



Staff Report

File #: 24-0385

REQUEST FOR CITY COUNCIL ACTION

DATE: 05/15/2024

TO: Honorable Mayor and City Council Members

FROM: Planning and Development Department

SUBJECT:

RELEASE OF THE IMPROVEMENT SECURITY POSTED BY VISTA MONTEREY 91, LLC, FOR PARCEL MAP 35661 LOCATED BETWEEN PROMENADE AVENUE AND THE 91 FREEWAY, WEST OF THE CORONA HILLS PLAZA SHOPPING CENTER (APPLICANT: VISTA MONTEREY 91, LLC)

EXECUTIVE SUMMARY:

This staff report asks the City Council to accept the storm drain improvements and release the appropriate improvement security associated with Parcel Map 35661. The developer has completed the public storm drain associated with the construction of a 442-unit apartment community located between Promenade Avenue and the 91 Freeway and is requesting the release of the posted securities.

RECOMMENDED ACTION:

That the City Council:

- a. Accept the public storm drain improvement associated with Parcel Map 35661.
- 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. 800018765)
- 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. 800018765)

BACKGROUND & HISTORY:

Parcel Map 35661 (PM 35661) subdivided 20.15 acres into two lots for the development of 442

apartment units. The project was approved by the City Council on May 21, 2008.

On May 17, 2017, Vista Monterey 91 LLC entered into public improvement agreements with the City of Corona and posted securities to guarantee the construction of water, reclaimed water, and street improvements that were required prior to the recordation of PM 35661. On November 20, 2018, the developer entered into a grading agreement and posted securities to guarantee the precise grading of the project.

On June 16, 2021, the City Council accepted the improvements for the reclaimed water facilities constructed in Promenade Avenue to facilitate the use of reclaimed water during the rough grading of the site and released the securities guaranteeing the improvements and rough grading.

On April 5, 2023, the City Council accepted the public water, reclaimed water, and street improvements associated with Parcel Map 35661 and released the appropriate securities.

On November 1, 2023, the City Council accepted the public sewer, traffic and landscape improvements associated with Parcel Map 35661 and release the appropriate securities.

The public improvements have been completed and the project is fully constructed and operational.

ANALYSIS:

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

Twenty-five percent (25%) of the Faithful Performance Security for the public improvement 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 May 15, 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:

Security	Faithful Performance		Labor & Materials	
	Security No.	Amount	Security No.	Amount
Public Improvements Storm Drain - DWG# 16 -040S	800018765	\$ 1,249,200	800018765	\$ 624,600

FINANCIAL IMPACT:

All applicable fees have been paid by the developer. It is the City's responsibility to begin the maintenance of the public improvements one (1) 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