



Staff Report

File #: 23-0886

REQUEST FOR CITY COUNCIL ACTION

DATE: 11/01/2023

TO: Honorable Mayor and City Council Members

FROM: Planning & 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 public sewer, traffic, and landscape improvements and release the appropriate improvement security associated with Parcel Map 35661. The developer has completed the public sewer, traffic, and landscape improvements 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 sewer, traffic, and landscape improvements 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. 800018766, 800018761, 800018770, and 800018769)
- 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. 800018766, 800018761, 800018770, and 800018769)

BACKGROUND & HISTORY:

Parcel Map 35661 (PM 35661) subdivided 20.15 acres into two lots for the development of a 442-unit apartment community located between Promenade Avenue and the 91 freeway, west of the Corona Hills Plaza shopping center. 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 sewer, water, reclaimed water, traffic, public landscape, 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.

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 November 1, 2024. 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:

Public Improvements	Faithful Performance		Labor and Materials	
	Security No.	Amount	Security No.	Amount
Public Improvements Sewer - DWG# 16-040S	800018766	\$ 1,119,800	800018766	\$ 599,900
Public Improvements Traffic- DWG# 16-040T	800018761	\$ 469,600	800018761	\$ 234,800
Public Improvements Traffic - DWG# 17-023T	800018769	\$ 77,800	800018771	\$ 38,900

Public Improvements Landscaping - DWG# 17- 023HI	800018770	\$54,400	800018770	\$27,200
--	-----------	----------	-----------	----------

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 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: CHRISTOPHER HORN, P.E., DEVELOPMENT SERVICES MANAGER

REVIEWED BY: JOANNE COLETTA, PLANNING & DEVELOPMENT DIRECTOR

Attachments:

1. Exhibit 1 - Location Map