



Legislation Text

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File #: 21-0826, Version: 1

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**REQUEST FOR CITY COUNCIL ACTION**

DATE: 09/15/2021

TO: Honorable Mayor and City Council Members

FROM: Planning and Development Department

**SUBJECT:**

Public Improvement Agreements associated with 3.90 acres located at the southwest corner of Magnolia Avenue and Downs Way (APN 107-080-050).

**EXECUTIVE SUMMARY:**

M & D Development, LLC is requesting to enter into three public improvement agreements with the City and post securities for the construction of a new car wash located on the southwest corner of Magnolia Avenue and Downs Way. The public improvement agreements are required per Corona Municipal Code Section 15.48.020 for new development exceeding 650 square feet. The agreements guarantee that the developer of the property will complete the required public improvements associated with the property.

**RECOMMENDED ACTION:**

**That the City Council** authorize the Mayor to execute the Public Improvement Agreements between the City and M & D Development, LLC, a California Limited Liability Company.

**BACKGROUND & HISTORY:**

M & D Development, LLC is the owner of a 3.90-acre lot located at the southwest corner of Magnolia Avenue and Downs Way. The zoning of the property is M-1 (Light Manufacturing). The owner is proposing to construct an approximately 10,000 square foot drive-through car wash that includes self-service vacuum stations. Automobile service stations are allowed in the M-1 zone and pursuant to the definition in Corona Municipal Code Section 17.04.069, a car wash is allowed.

**ANALYSIS:**

M & D Development, LLC will enter into three public improvement agreements with the City, and post sufficient securities to guarantee the construction of the necessary public improvements, which includes street, water, sewer and storm drain, and modification of the traffic signal at the intersection of Magnolia Avenue and Downs Way. The project will complete the construction of the

missing public improvements adjacent to and near the project site in order to support the future use of the site.

The table below shows the amount of the securities posted with the City by the developer.

	Faithful Performance		Labor and Materials	
	Security No.	Amount	Security No.	Amount
Street Improvements- PWIM2019-0008	Bond No. 0237061	\$ 94,000.00	Bond No. 0237061	\$ 47,000.00
Utility & Drainage Improvements- PWIM2019-0028	Bond No. 0237063	\$ 535,600.00	Bond No. 0237063	\$ 268,000.00
Traffic Signal- PWIM2019-00009	Bond No. 0237062	\$ 267,600.00	Bond No. 0237062	\$ 133,800.00

**FINANCIAL IMPACT:**

All applicable fees have been paid by the developer.

**ENVIRONMENTAL ANALYSIS:**

This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the common sense exemption 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:** JOANNE COLETTA, PLANNING & DEVELOPMENT DIRECTOR

**Attachments:**

1. Exhibit 1 - Location Map
2. Exhibit 2 - Public Improvement Agreement - Traffic
3. Exhibit 3 - Public Improvement Agreement - Street
4. Exhibit 4 - Public Improvement Agreement - Utility & Drainage