



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: OCTOBER 19, 2021

FROM: COMMUNITY & ECONOMIC DEVELOPMENT WARD: 2
DEPARTMENT

SUBJECT: PLANNING CASES P19-0775 GENERAL PLAN AMENDMENT, P19-0776 ZONING CODE AMENDMENT, P19-0777 DESIGN REVIEW, P20-0307 VARIANCE, P20-0308 GRADING EXCEPTION, P20-0309 GRADING EXCEPTION, P20-0310 SUMMARY VACATION, AND P19-0905 ENVIRONMENTAL IMPACT REPORT – PROPOSAL BY KEN ASSI OF KA ENTERPRISES, TO FACILITATE CONSTRUCTION OF A MULTI-FAMILY RESIDENTIAL DEVELOPMENT CONSISTING OF 237 RESIDENTIAL APARTMENT UNITS – SITUATED AT THE NORTHWEST CORNER OF CENTRAL AVENUE AND SYCAMORE CANYON BOULEVARD

ISSUE:

A proposal by Ken Assi of KA Enterprises consisting of a General Plan Amendment, Zoning Code Amendment, Design Review, Variances, Grading Exceptions, Summary Vacation, and to certify the related Environmental Impact Report to facilitate the construction of a multi-family residential development consisting of 237 residential apartment units on 9.44 acres, situated at the northwest corner of Central Avenue and Sycamore Canyon Boulevard.

RECOMMENDATIONS:

That the City Council:

1. Adopt the attached Resolution certifying the Final Environmental Impact Report (EIR) for the Crestview Apartments (Project) and finding that the Final EIR:
 - a. Has been completed in compliance with the California Environmental Quality Act (CEQA);
 - b. Was presented to the City Council and the City Council reviewed and considered the information contained in the Final EIR prior to approving the Project; and
 - c. Reflects the City's independent judgment and analysis, and making certain findings of fact.
2. Concur with the findings contained in the Final EIR, the attached CEQA Resolution, the case file and the administrative record, and adopt the Findings of Fact attached to the CEQA Resolution;
3. Adopt the Mitigation Monitoring and Reporting Program attached to the CEQA Resolution;
4. Find that no feasible alternatives to the Project have been proposed that will avoid or substantially lessen the significant environmental effects as set forth in the Final EIR;

5. Reject all late comments as untimely;
6. Approve Planning Cases P19-0775 General Plan Amendment, P19-0776 Zoning Code Amendment, P19-0777 Design Review, P20-0307 Variance, P20-0308 Grading Exception, P20-0309 Grading Exception, P20-0310 Summary Vacation, and P19-0905 Environmental Impact Report, based on and subject to the Planning Commission findings and recommended conditions found in the attached staff report;
7. Adopt the attached Resolution to amend the General Plan 2025 land use designation of approximately 9.44 acres of land from C – Commercial to VHDR – Very High Density Residential;
8. Introduce and subsequently adopt the attached Ordinance to amend the Zone of approximately 9.44 acres from CG – Commercial General Zone to R-4 – Multiple Family Residential Zone; and
9. Adopt the attached Resolution summarily vacating approximately 19,200 square feet or 0.44 acres of excess right-of-way located along Sycamore Canyon Boulevard and Central Avenue, pursuant to the Public Streets, Highways and Service Easements Vacation Law.

PLANNING COMMISSION RECOMMENDATION:

On May 27, 2021, the City Planning Commission, by a vote of 7 ayes, 0 noes and 0 abstentions, recommended that the City Council approve the Project and find that: 1) the Draft EIR has been completed in compliance with the California Environmental Quality Act (CEQA); and 2) the Project will not have a significant effect on the environment (Attachments 6 and 7).

BACKGROUND:

The project site consists of a vacant 9.44-acre irregular shaped parcel with frontage on Central Avenue and Sycamore Canyon Boulevard. The site has an average natural slope of 25.9 percent with a topography consisting of gradual undulating hills and a steep slope along the west side of the project site.

Most of the site is comprised of non-native vegetation and rock outcroppings. On the southwest corner of the project site there is a jurisdictional feature consisting of willow riparian plant community, riparian/riverine habitat, and associated drainage. No other drainage courses or wetlands are located on the site.

The project site is surrounded by SR-60/I-215 freeway to the north, vacant land under the jurisdiction of Riverside County to the south (across Central Avenue), vacant land recently entitled for a commercial development to the east (across Sycamore Canyon Boulevard), and the City's Quail Run Open Space Park to the west.

As a matter of information, on July 17, 2008, the Planning Commission recommended that the City Council approve Annexation 105 (P05-0609 Annexation) for annexation of the project site into the City and apply the HDR – High Density Residential General Plan Land Use designation and the R-3-1500 – Multiple Family Residential Zone to the project site to facilitate construction of a 168 unit multi-family development (P06-0845 Site Plan Review, and P06-0846 Design Review). The project was withdrawn by the applicant before it was considered by the City Council.

On July 28, 2015, City Council approved a larger annexation effort under Annexation 118 (P14-0246 Annexation, P14-1059 General Plan Amendment, and P14-0901 Pre-Zoning), and adopted

the C – Commercial General Plan Land Use designation and the CG – Commercial General Zone for the project area. A development project was not part of the Annexation 118.

For additional background, please refer to the May 27, 2021 City Planning Commission staff report, recommended conditions of approval and minutes (Attachments 5, 6, and 7).

DISCUSSION:

Project Description

The project consists of a 237-unit multi-family residential development in five 3-story buildings and two 2-4 split story buildings. The development includes 94 one-bedroom units, 126 two-bedroom units, and 17 three-bedroom units. Units range in size from 760 to 1,398 square feet. Private balconies or patios are attached to each unit and range in size from 58 to 73 square feet. A total of 427 parking spaces are provided in garages, covered carports, and uncovered parking spaces.

Common useable open space totals 49,720 square feet and includes: a putting green, pool and spa, dog run area with a wash station, fitness center, clubhouse, shade structures with barbeques and tables, and a walking perimeter loop trail (1/2 mile loop) with learning and/or exercise stations.

A series of terraced retaining walls, up to 5 feet in height, are proposed at the southwest corner of the site (adjacent to Central Avenue and the City's Quail Run Open Space) and within the front yard setback along Central Avenue. The walls will be constructed of decorative masonry block, with a decorative cap, and landscaping will be provided between the terraces to soften the appearance of the walls.

The project site will be served by 427 parking spaces provided in garages, covered carports, and uncovered parking spaces. Access will be provided by two gated driveways along Sycamore Canyon Boulevard. The driveway in the center serves as the primary vehicular access to the development. The driveway at the northern boundary of the site will be designated for egress only, as well as emergency vehicular access.

Required Entitlements

Implementation of the Project requires approval of the following entitlements:

- *General Plan Amendment:* To amend the land use designation from C – Commercial to VHDR – Very High Density Residential;
- *Zoning Code Amendment:* To change the zone from CG – Commercial General Zone to R-4 – Multiple Family Residential Zone;
- *Design Review:* Site design and building elevations;
- *Variances:* 1) To allow up to 6-foot-high perimeter solid masonry walls and tubular steel fencing within the front yard setbacks, where 3-foot-high solid walls and 4-foot open fencing are permitted by the Zoning Code; and 2) To allow project improvements to encroach into the 15-foot landscaped front yard setback along Central Avenue, required in the R-4 Zone when adjacent to an arterial;
- *Grading Exceptions:* 1) To allow up to 11.7-foot-high retaining walls not open to public view, where the Grading Code allows a maximum height of 6 feet; 2) To allow the height of retaining walls visible from the public right of way (Central Avenue and Sycamore Canyon Boulevard) to be up to 5 feet, where the Grading Code allows a maximum height of 3 feet;

and 3) To allow slopes with a ratio of 3.9:1 or steeper to be up to 28 feet in vertical height, where the Grading Code limits slopes having a ratio of 3.9:1 or greater to a maximum vertical height of 20 feet; and

- *Summary Street Vacation:* To vacate excess right-of-way along Sycamore Canyon Boulevard and Central Avenue, totaling 19,200 square feet or 0.44 acres.

Final Environmental Impact Report

In conjunction with the Project, an Environmental Impact Report (EIR) has been completed in accordance with all CEQA requirements (Attachments 11 and 12). The Draft EIR was prepared while the State and City were transitioning from using Level of Service (LOS) metrics to Vehicle Miles Traveled (VMT) as a CEQA impact. While the Draft EIR includes LOS and VMT impacts, the Governor's Office of Planning and Research (OPR) confirms that auto delay, or LOS, on its own, is no longer an environmental impact under CEQA. By including a LOS analysis, the Draft EIR goes above and beyond CEQA requirements when analyzing transportation related deficiencies. As such, the fair share contributions have been transitioned from mitigation measures (MM LAND USE-1 through MM LAND USE-3) to conditions of approval, as mitigation is not required to lessen a significant transportation impact (Attachment 8).

Staff received a total of twelve comment letters on the project. Three of those letters were received after the DEIR comment period (Attachment 9). The comment letters and appropriate responses to all comments are provided in the Final EIR. The comment letters do not identify any significant new environmental issues or impacts that were not already addressed in the Draft EIR. Further, any changes made to the Draft EIR merely clarifies, amplifies or makes insignificant modifications to the EIR.

Written responses to public agency comments were also provided by the City to those commenting public agencies ten days prior to this meeting. Any clarifications requested by those who commented on the project do not result in significant new information or additional environmental impacts. Any change made to the Draft EIR clarifies, amplifies or makes insignificant modifications to the EIR.

STRATEGIC PLAN ALIGNMENT:

This item contributes to the Envision Riverside 2025 City Council Strategic Priority 3 – Economic Opportunity (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 Project aligns with the following Cross-Cutting Threads:

1. Community Trust – As part of the environmental review process for the proposed project, a Scoping Meeting was held with the community. The project was also considered at a public meeting held by the City Planning Commission where public comment is part of the process.
2. Equity – The proposed project will provide housing available to a wide range of income levels.
3. Fiscal Responsibility – The applicant is responsible for all project costs.
4. Innovation – The proposed project responds to the need for a well-designed multi-family development in the area, sensitive to the adjacent Quail Run Open Space Park and biological habitat.
5. Sustainability & Resiliency – The proposed project will be required to follow all

requirements related to water collection, recycling, and conservation.

FISCAL IMPACT:

There is no fiscal impact associated with this report since all Project costs are borne by the Applicant.

Prepared by: David Welch, Community & Economic Development Director
Certified as to
availability of funds: Edward Enriquez, Chief Financial Officer/City Treasurer
Approved by: Rafael Guzman, Assistant City Manager
Approved as to form: Phaedra A. Norton, City Attorney

Attachments:

1. Resolution Certifying Final EIR and Adopting the Findings of Fact, and the Mitigation Monitoring and Reporting Program
2. Resolution Amending the General Plan 2025
3. Ordinance to Amend the Zoning Map
4. Resolution of Summary Vacation
5. City Planning Commission Report – May 27, 2021
6. City Planning Commission Recommended Conditions - May 27, 2021
7. City Planning Commission Minutes – May 27, 2021
8. Revised Recommended Conditions of Approval
9. Public Comment Letters
10. Presentation
11. Final Environmental Impact Report
12. Draft Environmental Impact Report