned CP(PD) Planned Development Zoning District within the City of San José immediately upon annexation in accordance with Section 20.120.300 of Title 20 (Zoning Ordinance) of the San José Municipal Code.
  - e. That the territory is within the City's urban service area as adopted by the Local Agency Formation Commission of Santa Clara County.
  - f. That the County Surveyor has determined the boundaries of the proposed annexation to be definite and certain, and in compliance with the Local Agency Formation Commission's road annexation policies.
  - g. That the proposed annexation does not split lines of assessment or ownership.
  - h. That the proposed annexation is consistent with the City's General Plan.
  - i. That the territory to be annexed is contiguous to existing City limits.
  - j. That the City has complied with all conditions imposed by the Local Agency Formation Commission for inclusion of the territory in the City's urban service area. On January 8, 2018, the City of San José informed LAFCO of its intent to annex the subject territory. During the review process, the annexation

boundary was modified per LAFCO's request to include the adjacent streets to comply with LAFCO's Street Annexation Policy. Since then, the City has received no conditions of approval from LAFCO with respect to the subject annexation. Furthermore, on October 21, 2020, the City advised the following applicable special districts, from which the territory would be detached, of its intent to annex the subject property: County Lighting District, Central Fire Protection District, West Valley Sanitation District, and Santa Clara County Library District. To date, the City has received no objections from said districts to the proposed annexation.

- 3 That all affected local agencies that will gain or lose territory as a result of this reorganization have not submitted written opposition to the waiver of protest proceedings.
4. That all property owners have been provided written notice of this proceeding and no opposition has been received.
5. That said annexation is hereby ordered without any further protest of these reorganization proceedings pursuant to Section 56662(c) and (d) and is subject to the following additional terms and conditions: None.

**BE IT FURTHER RESOLVED** that upon completion of these reorganization proceedings, the territory reorganized will be taxed on the regular County assessment roll, including taxes for existing bonded indebtedness, and that the City Council hereby takes the additional following actions:

1. The City Council hereby orders the territory designated as **Cambrian No. 37** reorganized to include the following changes of organization: (a) the designated territory **Cambrian No. 37** is detached from County Lighting District, Central Fire Protection District, West Valley Sanitation District, and Santa Clara County Library District; and (b) the designated territory **Cambrian No. 37** is annexed into the City of San José. The City of San José, as conducting authority, reorganized such territory as indicated above, it being found and concurred in that the territory involved in the reorganization is uninhabited and all the owners of land within the territory have filed a written petition for the City Council to initiate said reorganization.
2. The City Council further hereby describes the exterior boundaries of the territory reorganized as all that real property in the County of Santa Clara, State of California, described in Exhibit "A" and depicted in Exhibit "B," attached hereto and incorporated herein by this reference.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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SAM LICCARDO  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk

# County of Santa Clara

## Planning and Development

### Office of the County Surveyor

County Government Center

70 West Hedding Street, E. Wing, 7<sup>th</sup> Floor

San Jose, California 95110

(408) 299-5730



October 5, 2018

Jennifer Piozet  
Project Manager  
City of San Jose  
200 East Santa Clara Street, 3rd Floor Tower  
San Jose, CA 95113

**SUBJECT: Cambrian No. 37**

Dear Ms. Piozet,

The attached description and map dated September 28, 2018 of territory proposed for annexation to the City of San Jose entitled **Cambrian No. 37** 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.

August Hanks, PLS  
Acting County Surveyor

Date: 10/5/18



attachment: description/map

cc: LAFCO Executive Officer (w/attachment), Assessor's Office (w/attachment)

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Ken Yeager, S. Joseph Simitian  
County Executive: Jeffrey V. Smith

**DRAFT--Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.**



**EXHIBIT "A"**  
**CAMBRIAN NO. 37**  
**ANNEXATION TO THE CITY OF SAN JOSE**  
**GEOGRAPHIC DESCRIPTION**

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE UNINCORPORATED AREA OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA BEING A PORTION OF SECTION 1, TOWNSHIP 8 SOUTH, RANGE 1 WEST, MDB&M, DESCRIBED AS FOLLOWS:

BEING A PORTION OF THAT PARCEL DESIGNATED AS "LANDS OF SHAEFFER LANDS, INC." ON THAT CERTAIN TRACT MAP ENTITLED "TRACT NO. 542 CAMBRIAN PARK UNIT NO. 1", FILED FOR RECORD DECEMBER 6, 1948 IN BOOK 20 OF MAPS AT PAGE 48, OFFICIAL RECORDS OF SAID SANTA CLARA COUNTY AND ALSO PORTIONS OF CAMDEN AVENUE, UNION AVENUE AND WYRICK AVENUE (ALL PUBLIC STREETS), AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE INTERSECTION OF THE CENTERLINES OF SAID CAMDEN AVENUE AND UNION AVENUE ON THE EXISTING CITY LIMITS ESTABLISHED BY THE WILLOW GLEN NO. 10 ANNEXATION;

- 1.) THENCE EASTERLY ALONG SAID CENTERLINE OF CAMDEN AVENUE AND EXISTING CITY LIMITS SOUTH 89° 33' 00" EAST FOR A DISTANCE OF 948.32 FEET TO THE EDGE OF THE CITY LIMITS ESTABLISHED BY THE CAMBRIAN NO. 8 ANNEXATION;
- 2.) THENCE SOUTHERLY ALONG SAID CITY LIMITS SOUTH 00° 26' 30" WEST FOR A DISTANCE OF 143.26 FEET;
- 3.) THENCE CONTINUING ALONG SAID CITY LIMITS SOUTH 04° 02' 10" WEST FOR A DISTANCE OF 88.40 FEET;
- 4.) THENCE CONTINUING ALONG SAID CITY LIMITS SOUTH 11° 13' 30" WEST FOR A DISTANCE OF 88.40 FEET;
- 5.) THENCE CONTINUING ALONG SAID CITY LIMITS SOUTH 18° 24' 50" WEST FOR A DISTANCE OF 88.40 FEET;
- 6.) THENCE CONTINUING ALONG SAID CITY LIMITS SOUTH 25° 36' 10" WEST FOR A DISTANCE OF 88.40 FEET;
- 7.) THENCE CONTINUING ALONG SAID CITY LIMITS SOUTH 32° 47' 30" WEST FOR A DISTANCE OF 88.40 FEET;
- 8.) THENCE CONTINUING ALONG SAID CITY LIMITS SOUTH 39° 58' 50" WEST FOR A DISTANCE OF 88.40 FEET;

- 9.) THENCE CONTINUING ALONG SAID CITY LIMITS SOUTH 43° 34' 30" WEST FOR A DISTANCE OF 130.00 FEET TO A POINT ON THE CENTERLINE OF SAID WYRICK AVENUE;
- 10.) THENCE SOUTHEASTERLY ALONG SAID CENTERLINE AND CITY LIMITS SOUTH 46° 25' 30" EAST FOR A DISTANCE OF 255.00 FEET TO THE EDGE OF THE CITY LIMITS ESTABLISHED BY THE CAMBRIAN NO. 27 ANNEXATION;
- 11.) THENCE LEAVING SAID CITY LIMITS AND HEADING SOUTH 43° 34' 30" WEST FOR A DISTANCE OF 30.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 20.00;
- 12.) THENCE WESTERLY ALONG SAID CURVE, FROM WHICH A RADIAL POINT BEARS NORTH 43° 34' 30" EAST, THROUGH A CENTRAL ANGLE OF 90° 00' 00", AN ARC DISTANCE OF 31.42 FEET;
- 13.) THENCE NORTH 46° 25' 30" WEST FOR A DISTANCE OF 60.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 20.00;
- 14.) THENCE NORTHERLY ALONG SAID CURVE, FROM WHICH A RADIAL POINT BEARS SOUTH 46° 25' 30" EAST, THROUGH A CENTRAL ANGLE OF 90° 00' 00", AN ARC DISTANCE OF 31.42 FEET;
- 15.) THENCE NORTH 46° 25' 30" WEST FOR A DISTANCE OF 155.00 FEET;
- 16.) THENCE SOUTH 43° 34' 30" WEST FOR A DISTANCE OF 204.21 FEET;
- 17.) THENCE SOUTH 42° 00' 00" WEST FOR A DISTANCE OF 106.70 FEET;
- 18.) THENCE SOUTH 33° 14' 28" WEST FOR A DISTANCE OF 268.56 FEET;
- 19.) THENCE NORTH 89° 58' 30" WEST FOR A DISTANCE OF 313.82 FEET TO A POINT ON THE WESTERLY BOUNDARY OF SAID UNION AVENUE;
- 20.) THENCE NORTHERLY ALONG SAID WESTERLY BOUNDARY NORTH 00° 01' 30" EAST FOR A DISTANCE OF 123.81 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET;
- 21.) THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 89° 54' 00", AN ARC DISTANCE OF 31.38 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF STRATFORD DRIVE (PUBLIC STREET);
- 22.) THENCE NORTH 00° 02' 30" WEST FOR A DISTANCE OF 60.00 FEET TO THE NORTHERLY BOUNDARY OF SAID STRATFORD DRIVE AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET;
- 23.) THENCE NORTHEASTERLY ALONG SAID CURVE, FROM WHICH A RADIAL POINT BEARS SOUTH 00° 07' 30" WEST, THROUGH A CENTRAL ANGLE OF

90° 06' 00", AN ARC DISTANCE OF 31.45 FEET TO A POINT ON SAID WESTERLY BOUNDARY OF UNION AVENUE;

- 24.) THENCE CONTINUING NORTHERLY ALONG SAID WESTERLY BOUNDARY NORTH 00° 01' 30" EAST FOR A DISTANCE OF 104.12 FEET TO THE EDGE OF THE CITY LIMITS ESTABLISHED BY THE PARKER NO. 12 ANNEXATION;
- 25.) THENCE CONTINUING ALONG SAID CITY LIMITS SOUTH 89° 52' 30" EAST FOR A DISTANCE OF 30.00 FEET TO THE CENTERLINE OF SAID UNION AVENUE;
- 26.) THENCE CONTINUING NORTHERLY ALONG SAID CITY LIMITS AND CENTERLINE OF UNION AVENUE NORTH 00° 01' 30" EAST FOR A DISTANCE OF 183.45 FEET TO THE EDGE OF THE CITY LIMITS ESTABLISHED BY THE PARKER NO. 5 ANNEXATION;
- 27.) THENCE CONTINUING NORTHERLY ALONG SAID CITY LIMITS AND CENTERLINE OF UNION AVENUE NORTH 00° 01' 30" EAST FOR A DISTANCE OF 687.56 FEET TO THE POINT OF BEGINNING.

CONTAINING 19.92 ACRES OF LAND, MORE OR LESS

A PLAT ENTITLED "EXHIBIT B" IS ATTACHED HERETO AND MADE PART HEREOF.

THIS DESCRIPTION AND THE ACCOMPANYING PLAT WERE PREPARED BY ME OR PREPARED UNDER MY DIRECTION.

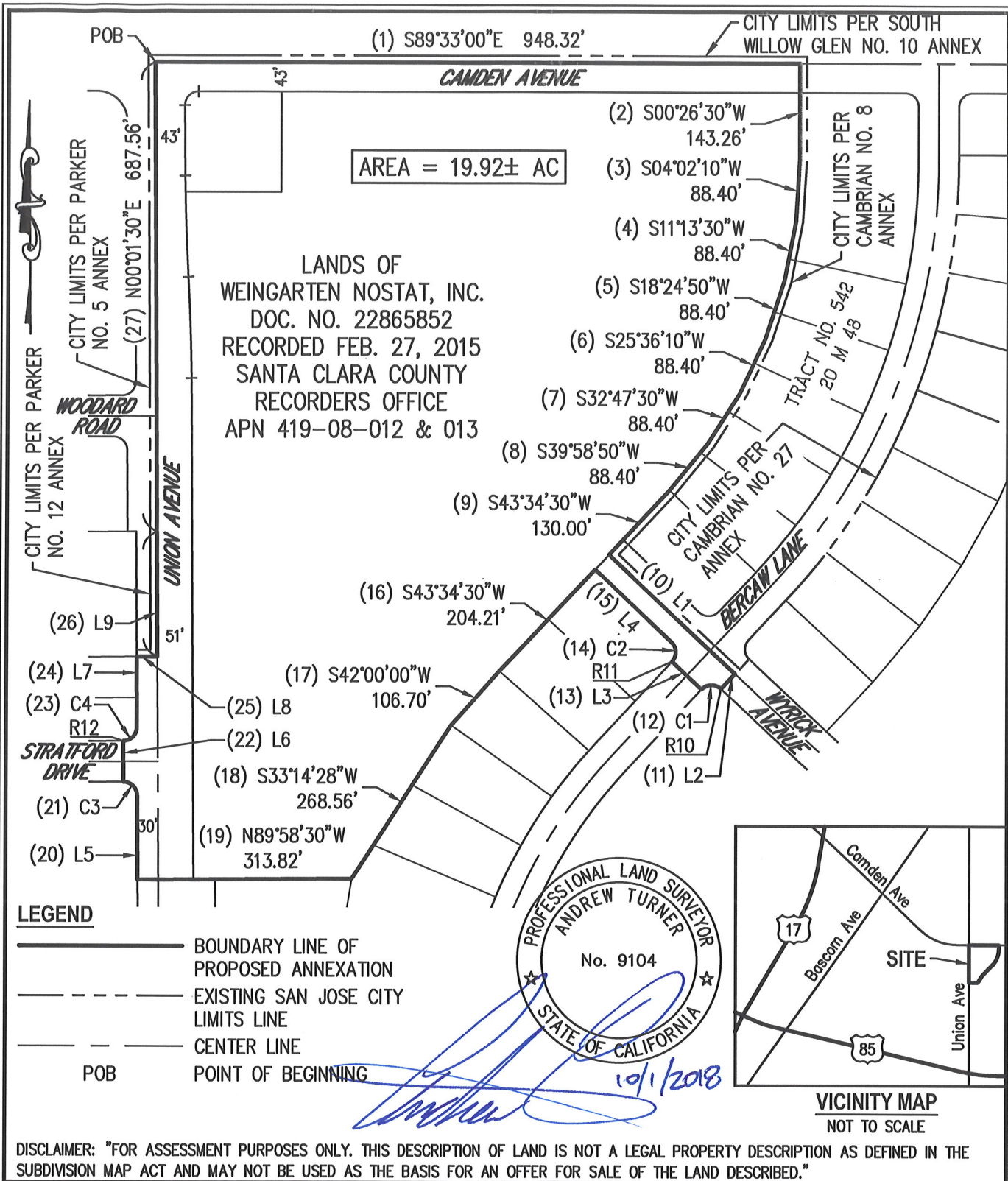
FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.

  
ANDREW TURNER  
P.L.S. 9104  
CIVIL ENGINEERING ASSOCIATES, INC.



10/1/2018  
DATE





DISCLAIMER: "FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED."

EXHIBIT "B" - PROPOSED ANNEXATION - PLAT TO ACCOMPANY DESCRIPTION  
BEING A PORTION OF SECTION 1, T8S, R1W, MDB&M  
TO CITY OF SAN JOSE  
ENTITLED CAMBRIAN NO. 37



**Civil Engineering Associates**

Civil Engineers • Planners • Surveyors

2055 Gateway Place Suite 550  
San Jose, CA 95110  
T: (408) 453-1066

BY: CH

DATE: 9/28/2018

SCALE: 1"=200'

JOB NO. 17-114

1 OF 2  
SHT.NO.

LINE TABLE		
LINE #	BEARING	LENGTH
L1	S46°25'30"E	255.00'
L2	S43°34'30"W	30.00'
L3	N46°25'30"W	60.00'
L4	N46°25'30"W	155.00'
L5	N00°01'30"E	123.81'
L6	N00°02'30"W	60.00'
L7	N00°01'30"E	104.12'
L8	S89°52'30"E	30.00'
L9	N00°01'30"E	183.45'

RADIAL BEARING TABLE	
NO.	BEARING
R10	N43°34'30"E
R11	S46°25'30"E
R12	S00°07'30"W

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C1	20.00'	90°00'00"	31.42'
C2	20.00'	90°00'00"	31.42'
C3	20.00'	89°54'00"	31.38'
C4	20.00'	90°06'00"	31.45'

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**EXHIBIT "B" - PROPOSED ANNEXATION - PLAT TO ACCOMPANY DESCRIPTION  
BEING A PORTION OF SECTION 1, T8S, R1W, MDB&M  
TO CITY OF SAN JOSE  
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**Civil  
Engineering  
Associates**

**Civil Engineers • Planners • Surveyors**

2055 Gateway Place Suite 550  
San Jose, CA 95110  
T: (408) 453-1066

BY: CH

DATE: 9/28/2018

SCALE: 1"=200'

JOB NO. 17-114

2 OF 2  
SHT.NO.



# Cambrian No. 37

