



City of Rialto

Legislation Details (With Text)

File #: CC-18-1165 **Version:** 1 **Name:**
Type: Resolution **Status:** Agenda Ready
File created: 12/3/2018 **In control:** City Council
On agenda: 12/11/2018 **Final action:**
Title: Request City Council to Approve an Easement for Storm Drain between Rialto Building 6 Project LLC (Grantor) and the City of Rialto (Grantee) allowing drainage from the Bldg 7/8/9 Site to enter the Amazon Fulfillment Center development located between Linden Avenue and Locust Avenue, south of Renaissance Parkway.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A Rialto 6 and City of Rialto Storm Drain Easement DRAFT 002.pdf, 2. Exhibit B 3547_SD 031418 (Storm Drain).PDF

Date	Ver.	Action By	Action	Result
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For City Council Meeting [December 11, 2018]

TO: Honorable Mayor and Members of the City Council

APPROVAL: Ahmad R. Ansari, Interim City Administrator

FROM: Robb Steel, Asst. City Administrator/Development Services Director

Request City Council to Approve an Easement for Storm Drain between Rialto Building 6 Project LLC (Grantor) and the City of Rialto (Grantee) allowing drainage from the Bldg 7/8/9 Site to enter the Amazon Fulfillment Center development located between Linden Avenue and Locust Avenue, south of Renaissance Parkway.

BACKGROUND:

The City Council approved land use entitlements for Building 6, located within Planning Area 108 of the Renaissance Specific Plan. Building 6 is currently under construction by Hillwood (Developer), and Amazon will occupy the completed facility.

On September 25, 2018, the City Council approved land use entitlements for Buildings 7/8/9 on 28 acres north of Building 6, between Locust Avenue and Linden Avenue. The hydrology for this site requires drainage to flow toward the southeast and across the Bldg 6 parcel to the storm drain in Linden Avenue. Rialto Building 6 Project LLC agrees to provide this drainage easement for the benefit of the Building 7/8/9 parcel currently owned by the City but under contract with LHR.

ANALYSIS/DISCUSSION

The proposed Easement for Storm Drain is attached hereto as **Exhibit A** and the legal description is attached hereto as **Exhibit B**. The easement requires the Grantee (City) to construct and maintain the storm drain on the Grantor's site at its sole cost and expense. In this case, the City will transfer

that burden to the future purchaser of the Bldg 7/8/9 parcel, either LHR or its assignee. The Bldg 7/8/9 parcel is under contract with LHR in accordance with the Area A Contract of Sale. The proposed drainage easement confers a benefit upon the Bldg 7/8/9 site by allowing drainage to traverse an adjoining property.

ENVIRONMENTAL IMPACT:

On December 13, 2016, the City Council, acting on behalf of the City as the Lead Agency as set forth in California Environmental Quality Act (CEQA) Section 21067, certified a Subsequent Environmental Impact Report (Environmental Assessment Review No. 16-55) for the Renaissance Specific Plan (SEIR). On September 25, 2018, the City Council approved an Addendum to the previously certified Environmental Impact Report. The granting of the easement requires no further environmental review.

GENERAL PLAN CONSISTENCY:

The goals within the land use element of general plan that directly relate to the Project are:

Goal 2-9: Protect residential, schools, parks, and other sensitive land uses from the impacts associated with industrial and trucking-related land uses, as well as commercial and retail areas.

Goal 2-12: Design new streets to be pedestrian friendly.

Goal 2-17: Provide high quality and environmentally sustainable landscaping.

Goal 2-21: Ensure high-quality planned developments in Rialto.

Goal 2-22: Promote commercial and/or industrial development that is well designed, people-oriented, environmentally sustainable, sensitive to the needs of the visitor or resident, and functionally efficient for its purpose.

LEGAL REVIEW:

The City Attorney reviewed and approved this staff report and Easement.

FINANCIAL IMPACT:

Operating Budget Impact

This action will have no impact upon the operating budget.

Capital Budget Impact

The Grantee (City) is required to pay for construction and maintenance of the storm drain on the Amazon parcel. The City does not intend to construct and maintain this facility but will assign that obligation to the future purchaser of the Bldg 7/8/9 Site.

RECOMMENDATION:

Staff recommends that the City Council Approve the Easement for Storm Drain between the Rialto Bldg 6 Project LLC and the City of Rialto.