



Legislation Details (With Text)

File #: 19-0362 **Version:** 1 **Name:**
Type: Agreement **Status:** Passed
File created: 4/4/2019 **In control:** City Council
On agenda: 4/17/2019 **Final action:** 4/17/2019
Title: City Council consideration of an Improvement Agreement for 3745 Temescal Canyon Road - Larry R. Hauptert and Kristine E. Hauptert, husband and wife as joint tenants, dba REXCO.

Sponsors:

Indexes:

Code sections:

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

Date	Ver.	Action By	Action	Result
4/17/2019	1	City Council	accepted	

AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION

DATE: 4/17/2019

TO: Honorable Mayor and City Council Members

FROM: Public Works Department

SUBJECT:

City Council consideration of an Improvement Agreement for 3745 Temescal Canyon Road - Larry R. Hauptert and Kristine E. Hauptert, husband and wife as joint tenants, dba REXCO.

RECOMMENDED ACTION:

That the City Council authorize the Mayor to execute an Improvement Agreement between the City and Larry R. Hauptert and Kristine E. Hauptert, husband and wife as joint tenants, dba REXCO.

ANALYSIS:

Larry and Kristine Hauptert, husband and wife as joint tenants, dba REXCO is the owner of 3745 Temescal Canyon Road in the M-2 (General Manufacturing) Zone, as shown on Exhibit "A." The owner is proposing to construct a 23,063 square-foot building for light industrial purposes.

The owner will enter into an Improvement Agreement with the City and post sufficient securities to guarantee construction of street, sewer, and water public improvements associated with the project.

In compliance with Grading Ordinance No. 2568, the City entered into a Grading Agreement with the owner on February 6, 2019, to secure the precise grading operations, which include drainage improvements.

Securities for public improvements have been posted as follows:

PWIM2019-0001	Faithful Performance		Labor and Materials	
	Security No.	Amount	Security No.	Amount
Public Improvements	367276S	\$73,400	367276S	\$36,700

COMMITTEE ACTION:

Not applicable.

STRATEGIC PLAN:

Not applicable.

FISCAL IMPACT:

The developer has submitted public improvement plans for approval, and paid the following plan check fees associated with the review:

	Fee Type	Amount
Public Improvement - PWIM2019-0001	Plan Check	\$1,483.77
Grading Plan - PWGR2018-0027	Plan Check	\$7,540.00
Water Quality Management - PWGR2018-0027	Plan Review	\$4,275.00
Per Sheet Scanning - PWGR2018-0027 and PWIM2019-0001	Fees	\$240.00

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 industrial buildings in the M1, M2, M3, and M4 Zones are not subject to discretionary review and are therefore defined as a ministerial project and exempt from CEQA. Additionally, a mitigated negative declaration and mitigation monitoring plan is not required as it is deemed 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: MICHELE HINDERSINN, 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: MITCHELL LANSDELL, ACTING CITY MANAGER

Attachments:

1. Exhibit "A" - Location Map
2. Agreement

Owner: Griffco Land LLC
2518 N. Santiago Blvd.
Orange, CA 92867

Engineer: Wilson Mikami Corporation
9 Corporate, Suite 100
Irvine, CA 92606