



City of Rialto

Legislation Text

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For City Council Meeting [January 26, 2021]

TO: Honorable Mayor and City Council
APPROVAL: Sean Grayson, Acting City Manager
FROM: Karen Peterson, Acting Community Development Director

Request City Council to Set a Public Hearing for **February 9, 2021** to consider (1) **General Plan Amendment No. 2019-0004**, which is a request to change the general plan land use designation of approximately 2.92 gross acres (2.77 net acres) of land from Residential 6 to Residential 12, (2) **Zone Change No. 2019-0003**, which is a request to change the zoning designation of approximately 2.92 gross acres (2.77 net acres) of land from Single-Family Residential (R-1C) to Multi-Family Residential (R-3), (3) **Tentative Tract Map No. 2019-0002 (TTM 20294)**, which is a request to allow the subdivision of approximately 2.92 gross acres (2.77 net acres) of land into twenty-two (22) single-family lots and two (2) common lots, (4) **Precise Plan of Design No. 2020-0005**, which is a request to allow the development of a private residential neighborhood consisting of twenty-two (22) detached single-family dwelling units with corresponding improvements, and (5) a Mitigated Negative Declaration (**Environmental Assessment Review No. 2019-0033**) prepared for the project, in accordance with the California Environmental Quality Act (CEQA).

BACKGROUND

Applicant

MV AMCV, LLC, 8628 Hillside Road, Alta Loma, CA 91701

Location

The project site consists of two (2) parcels of land located on the east side of Cedar Avenue approximately 630 feet north of San Bernardino Avenue (APNs: 0250-091-25 & -26) (Refer to the attached Location Map (**Exhibit A**)).

Surrounding General Plan Land Use Designations

Location	General Plan Designation
Site	Residential 6 (2.1 - 6.0 du/acre)
North	Residential 6 (2.1 - 6.0 du/acre)
East	Residential 6 (2.1 - 6.0 du/acre)
South	Residential 6 (2.1 - 6.0 du/acre)
West	Residential 6 (2.1 - 6.0 du/acre) (Sphere of Influence)

Surrounding Zoning Designations

Location	Zoning
Site	Single-Family Residential (R-1C)
North	Single-Family Residential (R-1C)
East	Single-Family Residential (R-1C)
South	Single-Family Residential (R-1C)
West	County of San Bernardino

Site Characteristics

The project site is a relatively flat, square-shaped piece of land comprised of two (2) parcels. Altogether, the project site is approximately 2.92 gross acres (2.77 net acres) in size with approximate dimensions of 386 feet (east-west) by 330 feet (north-south). The entire project site is vacant and covered by natural grasses and shrubs.

Surrounding Area

The project site is bound by an existing segment of Cedar Avenue to the west. To the north and east of the project site is a single-family residential subdivision built in 1987. To the south is another single-family residential subdivision built in 1987, and to west, across Cedar Avenue, is a single-family residential subdivision built in 1985.

ANALYSIS/DISCUSSION

Project Proposal

MV AMCV, LLC, the applicant, proposes to develop the 2.92 gross acre (2.77 net acre) project site into a private residential neighborhood consisting of twenty-two (22) detached single-family dwelling units, private streets, common open space, landscaping, and stormwater retention. The project includes changing the general plan land use designation of the project site from Residential 6 to Residential 12, changing the zoning of the project site from Single-Family Residential (R-1C) to Multi-Family Residential (R-3), and the subdivision of the project site into twenty-two (22) single-family lots and two (2) common lots for the private streets, common open space, landscaping, and stormwater retention.

Tentative Tract Map

The applicant filed a tentative tract map application to subdivide the project site into twenty-two (22) single-family lots, one (1) private street lot, and one (1) common open space lot. Lot sizes for the new single-family lots range from approximately 3,441 square feet to 3,454 square feet, with an average lot size of 3,450 square feet, and all of the new single-family lots have depths of 73.5 feet and widths 47 feet.

Density

As proposed, the residential neighborhood will have a density of 7.94 dwelling units per acre, which is less than the 12.0 dwelling units per acre allowed by the proposed Residential 12 land use designation and the 21.0 dwelling units per acre allowed by the proposed R-3 zone.

Neighborhood Site Layout

According to the site plan, the applicant will construct twelve (12) detached single-family dwelling units along a north-south private street in the western half of the project site, and another ten (10)

detached single-family dwelling units along a north-south private street in the eastern half the project site. The neighborhood will have one (1) access point via a full-access driveway in the center of the frontage along Cedar Avenue. This driveway will connect Cedar Avenue to an east-west private street within the neighborhood, known as Granada Street from hereon. Internally, Granada Street will run through the middle of the neighborhood and provide direct access to each of the north-south private streets that contain the detached single-family dwelling units. At the terminus of Granada Street on the east end of the project site, the applicant will place one (1) common open space lot with sufficient area to provide recreational amenities for the residents and their guests. The neighborhood will also include a four (4) foot wide sidewalk on both sides of each private street to provide walkability throughout the neighborhood and twenty-two (22) dedicated parking spaces within the internal private street system. Lastly, a Homeowner's Association will maintain the common open space and all other private common areas during the life of the development.

Open Space

According to the applicant's common open space plan, the common open space lot located on the east end of the project site will feature an open turf area, a picnic/bbq area, and perimeter landscaping. The common open space lot will contain 9,037 square feet of area, which exceeds the minimum requirement of 8,800 square feet.

Fences and Walls

The wall and fence plan indicates that the applicant will install a six (6) foot high block wall around the entire outer perimeter of the neighborhood. The block wall will feature a tan split-face finish, a precision block cap, and six (6) 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, the applicant will install a combination of a similarly styled block walls and vinyl privacy fencing for the single-family lots depending upon visibility from a private street or common open space area.

Product Design

In conjunction with the tentative map, the applicant proposes to construct one (1) detached single-family dwelling unit on each single-family lot for a total of twenty-two (22) single-family dwellings. The single-family dwellings will feature three (3) distinct two-story plan types - Plan 1, Plan 2, and Plan 3. 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 1,825 square feet to 2,143 square feet. Each individual single-family dwelling unit will feature between three (3) to four (4) bedrooms, two and one-half (2.5) to three (3) bathrooms, and a two-car garage. The exterior of single-family structures will come in three (3) different architectural styles - Spanish, Italianate, and Craftsman (Traditional). Each elevation features varied rooflines and roof styles, concrete tile roofing, stucco exterior finishes, and trim elements consistent with each architectural style.

General Plan Amendment & Zone Change

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). These designations do not allow for the development of single-family residential projects with the lot dimensions and density proposed by the applicant. In order to accommodate the proposed project, the applicant filed a general plan amendment and application to change the land use designation of the project site to Residential 12 and the zoning designation to Multi-Family Residential (R-3).

The Residential 12 (6.1 - 12.0 du/ac) land use designation and the Multi-Family Residential (R-3) zoning designation are the most logical designations to accommodate the project. Although the R-3 zone is entitled "Multi-Family Residential" it does permit the development of a detached single-family residential subdivision with the applicant's desired density. As a result, the applicant designed the project to comply with all the required development standards of the R-3 zone.

The Residential 12 land use designation and the R-3 zone are consistent with the surrounding developments. For instance, there is a single-family subdivision approximately 1,700 feet to the east of the project site, also known as Spruce Park, which has similar sized single-family lots and a similar overall density of 6.89 dwelling units per acre. Additionally, there is another single-family residential subdivision approximately one-half mile to the southeast of the project site, also known as Arrowhead Meadows, which is comprised of similar sized single-family lots and a similar overall density of approximately 6.61 dwelling units per acre.

Neighborhood Meeting

On July 2, 2019, the Planning Division held a neighborhood meeting regarding the project. The meeting took place at The Bridge Church located at 9904 Bloomington Avenue in Bloomington, California. Staff mailed flyers to all seventy-four (74) property owners within 300 feet of the project site. Nine (9) residents attended the meeting. The attendees generally reacted positively to the project. The main issues discussed centered on the installation of perimeter walls, existing vagrancy, and verification that the project would not include the development of apartments. Staff confirmed that the applicant will install a new block wall around the perimeter of the project site and that the project does not include the development of apartments. Additionally, staff explained that the development of the site will likely eliminate the issues regarding vagrancy on the currently vacant project site.

Economic Development Committee

The Economic Development Committee (EDC) reviewed the project on May 15, 2019 and again on July 24, 2019. At its first meeting, the EDC directed staff and the applicant to conduct a neighborhood meeting to introduce the project to the surrounding community. At its second meeting, the EDC expressed general support and directed the applicant to file the necessary applications.

Planning Commission

On December 9, 2020, the Planning Commission held a public hearing and considered oral and written testimony for General Plan Amendment No. 2019-0004, Zone Change No. 2019-0003, Tentative Tract Map No. 2019-0002 (TTM 20294), Precise Plan of Design No. 2020-0005, and the associated Mitigated Negative Declaration (Environmental Assessment Review No. 2019-0033). After consideration, the Planning Commission voted 6-0 (1 Absence) to recommend approval of the project to the City Council.

ENVIRONMENTAL IMPACT

California Environmental Quality Act

The applicant engaged Lilburn Corporation to prepare an Initial Study (Environmental Assessment Review No. 2019-0033) for the project in accordance with the requirements of the California Environmental Quality Act (CEQA). 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 prepared a Mitigated Negative Declaration. Although the Mitigated Negative Declaration identified

potential impacts related to biological resources, cultural resources, geology/soils, and tribal cultural resources, any of these impacts will be reduced to a level of insignificance subject to the imposition of the recommended mitigation contained within the project's Mitigation Monitoring and Reporting Program.

The Planning Division 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 thirty (30) day public comment period for the Mitigated Negative Declaration began on September 16, 2020 and ended on October 15, 2020. No comment letters were received during the public comment period.

Traffic

Urban Crossroads, Inc. prepared a Traffic Impact Analysis Scoping Agreement (TIASA), dated July 31, 2019, to assess the project's potential impacts to local streets and intersections. The TIASA estimates that the project will generate up to approximately 208 daily vehicle trips with 16 trips in the AM peak hour and 22 trips in the PM peak hour. The TIASA concluded that the project will generate an insignificant amount of traffic, and all nearby intersections and roadway segments will operate at an acceptable Level of Service (LOS) under all conditions. The nearby intersections and roadway segments do not require any improvements in order to maintain an acceptable LOS, and therefore the project will not be responsible for the payment of "fair-share" fees.

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 nine (9) 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 December 23, 2019 to March 22, 2020 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 Andrew Salas and Matt Teutimez of the Kizh Nation on February 27, 2020. The topics discussed included a basic background of the project and the anticipated construction activities. During the consultation, Mr. Salas and Mr. Teutimez requested the ability to allow a certified Native American Monitor on-site during all ground disturbance activities. The Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program prepared for the includes mitigation measures requiring the applicant to coordinate with the Kizh Nation to allow access to the project site during all ground disturbance activities.

GENERAL PLAN CONSISTENCY

The applicant requests the approval of a General Plan Amendment to change the land use designation of the project site to Residential 12 for the project to achieve consistency with the General Plan. Furthermore, 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 and the attached Notice of Public Hearing (**Exhibit B**).

FINANCIAL IMPACT

Operating Budget Impact

The applicant will annex the project into Community Facilities District No. 2016-1 with an estimated rate of approximately \$312 per residential unit (\$6,864 at build-out) annually to ensure that the project does not negatively impact the General Fund, and that the project pays its fair share for Public Safety and other City services. Additionally, the City's Finance Department will ensure that the funds collected from the CFD to cover the costs of services provided to the project are designated appropriately to each corresponding department budget. The Police Department will receive 40.2% of the CFD revenues collected, the Fire Department will receive 23.8% of the CFD revenues collected, and remainder of CFD revenues collected will be distributed towards the various remaining departments and services. Going forward, these allocated percentages will be updated annually.

Capital Improvement Budget 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 \$742,500 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	\$616,000	-	\$616,000
Building Plan Check / Permit Fees	-	\$65,000	\$65,000
Planning Fees	-	\$16,500	\$16,500
Engineering Plan Check / Permit Fees	-	\$45,000	\$45,000
One Time Fee Revenues	\$616,000	\$126,500	\$742,500

Business License

Prior to construction, the applicant will submit a contractor's list to the Business License Division, and each contractor listed will obtain a business license.

RECOMMENDATION

Staff recommends that the City Council Set a Public Hearing for February 9, 2021, to consider:

- Adoption of the Mitigated Negative Declaration (Environmental Assessment Review No. 2019-0033) prepared for the proposed project; and
- General Plan Amendment No. 2019-0004 to change the land use designation of approximately 2.92 gross acres (2.77 net acres) of land from Residential 6 to Residential 12; and
- Zone Change No. 2019-0003 to change the zoning designation of approximately 2.92 gross acres (2.77 net acres) of land from Single-Family Residential (R-1C) to Multi-Family Residential (R-3); and

- Tentative Tract Map No. 2019-0002 allowing the subdivision of approximately 2.92 gross acres (2.77 net acres) of land into twenty-two (22) single-family lots and two (2) common lots; and
- Precise Plan of Design No. 2020-0005 allowing the development of private residential neighborhood comprised of twenty-two (22) detached single-family dwelling units and corresponding improvements on approximately 2.92 gross acres (2.77 net acres) of land.