



MEETING DATE: 10/17/05

ITEM NO.

3

COUNCIL AGENDA REPORT

DATE: OCTOBER 11, 2005

TO: MAYOR AND TOWN COUNCIL

FROM: DEBRA J. FIGONE, TOWN MANAGER

A handwritten signature in black ink, appearing to read "Debra J. Figone", written over the name in the "FROM" field.

SUBJECT: ADOPT RESOLUTION APPROVING THE FINAL MAP FOR TRACT NO. 9736 (15350 WINCHESTER BOULEVARD), ACCEPTING THE DEDICATIONS, AND ABANDONING THE EXISTING PUBLIC SERVICE AND EMERGENCY ACCESS EASEMENTS.

RECOMMENDATION:

Adopt resolution (Attachment 1) approving the Final Map for Tract No. 9736 (15350 Winchester Boulevard), accepting the dedications, and abandoning the existing public service and emergency access easements.

BACKGROUND:

The developer, Santa Clara Development, requested approval of 33 unit townhouse subdivision on 5.8 acres. On March 21, 2005, the Town Council approved a planned development (PD-04-0005), Ordinance 2141. The Development Review Committee approved the Tentative Map (M -05-07) on July 19, 2005. This is the site of the former Villa Felice Restaurant and Lodge and two units of the townhome subdivision. Various easements were created when the original map was recorded in 1982 and the parcel map for lot line adjustment was recorded in 2002. Some of those easements were dedicated to the Town and accepted for the purposes for which they were dedicated. The easements that were not dedicated to the Town have been quit claimed back to the developer and new locations have been recently dedicated and are shown on the final map for Tract No. 9736.

PREPARED BY:

A handwritten signature in black ink, appearing to read "John E. Curtis", written over the printed name.

JOHN E. CURTIS

Director of Parks and Public Works

Reviewed by: RS Assistant Town Manager OK Attorney _____ Clerk Administrator _____
sc Finance _____ Community Development _____

Revised: 10/11/05 9:27 am

PAGE 2

MAYOR AND TOWN COUNCIL

SUBJECT: ADOPT RESOLUTION APPROVING THE FINAL MAP FOR TRACT NO. 9736
(15350 WINCHESTER BOULEVARD), ACCEPTING THE DEDICATIONS AND
ABANDONING THE EXISTING PUBLIC SERVICE AND EMERGENCY ACCESS
EASEMENTS

October 11, 2005

DISCUSSION:

Tract No. 9736 will create 33 lots for detached townhouse-style homes. The developer, Santa Clara Development, has provided all necessary maps and drawings. The developer has paid the appropriate fees to fully comply with the previously-imposed development conditions and Town ordinances. All improvements are private and contained on the site, so contract and bonds are not required for any of the work being done.

With this new tract map, a new Emergency Access Easement and a new Public Service Easement will be dedicated in different locations than the original easements, so abandonment of the original easements is necessary to pass clear title to future homeowners. This action is allowed by Section 66499.20½ of the Subdivision Map Act, as long as the action is approved by the Council and certified by the Clerk Administrator on the final map.

ENVIRONMENTAL ASSESSMENTS:

This activity is a project as defined under the California Environmental Quality Act (CEQA) but is ministerial, therefore no further action is required under CEQA.

CONCLUSION:

Staff is recommending approval of the Final Map for Tract 9736, abandonment of the Public Service Easement and the Emergency Access Easement

FISCAL IMPACT:

The developers, Santa Clara Development, have paid the following fees:

1. Tract Map Checking fee\$19,250.00 (paid)
2. Engineering Plan Check fee 24,157.08 (paid)
3. Engineering Permit Tracking fee 1,736.28 (paid)
4. Inspection fee 30,652.60 (paid)
5. Permit Tracking fee 1,226.10 (paid)
6. Microfilming fee 100.00 (paid)

Attachments:

Resolution Approving Final Map for Tract No. 9736

Distribution:

Santa Clara Development, 1978 The Alameda, San Jose, CA 95126

RESOLUTION

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS APPROVING FINAL MAP OF TRACT NO. 9736, ACCEPTING THE DEDICATIONS AND ABANDONING THE EXISTING PUBLIC SERVICE EASEMENT AND THE EMERGENCY ACCESS EASEMENT

WHEREAS, on July 19, 2005, the Development Review Committee of the Town of Los Gatos approved the Tentative Map Application M -05-07, with conditions; and

WHEREAS, the Owner or Subdivider has complied with the conditions of Tentative Map Application M -05-07.

NOW, THEREFORE, IT IS RESOLVED that the certain Final Map of Tract No. 9736 in the Town of Los Gatos, dated September 2005, and prepared by HMM Engineers for approval by the Town Engineer of the Town of Los Gatos, is hereby approved; all offers of land for public use therein made on said Map are hereby accepted; and

FURTHER RESOLVED, as allowed by California Government Code §66499.20½, the Public Service Easements and Emergency Access Easement shown on those certain parcel maps filed for record in Book 756 of Maps, Pages 54 and 55, and in Book 498 of Maps, Pages 23 and 24, Santa Clara County Record are hereby abandoned.

PASSED AND ADOPTED at a regular meeting of the Town Council held on the 17th day of October, 2005 by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CA

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA