

City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: OCTOBER 25, 2022**

FROM: COMMUNITY & ECONOMIC DEVELOPMENT **WARD: 5**
DEPARTMENT

SUBJECT: PR-2021-000975 STREET VACATION AND DESIGN REVIEW – ADOPT A RESOLUTION OF INTENT TO SCHEDULE A PUBLIC HEARING TO CONSIDER A STREET VACATION TO VACATE AGUILAR STREET LOCATED WEST OF GIBSON STREET, BETWEEN ARALIA DRIVE AND DOUGLAS DRIVE, TO FACILITATE DEVELOPMENT OF A MULTI-FAMILY RESIDENTIAL PROJECT CONSISTING OF 139 UNITS

ISSUE:

Adopt a Resolution of Intent to hold a public hearing on November 22, 2022, to consider a proposal by Angel Orozco, on behalf of Greens Gibson, LLC, to vacate Aguilar Street, located west of Gibson Street, between Aralia Drive and Douglas Drive, to facilitate development of a multi-family residential project consisting of 139 units.

RECOMMENDATION:

That the City Council adopt the attached resolution declaring its intent to hold a public hearing on November 22, 2022, to consider Planning Case PR-2021-000975 Street Vacation of Aguilar Street, located west of Gibson Street, between Aralia Drive and Douglas Drive, to facilitate development of a multi-family residential project consisting of 139 units.

PLANNING COMMISSION RECOMMENDATION:

On September 15, 2022, the City Planning Commission recommended approval of Planning Case PR-2021-000975, a request for a Design Review of project plans for a four-story multi-family residential development consisting of 139 units and a Street Vacation to vacate Aguilar Street, by a vote of 8 ayes and 0 noes (Attachments 2 and 3).

BACKGROUND:

Aguilar Street is designated in the General Plan 2025 as a 66-foot-wide local street that terminates approximately 360 feet east of Gibson Street. The right-of-way proposed to be vacated consists of approximately 360 feet in length and 50 feet in width. Aguilar Street is surrounded by two residences (9315 Aguilar Street and 3210 Gibson Street) and vacant parcels to the north, Gibson Street and residences to the east (across Gibson Street), vacant property to south, and industrial

uses to the west. Currently only 33-feet of Aguilar Street, located in front of two existing residences which take access from Aguilar Street, is improved with curb, gutter, and paving. The multi-family developer is proposing to construct two private driveways (one for each single-family residence) accessed from Gibson Street and install landscaping in a 5-foot-wide planter located between the driveways and the subject multi-family development. The surrounding vacant parcels will comprise of the proposed multi-family development consisting of 139 residential units.

The Resolution of Intent to hold a public hearing is the first requirement for a street vacation, pursuant to the Public Streets, Highways, and Service Easements Vacation Law. Prior to ordering a street vacation, the City Council must first adopt a resolution declaring its intent to hold a public hearing to consider the vacation of Aguilar Street, setting the place, date and time for the public hearing, and noticing requirements. As a matter of information, the Design Review for the proposed multi-family residential development is associated with the Street Vacation and is also to be considered concurrently by the City Council in a Public Hearing proposed to be held on November 22, 2022.

DISCUSSION:

The applicant is requesting approval of a street vacation to vacate approximately 16,696 square feet of Aguilar Street consisting of approximately 360 feet in length and 50 feet in width; to facilitate the construction of a four-story multi-family residential development consisting of 139 units.

Staff has determined that the Street Vacation: 1) will no longer be needed for street purposes or for access to adjacent properties, as the developer for the multi-family project will be constructing private driveways for the two residences located at 9315 Aguilar Street and 3210 Gibson Street; 2) will not be necessary for present or future public use or vehicular traffic, as the remaining unimproved portion of Aguilar Street right-of-way will be incorporated into the project site; 3) Gibson Street will serve as the primary access to the two residences located at 9315 Aguilar Street and 3210 Gibson Street and the proposed multi-family development; 4) will not impact access to any other parcels than the two existing residences that will maintain access via private driveways constructed by the developer of the proposed multi-family development; and 5) will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area.

STRATEGIC PLAN ALIGNMENT:

This project contributes to **Strategic Priority 2 – Community Well-Being**, and **Goal 2.1 – Facilitate the development of a quality and diverse housing supply that is available and affordable to a wide range of income levels.**

This item aligns with each of the five Cross-Cutting Threads as follows:

1. **Community Trust** – The proposed multi-family development requires public hearings by the Planning Commission and City Council. Additionally, public comment is encouraged throughout the process through the 15-day public noticing period and at public hearings.
2. **Equity** – The proposed multi-family development provides housing opportunities that benefits all residences in the community and region.
3. **Fiscal Responsibility** – The proposed multi-family development applicant will be responsible for all fiscal aspects of the project.

4. **Innovation** – The proposed multiple family development meets the growing community's need for increased housing opportunities.
5. **Sustainability and Resiliency** – The proposed multi-family development is designed to meet the current and future needs of the community.

FISCAL IMPACT:

There is no fiscal impact associated with this action since all project costs are borne by the applicant.

Prepared by: Chris Christopoulos, Acting Director, Community & Economic Development Department

Certified as to availability of funds: Edward Enriquez, Interim Assistant City Manager/Chief Financial Officer/City Treasurer

Approved by: Rafael Guzman, Assistant City Manager

Approved as to form: Phaedra A. Norton, City Attorney

Attachments:

1. Resolution of Intent to Hold a Public Hearing
2. City Planning Commission Report – September 15, 2022
3. City Planning Commission Minutes – September 15, 2022

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF RIVERSIDE,
3 CALIFORNIA, DECLARING ITS INTENTION TO VACATE
4 APPROXIMATELY 16,696 SQUARE FEET OF AGUILAR STREET.
5 LOCATED WEST OF GIBSON STREET, BETWEEN ARALIA DRIVE
6 AND DOUGLAS DRIVE, AND SETTING THE DATE, HOUR AND
7 PLACE OF HEARING, PURSUANT TO THE PUBLIC STREETS,
8 HIGHWAYS, AND SERVICE EASEMENTS VACATION LAW.

9 BE IT RESOLVED by the City Council of the City of Riverside, California, as follows:

10 Section 1: That the City Council of the City of Riverside hereby declares that in Planning
11 Case No. PR-2021-000975, it is the intention of the City Council to vacate approximately 16,696
12 square feet of Aguilar Street consisting of approximately 360 feet in length and 50 feet in width,
13 located west of Gibson Street, between Aralia Drive and Douglas Drive, within the City of
14 Riverside, California, to facilitate the construction of a four-story multiple family residential
15 development consisting of 139 units.

16 Section 2: The City Council hereby elects and expresses its election to proceed in Planning
17 Case No. PR-2021-000975 pursuant to the provisions of Chapter 3 of the Public Streets, Highways,
18 and Service Easements Vacation Law, commencing with Section 8320 of the Streets and Highways
19 Code of the State of California.

20 Section 3: The public street proposed to be vacated in Planning Case No. PR-2021-000975 is
21 approximately 16,696 square feet of Aguilar Street consisting of approximately 360 feet in length
22 and 50 feet in width, located between Aralia Drive and Douglas Drive, within the City of Riverside,
23 California, as more particularly described and depicted in Exhibit "A" attached hereto and
24 incorporated by this reference.

25 Section 4: The date, hour, and place for hearing all persons interested in the proposed
26 vacation of the public street in Planning Case No. PR-2021-000975 is set as November 22, 2022, at
27 3:00 p.m. in the Art Pick Council Chamber located adjacent to City Hall, at 3900 Main Street,
28 Riverside, California.

Mail written statements to City Clerk, City Hall, 3900 Main Street, Riverside, CA 92522, or
email City_Clerk@riversideca.gov. eComments can be submitted until two hours before the
meeting at www.rivesideca.gov/meeting. Interested persons will be afforded the opportunity to speak
and be heard at 3:00 p.m. on November 22, 2022, by calling (669) 900-6833 and enter Meeting ID:

1 926 9699 1265 and/or appearing in-person at the public hearing at the Art Pick Council Chamber at
2 3900 Main Street, Riverside, California

3 Section 5: At the hearing provided for in Section 4 hereof, the City Council shall determine
4 whether this public street is unnecessary for present or prospective use, and if so, the reservations or
5 exceptions from the vacations that public convenience and necessity require, if any, which shall be
6 recited in the resolution of vacation as provided in Section 8341 of the Streets and Highways Code.

7 Section 6: Notices of the date, hour and place of the hearing of the proposed vacation shall
8 be posted conspicuously along the public street proposed to be vacated at least two (2) weeks before
9 the day set for the hearing. At least three (3) notices shall be posted not more than three (300)
10 hundred feet apart. The notices shall state the day, hour, and place of hearing; shall refer to the
11 adoption of this resolution of intention; and shall describe the public street proposed to be vacated.

12 Section 7: The City Clerk shall cause notice of the date, hour, and place of the hearing on
13 this resolution of intention to be published for at least two (2) successive weeks prior to the hearing
14 in The Press Enterprise.

15 ADOPTED by the City Council this _____ day of _____, 2022.

16 _____
17 PATRICIA LOCK DAWSON
18 Mayor of the City of Riverside

19 _____
20 DONESIA GAUSE
21 City Clerk of the City of Riverside
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1 I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the
2 foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at
3 its meeting held on the _____ day of _____, 2022, by the following vote, to wit:

4 Ayes:

5 Noes:

6 Absent:

7 Abstain:

8 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
9 City of Riverside, California, this _____ day of _____, 2022.

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12 DONESIA GAUSE
13 City Clerk of the City of Riverside
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CA: 22-1601 LAS

EXHIBIT "A"
LEGAL DESCRIPTION

Project: SD-2022-00004 – Aguilar Street Vacation

PARCEL 1

All of Aguilar Street described in Grant Deed to the City of Riverside for Street Purposes, recorded December 2, 1960, as Instrument No. 102522 of Official Records of Riverside County, California, described as follows:

That portion of Lot 6 in Block 30 of the Lands of the Riverside Land and Irrigating Company, as shown by map on file in Book 1, Page 72 of Maps, Records of San Bernardino County, California, described as follows:

BEGINNING at a point in the Southwesterly line of Gibson Street, 50 feet in width, 251.20 feet Southeasterly along said Southwesterly line of Gibson Street from the Northwesterly line of said Lot 6;

Thence South $56^{\circ}23'44''$ West, 8.00 feet to the **TRUE POINT OF BEGINNING**;

Thence continuing South $56^{\circ}23'44''$ West, 260.59 feet;

Thence South $33^{\circ}59'16''$ East, 33.00 feet;

Thence South $56^{\circ}23'44''$ West, 111.71 feet

Thence North $33^{\circ}59'16''$ West, 66.00 feet;

Thence North $56^{\circ}23'44''$ East, 360.22 feet;

Thence on a circular curve concave Westerly with a radius of 12.00 feet and central angle $90^{\circ}23'00''$ a distance of 18.93 feet;

Thence South $33^{\circ}59'16''$ East, 45.08 feet to the **TRUE POINT OF BEGINNING**.

Area - 16,003 S.F. more or less

PARCEL 2 – Por. APN: 233-160-026

All of that Offer of Dedication for Public Street and Highway purposes to the City of Riverside, recorded August 25, 1995, as Instrument No. 280688 of Official Records of Riverside County, State of California, described as follows:

That portion of Lot 6 in Block 30 of the Lands of the Riverside Land and Irrigating Company, as shown by map on file in Book 1, Page 72 of Maps, Records of San Bernardino County, California, lying within that portion of Parcel 3 as shown on Record of Survey, on file in Book 33, Page 29 of Records of Survey, Records of Riverside County, California,

COMMENCING at the Southwest corner of said Parcel 3 as shown on said Record of Survey;

Thence North 56°23'44" East along the Southeasterly line of said Parcel, said Southeasterly line also being the Northwesterly line of that certain parcel described in Deed to the City of Riverside by Document recorded December 2, 1960, as Instrument 102522 of Official Records of said Riverside County, a distance of 3.38 feet to the **POINT OF BEGINNING** and the beginning of a non-tangent curve concave to the Southeast and having a radius of 44.50 feet, whose initial radial line bears North 82°04'57" West;

Thence Northeasterly along the arc of said curve through a central angle of 96°57'22", an arc length of 75.30 feet to a point on the said Southeasterly line;

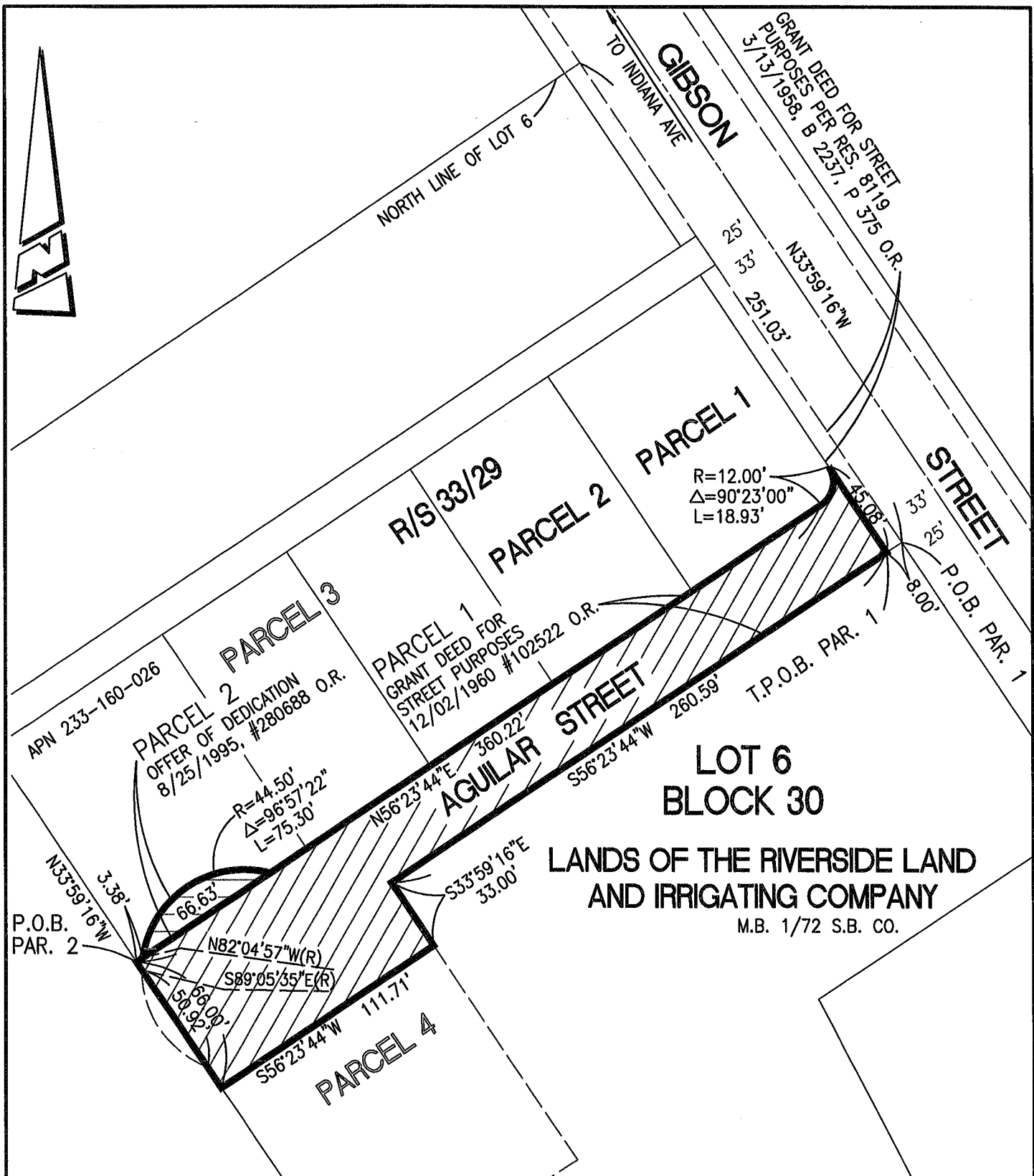
Thence South 56°23'44" West along said Southeasterly line, 66.63 feet to the **POINT OF BEGINNING**.

Area - 692.70 S.F. more or less

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

Curtis C. Stephens 4/20/22 Date CS
Curtis C. Stephens, L.S. 7519





• CITY OF RIVERSIDE, CALIFORNIA •

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

SHEET 1 OF 1

SCALE: 1"=60'

DRAWN BY: CURT

DATE: 4/20/22

SUBJECT: SD-2022-00004 - AGUILAR STREET VACATION