



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of November 13, 2018

TO: Members of the City Council

SUBMITTED BY: Michael Roberts, Public Works Director/City Engineer
Holly Smyth, Planning Director

SUBJECT: Approval of the Final Map, Associated Easements, and Subdivision Improvement Agreement for the Bayfront Development Subdivision No. 9499 Lands of Hercules Land Partners LP Otherwise Known as the Grand (Blocks Q & R)

RECOMMENDED ACTION:

City Council adopt a resolution approving the Final Map, Associated Easements, and Subdivision Improvement Agreement for the Bayfront Development Subdivision 9499 Lands of Hercules Land Partners LP otherwise known as The Grand (Blocks Q & R).

FISCAL IMPACT OF RECOMMENDATION:

There are no fiscal impacts associated with the approval of the final map.

DISCUSSION:

Hercules Land Partners LP is moving forward with The Grand, a four story, 232 apartment building on 2.20 acres on the east side of John Muir Parkway, just north of the North Channel in the area identified as Blocks Q & R in the Vesting Tentative Map (Attachment 2). They recently received their entitlements and the project is currently under building plan review. It is the second phase of their Bayfront Development. The Exchange, located immediately to the west on Block N, was the first phase approved and is currently under construction.

Hercules Land Partners is now seeking approval of the Final Map for The Grand, entitled Subdivision No. 9499 Lands of Hercules Land Partners LP (Exhibit 3A). In 2012 the City Council approved the Vesting Tentative Map and Implementing Development Agreement applicable to this one-lot subdivision. More recently, the subdivision received Design Review approval by the Planning Commission in April 2018, which was subsequently amended by City Council in June 2018.

The Final Map has been reviewed by staff and the City's consulting land surveyor for compliance with the Conditions of Approval associated with the approvals referenced above, and Section 10-2.401 of the Hercules Municipal Code, including conformity with the Subdivision Map Act and the project's Vesting Tentative Map. The Vesting Tentative Map includes provisions for phased

development and inclusion of condominium units, though any future conversion to condominiums requires a separate discretionary approval process.

The Conditions of Approval also require Hercules Land Partners enter into a Subdivision Improvement Agreement committing them to construct the public improvements associated with The Grand backed by surety bonds prior to filing of the Final Map (Attachment 3). In accordance with this Agreement, Hercules Land Partners is also required to enter into a Reciprocal Private Parking and Access Easement and Joint Maintenance Agreement in the future to allow shared use of the private driveway improvements and shared parking with the proposed development immediately to the north (i.e. Block P).

The Conditions of Approval also require Hercules Land Partners enter into an Encroachment Easement and Agreement to allow building elements to overhang into the City right of way (Attachment 4). Lastly, Hercules Land Partners is required execute a Temporary Access Easement Agreement to allow public traffic to turn around in a temporary cul-de-sac that they will be constructing on their property as part of the required public improvements (Attachment 5). It will be in use until they complete the Loop Road, now called Bayfront Loop, which is planned to be constructed with their next phase of the Bayfront Development.

ATTACHMENTS:

1. Resolution
2. Conceptual Plan
3. Subdivision Improvement Agreement
 - 3A - Final Map for Subdivision 9499
 - 3B-1 - Conditions of Approval for Blocks Q & R
 - 3B-2 – Bayfront Project Conditions of Approval
 - 3C - Engineer’s Cost Estimate for the Public Improvements for Subdivision 9499
 - 3D - Improvement Plans
 - 3E - (Draft) Private Parking and Access Easement and Maintenance Agreement
4. Encroachment Easement and Agreement
5. Temporary Access Easement Agreement

<i>Financial Impact</i>			
Description: Not applicable.			
Funding Source:			
Budget Recap:			
Total Estimated cost:	\$	New Revenue:	\$
Amount Budgeted:	\$	Lost Revenue:	\$
New funding required:	\$	New Personnel:	\$
Council Policy Change: Yes <input type="checkbox"/> No <input type="checkbox"/>			