



## Legislation Details (With Text)

**File #:** 20-0535      **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 a Grading Agreement for mass grading for Parcel Map (PM) 37608 - Latitude Business Park, LLC, a California Limited Liability Company.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Exhibit A - Location Map, 3. Grading Agreement

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 a Grading Agreement for mass grading for Parcel Map (PM) 37608 - Latitude Business Park, 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 Latitude Business Park, LLC, a California Limited Liability Company.

#### ANALYSIS:

Latitude Business Park, LLC, the owner of PM 37608, is proposing to construct 1,074,771 square feet of warehouse, industrial park, and office uses for light industrial land use. The project is located at the northwest corner of Tom Barnes Street and Temescal Canyon Road, east of Interstate 15, in the Light Industrial designation of the El Cerrito Specific Plan, as shown on Exhibit "A."

In compliance with Grading Ordinance No. 2568, the owner will enter into a Grading Agreement to secure the mass grading operations, which include drainage improvements. A cash deposit has been

posted to guarantee grading activities and 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, at a future date, will also enter into Precise Grading and Improvement Agreements with the City and post sufficient securities to guarantee construction of final grading, water, reclaimed water, storm drain, and sewer public improvements associated with the project.

Securities have been posted as detailed below:

PWGR2018-0045	Faithful Performance		Erosion Control	
	Security No.	Amount	Security No.	Amount
Mass Grading and Drainage Improvements	36K012810	\$586,600.00	Cash Deposit (R22317)	\$ 17,760.00

**COMMITTEE ACTION:**

Not applicable.

**STRATEGIC PLAN:**

Not applicable.

**FISCAL IMPACT:**

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

	Fee Type	Amount
PM37608, Latitude Business Park Mass Grading - PWGR2018-0045	Plan Check	\$12,255.00

**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 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., CITY ENGINEER

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

**Attachments:**

1. Exhibit A - Location Map
2. Grading Agreement

**Owner:** Latitude Business Park, LLC  
Attn: Pat Tritz  
2518 North Santiago Blvd.  
Orange, CA 92867

**Civil Engineer:** Kevin Richer, P.E.  
Land Development Design Company, LLC  
2313 E. Philadelphia Street, Suite F  
Ontario, CA 91767