

OFFICE OF THE CITY CLERK  
2006 OCT 26 PM 3:30

**CITY OF OAKLAND**  
*Agenda Report*

TO: Office of the City Administrator  
ATTN: Deborah Edgerly  
FROM: Community and Economic Development Agency  
DATE: October 26, 2006

RE: **A Report and Resolution Approving a Final Map for Tract 7588 for the Eleventh Street Farm Subdivision at 1416 11th Street**

---

**SUMMARY**

A resolution has been prepared approving a Final Map for Tract No. 7588, Eleventh Street Farm, for the voluntary merger of four (4) existing parcels (APN 004-0063-007-00, 004-0063-008-00, 004-0063-009-00, and 004-0063-010-00) by the developer, Majua and Noyon, LLC, a California limited liability company (no. 200627910010), and their subdivision into five (5) "mini-lots" for single-family residences and an additional lot for an office building and community garden.

The Planning Commission approved the environmental determination (categorically exempted), land use entitlements (CMDV05053), and the tentative map for the combined residential and commercial development on August 4, 2005. The City Engineer has determined that the Final Map is in substantial compliance with the approved tentative map. Approval of the Final Map will be a ministerial action by the City Council.

**FISCAL IMPACT**

Staff costs for processing the Final Map will be covered by fees set by the Master Fee Schedule and paid by the developer and deposited in the special revenue Development Service Fund (2415), Engineering Services organization (88432), Tract Map account (45119), Engineering and Architectural Program (PS30).

**PROJECT DESCRIPTION**

The residential and commercial subdivision is located at 1416 11th Street, at the intersection of Mandela Parkway. The one-third acre project will merge and subdivide the existing four (4) parcels, which are currently vacant lots, into five (5) single-family "mini-lots" (exterior wall constructed along the side yard property line) and an additional lot for a small office building.

The five (5) residences will front onto 11th Street and the office building will front onto Mandela Parkway. Each of the residences will have a single-car parking garage. Two additional uncovered spaces will be available for residential guest parking at the rear of the office building lot. The rear one-half of the office building lot will be used as a community garden.

---

## **KEY ISSUES AND IMPACTS**

### **Final Map**

As set forth in California Government Code section 664474.1 (Subdivision Map Act), approval of the Final Map is an administrative, ministerial, and mandatory action by the City Council once the City Engineer has determined that the Final Map conforms substantially with the approved Tentative Map and is technically correct (correct map size and medium, correct metes and bounds, required signatures, required statements, required licensures, etc.). The controlling discretionary action to be taken by the City relating to a subdivision map is at the Tentative Map stage. The purpose of submitting the Final Map to the City Council is to ensure that the Council and the public remain informed about development in the City. The City Council has no discretionary authority to withhold approval of a Final Map.

## **SUSTAINABLE OPPORTUNITIES**

### **Economic**

The 11th Street development will provide opportunities for professional services and construction related jobs for the Oakland community.

### **Environmental**

Land use approvals and construction permits for public infrastructure improvements and new buildings require that the permittee comply with City ordinances and regional Best Management Practices for reducing nuisance noise, fugitive dust, construction debris disposal, and storm drainage pollutant runoff. Construction of the buildings will not require pile driving.

### **Social Equity**

The 11th Street development will provide housing opportunities, will assist the economic revitalization of the area, and will support the infusion and recurrence of diverse multi-cultural activities, businesses, and events.

## **DISABILITY AND SENIOR CITIZEN ACCESS**

The new driveways and sidewalk repairs on 11th Street will conform to Caltrans and City requirements for handicapped accessibility.

## **RECOMMENDATIONS**

Adoption of the resolution approving the Final Map is a ministerial action of the City Council, which does not require an action by a Committee of the Council.

---

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the Council accept this report for the Eleventh Street Farm subdivision, and adopt the proposed resolution, as a ministerial action,

- approving the Final Map for Tract 7588, and
- authorizing the City Engineer and City Clerk to execute the Final Map, and
- directing the City Clerk to file the executed Final Map with Alameda County for recordation.

Respectfully submitted,

  
\_\_\_\_\_  
**CLAUDIA CAPPIO**  
Development Director  
Community and Economic Development Agency

Prepared by:

Raymond M. Derania  
Interim City Engineer  
Building Services Division

APPROVED FOR FORWARDING  
TO THE CITY COUNCIL

  
\_\_\_\_\_  
OFFICE OF THE CITY ADMINISTRATOR

Introduced by

OFFICE OF THE CITY CLERK

Approved for Form and Legality

\_\_\_\_\_  
Councilmember

2006 OCT 26 PM 3:30

\_\_\_\_\_  
City Attorney

**OAKLAND CITY COUNCIL**

**Resolution No. \_\_\_\_\_ C.M.S.**

**RESOLUTION APPROVING THE FINAL MAP FOR TRACT 7588 FOR THE ELEVENTH STREET FARM SUBDIVISION AT 1416 11th STREET**

**WHEREAS**, the residential developer of a single-family dwelling project, Majua and Noyon, LLC, a California limited liability company (no. 200627910010), is the Subdivider of four (4) parcels identified by the Alameda County Assessor as APN 004-0063-007-00, 004-0063-008-00, 004-0063-009-00, and 004-0063-010-00, and by the Alameda County Recorder as Tract 7588, and by the City of Oakland as 1416 11th Street, and by the developer as Eleventh Street Farm; and

**WHEREAS**, the Subdivider has acquired by purchase for valuable consideration the real property comprising Tract 7588; and

**WHEREAS**, the Subdivider has previously applied to the City of Oakland to subdivide the platted land into the six (6) contiguous lots comprising Tract 7588; and

**WHEREAS**, the Planning Commission of the City of Oakland approved the environmental determination (categorically exempted – CEQA Guidelines Section 15532), land use entitlements (permit CMDV05053), and the Tentative Map (Tract 7588) for the proposed project on August 04, 2005, which proposed the voluntary combining of the existing parcels and their subdivision into six (6) developable lots for five (5) single-family dwellings and an additional common-area lot with an office building; and

**WHEREAS**, the Secretary of the Planning Commission of the City of Oakland has certified to the Council of the City of Oakland that the Planning Commission approved the Tentative Map for Tract 7588, upon which the Final Map for Tract 7588 is based; and

**WHEREAS**, the City Engineer of the City of Oakland has determined that

- the Final Map for Tract 7588, attached hereto as Exhibit A, is substantially the same as the Tentative Map approved by the Planning Commission, and
- the Final Map complies in all manners with the provisions of the California Government Code (Section 66400, et seq. - Subdivision Map Act), and the City of Oakland’s local ordinance (Municipal Code Title 16 - Subdivisions); and

**WHEREAS**, the City Engineer has further determined that the Final Map is technically correct and accurately delineates the metes and bounds of the six (6) proposed lots, the limits of which have been established by field survey and can be re-established from the monuments, property corners, radii, bearings, and distances shown on the Final Map for Tract 7588; and

**WHEREAS**, the requirements of the California Environmental Quality Act (CEQA) have been complied with and the project was determined to be categorically exempt under Section 15332 of the CEQA Guidelines; now, therefore, be it

**RESOLVED**, that the Final Map for Tract 7588 is hereby approved; and be it

**FURTHER RESOLVED**, that the City Engineer of the City of Oakland is hereby authorized to endorse the Final Map for Tract 7588; and be it

**FURTHER RESOLVED**, that the City Clerk of the City of Oakland is hereby authorized to endorse the Final Map for Tract 7588, upon its execution by the City Engineer, and directed to file the fully endorsed Final Map and the fully executed Subdivision Improvement Agreement concurrently with the Alameda County Recorder for simultaneous recordation; and be it

**FURTHER RESOLVED**, that this Resolution shall become effective upon the recordation of the Final Map for Tract 7588.

**IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2006**

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and  
PRESIDENT DE LA FUENTE

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California

**OWNERS' STATEMENT**

THE UNDERSIGNED HEREBY STATE THAT THEY ARE THE OWNERS OF THE LAND DELINEATED AND EMBRACED WITHIN THE EXTERIOR BOUNDARY LINES ON THE HEREIN EMBODIED MAP ENTITLED "TRACT MAP 7588, OAKLAND, ALAMEDA COUNTY, CALIFORNIA"; THAT SAID OWNERS ACQUIRED TITLE TO SAID LAND BY VIRTUE OF THE DEEDS RECORDED JANUARY 16, 2004 UNDER SERIES NO. 2004-020415, JANUARY 03, 2003 UNDER SERIES NO. 2003-003820, MAY 19, 2003 UNDER SERIES NO. 2003-288898, JANUARY 27, 2004 UNDER SERIES NO. 2004-031093, RECORDS OF ALAMEDA COUNTY, CALIFORNIA; THAT THEY CONSENT TO THE PREPARATION OF AND FILING OF THIS MAP.

D. Noyon  
DOROTHY NOYON

MAJUA AND NOYON, LLC.

D. Noyon  
DOROTHY NOYON, Partner  
(TITLE)

**OWNER'S ACKNOWLEDGMENT**

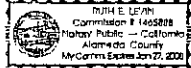
STATE OF CALIFORNIA  
COUNTY OF ALAMEDA

ON SEPTEMBER 17, 2006 BEFORE ME, RUTH E. LEVIN  
A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED DOROTHY NOYON, PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE), TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME IN HER AUTHORIZED CAPACITY, AND THAT BY HER SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

PRINTED NAME OF NOTARY: RUTH E. LEVIN  
PRINCIPAL PLACE OF BUSINESS: ALAMEDA COUNTY  
COMMISSION EXPIRES: JANUARY 27, 2008  
COMMISSION # OF NOTARY: 1462888

WITNESS MY HAND AND OFFICIAL SEAL

Ruth E. Levin  
NOTARY PUBLIC



**SURVEYOR'S STATEMENT**

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF LUCIA HOWARD BY WAY OF 2005. I HEREBY STATE THAT THIS TRACT MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY. I HEREBY STATE THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED; AND THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED.



Everett S. Moran  
EVERETT S. MORAN, RCE 18650  
EXPIRATION DATE: JUNE 30, 2007

**CITY ENGINEER'S STATEMENT**

I, RAYMOND M. DERANIA, INTERIM CITY ENGINEER, HAVING BEEN AUTHORIZED TO PERFORM THE FUNCTIONS OF THE CITY ENGINEER OF THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, FOR THE PURPOSE OF REVIEWING SUBDIVISION MAPS, DO HEREBY STATE THAT I HAVE EXAMINED THE HEREON EMBODIED PARCEL MAP ENTITLED "TRACT MAP 7588, OAKLAND, ALAMEDA COUNTY, CALIFORNIA", THAT THE SUBDIVISION AS SHOWN UPON SAID TRACT MAP IS SUBSTANTIALLY THE SAME AS THAT APPEARING ON THE TENTATIVE MAP (IF ANY) AND ANY APPROVED ALTERATIONS THEREOF; THAT SAID TRACT MAP COMPLIES WITH ALL PROVISIONS OF THE SUBDIVISION MAP ACT OF THE GOVERNMENT CODE AND THE LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP; AND THAT I AM SATISFIED THAT THE TRACT MAP IS TECHNICALLY CORRECT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS 17 DAY OF SEPTEMBER, 2006.

RAYMOND M. DERANIA, RCE 27815  
INTERIM CITY ENGINEER, CITY OF OAKLAND,  
ALAMEDA COUNTY, STATE OF CALIFORNIA  
REGISTRATION EXPIRATION: MARCH 31, 2008

**SECRETARY OF THE PLANNING COMMISSION'S CERTIFICATE**

I, SCOTT MILLER, SECRETARY OF THE CITY PLANNING COMMISSION OF THE CITY OF OAKLAND, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT A TENTATIVE MAP OF "TRACT NO. 7588, CITY OF OAKLAND, ALAMEDA COUNTY, CALIFORNIA" WAS PRESENTED TO THE CITY PLANNING COMMISSION AS PROVIDED BY THE SUBDIVISION MAP ACT, THAT AT A REGULARLY SCHEDULED MEETING HELD ON AUGUST 3, 2005 AND THAT SAID COMMISSION APPROVED SAID TENTATIVE MAP UPON WHICH THIS MAP IS BASED.

DATED: \_\_\_\_\_

SCOTT MILLER  
SECRETARY OF THE CITY PLANNING COMMISSION OF THE CITY OF OAKLAND COUNTY OF ALAMEDA, STATE OF CALIFORNIA

**CITY CLERK'S STATEMENT**

I, LATONDA SIMMONS, CITY CLERK AND CLERK OF THE COUNCIL OF THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE HEREIN EMBODIED MAP ENTITLED "TRACT 7588, CITY OF OAKLAND, ALAMEDA COUNTY, CALIFORNIA", WAS PRESENTED TO THE COUNCIL OF THE CITY OF OAKLAND AT A MEETING THEREOF HELD ON \_\_\_\_\_ AND THAT SAID COUNCIL DID AT SAID MEETING, BY RESOLUTION NUMBER \_\_\_\_\_ APPROVE SAID MAP.

IN WITNESS I HAVE SET MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

LATONDA SIMMONS  
CITY CLERK AND CLERK OF THE COUNCIL OF THE CITY OF OAKLAND

**CLERK OF THE BOARD OF SUPERVISORS STATEMENT**

I, CRYSTAL HISHIDA GRAFT, CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY STATE THAT CERTIFICATES HAVE BEEN FILED AND DEPOSITS HAVE BEEN MADE IN CONFORMANCE WITH THE REQUIREMENTS OF SECTION 65492 AND 65493 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

DATED: \_\_\_\_\_

CRYSTAL HISHIDA GRAFT  
CLERK OF THE BOARD OF SUPERVISORS COUNTY OF ALAMEDA, STATE OF CALIFORNIA

BY: \_\_\_\_\_  
DEPUTY CLERK

**RECORDER'S STATEMENT**

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006, AT \_\_\_\_\_ M. IN BOOK \_\_\_\_\_ OF MAPS, AT PAGE \_\_\_\_\_ AT THE REQUEST OF \_\_\_\_\_

PATRICK O'CONNELL  
COUNTY RECORDER

BY: \_\_\_\_\_  
DEPUTY COUNTY RECORDER

**TRACT MAP 7588  
OAKLAND ALAMEDA COUNTY CALIFORNIA**

LOT 5 AND A PORTION OF LOTS 4 AND 6,  
CENTER STREET HOME LOTS (W DEEDS 800) & (3 M 26)  
CITY OF OAKLAND, COUNTY OF ALAMEDA, CALIFORNIA  
AUGUST, 2006

**MORAN ENGINEERING, INC.**

CIVIL ENGINEERS \ LAND SURVEYORS  
1930 SHATTUCK AVENUE, SUITE A  
BERKELEY, CALIFORNIA 94704  
(510) 848-1930

F.B. NO. 1022 & RR-18 MANDELA-TMDWG JOB NO. 04-6161

APN: 004-0063-007, 008, 009, 010 SHEET 1 OF 2

EXHIBIT A

12TH STREET  
(60' WIDE)

AT KIRKHAM STREET

CENTER STREET  
(60' WIDE)

MANDELA PARKWAY  
(WIDTH VARIES)

11TH STREET  
(WIDTH VARIES)

TRACT MAP 7588

OAKLAND ALAMEDA COUNTY CALIFORNIA

LOT 5 AND A PORTION OF LOTS 4 AND 6,  
CENTER STREET HOME LOTS (W DEEDS 800) & (3 M 26)  
CITY OF OAKLAND, COUNTY OF ALAMEDA, CALIFORNIA  
AUGUST, 2006 SCALE: 1"=20'

MORAN ENGINEERING, INC.

CIVIL ENGINEERS \ LAND SURVEYORS  
1930 SHATTUCK AVENUE, SUITE A  
BERKELEY, CALIFORNIA 94704  
(510) 848-1930

F.B. NO. 1022 & RR-18 MANDELA-TM.DWG JOB NO. 04-8181

APN: 004-0063-007, 008, 009, 010

SHEET 2 OF 2

EXHIBIT A

LEGEND

- ⊙ CITY PIN MONUMENT
- ⊙ SET REBAR AND PLASTIC CAP, RCE 18650
- ⊗ SET TAG, RCE 18650
- (T) TOTAL
- TRACT MAP BOUNDARY
- NEW LOT LINES
- ORIGINAL LOT LINES
- EXISTING LOT/RIGHT OF WAY LINES
- MONUMENT LINES
- MONUMENT TIE LINES

BASIS OF BEARINGS:

THE BEARING OF N73°10'28"W, BETWEEN THE CITY MONUMENTS FOUND IN 12TH STREET AT CENTER AND KIRKHAM STREETS, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS MAP.

REFERENCES:

- ① CALTRANS RIGHT-OF-WAY RECORD MAP R-7.13
- ② CITY OF OAKLAND MONUMENT BOOK 7, PAGE 9 & 10
- ③ 2004-031093
- ④ 2003-288898
- ⑤ 2003-003820
- ⑥ 2004-020415

GRAPHIC SCALE

