

RESOLUTION NO. 2015-018

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, CONFIRMING THE EXPIRATION OF THE VINEYARD OAKS DEVELOPMENT AGREEMENT AND ASSOCIATED ENTITLEMENTS AND DIRECTING THE CITY MANAGER TO RECORD THE TERMINATION OF THE DEVELOPMENT AGREEMENT

WHEREAS, on June 3, 2008, the City Council approved the Vineyard Oaks project to subdivide approximately 18 acres of land into 15 single-family lots located at 2400 Grant Street (APN 011-010-057); and

WHEREAS, as part of this approval, the City Council approved the project's design review (DR 2008-01) and tentative subdivision map (TTM 2007-02), and authorized the execution of a development agreement with a five-year term; and

WHEREAS, the City Council subsequently approved an amendment to the original development agreement to extend its term to July 18, 2014; and

WHEREAS, the term of the Vineyard Oaks Development Agreement has expired, along with the project's design review approval; and

WHEREAS, Section 10.09 of the Development Agreement provides that the Agreement would terminate upon the expiration of its term, that upon termination of the agreement neither party has any further rights or obligations, and that a written statement acknowledging such termination is to be recorded by the City; and

WHEREAS, the City desires to clear the property's title and remove any ambiguity about the status of the Vineyard Oaks project entitlements; and

WHEREAS, the City Council held a public hearing on February 17, 2015 following notice to the owners of the subject property, and during its review, considered the public record, including the staff report, and any written materials and testimony presented by the public during the hearing.

NOW, THEREFORE, BE IT RESOLVED that based on the above findings, the City of Calistoga City Council hereby confirms the expiration of the Vineyard Oaks Development Agreement and its associated entitlements, including Design Review DR 2008-01 and Tentative Subdivision Map TTM 2007-02.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council hereby directs the City Manager to cause a written statement acknowledging the termination of the Vineyard Oaks Development Agreement to be recorded in the Official Records of Napa County, California.

PASSED AND ADOPTED by the City Council at a regular meeting held the 17th day of February, 2015 by the following vote:

AYES: Vice Mayor Dunsford, Councilmembers Barnes, Lopez-Ortega and Kraus and Mayor Canning
NOES: None
ABSTAIN: None
ABSENT: None



CHRIS CANNING, Mayor

ATTEST:



KATHY FLAMSON, City Clerk