



AGENDA STAFF REPORT

DATE: February 21, 2018

TO: Mayor and City Council

APPROVED BY: David Dale, Interim City Manager *DD*

PREPARED BY: Ralph B. Morales, Building/Planning/Code Enforcement Manager *[Signature]*

SUBJECT: Consideration of Request by Calexico Mega Park to Extend Expiration of Tentative Map for Two Years Pursuant to Government Code Section 66452.6(e)

=====

Recommendation: It is recommended that the City Council approve the requested three-year extension of the Mega Park Tentative Map.

Background:

Pursuant to Resolution No.2011-06, the Calexico City Council approved a tentative subdivision map of approximately 148 acres of land located on the southeast corner of Jasper Road and Highway 111.

Discussion & Analysis:

The Mega Park Tentative Map is due to expire in March 3, 2018. On February 12, 2018 the developer requested that the City Council consider an extension of the Mega Park Tentative Map.

Due to the conditional nature of the approval of the Final Map and the pending expiration of the Tentative Map, staff recommends that the extension of two years be granted. Economic climate has required the developer to request the sufficient time in order to find potential tenants for their project. Since this is a large project, an extension of two years would be appropriate. The Municipal Code does not require the imposition of additional conditions upon approving an extension of the Mega Park Tentative Map. In addition, staff has not identified any changed circumstances that would merit the imposition of additional conditions at this time.

**AGENDA
ITEM**

11

Fiscal Impact: \$ N/A

Coordinated With: None.

Attachment:

1. February 12, 2018 request by Calexico Mega Park, LLC
2. Draft Resolution No. 2018-

RESOLUTION NO. 2018-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO APPROVING THE REQUEST BY CALEXICO MEGAPARK, LLC TO EXTEND EXPIRATION OF TENTATIVE MAP FOR TWO YEARS PURSUANT TO GOVERNMENT CODE SECTION 66452.6(e)

WHEREAS, pursuant to Resolution No. 2011-06 (Amended and Restated) (the "TSM Resolution") the Calexico City Council re-approved a tentative subdivision map of approximately 148 acres of land to create commercial/industrial lots for the Mega Park project (Project); and

WHEREAS, the TSM Resolution sets forth the conditions required for the Final Map of the Project; and

WHEREAS, the Final Map for the Project has been submitted for review and meets the requirements set forth in California Government Code Sections 66433, et seq; and is now ready for approval by the Calexico City Council; and

WHEREAS, the Public Works Director/City Engineer has found said Final map to be in general conformance with the tentative map and any outstanding conditions which have yet to be met shall be met prior to the issuance of the Final Certificate of Occupancy; and

WHEREAS, the City Council approved Ordinance No. 1173 March 3, 2015, that approved the Final Map contingent on receiving appropriate documents however, said Final Map has not been recorded; and

WHEREAS, several of the remaining unmet conditions of the Tentative Map are beyond the control of either the City or the Developer; and

WHEREAS, the Tentative Map will expire on or about March 3, 2018; and

WHEREAS, pursuant to Government Code Section 66452.6(e) the Developer has requested the City Council grant a two-year extension of the expiration date of the Tentative Map in order to satisfy all conditions of the Tentative Map.

NOW, THEREFORE, THE CITY CONCIL OF THE CITY OF CALEXICO,
CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and incorporated herein.

SECTION 2. Based on the staff report, and the written and oral testimonies and exhibits thereto, the City Council hereby approves the extension of the expiration of the Tentative Map two years until February 21, 2020 pursuant to Government Code Section 66452.6(e).

SECTION 3. All conditions of the Tentative Map pursuant to Resolution No. 2011-126 remain unchanged and are incorporated herein by reference.

SECTION 4. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Calexico, California, held on this ____ day of ____ 2018.

CITY OF CALEXICO

MARITZA HURTADO, Mayor

ATTEST:

Gabriela Garcia
City Clerk

APPROVED AS TO FORUM:

Jennifer M. Lyon, City Attorney

RESOLUTION NO 2018-
PAGE 3

STATE OF CALIFORNIA
COUNTY OF IMPERIAL
CITY OF CALEXICO

I, Gabriela Garcia, City Clerk of the City of Calexico, California, do hereby certify that the foregoing Resolution No. 2018-__ was duly and regularly adopted at a regular meeting of the City Council of the City of Calexico, California held on the ____ day of ____ 2118, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gabriela Garcia, City Clerk

Calexico MegaPark, LLC
771 Sandalwood Dr., El Centro, CA 92243
760-791-6867 email: phillipheald@yahoo.com

February 12, 2018

City of Calexico City Manager
608 Heber Avenue
Calexico, CA 92231
Attention: David Dale

Re: Request for extension on Time
For filing of Final Map for Calexico Megapark

Dear Mr. Dale:

Calexico Mega Park II (UA 2011-01) was approved on March 3, 2015 - Environmental Impact Report No. 2011-01, General Plan Amendment No. 2011-02, Zone Change No. 2011-03 to expand the Commercial Highway (CH) Zone and change the existing Residential (R-2) Zone to Industrial (I), Conditional Use Permit No's 2011-04 & 05, Tentative Subdivision Map 2011-06 and Development Review Permit No. 2011-07 for approximately 148 acres of land located on the southeast corner of Jasper Road and Highway 111.

Per Section 16.24.010-Time Limit for filing and recording: The failure of a subdivider to so file such map with the city engineer and to have said map recorded in the office of the county recorder within three years after the date of approval of the tentative map shall automatically terminate and void the proceedings. The time limit for such filing and recording may be extended by the city council for a period not exceeding three years unless permitted by an extension granted to state law or by any development permit extension granted by the City Council by ordinance.

Due to the economic climate, the Applicant has been working diligently to find potential tenants for the project. However due to the economic climate, this has been challenging. We are currently finding a variety of interest in the project which will allow us to move forward with the incremental phasing of the Final map within the next few months. As such, we are requesting per the Ordinance. an extension of time for another three years. As stated, we do not anticipate needing that amount of time but would like some flexibility.

Accordingly, it is a matter of economic urgency to both the City and to Calexico MegaPark that with your help the approval of the requested extension of filing deadline by three years be granted by action of approval.

Respectfully,



Phillip Heald,

Approved for City Council Action::

David Dale

Calexico MegaPark

Date: 2/12/18

Calexico City Manager

Date: