



City of Rialto

Legislation Details (With Text)

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File created: 5/23/2019 **In control:** Planning Commission
On agenda: 5/29/2019 **Final action:**
Title: Specific Plan Amendment No. 2017-0001: A request to change the zoning designation of approximately 4.54 gross acres of land (APNs: 0131-021-36, -37, -38, & -39) located at the southeast corner of Willow Avenue and Bonnie View Drive from Support Commercial (S-C) within the Central Area Specific Plan to Multi-Family Residential (MFR) within the Central Area Specific Plan. A Mitigated Negative Declaration (Environmental Assessment Review No. 2018-0099) is included for consideration in conjunction with the project in accordance with the California Environmental Quality Act (CEQA).

Tentative Tract Map No. 2018-0007 (TTM 20199): A request to allow the subdivision of approximately 4.54 gross acres of land (APNs: 0131-021-36, -37, -38, & -39) located at the southeast corner of Willow Avenue and Bonnie View Drive into fifty-six (56) single-family lots and four (4) common lots (for private streets, amenities, and landscaping). A Mitigated Negative Declaration (Environmental Assessment Review No. 2018-0099) is included for consideration in conjunction with the project in accordance with the California Environmental Quality Act (CEQA).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A - Location Map, 2. Exhibit B - Zoning Exhibit, 3. Exhibit C - Tentative Tract Map No. 20199, 4. Exhibit D - Site Plan, 5. Exhibit E - Floor Plans, 6. Exhibit F - Elevations, 7. Exhibit G - Wall and Fence Plan, 8. Exhibit H - Preliminary Landscape Plan, 9. Exhibit I - Neighborhood Meeting Flyer, 10. Exhibit J - Neighborhood Meeting Attendance Sheet, 11. Exhibit K - Neighborhood Meeting Comment Card, 12. Exhibit L - Initial Study, 13. Exhibit M - Mitigation Monitoring & Reporting Program, 14. Exhibit N - Draft Resolution for EAR No. 2018-0099, 15. Exhibit O - Draft Resolution for SPA No. 2017-0001, 16. Exhibit P - Legal Description, 17. Exhibit Q - Draft Resolution for TTM No. 2018-0007

Date	Ver.	Action By	Action	Result
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For the Planning Commission Meeting of May 29, 2019

TO: Honorable Chairman and Planning Commissioners

APPROVAL: Robb Steel, Assistant CA / Director of Development Services

FROM: Daniel Casey, Senior Planner

Specific Plan Amendment No. 2017-0001: A request to change the zoning designation of approximately 4.54 gross acres of land (APNs: 0131-021-36, -37, -38, & -39) located at the southeast corner of Willow Avenue and Bonnie View Drive from Support Commercial (S-C) within the Central Area Specific Plan to Multi-Family Residential (MFR) within the Central Area Specific Plan. A Mitigated Negative Declaration (Environmental Assessment Review No. 2018-0099) is included for consideration in conjunction with the project in accordance with the California Environmental Quality Act (CEQA).

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APPLICANT:

RBV Investment Group, LLC, 625 Fair Oaks Avenue, #115, South Pasadena, CA 91030

LOCATION:

The project site consists of four (4) parcels of land located at the southeast corner of Willow Avenue and Bonnie View Drive (APNs: 0131-021-36, -37, -38, & -39) (Refer to the attached Location Map (Exhibit A)).

BACKGROUND:

Surrounding General Plan Land Use Designations

<i>Location</i>	<i>General Plan Designation</i>
Site	Residential 21 (12.1 - 21.0 du/acre)
North	Downtown Mixed-Use (6.1 - 60.0 du/acre)
East	Downtown Mixed-Use (6.1 - 60.0 du/acre)
South	Residential 12 (6.1 - 12.0 du/acre)
West	Residential 12 (6.1 - 12.0 du/acre)

Surrounding Zoning Designations

<i>Location</i>	<i>Zoning</i>
Site	Support Commercial (S-C) (Central Area SP)
North	Support Commercial (S-C) / Increased Density Residential (R-X) (Central Area SP)
East	Support Commercial (S-C) (Central Area SP)
South	Multi-Family Residential (MFR) (Central Area SP)
West	Mobile Home Development (MHD)

Site Characteristics

The project site is a relatively flat, rectangular-shaped piece of land comprised of four (4) parcels. Altogether, the project site is approximately 4.54 gross acres in size with approximate dimensions of 990 feet (east-west) by 200 feet (north-south). The entire project site is vacant and covered by natural grasses and shrubs.

Surrounding Area

To the north of the project site, across Bonnie View Drive, is a self-storage facility and approximately 2.55 acres of vacant land planned for a 38-unit affordable housing apartment complex and a public parking lot. To the east is a 3,422 square foot fast food restaurant building, and to the south is a tract of single-family residences built in 1978.

ANALYSIS/DISCUSSION:

Project Proposal

RBV Investment Group, LLC, the applicant, proposes to develop the 4.54 gross acre project site into a private residential neighborhood consisting of fifty-six (56) detached single-family dwelling units, private streets, recreational amenities, and landscaping. The project includes changing the zoning of the project site from Support Commercial (S-C) within the Central Area Specific Plan to Multi-Family Residential (MFR) within the Central Area Specific Plan, and the subdivision of the project site into fifty-six (56) single-family lots and four (4) common lots for the private streets and recreational amenities.

Specific Plan Amendment No. 2017-0001

Per Section 2 (Permitted Uses) of the S-C zone, single-family residences are not permitted on the project site. However, the site's underlying Residential 21 land use designation does allow for the development of residential projects on the project site with a density ranging from 12.1 dwelling units per acre to 21.0 dwelling units per acre. It is uncertain why the zoning designation and the land use designation are inconsistent with each other in this case. Nevertheless, in order to address the discrepancy and to accommodate the proposed development, the applicant filed a specific plan amendment application to change the zoning designation of the project site to MFR.

The MFR zone and the applicant's development proposal are consistent with the surrounding zoning designations and land uses. For example, as shown in the attached zoning exhibit (**Exhibit B**), the land immediately adjacent to the south of the project site is similarly zoned MFR and developed with single-family residences. Meanwhile, the 2.55 acres of vacant land to the north of the project site is zoned Increased Density Residential (R-X) and contains entitlements to develop a 38-unit affordable housing apartment complex. The proposal to develop 56 detached single-family dwelling units on the project site will provide a buffer between the lower density single-family dwellings to the south and the high-density apartment complex planned to the north.

Furthermore, under the current S-C zoning, the project site can only accommodate the development of various commercial services and/or retail uses. Willow Avenue and Bonnie View Drive are each collector streets and are not known for the type of traffic needed to support a commercial development. Without frontage on a major arterial street, such as nearby Riverside Avenue, it is unlikely that the project site will develop into a viable commercial project anytime in the near future. For these reasons, the Planning Division supports the applicant's request to change the zoning designation of the project site to MFR to accommodate the project single-family residential development.

Tentative Tract Map No. 2018-0007 (TTM 20199)

The applicant filed a tentative tract map application to subdivide the project site into fifty-six (56) single-family lots, one (1) private street lot, and three (3) recreational amenity lots (**Exhibit C**). Lot sizes for the new single-family lots range from approximately 1,408 square feet to 3,338 square feet, with an average lot size of about 1,835 square feet. The lots have depths between 57 feet and 98 feet, and widths between 22 feet and 55 feet.

Density

As proposed, the residential neighborhood will have a density of 12.33 dwelling units per acre, which is significantly less than the 21.0 dwelling units per acre maximum density allowed by the Residential 21 land use designation and the MFR zone.

Neighborhood Site Design

According to the site plan (**Exhibit D**), the applicant will construct twenty-eight (28) single-family dwelling units in a row along the northern boundary of the project site, and another twenty-eight (28) single-family dwelling units within six (6) motor courts distributed along the southern boundary of the project site. The neighborhood will have two (2) access points - one (1) driveway connected to Bonnie View Drive that will allow full access in and out of the neighborhood and one (1) driveway connected to Willow Avenue that will provide access to emergency vehicles only. The primary access point off Bonnie View Drive, known as Belloro Drive from hereon, will feature significant amounts of landscaping, decorative paving, and neighborhood identification signage. Internally, Belloro Drive will connect to a twenty-six (26) foot wide east-west private street, known as Bonita Drive from hereon. Bonita Drive will provide direct access to the garages of the twenty-eight (28) single-family dwellings on the north side of the project site and to six (6) motor court alleys on the south side of the project site. The six (6) motor court alleys will provide direct access to garages of the remaining single-family dwellings.

The applicant will also construct and install several amenities in each of the three (3) recreational amenity lots. The first recreational amenity lot, located at the southwest corner of the project site, will feature a playground, landscaping, and benches. The second recreational amenity lot, located slightly east of the center of the project site, will feature a swimming pool, spa, and landscaping. The third, and final, recreational amenity lot, located at the southeast corner of the project site, is a dog park featuring artificial turf, decomposed granite paving, benches, and landscaping. Including the amenities and the private yards of each single-family lot, the total amount of open space area provided throughout the neighborhood is 49,481 square feet, which far exceeds the minimum requirement of 22,400 square feet.

Product Design

The single-family dwellings will feature four (4) distinct floor plan types - Plan 1, Plan 2, Plan 3, and Plan 4 (**Exhibit E**). Plan 1 is one-story in height, and Plans 2, 3, and 4 are two-stories in height. The floor area of the single-family plans will range from 1,393 square feet to 2,182 square feet. Each individual single-family dwelling unit will feature between three (3) to four (4) bedrooms, two (2) to three and one-half (3.5) bathrooms, and a two-car garage. The exterior of single-family structures will come in three (3) different architectural styles - Spanish Colonial, Spanish Santa Barbara, and Italianate (**Exhibit F**). Each elevation features varied rooflines and roof styles, concrete tile roofing, stucco exterior finishes, and trim elements consistent with each architectural style.

Fences and Walls

The wall and fence plan (**Exhibit G**) indicates that the applicant will install a minimum six (6) foot high block wall around the entire outer perimeter of the neighborhood. The block wall will feature a smooth plater finish, a decorative brick cap, and six and one-half (6.5) foot tall by sixteen (16) inch square pilasters approximately every fifty (50) linear feet, which will serve to provide relief along lengthy expanses of the fences and walls. Additionally, all of the single-family lot lines that front or face a private street, private alley, or amenity will feature a similarly styled six (6) foot high block wall, and all of the interior single-family lot lines will feature vinyl privacy fencing.

Landscaping

The landscape coverage for the project is 17.2 percent. This includes the landscaping within the amenity lots, private yards, the common areas around each single-family structure, and at the primary entrance to the neighborhood. In addition to the on-site landscaping, the applicant will also install landscaping within the public right-of-way parkways on Bonnie View Drive and Willow Avenue. As shown on the conceptual landscape master plan (**Exhibit H**), all of the landscaped areas will feature a variety of trees spaced every thirty (30) linear feet and an abundant amount of shrubs and groundcover.

Parking

Parking within the new neighborhood will come in the form of garage spaces and perpendicular spaces within the internal private street system. In total, the neighborhood will contain 141 parking spaces for the 56 dwelling units, with 112 of the parking spaces enclosed within garages. This quantity exceeds the minimum parking requirement as shown in the parking calculation chart below and as required by Section 3(O) of the MFR zone, which requires two (2) parking spaces within an enclosed garage for each single-family dwelling and one (1) guest parking space for every ten (10) dwelling units in total:

Type of Use	Number of Units	Parking Ratio (Spaces/Unit)	Number of spaces required
Single-Family Guest Parking	56	2 / 1	112
Total Required/Total Provided Total			118/141
Required/Total Provided (Garage)			112/112

Fiscal Analysis

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 \$1,737,750 for those one-time fees, as shown in the chart below:

Fee	Capital	Operating	Total
Development Impact Fees	\$1,450,000	-	\$1,450,000
Building Plan Check / Permit Fees	-	\$165,000	\$165,000
Planning Fees	-	\$12,750	\$12,750
Engineering Plan Check / Permit Fees	-	\$110,000	\$110,000
One Time Fee Revenues	\$1,450,000	\$287,750	\$1,737,750

Fiscal impact reports for similar developments within the City projected an average annual net operating cost of \$280 per residential unit with the Utility Tax. At stabilized occupancy, the proposed project of fifty-six (56) dwellings will cost the City General Fund approximately \$15,680 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.

Development Review Committee

The Development Review Committee (DRC) reviewed the project on October 3, 2018. The DRC recommended approval of the project subject to the applicant revising the design. The DRC required a re-alignment of the motor courts to place an amenity lot near the primary entrance for visibility, the incorporation of an additional elevation style, and the incorporation of sidewalks that lead from the private streets to the gates of each private yard to facilitate the maneuverability of the trash cans. The applicant incorporated all of the revisions required by the DRC into the current set of project plans.

Economic Development Committee

The Economic Development Committee (EDC) reviewed the project on October 11, 2017 and again on January 31, 2018. At its first meeting, the EDC directed staff and the applicant to conduct a neighborhood meeting to introduce the project to the surrounding public. At its second meeting, the EDC expressed support for the project, and directed the applicant to file the necessary applications.

Neighborhood Meeting

On November 16, 2017, the Planning Division held a neighborhood meeting regarding the project, as directed by the EDC. The meeting took place in the Council Chambers at City Hall located at 150 S. Palm Avenue. Staff mailed flyers (**Exhibit I**) to all two-hundred (200) property owners within 300 feet of the project site. One (1) resident attended the meeting. The attendance sheet and comment card received are included as **Exhibits J & K**. The sole attendee expressed opposition to the project. The main issues of concern centered on the density of the project and the resultant increase in vehicular traffic that the project would generate. Staff and the applicant addressed the comments at the meeting by explaining that the applicant proposes a density close to the minimum allowed by the current Residential 21 land use designation, and that the applicant will prepare a traffic study, which will determine the appropriate mitigation necessary, if any, to reduce traffic impacts to a level of insignificance.

Transportation Commission

Crown City Engineers, Inc. prepared a project-specific Traffic Impact Study (TIS), dated November 30, 2018, to assess potential impacts to local streets and intersections. The Transportation Commission has not reviewed the TIS as of this date, but will review it and make a determination on its adequacy prior to City Council action on the project. The TIS indicates that the project will generate approximately 530 daily passenger car trips, with 41 AM peak hour trips and 56 PM peak hour trips. The traffic study determined that each of the four (4) intersections analyzed in the study would continue to operate at or above acceptable levels of service upon completion of the project without the need for any mitigation.

The project will complete half-width street improvements along the project frontages of Bonnie View Drive and Willow Avenue. Additionally, the applicant will pay development impact fees related to traffic. All street improvements and development impact fee payments must be paid and/or

completed prior to occupancy.

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.

ENVIRONMENTAL IMPACT:

California Environmental Quality Act

The applicant engaged Blodgett Baylosis Environmental Planning to prepare an Initial Study (Environmental Assessment Review No. 2018-0099) 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 L**). 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, mailed copies to all property owners within 300 feet of the project site. Staff also completed a Notice of Completion and distributed copies of the Initial Study to the State Clearinghouse. A twenty (20) day public comment period took place from April 24, 2019 to May 13, 2019. The City received no public comment letters during the public comment period.

Although the Initial Study indicates that the project could present a significant effect with respect to Biological Resources, Geology and Soils, and Noise, 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 M**).

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 ten (10) Native American tribes informing them of the project and allowing them to request consultation on the project. The tribes were given ninety (90) days, from January 21, 2019 to April 20, 2019 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 May 9, 2019. 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. 2018-0007 (TTM 20199) includes a Condition of Approval requiring the applicant to coordinate with the Kizh Nation to allow access during all ground disturbance activities.

PUBLIC NOTICE:

The City mailed a public hearing notice for the proposed project to all property owners within 300 feet of the project site and published the public hearing notice in the *San Bernardino Sun* newspaper as required by State law.

RECOMMENDATION:

The Planning Division recommends that the Planning Commission:

- Adopt the attached Resolution (**Exhibit N**) forwarding to the City Council a recommendation to approve a Mitigated Negative Declaration for the proposed project, and authorize staff to file the attached Notice of Determination with the Clerk of the Board of San Bernardino County; and
- Adopt a resolution (**Exhibit O**) forwarding to the City Council a recommendation to approve Specific Plan Amendment No. 2017-0001 to change the zoning designation of approximately 4.54 gross acres of land, detailed in the legal description attached as **Exhibit P**, from Support Commercial (S-C) within the Central Area Specific Plan to Multi-Family Residential (MFR) within the Central Area Specific Plan, subject to the findings and conditions therein; and
- Adopt a resolution (**Exhibit Q**) forwarding to the City Council a recommendation to approve Tentative Tract Map No. 2018-0007 allowing the subdivision of approximately 4.54 gross acres of land (APNs: 0131-021-36, -37, -38, & -39) into fifty-six (56) single-family lots and four (4) common lots (for private streets, amenities, and landscaping), subject to the findings and conditions therein.