



Staff Report

File #: 23-0012

REQUEST FOR CITY COUNCIL ACTION

DATE: 01/18/2023

TO: Honorable Mayor and City Council Members

FROM: Planning and Development Department

SUBJECT:

Request from City Council Member Richins to receive an update on the paving requirement for Liberty Avenue in the unincorporated area of Riverside County in conjunction with the Latitude Business Park development located at the northwest corner of Tom Barnes Street and Temescal Canyon Road.

EXECUTIVE SUMMARY:

This staff report provides an update to Council on the roadway paving of Liberty Avenue in the unincorporated area of Riverside County adjacent to the Latitude Business Park. At its meeting on November 16, 2022, the City Council received public comments from a few residents on Liberty Avenue regarding the paving material approved for Liberty Avenue. Because of the coordination needed to accomplish the project between the developer of the Latitude Business Park, the City, and the County of Riverside, Councilmember Richins requested that City staff provide information on the roadway paving.

RECOMMENDED ACTION:

That the City Council receive the report.

BACKGROUND:

The Latitude Business Park is an industrial development on approximately 75 acres located in the City of Corona at the northwest corner of Tom Barnes Street and Temescal Canyon Road. The north property line of the project site abuts the City's boundary line with the properties to the north of the site located in the unincorporated area of Riverside County. The unincorporated county area is referred to as El Cerrito.

An initial parcel map, PM 29503, was approved on the project site by the City Council in 2002. PM 29503 initially covered 192 acres, which included the project site and the properties that make up The Crossings shopping center. At that time, the entire 192 acres was owned by a single owner. PM

29503 created 18 parcels on the 75 acres that cover the project site of the Latitude Business Park.

In 2009, PM 29503 was revised to reconfigure the 18 parcels on the project site. City staff coordinated with Riverside County staff on the revised parcel map to determine if the applicant would be responsible for any street improvements to Liberty Avenue and La Gloria Street. The County of Riverside Transportation and Land Management Agency provided a letter dated September 26, 2008, to the City which stated that neither road is maintained by the County. Liberty Avenue and La Gloria Street are private streets and not part of the County's public street system. The letter from the County further stated the *construction of improvements to bring them [Liberty Avenue and La Gloria Street] to County standards of maintenance would create substantial right-of-way impacts to the adjacent residents due to the challenging topography.* Instead of having the applicant construct the street improvements, the County agreed to have the applicant pay an in-lieu fee in the sum of \$128,821. County staff indicated the funds can be used by the County in the future to provide some improvements to these roads, if requested by the residents, or used on other roads in the adjacent area that will benefit the residents in the unincorporated county (Exhibit 2).

The Latitude Business Park was approved by the City Planning Commission on February 24, 2020. The initial development consisted of 15 industrial buildings totaling 1,074,771 square feet. The development is being constructed in two phases; Phase 1 consists of 12 buildings and Phase 2 consists of three buildings. The buildings in Phase 1 have been constructed and Phase 2 is currently under construction. Phase 2 was revised by the developer in October 2022, which now includes two buildings instead of three. The previously approved building square footage within Phase 2 for all three buildings totaled 205,767 square feet. The revised design for the two buildings total 201,644 square feet, which is 4,123 square feet less than previously approved.

At the Planning and Housing Commission public hearing on February 24, 2020, County staff and residents attended the meeting regarding the project. The residents on Liberty Avenue spoke about the unimproved condition of the road and wanted to know when the road would be paved. City staff provided the history of the previous conversation with County staff regarding the paving of Liberty Avenue and the previous decision by the County in 2008 to accept a fee in lieu of having the developer pave the street. As stated above, the reason for this was due to the fact the County does not maintain this private street and that the improvements to the street to bring it to the county standard would result in substantial right-of-way impacts to the adjacent residents.

A County representative from the Riverside Transportation Department also spoke at the public hearing on February 24, 2020 and provided the following summary to the Planning Commission and public.

- The County plans on having continuing dialog with the residents on Liberty Avenue.
- The County would need 30 feet of right-of-way dedicated on the south side, adjacent to the project site (note: the project did dedicate the 30 feet of right-of-way adjacent to the site for future roadway purposes).
- The approximately \$128,000 that was paid to the County would not be enough to pave the road to a full County standard, and thus the \$128,000 would need to be used in the best way possible. That is, they would need to stretch the use of the \$128,000 and determine what

improvements would be most beneficial with that amount of money.

Based on this discussion the following two conditions of approval were added to the project.

- Prior to the issuance of a precise grading permit, the developer shall work with the County of Riverside and City staff on an equitable resolution regarding the paving of Liberty Road.
- The portion of Liberty Avenue adjacent to the residences north of the project site's property line shall be paved to a width of 24 feet by the developer prior to the issuance of the first Certificate of Occupancy for the project. The paved road section shall be reviewed and approved by the County of Riverside's Transportation and Land Management Agency.

Developer's Fair Share Cost of the Liberty Avenue Roadway Improvement

The Latitude Business Park project does not take any access from Liberty Avenue nor does the project add trips to Liberty Avenue. Liberty Avenue is a low volume, rural road and would remain as such with the proposed project. Therefore, the nexus to have the developer pave Liberty Avenue is limited to the project's fair share contribution on the impacts to this road.

The developer of the Latitude Business Park agreed to pave a certain segment of Liberty Avenue using the fee (\$128,821) paid to the County by the previous developer of the property. Through the civil engineering design process for the paving of Liberty Avenue, the paving of the road began to exceed the developer's fair share cost. Since no additional County funds were available to contribute towards the improvement of the street, City staff, County staff, and the developer held a meeting on July 27, 2022 and discussed possible paving materials for the road. From this meeting, the County recommended that the developer pave the road using a double chip seal material.

The paved section is also being limited to a width of 16 feet and in other areas to 20 feet, as the paving would cover the current drivable width of the private road. The current alignment and topography of the road makes it impossible to obtain a paved width of 24 feet without additional grading improvements to the road. Such improvement would disrupt the properties of the adjacent residents and exceed the developer's fair share cost toward the paving of the road. To date, the developer has spent \$67,093 to prepare for the paving of the road. This cost includes the civil engineering plans, the relocation of an AT&T pole, testing and inspection, and the contractor deposit to pave the road. The remaining cost to finish the double chip seal is \$71,400, for a total cost of \$138,493. The developer will absorb the excess cost of \$9,672 to complete the paving on Liberty Avenue.

Communication with Riverside County Staff

City staff and County staff from Supervisor Spiegel's office recently discussed the possible timing of making Liberty Avenue a county, public street. Because Liberty Avenue is a private street, the road needs to be made public and become part of the County's public road system. Additionally, the County needs to decide on a standard roadway design for this street and the cost and the extent of the construction/improvements associated with making Liberty Avenue a public street, which may encroach on to the residential properties on the north side of Liberty Avenue. This plan will involve meetings between County staff and the County residents regarding the final design of the street as it

may affect their properties. County staff has indicated that the planning for the improvements to this road can take up to one year to complete and considers the double chip seal paving by the developer to be the initial step toward the permanent paving of the road by the County.

ANALYSIS:

The civil engineering plan for the double chip seal paving on Liberty Avenue was completed by the developer in September 2022, and reviewed by the County's Transportation Department. Because of the circumstances involving the current alignment of the road, the County's recommendation for the double chip seal, and the developer's fair share cost of \$128,821 toward the paving of the road, City staff finds that the developer has satisfied the conditions of approval for the project regarding the paving of Liberty Avenue. The developer has worked with the County of Riverside and City staff on an equitable resolution regarding the paving of Liberty Avenue, and the paved road section has been reviewed and accepted by the County. Furthermore, the condition of approval only requires the "paving" of Liberty Avenue and does not require that the paving be asphalt or that the road be constructed to a specific county roadway standard.

An AT&T pole was also located on Liberty Avenue within the drivable path. For many years the pole was located in front of the property at 7740 Liberty Avenue with the pole basically located in the center of the road (11.75 feet to the edge of the roadway on the north side and 8.25 feet to the edge of the roadway on the south side). To accommodate future paving, the developer paid AT&T to have the pole relocated. AT&T relocated the pole from the center of the road to the edge of the proposed paving line on the south side of road. The relocated pole is a vast improvement from its previous location and provides a drivable, unobstructed clearance of 20 feet to the north edge of the road. Pictures showing the previous pole location and the current, pole location are shown in Exhibit 3.

The civil engineering plan for the double chip seal paving has been prepared by the developer and reviewed by County staff. Therefore, the developer is prepared to pave Liberty Avenue with the double chip seal within the next 30 days while also providing a minimum 10-day notice to the residents.

PREPARED BY: JOANNE COLETTA, PLANNING AND DEVELOPMENT DIRECTOR

Attachments:

1. Exhibit 1 - Liberty Avenue Improvement Area
2. Exhibit 2 - Letter from County of Riverside Transportation and Land Management Agency dated September 26, 2008
3. Exhibit 3 - Picture of AT&T pole on Liberty Avenue