



Legislation Text

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**PLANNING AND HOUSING COMMISSION
STAFF REPORT**

DATE: 7/12/2021

TO: Honorable Chair and Commissioners

FROM: Community Development Department

APPLICATION REQUEST:

TTM 37691: Tentative Tract Map application to subdivide 17.02 acres into two lots for condominium purposes in the General Commercial and Multiple Family Residential zones proposed by Change of Zone 2020-0002, located on the west side of Foothill Parkway at Chase Drive. (Applicant: Chris Bowen, GF Investments, Inc., 110 N. Lincoln Avenue, Suite 202, Corona, CA 92882)

RECOMMENDED ACTION:

That the Planning and Housing Commission recommend adoption of the Mitigated Negative Declaration and Mitigation Monitoring Plan and APPROVAL of TTM 37691 to the City Council, based on the findings contained in the staff report and conditions of approval.

PROJECT SITE SUMMARY

Area of Property: 17.02 acres

Existing Zoning: A (Agricultural)

Existing General Plan: Low Density Residential (3-6 du/ac)

Proposed General Plan: Medium Density Residential (6-15 du/ac) on 8.09 acres and General Commercial on 8.95 acres

Existing Land Use: Vacant

Proposed Land Use: Commercial and Multiple Family Residential

Surrounding Zoning/Land Uses:

N: R-1-7.2 zone (Single Family Residential)/undeveloped land

E: Foothill Parkway with R-1-7.2 and R-1-8.4 zones (Single Family Residential) located beyond

S: Agricultural zone/commercial nursery and Open Space (OS) zone/open space land

W: Agricultural zone/undeveloped land

BACKGROUND

Site History

The project site is comprised of two undeveloped parcels totaling 17.02 acres, which are located on the southwest side of Foothill Parkway at Chase Drive. The parcels were annexed into the City of Corona in 2018 with the Skyline Heights annexation and were given an A (Agricultural) zoning and a Low Density Residential (LDR) general plan designation. The Agricultural zone permits a variety of agricultural uses, and residential uses when ancillary to a primary agricultural use. The LDR general plan designation permits residential development to occur at a density ranging from 3 to 6 dwelling units per acre (du/ac).

The project site is currently undeveloped and has an approximately 130-foot-high manufactured slope with terrace drains bordering Foothill Parkway to the east. The site is bordered by undeveloped land to the north, west, and south. A commercial nursery borders the site to the southwest and currently has vehicular access through the project site from Foothill Parkway. The Skyline Heights residential subdivision, TTM 36544, is located generally west of the project site.

Project Background

Tentative Tract Map 37691 (TTM 37691) is a proposal to subdivide the project site into two (2) lots. The purpose of the subdivision is to facilitate the development of a horizontal mixed-use project the applicant is proposing. The subdivision proposed by TTM 37691 is shown in Exhibit 2.A. Lot 1 is 8.95 acres and is intended for the development of 25,715 square feet of commercial uses. Lot 2 is 8.07 acres and is intended for the development of 78 residential condominium homes.

In addition to TTM 37691, the proposed development will require approval of a General Plan Amendment (GPA2020-0003), Change of Zone (C2020-0002), Conditional Use Permit (CUP2020-0001), and Precise Plan (PP2020-0005).

The General Plan Amendment and Change of Zone establish a general plan designation and zoning appropriate for the project's proposed residential and commercial land uses. The General Plan Amendment changes the site's existing General Plan designation from Low Density Residential (LDR, 3-6 du/ac) to Medium Density Residential (MDR, 6-15 du/ac) on 8.07 acres, and to General Commercial on 8.95 acres. The Change of Zone corresponds to the changes by GPA2020-0003 and proposes to change the site's existing A (Agricultural) zone to R-3 (Multiple Family Residential) on 8.07 acres, and C-3 (General Commercial) on 8.95 acres. The Conditional Use Permit (CUP) reviews the site plan and architecture proposed for the residential portion of the project; while the Precise Plan (PP) is needed to review and approve the commercial portion.

The project was initially reviewed by city staff as DPR2020-0003 and DPR2020-0008 in February and July 2020. The applicant formally submitted all five applications on October 2, 2020, including the tentative tract map. The applications were reviewed by staff at the Project and Environmental Review Committee meeting on October 22, 2020 and determined to be incomplete. The applicant subsequently submitted the revised application materials and pending technical studies, with the applications being deemed complete on June 15, 2021, at which time the project was scheduled for a July 12, 2021 Planning and Housing Commission review.

Infrastructure Committee and Community Meetings

The project was presented to the City Infrastructure Committee meeting on February 6, 2019. At that time, the project was only a design concept, and showed commercial uses across the entire 17 acres site. The uses included a three-story Class A office building, grocery store, farmers market, restaurants, retail and commercial service space, and a gas station. The plan also included outdoor space for events. Issues that were discussed at the meeting included noise emitting from the outdoor events, glare from the gas station signage, and establishing a connectivity from the project site to nearby trails. The Committee encouraged community outreach to be conducted with the Orchard Glen residences to the south of the project site and with the residences located in the Chase Drive area to the east. Overall, the Committee was receptive to the concept, and the project received support from the members of the public who attended the meeting.

The currently proposed commercial area does not include the original concept's gas station. As a result, the community concerns with the gas station and glare from the illumination of the station's pylon signs is moot. All project identification signs as currently proposed will not produce glare because they will be backlit. The conceptual signage plan is proposed as part of PP2020-0005.

With respect to trail connectivity, the project is maintaining an existing trail access that is located along the northerly perimeter of the project site. TTM 36791 proposes to establish an easement over the portion of the trail that is within the boundaries of the project site. Additional discussions regarding the easement can be found under the PROJECT DESCRIPTION section of this report.

On November 11, 2020, the applicant conducted a community informational meeting through Zoom. The applicant sent flyers to properties located within a 1,000-foot radius from the project site. Attached as Exhibit 2.E is a copy of the flyer. Prior to this meeting, the applicant reached out to the public on social media websites, including Facebook and various trail websites, to obtain feedback on the project's design and uses. The applicant had also reached out to local businesses and business leaders for their input.

On December 2, 2020, the Infrastructure Committee was provided an update on changes that were made to the project by the applicant, including revisions to include 78 condominiums, and over 27,000 square feet of commercial and retail use, including a food hall and outdoor dining. The architecture for the commercial buildings had also been revised to reflect a style the applicant references as "mammoth rustic woods". The Committee expressed general support for the concept, while noting the importance of tying the project's architecture in with the mining history of the surrounding area.

PROJECT DESCRIPTION

TTM 37691 proposes to create two lots on the project site. Lot 1 is 8.95 acres and will be developed for 25,715 square feet of commercial service, retail and food space. Lot 2 is 8.07 acres and will be developed for 78 residential condominium units. The site plan for the development is being reviewed under application PP2020-0005, but is attached to this report as Exhibit 2.C, for reference. The subdivision is designed with Lot 1 having frontage on Foothill Parkway and Lot 2 located to the

west of Lot 1, which is also to the rear of Lot 1. Lot 2 has no street frontage or direct access from Foothill Parkway. Per Corona Municipal Code Section 17.99.060, a minor variance may be granted by the Zoning Administrator to allow a lot to have access from a street via another property. On March 29, 2021, the applicant received Zoning Administrator approval of a minor variance (VMIN2021-0002) to allow Lot 2 to have access from the private access road being provided from Lot 1. The private access road on Lot 1 has direct access from Foothill Parkway.

The commercial zoning proposed for Lot 1 is C-3, which has no minimum lot area, width or depth requirement for newly created lots. The residential zoning proposed for Lot 2 is R-3 zone, which requires newly created lots to have a minimum lot area of 7,200 square feet plus a minimum lot width of 60 feet and a minimum lot depth of 100 feet. Lot 2 is capable of meeting the subdivision requirements for the R-3 zone. Table 1, below, summarizes the proposed subdivision.

TABLE 1
TTM 37691 Lot Summary

Lot Number	Lot Area	Lot Width	Lot Depth	Proposed Use
1	8.95 acres	611 ft	660 ft	Commercial
2	8.07 acres	649 ft	549 ft	Residential Condominiums
TOTAL	17.02 acres			

The GC general plan designation that is proposed for Lot 1 has a Floor Area Ratio (F.A.R.) limit of 0.5. Based on the size of Lot 1 and the 0.5 F.A.R. limit, Lot 1 could have up to 194,931 square feet of floor area. The commercial development that is planned for Lot 1 does not exceed this limit, as it has a total floor area of 25,715 square feet. Also, the MDR general plan designation that is proposed for Lot 2 permits a residential density ranging from 6-15 du/ac. The 78 units that are proposed within Lot 2 would yield a density of 9.66 du/ac, which does not exceed the MDR's maximum allowable density of 15 du/ac. Therefore, the lots proposed by TTM 37691 are suitable for the development proposed on the project site.

Easements

With the recordation of TTM 37691, several existing easements on the project site will either be protected in place or vacated as necessary. TTM 37691 also proposes to establish several new easements on the site. The more pertinent easements are highlighted below.

- **Easements A and B** are for access purposes, and are being established over the project's main access, which is designed as a 54-foot-wide private street. The street is centrally located on the project site and will provide vehicular access from Foothill Parkway to Lots 1 and 2. Easements A and B will also include the parking lot drive aisles within the Lot 1 commercial development, and the project's emergency access roads.
- **Easement D** is for access purposes and will be established over an emergency road located along the southerly perimeter of the site, which provides access from Foothill Parkway to three undeveloped properties that are landlocked to the west and southwest of the project site (APNs 275-070-004, 275-070-009, and 275-080-020). The three properties are owned

by Mr. Bu Lee.

- **Easement E** is also for access purposes, and will provide access from Foothill Parkway to the adjacent property (APN 275-080-021) located to the south of the project site. The adjacent property contains a commercial nursery, is landlocked by other properties, and currently takes access from Foothill Parkway through the project site.
- **Easement F** is located along the northerly perimeter of the site and extends from Foothill Parkway to the western limits of the project site. Easement F will be established over a new paved road to be constructed along the north side of a new 2:1 slope and retaining wall. The road is intended to provide the project's homeowner's association and/or property owners association access to the slope and retaining wall for maintenance purposes. The road will also provide the public with trail access into the Cleveland National Forest. The road/trail will transition into a dirt path at the western limits of the project site.

Access and Public Improvements

The project site will have vehicular access from Foothill Parkway via a new 54-foot-wide private street. The private street bisects Lot 1 and terminates at Lot 2. The private street is aligned with Chase Drive on the north side of Foothill Parkway to create a four-way signalized intersection. The street will have an 8-foot-wide raised center median with one westbound lane and one eastbound lane, curb and gutter, and a 5-foot wide sidewalk on both sides of the road.

Foothill Parkway is classified as a secondary 4-lane street per the General Plan. The section of Foothill Parkway adjacent to the project site has an overall right-of-way width ranging from 112 to 113 feet and is improved with 78 feet of paved roadway width. The southwesterly side of the street adjacent to the site is improved with landscape parkway and a 10-foot-wide asphalt concrete sidewalk. The section of Foothill Parkway from the northerly limits of the project site to Chase Drive is required to be widened by an additional two (2) feet, to accommodate a new dedicated right-turn lane, which will allow for right turns from Foothill Parkway into the project.

A 28-foot-wide emergency access road is proposed at the southeasterly corner of the site to provide a second point of access for the project. The road also provides access to the neighboring properties to the west and southwest, which currently take access through the project site. The access road entrance is off-site and located within an adjacent city-owned property that fronts Foothill Parkway. Also, a portion of the entrance encroaches into open space property that is maintained by the HOA of the Orchard Glen residential community located south of the project site. A Condition of Approval will require the applicant to acquire the city-owned property, or obtain an easement from the city for the off-site entrance. The applicant also needs to obtain an easement from the Orchard Glen HOA, to allow for the encroachment into their open space.

The project warrants the construction of a new Zone 5 water reservoir to supply the necessary water storage to meet the project's fire flow needs. Based on the project's preliminary water study, the size of the water reservoir is required to hold at least 1.0 million gallons of water and would need to be constructed near the project site and at an elevation of 1380 feet above mean sea level. The applicant has the option of constructing the water reservoir or paying a fair-share cost towards the construction of a new 2.5-million-gallon water reservoir, which would be constructed by the City. The fair-share cost will be determined upon the City's approval of a final water study and is required to

be guaranteed prior to map recordation. The reservoir is required as a condition of approval (Public Works Condition No. 51).

If the applicant elects to participate with the City in the construction of the water tank and the project is constructed before the City completes the construction of the water tank, the City's Department of Water & Power has determined that the City's existing potable water pumping facilities located in Zone 3, which is located within the Sierra Bella community, are capable of delivering the project's required fire flow in the interim.

ENVIRONMENTAL ANALYSIS

An Initial Study (IS) prepared for the project identified that the project could result in potentially significant impacts to the environment in the areas of geology, biological resources, hazardous materials, cultural resources, and tribal cultural resources. However, the IS identified that all the project's potentially significant impacts are capable of being mitigated to less than significant. Therefore, per Section 15070 of the California Environmental Quality Act (CEQA) Guidelines and Section 6.02 of the City's Local Guidelines, a Mitigated Negative Declaration (MND) was prepared for the project. Based on the measures in the project's MND, there is no substantial evidence, in light of the whole record before the City, that the project would have a significant or potentially significant effect on the environment. The Mitigated Negative Declaration is recommended for adoption (Exhibit 3).

The project site contains a USGS blueline stream along the northern perimeter of the site. The blueline stream is considered "jurisdictional", and subject to certain permits from the Army Corp of Engineers and California Department of Fish & Wildlife if development encroaches into or disturbs the blueline stream. The design of the project avoids the blueline stream; therefore, no jurisdictional permits are required.

FISCAL IMPACT

The applicant has paid applicable application processing fees.

PUBLIC NOTICE AND COMMENTS

A 20-day public notice was mailed to all property owners within a 1,000-foot radius of the project site, as well as advertised in the Sentinel Weekly News and posted at the project site. It should be noted that the city's public noticing radius requirement is 500 feet. However, the applicant elected to increase the noticing radius to a conservative 1,000 feet in order to include the nearest residential properties that are located beyond Foothill Parkway to the east of the project site, and in the Orchard Glen community located south of the project site.

As of the preparation of this report, the Community Development Department received a response from Mr. Bu Lee who is the owner of the three vacant properties that are landlocked behind the project site, to the west and southwest. Mr. Lee voiced his concerns regarding the access road the applicant is proposing to construct on the project site, to provide access from Foothill Parkway to Mr. Lee's properties. As discussed under the EASEMENT section of this report, the road is located along the southerly perimeter of the project site and provides access to Mr. Lee's properties, to the adjacent nursery to the south, and serves as an emergency road for the project site. The proposed

road width ranges from 12 feet to 28 feet. The easterly portion of the road extending from Foothill Parkway to the commercial parking lot is 28 feet wide. The portion that extends to the nursery is 20 feet wide. From the nursery access point to Mr. Lee's properties the road is 12 feet wide. Mr. Lee stated to staff that he would like the developer to provide him a wider road to accommodate two-way access.

STAFF ANALYSIS

TTM 36791 is intended to accommodate a mixed-use development consisting of 27,715 square feet of commercial space and 78 residential condominiums homes. The map is being processed for condominium purposes and the lots proposed by the tentative tract map conform to the subdivision standards established for the C-3 and R-3 zones. The lots are capable of accommodating the development's proposed density and F.A.R., as demonstrated by the applicant's companion applications, which include CUP2020-0001 and PP2020-0005. The project has adequate primary and emergency access from Foothill Parkway. The map also provides access to the adjoining properties and is sized appropriately based on the current use of the property. The construction of any missing public improvements associated with the project are guaranteed with the recordation of this map.

TTM 36791 is consistent with multiple General Plan goals and policies. It supports land use policy LU-5.9, which requires the project to adhere to the design and development guidelines established by the General Plan and Corona Municipal Code. The map demonstrates this by proposing lots that are capable of accommodating the developments that are intended for the site. The project supports land use goal LU-7 and policy LU-7.1 by accommodating the development of additional housing with supporting commercial uses to meet the needs of Corona's residents. TTM 36791 is consistent with land use policy LU-7.4 by facilitating the integration of land uses within residential neighborhoods that support and are complementary to their primary function as living environments, including but not limited to schools, parks, trails, community meeting facilities and other comparable uses that provide supporting services. In conformance with parks and recreation policies PR-6.2 and PR-6.3, the project maintains trail access into the Cleveland National Forest while avoiding impacts to natural habitats. The project is required to provide adequate water storage to meet fire flow requirements, which complies with infrastructure and utilities policies IU-1.5 and IU-1.9.

Furthermore, TTM 36791 supports recent state legislation that address the state's current housing shortage by providing housing opportunity to help accommodate growth in the City.

The Planning Division recommends approval of TTM 36791 based on the following findings of approval and conditions of approval attached in Exhibit 2.B.

FINDINGS OF APPROVAL FOR TTM 36791

1. An initial study (environmental assessment) has been conducted by the City of Corona to evaluate the potential for adverse environmental impacts. The initial study identifies potentially significant effects in the environment, but:
 - a. *The project applicant has agreed to revise the project to avoid 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 (Exhibit 2.B) and Mitigation Monitoring and Reporting Program.

- b. There is no substantial evidence before the City that the revised project would 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 36791 proposes to subdivide 17.02 acres for condominium purposes and creates one 8.95-acre lot for commercial purposes and one 8.07-acre lot for the development of 78 residential condominium units. The commercial development proposed in Lot 1 has a total floor area of 27,715 square feet, which does not exceed the Floor Area Ratio limit of 0.5 established by the General Plan designation of General Commercial. The residential development proposed in Lot 2 yields a density of 9.66 du/ac, which does not exceed the maximum density of 15 du/ac established by the General Plan designation of Medium Density Residential. Also, the project is in accordance with the goals and policies of the General Plan, specifically Land Use policies LU-5.9, LU-7, LU-7.1, and LU-7.4; Infrastructure and Utilities policies IU-1.5 and IU-1.9; and Parks, Recreation, Cultural Arts, and Education policies PR-6.2 and PR-6.3.*
- b. TTM 36791 facilitates the development of a residential and commercial mixed-use development that is designed in accordance with the standards imposed by the respective zoning for the project, the Corona Municipal Code, and General Plan.*
- c. The site is suitable for the type of development proposed for the lots that are being created by TTM 36791, and provides for adequate access from Foothill Parkway.*
- d. The site is physically suitable for the proposed density of the map. TTM 36791 proposes a density of 9.66 du/ac for the residential development, which does not exceed the maximum density limit of the General Plan for the Medium Density Residential designation. Also, the commercial development does not exceed the General Plan's FAR limit for the General commercial designation.*
- 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 impacts to public health, safety or general welfare because the project is designed in accordance with design standards that are in place to ensure the orderly development of the project site and the improvements associated with the project, which adequately meet all development standards and can accommodate structures that meet all Building Code and Fire Department standards.*

- 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 easements are being vacated or relocated elsewhere on the project site.*
3. Pursuant to California Government Code Section 66473.5, consistency with applicable General Plan or Specific Plan exists for the following reasons:
- a. TTM 36791 proposes to subdivide 17 acres for the purpose of creating one 8.95-acre lot for commercial purposes and one 8.07-acre lot for the development of 78 residential condominium units. The commercial development proposed in Lot 1 has a total floor area of 27,715 square feet, which does not exceed the Floor Area Ratio limit of 0.5 established by the General Plan designation of General Commercial. The residential development proposed in Lot 2 yields a density of 9.66 du/ac, which does not exceed the maximum density of 15 du/ac established by the General Plan designation of Medium Density Residential.*
 - b. As analyzed in the Analysis section, the project is consistent with several General Plan goals and policies related to LU-5.9, LU-7, LU-7.1, LU-7.4, LU-7.8, IU-1.5, IU-1.8, IU-1.9, PR-6.2, and PR-6.3.*
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 project is in conformance with the standards of the proposed C-3 and R-3 zones for the following reason:
- a. The subdivision design proposed by TTM 36791 is consistent with the development standards that apply to the project site, including lot area, width, and depth requirements.*
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 city's subdivision standards for lot area, width, and street access.*
 - b. All required and necessary public improvements are guaranteed with this subdivision as provided by the Conditions of Approval.*
7. The subdivision is consistent with:
- a. Regulations adopted by the State Board of Forestry and Fire Protection pursuant to Section 4290 of the Public Resources Code requiring minimum fire safety standards related to defensible space for perimeters and access to all residential, commercial, and*

industrial building construction in areas of state responsibility and very high fire hazard severity zones including building construction, road standards for fire equipment access, standards for street, road and building identification, minimum water supply reserves for emergency fire use, and fuel breaks and greenbelts, and education of the public regarding individual owner responsibilities under Section 4291 of the Public Resources Code.

b. Local ordinances certified by the State Board of Forestry and Fire Protection as meeting or exceeding the state regulations.

8. Structure fire protection and suppression services will be available for the subdivision through any of the following entities:

a. A county, city, special district, political subdivision of the state, or another entity organized solely to provide fire protection services that is monitored and funded by a county or other public entity.

b. The Department of Forestry and Fire Protection by contract entered into pursuant to Section 4311, 4142, 4144 of the Public Resources Code.

PREPARED BY: SANDRA YANG, SENIOR PLANNER

REVIEWED BY: JAY EASTMAN, PLANNING MANAGER

SUBMITTED BY: JOANNE COLETTA, COMMUNITY DEVELOPMENT DIRECTOR

EXHIBITS

1. Locational and Zoning Map
- 2.A Tentative Tract Map 36791
- 2.B Conditions of Approval
- 2.C Site Plan proposed by PP2020-0005
- 2.D Applicant's letter, dated April 9, 2021, regarding the subdivision
- 2.E Neighborhood Informational Meeting Flyer
3. Environmental Documentation

Case Planner: Sandra Yang (951) 736-2262