



## Legislation Details (With Text)

**File #:** 19-0517      **Version:** 1      **Name:**  
**Type:** Agreement      **Status:** Passed  
**File created:** 5/22/2019      **In control:** City Council  
**On agenda:** 6/5/2019      **Final action:** 6/5/2019  
**Title:** City Council consideration of Grading and Improvement Agreements for 380 North McKinley Street - Lazy Dog Restaurants, LLC, a Delaware Corporation.

**Sponsors:**

**Indexes:**

**Code sections:**

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

Date	Ver.	Action By	Action	Result
6/5/2019	1	City Council	accepted	

### AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION

**DATE:** 6/5/2019

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

**FROM:** Public Works Department

**SUBJECT:**

City Council consideration of Grading and Improvement Agreements for 380 North McKinley Street - Lazy Dog Restaurants, LLC, a Delaware Corporation.

### RECOMMENDED ACTION:

That the City Council authorize the Mayor to execute Grading and Improvement Agreements between the City and Lazy Dog Restaurants, LLC, a Delaware Corporation.

### ANALYSIS:

Precise Plan 2019-0002 was approved by City Council on May 1, 2019, for the construction of a new 9,570 square-foot restaurant on an existing building pad that formerly contained the Claim Jumper Restaurant located at 380 North McKinley Street. The proposed restaurant is located within the Sub-Regional Shopping Center designation of the Northeast Corona Specific Plan (SP81-2) and in the southwesterly portion of the Corona Hills Shopping Center, as shown on Exhibit "A."

The developer will enter into an Improvement Agreement with the City and post sufficient securities to

guarantee construction of the public potable water utility improvements associated with the project.

In compliance with Grading Ordinance No. 2568, the developer will also enter into a Grading Agreement to secure the precise grading operations, which include 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.

Securities have been posted as follows:

PWGR2019-0005	Faithful Performance		Labor and Materials	
	Security No.	Amount	Security No.	Amount
Public Improvements	Cash Deposit	\$55,100	Cash Deposit	\$27,500
Grading and Drainage	Cash Deposit	\$94,900	N/A	N/A
Erosion Control	Cash Deposit	\$11,900	N/A	N/A

#### COMMITTEE ACTION:

Not applicable.

#### STRATEGIC PLAN:

Not applicable.

#### FISCAL IMPACT:

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

PWGR2019-0005 - 380 N. McKinley	Fee Type	Amount
Precise Grading and Public Improvements	Plan Check	\$7,523
Erosion Control	Plan Check	\$919
Drainage Study	Review	\$4,457
Scanning	Fee	\$144
PWLE2019-0009 - 380 N. McKinley		
Easement - on site	Review	\$1,503
PWLE2019-0011 - 340 N. McKinley		
Easement - off site	Review	\$1,503

#### ENVIRONMENTAL ANALYSIS:

Per Article 19 Categorical Exemptions, Section 15302 (Class 2, Replacement or Reconstruction) of the State Guidelines for Implementing the California Environmental Quality Act (CEQA) and Section 3.21 of the Local CEQA Guidelines, a Notice of Exemption has been prepared for the project because it consists of replacing a previous restaurant with a new restaurant of substantially the same size, purpose, and capacity and will be placed at the same location as the previous structure.

Therefore, there is no possibility that the project will have any significant adverse effects on the environment. Additionally, this action is exempt pursuant to Section 15061(b)(3) of CEQA Guidelines, 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 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. Agreements

Developer: Jared Taylor - Golden Property Development for  
Lazy Dog Restaurants, LLC.  
5847 Brace Road  
Loomis, CA 95650  
(805) 440-7537

Engineer: DRC Engineering  
Greg Cooke  
160 South Old Springs Rd, Suite 210  
Anaheim Hills, CA 92808  
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