



## Legislation Details (With Text)

**File #:** 20-0527      **Version:** 1      **Name:**  
**Type:** Agreement      **Status:** Passed  
**File created:** 6/18/2020      **In control:** City Council  
**On agenda:** 7/1/2020      **Final action:** 7/1/2020  
**Title:** City Council consideration of Grading Agreements for rough grading and import for Lot 8 of Tract Map (TM) 36294 and Parcel Map (PM) 37788 - Bedford Marketplace, LLC, a Delaware Limited Liability Company.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Exhibit A - Location Map 1 of 2, 3. Exhibit A - Location Map 2 of 2, 4. Exhibit B - Cross Sections, 5. Agreements

Date	Ver.	Action By	Action	Result
7/1/2020	1	City Council	approved	

### AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION

**DATE:** 07/01/2020

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

**FROM:** Public Works Department

**SUBJECT:**

City Council consideration of Grading Agreements for rough grading and import for Lot 8 of Tract Map (TM) 36294 and Parcel Map (PM) 37788 - Bedford Marketplace, LLC, a Delaware Limited Liability Company.

#### RECOMMENDED ACTION:

**That the City Council** authorize the Mayor to execute Grading Agreements between the City and Bedford Marketplace, LLC, a Delaware Limited Liability Company.

#### ANALYSIS:

PM 37788 is a subdivision of 17.85 acres into 11.64 acres for commercial purposes and 6.21 acres of open space and is associated with a 21.7-acre commercial center known as Bedford Marketplace located within Planning Area (PA) 11 of the Arantine Hills Specific Plan. The project is located south of Eagle Glen Parkway and west of Interstate 15, as shown on Exhibit "A." The Bedford Marketplace consists of a 10-acre parcel on the western half created under the master subdivision tract map for

Arantine Hills, Lot 8 of TM 36294, and 17.85 acres on the eastern half from PM 37788. The project proposes to construct 134,378 square feet of commercial/retail building area and a 135-room hotel as well as open space slopes and a water quality basin on PA 11 and 12A of the Arantine Hills Specific Plan.

The developer, Bedford Marketplace, LLC, is proposing to import soil and rough grade the area located within PM 37788 and Lot 8 of TM 36294, in preparation for the future development. Lot 8 of TM 36294 has been previously rough graded, however, a significant amount of import will be necessary in order to raise the eastern half of the project to match existing grades and facilitate the ability for the site to utilize the recently constructed Arantine Hills sewer lift station. In compliance with Grading Ordinance No. 2568, the owner will enter into Grading Agreements with the City and post sufficient securities to guarantee the erosion control, import, and rough grading associated with this project. Separate grading securities will be posted at this time to include the borrow site area located within Planning Area 14 of the Arantine Hills Specific Plan. The grading design conforms to the Grading Ordinance and is consistent with sound engineering standards and practices. The cross sections, as shown on Exhibit "B," provide various profiles of the proposed development relative to the surrounding area in conformance with the approved site plan. 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:

Project No.	Plan	Security No.	Faithful Performance
PWGR2020-0006	DWG#20-014R Rough Grading Erosion Control	POA1002799 Cash Bond (R22339)	\$691,400.00 \$16,700.00
PWGR2020-0009	DWG#20-014B Borrow Site Erosion Control	POA1002797 Cash Bond (R22340)	\$440,600.00 \$3,950.00

**COMMITTEE ACTION:**

Not applicable.

**STRATEGIC PLAN:**

Not applicable.

**FISCAL IMPACT:**

All applicable fees have been paid by the developer for this phase of the project.

**ENVIRONMENTAL ANALYSIS:**

Per Section 15378 of the State Guidelines for implementing the California Environmental Quality Act

(CEQA), the subject action herein merely approves and substitutes agreements that provide security to guarantee completion of improvements, an action which does not constitute a project pursuant to CEQA, and therefore is exempt from further environmental analysis. Furthermore, the action is an implementation step and within the scope of prior CEQA documentation that pertained programmatically to the overall Arantine Hills project including an Environmental Impact Report (EIR) that was certified pursuant to CEQA Sections 15162 and 15163 of the State Guidelines for Implementing CEQA in 2012 and the Supplemental Environmental Impact Report adopted on May 19, 2016. An Addendum to the EIR was adopted by the City Council in December 2018 for a second amendment to the specific plan to annex approximately 32 acres into the Arantine Hills Specific Plan (AHSP). Another Supplemental EIR was adopted by City Council on May 20, 2020 for a third amendment to the specific plan to increase the size of the commercial center located on PA 11 by 11.64 acres and the amount of commercial use from 80,000 square feet to 134,378 square feet plus a 135-room hotel. The Modified Project would also add approximately 6.21 acres of Open Space to the AHSP within new PA 12A. PM 37788 is wholly consistent with and will implement the approved specific plan. Therefore, no further environmental analysis is required.

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

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

**SUBMITTED BY:** JACOB ELLIS, CITY MANAGER

**Attachments:**

1. Exhibit A - Location Map
2. Exhibit B - Cross Sections
3. Agreements

Owner: Bedford Marketplace, LLC  
5780 Fleet Street, Suite 225  
Carlsbad, CA 92008  
Attn: James P. Previti  
(760) 268-9381

Engineer: Hunsaker & Associates  
2900 Adams Street  
Suite A-15  
Riverside, CA 92504