



PUBLIC WORKS DEPARTMENT

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CITY COUNCIL STAFF REPORT

Meeting: February 4, 2025

Subject

Approval of a Final Map and the Subdivision Improvement Agreement for the 6-Unit Domme Enclave Development Project (Tract No. 10608; Applicant: AlphaMcClellan, LLC; Location: 20860 McClellan Road; APN: 359-20-030).

Recommended Action

Adopt Resolution No. 25-XXX:

- 1) Approving the final map consisting of Tract No. 10608.
- 2) Accepting the street dedication and public easements and abandoning redundant communication easement as shown on the map.
- 3) Authorizing the City Engineer to execute and record the Subdivision Improvement Agreement.

Reasons for Recommendation

Background

The Domme Enclave Development Project is comprised of one existing parcel that will be subdivided into seven parcels, consisting of one common parcel and six residential parcels. The project would demolish the existing residential building and various onsite structures, construct six separate residential buildings, modify the existing public facilities along the McClellan Road frontage, and widen as well as improve the Cherryland Drive frontage with the installation of private street improvements, including new curb, gutter, sidewalk, and roadway pavers. On October 18, 2022, the City Council adopted Resolution No. 22-130 approving the Two-Story Permits (R-2021-040 through -045) and Resolution No. 22-129 approving the Tentative Map (TM-2021-006) for the Domme Enclave Development Project.

In February 2023, subsequent to planning approval, the applicant submitted review of the final map. Concurrently, the applicant submitted permit applications for the project. The applicant was issued a demolition permit in July 2023, and the demolition work was completed in November 2023. The building permit applications have been approved and are ready to be issued following the recordation of the final map.

Discussion

Final Map

The proposed final map (Attachment B) includes a public street dedication in fee title and various public easements necessary to accommodate the approved use. The map also abandons a redundant communication easement.

Based on staff's review, the final map is in substantial compliance with the approved tentative subdivision map and conforms to the requirements of the Subdivision Map Act and the Cupertino Municipal Code (CMC.) Under the Subdivision Map Act and the Cupertino Municipal Code, approval of the final map is a ministerial act, and the City must approve any final map that substantially complies with the approved tentative map. (CMC § 18.16.200(B); Gov. Code, §§ 66458, 66474.1.) Staff recommends that the City Council approve the final map.

Subdivision Improvement Agreement

The applicant has executed a Subdivision Improvement Agreement (SIA) (Attachment C) with the City. The SIA and the associated improvement plans include, as required by the conditions of approval to the Tentative Map:

- a. New curb, gutter, attached sidewalk, driveway aprons, and various utility connections, consistent with City standards, along the project's Cherryland Drive property frontage.
- b. New street trees and the replacement of existing driveway aprons with new curb and gutter along the project's McClellan Road property frontage.
- c. Modification of a portion of the Class IV bicycle facilities along the project's McClellan Road property frontage to support the project.

Pursuant to the Cupertino Municipal Code, the SIA requires the applicant to construct these improvements and provide security for their completion. Upon completion, the City will review them for acceptance. The proposed SIA also sets out a schedule for the applicant's payment of various City fees and bonds. This schedule follows the deadlines set in the Cupertino Municipal Code. Staff therefore recommends that the City Council authorize the City Engineer to execute and record the SIA.

Sustainability Impact

No sustainability impact.

Fiscal Impact

As part of the Tentative Map approval, the project will be generating the following revenue: Parkland Dedication In-Lieu Fees – \$525,000 (280-90-001 406-409), Transportation Impact Fees – \$33,985 (271-90-001 450-402), Storm Drainage Fees – \$7,375 (215-90-001 406-406), and other various cost recovery permitting fees.

California Environmental Quality Act

Not applicable.

Prepared by: Jennifer Chu, Senior Civil Engineer

Reviewed by: Chad Mosley, Director of Public Works

Reviewed by: Chris Jensen, City Attorney

Reviewed by: Tina Kapoor, Deputy City Manager

Approved for Submission by: Pamela Wu, City Manager

Attachments:

A – Draft Resolution

B – Final Map

C – Subdivision Improvement Agreement