

City of La Quinta

CITY COUNCIL MEETING: July 7, 2015

STAFF REPORT

AGENDA TITLE: ADOPT RESOLUTION TO EXTEND TIME TO COMPLETE ON-SITE IMPROVEMENTS FOR THE RESIDENCE CLUB AT PGA WEST DEVELOPMENT

RECOMMENDATION

Adopt a resolution to extend the time to complete on-site improvements, as specified in the approved Subdivision Improvement Agreement, for the Residence Club at PGA West, to July 7, 2016

EXECUTIVE SUMMARY

- The Residence Club at PGA West developer, Nadador, LLC, has requested City Council approval of a time extension of the Subdivision Improvement Agreement to July 7, 2016 to complete on-site improvements due to a slowdown in sales absorption.
- The remaining on-site improvements include the final on-site street paving and survey monuments. There have been no public requests for completion of the on-site improvements.
- Whereas more than a one-year extension without extenuating circumstances is atypical, staff recommends the extension be approved to July 7, 2016.

FISCAL IMPACT

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

BACKGROUND/ANALYSIS

On July 20, 2004, City Council approved Tract Map No. 31627 for the Residence Club at the PGA West development, located at the entrance to PGA West just south and east of the intersection of PGA West Boulevard and Avenue 54 (Attachment 1). The developer has constructed all off-site and on-site improvements except the final lift of pavement for the interior streets and the survey monuments. In a letter dated May 11, 2015 (Attachment 2), the developer believes the remaining improvements will be constructed by September 2016. The municipal code allows a maximum of two years for time extensions on Subdivision Improvement Agreements; however, more than a one-year extension is atypical without need to address extenuating circumstances. The developer has not identified any extenuating circumstances to warrant more than a one-year extension. There have been no requests from the public to complete these improvements.

ALTERNATIVES

Council may opt to grant a time extension to September 30, 2016; however, as developers are not typically granted more than a one-year extension without extenuating circumstances, this alternative is not recommended.

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

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

Public Works Director/City Engineer

Attachments: 1. Vicinity Map
 2. Letter from Greg Walter

RESOLUTION NO. 2015 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, GRANTING EXTENSION OF TIME TO JULY 7, 2016 FOR THE COMPLETION OF THE ON-SITE IMPROVEMENTS AS SPECIFIED IN THE SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT MAP NO. 31627, RESIDENCE CLUB AT PGA WEST

WHEREAS, the City Council approved the Subdivision Improvement Agreement (SIA) for Tract Map No. 31627, Residence at PGA West, on July 20, 2004; 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 October 1, 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 July 7, 2016.

SECTION 2. The time extension for completing the on-site improvements shall expire when City offices close for regular business on July 7, 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 7th day of July 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

LINDA EVANS, Mayor
City of La Quinta, California

ATTEST:

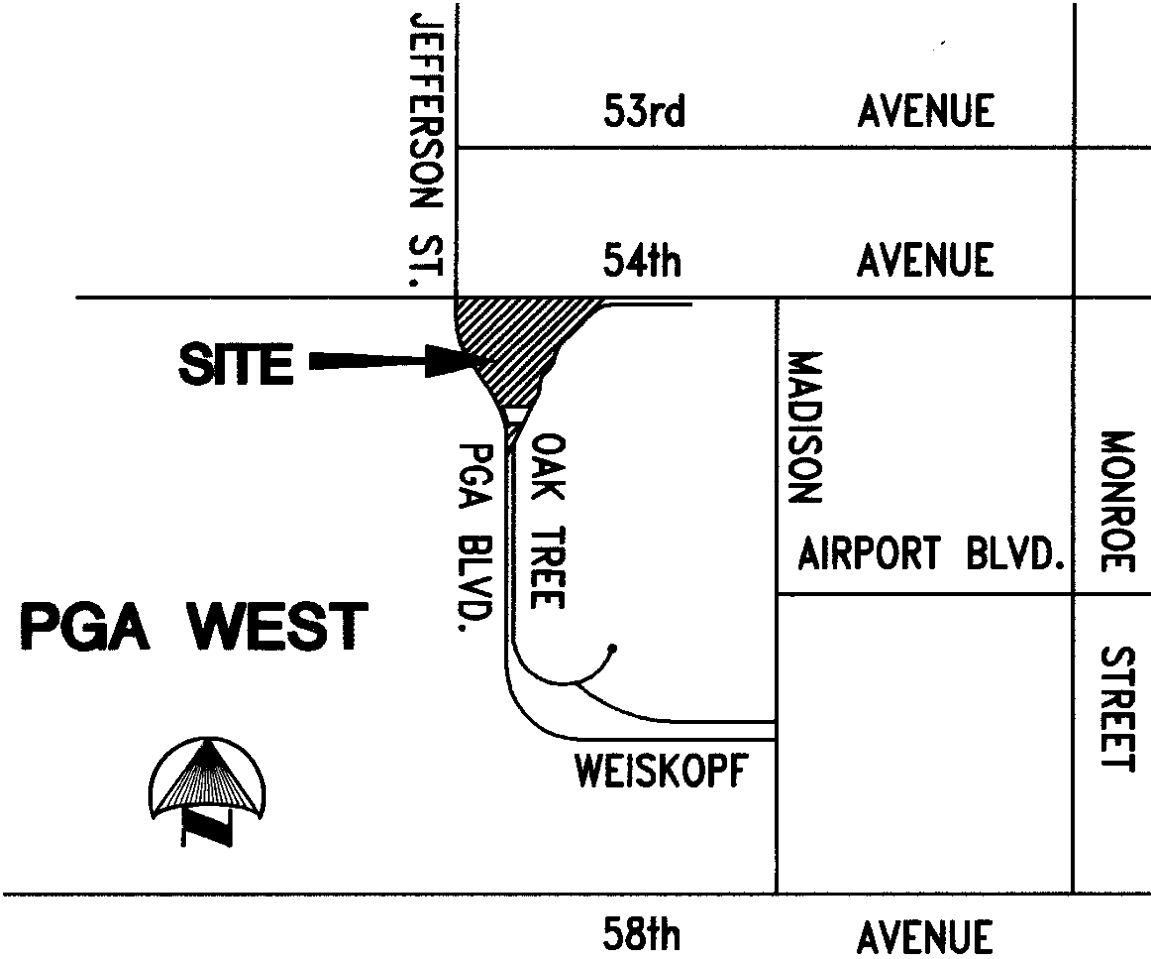
SUSAN MAYSELS, City Clerk
City of La Quinta, California

(CITY SEAL)

APPROVED AS TO FORM:

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

TM 31627 RESIDENCE CLUB AT PGA WEST



VICINITY MAP

NOT TO SCALE

Nadador, LLC

May 11, 2015

Mr. Tim Jonasson
Public Works Director
City of La Quinta
78-495 Calle Tampico
La Quinta, CA 92253

Re: Request for Extension Subdivision Improvement Agreement – Tract 31627

Dear Mr. Jonasson:

Please accept this letter as our request to extend Subdivision Improvement Agreement for the Residence Club at PGA WEST. Our project, like many others, has experienced a slowdown in sales absorption resulting in an extended completion date.

Our previously provided estimates for the installation of project improvements were based upon absorption rates prior to current conditions. As such, we respectfully request that the City consider the following adjusted dates for completion of the items set forth in the Subdivision Improvement Agreement.

On-Site

- Final paving lift – The final paving lift for the interior street in the Residence Club is currently scheduled for completion in September 2016.
- Survey Monumentation – Installation of the survey monuments is scheduled immediately upon completion of the final paving lift.

We appreciate your consideration of our request. We are very proud of our project and look forward to our continued relationship with the City as we work through to the successful completion of the project.

Regards,

NADADOR, LLC



Greg Walter
Authorized Signatory for Nadador LLC.