



MEMORANDUM

TO: City Council

FROM: Bill Robeson, Assistant City Manager/Director of Public Works

BY: Shannon Sweeney, City Engineer
Natalie Riddering, Planning/Engineering Permit Technician

SUBJECT: Accept Public Improvements for Tract 2985

DATE: September 9, 2024

RECOMMENDATION:

- 1) Adopt a Resolution accepting public improvements for Tract 2985, located at 251 Corbett Canyon Road; and
- 2) Determine that acceptance of the public improvements, which were a required Condition of Approval for the underlying entitlements, is not a project subject to the California Environmental Quality Act (CEQA) because it has no potential to result in either a direct, or reasonably foreseeable indirect, physical change in the environment. State CEQA Guidelines, §§ 15060, subd. (b)(2)-(3), 15378.)

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

The estimated value of the public improvements for Tract 2985 is \$2,155,573.40. Maintenance of the new public improvements will add to the overall costs of the City infrastructure maintenance program.

BACKGROUND:

On October 3, 2017, the Arroyo Grande Planning Commission adopted Resolution 17-2287 approving Vesting Tentative Tract Map (VTTM) 13-002 and Planned Unit Development (PUD) 13-002. The project consists of the subdivision of 4.6 acres into eleven (11) lots for the development of single-family detached housing.

As a condition of approval, the applicant was required to construct several public improvements, including grading, drainage, erosion control, undergrounding of existing utilities, connection to the public water system and public sewer system, private streets and sidewalks, public streets and sidewalks, public utility installations, landscape, and irrigation. The applicant's Project Engineer estimated the cost of improvements at \$2,155,573.40.

Item 9.g.

ANALYSIS OF ISSUES:

Public improvement plans for Tract 2985 were issued on December 1, 2022. The Final Tract Map 2985 and the Covenants, Conditions, and Restrictions (CC&Rs) for the development were recorded on December 23, 2022. The Tract's Stormwater Operation and Maintenance Agreement was recorded on November 2, 2023. The public improvements were completed and approved on May 31, 2024. Acceptance of the public improvements begins the one-year maintenance period, during which time the developer will be responsible for maintenance and repair of the public improvements. The developer has provided the necessary ten percent (10%) warranty bond of \$215,557.34 to be held for one year from the time of acceptance of the public improvements. After the one-year maintenance period, the City will take over the maintenance of the public improvements in perpetuity.

ALTERNATIVES:

1. Adopt a Resolution accepting public improvements for Tract 2985;
2. Do not adopt a Resolution accepting public improvements for Tract 2985; or
3. Provide other direction to staff.

ADVANTAGES:

By accepting the public improvements, the City will take ownership of facilities in the public right of way.

DISADVANTAGES:

Acceptance of the public improvements will add to the City's annual maintenance costs. Additional staff time will be required to maintain the water line, sewer line and decomposed granite sidewalk.

ENVIRONMENTAL REVIEW:

In compliance with the California Environmental Quality Act (CEQA), the Planning Commission adopted a Mitigated Negative Declaration (MND) on October 3, 2017, which included the Vesting Tentative Tract Map and Planned Unit Development 13-002.

The acceptance of the public improvements, which were a required Condition of Approval for the underlying entitlements, is not a project subject to the California Environmental Quality Act (CEQA) because it has no potential to result in either a direct, or reasonably foreseeable indirect, physical change in the environment. State CEQA Guidelines, §§ 15060, subd. (b)(2)-(3), 15378.) Further, and in the alternative, the scope of the public improvements required for the project were studied as part of the Project's MND, and City Council's action to now accept those public improvements is exempt from CEQA on the basis that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (State CEQA Guidelines, § 15061, subd. (b)(3).).

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PUBLIC NOTIFICATION AND COMMENTS:

The agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2.

ATTACHMENTS:

1. Proposed Resolution
2. Public Improvements