



Council Meeting: February 7, 2012

SUBJECT: Approval of Final Map (Tract No. 10114) – Seventeen Unit Townhome Development at 1060 Morse Avenue by Toyama Park, L.P.

BACKGROUND

Tract No. 10114 is a seventeen unit townhome development project. The tentative map was approved by the Planning Commission on July 25, 2011.

DISCUSSION

The final map for Tract No. 10114, consisting of seventeen townhome units and six common lots, was examined by the Public Works staff and found to be in conformance with Sunnyvale Municipal Code Title 18 *Subdivision*, the State of California “Subdivision Map Act”. The developer will execute a subdivision agreement and provide improvement securities (\$69,000 for faithful performance and \$69,000 for labor and materials) to guarantee completion of public improvements.

RECOMMENDATION

Staff recommends that Council approve the final map for Tract No. 10114; authorize the Mayor to sign the subdivision agreement upon: developer’s signatures, submittal of improvement securities, payment of development fees, and submittal of other documents deemed necessary by the Director of Public Works; direct the City Clerk to sign the City Clerk’s Statement and forward the final map for recordation.

Reviewed by:

Kent Steffens, Director of Public Works
Prepared by: Eric Gonzales, Civil Engineer

Approved by:

Gary M. Luebbers, City Manager

Attachment

Final Map for Tract No. 10114

OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF, OR HAVE SOME RIGHT, TITLE, OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THE HEREON MAP; THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO THE SAID PROPERTY; THAT WE HEREBY CONSENT TO THE PREPARATION AND FILING OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BOUNDARY LINE.

WE ALSO HEREBY DEDICATE TO PUBLIC USE EASEMENTS FOR ANY AND ALL PUBLIC SERVICE FACILITIES INCLUDING BUT NOT LIMITED TO POLES, WIRES, CONDUITS, GAS, AND ALL APPURTENANCES THERETO ABOVE, UNDER, UPON, OR OVER THE LAND DELINEATED HEREON AND DESIGNATED AS "PUE" (PUBLIC UTILITY EASEMENT). SAID EASEMENTS ARE TO BE KEPT OPEN AND FREE OF BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT PUBLIC SERVICE STRUCTURES, IRRIGATION SYSTEMS AND APPURTENANCES. UNLESS OTHERWISE NOTED, THE CITY OF SUNNYVALE DOES NOT HAVE ANY MAINTENANCE RESPONSIBILITIES WITH IN THE BOUNDARY LINE AS SHOWN ON SHEET 3.

WE ALSO HEREBY RESERVE FOR THE OWNERS OF ALL LOTS SHOWN ON THE HEREIN MAP AND THEIR LICENSEES, VISITORS, AND TENANTS RECIPROCAL RIGHTS OF INGRESS AND EGRESS PURPOSES UPON AND OVER PARCEL F AS DELINEATED HEREON AND DESIGNATED AS "PIEC" (PRIVATE INGRESS AND EGRESS EASEMENT). THE MAINTENANCE, REPAIR, AND/OR REPLACEMENT OF SAID EASEMENTS SHALL BE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNERS AS DETERMINED BY THE APPROPRIATE COVENANTS, CONDITIONS AND RESTRICTIONS. SAID EASEMENTS ARE NOT OFFERED, NOR ARE THEY ACCEPTED FOR DEDICATION BY THE CITY OF SUNNYVALE.

WE ALSO HEREBY RESERVE FOR THE OWNERS OF ALL LOTS SHOWN ON THE HEREIN MAP AND THEIR LICENSEES, VISITORS, AND TENANTS RECIPROCAL RIGHTS UPON AND OVER PARCEL F FOR THE INSTALLATION AND MAINTENANCE OF STORM DRAINAGE AND SANITARY SEWER FACILITIES AS DELINEATED HEREON AND DESIGNATED AS "PSDE" (PRIVATE STORM DRAIN EASEMENT), AND "PSSE" (PRIVATE SANITARY SEWER EASEMENT). THOSE PRIVATE EASEMENTS ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT FOR THOSE PRIVATE UTILITY FACILITIES AND APPURTENANCES. THE MAINTENANCE, REPAIR, AND/OR REPLACEMENT OF PRIVATE STORM DRAINAGE AND SANITARY SEWER FACILITIES SHALL BE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNERS AS DETERMINED BY THE APPROPRIATE COVENANTS, CONDITIONS AND RESTRICTIONS. SAID EASEMENTS ARE NOT OFFERED, NOR ARE THEY ACCEPTED FOR DEDICATION BY THE CITY OF SUNNYVALE.

SPENCER TERRACE, LEUVEN TERRACE, AND LIEGE TERRACE, DESIGNATED ON THE HEREIN MAP (PARCEL F), IS COMMON AREA FOR THE EXCLUSIVE USE OF THE RESIDENTS AND VISITORS OF TRACT NO. 10114 IT CONTAINS, BUT IS NOT LIMITED TO, PRIVATE INGRESS/EGRESS ACCESS, PRIVATE WALKWAYS, PRIVATE PARKING, PRIVATE UTILITIES, EMERGENCY VEHICLE ACCESS AND PUBLIC UTILITIES. SPENCER TERRACE, LEUVEN TERRACE, AND LIEGE TERRACE (PARCEL F) WILL BE CONVEYED TO THE HOMEOWNERS' ASSOCIATION.

WE ALSO HEREBY RESERVE PRIVATE STREETS, DESIGNATED ON THE HEREIN MAP AS SPENCER TERRACE, LIEGE TERRACE, AND LEUVEN TERRACE (PARCEL F). THE PRIVATE STREETS CONTAINED WITH THIS TRACT ARE NOT OFFERED, NOR ARE THEY ACCEPTED FOR DEDICATION FOR PUBLIC STREET PURPOSES.

PARCELS A, B, C, D, AND E ARE COMMON SPACE AREAS AND ARE TO BE GRANTED TO THE HOMEOWNER'S ASSOCIATION BY SEPARATE DOCUMENT.

AS OWNER: TOYAMA PARK, LP, A CALIFORNIA LIMITED PARTNERSHIP

BY: CLASSIC COMMUNITIES, INC., A CALIFORNIA CORPORATION
GENERAL PARTNER

BY: _____
DAVID KRASOWSKI
ITS: VICE PRESIDENT

OWNER'S ACKNOWLEDGMENT

STATE OF _____ SS
COUNTY OF _____

ON _____, 2012, BEFORE ME, _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT, THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE: _____
NAME (PRINT): _____
PRINCIPAL COUNTY OF BUSINESS: _____
MY COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____

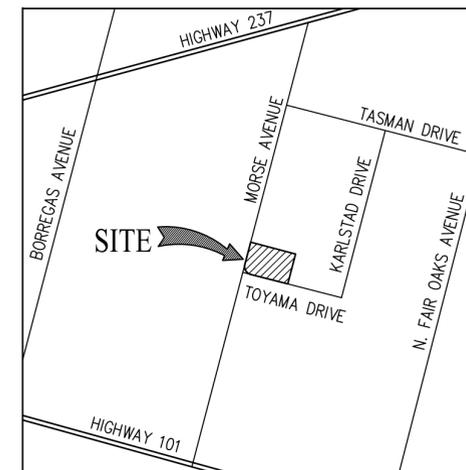
TRUSTEE'S STATEMENT

THE UNDERSIGNED CORPORATION, AS TRUSTEE UNDER THE DEED OF TRUST RECORDED ON AUGUST 15, 2011 INSTRUMENT NO. 21276698 OF OFFICIAL RECORDS, SANTA CLARA COUNTY, CALIFORNIA; DOES HEREBY JOIN IN AND CONSENT TO THE FOREGOING OWNERS STATEMENT AND ALL DEDICATIONS SHOWN HEREIN.

UNIONBANCAL MORTGAGE CORPORATION, A CALIFORNIA CORPORATION

BY: _____

TITLE: _____



VICINITY MAP
NOT TO SCALE

TRUSTEE'S ACKNOWLEDGMENT

STATE OF _____ SS
COUNTY OF _____

ON _____, 2012, BEFORE ME, _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT, THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

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MY COMMISSION EXPIRES: _____

**TRACT 10114
CLASSICS AT TOYAMA**

A 17 LOT RESIDENTIAL SUBDIVISION
CONSISTING OF 3 SHEETS

BEING A SUBDIVISION OF LOT 5, OF TRACT 3315, LAFFERTY
SUBDIVISION, BOOK 152 OF MAPS, AT PAGE 31,
SANTA CLARA COUNTY RECORDS,
LYING ENTIRELY WITHIN THE CITY OF SUNNYVALE,
COUNTY OF SANTA CLARA, STATE OF CALIFORNIA.

CARLSON, BARBEE & GIBSON, INC.

ENGINEERS • SURVEYORS • PLANNERS

SAN RAMON, CALIFORNIA

JANUARY 2012

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF CLASSIC COMMUNITIES, IN SEPTEMBER 2011. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER SHOWN AND WILL BE SET IN THE POSITIONS INDICATED ON OR BEFORE DECEMBER, 2013 AND THAT THE MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

CHRISTOPHER S. HARMISON, P.L.S.
L.S. NO. 7176



DATE

SOILS/GEOTECHNICAL REPORT NOTE

A SOILS REPORT ON THIS PROPERTY HAS BEEN PREPARED BY CORNERSTONE EARTH GROUP, ENTITLED GEOTECHNICAL INVESTIGATION, 1060 MORSE AVENUE RESIDENTIAL DEVELOPMENT, JOB NO. 160-8-1, DATED AUGUST 11, 2011, WHICH HAS BEEN FILED WITH THE CITY OF SUNNYVALE.

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE HEREON FINAL MAP OF TRACT 10114, THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT, AS AMENDED, AND OF ANY LOCAL ORDINANCE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.

MARK ROGGE DATE
CITY ENGINEER
RCE NO. 56888
CITY OF SUNNYVALE, CALIFORNIA

I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

ROGER HIGDON
RCE NO. 21755

DATE

CITY CLERK'S STATEMENT:

I HEREBY STATE THAT THE CITY COUNCIL OF THE CITY OF SUNNYVALE AT ITS REGULAR MEETING HELD ON THE _____ DAY OF _____, 2012, DULY APPROVED THE HEREIN FINAL MAP OF THE TRACT NO. 10114 AS SHOWN HEREON AND ACCEPTED ON BEHALF OF THE PUBLIC ALL EASEMENTS OFFERED FOR DEDICATION TO PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION.

KATHLEEN FRANCO SIMMONS
CITY CLERK
CITY OF SUNNYVALE, CALIFORNIA

DATE

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2012, AT _____, IN BOOK _____ OF MAPS AT PAGES _____ THROUGH _____, AT THE REQUEST OF FIRST AMERICAN TITLE COMPANY.

FILE NO. _____ REGINA ALCOMENDRAS, COUNTY RECORDER
SANTA CLARA COUNTY

FEE _____ BY: _____
DEPUTY

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ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON, CALIFORNIA
JANUARY 2012

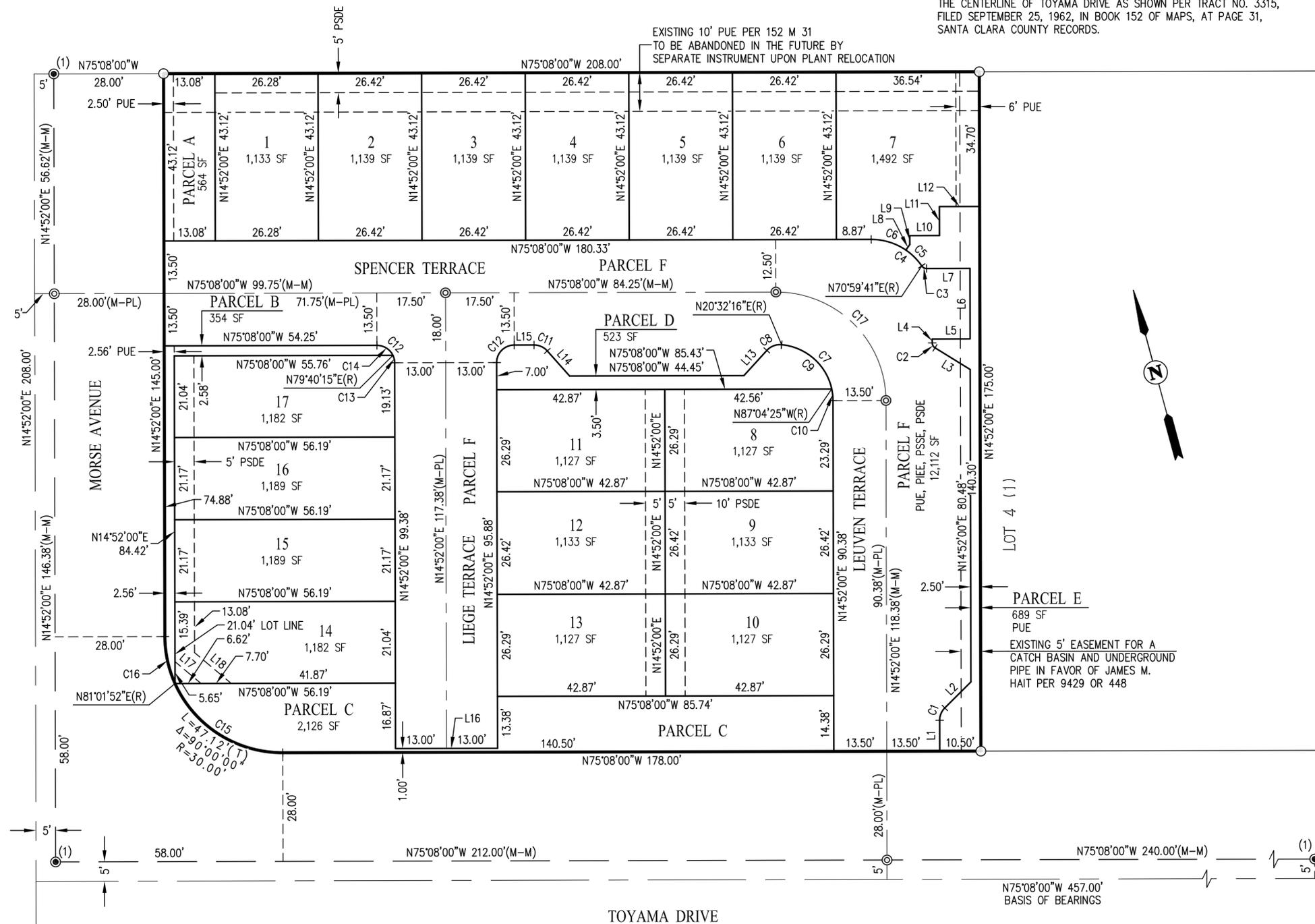
ASI XXII LLC

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS N75°08'00"W ALONG THE CENTERLINE OF TOYAMA DRIVE AS SHOWN PER TRACT NO. 3315, FILED SEPTEMBER 25, 1962, IN BOOK 152 OF MAPS, AT PAGE 31, SANTA CLARA COUNTY RECORDS.

LEGEND

- BOUNDARY LINE
- LOT LINE
- CENTER LINE
- MONUMENT LINE
- EASEMENT LINE
- (M-M) MONUMENT TO MONUMENT
- (M-PL) MONUMENT TO PROPERTY LINE
- (R) RADIAL
- (T) TOTAL
- FOUND STANDARD STREET MONUMENT AS NOTED
- ⊙ SET STANDARD STREET MONUMENT LS 7176
- FOUND IRON PIPE OR REBAR AS NOTED
- SET 5/8" REBAR AND CAP LS 7176
- PUE PROPOSED PUBLIC UTILITY EASEMENT
- PIEE PROPOSED PRIVATE INGRESS AND EGRESS EASEMENT
- PSDE PROPOSED PRIVATE STORM DRAIN EASEMENT
- PSSE PROPOSED PRIVATE SANITARY SEWER EASEMENT
- () RECORD DATA AS NOTED



LINE TABLE		
NO.	BEARING	LENGTH
L1	N14°52'00"E	7.96'
L2	N59°52'02"E	9.45'
L3	N43°07'39"W	10.57'
L4	N14°52'00"E	1.00'
L5	N75°08'00"W	9.67'
L6	N14°52'00"E	18.17'
L7	N75°08'00"W	11.05'
L8	N49°38'44"E(R)	1.74'
L9	N14°52'00"E	2.30'
L10	N75°08'00"W	7.58'
L11	N14°52'00"E	7.47'
L12	N75°08'00"W	10.25'
L13	N57°03'04"E	8.74'
L14	N26°19'09"W	8.59'
L15	N75°08'00"W	5.05'
L16	N75°08'00"W	26.00'
L17	N34°39'00"W	8.71'
L18	N34°39'00"W	12.26'

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	4.50'	45°00'02"	3.53'
C2	1.50'	57°59'39"	1.52'
C3	1.50'	56°07'41"	1.47'
C4	15.50'	56°07'41"	15.18'
C5	15.50'	21°20'57"	5.78'
C6	15.50'	34°46'44"	9.40'
C7	14.50'	84°19'44"	21.34'
C8	4.50'	53°29'12"	4.20'
C9	14.50'	72°23'19"	18.32'
C10	14.50'	11°56'25"	3.02'
C11	4.50'	48°48'51"	3.83'
C12	4.50'	90°00'00"	7.07'
C13	4.50'	25°11'45"	1.98'
C14	4.50'	64°48'15"	5.09'
C15	30.00'	66°09'52"	34.64'
C16	30.00'	23°50'08"	12.48'
C17	28.00'	90°00'00"	43.98'

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SAN RAMON, CALIFORNIA

SCALE: 1" = 20'

JANUARY 2012

REFERENCES:

(1) TRACT 3315 (152 M 31)

TRACT NO. 8782
808 M 32

NOTES:

- THIS SUBDIVISION CONTAINS 36,207 SF OR 0.83 AC, MORE OR LESS.
- BEARINGS NOT SHOWN ARE PERPENDICULAR OR PARALLEL TO THE LINE IT IS ADJACENT TO.