



CITY OF MENIFEE

SUBJECT: Parcel Map 37992 and Agreements for Motte Country Plaza,
by Motte Country Plaza, LLC

MEETING DATE: March 15, 2023

TO: Mayor and City Council

PREPARED BY: Run Chen, Senior Engineer

REVIEWED BY: Nick Fidler, Public Works Director

APPROVED BY: Armando G. Villa, City Manager

RECOMMENDED ACTION

1. Approve and authorize the City Manager to execute Subdivision Improvement Agreement to guarantee completion of required improvements associated with Parcel Map 37992 located at northwest corner of the intersection of California State Route 74 and Palomar Road; and
2. Approve and authorize the City Engineer to execute the Agreement for Deferral of Public Improvements; and
3. Approve and authorize the City Engineer to execute the Agreement Containing Covenants Affecting Real Property; and
4. Approve and authorize the City Manager to execute the Agreement for Annexation to Community Facilities District 2017-1; and
5. Approve and authorize the filing of Parcel Map 37992.

DISCUSSION

Parcel Map 37992 (PM 37992), also known as Motte Country Plaza, is a proposed subdivision of 3.80 acres of land into 2 lots for commercial use and is located at the northwest corner of the intersection of California State Route 74 (SR 74) and Palomar Road.

A public hearing was conducted, and the Tentative Parcel Map 2018-320 was approved by the Planning Commission on June 23, 2021, with the adoption of Resolution PC21-537. Actions related to the Motte Country Plaza taken at the same Planning Commission meeting include adoption of Resolution PC21-533 adopting a Mitigated Negative Declaration for Motte Country Plaza, adoption of Resolution PC21-534 approving Plot Plan 2018-300, adoption of Resolution

PC21-535 approving Conditional Use Permit 2018-302, and adoption of Resolution PC21-536 approving Conditional Use Permit 2018-301.

As part of the conditions of approval (COA) for the project, the developer is required to enter into a Community Facilities District (CFD) agreement with the City to annex into a citywide maintenance CFD for the maintenance of certain improvements within the public right-of-way. The attached CFD agreement ensures all property within the parcel and all requirements will be included within the CFD prior to any building permits being issued.

The COA for the project also require the developer to construct public improvements along the portions of PM 37992 fronting Palomar Road and SR 74. The required improvements are incorporated into the Subdivision Improvement Agreement (SIA) between the developer and the City. The developer has requested a deferral of its obligations to construct the SR 74 ultimate roadway improvements until the State Department of Transportation (Caltrans) determines it is necessary and has developed a State CIP project for this section of SR 74. Pursuant to Section 7.80.030 of the City's Subdivision Ordinance, the City can approve such deferment, subject to the terms of the attached Agreement for Deferral of Public Improvements.

Portions of the subject property are designated as "ultimate right-of-way" setback for SR 74. The COA for PM 37992 required the property owner to dedicate a right-of-way easement over the ultimate right-of-way portions of the property. Currently, the portions of the ultimate right-of-way are improved with existing parking areas and signage. Upon recordation of PM 37992, the existing improvements will constitute a non-conforming use of the ultimate right-of-way. The property owner has requested that the City permit the owner to temporarily retain the current improvements until such time as the City notifies the property owner that the design for the development of public improvements within the ultimate right-of-way portion of property has commenced. Temporary use of portions of the property within the ultimate right-of-way is subject to the terms of the attached Agreement Containing Covenants Affecting Real Property.

The subdivider, Motte Country Plaza, LLC., is now requesting approval and filing of PM 37992 and the associated agreements as required by the project's COA. The attached SIA requires that improvement securities are posted to guarantee the completion of the required improvements within 12-months from the City Council approval date of the parcel map and associated agreements.

Staff has reviewed the request and has determined the parcel map and associated agreements meet the requirements of the project conditions. A summary of the bonds being posted to guarantee the completion of the required improvements are shown on the following page:

Table 1- PM 37992 Improvements:

Improvement	Security	Faithful Performance	Material & Labor
Offsite Improvements	9414031	\$ 363,500	\$ 181,750
Onsite Grading	9414030	\$ 10,875	\$ 6,500
Survey Monument	9423009	\$ 8,640	\$ 4,320
Total		\$ 383,015	\$ 192,570

The total securities required for all improvements have been provided by the Developer in the total amount of \$383,015.

STRATEGIC PLAN OBJECTIVE

Safe and Attractive Community

FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

ATTACHMENTS

1. Parcel Map
2. Subdivision Improvement Agreement
3. Bonds
4. Agreement for Deferral of Public Improvements
5. Agreement Containing Covenants Affecting Real Property
6. CFD Agreement