



## Legislation Text

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File #: 19-0688, Version: 1

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### **AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION**

DATE: 08/07/2019

TO: Honorable Mayor and City Council Members

FROM: Public Works Department

**SUBJECT:**

City Council consideration of an Improvement Agreement for 2470, 2480, 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 an Improvement Agreement 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 seven 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. The City Council previously approved agreements for mass and precise grading on January 16, 2019, and on May 15, 2019 respectively, for the remaining four lots of Phase II, located at 2470, 2480, 2510, and 2520 Palisades Drive (Tract Map 35590 Lots 4-7), as shown on Exhibit "A."

The developer will now 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.

Securities have been posted as detailed below:

PWIM2018-0011	Faithful Performance		Labor and Materials	
	Bond No.	Amount	Bond No.	Amount
Public Improvements	100451242	\$389,800	100451242	\$194,900

**COMMITTEE ACTION:**

Not applicable.

**STRATEGIC PLAN:**

Not applicable.

**FISCAL IMPACT:**

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

PWIM2018-0011	Fee Type	Amount
2460, 2470, 2510, and 2520 Palisades Drive Public Improvement Review	Plan Check	\$8,825.38

**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 were prepared for Tentative Tract Map 35590 and adopted by the City Council on December 19, 2012.

However, this specific action before the Council is now 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:** MITCHELL LANSDELL, ACTING CITY MANAGER

**Attachments:**

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

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

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