



Staff Report

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**File #:** 22-0777

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**REQUEST FOR CITY COUNCIL ACTION**

**DATE:** 10/05/2022

**TO:** Honorable Mayor and City Council Members

**FROM:** Planning and Development Department

**SUBJECT:**

Release of the rough grading and private storm drain securities posted by Lennar Homes for Tract Maps 36541-1, 36541-2, and 36541 located south of Green River Road, beyond Calle Del Oro, and west of Paseo Grande.

**EXECUTIVE SUMMARY:**

This staff report asks that the City Council consider the release of the rough grading and private storm drain securities for Tract Maps 36541-1, 36541-2, and 36541, which is known as the Sierra Bella community, located south of Green River Road, beyond Calle Del Oro, and west of Paseo Grande. The rough grading and private storm drain has been completed and constructed by the developer. This action will release the securities posted by the developer.

**RECOMMENDED ACTION:**

**That the City Council** release the rough grading and erosion control and private storm drain securities for Tract Maps 36541-1, 36541-2, and 36541 (Bond No. 105198 FP and Receipt No. DEP16-0095).

**BACKGROUND & HISTORY:**

Tentative Tract Map 36541 (TTM 36541) was recorded in three phases, Tract Map 36541-1, Tract Map 36541-2 and Tract Map 36541 (Final), which subdivided approximately 311 acres into 237 single-family residential lots. The final 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.

On August 3, 2016, Ryland Homes of California, Inc., a subsidiary to CalAtlantic Group, Inc., and the original owner of the project, entered into a Grading Agreement with the City and posted securities to guarantee the construction of rough grading and private storm drain improvements associated with Tract Maps 36541-1, 36541-2, and 36541. On October 21, 2020, the City Council approved a

fifty percent reduction of the security because a substantial amount of the rough grading was completed by the developer. The rough grading and private storm drain have been completed by the developer and the request will release the remaining amount of the security posted by the developer.

CalAtlantic Group, Inc. was subsequently acquired by Lennar Homes of California, Inc., the current developer of this project.

**ANALYSIS:**

The site was rough graded in accordance with all City standards and the approved grading plans and the private storm drain was constructed. Therefore, it is appropriate to release the securities posted for these improvements.

The following is a summary of the securities:

Grading Security	Security No.	Faithful Performance	Receipt No.	Erosion Control
Rough Grading and Private Storm Drain for Tract Maps 36541-1, 36541-2, and 36541 (Final) DWG# 13-040R (PGR130028)	105198	\$3,979,650 (Reduced Amount)	DEP16-0095	\$500,200

**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 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:** NOE HERRERA, ASSOCIATE ENGINEER

**REVIEWED BY:** JOANNE COLETTA, PLANNING AND DEVELOPMENT DIRECTOR

**Attachments:**

- 1. Exhibit 1 - Location map