



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: Ryan Russo
Director, DOT

SUBJECT: Final Map Tract No. 8505 Subdivision Map,
733 Apgar Street

DATE: March 30, 2021

City Administrator Approval 

Date: Apr 6, 2021

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Approving A Final Map For Tract No. 8505, Located At 733 Apgar Street For A Five-lot Subdivision For 733 Apgar Street LLC; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings.

EXECUTIVE SUMMARY

The Resolution approving the final subdivision map for Tract No. 8505 located at 733 Apgar Street is an administrative (ministerial) action by the City Council following the approved tentative tract map for the subdivision by the Planning Commission on January 22, 2020. Refer to **Exhibit A** to the Resolution for the Final Tract Map No. 8505.

The Subdivision Map Act prohibits the City from imposing any additional requirements upon a map that has previously received tentative approval. Therefore, the only action requested is for the City Council to determine whether the Final Tract Map substantially complies with the tentative map.

Adopting the proposed resolution will authorize the City Engineer and City Clerk to execute the Final Subdivision Map for recordation with the Alameda County Clerk-Recorder.

BACKGROUND/ LEGISLATIVE HISTORY

Apgar Street LLC (“Subdivider”) is the owner in fee title and subdivider of the five-lot subdivision located at 733 Apgar Street and approved in Tentative Tract Map No. 8505.

On January 22, 2020, the City Planning Commission approved the Tentative Tract Map for Tract No. 8505 and related land use entitlements (permit number PLN19050), subject to various conditions of approval, and confirmed staff’s environmental determination that the proposal was exempt from the California Environmental Quality Act (CEQA) review under CEQA Guidelines

City Council
April 20, 2021

sections 15183 (projects consistent with a community plan, general plan or zoning) and 15332 (infill development projects).

ANALYSIS AND POLICY ALTERNATIVES

As set forth in the California Government Code section 66474.1 (Subdivision Map Act), approval of a Final Subdivision Map is an administrative, ministerial, and mandatory action by the City Council once the City Engineer has determined that the Final Subdivision Map substantially complies with the previously approved Tentative Subdivision Map and is technically correct with map size and medium, metes and bounds, required signatures and statements, required licensures, etc. There is no alternative action or policy.

The controlling discretionary action by the City related to a subdivision map was at the Tentative Tract Map approval stage, when the Planning Commission approved the Tentative Tract Map. At that time, the Planning Commission's approval was not appealed to the City Council and, as a result, became final. The purpose of submitting this Final Subdivision Map to City Council is only to ensure that the final map is in substantial compliance with the approved Tentative Tract Map and that the Council and the public remain informed about this development.

The Subdivider presented a Final Map to the City for subdivision of one parcel located at 733 Apgar Street into five (5) parcels and construction of one (1) mixed-use building and four (4) single family dwelling units.

The City Engineer has determined that Final Subdivision Map is in substantial compliance with the approved tentative subdivision map.

FISCAL IMPACT

Staff cost for processing the Final Subdivision Map has been paid by the Subdivider per the Master Fee Schedule.

PUBLIC OUTREACH/ INTEREST

The adjoining property owners were notified of the project as part of the initial Tentative Tract Map approval process and have been provided the statutorily required notice for consideration of the Final Subdivision Map.

COORDINATION

The Office of the City Attorney has reviewed the resolution for form and legality, and the Budget Bureau has reviewed this agenda report.

SUSTAINABLE OPPORTUNITIES

Economic: Through this proposed development, the subdivision will provide additional housing in Oakland.

Environmental: Land use approvals and construction permits for 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.

Race and Equity: The development will benefit the immediate neighborhood by increase living space and housing opportunities, address disparities in outcomes by advances racial equity in areas of well-being such as housing, education, jobs and economic stability in Oakland.

CEQA

Approval of the final subdivision map is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section 21080(b)(1) (ministerial projects) and CEQA Guidelines section 15268 (ministerial projects).

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Approving A Final Map For Tract No. 8505, Located At 733 Apgar Street For A Five-lot Subdivision For 733 Apgar Street LLC; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings.

For questions regarding this report, please contact Joseph Palacio, Acting Civil Engineer at (510) 238-7256.

Respectfully submitted,



RYAN RUSSO
Director, Department of Transportation

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