



City of La Quinta

CITY / SA / HA / FA MEETING DATE: June 16, 2015

ITEM TITLE: ADOPT RESOLUTION TO EXTEND TIME TO COMPLETE ON-SITE IMPROVEMENTS FOR THE CAPISTRANO DEVELOPMENT (TRACT MAP NO. 31910)

AGENDA CATEGORY:

BUSINESS SESSION:

CONSENT CALENDAR: 9

STUDY SESSION:

PUBLIC HEARING:

RECOMMENDED ACTION:

Adopt a resolution to extend the time to complete on-site improvements, as specified in the approved Subdivision Improvement Agreement, for Tract Map No. 31910, Capistrano.

EXECUTIVE SUMMARY:

- The Capistrano developer, La Quinta 57 Estates, Inc., has requested City Council approval of a time extension of the Subdivision Improvement Agreement to June 16, 2016 to complete the on-site improvements due to the impact caused by the real estate market.
- The developer indicates that the remaining on-site improvements include street paving, dry utilities, and grading in the northern half of the tract where the lots are currently vacant.
- To date, there have been no public requests for completion of the on-site improvements.

FISCAL IMPACT:

None. Bonds of sufficient value are currently in place to secure the incomplete improvements.

BACKGROUND/ANALYSIS:

On November 21, 2006, City Council approved Tract Map No. 31910 for the Capistrano development, located west of Monroe Street, north of Avenue 58 and south of Airport Boulevard (Attachment 1). The developer has constructed off-site and on-site

improvements in the southern portion of the tract. In a letter dated May 7, 2015 from Mr. John Pedalino (Attachment 2), a time extension was requested to complete the remaining on-site improvements. Staff has received no public requests regarding completion of these on-site improvements, and approval is recommended to extend the Subdivision Improvement Agreement to June 16, 2016.

ALTERNATIVES:

Council may choose to not grant the time extension and require the improvements to be built now; however, since no requests for the required improvements have been received and requiring the construction of the improvements may unnecessarily burden the developer, staff does not recommend this alternative.

Report prepared by: Bryan McKinney, P.E., Principal Engineer

Report approved for submission by: Timothy R. Jonasson, P.E.

Public Works Director/City Engineer

- Attachments:
1. Vicinity Map
 2. Letter from John Pedalino

RESOLUTION NO. 2015 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, GRANTING EXTENSION OF TIME TO JUNE 16, 2016 FOR THE COMPLETION OF THE ON-SITE IMPROVEMENTS AS SPECIFIED IN THE SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT MAP NO. 31910, CAPISTRANO

WHEREAS, the City Council approved the Subdivision Improvement Agreement (SIA) for Tract Map No. 31910, Capistrano, on December 6, 2006; and

WHEREAS, Section 6. Completion of Improvements, of the approved SIA requires that the developer begin construction of the improvements within ninety days and complete the construction within twelve months after the approval of the Agreement; and

WHEREAS, failure by the developer to complete construction of the on-site improvements by February 19, 2014 shall constitute cause for the City, in its sole discretion and when it deems necessary, to declare the Subdivider in default of the approved agreement; and

WHEREAS, Section 8. Time Extension, of the approved SIA allows for, at the City Council's sole and absolute discretion, an extension of time for completion of the improvements with additions or revisions to the terms and conditions of the Agreements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of La Quinta, California, as follows:

SECTION 1. The time for the completion of the on-site improvements as required by the approved SIA is extended to June 16, 2016.

SECTION 2. The time extension for completing the on-site improvements shall expire when City offices close for regular business on June 16, 2016 if the installation of the on-site improvements has not been completed.

SECTION 3. The provided security amount as required in the approved SIA is satisfactory. No additional securities are required.

SECTION 4. All other terms, responsibilities and conditions as listed in the approved SIA shall remain in full force and effect.

PASSED, APPROVED and ADOPTED at a regular meeting of the La Quinta City Council held on this 16th day of June 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

LINDA EVANS, Mayor
City of La Quinta, California

ATTEST:

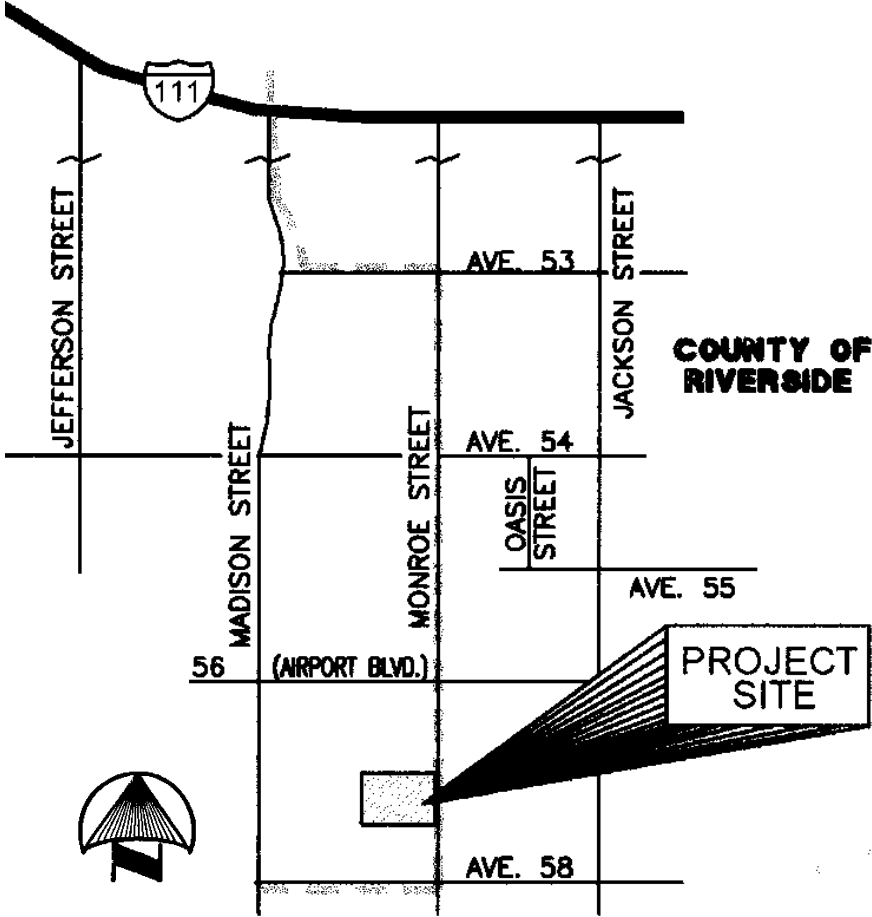
SUSAN MAYSELS, City Clerk
City of La Quinta, California

(CITY SEAL)

APPROVED AS TO FORM:

WILLIAM H. IHRKE, City Attorney
City of La Quinta, California

TM 31910 CAPISTRANO



VICINITY MAP

NOT TO SCALE

Desert Elite, Inc.

May 7, 2015

Mr. Timothy R. Jonasson, P.E.
Director of Public Works, City Engineer
City of La Quinta
78-495 Calle Tampico
La Quinta, CA 92253

Mr. Jonasson,

Please consider this request for an extension of time to complete the Onsite Improvements for Capistrano Tract 31910.

Since the last request for extension dated January 25, 2013, we have completed the median landscaping and the offsite bonds were released in October, 2014. In addition, we completed the CVWD punch list items except for the final lift of onsite AC paving.

The remaining onsite improvements are as follows;

Street – AC Paving for the upper half of the tract
Dry Utilities – Upper half of the tract
Rough Grading – 13 Lots along the north property line.

As is the case for most of the new home developments in La Quinta, the Capistrano project continues to be impacted by the real estate market in the desert. We look forward to a positive turn in our real estate market so that we may be in a better position to address the completion of the remaining improvements

We are requesting an extension to complete the onsite improvements for Capistrano until June, 2016.

Sincerely,


John R. Pedalino

