



## Legislation Text

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**File #:** 17-694, **Version:** 1

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RESOLUTION to Approve Parcel Map 10659 and to Authorize the City Manager to Execute a Standard Public Improvement Agreement for Public Improvements Associated with Redevelopment of 100 Halcyon Drive

WHEREAS, the City approved a Conditional Use Permit and Site Plan Review (PLN17-0003) on August 3, 2017, for two adjoining properties at 100 Halcyon Drive (Assessor's Parcel Numbers 077C-1315-022, 077C-1235-003-04 and 077C-1240-002); and

WHEREAS, the subdivider, 100 Halcyon Owner, LLC, submitted Parcel Map 10659 to the City Council for approval; and

WHEREAS, an Agreement to Conditions for PLN17-0003 was recorded with the Alameda County Recorder's Office on September 11, 2017, as Series No. 2017198520; and

WHEREAS, the Conditions of Approval require the subdivider to construct public improvements on Halcyon Drive and Washington Avenue, including upgrades to the railroad crossing where Union Pacific Railroad's Niles Subdivision crosses Halcyon Drive; and

WHEREAS, the City Council finds that the proposed map and the provisions for the subdivision's design and improvement, are consistent with the City's 2035 General Plan; and

WHEREAS, the City Engineer's Report provides that said parcel map is technically correct, and that the subdivider complied with the provisions of San Leandro Municipal Code §7-1-210 *et seq.* and with the provisions of the Subdivision Map Act; and

WHEREAS, said map dedicates to the City a Public Street Dedication for Halcyon Drive widening, an Emergency Vehicle Access Easement, and a No Build Zone Covenant; and

WHEREAS, the City Planner's Report for said map is incorporated herein; and

WHEREAS, a Standard Public Improvement Agreement between the City of San Leandro and the subdivider, 100 Halcyon Owner, LLC, was presented to this City Council to assure construction of required public improvements; and

WHEREAS, said agreement conforms to San Leandro Municipal Code §7-1-945 *et seq.*; and

WHEREAS, said agreement is guaranteed by a Performance Bond and a Labor and Materials Bond issued by International Fidelity Insurance Company, each in the amount of \$1,289,706.00; and

WHEREAS, the City Council is familiar with the contents thereof; and

WHEREAS, the City Manager recommends approval of said agreement and acceptance of said bonds.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

1. That Parcel Map 10659 is categorically exempt from the environmental review requirements of CEQA, under Title 5, Chapter 1 of the San Leandro Administrative Code; and
2. That said map is hereby approved, subject to the City Engineer's Report as well as the City Planner's Report, attached hereto and made a part hereof; and
3. That the Standard Public Improvement Agreement between the City of San Leandro and the subdivider, 100 Halcyon Owner, LLC, is hereby approved and execution by the City Manager is hereby authorized; and
4. That the City Clerk is authorized to accept, on behalf of the public, the Public Street Dedication for Halcyon Drive widening, an Emergency Vehicle Access Easement, and a No Build Zone Covenant; and
4. That the City Manager is authorized to make non-substantial revisions to said agreement, subject to the approval of the City Attorney; and
5. That an original executed copy of said agreement shall be attached to and made a part of this Resolution; and
6. That the City Manager is authorized to accept said surety bonds to guarantee the required public improvements on Halcyon Drive and Washington Avenue, in conformance with the recorded Agreement to Conditions.