



Agenda Report

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File #: 19-0072

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**AGENDA REPORT  
REQUEST FOR CITY COUNCIL ACTION**

DATE: 2/6/2019

TO: Honorable Mayor and City Council Members

FROM: Public Works Department

**SUBJECT:**

City Council consideration of releasing the Rough Grading Security and substitute the Erosion Control Security associated with Tract Map 31373 - Yehnes El Kaseer LLC, a California Limited Liability Company.

**RECOMMENDED ACTION:**

That the City Council:

1. Release the Rough Grading Security associated with Tract Map 31373. (Cash Deposit PWGR2017-0117)
2. Accept the replacement Erosion Control Security from the new owner of Tract Map 31373.

**ANALYSIS:**

Tract Map 31373 is a subdivision of 18.10 acres into 26 single-family residential lots in the A-14.4 (Single Family Residential, 14,400 square foot minimum lot size) Zone and Estate Residential designation of the City's General Plan and South Corona Community Facilities Plan. An existing single-family residence is located on Lot 26, one of the proposed lots. The tentative map was originally approved by the City Council on December 6, 2006, and the final map was approved by the City Council on July 18, 2018. The project is located on the east side of Lester Avenue, south of Upper Drive, as shown on Exhibit "A."

On September 6, 2017, the City entered into a Grading Agreement with Yehnes El Kaseer, LLC to secure the rough grading operations and erosion control to facilitate the development of 25 single-family residences.

The site, with the exception of Lot 8 and Lot 26, has been rough graded in accordance with all City Standards and the approved Rough Grading Plan. Lot 8 is currently functioning as a temporary

sedimentation basin for the site and will be graded with the final precise grading phase. Erosion control security will be retained to ensure its function for this duration. Therefore, it is appropriate to release the Rough Grading security at this time.

On, December 31, 2018, the property was purchased by Corona-Upper Drive 25, LLC. The new owner has posted an Erosion Control deposit which will replace the current deposit. This deposit will be retained for the duration of the precise grading phase of the project. The security will be substituted as follows:

Security	Security No.	Security Amount
Erosion Control - Existing	Cash Deposit - PWGR2017-0117	\$ 18,300.00
Erosion Control - Replacement	Cash Deposit - PWPR2017-0117	\$ 18,300.00

**COMMITTEE ACTION:**

Not applicable.

**STRATEGIC PLAN:**

Not applicable.

**FISCAL IMPACT:**

Fees for the rough grading operation were paid by the developer as follows:

PWGP17-00009	Fee Type	Amount
Rough Grading Tract 31373	Grading Permit/Inspection	\$21,928.00

**ENVIRONMENTAL ANALYSIS:**

In accordance with Section 15063 of the State Guidelines for the California Environmental Quality Act (CEQA), the City prepared an initial study to determine if the project under Tentative Tract Map 31373 would have a significant effect on the environment. The initial study was prepared in accordance with Section 15063 and per the City's Local Guidelines for Implementing CEQA. The initial study identified environmental effects that were determined not to be significant and identified potentially significant effects that were capable of being mitigated to less than significant. Therefore, the City adopted a Mitigated Negative Declaration and Mitigation Monitoring Plan on December 6, 2006, in accordance with Section 15070 of the State CEQA Guidelines and Section 6.02 of the City's Local Guidelines for Implementing CEQA. However, this specific action before Council is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This action merely releases and replaces the current securities associated with the property. Since there is no possibility that adopting this action will have a significant effect on the environment, no environmental analysis is required.

**PREPARED BY:** MICHELE HINDERSINN, P.E., SENIOR CIVIL ENGINEER

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**REVIEWED BY:** TOM KOPER, P.E., ASSISTANT PUBLIC WORKS DIRECTOR

**REVIEWED BY:** NELSON D. NELSON, P.E., PUBLIC WORKS DIRECTOR

**REVIEWED BY:** KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

**REVIEWED BY:** MICHELE NISSEN, ASSISTANT CITY MANAGER

**SUBMITTED BY:** DARRELL TALBERT, CITY MANAGER

Exhibit "A" - Location Map

Developer:     Yahnes El Kaseer LLC  
                  4030 Birch Street, Suite 100  
                  Newport BEach, CA 92660