



## Legislation Details (With Text)

**File #:** 19-0040      **Version:** 1      **Name:**  
**Type:** Agreement      **Status:** Passed  
**File created:** 1/4/2019      **In control:** City Council  
**On agenda:** 1/16/2019      **Final action:** 1/16/2019  
**Title:** City Council consideration of a Grading Agreement for mass grading and retaining walls for 2460, 2470, 2510, and 2520 Palisades Drive (Tract Map 35590 Lots 4-7) - On Point Commercial, LLC, a California Limited Liability Company.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Staff Report with Attachments

Date	Ver.	Action By	Action	Result
1/16/2019	1	City Council	accepted	

### AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION

**DATE:** 1/16/2019

**TO:** Honorable Mayor and City Council Members

**FROM:** Public Works Department

**SUBJECT:**

City Council consideration of a Grading Agreement for mass grading and retaining walls for 2460, 2470, 2510, and 2520 Palisades Drive (Tract Map 35590 Lots 4-7) - On Point Commercial, LLC, a California Limited Liability Company.

#### RECOMMENDED ACTION:

That the City Council authorize the Mayor to execute a Grading Agreement for mass grading between the City and On Point Commercial, LLC, a California Limited Liability Company.

#### ANALYSIS:

Tract Map 35590 was originally approved by the City Council on December 19, 2012, to subdivide approximately 38 acres located at the southwest corner of Serfas Club Drive and Palisades Road. The entitlement had two map phases: Tract 35590-1 (Phase I) and Tract 35590 (Phase II), both of which have been recorded. Phase I included the construction of an apartment complex on the easterly portion of the site, and Phase II was for the construction of 7 industrial lots in the Mixed Use

Zone of the Sierra Del Oro Specific Plan (SP85-2). All of Phase I and the three westerly industrial lots of Phase II have completed construction. A developer is now seeking permits to begin construction on the remaining four lots of Phase II, located at 2460, 2470, 2510, and 2520 Palisades Drive (Tract Map 35590 Lots 4-7), as shown on Exhibit "A."

In compliance with the City's Grading Ordinance No. 2568, the owner will enter into a Grading Agreement to secure the mass grading and retaining wall operations. 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. A cash deposit has been posted to guarantee erosion control facilities which will be constructed and be maintained until the project is completed.

Securities have been posted as detailed below:

PWGP18-00064	Faithful Performance		Erosion Control	
	Security No.	Amount	Security No.	Amount
Mass Grading and Retaining Wall Improvements	100422317	\$ 165,600.00	Cash Deposit	\$ 13,800.00

#### COMMITTEE ACTION:

Not applicable.

#### STRATEGIC PLAN:

Not applicable.

#### FISCAL IMPACT:

All applicable fees have been paid by the developer as follows:

	Fee Type	Amount
2460, 2470, 2510, and 2520 Palisades Drive Mass Grading and Erosion Control - PWGR2018-0048	Plan Check	\$8,275.00

#### ENVIRONMENTAL ANALYSIS:

Per Section 15070 of the Guidelines for implementing the California Environmental Quality Act (CEQA) and Section 6.02 of the City's Local CEQA Guidelines, a mitigated negative declaration and mitigation monitoring plan was prepared for tentative tract map 35590, and adopted by the City Council on December 19, 2012. However, this specific action before the Council now is exempt pursuant to Section 15061(b)(3) of 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 approves agreements that provide security to guarantee completion of improvements that are required in connection with a ministerial permit, and there is no possibility that approving these agreements will have a significant effect on the environment.

Therefore, no further environmental analysis is required.

**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

Attachment: Grading Agreement

Owner: On Point Commercial, LLC  
1663 Commerce St.  
Corona, Ca 92880

Civil Engineer: Steve Ellis, P.E.  
Fuscoe Engineering  
2850 Inland Empire Blvd, Suite B  
Ontario, CA 91764