



Council Agenda Report

From: David Athey, Interim City Engineer/Deputy Community Development Director

Subject: Acceptance of River Oaks II, Final Map 3105 - Phase 3

CEQA Determination: The City finds that this action is not a project under the California Environmental Quality Act pursuant to State Guidelines Section State CEQA Guidelines, §§ 15060, subd. (c)(2)-(3), 15378.

Date: July 16, 2024

Facts

1. Dennis Moresco, representing River Oaks Reserve, LLC (Applicant), is requesting that the Final Map for Tract 3105-Phase 3 (Attachment 1), be accepted for recordation.
2. On August 8, 2017, the Planning Commission approved the Phased Vesting Tentative Map 3105.
3. Phased Vesting Tentative Map 3105 is comprised of five phases of 271 residential lots, with an additional 24 open-space and three road lots. Phase 3 includes 58 single-family residential lots. Phases 4 and 5 include the remaining 71 residential lots.
4. The Applicant is conditioned to construct public improvements for roads prior to Final Map recordation. The public improvements consist of water, recycled water, and sewer facilities.
5. The Applicant is requesting that the Final Map be recorded prior to installation of the public improvements. This is allowed per the City's Municipal Code, if the Applicant signs a Subdivision Improvement Agreement and submits financial securities to guarantee the construction.
6. The Applicant has agreed to this condition and has submitted a signed Subdivision Improvement Agreement (Exhibit A, Attachment 2), as well as bonds for the financial assurances.
7. The lots must also be annexed into the City's Community Facilities District (CFD) 2005-1. The City previously annexed the parent parcel into the CFD on April 2, 2024. The new lots created by this map will be automatically subject to the CFD tax because of the previous annexation.
8. The Applicant previously submitted Covenants, Conditions, and Restrictions (CCRs), and a tract maintenance mechanism for recordation with the Phase 1 Final Map. The Applicant has submitted evidence that Phase 3 will be annexed into the CCRs by the California Department of Real Estate.
9. The Applicant previously provided a signed agreement to connect to recycled water if offered by the City.

Options

1. Approve the Final Map acceptance and authorize the City Manager to enter into and record the Subdivision Improvement Agreement with The Vintage at River Oaks II, LLC to facilitate Final Map recordation, subject to any necessary modifications to the Agreement made in consultation with the City Attorney; or
2. Refer this item back to staff for additional analysis.

Analysis and Conclusions

The Applicant is currently grading and constructing Phase 3 infrastructure improvements to support the construction of the 58 single family units. The Applicant has filed a final map with the City and is now requesting that the map be recorded. However, the Applicant must first demonstrate compliance with the project's conditions of approval to receive map recordation approval. The conditions of approval include construction of water, recycled water, sewer, and offsite road and waterline improvements. The City Engineer and City Surveyor have reviewed the Final Map and have determined that it is technically correct and ready to record pending a Subdivision Improvement Agreement, a draft of which is submitted in connection with this item.

A Subdivision Improvement Agreement allows the Applicant to record the final map prior to installing the improvements; the improvements still need to be constructed, they are simply delayed in accordance with the terms of the Agreement. As such, the Improvement Agreement includes financial securities that ensure improvements are completed even if the project is abandoned. The Applicant is using bonds as the financial security. The City's Municipal Code and the Subdivision Map Act allow for this type of Subdivision Improvements Agreement, and the proposed Subdivision Improvement Agreement submitted in this case is reasonable and appropriate. The Applicant has reviewed the Subdivision Improvement Agreement and agrees with the terms. A draft of the Agreement is included as Exhibit A in Attachment 2.

Fiscal Impact

There is no fiscal impact as resulting from Tract 3105-3 recordation. The Tract's fiscal impact on City Services is offset by the CFD tax levied on each lot and any other costs associated with this recordation are reimbursed by the Applicant.

CEQA

The City finds that this action is not a project under the California Environmental Quality Act pursuant to State Guidelines Section State CEQA Guidelines, §§ 15060, subd. (c)(2)-(3), 15378.

Recommendation (Option 1)

Approve Resolution 24-XXX:

1. Approve Final Tract Map 3105-3 for recordation and authorizing execution and recordation of the Final Map for Tract 3105-3, accepting the public offers of dedication listed in the Owner's Statement, and directing the City Clerk to sign and seal the map; and
2. Authorize the City Manager to enter into a Phase 3 Subdivision Improvement Agreement, subject to any necessary modifications to the Agreement made in consultation with the City Attorney.

Attachments

1. Final Map 3105-3
2. Resolution 24-XXX – Accepting Final Map Tract 3105-3 for recordation and approving Subdivision Improvement Agreement.
 - A. Subdivision Improvement Agreement