



## Legislation Text

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**File #:** 24-004, **Version:** 1

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Adopt a Resolution to authorize the City Manager to initially accept the public and private subdivision improvements for Tract 8519 at 903 Manor Boulevard; Owner and Developer: D.R. Horton Bay Inc., A Delaware Corporation

### **COUNCIL PRIORITY**

- Housing and Homelessness
- Infrastructure

### **SUMMARY**

Staff has prepared a resolution for the Council to authorize the City Manager and accept the public and private subdivision improvement work completed for 903 Manor Boulevard.

### **RECOMMENDATIONS**

Staff recommends the initial acceptance of the work by the Owner and Developer, D.R Horton Bay, Inc., A Delaware Corporation, authorizing the City Manager to release the Performance and Payment bonds, and, upon completion of the one-year warranty period to the satisfaction of the City Engineer, release the Maintenance Bond for the subject project.

### **BACKGROUND**

On September 8th, 2020, the City Council approved the Maple Lane Planned Development Project (PLN19-0037) consisting of a 39-unit, three-story residential townhome condominium development on a 2.3-acre site, formerly occupied by a bowling alley and located at 903 Manor Boulevard in the Washington Manor neighborhood.

On September 7, 2021, the City Council approved the Final Map for Tract 8519 and the Developer entered into a Subdivision Improvement Agreement (Public and Private Improvements) to guarantee construction of the public and private improvements. The public improvements include construction and repair of public sidewalk, curb and gutter, driveway approach, and sanitary sewer line to serve 39 townhome residences.

The Developer constructed the public and private improvements in compliance with the approved Improvement Plans and the Subdivision Improvement Agreement.

Upon completion of the work, the Developer must submit the required maintenance security and insurance to guarantee that any defective work will be repaired or reconstructed during the required one-year warranty period, which will begin upon the initial acceptance of the improvements by the City Council.

## **Analysis**

The improvements for the 903 Manor Boulevard project as required in the Subdivision Improvement Agreement (Public and Private Improvements) are now complete and ready for acceptance. The Performance Bond and Labor and Materials Bond, each in the amount of \$1,900,930.00, can now be released. A Maintenance Bond issued by Nationwide Mutual Insurance Company (Bond No. 7901158509) in the amount of \$190,093.00 will govern the improvements during the required one-year warranty period in the event repairs are required.

## **Current Agency Policies**

Title VII, Chapter 1 of the San Leandro Municipal Code regulates the process for acceptance of improvements.

## **Previous Actions**

On September 8, 2020, by Resolution No. 2020-354, the City of San Leandro City Council Adopted an Initial Study - Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for PLN19-0037; and

Resolution No. 2020-355 of the City of San Leandro City Council approving a General Plan Map Amendment for 903 Manor Boulevard (Assessor's Parcel Number 080H 1541-036-00) from CN Neighborhood Commercial to CG General Commercial.; and

Resolution No. 2020-357 of the City of San Leandro City Council approving a Planned Development and Site Plan Review for PLN19-0037 at 903 Manor Boulevard (Assessor's Parcel Number 080H-1541-036-00); and

Resolution No. 20-358 of the City of San Leandro City Council approving a Vesting Tentative Tract Map for Condominium Purposes for a 39-Unit condominium with seven lettered lots on a 2.3-acre parcel located at 903 Manor Boulevard; and

Ordinance No. 2020-356 of the City of San Leandro City Council approving a Zoning Map Amendment for a Planned Development at 903 Manor Boulevard, from CC Commercial Community to CC(PD) Commercial Community Planned Development Overlay District. Alameda County Assessor's Parcel Number 080H-1541-036-00 (PLN19-0037); and

Resolution No. 2021-124 of the City of San Leandro City Council approved the Final Map of Tract 8519 for Assessor's Parcel Number 080H-1541-036-00 and authorized the City Manager to execute the Subdivision Improvement Agreement (Public and Private Improvements).

## **Committee Review and Actions**

Not Applicable

## **Applicable General Plan Policies**

- Goal LU-2. Preserve and enhance the distinct identities of San Leandro neighborhoods.
- Policy LU-2.8 - Alterations, Additions, and Infill. Ensure that alterations, additions, and infill development are compatible with existing homes and maintain aesthetically pleasing neighborhoods.
- Goal LU-3. Provide housing opportunities and improve economic access to housing for all segments of the community.
- Policy LU-3.1 Mix of Unit Types. Encourage a mix of residential development types in the city, including single-family homes on a variety of lot sizes, as well as townhomes, row houses, live-work units, planned unit developments, garden apartments and medium to high density multi-family housing.
- Policy LU-3.4 Promotion of Infill. Encourage infill development on vacant or underused sites within residential and commercial areas.
- Policy ED-5.2 Housing Production. Substantially increase the production of a variety of housing types meeting the needs of persons at all income levels.
- Action 53.03-C - Affordable Housing Trust Fund. Maintain a local affordable housing trust fund that is capitalized with in-lieu fees from the inclusionary housing program and condo conversion fees. The fund should be used to leverage affordable housing development in San Leandro.

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

- Planning Permit PLN19-0037
- Grading Permit G21-0001
- Building Permit B20-2010

### **Environmental Review**

- Pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, the City prepared an Initial Study (preliminary environmental analysis) and Mitigated Negative Declaration (IS-MND) of environmental impact with a Mitigation Monitoring and Reporting Program for the Project, which were adopted by the City Council on September 8, 2020 by Resolution No. 2020-354 for PLN19-0037 at 903 Manor Boulevard (Assessor's Parcel Number 080H-1541-036-00). A copy of the Initial Study - Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are posted online at:  
<https://www.sanleandro.org/depts/cd/plan/polplanstudiesceqa/default.asp>

### **Code Compliance Review**

Not Applicable

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

On June 6, 2020, as part of Resolution No. 2020-009 of the Planning Commission of the City of San Leandro, recommending City Council adoption of an Initial Study - Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for PLN19-0037, General Plan Map Amendment, Zoning Map Amendment, Planned Development, Site Plan Review, and Tentative Map at 903 Manor

Boulevard (Assessor's Parcel Number 080H-1541-036-00); and

As part of the Resolution No. 2020-010 of the Planning Commission of the City of San Leandro, recommending City Council approval of a General Plan Map Amendment, Zoning Map Amendment, Planned Development, Site Plan Review, and Tentative Map for PLN19-0037 at 903 Manor Boulevard (Assessor's Parcel Number 080H-1541-036-00).

### **Summary of Public Outreach Efforts**

- Prior to approval of PLN19-0037, normal noticing was conducted

### **Legal Analysis**

Not Applicable

### **Financial Impacts**

This Council action will not impact fund balance because all applicable development impact fees together with all costs incurred during construction and inspection for the project were paid by the Developer.

### **ATTACHMENTS**

***Attachment A:*** Tract 8519 Initial Project Acceptance RESO

***Attachment B:*** Maintenance Bond No. 7901158509

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