



Council Meeting: June 19, 2012

SUBJECT: Approval of Final Map (Tract No. 10101) – Fifty-One New Single-Family Home Development at 700 Timberpine Avenue by Toll CA VI, LP

BACKGROUND

Tract No. 10101 is a development project consisting of fifty-one single-family homes. The vesting tentative map was approved by the Planning Commission on July 25, 2011 (Planning Permit #2010-7672). A revised vesting tentative map was approved administratively by the Director of Community Development on November 7. The revised vesting tentative map modified the right-of-way since an existing well serving private property was relocated.

DISCUSSION

The final map for Tract No. 10101 was examined by Public Works staff and found to be in conformance with the revised vesting tentative map, Sunnyvale Municipal Code Title 18 *Subdivision*, and the State of California Subdivision Map Act. Prior to the final sale of the first unit, this project is conditioned to establish a Community Facilities District to fund perpetual maintenance of stormwater treatment areas both on private properties and in the public right-of-way. This project is also conditioned to execute and record an Encroachment and Maintenance Agreement regarding the installation and perpetual maintenance of stormwater treatment facilities located in the public right-of-way, prior to encroachment permit issuance. The developer will execute a subdivision agreement and provide improvement securities (\$2,084,000 for faithful performance and \$2,084,000 for labor and materials) to guarantee completion of public improvements.

RECOMMENDATION

Staff recommends that Council approve the final map for Tract No. 10101; 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: Bennett Chun, Civil Engineer

Reviewed by:

Hanson Hom, Director of Community Development

Approved by:

Gary M. Luebbbers, City Manager

Attachment

Final Map for Tract No. 10101

ATTACHMENT A

OWNER'S STATEMENT

I HEREBY STATE THAT I AM THE OWNER OF, OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THIS FINAL MAP: THAT I AM THE ONLY PERSON WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID REAL PROPERTY; THAT I HEREBY CONSENT TO THE PREPARATION AND FILING OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES: ALL STREETS AND PORTIONS OF STREETS NOT PREVIOUSLY EXISTING AS DELINEATED HEREON AND DESIGNATED AS "STREET HERIN DEDICATED", AND ALSO DEDICATE TO PUBLIC USE EASEMENTS FOR ANY AND ALL PUBLIC USES UNDER, UPON AND OVER SAID STREETS AND PORTIONS THEREOF.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES: PUBLIC UTILITY EASEMENTS FOR CERTAIN PUBLIC SERVICE FACILITIES INCLUDING BUT NOT LIMITED TO POLES, TELEPHONE, CABLE, GAS AND ALL APPURTENANCES THERETO ABOVE, UNDER, UPON, OR OVER THE LAND DELINEATED HEREON AND DESIGNATED AS "P.U.E." (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. THE CITY OF SUNNYVALE IS NOT RESPONSIBLE FOR THE MAINTENANCE, REPAIR AND/OR REPLACEMENT OF ANY FACILITIES AND IMPROVEMENTS WITHIN THE "P.U.E."

OWNER: TOLL CA VI, L.P. A CALIFORNIA LIMITED PARTNERSHIP
BY: TOLL CA GP CORP., GENERAL PARTNER

DATE: _____ BY: RICHARD M. NELSON, DIVISION PRESIDENT

OWNER'S ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF _____)

ON _____, 2012, BEFORE ME, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, 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 THAT BY HIS/ HER /THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY ON 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: _____
PRINT NAME: _____
MY COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
PRINCIPAL COUNTY OF BUSINESS: _____

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE HEREON FINAL MAP OF "TRACT NO. 10101, THE ESTATES AT SUNNYVALE", THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF; AND 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.

DATE: _____, 2012

BY: _____
MARK ROGGE, CITY ENGINEER
R.C.E. NO. 56888
CITY OF SUNNYVALE, CALIFORNIA

I AM SATISFIED THAT THIS FINAL MAP IS TECHNICALLY CORRECT.

DATE: _____, 2012

BY: _____
ROGER HIGDON
R.C.E. NO. 21755

CIVIL ENGINEER'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 TOLL CA VI, L.P., A CALIFORNIA LIMITED PARTNERSHIP ON SEPTEMBER 30, 2011. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THEY WILL BE SET IN THOSE POSITIONS BEFORE DECEMBER 31, 2014, AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

PIERO P. RUGGERI, R.C.E. NO 25281 DATE _____

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2012, AT _____ M. IN BOOK _____ OF MAPS, AT PAGES _____, SANTA CLARA COUNTY RECORDS, AT THE REQUEST OF FIRST AMERICAN TITLE COMPANY.

FILE NO. _____

FEE \$ _____ REGINA ALCOMENDRAS
COUNTY RECORDER
SANTA CLARA COUNTY, CALIFORNIA

BY: _____
DEPUTY

SOIL REPORT NOTE

A SOILS REPORT HAS BEEN PREPARED BY BERLOGAR STEVENS & ASSOCIATES, ENTITLED "DESIGN LEVEL GEOTECHNICAL INVESTIGATION, SUNNYVALE RESIDENTIAL SUBDIVISION, TIMBERPINE AVENUE, SUNNYVALE, CALIFORNIA", DATED OCTOBER 28, 2011, JOB NO. 3229.100, A COPY OF WHICH HAS BEEN FILED WITH THE CITY OF SUNNYVALE.

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. 10101, THE ESTATES AT SUNNYVALE" AS SHOWN HEREON AND ACCEPTED UPON COMPLETION AND ACCEPTANCE OF PUBLIC IMPROVEMENTS ON BEHALF OF THE PUBLIC ALL EASEMENTS OFFERED FOR DEDICATION TO PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION.

DATE: _____, 2012

BY: _____
KATHLEEN FRANCO SIMMONS, CITY CLERK
CITY OF SUNNYVALE, CALIFORNIA

SPECIAL CONDITION STATEMENT

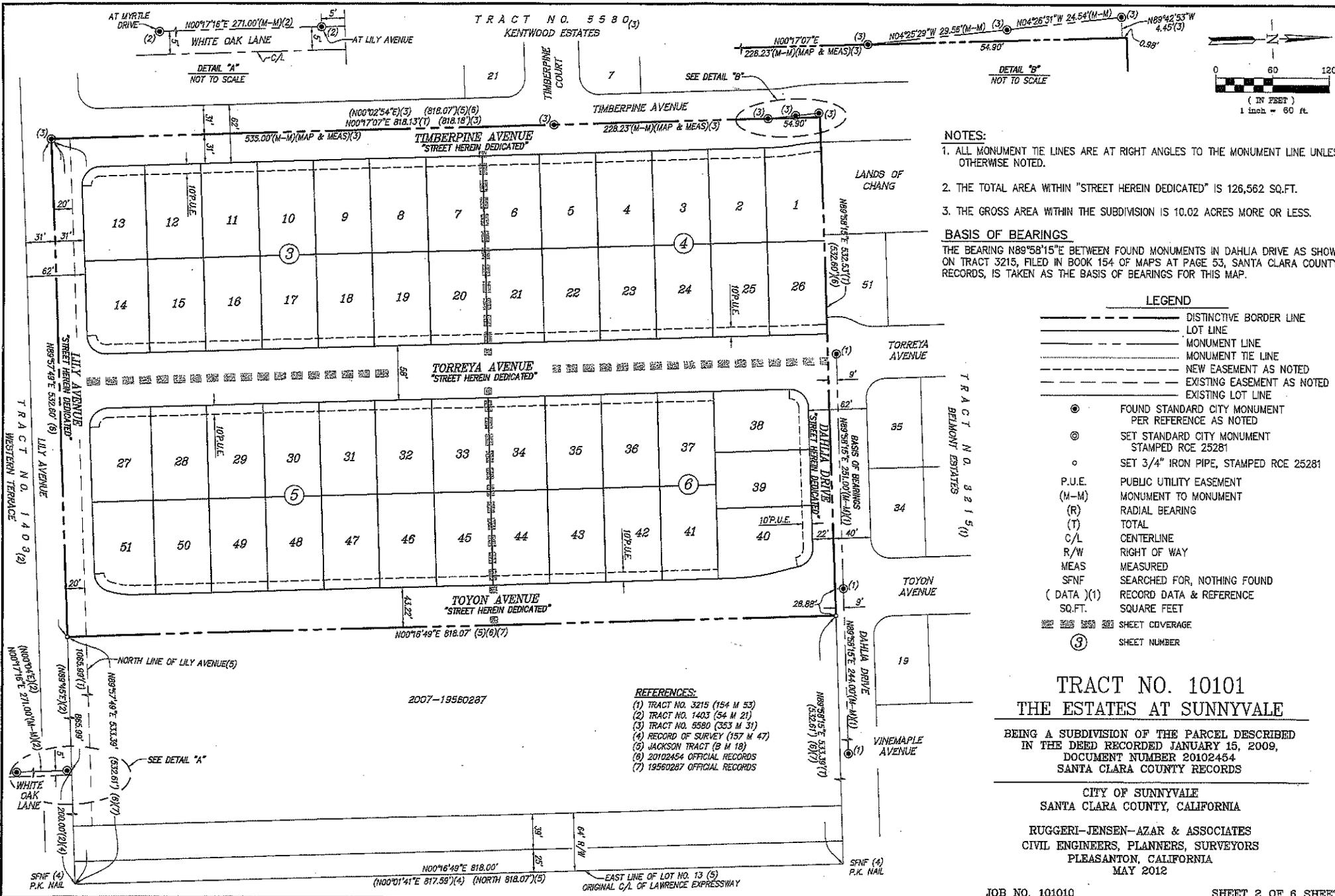
AS CONDITIONED BY CITY APPROVED SPECIAL DEVELOPMENT PERMIT #2010-7672, THIS SUBDIVISION IS SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS ASSOCIATED WITH STORMWATER TREATMENT FACILITIES:

- FORMATION OF A BENEFIT ASSESSMENT DISTRICT TO FUND PERPETUAL MAINTENANCE OF STORMWATER TREATMENT AREAS ON PRIVATE PROPERTIES AND IN THE PUBLIC RIGHT-OF-WAY, TO CITY'S SATISFACTION
- EXECUTION AND RECORDATION OF AN ENROACHMENT AGREEMENT REGARDING INSTALLATION, AND PERPETUAL MAINTENANCE OF STORMWATER TREATMENT FACILITIES LOCATED IN THE PUBLIC RIGHT-OF-WAY.

**TRACT NO. 10101
THE ESTATES AT SUNNYVALE**

BEING A SUBDIVISION OF THE PARCEL DESCRIBED
IN THE DEED RECORDED JANUARY 15, 2009,
DOCUMENT NUMBER 20102454
SANTA CLARA COUNTY RECORDS

CITY OF SUNNYVALE
SANTA CLARA COUNTY, CALIFORNIA
RUGGERI-JENSEN-AZAR & ASSOCIATES
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
MAY 2012



- NOTES:**
1. ALL MONUMENT TIE LINES ARE AT RIGHT ANGLES TO THE MONUMENT LINE UNLESS OTHERWISE NOTED.
 2. THE TOTAL AREA WITHIN "STREET HEREIN DEDICATED" IS 126,562 SQ.FT.
 3. THE GROSS AREA WITHIN THE SUBDIVISION IS 10.02 ACRES MORE OR LESS.

BASIS OF BEARINGS
 THE BEARING N89°58'15"E BETWEEN FOUND MONUMENTS IN DAHLIA DRIVE AS SHOWN ON TRACT 3215, FILED IN BOOK 154 OF MAPS AT PAGE 53, SANTA CLARA COUNTY RECORDS, IS TAKEN AS THE BASIS OF BEARINGS FOR THIS MAP.

LEGEND

	DISTINCTIVE BORDER LINE
	LOT LINE
	MONUMENT LINE
	MONUMENT TIE LINE
	NEW EASEMENT AS NOTED
	EXISTING EASEMENT AS NOTED
	EXISTING LOT LINE
	FOUND STANDARD CITY MONUMENT PER REFERENCE AS NOTED
	SET STANDARD CITY MONUMENT STAMPED RCE 25281
	SET 3/4" IRON PIPE, STAMPED RCE 25281
	P.U.E. PUBLIC UTILITY EASEMENT
	(M-M) MONUMENT TO MONUMENT
	(R) RADIAL BEARING
	(T) TOTAL
	C/L CENTERLINE
	R/W RIGHT OF WAY
	MEAS MEASURED
	SNF SEARCHED FOR, NOTHING FOUND
	(DATA)(1) RECORD DATA & REFERENCE
	SQ.FT. SQUARE FEET
	SHEET COVERAGE
	(3) SHEET NUMBER

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 SANTA CLARA COUNTY, CALIFORNIA

RUGGERI-JENSEN-AZAR & ASSOCIATES
 CIVIL ENGINEERS, PLANNERS, SURVEYORS
 PLEASANTON, CALIFORNIA
 MAY 2012

- REFERENCES:**
- (1) TRACT NO. 3215 (154 M 53)
 - (2) TRACT NO. 1403 (54 M 21)
 - (3) TRACT NO. 5380 (353 M 31)
 - (4) RECORD OF SURVEY (157 M 47)
 - (5) JACKSON TRACT (8 M 18)
 - (6) 20102454 OFFICIAL RECORDS
 - (7) 19560287 OFFICIAL RECORDS

TRACT NO. 5580 (3)
KENTWOOD ESTATES

27

26

25

24

23

22

21

TIMBERPINE COURT

(N00°02'54"E)(3) (818.07')(5)(6)
N00°17'07"E 818.13'(1)

76.59'

458.47' 535.00'(M-M)(MAP & MEAS)(3)

TIMBERPINE AVENUE
"STREET HEREIN DEDICATED"

N00°17'07"E 711.94'(1)

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BASIS OF BEARINGS

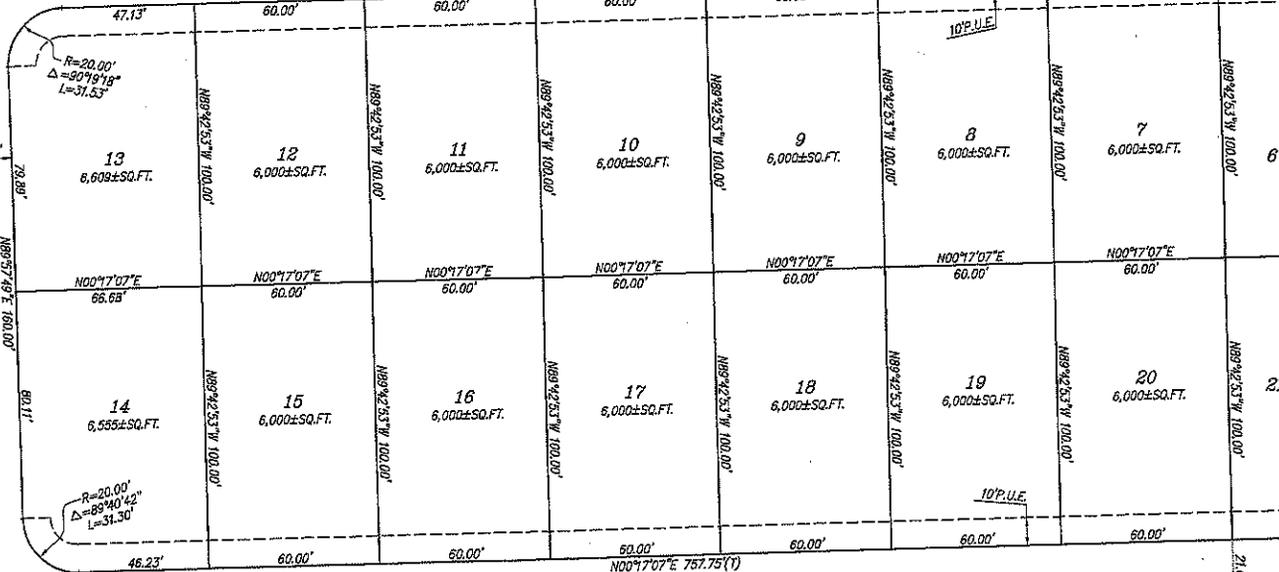
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	MONUMENT TIE LINE
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	EXISTING LOT LINE
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	SET STANDARD CITY MONUMENT STAMPED RCE 25281
	SET 3/4" IRON PIPE, STAMPED RCE 25281
	P.U.E. PUBLIC UTILITY EASEMENT
	(M-M) MONUMENT TO MONUMENT
	(R) RADIAL BEARING
	(T) TOTAL
	C/L CENTERLINE
	R/W RIGHT OF WAY
	MEAS MEASURED
	SFNF SEARCHED FOR, NOTHING FOUND
	(DATA)(1) RECORD DATA & REFERENCE
	SQ.FT. SQUARE FEET

SEE SHEET 4

SEE SHEET 6



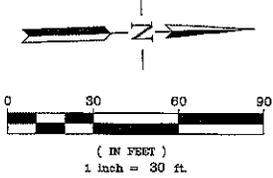
406.23' 404.98' N00°17'07"E 832.10'(M-M)

TORREYA AVENUE
"STREET HEREIN DEDICATED"

N00°17'07"E 725.08'(1)

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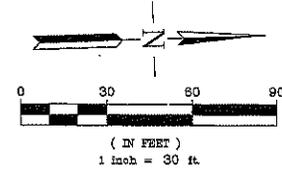
CITY OF SUNNYVALE
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CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
MAY 2012

TRACT NO. 5580 (3)
KENTWOOD ESTATES

Curve	Radius	Delta	Length
C1	211.00'	09°23'11"	34.69'
C2	118.00'	09°23'07"	18.48'
C3	118.00'	04°33'49"	9.48'

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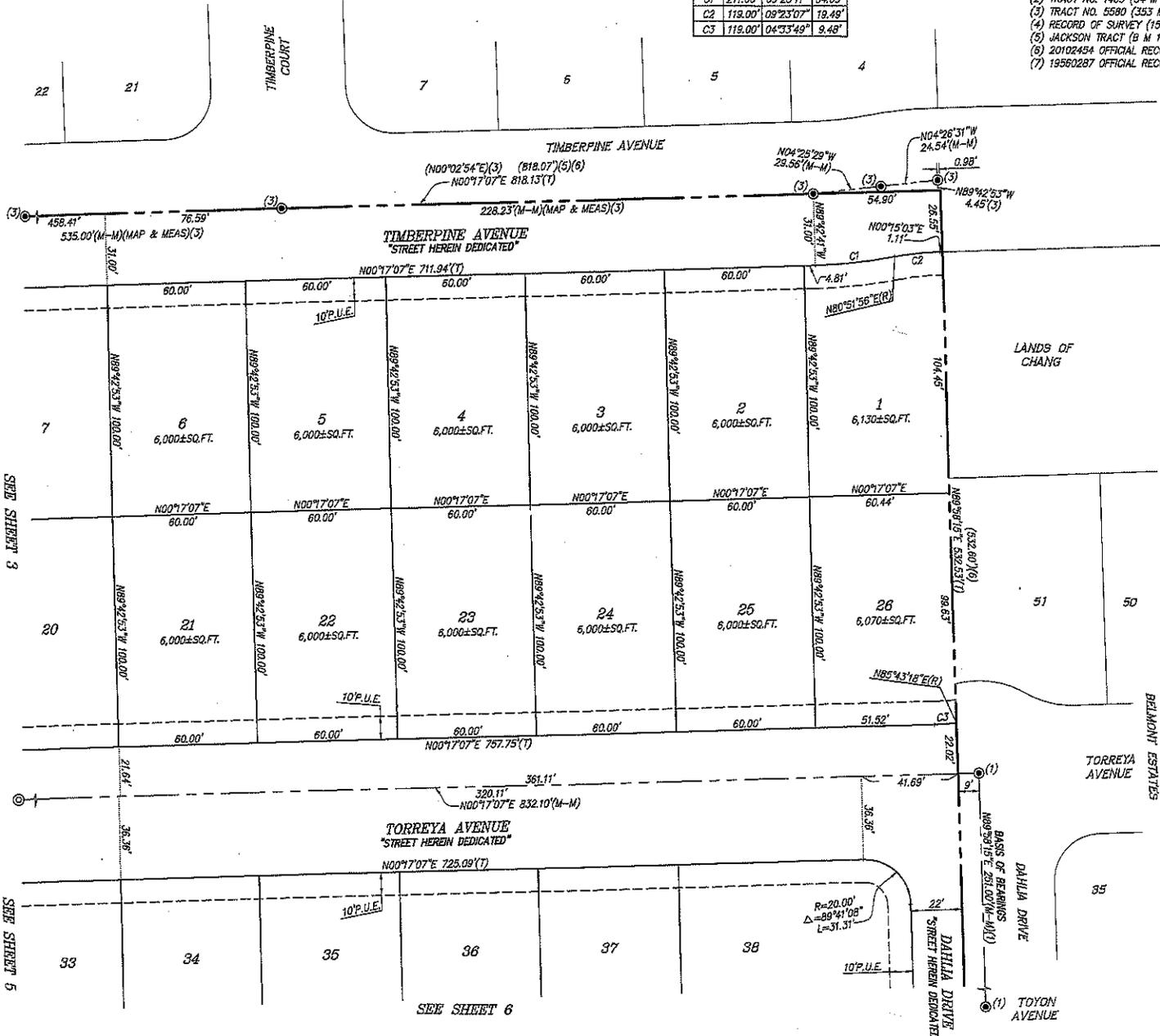
LEGEND

- DISTINCTIVE BORDER LINE
- LOT LINE
- MONUMENT LINE
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- NEW EASEMENT AS NOTED
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- (M-M) MONUMENT TO MONUMENT
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- (T) TOTAL
- C/L CENTERLINE
- R/W RIGHT OF WAY
- MEAS MEASURED
- SFNF SEARCHED FOR, NOTHING FOUND
- (DATA) (1) RECORD DATA & REFERENCE
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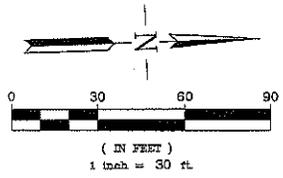
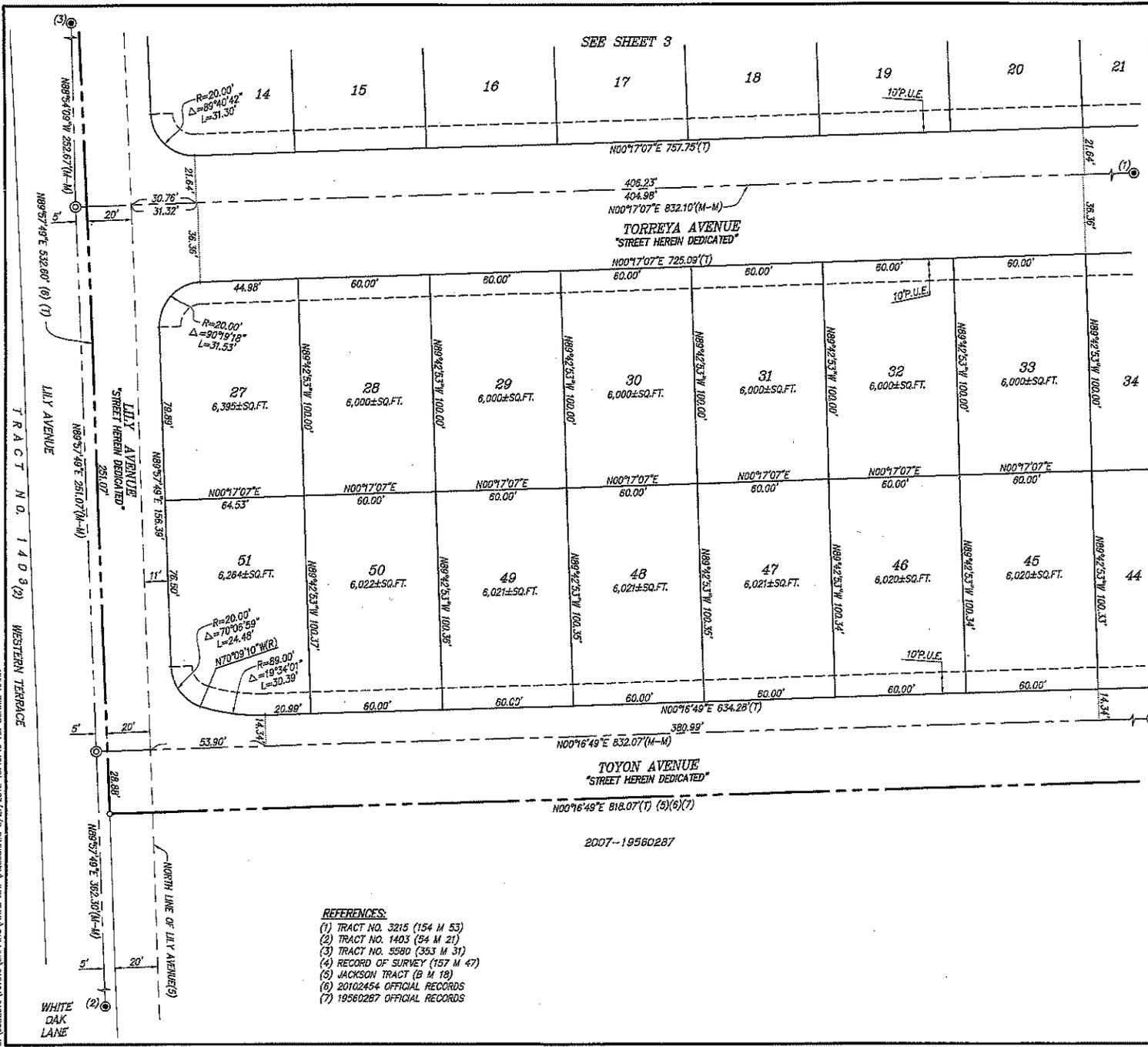


SEE SHEET 3

SEE SHEET 5

SEE SHEET 6

DATE PLOTTED: 05/11/2012 10:17:30 AM CORNIE (AKR)



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 SANTA CLARA COUNTY, CALIFORNIA
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 MAY 2012

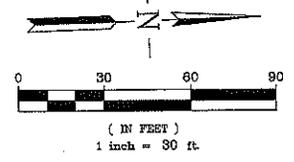
- REFERENCES:**
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 - (3) TRACT NO. 5580 (353 M 31)
 - (4) RECORD OF SURVEY (157 M 47)
 - (5) JACKSON TRACT (B M 19)
 - (6) 20102454 OFFICIAL RECORDS
 - (7) 19560287 OFFICIAL RECORDS

2007-19560287

SEE SHEET 3

SEE SHEET 5

SEE SHEET 4



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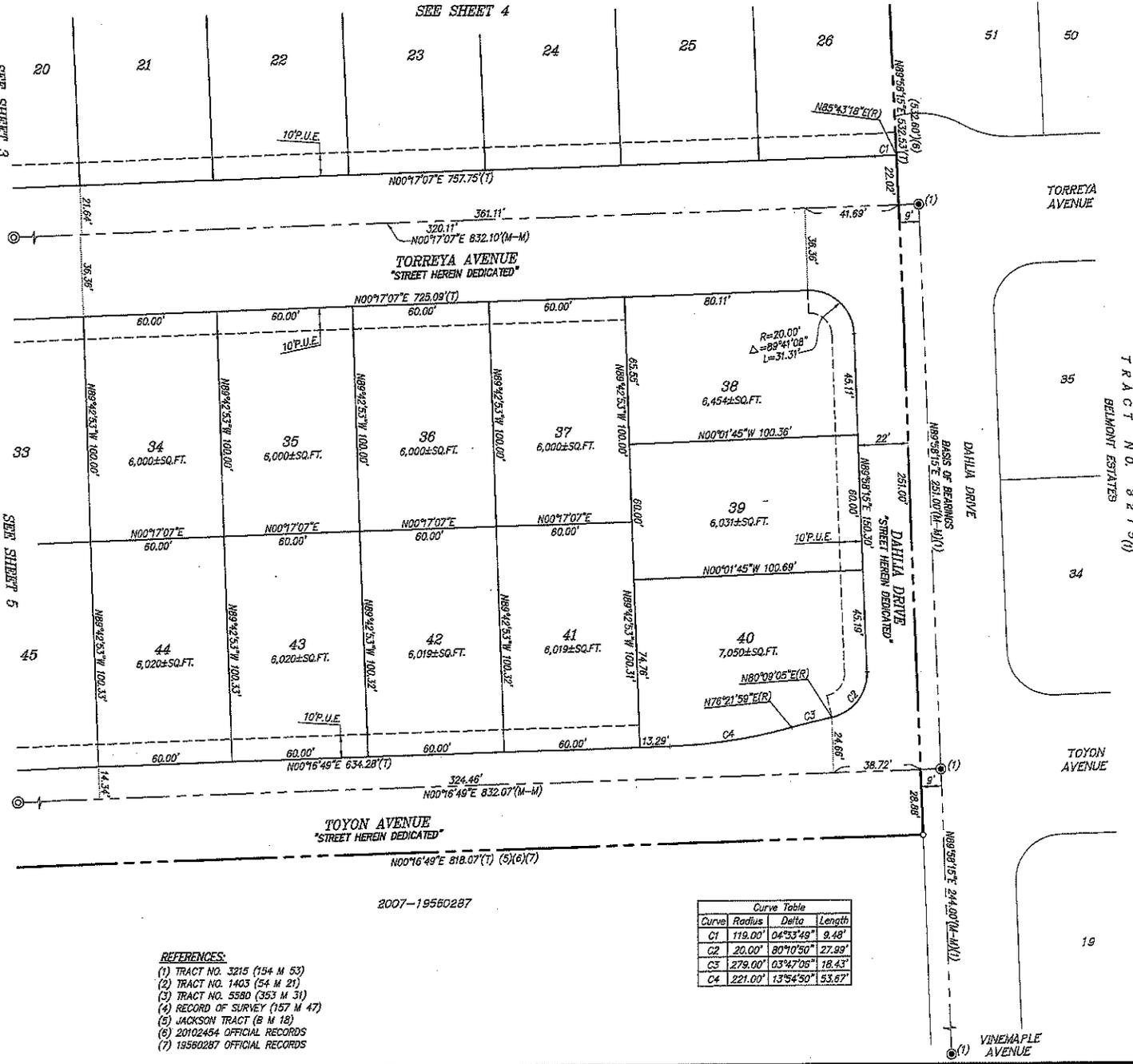
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 SANTA CLARA COUNTY, CALIFORNIA

RUGGERI-JENSEN-AZAR & ASSOCIATES
 CIVIL ENGINEERS, PLANNERS, SURVEYORS
 PLEASANTON, CALIFORNIA
 MAY 2012



2007-19560287

Curve	Radius	Delta	Length
C1	119.00'	04°53'49"	9.48'
C2	20.00'	80°10'50"	27.89'
C3	279.00'	03°47'06"	18.43'
C4	221.00'	13°54'50"	53.67'

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- (6) 20102454 OFFICIAL RECORDS
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C:\WEBD01\010101\DRAWING\FINAL\MAP\FINALS\CS.DWG, 5/21/2012, 10:19:35 AM, CONNIE KARR