



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: OCTOBER 4, 2022**

FROM: PUBLIC WORKS DEPARTMENT **WARD: 4**

**SUBJECT: FINAL APPROVAL OF TRACT MAP NO. 31799 – LOCATED EASTERLY OF
BRADLEY STREET AND SOUTH OF OVERLOOK PARKWAY ADJACENT TO
THE SOUTHERLY BOUNDARY OF TRACT MAP 29515**

ISSUE:

Adoption of the Resolution of Acceptance for final approval of Tract Map No. 31799, and the Subdivision Improvement Agreement in accordance with Section 18.220.020 of the Riverside Municipal Code.

RECOMMENDATIONS:

That the City Council:

1. Adopt the Resolution of Acceptance for final approval of Tract Map No. 31799;
2. Approve the Subdivision Improvement Agreement and accompanying deed of trust which provide the security for the installation of public and private improvements in accordance with the plans for the development of Tract Map No. 31799; and
3. Authorize the City Manager, or designee, to execute the Subdivision Improvement Agreement, including making minor and non-substantive changes.

BACKGROUND:

When a subdivision is proposed to be created through the tentative map process, a final map shall be filed for recording with the County Recorder pursuant to California Government Code Section 66466. No proposed subdivision shall be complete until such final map has been filed for recording and the lots/parcels are legally created. Often the recordation allows developers to secure funding, obtain letters of intent, facilitate construction agreements, and/or secure permits to break ground.

The preparation of tentative maps can be lengthy and costly, as developers must hire a professional consultant team to prepare the tentative map, prepare architectural drawings and elevations, secure financing, and in many cases, developers must investigate soil conditions, and/or hire biologists to consider environmental and project impacts. The Subdivision Map Act allows for tentative maps to be recorded within 24 months, and the City adds an additional 12

months, for final approval unless time extensions are granted before the map expires. The City's Subdivision Code and the Subdivision Map Act allow for project extensions as noted in Table 1. This project used all six discretionary extensions, Item #1 on Table 1, and was eligible for and used all State-mandated extensions, listed as Items #2 through #6 on Table 1.

Table 1: Authorized Time Extensions for Tentative Tract Maps

| Item | Entity | Time Extension | Note |
|------|--------|--|-------------------|
| 1 | CEDD | 6 discretionary one-year extensions | RMC 18.180.050(b) |
| 2 | CA | 1 year extension for unexpired maps on 1/1/2009 and will expire before 1/1/2011 | CA Code 66452.21 |
| 3 | CA | 2-year extension for unexpired maps on 7/15/2009 and will expire before 1/1/2012 | CA Code 66452.22 |
| 4 | CA | 2-year extension for unexpired maps on 7/15/2011 and will expire before 1/1/2014 | CA Code 66452.23 |
| 5 | CA | 2-year extension for unexpired maps on 7/11/2013 and were approved on or after 1/1/2000 | CA Code 66452.24 |
| 6 | CA | 18-month extension for residential developments issued prior to 3/4/2020 and will expire prior to 12/31/2021 | AB 1561 |

As part of the development process to subdivide a parcel into five or more lots in the RC - Residential Conservation Zone, a tentative tract map (map) is required to be approved by the City Council. Once a map is tentatively approved, the developer/property owner must satisfy specific conditions for approval and recordation of the final tract map. The final tract map will be checked for conformance with the tentative tract map, the associated conditions of approval and technical accuracy and, when found to be acceptable by City staff, will be transmitted to the City Council for acceptance. Final tract maps, and in some instances parcel maps requiring the City Clerk to accept dedications, are presented before the City Council to adopt the Resolution of Acceptance for final approval of the respective map.

DISCUSSION:

The subject property consists of 20 acres of vacant land, located easterly of Bradley Street and south of Overlook Parkway adjacent to the southerly boundary of Tract Map 29515, in the RC – Residential Conservation Zone, in Ward 4. Tract Map No. 31799 is a proposal by Prenda Estates, LLC, to subdivide 20 acres of vacant land into seven residential lots. On March 1, 2005, the City Council approved Tract Map No. 31799 (Planning Case P04-1011), subject to the completion of conditions (Attachment 3). The timeframe for the Tract Map, including all granted extension is summarized in Attachment 6.

Staff has determined the developer has satisfied the necessary conditions required for final tract map approval and recommends the final tract map be accepted and approved pursuant to Section 18.090.060(C) of the Riverside Municipal Code.

Because this tract is going to be developed over the course of several years, the property owner has requested that in lieu of posting bonds for the public and private improvements, the City and the property owner enter into a Subdivision Improvement Agreement, secured by a deed of trust, to ensure that the improvements required under the tract map will be constructed and installed. This type of agreement and security can be considered as it is authorized under the Subdivision Map Act, Government Code section 66499. As stated previously, since the development of the seven lots will take several years, it is not in the best interest of the public to have the entire improvements constructed. There is no need for the build-out of the streets for circulation, the

public utilities infrastructure, etc., and to require such to occur at this time, could invite nuisance, trespassing and other illegal activities. There is limited access currently and maintaining the status quo until development occurs is in the best interest of the public and the property owners.

The Community & Economic Development Department (CEDD), Public Works (PW), Riverside Public Utilities (RPU), and Parks, Recreation, and Community Services (PRCS) Departments have indicated that the following specific conditions for map approval and recordation have been satisfied:

Table 2: Specific Conditions Satisfied for Final Tract Map Approval and Recordation

| Dept. | Division | Condition(s) | Condition(s) Satisfied |
|-------|---------------|---|------------------------|
| CEDD | Planning | CC&Rs prepared and recorded | 07/26/2022 |
| PW | Land Develop. | Fees Paid, approved off-site improvement plans, bonds provided for improvements | 08/17/2022 |
| PW | Survey | Technically correct map, monument deposit | 08/22/2022 |
| RPU | Water | Water fees paid, bonds provided for improvements, water plans approved | 08/17/2022 |
| RPU | Electric | Electric fees paid, easements provided, electric plans approved | 08/18/2022 |
| PRCS | NA | Fees paid/Trail | 08/03/2020 |

The Acting Community & Economic Development Director concurs with the recommendations noted in this staff report.

STRATEGIC PLAN ALIGNMENT:

This item contributes to **Strategic Priority 3 – Economic Opportunity** and **Goal 3.3 – Cultivate** a business climate that welcomes innovation, entrepreneurship, and investment.

This item aligns with each of the five Cross-Cutting Threads as follows:

1. **Community Trust** - The acceptance for final approval of the map is a transparent process as it is presented to Council for final approval. Additionally, the necessary entitlements have been obtained for development of the project site with a Planned Residential Development.
2. **Equity** - This map approval is neutral towards this cross-cutting thread.
3. **Fiscal Responsibility** - This map approval is neutral towards this cross-cutting thread.
4. **Innovation** - This map approval is neutral towards this cross-cutting thread.
5. **Sustainability and Resiliency** - The development associated with this map will provide housing for future City residents.

FISCAL IMPACT:

There is no fiscal impact for the finalization of Tract Map No. 31799.

Prepared by: Gilbert Hernandez, Public Works Director
Certified as to
availability of funds: Edward Enriquez, Interim Assistant City Manager/Chief Financial
Officer/City Treasurer
Approved by: Kris Martinez, Assistant City Manager
Approved as to form: Phaedra A. Norton, City Attorney

Attachments:

1. Map
2. Resolution of Acceptance
3. City Council Final Approved Conditions
4. Subdivision Improvement Agreement
5. Deed of trust
6. Map Time Extension Worksheet