



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 09/17/2019

ITEM NO: 2

DATE: September 12, 2019
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Adopt a Resolution Approving Amended Tract Map 10441 (North 40 Phase 1) and Accepting the Dedications

RECOMMENDATION:

Adopt a resolution (Attachment 1) approving amended Tract Map 10441 (North 40 Phase 1) and accepting the dedications

BACKGROUND:

Following a Santa Clara County Superior Court decision on June 9, 2017, the Town Council reconsidered the Phase 1 Architecture and Site and Subdivision application for the North Forty project during the Council's July 24, 2017 Council meeting. At this meeting, the Council continued the matter to the August 1, 2017 Council meeting with direction to staff to provide additional information. On August 1, 2017, the Town Council approved the Phase 1 application for the project.

On September 18, 2018, the Town Council approved the Final Map for Tract Number 10441 (North 40 Phase 1), accepting the right of way dedications along the project's Lark Avenue frontage as well as various easements within the development area.

DISCUSSION:

The developer, SummerHill N40 LLC, is required to dedicate property for public service easements, public access easements, and emergency vehicle access easements within the North Forty development. These property dedications and easements were shown on the final

PREPARED BY: Lisa Petersen
Assistant Public Works Director/Town Engineer

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Finance Director, and Director of Parks and Public Works

PAGE 2 OF 2

SUBJECT: Adopt a Resolution Approving Amended Tract Map 10441 (North 40 Phase 1)
and Accepting the Dedications

DATE: September 12, 2019

DISCUSSION (continued):

tract map approved by the Council on September 18, 2018. During the Engineering Division's review of the developer's construction drawings, it was determined that a small portion of the internal public paths extended beyond the easement boundaries. These public paths must be placed within a dedicated public access easement.

The developer, SummerHill N40 LLC, has filed an Amended Final Map for Tract Number 10441 to rectify this situation and dedicate to the Town the necessary additional public access easements. The attached amended final map ensures that all internal multi-use paths fall within easements dedicated to the Town to allow for the public's use and enjoyment of these bicyclist- and pedestrian-friendly features.

CONCLUSION:

Staff recommends that Council adopt a resolution approving the amended final map and accepting the dedications for Amended Tract Map 10441 (North 40 Phase 1).

COORDINATION:

This project has been coordinated with the Town Attorney and the Community Development Department.

FISCAL IMPACT:

There is no fiscal impact for the Town as the dedication of additional public access easements involves private property. Infrastructure within the project, including roadways, landscaping, etc., will be maintained privately.

ENVIRONMENTAL ASSESSMENT:

As part of the Specific Plan preparation process, the Town also prepared and circulated an Environmental Impact Report (EIR) that analyzed the potential environmental consequences of the Specific Plan, in accordance with the California Environmental Quality Act (CEQA). The EIR can be found at the following link: www.losgatosca.gov/DocumentCenter/Index/413. The Town Council certified the Final EIR on June 17, 2015.

Attachments:

1. Resolution Approving Amended Tract Map 10441 (North 40 Phase 1) and Accepting the Dedications.
2. Amended Final Map for Tract No. 10441 (North 40 Phase 1).