



Staff Report

File #: 23-0260

REQUEST FOR CITY COUNCIL ACTION

DATE: 04/05/2023

TO: Honorable Mayor and City Council Members

FROM: Planning and Development Department

SUBJECT:

RELEASE OF GRADING AND IMPROVEMENT SECURITY POSTED BY BEDFORD MARKETPLACE, LLC FOR PARCEL MAP 37788 AND TRACT MAP 36294 LOCATED SOUTH OF EAGLE GLEN PARKWAY AND WEST OF INTERSTATE 15 (APPLICANT: BEDFORD MARKETPLACE, LLC)

EXECUTIVE SUMMARY:

This staff report asks the City Council to accept the public improvements and release the appropriate grading and improvement securities for Parcel Map 37788 and Lot 8 of Tract Map 36294. Bedford Marketplace is a merchant builder within the Bedford Community and has completed the required public improvements and grading operations associated with Parcel Map 37788 and Lot 8 of Tract Map 36294, and is requesting the release of the posted securities.

RECOMMENDED ACTION:

That the City Council:

- a. Accept the public improvements associated with Parcel Map 37788 and Lot 8 of Tract Map 36294.
- b. Retain twenty-five percent (25%) of the Faithful Performance Security for one year from the acceptance of improvements date as security for repair and replacement of any improvements that fail to meet City standards at the end of the one-year period. (POA 1003194, POA 1003195, POA 1003350)
- c. Retain Labor and Material Security for six months from the acceptance of the improvements date and automatically release the security unless claims are filed. (POA 1003194, POA 1003195, POA 1003350)
- d. Release Grading and Erosion Control Securities at the date of acceptance. (POA 1002799,

R22339, POA 1002797, R22340, and POA 1003193)

BACKGROUND & HISTORY:

Parcel Map 37788 (PM 37788) subdivided 17.85 acres into 11.64 acres for commercial purposes and 6.21 acres of open space, which is associated with a 21.7-acre commercial center known as Bedford Marketplace located within Planning Area (PA) 11 of the Arantine Hills Specific Plan. The Bedford Marketplace also includes Lot 8 of Tract Map (TM 36294) which is 10 acres in size. The project is located south of Eagle Glen Parkway and west of Interstate 15. The Bedford Marketplace includes 134,378 square feet of commercial retail building area, a 135-room hotel, open space slopes, and a water quality basin. Portions of the commercial center have been constructed and are open to the public.

On July 1st, September 16th, and November 4th, 2020, Bedford Marketplace, LLC, entered into public improvement and grading agreements with the City, including posting bonds for the development of the commercial center. The grading and improvements associated with the project have been completed.

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 Faithful Performance security must be made prior to the one-year guaranteed period, which is set to expire on April 5, 2024. The City will release the Faithful Performance Security one year from the acceptance of improvements by 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 site has been precise graded in accordance with all City standards and the approved grading plans. Therefore, it is appropriate to release the Grading and Erosion Control Securities associated with these agreements at this time.

The following is a summary of the securities:

Public Improvement Security	Security No.	Faithful Performance	Security No.	Labor & Materials
Bedford Canyon Road Traffic Signal DWG#20-014T	POA1003350	\$764,000	POA1003350	\$382,100
Storm Drain DWG#20-14D	POA1003194	\$2,055,586	POA1003194	\$1,027,793
Sewer and Water DWG#20-014U	POA1003195	\$1,759,758	POA1003195	\$879,879

Grading Security	Security No.	Faithful Performance	Receipt No.	Erosion Control
Rough Grading DWG# 20-014R	POA1002799	\$691,400	R22339	\$16,700
Borrow Site DWG#20-014B	POA1002797	\$440,600	R22340	\$3,950
Precise Grading DWG#20-014P	POA1003193	\$1,544,944	N/A	N/A

FINANCIAL IMPACT:

All applicable fees have been paid by the developer. It is the City’s responsibility to provide maintenance of the public improvements beginning one year after the date of acceptance.

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 securities posted for a previously approved project. There is no possibility that 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