



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: SEPTEMBER 26, 2017

FROM: COMMUNITY & ECONOMIC DEVELOPMENT WARD: 4
DEPARTMENT

SUBJECT: PLANNING CASES P17-0216 (REVISED TRACT MAP) AND P17-0539 (REVISED PLANNED RESIDENTIAL DEVELOPMENT) – BY STEVE BERZANSKY TO AMEND CONDITIONS OF APPROVAL OF TRACT MAP NO. 31859 AND PLANNED RESIDENTIAL DEVELOPMENT TO BUILD A SINGLE FAMILY RESIDENCE ON LOT 13 – SITUATED ON THE SOUTH SIDE OF OVERLOOK PARKWAY AT VIA MONTECITO.

ISSUE:

Approve a proposal by Steve Berzansky to amend conditions of approval of Tract Map No. 31859 (Planning Case P03-1336) and associated Planned Residential Development (Planning Case P03-1337) to allow the conversion of Lot 13 from a common recreational lot to a buildable lot for the future construction of a single family residence, in the RC-Residential Conservation Zone.

RECOMMENDATIONS:

That the City Council:

1. Determine that the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) review pursuant to Sections 15303 (New Construction of Conversion of Small Structures) and 15061(b)(3), as it can be seen with certainty there is no possibility the proposed amendment will have a significant effect on the environment; and
2. Approve Planning Cases P17-0216 (Revised Tract Map) and P17-0539 (Revised Planned Residential Development).

PLANNING COMMISSION RECOMMENDATION:

On August 10, 2017, the City Planning Commission recommended approval of the project by a vote of 8 ayes, 0 noes and 0 abstentions, subject to staff's recommended conditions.

BACKGROUND:

On February 17, 2004, City Council approved Planning Cases P03-1336 (TM-31859) and P03-1337 (Planned Residential Development) for a subdivision consisting of 12 single family residential lots, one common recreation lot (Lot 13), and an open space lot (Lot 14) consisting of 2.63 acres. The open space lot was dedicated to the City of Riverside as an easement for the preservation and protection of the property's hillside and natural open space, located within the boundaries of the Prenda Arroyo. The maintenance of the open space was required to be the responsibility of a conservancy organization or Homeowner's Association (HOA).

Two variances were also approved under the tract map to allow: 1) Parcels 1 through 12 to be landlocked, without frontage on a public street; and 2) Lots 1, 3-7, 9, and 11-12 to be less than a minimum of 2.0 acres in size. Additionally, a Grading Exception was approved under the Tract Map to allow a 36,850 square foot graded pad for a common recreational facility on Lot 13, where the Grading Code limits the pad size to 21,000 square feet.

In 2007, a grading permit was issued and all pads have been rough graded. Lot 13 is currently the only developed lot within Tract 31859, as it was developed in 2008 with a tennis court, gazebo, and associated hardscape.

DISCUSSION:

The proposed modification of Condition of Approval 2.a. of Tract Map 31859 (P03-1336) and associated Planned Residential Development (P03-1337) will allow for the change of use of Lot 13 from a common recreational lot to a buildable lot for the future construction of a single family residence. The conceptual plot plan for Lot 13 shows the removal of the existing gazebo, portions of the associated hardscape, and construction of a single family residence. The existing tennis court will remain for the private use of the property owner. No additional grading is proposed.

As part of this proposal, the open space on Lot 14 of this subdivision is proposed to be used as a passive recreation area for enjoyment of the residents and to provide trail linkages to other natural open space areas within the Prenda Arroyo. A new open space easement will be recorded over the existing easement to add "for the enjoyment of the public", for the purpose of providing legal access across Lot 14.

The RC Zone allows a maximum density of 0.50 dwelling units per acre; however, a Planned Residential Development (PRD) allows a density bonus of 25 percent for a maximum of 0.63 dwelling units per acre in the RC Zone. The proposed modification will increase the density of the previously approved PRD from an existing 0.48 dwelling units per acre to 0.52 dwelling units per acre, equivalent to a density bonus of 4 percent.

The proposed modifications to the Tract Map and PRD can be supported because they meet the standards required to qualify for a density bonus based on the following: 1) the project has been designed to protect the Prenda Arroyo, hillside and sensitive areas of the site in compliance with the RC Zone, Proposition R and Measure C; 2) the open space on Lot 14 will be dedicated to an appropriate conservancy organization or a Homeowner's Association (HOA) should no organization be found for long term maintenance and management; 3) an easement will be required to be recorded over the existing easement on Lot 14 to add "for the enjoyment of the public" use allowing for passive recreational opportunities; 4) the size of each individual lot, 1.03 to 2.0 acres, allows the opportunity for private amenities; and, 5) future development of each lot

will require Design Review approval to ensure compliance with the Citywide Design & Sign Guidelines.

FISCAL IMPACT:

There is no impact to the General Fund since all project costs are borne by the applicant.

Prepared by:	Rafael Guzman, Community & Economic Development Director
Certified as to availability of funds:	Adam Raymond, Chief Financial Officer/City Treasurer
Approved by:	Al Zelinka, FAICP, Assistant City Manager
Approved as to form:	Gary G. Geuss, City Attorney

Attachments:

1. City Planning Commission Recommended Conditions
2. City Planning Commission Report – August 10, 2017
3. City Planning Commission Minutes – August 10, 2017
4. Presentation