



Legislation Details (With Text)

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File created: 2/16/2018 **In control:** City Council

On agenda: 2/27/2018 **Final action:**

Title: Request City Council to Conduct a Public Hearing to consider Adoption of (1) Resolution No. 7289 approving General Plan Amendment No. 17-02, which is a request to change the land use designation of approximately 4.65 gross acres of land from Residential 6 to Residential 12, (2) Resolution No. 7290 approving Tentative Tract Map No. 2017-0004 (TTM 20084), which is a request to allow the subdivision of approximately 4.65 gross acres of land into twenty-nine (29) single-family lots and eight (8) common lots, and introduce for first reading of (3) Ordinance No. 1599 approving Zone Change No. 337, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, APPROVING ZONE CHANGE NO. 337 TO CHANGE THE ZONING DESIGNATION OF APPROXIMATELY 4.65 GROSS ACRES OF LAND (APN: 0127-281-01) LOCATED ON THE EAST SIDE OF CACTUS AVENUE APPROXIMATELY 280 FEET NORTH OF BASE LINE ROAD FROM SINGLE-FAMILY RESIDENTIAL (R-1C) TO MULTI-FAMILY RESIDENTIAL (R-3)." Reading by title only and waiving full reading thereof. The Planning Division prepared a Mitigated Negative Declaration (Environmental Assessment Review No. 17-01) Resolution No. 1791 for consideration in conjunction with the project.
(ACTION) POWERPOINT

Sponsors:

Indexes:

Code sections:

Attachments: 1. Bella Villagio - PP Presentation, 2. Exhibit A - Location Map, 3. Exhibit B - Tentative Tract Map No. 20084, 4. Exhibit C - Common Open Space Plan, 5. Exhibit D - Site Plan, 6. Exhibit E - Floor Plans, 7. Exhibit F - Elevations, 8. Exhibit G - General Plan Land Use Exhibit, 9. Exhibit H - Zoning Exhibit, 10. Exhibit I - Community Meeting Flyer, 11. Exhibit J - Community Meeting Attendance Sheet, 12. Exhibit K - Community Meeting Comment Cards, 13. Exhibit L - Planning Commission Agenda Report, 14. Exhibit M - Planning Commission Resolution No. 18-05, 15. Exhibit N - Planning Commission Resolution No. 18-06, 16. Exhibit O - Planning Commission Resolution No. 18-07, 17. Exhibit P - Planning Commission Resolution No. 18-08, 18. Exhibit Q - Initial Study, 19. Exhibit R - Mitigation Monitoring & Reporting Program, 20. Exhibit S - Draft Resolution for EAR No. 17-01, 21. Exhibit T - Draft Resolution for GPA No. 17-02, 22. Exhibit U - Legal Description, 23. Exhibit V - Draft Ordinance for ZC No.pdf, 24. Exhibit W - Draft Resolution for TTM No. 2017-0004 (TTM 20084)

Date	Ver.	Action By	Action	Result
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For the City Council Meeting [February 27, 2018]

TO: Honorable Mayor and City Councilmembers

FROM: Robb R. Steel, Interim City Administrator

Request City Council to Conduct a Public Hearing to consider Adoption of (1) **Resolution No. 7289** approving **General Plan Amendment No. 17-02**, which is a request to change the land use designation of approximately 4.65 gross acres of land from Residential 6 to Residential 12, (2) **Resolution No. 7290** approving **Tentative Tract Map No. 2017-0004 (TTM 20084)**, which is a request to allow the subdivision of approximately 4.65 gross acres of land into twenty-nine (29) single

-family lots and eight (8) common lots, and introduce for first reading of (3) **Ordinance No. 1599** approving **Zone Change No. 337**, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, APPROVING ZONE CHANGE NO. 337 TO CHANGE THE ZONING DESIGNATION OF APPROXIMATELY 4.65 GROSS ACRES OF LAND (APN: 0127-281-01) LOCATED ON THE EAST SIDE OF CACTUS AVENUE APPROXIMATELY 280 FEET NORTH OF BASE LINE ROAD FROM SINGLE-FAMILY RESIDENTIAL (R-1C) TO MULTI-FAMILY RESIDENTIAL (R-3)." Reading by title only and waiving full reading thereof. The Planning Division prepared a Mitigated Negative Declaration (**Environmental Assessment Review No. 17-01**) **Resolution No. 1791** for consideration in conjunction with the project.

(ACTION) POWERPOINT

BACKGROUND:

Applicant

Casmalia Investment & Development, LLC, 998 S. Teakwood Avenue, Bloomington, CA 92316.

Location

The project site consist of one (1) parcel of land (APN: 0127-281-01) located on the east side of Cactus Avenue approximately 280 feet north of Base Line Road (Refer to the attached Location Map (**Exhibit A**)).

Surrounding Land Use and Zoning

Location	Existing Land Use	Zoning
Site	Vacant Land	Single-Family Residential (R-1C)
North	Single Family Residences	Multi-Family Residential (R-3)
East	Single Family Residences	Single-Family Residential (R-1C)
South	Various Commercial Retail/Services	Neighborhood Commercial (C-1)
West	Single Family Residences	Single-Family Residential (R-CL)

General Plan Designations

Location	General Plan Designation
Site	Residential 6 (2.1 - 6.0 dwelling units per acre)
North	Residential 6 (2.1 - 6.0 dwelling units per acre)
East	Residential 6 (2.1 - 6.0 dwelling units per acre)
South	Community Commercial
West	Residential 6 (2.1 - 6.0 dwelling units per acre)

Site Characteristics

The project site is a relatively flat, rectangular-shaped piece of land comprised of one parcel. The parcel is approximately 4.65 gross-acres in size with approximate dimensions of 607 feet (east-west) by 333 feet (north-south). The entire the project site is vacant and covered by natural grasses and shrubs, though it did previously contain one single-family residence that the previous owner demolished in 2015. Single-family residential subdivisions surround the project site on the north, east, and west. To the south are several commercial developments including a 7-Eleven gas station, a 4,898 square foot multi-tenant retail building, an 8,580 square foot multi-tenant retail building, a

1,938 square foot fast-food restaurant, and a 6,635 square foot day-care facility. The zoning of the project site and the properties to the east is Single-Family Residential (R-1C). The zoning of the properties to the north is Multi-Family Residential (R-3), the zoning of the properties to the south is Neighborhood Commercial (C-1), and the zoning of the property to the west is Single-Family Residential (R-CL) within the Rialto Airport Specific Plan.

ANALYSIS/DISCUSSION:

Tentative Tract Map No. 2017-0004 (TTM 20084)

The applicant proposes to subdivide the project site into twenty-nine (29) detached single-family lots, and eight (8) common lots for open space/recreation, private streets, and landscaping (**Exhibit B**). The proposed density of the project is 6.32 dwelling units per acre. Lot sizes for the new single-family lots range from 3,708 square feet to 4,038 square feet, with an average lot size of about 3,824 square feet. Lot depths range from 80.6 feet to 85 feet, with an average lot depth of 82.4 feet. Lastly, lot widths range from 46 feet to 47.5 feet, with an average lot width of 37 feet.

An existing portion of Cactus Avenue will provide access to the new single-family subdivision. The applicant will locate a distinctive entryway near the center of the Cactus Avenue street frontage. This new entryway will feature a landscaped median, decorative paving, and neighborhood identification signage. A new 36-foot wide private street system, connected directly to the Cactus Avenue entryway, will loop around the inside of the project site. The applicant will plot seventeen (17) of the single-family lots around the outer perimeter of the loop, and ten (10) single-family lots within the center of the loop.

As shown on the tentative map, a new six-foot high decorative masonry wall with entry gates will enclose the subdivision to provide exclusivity to the residents. The total common open space area is 12,896 square feet, which exceeds the minimum requirement of 11,600 square feet. The recreational amenities within the common open space include a tot-lot playground, a picnic/bbq area, a basketball half-court, an exercise station, and an open grass area (**Exhibit C**). Twelve (12) dedicated parking spaces will accommodate guests of the residents, and additionally the interior private streets are wide enough to accommodate street side parking throughout the entire site. Lastly, the subdivision will also include a four (4) foot wide sidewalk on both sides of the private street to provide walkability throughout the subdivision. A Home Owner's Association will maintain the common open space and all other private common areas during the life of the development.

Product Design

In conjunction with Tentative Tract Map No. 20084, the applicant proposes to construct one detached single-family residence on each new single-family lot for a total of twenty-nine (29) single-family residences within the new subdivision. According to the applicant's site plan (**Exhibit D**), the project will include four (4) distinct plan types - Plans 1, 2, 3, and 4 and reverse footprints for a total of eight (8) footprints. Plans 1, 2, and 3 are two-stories in height, and Plan 4 is one-story in height. The floor area of these plans will range from approximately 1,483 square feet to approximately 2,666 square feet. Each floor plan (**Exhibit E**) features between three to five bedrooms, two to three bathrooms, a loft/tech space, a two-car garage, a kitchen, and living/dining areas.

The project will feature three architectural styles - Spanish, Craftsman, and Tuscan. Each elevation (**Exhibit F**) features varied rooflines and styles, concrete tile roofing, cantilevered second stories, and trim elements consistent with each architectural style.

General Plan Amendment No. 16-01 & Zone Change No. 335

As previously noted, the project site has a General Plan land use designation of Residential 6 (2.1 - 6.0 du/acre) and a zoning designation of Single-Family Residential (R-1C). Per Section 18.16.030A of the Rialto Municipal Code, the minimum lot size allowed in the R-1C zone is 7,700 square feet, while the Residential 6 general plan designation limits development of the project site to a maximum of six (6) dwelling units per acre. Thus, the current general plan land use designation and the current zoning designation cannot accommodate the proposed subdivision.

In order to develop the proposed project, the developer applied for a General Plan Amendment and a Zone Change. A General Plan land use designation of Residential 12 (6.1 - 12.0 du/ac) and a zoning designation of Multi-Family Residential (R-3) are the most logical designations to accommodate the project. Although the R-3 zone is entitled "Multi-Family Residential" it does permit for the development of a single-family residential subdivision with the applicant's desired density. As a result, the applicant designed the project to comply with all of the required development standards of the R-3 zone.

The R-3 zone and the Residential 12 General Plan land use designation are consistent with the surrounding developments. For instance, the single-family residential subdivision to the north of the project site, also known as Century Village, is zoned R-3, and though the general plan land use designation is Residential 6, the development actually has a density of approximately 8.0 dwelling units per acre. Additionally, the single-family residential subdivision to the east, across Cactus Avenue, also known as Renaissance Rialto, is comprised of similar sized single-family lots and an overall density of approximately 6.5 dwelling units per acre.

Exhibits demonstrating the existing and proposed General Plan land use designations and the zoning designations of the project site are included to the staff report as **Exhibits G & H**.

Community Meeting

On February 2, 2017, the Planning Division held a community meeting to introduce the project to the public. The meeting took place at the Rialto United Methodist Church located at 1230 N. Lilac Avenue. Staff mailed flyers (**Exhibit I**) to all seventy-eight property owners within 300 feet of the project site. Three (3) property owner/residents attended the meeting. The attendees reacted positively to the project. The consensus was that the project as proposed is the right fit for the area and will facilitate the development of a vacant lot known to have issues with vagrants and trespassers. The attendance sheet and comment cards received are included as **Exhibits J & K**.

Economic Development Committee

The Economic Development Committee (EDC) reviewed the project on February 15, 2017. The EDC supported the project, and instructed the applicant to file all necessary entitlement applications.

Development Review Committee

The Development Review Committee (DRC) reviewed the project on May 10, 2017. The DRC recommended approval of the project subject to the applicant revising the design. The DRC required the incorporation of additional common landscape planters and a walkway system throughout the development. The applicant incorporated all of the revisions required by the DRC into the project plans attached to the agenda report. Public Works Engineering conditions of approval were also gathered at the meeting and have been incorporated into the Resolution of Approval for the Tentative Map.

Planning Commission

On January 31, 2018, the Planning Commission held a public hearing and considered oral and written testimony for General Plan Amendment No. 17-02, Zone Change No. 337, Tentative Tract Map No. 2017-0004 (TTM 20084), and the associated Mitigated Negative Declaration (Environmental Assessment Review No. 17-01). After consideration, the Planning Commission voted 6-0 (1 Vacancy) to recommend approval of the project to the City Council. The staff report from the January 31, 2018 meeting and the adopted Planning Commission Resolutions are attached (**Exhibits L - P**).

ENVIRONMENTAL IMPACT:

California Environmental Quality Act

The Planning Division prepared an Initial Study (Environmental Assessment Review No. 17-01) to assess the potential environmental impacts of the proposed project, in accordance with the requirements of the California Environmental Quality Act (CEQA). The Initial Study is attached to the agenda report (**Exhibit Q**). Based on the findings and recommended mitigation within the Initial Study, staff determined that the project will not have an adverse impact on the environment and a Mitigated Negative Declaration was prepared. Staff published a Notice of Intent to adopt the Mitigated Negative Declaration for the project in the San Bernardino Sun newspaper, and mailed copies to all property owners within 300 feet of the project site. A mandatory twenty (20) day public comment period took place from August 19, 2017 to September 7, 2017. The City received one (1) public comment letter from the South Coast Air Quality Management District (SCAQMD). Its comment letter, SCAQMD requested additional information and clarification of the project and the surrounding land uses. The applicant and Planning staff engaged SCAQMD to provide the additional requested information, and on October 17, 2017 SCAQMD provided an email to Planning staff indicating that they had received the information and had no further comment.

Although the Initial Study indicates that the project could present a significant effect with respect to Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gases, Noise, and Tribal Cultural Resources, any potential impacts will be mitigated to a level of insignificance through the implementation of the mitigation measures included within the Mitigation Monitoring and Reporting Program (**Exhibit R**).

Native American Tribal Consultation (Assembly Bill 52 and Senate Bill 18)

In accordance with California Assembly Bill 52 and California Senate Bill 18, the Planning Division mailed notices to six (6) Native American tribes informing them of the project and allowing them to request consultation on the project. The six (6) tribes were given ninety (90) days, from August 11, 2017 to November 8, 2017 to request consultation on the proposed project. One (1) tribe, The Gabrieleño Band of Mission Indians-Kizh Nation (Kizh Nation), requested formal consultation during the period. Planning staff conducted formal consultation with Chairman Andrew Teutimez-Salas and Matt Teutimez of the Kizh Nation on September 28, 2017. The topics discussed included a basic background of the project and the anticipated construction activities. During the consultation, Chairman Teutimez-Salas requested the ability to place a certified Native American Monitor on-site during all ground disturbance activities. The Draft Resolution of Approval for Tentative Tract Map No. 2017-0004 (TTM 20084) includes a Condition of Approval requiring the applicant to coordinate with the Kizh Nation to allow access during all ground disturbance activities.

GENERAL PLAN CONSISTENCY:

The project is consistent with the following goals of the Land Use Element of the Rialto General Plan:

Goal 2-19: Encourage neighborhood preservation, stabilization, and property maintenance.

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

LEGAL REVIEW:

The City Attorney has reviewed and approved the staff report.

FINANCIAL IMPACT:

The applicant will bear the full capital cost of construction of the project and the required infrastructure improvements. No City funds will be used to construct the project. Prior to completion of the project, the applicant will be required to pay plan check, permit, and development impact fees to the City. The applicant will pay approximately \$1,126,000 for those one-time fees, as shown in the chart below:

<i>Fee</i>	<i>Capital</i>	<i>Operating</i>	<i>Total</i>
Development Impact Fees	\$957,000	-	\$957,000
Building Plan Check / Permit Fees	-	\$87,000	\$87,000
Planning Fees	-	\$16,000	\$16,000
Engineering Plan Check / Permit Fees	-	\$66,000	\$66,000
One Time Fee Revenues	\$957,000	\$169,000	\$1,126,000

Fiscal impact reports for similar developments within the City projected an average annual net operating cost of \$288 per residential unit with the Utility Tax and \$722 per residential unit without the Utility Tax. At stabilized occupancy, the proposed project of twenty-nine (29) homes would cost the City General Fund \$8,352 to \$20,938 more per year to service than the revenues derived. Staff recommends, as a condition of approval, that the applicant pay for the preparation of an operating fiscal impact report and mitigate the impacts, if any, through the annexation into a Community Facilities District, payment of a one-time mitigation fee, or other acceptable mitigations measures.

RECOMMENDATION:

Staff recommends that the City Council Conduct a Public Hearing to consider:

- Adoption of the attached Resolution (**Exhibit S**) approving the Mitigated Negative Declaration (Environmental Assessment Review No. 17-01) prepared for the proposed project and authorization of staff to file a Notice of Determination with the Clerk of the Board of San Bernardino County; and
- Adoption of the attached Resolution (**Exhibit T**) approving General Plan Amendment No. 17-02 to change the land use designation of approximately 4.65 gross acres of land, detailed in the legal description attached as **Exhibit U**, from Residential 6 to Residential 12, subject to the findings and conditions therein; and
- Conduct the first reading of the attached Ordinance (**Exhibit V**) approving Zone Change No. 337 to change the zoning designation of approximately 4.65 gross acres of land, detailed in the legal description attached as **Exhibit U**, from Single-Family Residential (R-1C) to Multi-Family Residential (R-3), subject to the findings and conditions therein; and
- Adoption of the attached Resolution (**Exhibit W**) approving Tentative Tract Map No. 2017-0004

(TTM 20084) to allow the subdivision of approximately 4.65 gross acres of land (APN: 0127-281-01) into twenty-nine (29) detached single-family lots and eight (8) common lots, subject to the findings and conditions therein.