



## PUBLIC WORKS DEPARTMENT

CITY HALL  
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255  
TELEPHONE: (408) 777-3354 • FAX: (408) 777-3333  
CUPERTINO.ORG

### CITY COUNCIL STAFF REPORT

Meeting: November 15, 2022

#### Subject

Consider approval of a Final Map and the Subdivision Improvement Agreement for the Alan Row Development Project (Tract No. 10587; Applicant: Alan Enterprise, LLC; Location: 22690 Stevens Creek Boulevard; APN's: 342-14-104, 342-14-105 & 342-14-066.)

#### Recommended Action

Adopt Resolution No. 22-XXX:

- 1) Approving the final map;
- 2) Accepting the street dedication and public service easements and abandoning redundant public roadway easements as shown on the map; and
- 3) Authorizing the City Engineer to execute and record the Subdivision Improvement Agreement.

#### Background

The Alan Row Development Project is comprised of three existing parcels that will be subdivided into ten parcels, including one common parcel and nine individual parcels for nine new residential units. The project would demolish the existing commercial building, construct four separate residential buildings, and install street frontage improvements, including new curb, gutter, sidewalk, and green stormwater infrastructure within the new park strips. On January 13, the City Council adopted Resolution No. 22-008 approving a development permit (DP-2020-001) and Resolution No. 22-011 approving a Vesting Tentative Map (TM-2020-001) for the Alan Row Development Project.

In April 2022, subsequent to planning approval, the applicant submitted review of the final map. Concurrently, the applicant submitted permit applications for demolition of the existing commercial building and for onsite and offsite improvements, including building permits. The applicant was issued a demolition permit in September 2022, and the demolition work was completed in October 2022. The building permit application is still under review and is expected to be issued before the end of the year.

#### Discussion

##### *Final Map*

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

Based on staff's review, the final map is in substantial compliance with the approved tentative 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 (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, detached sidewalk, driveways, various utility connections, landscaping, and street trees consistent with City standards;
- b. Installation of green stormwater infrastructure within new park strips to treat a portion of the adjacent impervious roadway surface;
- c. Relocation and upsizing of the storm drain main to 24" along Stevens Creek Boulevard, in conformance to recommendations of the Cupertino Storm Drain Master Plan;
- d. Intersection upgrades, including modifications to the traffic signals, at Stevens Creek Boulevard and South Foothill Boulevard; and
- e. Installation of Class II bike lanes along the project's Stevens Creek Boulevard and South Foothill Boulevard frontages.

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 Vesting Tentative Map approval, the project will be generating the following revenue: Parkland Dedication In-Lieu Fees – \$480,000 (280-90-001 406-409), Transportation Impact Fees – \$38,199 (271-90-001 450-402), Storm Drainage Fees – \$5,081 (215-90-001 406-406), Plan Check & Inspection Fees – \$46,960, and Map Review Fees – \$12,184 (100-82-804 450-402).

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Prepared by: Jennifer Chu, Senior Civil Engineer

Reviewed by: Chad Mosley, Assistant Director of Public Works

Reviewed by: Matt Morley, Director of Public Works

Approved for Submission by: Pamela Wu, City Manager

Attachments:

A – Draft Resolution

B – Final Map

C – Subdivision Improvement Agreement