

CITY OF ALAMEDA RESOLUTION NO. _____

APPROVING A FINAL MAP AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE SUBDIVISION IMPROVEMENT AGREEMENTS FOR TRACT 8534, BROADWAY AND SANTA CLARA AVENUE

WHEREAS, Cosso Cabana LLC, Momo's Rook LLC, Dreamers and Cultivators LLC, Z-Co LLC, and Drumlin Alameda LLC, submitted an application for Tract 8534, Broadway and Santa Clara, to subdivide 1.29 acres located between 2607 and 2619 Santa Clara Avenue and 1514 and 1518 Broadway for residential purposes; and

WHEREAS, on November 23, 2020, the Planning Board held a duly noticed public hearing and adopted Resolution No. PB-20-26 recommending approval of a Tentative Map for Tract No. 8534; and

WHEREAS, on January 19, 2021, pursuant to Resolution No. 15737, the City Council approved Tentative Tract Map 8534; and

WHEREAS, the City Engineer has determined that the Final Map for Tract No. 8534 is substantially in accordance with the previously approved tentative subdivision map approved by the City Council and complies in all manners with the provisions of California Government Code sections 66410 et seq. (Subdivision Map Act) and the City of Alameda's local subdivision ordinance (Alameda Municipal Code (AMC) Article VI); and

WHEREAS, Cosso Cabana LLC, Momo's Rook LLC, Dreamers and Cultivators LLC, Z-Co LLC, and Drumlin Alameda LLC, has hired a competent design professional, who is licensed by the State of California to practice civil engineering, to prepare plans and specifications for the construction of required public infrastructure improvements in the public right of way; and

WHEREAS, pursuant to Government Code section 66462 and AMC section 30-85.3, as a condition precedent to approval of the Final Map for Tract 8534, Cosso Cabana LLC, Momo's Rook LLC, Dreamers and Cultivators LLC, Z-Co LLC, and Drumlin Alameda LLC, has executed two Subdivision Improvement Agreements ("SIAs"), one for each phase of construction, to assure the timely construction, unconditional warrantee, and prescribed maintenance of all required public infrastructure improvements; and

WHEREAS, the City Engineer has approved the Phase 1 plans and specifications prepared by CBG Civil Engineers entitled "Broadway and Santa Clara, Tract 8534 Site Improvement Plans" permitted as PWD22-0007 and filed in the office of the Public Works Director; and

WHEREAS, pursuant to Government Code section 66499 and AMC section 30-85.3, and as required by the SIAs, Cosso Cabana LLC, Momo's Rook LLC, Dreamers

and Cultivators LLC, Z-Co LLC, and Drumlin Alameda LLC, has deposited adequate security in the form of surety bonds, and in sufficient amounts as estimated by the City Engineer, to secure Cosso Cabana LLC, Momo's Rook LLC, Dreamers and Cultivators LLC, Z-Co LLC, and Drumlin Alameda LLC, performance of the required Phase 1 public infrastructure improvements identified in the Phase 1 SIA; and

WHEREAS, Cosso Cabana LLC, Momo's Rook LLC, Dreamers and Cultivators LLC, Z-Co LLC, and Drumlin Alameda LLC and the City have agreed that the surety bonds for Phase 2 will be provided prior to issuance of the Public Works Development (PWD) permit for the Phase 2 work; and

WHEREAS, approval of the Final Map and the SIA for Tract 8534 are categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15332 (infill development projects) because 1) the project is consistent with the applicable General Plan designations and policies and applicable zoning designations and regulations; 2) the project occurs within City limits on a site of no more than five acres substantially surrounded by urban uses; 3) the project site has no value as habitat for endangered, rare or threatened species; 4) project approval would not result in any significant effects relating to traffic, noise, air quality, or water quality; and 5) the project site is adequately served by all required utilities and public services. Additionally, approval of the Final Map is exempt from CEQA review pursuant to Public Resources Code section 21080(b)(1) (ministerial projects) and CEQA Guidelines section 15268 (ministerial projects); and

WHEREAS, on December 6, 2022, the City Council reviewed Tract Map No. 8537 and all pertinent maps, documents, and exhibits.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Alameda that the Final Map for Tract 5534 conforms to all the requirements in Government Code sections 66410 et seq., AMC Article VI, and CEQA, and is hereby approved; and

BE IT FURTHER RESOLVED, that all easements offered are accepted on behalf of the public for use in conformity with the terms of the offers of dedication; and

BE IT FURTHER RESOLVED, that the easements designated as Private Vehicle Access Easement (PVAE), Private Access Easement (PAE), Private Utility Easement (PRUE), and Private Storm Drain Easement (PSDE) are not offered, nor accepted for dedication by the City of Alameda; and

BE IT FURTHER RESOLVED, that the approval of the Final Map and the acceptance of said parcels of land and easements are conditioned upon completion to the satisfaction of the City Engineer of public improvements as required by the SIAs; and

BE IT FURTHER RESOLVED, that the City Surveyor and City Engineer, and City Clerk are hereby authorized to endorse the Final Map for Tract 8534; and

BE IT FURTHER RESOLVED, that the agreement for construction and completion of the public improvements in Tract 8534 pursuant to the SIAs and all its terms and conditions be, and hereby are, approved and the City Manager and the City Clerk are authorized and directed to execute and attest to, respectively, said agreement on behalf of the City of Alameda; and

BE IT FURTHER RESOLVED, that upon said executions of the Final Map and SIAs, the City Engineer is hereby authorized to release the Final Map and SIAs for recording with the Alameda County Clerk – Recorder; and

BE IT FURTHER RESOLVED, that the security guaranteeing full and faithful performance of said public improvements, labor, and materials are hereby approved as sufficient in amount.

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I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 6th day of December 2022, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 7th day of December 2022.

Lara Weisiger, City Clerk
City of Alameda

Approved as to form:

Yibin Shen, City Attorney
City of Alameda