



Legislation Text

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**PLANNING AND HOUSING COMMISSION
STAFF REPORT**

DATE: 11/13/2018

TO: Honorable Chair and Commissioners

FROM: Community Development Department

APPLICATION REQUEST:

TTM 36634: Tentative tract map application to create one buildable lot for residential condominium purposes and two lettered lots for streets and other improvements on 2.32 acres to facilitate the development of 11 single-family detached condominium homes located on the east side of Hudson Avenue at Poppyseed Lane, generally west of Fullerton Avenue at Taber Street in the Medium Density Residential designation of the Corona Vista Specific Plan (SP90-5) (Applicant: Melvin Aou, Poppybend LLC, 18340 Yorba Linda Blvd., Suite 107-200, Yorba Linda, CA 92886).

RECOMMENDED ACTION:

That the Planning and Housing Commission recommend adoption of the Mitigated Negative Declaration and Mitigation Monitoring Plan and APPROVAL of TTM 36634, based on the findings contained in the staff report and conditions of approval.

PROJECT SITE SUMMARY

Area of Property: 2.32 acres

Existing Zoning: MDR (Medium Density Residential) of Corona Vista Specific Plan

Existing General Plan: MDR (Medium Density Residential, 6 to 15 du/ac)

Existing Land Use: Vacant Residential

Proposed Land Use: Single-family detached condominium homes

Surrounding Land Uses / Zoning:

N: Single-family detached condominiums and single-family residential / MDR of Corona Vista Specific Plan

E: Single-family detached condominiums / MDR of Corona Vista Specific Plan

S: Single-family detached condominiums / MDR of Corona Vista Specific Plan

W: Single-family detached condominiums / MDR of Corona Vista Specific Plan

BACKGROUND

TTM 36634 is a proposal to create one buildable lot and two lettered lots for streets and other improvements on 2.32 acres for the development of 11 single-family detached condominium homes.

The subject property is located on the east side of Hudson Avenue at Poppyseed Lane, which is generally west of Fullerton Avenue at Taber Street. The proposal was initially reviewed by staff as DPR14-006 in July 2014 and discussed at the Infrastructure Committee meeting on November 4, 2015. There were no objections from the Infrastructure Committee.

Historically, the subject property was part of a larger four-acre property that was used for agricultural purposes. In the late 1990s, Fullerton Avenue was constructed through the middle section of the property resulting in two oddly shaped parcels that currently rest on both sides of Fullerton Avenue. On the west side is the subject property and on the east side is a vacant 1.60-acre vacant property. Both properties are within the Corona Vista Specific Plan and share the same zoning of MDR (Medium Density Residential) which permits residential developments. The applicant is developing both sites for residential purposes; however, the east side will be for the development of four single-family residential lots.

The infill location, shape, and size of the properties have posed site design challenges to the current developer and past potential developers in designing residential developments that are financially feasible to develop while also capable of complying with the development standards prescribed by the sites' zoning. The current condominium proposal on the project site is consistent with the existing condominium homes located to the northwest, west, and south. The project's site plan, architecture, landscaping, and fencing are being reviewed under Precise Plan 15-004 (PP15-004) which is being reviewed concurrently with TTM 36634. The development proposed on the east side of Fullerton Avenue is being reviewed separately under Parcel Map 36667.

Community Outreach Efforts

During the application process, the developer conducted three informational community meetings to bring awareness of the two projects and their site design to the residents that live in the area surrounding the sites. The initial meeting was held in April 2016 with the Monte Verde Homeowner's Association which maintains the condominium tract directly to the south of the project site. The purpose of the meeting was to discuss the potential construction of a shared perimeter privacy wall between the project site and the existing homes to the south on Ferndale Street which sit approximately 10 feet higher than the project site and separated with an existing retaining wall and tubular steel fencing. The backyards of these homes would back onto the future backyards of the new condominium homes. The applicant conducted a follow-up meeting in May 2016 which included the residences on Ferndale Street. Information regarding the meetings is attached as Exhibit E.

Following the meeting with the Ferndale Street residences, the Community Development Department received a letter, dated October 27, 2015, from the HOA expressing the residences' desire to have the applicant replace the existing retaining wall and tubular fence with a new full height block wall (Exhibit F).

The third meeting was held more recently on October 15, 2018 at the Circle City Center located on the northeast corner of Main Street and Harrison Street and was for both project sites. The applicant sent invitations to residents residing within a 500-foot radius of both sites. The meeting was attended by 17 people. Questions and concerns raised by the attendees at the meeting were primarily related to the condominium development, particularly to the shared wall. Information regarding the community meeting is attached as Exhibits G, H, and I.

In order to address the privacy issue for the Ferndale Street residences, the applicant explored the following options:

1. *Replace the existing retaining wall and tubular steel fence with a new combination retaining and freestanding wall.* The applicant would need to design and construct an engineered combination wall that is retaining on the bottom half and freestanding on the top half. However, this was determined to be infeasible because it would require removing the existing retaining wall, which would disrupt the existing improvements on the neighbors' side, as some of the homes have pools, patios, or landscaping that would need to be torn down.
2. *Replace the existing tubular steel fence portion.* The applicant explored the option of keeping the existing retaining wall and replacing just the tubular steel fence on top with a six-foot high block wall; however, this option could compromise the structure integrity of the retaining wall.
3. *Build a new block wall next to the existing retaining wall and tubular steel fence.* Due to the height difference between the two sites and the HOA's desire for privacy, this proposal would require the applicant to construct an approximately 15-foot high freestanding wall on the project site right next to the existing retaining wall and tubular steel fence. However, in order for the new wall to not interfere and compromise the retaining wall, the new wall would need to be placed a few inches away from the retaining wall. This would leave an undesirable gap between the two walls which could attract rodents, trash, and debris leading to maintenance issues.
4. *Incorporate a 2:1 slope behind the existing retaining wall with landscaping for privacy.* This proposal was considered the most feasible option as it would not impact the existing retaining wall, tubular steel fence, or improvements on the neighbors' side. Also, this option would allow the applicant to address the different feedback the applicant received from the residences at the meetings, as some wanted to maintain their views while others wanted privacy. The applicant is proposing to provide two different heights of shrub and plants that would provide up to two feet of coverage or five feet of coverage along the fence. The applicant sent mailers to the residences on Ferndale Street requesting input on the landscape coverage. A depiction of the slope and landscaping is shown on the mailer attached as Exhibit J. The homeowners also have the option of placing a metal screen welded to the tubular fence if they prefer an opaque screen.

PROJECT DESCRIPTION

As shown in Exhibit A, TTM 36634 would create Lot 1 for residential condominium purposes. The condominium designation will allow the 11 detached condominiums to be sold at market rate to individual buyers. A site plan depicting the layout of the homes is attached as Exhibit C. Lot 1 is 70,128 square feet which includes 66,643 square feet of area that will accommodate the homes and a 3,485 square foot landscape easement erroneously labeled as Lot C on the map. The easement is to be dedicated to the City for landscape maintenance purposes. The applicant is required to correctly identify this easement when submitting the map for plan check. This requirement is reflected in the project's conditions of approval attached as Exhibit B

TTM 36634 also creates two lettered lots which are shown on the maps as Lots A and B. Lot A is

10,050 square feet and located on the southeasterly end of the site. The lot will contain a common recreational area that is required by the Corona Vista Specific Plan for residential developments developed in the MDR designation. The applicant is required to establish a homeowner's association (HOA) to maintain Lot A. Lot B encompasses the private street within the development that will provide vehicular access to the 11 dwelling units. Lot B also contains six guest parking spaces which are required by the specific plan to serve the development. The HOA is also responsible for maintaining the private street. Table 1 summarizes the proposed lots.

Table 1
Lot Area Summary

| Lot No./Letter | Use | Lot Area |
|-----------------------|--|------------------------------|
| 1 | Detached Condominiums Landscape Easement | 66,643 sq. ft. 3,485 sq. ft. |
| A | Common Area | 10,050 sq. ft. |
| B | Poppyseed Circle (Private Street) | 21,316 sq. ft. |

The Corona Vista Specific Plan which governs the project site prescribes no minimum lot area, width, or depth requirements for condominium developments in the MDR designation. The map as proposed is designed to accommodate development that will adhere to the development standards that apply to the MDR designation. Precise Plan 15-004 reviews the development for compliance with the MDR development standards.

The Corona Vista Specific Plan prescribes a maximum allowable target density of 7.78 dwelling units per acre (du/ac) for the site. The development facilitated by the map results in a density of 4.74 du/ac which does not exceed the maximum allowable target density prescribed by the specific plan. The site is designated as MDR on the General Plan and South Corona Community Facilities Plan maps. The MDR designation under the General Plan permits a density range from 6 to 15 du/ac. The MDR designation under the South Corona Community Facilities Plan permits a maximum allowable target density of 7.88 du/ac. The project's density of 4.74 du/ac does not exceed the maximum allowable densities prescribed by the General Plan and South Corona Community Facilities Plan.

ACCESS AND ROADWAY IMPROVEMENTS

Poppyseed Lane will be extended into the project site to provide vehicular access to the proposed condominium homes. The section of Poppyseed Lane that is located within the project site is designed to be a private street having an overall right-of-way width of 45 feet. The street is required to be constructed with roadway pavement, curb and gutter, and a four-foot wide sidewalk. A five-foot wide public utility easement to be dedicated to the City is proposed along the edge of the sidewalk on both sides of the street.

The project site borders Fullerton Avenue to the east, which is a public street. There will be no access from Fullerton Avenue to the project site; however, the applicant is required to construct the missing public improvements along the westerly half-width of Fullerton Avenue adjacent to the site. This includes constructing the roadway pavement with curb and gutter, a five-foot wide landscape parkway, and a five-foot wide sidewalk.

ENVIRONMENTAL ANALYSIS

Per Section 15070 of the State Guidelines for Implementing the California Environmental Quality Act (CEQA) and Section 6.02 of the City's Local CEQA Guidelines, a Mitigated Negative Declaration was prepared for the project because the initial study identified that the project's potentially significant effects to the environment are capable of being mitigated to less than significant. Therefore, based on the project mitigation identified in the Mitigated Negative Declaration there is no substantial evidence, in light of the whole record before the City, that the project may have a significant effect on the environment. The initial study and Mitigated Negative Declaration are provided as Exhibit L.

FISCAL IMPACT

The applicant has paid all the required application processing fees

PUBLIC NOTICE AND COMMENTS

A 20-day public notice was mailed to all property owners within a 500-foot radius of the project site, as well as advertised in the Sentinel Weekly News and posted at the project site. As of the preparation of this report, staff received a written response from the property owner at 917 Ferndale Drive, which backs onto the southerly boundaryline of the condominium site. As shown in the owner's letter attached as Exhibit K, the letter lists five concerns pertaining to security issues, the safety and maintenance of the new slope and retaining wall that are proposed behind the owner's property, and whether the condominium units are capable of complying with the minimum rear yard setback requirement for the site. While items 1 through 3 of the letter would need clarification from the applicant, staff is able to address items 4 and 5:

4. Prior to construction, the applicant is required to submit plans for the new slope and retaining wall to be reviewed by the City's Public Works Department to ensure that the slope and retaining wall don't create additional surcharge on the existing retaining wall located between the project's southerly boundaryline and adjacent development to the south. The plan check process would also ensure that the new slope and retaining wall complies with the applicable City standards and are structurally sound. Furthermore, the applicant would be required to landscape the slope to prevent slope erosion.
5. The condominium site is regulated by the Corona Vista Specific Plan which prescribes no minimum rear yard setback requirement for condominium developments within the MDR designation. However, the southerly condominium units are providing rear yard setbacks ranging from 12 feet to 50 feet measured from the buildings to the south property line. The setbacks are not dimensioned on the site plan; however the site plan is drawn to scale which allows the setbacks to be measured. Most residential zones in the City of Corona require a minimum rear yard setback of 10 feet from building to property line. Therefore, the rear yard setbacks proposed for the project are consistent with most developments in the City.

It should also be noted that the existing developments directly to the northwest, west, and south of the project site are of the same type of development (detached condominiums) as the proposed project and were also developed under the same zoning, development standards, and density restrictions as the project site.

STAFF ANALYSIS

TTM 36634 is intended to accommodate a residential development consisting of 11 detached condominium homes. The project has been designed to comply with the development standards that apply under the MDR (Medium Density Residential) designation of the Corona Vista Specific Plan. The proposed map demonstrates orderly development of the project site with supporting infrastructure being constructed both on and off the project site. No minimum lot area, width or depth requirements are prescribed for this site by the specific plan. Furthermore, the development which TTM 36634 facilitates will result in a density of 4.74 du/ac which does not exceed the allowable densities prescribed for the MDR designation by the Corona Vista Specific Plan, General Plan, and South Corona Community Facilities Plan.

The map and proposed development will implement a number of goals and policies of the General Plan to provide a diversity of housing and supporting uses to meet the needs of Corona's residents. It also promotes the City's goals of developing underutilized in-fill sites within the City. Therefore, based on the following findings and conditions of approval, TTM 36634 is recommended for approval.

FINDINGS OF APPROVAL FOR TTM 36634

1. An initial study (environmental assessment) has been conducted by the City of Corona so as to evaluate the potential for adverse environmental impacts. The environmental assessment identifies potentially significant effects on the environment, but:
 - a. *The project applicant has agreed to revise the project to avoid these significant effects or to mitigate the effects to a point where it is clear that no significant effects would occur as reflected in the Conditions of Approval attached as Exhibit B.*
 - b. *There is no substantial evidence before the City that the revised project may have a significant effect.*
2. None of the conditions provided in Section 66474 of the California Government Code exists for the following reasons:
 - a. *TTM 36634 is intended to accommodate a residential development consisting of 11 detached condominiums which is a permitted use under the site's General Plan designation of MDR. The use is also permitted under the Corona Vista Specific Plan's designation of MDR. Furthermore, the project will result in a density of 4.74 du/ac which is within the General Plan's allowable density range of 6 to 15 du/ac for the MDR designation. The project's density also complies with the Corona Vista Specific Plan's maximum allowable density of 7.78 du/ac.*
 - b. *The design or improvement of the proposed subdivision is consistent with the subdivision standards in the MDR designation of the Corona Vista Specific Plan, which prescribes no minimum lot area, width or depth requirements for newly created condominium lots.*
 - c. *The site is physically suitable for the type of development proposed and also offers adequate access from Poppyseed Circle as demonstrated by the project's plans in Exhibit A and C.*

- d. The site is physically suitable for the proposed density of development as demonstrated by the project's associated precise plan because the project is capable of accommodating the 11 condominium homes proposed for the project.*
 - e. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially injure fish or wildlife or their habitat because the project's initial study has determined that potential environmental impacts are capable of being mitigated to less than significant levels.*
 - f. The proposed subdivision will not result in adverse impact to public health, safety or general welfare because the project has been designed to comply with the applicable development standards of the MDR designation of the Corona Vista Specific Plan and Corona Municipal Code.*
 - g. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision because no such easements exist on the project site, or the easements are being protected in place or relocated elsewhere on the project site.*
- 3. Pursuant to California Government Code Section 66473.5, consistency with applicable General Plan or Specific Plan does exist for the following reason(s):
 - a. The project will result in a density of 4.74 du/ac; therefore, it is consistent with the site's General Plan designation of MDR which allows for 6 to 15 du/ac. The project's density is also consistent with the Corona Vista Specific Plan's maximum allowable density of 7.78 du/ac established for the MDR zoning designation.*
 - b. The project consists of detached condominium homes which is consistent with the site's General Plan designation of MDR which allows for various types of residential developments including condominiums. It is also consistent with the Corona Vista Specific Plan's MDR zoning designation which permits condominium developments.*
- 4. Pursuant to California Government Code Section 66474.6, the discharge of waste from the proposed subdivision into existing community sewers would not result in violation of existing requirements presented by the Santa Ana Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code for the following reason:
 - a. The amount of discharge to be produced by the development does not exceed the limit established by the Santa Ana Regional Water Quality Control Board as monitored by the city's Department of Water and Power.*
- 5. The proposal is in conformance with the standards of the MDR designation of the Corona Vista Specific Plan for the following reasons:
 - a. The proposed residential condominium use is a permitted use within the MDR designation of the Corona Vista Specific Plan.*

- b. The proposed development is consistent with the standards imposed by Section IV.C.5 of the Corona Vista Specific Plan.*
 - c. The proposal will result in a density of 4.74 du/ac which does not exceed the maximum allowable density of 7.78 du/ac established by the Corona Vista Specific Plan for the MDR designation.*
- 6. The proposal is in conformance with Title 16 (Subdivisions) of the Corona Municipal Code for the following reasons:
 - a. The proposed map meets the subdivision standards imposed by the Corona Vista Specific Plan for the MDR designation which does not prescribe a minimum lot area, width or depth requirement for condominium lots.*
 - b. Required public improvements are guaranteed with this subdivision, as demonstrated by the Conditions of Approval attached as Exhibit B.*

PREPARED BY: SANDRA YANG, SENIOR PLANNER

REVIEWED BY: TERRI MANUEL, PLANNING MANAGER

SUBMITTED BY: JOANNE COLETTA, COMMUNITY DEVELOPMENT DIRECTOR

EXHIBITS

- 1. Locational and Zoning Map
- 2. Exhibit A - Tentative Tract Map 36634
- 3. Exhibit B - Conditions of Approval.
- 4. Exhibit C - Site Plan
- 5. Exhibit D - Applicant's letter, dated October 8, 2018, giving required subdivision information
- 6. Exhibit E - Information regarding community meetings held in April and May 2016.
- 7. Exhibit F - Letter from Monte Verde HOA, dated October 27, 2018.
- 8. Exhibit G - Mailer for community meeting held on October 15, 2018.
- 9. Exhibit H - Presentation for community meeting held on October 15, 2018.
- 10. Exhibit I - Minutes and sign-in sheet for community meeting held on October 15, 2018.
- 11. Exhibit J - Mailer for Ferndale Street residences.
- 12. Exhibit K - Public correspondence.
- 13. Exhibit L - Environmental Documentation.

Case Planner: Sandra Yang (951) 736-2262