



Agenda Report

20-57

Agenda Date: 3/17/2020

REPORT TO COUNCIL

SUBJECT

Action on a Resolution Ordering the Vacation of a Water Easement at 5405 Stevens Creek Boulevard
[Council Pillar: Promote and Enhance Economic and Housing Development]

BACKGROUND

On July 17, 2012, City Council approved the Environmental Impact Report (EIR), Rezoning and Architectural Review for the Apple Phase 2 project (Project) at 5405 Stevens Creek Boulevard (Property). Richard T. Peery and John Arrillaga (Owners) are currently in the process of constructing the Project, which includes a six-story 108,000 square foot Office/R&D building shell with a two-story below-grade parking garage.

DISCUSSION

Due to the redevelopment of the Property, the existing water easement encumbering the Property has been relocated or determined to be excess, and this easement is no longer necessary. The Owners have requested that the City vacate the subject water easement to clear this unnecessary encumbrance on the Property. Any relevant facilities previously within the easement have been removed or abandoned and the Water and Sewer Utilities Department, the only agency having an interest in the easement, concurs that this easement is eligible to be vacated. Staff has reviewed this proposal and found that this easement is no longer necessary for public purposes and therefore recommends that it be vacated according to subsection C of California Streets and Highways Code Section 8333.

ENVIRONMENTAL REVIEW

The potential environmental impact of the Project was addressed in the EIR approved by the City Council on July 17, 2012.

FISCAL IMPACT

There is no additional cost to the City other than staff time and expense.

COORDINATION

This report has been coordinated with the City Attorney's Office and Water and Sewer Utilities Department.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the

public information desk at any City of Santa Clara public library.

RECOMMENDATION

1. Adopt a Resolution Ordering the Vacation of a Water Easement at 5405 Stevens Creek Boulevard [APN 316-19-031 (2019-20); SC 19,241]; and
2. Authorize the recordation of the Resolution.

Reviewed by: Craig Mobeck, Director of Public Works

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Resolution