



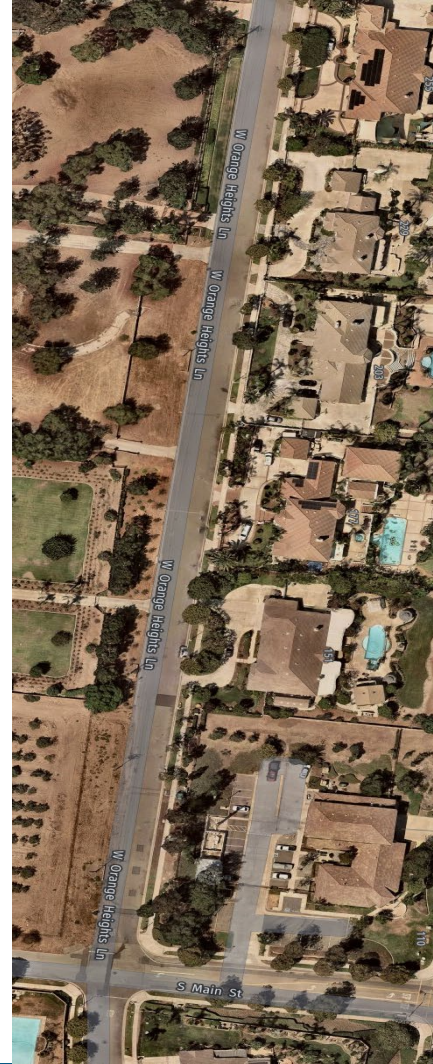
Request from Mayor Speake

Orange Heights Lane – Waiver of Sidewalk Improvement (South Side between Main Street and Jasper Drive)

November 2, 2022

The Ask...

Does the City Council want to consider the request by Mayor Speake on waiving the construction of the missing sidewalk improvements on the south side of Orange Heights Lane between Main Street and Jasper Drive.



Orange Heights Lane



Orange Heights Lane -Background

- ▷ Local street
- ▷ Length: Main Street to Mountain Gate Drive
- ▷ Right-of-way dedication exists
- ▷ Public street improvements including curb, gutter, sidewalk, streetlight and fire hydrants exist on both sides of the street, except on the south side between Main Street and Jasper Drive
- ▷ Previous City Council deferred the public improvements on the south side.
 - Starting in 1992, the Council approved liens on three properties [376, 520 & 532 Orange Heights Lane] within this roadway segment to secure the cost of the construction of the future public improvements at the time of application of new construction.
 - Council determined that the construction of the missing public improvements in their entirety would be more beneficial to the local area than in short incremental sections.

234 Orange Heights Lane

- ▷ 5 acres
- ▷ Property owner applied for building permit to construct a two-story, approximately 11,600 sf accessory building.
- ▷ Street right-of-way along the front of the property already dedicated to the City.
- ▷ Public improvements such as sidewalk, streetlight and landscaped parkway missing adjacent to the property.
- ▷ Owner was required to guarantee the cost of the construction of the missing public improvement adjacent to the property, per CMC Section 15.48.020.
- ▷ Estimated Cost: \$46,691





Corona Municipal Code Chapter 15.48, Off-Site Improvements

- ▷ Ensure required public street improvements are put in place, such as sidewalks and streetlights, to prevent hazards of vehicular traffic on pedestrians and to prevent street crimes.
- ▷ Requires the construction of the missing public improvements at the time of new construction on property, as applicable.
- ▷ Ordinance makes provisions for the City Council to waive or defer missing public improvements

Corona Municipal Code Chapter 15.48, Off-Site Improvements Waiver or Deferral Criteria



City Council must find all the following conditions exist for which a waiver or deferral of the requirement is sought:

- (1) The strict application of the particular requirement will cause unnecessary hardship to the applicant, which is inconsistent with the findings, as stated in § [15.48.010](#);
- (2) There are exceptional circumstances or conditions applicable to the subject property, or to its proposed use or development which makes the application of the requirement unfair and oppressive to the applicant;
- (3) Would not adversely affect the public health, safety, and general welfare, nor be injurious to any property or improvements in the immediate vicinity of the property for which the applicant has pending with the city a request for a building permit.

The City Council may impose any reasonable condition on a grant of a waiver or deferral under this chapter, including the filing of improvement security in the case of a deferral.

The request: Waive the construction of the missing sidewalk improvements on the south side of Orange Heights Lane between Main Street and Jasper Drive

OPT. 1

Direct staff to prepare a report with the required findings for the City Council's consideration to waive the sidewalk improvements within the City's dedicated right-of-way on the south side of Orange Heights Lane between Main Street and Jasper Drive.

Pros: Lowers the cost of construction for current and future development on the southern section of Orange Heights Lane between Main Street and Jasper Drive.

Cons: Public improvements would not be built consistent with other areas of the community or for those on this street that have already paid to have the improvements installed. Potentially creates a precedent for waiving the installation of public improvements in other areas of the community.

The request: Waive the construction of the missing sidewalk improvements on the south side of Orange Heights Lane between Main Street and Jasper Drive

OPT. 2

Direct staff to implement the requirement of CMC Section 15.48.020:

- Have the public improvements adjacent to 234 Orange Heights Lane deferred.
- Have the property owner pay the City the estimated construction cost of the public improvements adjacent to the property.
- Have the property owner pay the cost upfront now for the improvements, with the City building the improvements at an appropriate point in the future.
- Continue to collect payments from the property owners on the south side of Orange Heights Lane between Main Street and Jasper Drive when the on-site construction of new buildings occurs on the properties.

Pros: Provides the funding to the city to complete the public improvements at one time along the south side of this section of Orange Heights.

Cons: Increases the cost of development to the residents in this roadway segment by having to pay their fair share for the construction of the missing public improvements.

Staff's Recommendation

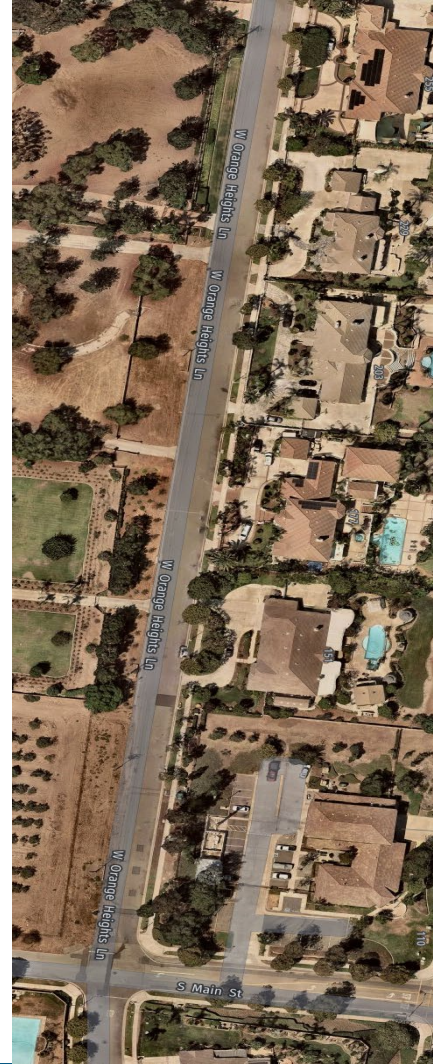
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Discussion

