



PUBLIC WORKS DEPARTMENT

CITY HALL

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CITY COUNCIL STAFF REPORT

Meeting: October 2, 2018

Subject

Annexation of Creston Dr. 18-01 (10598 Creston Dr. - APN 326-12-089)

Recommended Action

Adopt a resolution making determinations and approving the annexation of territory designated as "Creston Dr. 18-01" of approximately 0.31 acre of land located on the north side of Creston Drive, between Groveland Drive and Alderney Court.

Discussion

On September 18, 2018, the City Council adopted Resolution No. 18-093 initiating proceedings for annexation of the area designated as "Creston Dr. 18-01".

The annexation proceeding is being conducted pursuant to California Government Code Section 56757 where the City Council of the City of Cupertino is designated as the conducting authority and allows the completion of reorganization in Santa Clara County without Local Agency Formation Commission (LAFCO) review.

And, in accordance to California Government Code Section 56662(a) that if a petition for annexation is signed by all owners of land within the affected territory, the City Council may approve or disapprove the annexation without public hearing.

The reason for the annexation of the subject territory (the Property) to the City of Cupertino is the property owners' intent to construct a new single family dwelling. The Property (see Exhibit A) is determined uninhabited (less than 12 registered voters) and is defined as 100 percent consent, since all property owners of the territory proposed for annexation are signatories on the annexation application.

The Property is consistent with the City's General Plan and was rezoned on June 2, 1980 where the City Council approved a rezoning of the Creston Subdivision of approximately 55 gross acres from Santa Clara County R1-10 zone to City of Cupertino R1-10 zone. And, the City of Cupertino, as the Lead Agency for environmental review determined that the annexation is categorically exempt from CEQA pursuant to Title 14 California Code of Regulations, Section 15319.

The Property is contiguous to the City of Cupertino jurisdictional boundary and is within its urban service area. The Property will not create islands or areas in which it would be difficult to provide municipal services. And, the Property is being reorganized in their entirety; no lines of assessment or ownership will be split. The County of Santa Clara Surveyor certified the boundaries of the reorganization as definite and certain on August 9, 2018.

Sustainability Impact

There is no sustainability impact.

Fiscal Impact

Upon annexation, City will be responsible to maintain up to half of the street on Creston Drive along the Property frontage.

Prepared by: Chad Mosley, City Engineer

Reviewed by: Timm Borden, Director of Public Works

Approved for Submission by: Amy Chan, Acting City Manager

Attachments:

A – Location Map

B – Draft Resolution