



STAFF REPORT

DATE: 12/04/2024
TO: Honorable Mayor and City Council Members
FROM: Planning and Development Department

2024-169

REQUEST FOR CITY COUNCIL ACTION

SUBJECT:

RELEASE OF GRADING AND IMPROVEMENT SECURITIES POSTED BY LENNAR HOMES OF CALIFORNIA INC., A CALIFORNIA CORPORATION FOR TRACT MAPS 36541, 36541-1, AND 36541-2 LOCATED SOUTH OF GREEN RIVER ROAD AND SIERRA BELLA DRIVE, BEYOND CALLE DEL ORO AND WEST OF PASEO GRANDE (APPLICANT: LENNAR HOMES OF CALIFORNIA INC., A CALIFORNIA CORPORATION)

EXECUTIVE SUMMARY:

This staff report asks the City Council to accept the public improvements completed by the developer and release the appropriate public improvement and grading securities posted for Tract Maps 36541, 36541-1 and 36541-2.

RECOMMENDED ACTION:

That the City Council:

- a. Accept the improvements constructed for Tract Maps 36541, 36541-1, and 36541-2.
- b. Retain twenty-five percent (25%) of the Faithful Performance Security for one year beyond the acceptance of the improvements as security for repair and replacement of any improvements that fail to meet City standards at the end of the one-year period. (Bond No. 24069386 FM, and 24069387 FM)

- c. Retain the Labor and Material Security for six months beyond the acceptance of the improvements and automatically release the security unless claims are filed. (Bond No. 24069386 LM, and 24069387 LM)
- d. Release Grading and Erosion Control Securities. (Bond No. 105199, DEP16-0096, K15327534, R7935, R7933, 72BSBIA1954, R9569, 72BSBIA1952, R9566, 1074015, R11514, 1074014, R11513)

BACKGROUND & HISTORY:

Tentative Tract Map 36541 (TTM 36541) was recorded in three phases, Tract Map 36541-1, Tract Map 36541-2 and Final Tract Map 36541, which subdivided approximately 311 acres into 237 single-family residential lots. The tract maps for all three phases were approved by the City Council on April, 18, 2018. The project site is designated Low Density Residential 1 (LDR 1) of the Sierra Bella Specific Plan (SP04-0001) and Rural Residential II (RR II) of the General Plan.

The developer entered into several grading and public improvement agreements with the City to guarantee the construction of the precise grading and required public improvements associated with each phase of the tract map. Subsequently, as certain grading and public improvements were constructed by the developer, certain agreements were reduced by fifty percent.

ANALYSIS:

The improvements secured by these agreements have been completed and inspected to ensure conformity with City specifications.

Twenty-five percent (25%) of the Faithful Performance Security for the public improvements will be retained for a period of one year to guarantee repair or replacement of any improvements that fail prior to the end of the one-year period. Any written claims against the performance security must be made prior to the one-year guarantee period, which is set to expire on December 4, 2025. City staff will release the Faithful Performance Security one year after acceptance of the improvements by the City Council, pursuant to California Government Code Section 66499.9 (c).

It is necessary to retain the Labor and Material Security for a period of six months, in accordance with the State Subdivision Map Act.

The following is a summary of the securities associated with the project.

| Security | Security No. | Faithful Performance | Security No. | Erosion Control |
|--|--------------|----------------------|--------------|-----------------|
| Rough Grading and Private Storm Drain for Sierra Bella Drive Tract Map | 1051599 | \$ 153,800 | DEP16-0096 | \$ 32,600 |

| | | | | |
|--|-------------|------------|--------|-------------|
| 36541-1 – DWG13-063R | | | | |
| Adagio Models, Lots 12-1 through 14-1, Parking Lots 15-1 through 16-1, Lot 15-1 Built Out PWGR2018-0018 | K15327534 | \$ 15,100 | R7935 | \$ 2,501 |
| Sonata Models, Lots 17-1 through 19-1, Lot 16-1 Built Out PWGR2018-0016 | K15327534 | \$ 8,900 | R7933 | \$ 2,500 |
| Tract 36541-1 (Sonata Production) PWGR2018-0015 | 72BSBIA1954 | \$ 24,500 | R9569 | \$ 2,499.01 |
| Tract 36541 (Adagio Production) PWGR2018-0017 | 72BSBIA1952 | \$ 23,700 | R9566 | \$ 2,500 |
| Tract 36541-1 (Adagio Production) PWGR2018-0023 | 1074015 | \$ 306,400 | R11514 | \$ 13,900 |
| Tract 36541-1 (Sonata Production) PWGR2018-0022 | 1074014 | \$ 279,600 | R11513 | \$ 10,800 |

| Security | Security No. | Faithful Performance | Security No. | Labor & Material |
|---|--------------|----------------------|--------------|------------------|
| Public Improvements – Off-Site Improvements, T36541-1 - DWG 13-063S | 24069386 | \$ 2,831,300 | 24069386 | \$ 1,415,650 |
| Public Improvements – Off-Site Improvements, T36541-1 (CFD) - DWG 16-028S | 24069387 | \$ 1,058,400 | 24069387 | \$ 529,200 |

FINANCIAL IMPACT:

All applicable fees have been paid by the developer.

ENVIRONMENTAL ANALYSIS:

This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the commonsense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This action is to release grading and public improvement securities posted for a previously approved project. This action will have a significant effect on the environment. Therefore, no environmental analysis is required

PREPARED BY: JESSICA KANG, ASSOCIATE ENGINEER

REVIEWED BY: JOANNE COLETTA, PLANNING AND DEVELOPMENT DIRECTOR

ATTACHMENTS:

1. Exhibit 1 – Location Map