



## Legislation Details (With Text)

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**Title:** Staff Report for a City of San Leandro City Council Resolution to Accept the Work for the Public Improvements at the San Leandro Tech Campus

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**Attachments:** 1. Standard Public Improvement Agreement, 2. Project Photos, 3. Performance Bond, 4. Labor and Materials Bond

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Staff Report for a City of San Leandro City Council Resolution to Accept the Work for the Public Improvements at the San Leandro Tech Campus

### SUMMARY AND RECOMMENDATIONS

Staff has prepared a resolution to accept the public improvements completed to date at the San Leandro Tech Campus development. These public improvements include:

- The construction of a segment of the East Bay Greenway multi-use trail; and
- The relocation of the sanitary sewer main previously traversing the parking garage footprint; and
- The construction of a paseo through the San Leandro Tech Campus development; and
- The construction of pedestrian improvements and pavement markings at the railroad crossings at Alvarado/Davis Streets and the Niles Subdivision.

Staff recommends the acceptance of the public improvements completed by the developer, Westlake Urban, Inc., on behalf of the property owner, Chang Income Property Partnership, L.P., authorizing the City Manager to release the performance and payment bonds, and upon completion to the satisfaction of the City Engineer of the one-year maintenance period, to release the Maintenance Bond for the subject project.

### BACKGROUND

As part of the entitlements for the project and the Development Agreement between Chang Income Property Partnership, L.P. (Chang) and the City of San Leandro for the San Leandro Tech Campus (SLTC) development, the City required Chang to make several public improvements adjacent to the project site, for the benefit of the community at large, and to allow for the SLTC development itself. Based on these requirements, Chang and the City entered into a public improvement agreement,

which permitted Chang to comply with the project's Conditions of Approval and Development Agreement.

The public improvements required of Chang included the construction of the segment of the East Bay Greenway multi-use trail along the Martinez Street alignment between Davis Street and Thornton Street, relocation of all existing utilities from the easement that bisects the project, construction of a new pedestrian paseo through the development, and the construction of pedestrian crossing improvements at both the Alvarado Street and Davis Street crossings of Union Pacific Railroad Niles Subdivision. Since the project was initially entitled in April 2014, the Phase 1 and Phase 2 building, the central segment of the multi-use trail, the sanitary sewer relocation, and the pedestrian improvements have been completed. There is one more phase of construction to come per the original Development Agreement, as well as the SLTC Residential building, which was approved by City Council July 2017.

### **Analysis**

The public improvements completed and/or paid for by Westlake Urban, Inc. are as follows:

- The construction of a segment of the East Bay Greenway multi-use trail, between the Downtown San Leandro BART Station and the SLTC development, along the Martinez Street alignment, extending from Davis Street to Parrott Street;
- The relocation of the sanitary sewer main previously traversing the parking garage footprint;
- The construction of a paseo through the SLTC development providing public pedestrian access between Alvarado Street and the multi-use trail; and
- The construction of sidewalk improvements, rail signals and pavement markings at the Alvarado Street and Davis Street railroad crossings of the Niles Subdivision.

The work was inspected by City staff and found in compliance with City standards. The Performance Bond and Labor and Materials Bond, each in the amount of \$794,420 (Bond No. 4399952), can now be released. A Maintenance Bond issued by SureTec Insurance Company (Bond No. 4399952-M) in the amount of \$79,442 will guarantee the improvements during the required one-year warranty period in the event latent defects are discovered.

### **Current Agency Policies**

- Advance projects and programs promoting sustainable economic development, including transforming San Leandro into a center for innovation.
- Maintain and enhance San Leandro's infrastructure.

### **Previous Actions**

- On April 21, 2014, the City Council adopted Ordinance No. 2014-002 Approving a Rezoning, a Planned Development and a Site Plan Review, and a Development Agreement for the Downtown Office/Technology Campus project, 1333 Martinez Street (PLN 2013-00045).
- On June 16, 2014, the City Council adopted Resolution No. 2014-059 Authorizing the City Manager to Execute an Improvement Agreement with Chang Income Property Partners, LP for Public Improvements on Martinez Street.
- On July 17, 2017, the City Council adopted Resolution No. 2017-096 Approving a Planned

Development and a Site Plan Review Permit Subject to Conditions of Approval for a Mixed-Use Residential Development including 13,000 square feet of Office on the Ground Floor and 197 units of Multi-Family Residences on the 3.13 acre Southern Portion of the San Leandro Tech Campus (SLTC) project site, 601 Parrott Street; Alameda County Assessor's Parcel Number 75-47-57-2 (PLN16-0067)

### **Applicable General Plan Policies**

- Policy LU-6.1.B, TOD Strategy Update - (a) A greater emphasis on office development along the Alvarado Street corridor between Davis Street and Williams Street.
- Policy LU-6.4, Office Development - Support the growth of Downtown San Leandro as an office center. The City will encourage the renovation and upgrading of existing office space, and the development of new office space.
- Policy LU-6.7, BART Accessibility - Maintain and strengthen pedestrian, bicycle, and transit connections between the BART Station, Downtown, and nearby neighborhoods.

### **Environmental Review**

As indicated in the 2014 General Plan Conformance Finding, the property disposition was covered in the Initial Study and Mitigated Negative Declaration for the proposed development.

### **Board/Commission Review and Actions**

- Planning Commission, at its meeting of February 20, 2014, approved the proposed SLTC development (PLN2013-00045)
- Planning Commission, at its meeting of June 15, 2017, approved the proposed SLTC Residential development (PLN16-0067)

### **Permits and/or Variances Granted**

- Grading Permits GRA2015-00003 and G17-0004
- Encroachment Permits E17-0467 and E20-0359

### **Fiscal Impacts**

- There is no fiscal impact on the City resulting from this project.
- Westlake Urban, the developer, paid for all costs to prepare and process plans and all construction and inspection costs.

## **ATTACHMENTS**

### **Attachments to Staff Report**

- Public Improvement Agreement between City and Chang Income Property Partnership.
- SLTC Public Improvement Project Photos
- Performance Bond No. 4399952
- Labor and Material Bond No. 4399952

### **Attachments to Related Legislative File**

- Maintenance Bond No. 4399952-M by SureTec Insurance Company in the amount of \$79,442

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