



Staff Report

File #: 23-0693

REQUEST FOR CITY COUNCIL ACTION

DATE: 09/06/2023

TO: Honorable Mayor and City Council Members

FROM: Planning and Development Department

SUBJECT:

RELEASE OF THE GRADING AND IMPROVEMENT SECURITY POSTED BY WOODSIDE 05S, L.P., A CALIFORNIA LIMITED PARTNERSHIP FOR TRACT MAP 37030 LOCATED SOUTH OF EAGLE GLEN PARKWAY AND WEST OF INTERSTATE 15 (APPLICANT: WOODSIDE 05S, L.P.)

EXECUTIVE SUMMARY:

This staff report asks the City Council to consider accepting the public improvements and the release of the grading and improvement securities for Woodside Homes for the Bedford Six Pack on Lot 13, and Lots 21 through 35. Woodside 05S, L.P. has completed the required precise grading and public improvements associated with the development and is requesting the release of the posted securities.

RECOMMENDED ACTION:

That the City Council:

- a. Accept the improvements associated with the Woodside Homes - Bedford Six Pack on Lot 13, and Lots 21 through 35.
- b. Retaining twenty-five percent (25%) of the Faithful Performance Security for one year from the date of acceptance of 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#800082072, Bond#LICX1196095, Bond#LICX1195848, Bond#LICX1195847, Bond#800044391, Bond#800044392, Bond#800038302, and Bond#800038301)
- c. Retaining the Labor and Material Security for six months from the acceptance of improvements date and automatically release the security unless any claims are filed. (Bond#800082072, Bond#LICX1196095, Bond#LICX1195848, Bond#LICX1195847, Bond#800044391, Bond#800044392, Bond#800038302, and Bond#800038301)

- d. Release Grading and Erosion Control Securities. (Bond#800038303, R4305, Bond#LICX1159743, and R9596)

BACKGROUND & HISTORY:

Tract Map 37030 subdivided approximately 54 acres into 45 lots for condominium purposes and is the first phase of development in the Arantine Hills Specific Plan, approved by the City Council on October 4, 2017. The project is located south of Eagle Glen Parkway and west of Interstate 15. The map facilitates the construction of 393 residential units comprised of 100 single-family detached condominiums, 96 detached units in clusters of six, 96 paired units in clusters of eight, 101 townhomes, open space areas, trails, and an active park and recreational facility.

The master developer, Arantine Hills Holdings, L.P., entered into Public Improvement Agreements with the City and posted bonds for the development of Tract Map 37030 on October 18, 2017. The developer and merchant builder of the six-unit cluster home product, Woodside 05S, L.P. purchased Lot 13, and Lots 21 through 35 for the construction of 96 detached single-family units, including three model home units. As a result of this purchase, replacement securities were accepted by the City on the following dates for the project.

- October 17, 2018: Replacement securities were posted and accepted for the improvements associated with Lot 13, and Lots 30 through 32 and grading agreement for Lot 13, and Lots 21 through 35.
- On September 4, 2019: Replacement securities for the improvements associated with Lots 28, 29, 33, and 34, with 70 percent of the security associated with Powell Way, Lot P.
- May 6, 2020: Replacement securities were posted and accepted for improvements associated with Lots 25 through 27, and 35, with 30 percent of the security associated with Powell Way, Lot P.
- October 21, 2020: Replacement securities were posted and accepted for improvements associated with the storm drain improvements on Powell Way, Lot P.
- February 3, 2021: Replacement securities were posted and accepted for improvements associated with Lots 21 through 24.

ANALYSIS:

All the improvements to the streets and storm drain referenced in the posted securities have been constructed in accordance with City standards and staff is recommending that the City Council accept the improvements.

Twenty-five percent (25%) of the Faithful Performance Security for the public improvements will be retained for a period of one year to guarantee the 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 September 6, 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 site was graded in accordance with all City standards and the approved grading plans. Therefore, it is appropriate to release the grading and erosion control securities posted for the property.

The following is a summary of the securities:

| Security | Security No. | Faithful Performance | Security No. | Labor & Materials |
|--|--------------|----------------------|--------------|-------------------|
| 6 Unit Cluster Alley Improvement Bond (Lots 21-24) | 800082072 | \$350,000 | 800082072 | \$175,000 |
| Powell Way Storm Drain, Lot P | LICX1196095 | \$145,800 | LICX1196095 | \$72,900 |
| 6 Unit Cluster Alley Improvement Bond (Lots 25-27 & 35) | LICX1195848 | \$350,000 | LICX1195848 | \$175,000 |
| Powell Way Street Improvement Bond (Lot P) 30% | LICX1195847 | \$137,400 | LICX1195847 | \$68,700 |
| 6 Unit Cluster Alley improvement Bond (Lots 28-29 & 33-34) | 800044391 | \$350,000 | 800044391 | \$175,000 |
| Powell Way Street Improvement Bond (Lot P) - 70% | 800044392 | \$320,300 | 800044392 | \$160,100 |
| 6 Unit Cluster Alley Improvement Bond (Lots 30-32) | 800038302 | \$266,000 | 800038302 | \$133,300 |

| | | | | |
|--|----------------------|-----------------------|-----------|----------|
| 6 Unit Cluster Model Alley Improvement Bond (Lot 13) | 800038301 | \$85,200 | 800038301 | \$42,600 |
| Bedford (Six-Pack Models) Portion of Lot 13, DWG# 17-020P Grading Erosion Control | 800038303 R4305 | \$24,000 \$2,500 | N/A | N/A |
| Bedford (Six-Pack Production) Lots 21-35 & Portion of Lot 13. DWG# 17-047P Grading Erosion control | LICX1159743 R9596 | \$259,100 \$35,700 | N/A | N/A |

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: JESSICA KANG, ASSOCIATE ENGINEER

REVIEWED BY: JOANNE COLETTA, PLANNING AND DEVELOPMENT DIRECTOR

Attachments:

- 1. Exhibit 1 - Location Map