



Legislation Details (With Text)

File #: 18-1945 **Version:** 1 **Name:**
Type: Agreement **Status:** Passed
File created: 7/5/2018 **In control:** City Council
On agenda: 7/18/2018 **Final action:** 7/18/2018
Title: City Council consideration to authorize the Mayor to execute Improvement Agreements and a Grading Agreement for Parcel Map 36311, located on the north side of Foothill Parkway, west of Interstate 15 - Foothill Parkway Shopping Plaza LLC, a California Limited Liability Company.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A - Location Map, 2. Agreement

Date	Ver.	Action By	Action	Result
7/18/2018	1	City Council	approved	

AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION

DATE: 7/18/2018

TO: Honorable Mayor and City Council Members

FROM: Public Works Department

SUBJECT:

City Council consideration to authorize the Mayor to execute Improvement Agreements and a Grading Agreement for Parcel Map 36311, located on the north side of Foothill Parkway, west of Interstate 15 - Foothill Parkway Shopping Plaza LLC, a California Limited Liability Company.

RECOMMENDED ACTION:

That the City Council authorize the Mayor to execute Improvement Agreements and a Grading Agreement between the City and Foothill Parkway Shopping Plaza LLC, a California Limited Liability Company for Parcel Map 36311.

ANALYSIS:

Parcel Map 36311 is a single-phase subdivision of 3.6 acres into seven parcels for commercial condominium purposes, originally approved by the City Council on January 19, 2011. The project is located on the north side of Foothill Parkway, west of Interstate 15 in the Commercial designation of the Cerrito Specific Plan (SP91-2), as shown on Exhibit "A." The City Council has previously

approved Public Improvement, Rough and Precise Grading Agreements for this project.

In compliance with Grading Ordinance No. 2568, the owner will now enter into a Grading Agreement to secure the precise grading operations in connection with Parcel 2 of Parcel Map 36311, which includes drainage improvements. A cash deposit has been posted to guarantee erosion control. The grading design conforms to the Grading Ordinance, and is consistent with sound engineering standards and practices. The elevation design minimizes significant height and slope differentials from surrounding properties, while maintaining the City's obligation to protect the health and safety of citizens and property.

The owner will also enter into two Improvement Agreements with the City and post sufficient securities to guarantee the construction of the public street, traffic, storm drain, and landscape improvements associated with the project along Foothill Drive and Bedford Canyon Road.

Securities have been posted as follows:

	Faithful Performance		Labor and Materials	
	Security No.	Amount	Security No.	Amount
Grading and Drainage for Parcel 2 of PM 36311	PWGR2018-0014	\$ 13,200	N/A	N/A
Erosion Control for Parcel 2 of PM 36311	PWGR2018-0014	\$ 2,500	N/A	N/A
Public Improvements for Foothill Parkway	PB03138603566	\$ 966,400	PB03138603566	\$ 483,200
Public Improvements for Bedford Canyon Rd	PB03138603565	\$ 833,600	PB03138603565	\$ 416,800

COMMITTEE ACTION:

Not applicable.

STRATEGIC PLAN:

Not applicable.

FISCAL IMPACT:

All applicable fees have been paid by the developer.

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 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 January 19, 2011, in accordance with Section 15070 of the State CEQA Guidelines and Section 6.02 of the City's Local Guidelines for Implementing CEQA.

PREPARED BY: CHRISTOPHER L. HORN, P.E., SENIOR CIVIL ENGINEER

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

Owner: Foothill Parkway Shopping Plaza, LLC
2843 Calle Heraldo
San Clemente, CA 92673

Engineer: Adams Streeter Civil Engineers
15 Corporate Park
Irvine, CA 92606