



Agenda Report

File #: 18-2180

AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION

DATE: [Click here to enter a date.](#)

TO: Honorable Mayor and City Council Members

FROM: Public Works Department

SUBJECT:

City Council consideration of an extension of time and modification to the Conditions of Approval for Tentative Tract Map 36544, located southwest of Foothill Parkway, east of Paseo Grande and west of Trudy Way - Richland Developers, Inc.

RECOMMENDED ACTION:

That the City Council:

1. Approve the request for a four-year extension for Tentative Tract Map 36544.
2. Approve the modification of Conditions of Approval numbers 11, 50, 68, and 89 for Tentative Tract Map 36544.

ANALYSIS:

Tentative Tract Map (TTM) 36544 is a 292-lot subdivision for a single-family residential development on 271 acres located southwest of Foothill Parkway, east of Paseo Grande and west of Trudy Way in the R-1-7.2 Zone, (Low Density Residential), as shown on Exhibit "A." TTM 36544 was originally approved by the City Council on February 1, 2017. KWC Engineers on behalf of Richland Developers, Inc., the developers of TTM 36544, are now requesting a discretionary four-year extension of time, as shown on Exhibit "B," which is allowed per the Subdivision Map Act and Title 16 of the Corona Municipal Code. The Public Works Conditions of Approval numbers 11, 50, 68, and 89 would be modified as requested by the developer and are detailed below.

Public Works Conditions of Approval No. 11

Public Works condition of approval number 11 required the project to establish a homeowner's association for the purpose of maintaining common use and private facilities associated with the project. Since the project also receives a direct benefit from the landscaping along Foothill Parkway,

the condition has been modified to include those areas.

Original Condition No. 11

Prior to final map recordation the developer shall ensure that a homeowner's association is established for the purpose of maintaining all private streets, common areas, slopes adjacent to streets and outside of right of way and LMD designated areas, any 2:1 down slopes to the rear of any lots, any slopes greater than 20 feet in height, water quality facilities, debris basins, storm drain facilities, and private utilities. The association documents, including any necessary Covenants, Conditions and Restrictions (CC&R's), shall be subject to the review and approval of the Public Works Department and shall be recorded concurrently with the final map.

Revised Condition No. 11

Prior to final map recordation the developer shall ensure that a homeowner's association is established for the purpose of maintaining all private onsite facilities including: private streets, common areas, slopes adjacent to streets and outside of right of way and CFD designated areas, any 2:1 down slopes to the rear of any lots, any slopes greater than 20 feet in height, Foothill Parkway frontage slopes, water quality facilities, debris basins, storm drain facilities, and private utilities.

At such time that the homeowner's association is established, the homeowner's association shall also be responsible for maintaining the existing, offsite native landscape areas, irrigated parkways and medians on Foothill Parkway as shown within Exhibit A ("Offsite Maintenance Areas"). The City will work in good faith to assign and/or provide maintenance easements to the homeowner's association for the Offsite Maintenance Areas. The homeowner's association will be required to maintain the Offsite Maintenance Areas only to the extent that the homeowner's association has the legal right to access such areas. The homeowner's association will not be required to provide any additional landscaping improvements to the Offsite Maintenance Areas. Any future developments along the frontage of Foothill Parkway between Paseo Grande and Trudy Way will be required to assume maintenance responsibilities for that portion of the Offsite Maintenance Areas that are adjacent to the future development at the time of completion of that development.

The association documents, including any necessary Covenants, Conditions and Restrictions (CC&R's), shall be subject to the review and approval of the Public Works Department and shall be recorded concurrently with the final map.

Public Works Condition of Approval No. 50

Public Works condition of approval number 50 stated that the City would be responsible for the construction of the intersections of "B" Street, "P" Street, and Foothill Parkway, including the traffic signal and median modifications, subject to the agreement with the City of Corona. This agreement was never finalized, and the intersections were not constructed to accommodate the proposed development. For this reason, the developer will be responsible for modifying the intersections for their development, however the City will issue Street and Signal Development Impact Fee credits for the reconfiguration of the traffic signal at the Street "B" intersection. These fee credits will only be issued against the cost to reconstruct the signal and will not be used to cover any of the cost to modify the street sections, curbs, medians or sidewalks, etc.

Original Condition No. 50

Prior to final map recordation the developer shall dedicate additional right-of-way along Foothill Parkway necessary for the construction of a right-turn lane onto proposed "B" Street. The City of Corona shall be responsible for all construction costs associated with proposed ultimate roadway improvements along Foothill Parkway at intersection of "P" Street and at "B" Street including median modifications at future intersections, widening for future right-turn lanes, roadway striping for future roadway extension into proposed Skyline Heights project, positioning of traffic signals and appurtenances at its ultimate design location, and other roadway improvements as depicted on Exhibit provided to and per agreement with the City of Corona Public Works Department. The developer shall bear the cost of the aforementioned design revisions to the Foothill Parkway Westerly Extension Plans.

Revised Condition No. 50

Prior to final map recordation the developer shall dedicate additional right-of-way along Foothill Parkway necessary for the construction of a right-turn lane onto proposed "B" Street, and secure all required traffic improvements at the intersections of "B" Street at Foothill Parkway, and "P" Street at Foothill Parkway. Prior to the issuance of the first Certificate of Occupancy for each phase, the developer shall construct the required ultimate roadway improvements along Foothill Parkway at the intersection of "B" Street and at "P" Street including median modifications at future intersections, widening for future right-turn lanes, roadway striping for future roadway extension into proposed Skyline Heights Project, positioning of traffic signals and appurtenances at its ultimate design location, and other roadway improvements, as required by the Public Works Director. Upon completion of the traffic signal at the Street "B" intersection and receipt of final costs, the developer will receive Street and Signal Development Impact Fee credits, for the cost of reconfiguring the traffic signal. The credit or reimbursement shall only be given for the reconfiguration of the traffic signal and shall not include any other intersection improvements including street, sidewalk, and drainage improvements.

Public Works Condition of Approval No. 68

Public Works condition of approval number 68 required the project to dedicate a lot in fee to the City for the 1220 Zone Potable Water Tank and the 1560 Zone Booster Pump Station. The development is located at an elevation such that the proposed water storage tank would not directly serve the development and as a result the developer was not responsible for the cost to construct the tank. The City of Corona, Department of Water and Power had agreed that in exchange for the tank site, the City would construct the Zone 1560 Booster Pump Station.

The City of Corona is updating its water master plan, and it has been determined that the 1220 Zone Water Storage Tank is no longer required. The City is reviewing alternative locations that would better serve the community and provide greater flexibility in operating the system and providing the required fire flow in the area. As a result, the developer would not be required to dedicate the lot to the City and the City would not be obligated to construct the 1560 Zone Booster Station, therefore Condition number 68 should be modified as follows:

Original Condition No. 68

On the recorded final map for Phase 1, the developer shall provide a rough graded pad and dedicate in fee a lot to the City of Corona for the 2.5 MG Zone 1220-ft Potable Water Tank and the 1560 Potable Water Booster Station. The rough graded pad will be capable of supporting the required water tank. The City of Corona Department of Water and Power will design and fund the construction of the public 2.5 MG Zone 1220-ft Potable Water Tank and the 1560 Booster Station. The 1220-ft Potable Water Tank and the booster station shall be operable prior to the first building permit issuance of Phase 1 or Phase 2 unless otherwise approved by the Department of Water and Power General Manager.

Revised Condition No. 68

On the recorded final map for Phase 2, the developer shall provide a rough graded pad and dedicate in fee a lot to the City of Corona for the 1560 Potable Water Booster Station. Prior to map recordation, the developer shall construct or guarantee the construction of the booster station, and the booster station shall be operable prior to the first building permit issuance of Phase 2 unless otherwise approved by the Department of Water and Power General Manager.

The Developer is requesting a rephrasing of the Tentative Tract Map, which is being reviewed by the Board of Zoning Adjustment, which is why the original condition stated Phase "1" but the revised condition specified Phase "2."

Public Works Condition of Approval No. 89

Public Works condition of approval number 89 required the project to annex into a City of Corona Maintenance Community Facilities District for the purpose of maintaining public streets, curb and gutter, street lights, storm drain, and publicly maintained landscaping. Since the project also receives a benefit from the City's parks, the condition has been modified to include those facilities.

Original Condition No. 89

Prior to final map recordation, the applicant shall form a new Community Facilities District or annex the full project boundary into a City of Corona Maintenance Community Facilities District for the purpose of maintaining public streets, curb & gutter, street lights, storm drain, and landscaping within master planned street right-of-way and/or CFD easements. All assessable parcels therein shall be subject to annual CFD/LMD charges (special taxes or assessments) for operations and capital improvements. The developer shall be responsible for all costs incurred during annexation into the CFD.

Revised Condition No. 89

Prior to final map recordation, the applicant shall form a new Community Facilities District or annex the full project boundary into a City of Corona Maintenance Community Facilities District for the purpose of maintaining public streets, curb and gutter, street lights, storm drain, parks, and landscaping within master planned street right-of-way and/or CFD easements. All assessable parcels therein shall be subject to annual CFD/LMD charges (special taxes or assessments) for operations and capital improvements. The developer shall be responsible for all costs incurred during annexation into the CFD.

Staff recommends approval of this discretionary extension, establishing a new expiration date of February 1, 2023.

COMMITTEE ACTION:

Not applicable.

STRATEGIC PLAN:

Not applicable.

FISCAL IMPACT:

All applicable fees have been paid by the developer.

ENVIRONMENTAL ANALYSIS:

In accordance with the State Guidelines for the California Environmental Quality Act (CEQA; California Code of Regulations, Title 14, Section 15000 et seq.) the City prepared a Draft EIR and circulated for public comment at the State Clearinghouse between December 4, 2015, and January 19, 2016, and to members of the general public between March 16, 2016, and May 2, 2016. The Draft EIR was recirculated with updated information and advertised for public review between November 23, 2016, and January 9, 2017. The Final Environment Impact Report for the Skyline Heights Project (Final EIR) concluded that implementation of the revised project could result in significant and unavoidable negative environmental effects despite the imposition of all feasible mitigation measures identified in the Final EIR. On February 1, 2017, the City Council approved a Resolution Adopting Findings and Certifying the Final Environmental Impact Report for the Skyline Heights Project, having made the determination that the benefits of the revised project outweigh the unavoidable adverse impacts, as documents in the Statement of Overriding Considerations included in the resolution certifying the Final EIR.

PREPARED BY: CHRISTOPHER HORN, P.E., SENIOR CIVIL ENGINEER

REVIEWED BY: TOM KOPER, P.E., ASSISTANT PUBLIC WORKS DIRECTOR

REVIEWED BY: NELSON D. NELSON, P.E., PUBLIC WORKS DIRECTOR

REVIEWED BY: KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

REVIEWED BY: MICHELE NISSEN, ASSISTANT CITY MANAGER

SUBMITTED BY: DARRELL TALBERT, CITY MANAGER

Exhibits: "A" - Location Map
"B" - Letter of Request for Time Extension

Developer: Richland Developers, Inc.
3161 Michelson Drive, Suite 425
Irvine, CA 92612



REVISION DATE: 10-09-18

SKYLINE HEIGHTS
EXHIBIT "A" - PROPOSED FOOTHILL PARKWAY
HOA MAINTAINED SLOPE





October 5, 2018

Tom Koper
City of Corona
Public Works Department
400 S. Vicentia Avenue
Corona, CA 92882

Re: Tentative Tract Map 36544R Skyline Heights,
Request for Condition of Approval Modification

Dear Mr. Koper,

Please accept this letter as a request to modify the Public Works Conditions of Approval for Tentative Tract Map 36544R Skyline Heights Development. More specifically, we ask that the conditions be revised as follows:

Rev. Condition No. 11

Prior to final map recordation the developer shall ensure that a homeowner's association is established for the purpose of maintaining all private onsite facilities including: private streets, common areas, slopes adjacent to streets and outside of right of way and CFD designated areas, any 2:1 down slopes to the rear of any lots, any slopes greater than 20 feet in height, Foothill Parkway frontage slopes, water quality facilities, debris basins, storm drain facilities, and private utilities.

At such time that the homeowner's association is established, the homeowner's association shall also be responsible for maintaining the existing, offsite native landscape areas, irrigated parkways and medians on Foothill Parkway as shown within Exhibit A ("Offsite Maintenance Areas"). The City will work in good faith to assign and/or provide maintenance easements to the homeowner's association for the Offsite Maintenance Areas. The homeowner's association will be required to maintain the Offsite Maintenance Areas only to the extent that the homeowner's association has the legal right to access such areas. The homeowner's association will not be required to provide any additional landscaping improvements to the Offsite Maintenance Areas. Any future developments along the frontage of Foothill Parkway between Paseo Grande and Trudy Way will be required to assume maintenance responsibilities for that portion of the Offsite Maintenance Areas that are adjacent to the future development at the time of completion of that development.

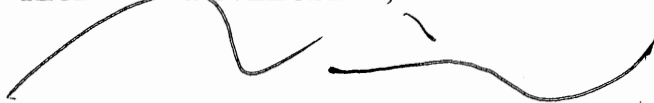
The association documents, including any necessary Covenants, Conditions and Restrictions (CC&R's), shall be subject to the review and approval of the Public Works Department and shall be recorded concurrently with the final map.

- Rev. Condition No. 50 Prior to final map recordation the developer shall dedicate additional right-of-way along Foothill Parkway necessary for the construction of a right-turn lane onto proposed "B" Street, and secure all required traffic improvements at the intersections of "B" Street at Foothill Parkway, and "P" Street at Foothill Parkway. Prior to the issuance of the first Certificate of Occupancy for each phase, the developer shall construct the required ultimate roadway improvements along Foothill Parkway at the intersection of "B" Street and at "P" Street including median modifications at future intersections, widening for future right-turn lanes, roadway striping for future roadway extension into proposed Skyline Heights project, positioning of traffic signals and appurtenances at its ultimate design location, and other roadway improvements, as required by the Public Works Director. Upon completion of the traffic signal at the Street "B" intersection and receipt of final costs, the developer will receive Street and Signal Development Impact fee credits, or a reimbursement, for the cost of reconfiguring the traffic signal. The credit or reimbursement shall only be given for the reconfiguration of the traffic signal and shall not include any other intersection improvements including street, sidewalk, and drainage improvements.
- Rev. Condition No. 68 On the recorded final map for Phase 2, the developer shall provide a rough graded pad and dedicate in fee a lot to the City of Corona for the 1560 Potable Water Booster Station. Prior to map recordation, the developer shall construct or guarantee the construction of the booster station and the booster station shall be operable prior to the first building permit issuance of Phase 2 unless otherwise approved by the Department of Water and Power General Manager.
- Rev. Condition No. 89 Prior to final map recordation, the applicant shall form a new Community Facilities District or annex the full project boundary into a City of Corona Maintenance Community Facilities District for the purpose of maintaining public streets, curb & gutter, street lights, storm drain, parks, and landscaping within master planned street right-of-way and/or CFD easements. All assessable parcels therein shall be subject to annual CFD/LMD charges (special taxes or assessments) for operations and capital improvements. The developer shall be responsible for all costs incurred during annexation into the CFD.

Please do not hesitate to contact me with any questions or comments regarding this request.

Sincerely,

RICHLAND DEVELOPERS, INC.

A handwritten signature in black ink, appearing to read "Brian Hardy", with a long horizontal flourish extending to the right.

Brian Hardy
Vice President – Land Entitlement