



CITY of CALABASAS

CITY COUNCIL AGENDA REPORT

DATE: AUGUST 29, 2008

TO: HONORABLE MAYOR AND COUNCILMEMBERS

**FROM: ROBERT YALDA, P.E., T.E., CITY ENGINEER/PUBLIC WORKS DIRECTOR
ANITA DAVIDOO, ASSOCIATE CIVIL ENGINEER**

SUBJECT: RECOMMENDATION TO APPROVE THE RECORDATION OF THE FINAL MAP FOR TRACT 66338 FOR CONDOMINUMS PURPOSES LOCATED AT 26705 MALIBU HILLS ROAD AND RECOMMEND CITY COUNCIL TO APPROVE THE SUBDIVISION MAINTENANCE AGREEMENT.

MEETING DATE: SEPTEMBER 10, 2008

SUMMARY RECOMMENDATION:

Staff recommends City Council to approve the Subdivision Maintenance Agreement and the Final Map for Tract 66338 for Condominium purposes located at 26705 Malibu Hills Road.

BACKGROUND:

The subject property located at 26705 Malibu Hills Road was approved by City Council on July 19, 2006 for the construction of a 60 unit senior condominium development. The City Council approved the proposal that comprised of 70,824 square feet of residential living units, 2,200 square foot community building, a pool, courtyard, and a subterranean parking garage.

DISCUSSION/ANALYSIS:

Pursuant to the Subdivision Map Act 66426 a tentative and final map shall be required for all subdivisions creating five or more condominiums as defined in Section 783 of the Civil Code. This map is a subdivision of a portion of Lot 16, Tract No. 32952 in the City of Calabasas, County of Los Angeles, State of California, as per map filed in book 1081 pages 30 through 34, inclusive of maps, in the office of the County recorder of said county. With this map, the project will create 60 attached senior housing units on an existing lot. The applicant will be required to submit citywide traffic fee's of \$118,260.00 prior to issuance of a building permit as stipulated in the Conditions of Approval.

The recordation of a final tract map is a ministerial action. As a ministerial action, the Council's discretion is limited to judging whether the tentative map and final maps are in substantial conformance. The Council does not have the authority to modify, amend or deny the final tract map unless the final tract maps can be interpreted as being substantially inconsistent with the approved Vesting Tentative Tract Map. Further, no new conditions of approval can be placed on the approved tentative map coincident with this ministerial action.

Along with the approval of the map, a "Subdivision Agreement" as specified in the Subdivision Map Act between the City and the Developer must also be approved (see attached agreement). As a part of the agreement the developer has posted bonds in the amount of \$ 263,904.00 dollars guaranteeing construction of the improvements.

Public Works-Engineering and Planning staff have deemed the project to be in substantial conformance with the principles and standards required by the Municipal Code and as approved by City Council Resolution No. 2006-1038. Additionally, the map has been reviewed to the satisfaction of the City Engineer and is recommended for City Council approval.

FISCAL IMPACT/SOURCE OF FUNDING:

None

REQUESTED ACTION:

Staff requests approval of the following items:

1. City Council approve Tract Map 66338 (for Condominium Purposes), and

2. Accept ingress and egress on behalf of all governmental agencies over all private driveway to all governmental vehicles providing for health, safety and welfare, and
3. Direct the City Finance Director to endorse the Special Assessment Certificate on the face of Tract Map 66338 which indicates that all special assessments levied by the City have been paid.
4. Make findings as follows: (a) that this project is consistent with the provisions of Sections 66474 and 66474.1 of the Subdivision Map Act and should be approved, and (b) that this proposed subdivision, together with the provisions for this design and improvement, is consistent with the General Plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code, or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code
5. Direct the City Clerk to endorse the Certificate on the face of Tract Map 66338, which embodies the approval of said map and did also approve the subject map pursuant to the provisions of section 66436 (a)(3)(A) of the Subdivision Map Act.
6. Direct the City Engineer to endorse the Statement on the face of Tract Map 66338, which provides for verification of substantial conformance with the Tentative Map and all alterations thereof; that all provisions of subdivision ordinances of the City of Calabasas, applicable at the time of approval of the Tentative Map have been complied with, and that all provisions of the Subdivision Map Act Section 66442 (a) (1), (2) and (3) have been complied with.

ATTACHMENTS:

Exhibit A: Tract Map 66338

Exhibit B: Subdivision Agreement for Completion of Public improvements for Tract Map 66338