



## Legislation Details (With Text)

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**On agenda:** 6/5/2019      **Final action:**  
**Title:** City Council consideration of an extension of time and modification to the Conditions of Approval for Tentative Tract Map 33135, located west of Skyline Drive, south of Foothill Parkway - Corona Associates, a General Partnership; Jon Christopher Enterprises, Inc., a California Corporation; Knowleton Partners Inc., a California Corporation; JBP LLC, a California Limited Liability Company; Dave Hunsaker and Charles Noble.

**Sponsors:**

**Indexes:**

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**Attachments:** 1. Staff Report, 2. Staff Report with Attachments

Date	Ver.	Action By	Action	Result
6/5/2019	1	City Council	accepted	Pass

### AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION

**DATE:** 6/5/2019

**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 33135, located west of Skyline Drive, south of Foothill Parkway - Corona Associates, a General Partnership; Jon Christopher Enterprises, Inc., a California Corporation; Knowleton Partners Inc., a California Corporation; JBP LLC, a California Limited Liability Company; Dave Hunsaker and Charles Noble.

**RECOMMENDED ACTION:**

That the City Council:

1. Approve the request for a two-year extension for Tentative Tract Map 33135.
2. Approve the modification of Condition of Approval number 69, 1PL-008 and addition of Condition of Approval numbers 82 and 83 for Tentative Tract Map 33135.

## ANALYSIS:

Tentative Tract Map (TTM) 33135 is a single-phase subdivision of 63.46-acres into 63 single-family residential lots; originally approved by the City Council on July 19, 2006. The project is located west of Skyline Drive, south of Foothill Parkway, as shown on Exhibit "A."

A one-year extension of time for TTM 33135 was originally granted by City Council on June 18, 2008, thereby extending the map's expiration to July 19, 2009. Subsequently, the map was automatically extended due to State legislation until July 19, 2016. A three-year extension was additionally granted by City Council on August 3, 2016, thereby extending the map's expiration to July 19, 2019. Knowleton Communities, representing the current owners of TTM 33135: Corona Associates, Jon Christopher Enterprises, Inc., Knowleton Partners Inc., JBP LLC, Dave Hunsaker and Charles Noble, is now requesting a two-year extension of time, which is the final discretionary extension allowed per the Subdivision Map Act and Title 16 of the Corona Municipal Code. The developer's letter of request for this final two-year extension of time is attached as Exhibit "B."

The developer is requesting the extension due to the modest slowdown in the residential housing market.

At the request of the developer, Public Works Condition of Approval number 69 and Planning Condition of Approval 1PL-008 will be modified as detailed below.

### Public Works Condition of Approval No. 69

The original condition states:

- 69. This project shall be annexed into the City of Corona Community Facilities District (CFD 2001-1) for the purpose of maintaining public landscaping within master planned (arterial) street rights-of-way. All assessable parcels therein shall be subject to annual CFD charges for operations and capital improvements. The developer shall be responsible for all costs incurred through annexation into the CFD.*

And the modified condition of approval will read as follows:

- 69. Prior to final map recordation, the applicant shall:*
- a. Form a new City of Corona Community Facilities District or annex this project into the existing City of Corona Community Facilities District 2016-3 (Maintenance Services) for the purpose of maintaining public landscaping, curb, gutter, sidewalk, pavement, street lights, storm drain, parks, trail, traffic signals, water quality features, etc. within master planned street right-of-way and/or CFD easements. All assessable parcels therein shall be subject to annual CFD charges (special taxes or assessments) for operations and capital improvements. The developer shall be responsible for all costs incurred during annexation into the CFD.*
  - b. Annex this project into City of Corona Community Facilities District 2016-1 (Public Services) for the purpose of maintaining public services including but not limited to emergency services. All assessable parcels therein shall be subject to annual CFD charges (special taxes or assessments) for operations and capital improvements. The developer shall be responsible for all costs incurred during annexation into the CFD.*

The modification will require the developer to annex into Community Facilities District (CFD) 2016-1

(Public Services) and Community Facilities District (CFD) 2016-3 (Maintenance Services) in lieu of Community Facilities District (CFD) 2001-1. These CFD were not in existence at the time of original entitlement and annexation into these CFD is consistent with other currently entitled residential projects in the City of Corona.

#### Planning Condition of Approval 1PL-008

The original condition states:

*The applicant shall provide for community benefit a contribution as outlined in applicant's letter dated April 18, 2006, and agreed to in a letter dated April 27, 2006, by the Parks and Community Services Director. Subject contribution includes \$2,000 per dwelling unit for park improvements at Mountain Gate Community Park and for parking spaces for public use and access to the Cleveland National Forest as indicated on TTM 33135.*

And the modified condition of approval 1PL-008 will read as follows:

*Prior to final map recordation, the applicant shall pay a community benefit contribution in the amount of \$3,500 per lot to be used by the City for park and recreation improvements provided that the Joint Community Facilities Agreement ("JCFA") by and amongst the applicant, the City and the Corona-Norco Unified School District ("CNUSD") is approved to enable the applicant to finance public facilities that will be owned or operated by the City through a community facilities district ("CFD") created by CNUSD pursuant to Government Code Section 53316.2. In the event that the JCFA is not approved, the applicant shall pay a community benefit contribution in the amount of \$2,000 per lot prior to final map recordation. Notwithstanding the foregoing, the applicant shall remain obligated to pay the amount of \$3,500 per lot in the event any of the following occurs: (1) CNUSD fails to create the CFD contemplated in the JCFA; (2) bonds are not issued by the CFD created by CNUSD; or (3) the bond proceeds are not sufficient to pay the community benefit contribution required by this condition.*

The owner's Park Premium fee obligation on a per lot basis increases from \$2,000 to \$3,500 per dwelling unit as stipulated in the Joint Community Facilities Agreement (JCFA) amongst the owner, the City and the Corona-Norco Unified School District. The modification to this condition documents this revision and stipulates the timing of collection to be prior to map recordation.

Condition of Approval 1PL-008 was previously modified to remove the required parking spaces for public use as originally indicated on TTM 33135 through staff approval of a Substantial Conformance request. The findings supported that the stalls within the project boundary were no longer necessary as they did not adequately meet the demand for parking to access the Skyline Trail. Alternately, it was found to be preferable that public parking for the trail remain along Foothill Parkway where it is appropriately designed to accommodate visitor volume.

The owner has also requested the addition of the following Public Works Conditions of Approval. The new conditions will read as follows:

*82. Prior to map recordation, the applicant shall offer for dedication a pedestrian access easement to extend public trail access from the existing Skyline Trail to the existing Hagador Canyon Trail through the property. All improvements required to extend the trail shall be constructed prior to issuance of the first Certificate of Occupancy.*

83. *Prior to issuance of the first Building Permit, the applicant shall pay a fair share of \$250,000 contribution towards the construction of the Zone 5 Booster Pump Station as required by the Public Works Director and the Department of Water and Power General Manager.*

84. *The applicant shall prior to Final Map recordation, construct or guarantee the construction of a pedestrian bridge over the Hagador Canyon creek, and the bridge shall be operational prior to the first certificate of occupancy being issued. The applicant shall receive park fee credits in the verified cost to construct the bridge up to a maximum amount of \$50,000.*

Condition of Approval number 82 allows for public access to the Hagador Canyon Trail through the project. The point of access will be at the intersection of the existing Skyline Drive and the project's main entrance. A paved access road will be constructed along Hagador Canyon Creek leading to the existing trail and the Cleveland National Forest, as shown in Exhibit "C." The developer may be eligible to receive park development credits for the construction of this facility, subject to authorization of the Public Works Director.

Condition of Approval number 83 is added as a result of the potable water infrastructure conditions and demands since the project was originally entitled in 2006. The construction of the Zone 5 Booster Station will be necessary to provide a reliable water source for this project.

The developer is requesting Condition of Approval number 84 to be added, upon suggestion of the community, to provide a pedestrian bridge over the Hagador Canyon Creek. The developer's original design for this crossing provides for a reinforced concrete lined road at grade within the existing creek bed. The Hagador Canyon Creek is dry throughout most of the year, receiving flow only during rain events. The estimated cost of the new bridge structure is \$50,000. The bridge, as the rest of the public trail, would be maintained by the City. City staff does not support the addition of this Condition of Approval due to the small benefit achieved relevant to the substantial construction costs and difficulty in maintaining the bridge indefinitely.

Staff recommends approval of this discretionary extension, extending the new expiration date of TTM 33135 from July 19, 2019, to July 19, 2021, modification of Condition of Approval number 69, 1PL-008 and addition of Condition of Approval numbers 82 and 83.

**COMMITTEE ACTION:**

Not applicable.

**STRATEGIC PLAN:**

Not applicable.

**FISCAL IMPACT:**

The developer has paid the applicable map extension request fee of \$1,980 for this action. The developer has completed the annexation of the map boundary into the Community Facilities District (CFD) No. 2016-1 and CFD 2016-3.

**ENVIRONMENTAL ANALYSIS:**

In accordance with Section 15063 of the State Guidelines for the California Environmental Quality Act (CEQA) the City prepared an initial study to determine if the project would have a significant effect on the environment. The initial study was prepared in accordance with Section 15063 and per the City's

Local Guidelines for Implementing CEQA. The initial study identified environmental effects that were determined not to be significant and identified potentially significant effects that were capable of being mitigated to less than significant. Therefore, the City adopted a Mitigated Negative Declaration and Mitigation Monitoring Plan on July 19, 2006, in accordance with Section 15070 of the State CEQA Guidelines and Section 6.02 of the City's Local Guidelines for Implementing CEQA.

**PREPARED BY:** MICHELE HINDERSINN, 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:** MITCHELL LANSDELL, ACTING CITY MANAGER

**Attachments:**

1. Exhibit "A" - Location Map
2. Exhibit "B" - Letter of Request for Time Extension
3. Exhibit "C" - Trail Access

Owner: Knowleton Communities  
205 Savona Walk  
Long Beach, CA 90803