



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION CONDITIONALLY APPROVING A FINAL MAP FOR TRACT NO. 8697, LOCATED AT 8750 MOUNTAIN BOULEVARD (OAK KNOLL PROJECT PHASE 1 PARCEL 9), FOR A 35-LOT SUBDIVISION WITHIN PARCEL 9 OF TRACT 8320 AS PART OF PROPERTY OWNED BY OAK KNOLL VENTURE ACQUISITION, LLC; AND ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

WHEREAS, Oak Knoll Venture Acquisition, LLC, a Delaware limited liability company (Subdivider), is subdividing the property at 8750 Mountain Boulevard identified by the Alameda County Assessor as APN 043A-4766-006-00, and by the Alameda County Clerk-Recorder as Tract No. 8697, and by the City of Oakland (City) as 8750 Mountain Boulevard (Oak Knoll Parcel 9); and

WHEREAS, the Subdivider has acquired by purchase for valuable consideration the real property comprising Tract No. 8697 through a grant deed, Series No. 2014117035, recorded May 9, 2014, by the Alameda County Clerk-Recorder; and

WHEREAS, said the parcel is comprised of land, in Parcel 9, as the parcel is shown on that certain map entitled "Tract 8320 Phase 1," filed for record on October 31, 2022 (Series No. 2022-179297) in Map Book 369, Pages 8-16, Alameda County Records; and

WHEREAS, the Subdivider specifically applied to the City for a Vesting Tentative Tract Map, which proposed a 35-lot subdivision for single family residential purposes; and

WHEREAS, the City Clerk has certified that the City Council approved the Vesting Tentative Tract Map for Tract No. 8320, upon which said Parcel 9 Final Map is based; and

WHEREAS, the Bureau of Planning processed the Final Development Plan for Parcel 9, upon which said Final Map is based; and

WHEREAS, the Subdivider has presented a Final Map to the City, identified as Tract Map No. 8697, which proposes the subdivision of thirty-five (35) developable parcels, identified as Lots 197-231; and

WHEREAS, the City Engineer has examined the Final Map and determined that:

- the subdivision as shown on the Final Map for Tract No. 8697, delineated diagrammatically in ***Exhibit A*** attached hereto and incorporated herein, is substantially the same as it appeared on the approved Vesting Tentative Map No. 8320, which created developable Parcel 9; and
- the Final Map for Tract No. 8697 complies in all manners with the provisions of the Subdivision Map Act (California Government Code sections 66410 et seq.) and the City's local subdivision ordinance (Oakland Municipal Code, Title 16 - Subdivisions); and

WHEREAS, pursuant to California Business and Professions Code section 6731, the City Engineer has further determined that the Final Map is technically correct and accurately delineates the proposed metes and bounds of the property boundaries separating the proposed thirty-five (35) lots, the limits of which have been established by a field boundary survey performed by a competent Land Surveyor, who is licensed by the State of California to practice land surveying, and can be re-established from the monuments, property corners, radii, bearings, and distances shown on the Final Map for Tract No. 8697; and

WHEREAS, the Subdivider has employed a competent design professional, who is licensed by the State of California to practice civil engineering, to prepare plans and specifications for the construction of required surface and subsurface public infrastructure improvements in the public right of way; and

WHEREAS, the City Engineer has approved Infrastructure Permit No. PX2400016, and the Subdivider's plans and specifications for construction of the required public infrastructure improvements and infrastructure within private property common to subdivided lots known as private-public improvements; and

WHEREAS, the timely construction, unconditional warrantee, and prescribed maintenance of all required public infrastructure improvements is accomplished through the Subdivision Improvement Agreement ("SIA") for the Deferred Construction of Public Infrastructure Improvements for the Final Map for Tract No. 8320 (Phase 1) recorded by Alameda County, under series number 2022-179313; and

WHEREAS, pursuant to Government Code section 66499 et seq. and Oakland Municipal Code section 16.20.100, the Subdivider has deposited adequate security in the form of surety bonds to secure the Subdivider's performance of the required public infrastructure improvements identified in the SIA; and

WHEREAS, the City's approval of a Final Map is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 21080(b)(1) (ministerial projects) and 15268 (ministerial projects); now, therefore, be it

RESOLVED: That the Final Map for Tract No. 8697 conforms to all the requirements in Government Code sections 66410 et seq., Title 16 of the Oakland Municipal Code, and CEQA, and is hereby conditionally approved; and be it

FURTHER RESOLVED: That the approval of the Final Map is conditioned upon completion of public infrastructure improvements, private common access roadways and utilities that are required to service the public or the individual parcels, as required by the SIA; and be it

FURTHER RESOLVED: That the hereinabove conditions shall be binding upon the Subdivider and its successors or assigns, affiliated companies or corporations, parent companies or corporations, or partners; and be it

FURTHER RESOLVED: That failure by the Subdivider to comply in all aspects with the SIA shall void approval of the Final Map and shall result in reversion to acreage to the original parcel(s) comprising Tract No. 8697; and be it

FURTHER RESOLVED: That the City Engineer is hereby authorized to endorse the Final Map for Tract No. 8697; and be it

FURTHER RESOLVED: That the City Clerk is hereby authorized to endorse the Final Map for Tract No. 8697 upon its execution by the City Engineer; and be it

FURTHER RESOLVED: That the City Engineer is hereby authorized to cause the fully executed Final Map for Tract No. 8697 to be filed with the Alameda County Clerk-Recorder for recordation; and be it

FURTHER RESOLVED: That the City's approval of Tract No. 8697 is exempt from the requirements of CEQA pursuant to Public Resources Code section 21080(b)(1) and CEQA Guidelines section 15268, which each provide, on a separate and independent basis and when viewed collectively, an overall basis for CEQA clearance; and be it

FURTHER RESOLVED: That this Resolution shall be effective upon its adoption by a sufficient affirmative vote of the elected members of the City Council, as provided in the Charter of the City.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES – BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG AND
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

BPM