

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

look B



FROM: TLMA – Planning Department

SUBMITTAL DATE:
March 17, 2015

SUBJECT: GENERAL PLAN AMENDMENT. NO 1137, CHANGE OF ZONE NO. 7821, TENTATIVE TRACT MAP NO. 35249, VARIANCE NO. 1895 – Adoption of Mitigated Negative Declaration Applicant: Rancho Way, LLC – Representative: Mayers and Associates – First Supervisorial District – Location: Northerly of Gentle Wind Drive, easterly of Retreat Parkway, southerly of Knabe Road, westerly of Forest Boundary Parkway – Zoning: Manufacturing-Service Commercial and Residential Agricultural – 2 1/2 acre minimum – REQUEST: The General Plan Amendment proposes to change the project site's current General Plan Land Use designation from Community Development: Light Industrial and Rural: Rural Residential to Community Development: Medium Density Residential and Open Space: Recreation. The Change of Zone proposes to change the existing zoning from Manufacturing-Service Commercial and Residential Agricultural – 2 1/2 acre minimum to Planned Residential and Open Area Combining Zone Residential Developments. The Tentative Tract Map proposes a Schedule A subdivision to create 51 single family residential lots with a minimum lot size of 4,000 square feet, 1 drainage basin lot, 1 paseo lot, 1 open space lot, 1 slope lot, 1 park lot, 1 private drive lot, and 2 landscaping lots on 12.3 gross acres. The Variance requests to encroach 5 feet into the 20 foot front yard setback on 13 of the 51 proposed lots to accommodate a front yard porch on the building.

Departmental Concurrence


Steve Weiss, AICP
Planning Director
SW:pr

(Continued on next page)


Juan C. Perez
TLMA Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: Deposit based funds

Budget Adjustment:

For Fiscal Year:

C.E.O. RECOMMENDATION:

APPROVE

BY:


Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- ☐ A-30
- ☐ Positions Added
- ☐ 4/5 Vote
- ☐ Change Order

Prev. Agn. Ref.:

District: 1

Agenda Number:

16-1

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: GENERAL PLAN AMENDMENT. NO 1137, CHANGE OF ZONE NO. 7821, TENTATIVE TRACT
MAP NO. 35249, VARIANCE NO. 1895**

DATE: March 17, 2015

PAGE: Page 2 of 4

RECOMMENDED MOTION: The Planning Commission recommends that the Board of Supervisors:

ADOPT a MITIGATED NEGATIVE DECLARATION for ENVIRONMENTAL ASSESSMENT NO. 42676, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

TENTATIVELY APPROVE GENERAL PLAN AMENDMENT NO. 1137, amending the General Plan Land Use designation for the subject property from Community Development: Light Industrial and Rural: Rural Residential to Community Development: Medium Density Residential and Open Space: Recreation as shown in General Plan Amendment Exhibit No. 1137, based upon the findings and conclusions incorporated in the staff report, pending final adoption of the General Plan Amendment Resolution by the Board of Supervisors; and,

TENTATIVELY APPROVE CHANGE OF ZONE NO. 7821, amending the zoning classification for the subject property from Manufacturing-Service Commercial and Residential Agricultural – 2 1/2 acre minimum to Planned Residential (R-4) and Open Area Combining Zone Residential Developments, based on the findings and conclusions incorporated in the staff report, pending final adoption of the Zoning Ordinance by the Board of Supervisors; and,

APPROVE TENTATIVE TRACT MAP NO. 35249, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

APPROVE VARIANCE NO. 1895, to encroach 5 feet into the 20 foot front yard setback on 13 of the 51 proposed lots to accommodate a front yard porch on the building.

BACKGROUND:

The Planning Department recommended Approval or Continuance; and, **THE PLANNING COMMISSION, ON FEBRUARY 18, 2015, RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS** by a vote of 3-0 in support of the project.

Staff introduced an update memo at the February 18, 2015, Planning Commission meeting outlining minor changes to the conditions of approval 50.PLANNING.31 (HOA maintenance area) and 100.PLANNING.1 (amenities construction). The memo also included a signed agreement between the applicant and The Retreat Home Owners Association (HOA) granting access into The Retreat Specific Plan. The memo also introduced comments that were submitted by the public in support and opposed to the project. There was also public testimony given in opposition to the project at the meeting, as well submittal of signed petitions opposed to the project.

The Planning Commission discussed the following issues regarding the project:

- emergency secondary access,
- single-story facade building elevation,
- flag lot,
- pedestrian safety on Forest Boundary Road, and
- park size.

The issue of emergency secondary access was a significant concern with the Planning Commission and they emphasized that the emergency secondary access through The Retreat needed to be resolved before the project went to the Board of Supervisors. The Planning Commission gave the Transportation Department direction in crafting their conditions to reflect the provision of adequate emergency secondary access. The

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: GENERAL PLAN AMENDMENT NO. 1137, CHANGE OF ZONE NO. 7821, TENTATIVE TRACT
MAP NO. 35249, VARIANCE NO. 1895
DATE: March 17, 2015
PAGE: Page 3 of 4

condition requires the applicant to obtain a written agreement with The Retreat Home Owner's Association in a form approvable by the County's Transportation and Fire Departments.

The Planning Commission had comments regarding the hybrid single-story Plan 1 building elevation, stating that the plan was not consistent with the intent of the Countywide Design Standards and Guidelines in providing for a single-story floor plan to create interesting and varied streetscapes. The Plan 1 elevation is distinctly different to the other two plans as it does not include multiple window treatments on what would be conceivably the second-story. Instead, Plan 1 provides a single window treatment above the horizontal plane of the other plan's second-story windows, creating an attic window look to the front of the building. Staff contends that the Plan 1 elevation will add variety and create interest in the streetscape, avoiding monotony and repetition.

The Planning Commission had commented on the project's use of a "flag lot" for four lots taking access of Street A's cul-de-sac. The Planning Commission had safety and parking concerns for these lots. The Transportation and Fire Department informed the Planning Commission that the creation of this extended shared driveway is consistent with all County codes.

The Planning Commission had concerns with pedestrian circulation safety, especially for those pedestrians who would access the adjacent Wild Rose Park on the opposite side of Forest Boundary Road. The Planning Commission highlighted the fact that residents of the project would utilize Wild Rose Park due to its greater size and amenities, which would require them to cross Forest Boundary Road which was noted to have high speed traffic. This safety concern has been addressed by the Transportation Department in condition 50.TRANS.15, which requires the proponent to ensure adequate sight distance and pedestrian safety features are provided as necessary.

The Planning Commission echoed some of the public comments about the project's park area being too small, and that the project's residents would utilize the nearby Wild Rose Park for their recreation activities. The Planning Commission recommended that the project's park area be increased as to provide a better recreational package for its residents so they don't have to use the adjacent Wild Rose Park. The applicant agreed to increase the park area by removing two residential lots adjacent to the park.

The final version of the project is 51 residential lots, of which 13 lots would be Plan 1 floorplan which is requesting the variance for the front yard setback. The new park acreage is 1.5 acres, of which 0.95 acres is usable park area.

The Planning Commission ultimately recommended approval to the Board of Supervisors by a vote of 3-0, with amendments to the following transportation conditions:

- 50.TRANS.15. Modified condition to require adequate sight distance to provide for pedestrian safety on Forest Boundary Road.
- 50.TRANS.19. Modified condition that removed the second option for secondary access. Now the condition only has one option for secondary access that the proponent shall provide to the County a written agreement with The Retreat HOA granting access to the gates.
- 60.TRANS.4. New condition added. Same condition as 50.TRANS.19 but added to prior to grading milestone.

Summary

The project consists of four separate applications: a general plan amendment, change of zone, tentative tract map, and variance.

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: GENERAL PLAN AMENDMENT. NO 1137, CHANGE OF ZONE NO. 7821, TENTATIVE TRACT
MAP NO. 35249, VARIANCE NO. 1895
DATE: March 17, 2015
PAGE: Page 4 of 4

General Plan Amendment No. 1137 proposes to amend the Riverside County General Plan Land Use Element by changing the land use designations from Community Development: Light Industrial and Rural: Rural Residential to Community Development: Medium Density Residential and Open Space: Recreation as shown in General Plan Amendment Exhibit No. 1137.

Change of Zone No. 7821 proposes to change the zoning classification from Manufacturing-Service Commercial and Residential Agricultural – 2 1/2 acre minimum to Planned Residential and Open Area Combining Zone Residential Developments.

Tentative Tract Map No. 35249 proposes a Schedule A subdivision to create 51 single family residential lots with a minimum lot size of 4,000 sq.ft., 1 drainage basin lot, 1 paseo lot, 1 open space lot, 1 slope lot, 1 park lot, 1 private drive lot, and 2 landscaping lots on 12.3 gross acres.

Variance No. 1895 requests to encroach 5 feet into the 20 foot front yard setback on 13 of the 51 proposed lots to accommodate a non-habitable front yard porch on the building.

Environmental Assessment No. 42676 has been prepared to inform decision-makers and the public of the potential significant environmental effects associated with changing the General Plan Land Use designation, rezoning, and tentative tract map subdivision.

The proposed project is located in the Temescal Canyon Area Plan, more specifically the project is located northerly of Gentle Wind Drive, easterly of Retreat Parkway, southerly of Knabe Road, and westerly of Forest Boundary Parkway.

Impact on Citizens and Businesses

The impacts of this project have been evaluated through the environmental review and public hearing process by Planning staff and the Planning Commission.

SUPPLEMENTAL:

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

ATTACHMENTS (if needed, in this order):

- A. **PLANNING COMMISSION STAFF REPORT**
- B. **PLANNING COMMISSION MINUTES**
- C. **PLANNING STAFF MEMO TO PLANNING COMMISSION**

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



16-1

10:30 a.m. being the time set for public hearing on the recommendation from Transportation And Land Management Agency/Planning regarding Public Hearing on General Plan Amendment No. 1137, Change of Zone No. 7821, Tentative Tract Map No. 35249, Variance No. 1895. Recommend Adoption of a Mitigated Negative Declaration for Environmental Assessment No. 42676; Tentative Approval of General Plan Amendment No. 1137 to change the current land use from Community Development: Light Industrial and Rural: Rural Residential to Community Development: Medium Density Residential and Open Space: Recreation; Tentative Approval of Change of Zone No. 7821 to change the zoning from Manufacturing-Service Commercial and Residential Agricultural – 2 ½ acre minimum to Planned Residential and Open Area Combining Zone Residential Developments; Approval of Tentative Tract Map No. 35249, Schedule A to create 51 single family residential lots with a minimum lot size of 4,000 square feet, 1 drainage basin lot, 1 paseo lot, 1 open space lot, 1 slope lot, 1 park lot, 1 private drive lot, and 2 landscaping lots on 12.3 gross acres; and Approval of Variance No. 1895 to encroach 5 feet into the 20 foot front yard setback on 13 of the 51 proposed lots to accommodate a front yard porch on the building ("the project"). The project is located northerly of Gentle Wind Drive, easterly of Retreat Parkway, southerly of Knabe Road, and westerly of Forest Boundary Parkway in the Temescal Canyon – Glen Ivy Area, 1st District, the Chairman called the matter for hearing.

Paul Rull, Contract Planner, presented the matter.

The following people spoke on the matter:

Jannlee Watson	Jerry Sincich
Rob Mucha	Tracy Davis
Kevin Melvin	Mel Vander Molen
Peter Carlson	

The Chairman closed the public hearing.

On motion of Supervisor Jeffries, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED that the above matter is continued to May 12, 2015 at 10:30 a.m.

Roll Call:

Ayes:	Jeffries, Tavaglione, Washington and Ashley
Nays:	None
Absent:	Benoit _____

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on April 28, 2015 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors

Dated: April 28, 2015

Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By:  Deputy

AGENDA NO.

16-1

xc: Planning, COB



RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss, AICP
Planning Director

DATE: March 17, 2015

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

SUBJECT: General Plan Amendment No. 1137, Change of Zone No. 7821, Tentative Tract Map No. 35249, Variance No. 1895, Environmental Assessment No. 42676

(Charge your time to these case numbers)

The attached item(s) require the following action(s) by the Board of Supervisors:

- | | |
|---|--|
| <input type="checkbox"/> Place on Administrative Action (Receive & File, EOT) | <input checked="" type="checkbox"/> Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA) |
| <input type="checkbox"/> Labels provided If Set For Hearing | <input checked="" type="checkbox"/> Publish in Newspaper: |
| <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day | (1st Dist) Press Enterprise |
| <input type="checkbox"/> Place on Consent Calendar | <input checked="" type="checkbox"/> Mitigated Negative Declaration |
| <input type="checkbox"/> Place on Policy Calendar (Resolutions; Ordinances; PNC) | <input type="checkbox"/> 10 Day <input checked="" type="checkbox"/> 20 Day <input type="checkbox"/> 30 day |
| <input type="checkbox"/> Place on Section Initiation Proceeding (GPIP) | <input checked="" type="checkbox"/> Notify Property Owners (app/agencies/property owner labels provided) |
| | Controversial: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |

Designate Newspaper used by Planning Department if set for hearing:
(1st Dist) Press Enterprise

Documents to be sent to County Clerk's Office for Posting within five days:

Notice of Determination and Mit Neg Dec Forms
California Department of Fish & Wildlife Receipt (CFG6057)

Do not send these documents to the County Clerk for posting until the Board has taken final action on the subject cases.

Riverside Office · 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 77-588 Duna Court, Suite H
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7040

"Planning Our Future... Preserving Our Past"

Agenda Item No.: 4 . 2
Area Plan: Temescal Canyon
Zoning District: Glen Ivy Area
Supervisory District: First
Project Planner: Paul Rull
Planning Commission: February 18, 2015

GENERAL PLAN AMENDMENT NO. 1137
CHANGE OF ZONE NO. 7821
TENTATIVE TRACT MAP NO. 35249
VARIANCE NO. 1895
Environmental Assessment No. 42676
Applicant: Rancho Way LLC & Centennial Parkway LLC
Engineer/Representative: Mayers and Associates Civil Engineering

COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

The project consists of four separate applications: a general plan amendment, a change of zone, a tentative tract map and a variance.

General Plan Amendment No. 1137 proposes to amend the Riverside County General Plan Land Use Element by changing the land use designations from Community Development: Light Industrial and Rural: Rural Residential to Community Development: Medium Density Residential and Open Space: Recreation.

Change of Zone No. 7821 proposes to change the zoning classification from Manufacturing-Service Commercial and Residential Agricultural-2 1/2 acre minimum to Planned Residential and Open Area Combining Zone Residential Developments.

Tentative Tract Map No. 35249 proposes a Schedule A subdivision to create 53 single family residential lots with a minimum lot size of 4,000 sq.ft., 1 drainage basin lot, 1 paseo lot, 1 open space lot, 1 slope lot, 1 park lot, 1 private drive lot, and 2 landscaping lots on 12.3 gross acres.

Variance No. 1895 requests to encroach 5 feet into the 20 foot front yard setback on 14 of the 53 proposed lots to accommodate a non-habitable front yard porch on the building.

The proposed project is located in the Temescal Canyon Area Plan, more specifically the project is located northerly of Gentle Wind Drive, easterly of Retreat Parkway, southerly of Knabe Road, and westerly of Forest Boundary Parkway.

BACKGROUND:

The project proposes to create 53 single family residential lots on 12.3 gross acres, with a minimum lot size of 4,000 sq.ft. (the maximum lot size is 7,706 sq.ft). The project will also create 1 drainage basin lot, 1 paseo lot, 1 open space lot, 1 slope lot, 1 park lot, 1 private drive lot, and 2 landscaping lots. The project density is 4.3 dwelling units per acre, consistent with the proposed Community Development: Medium Density Residential (2 – 5 dwelling units per acre) land use designation. Approximately 1.3 acres of the site will be used as a private park with recreational amenities including open space turf area, tot lot, sports court, barbeque area, gazebo and picnic tables, and sitting areas. Approximately 2.2 acres of the site will remain undeveloped open space. The project will have a primary and a secondary access point along Forest Boundary Road. No gates are proposed. The project will have several different types of fencing and walls. A proposed 6 foot high split face block wall is proposed around the project perimeter (the applicant is proposing split face only on the side of the wall that is visible from the public, the other side will remain precision). A proposed 5 foot high precision block wall is proposed for

interior areas between lots. The project has been conditioned for a 6 foot high tubular steel fence around the detention basin. The project proposes three floor plans and three architectural styles for the proposed homes: Spanish, Country, and Craftsman. Plan 1 is a 2,004 square foot single-story floor plan and accounts for 14 lots. Plan 2 is a 2,113 square foot two-story floor plan and accounts for 18 lots. Plan 3 is a 2,405 two-story floor plan and accounts for 21 lots.

The project is surrounded by existing single family residences to the east, south and west, which were developed as part of The Retreat (SP317) and Wild Rose (SP176) Specific Plans. The project's density of 4.3 dwelling units per acre is consistent with the proposed General Plan Land Use designation of Community Development: Medium Density Residential (2 – 5 dwelling units per acre), and compatible with the surrounding land use designations of Community Development: Medium High Density Residential (5 – 8 dwelling units per acre) in Wild Rose Specific Plan, and Community Development: Medium Density Residential in The Retreat Specific Plan. Some of the homes in the Wild Rose Specific Plan were constructed with 15 foot minimum front yard setbacks.

The General Plan Initiation Proceedings process began on April 16, 2014, with the Planning Commission and was initiated on May 20, 2014, by the Board of Supervisors. The Planning Commission had comments regarding the project's compatibility with the future industrial development to the north, and that any potential impacts from future industrial uses must be analyzed and addressed. Staff modified the general plan amendment request at the Board of Supervisors meeting, changing a component of the land use designation from Rural: Rural Residential to Open Space: Recreation for the areas of the project site that had steep topography and was intended by the applicant to be used for open space recreational purposes. The applicant agreed to staff's proposed changes, and was accepted by the Board. The final general plan amendment configuration was changing the land use designations from Community Development: Light Industrial and Rural: Rural Residential to Community Development: Medium Density Residential and Open Space: Recreation.

ISSUES OF POTENTIAL CONCERN:

Surrounding Land Use Compatibility

The project site is located adjacent to vacant land that is designated Light Industrial and zoned Manufacturing-Service Commercial (along the project's northern boundary). This land could potentially be developed as warehousing distribution, food and textiles manufacturing, metals and lumber manufacturing, electrical equipment, recycling centers, and batch plants. Staff's concerns are the impacts from the potential industrial uses on the project such as noise, odor, light, and air quality. The project is proposing a 6 foot high perimeter block wall along the project's boundary. The wall and design of the project will adequately mitigate existing impacts from the surrounding area i.e. street noise, light glare. If the adjacent site were to be developed as industrial, it will be designed to incorporate mitigation measures to reduce its impact on this project at that time. The project has been conditioned to provide a mechanism that will notify future home owners along the project's northern boundary that they are adjacent to land that is designated as Light Industrial which could potentially be developed as industrial uses in the future (Condition of Approval 90.PLANNING.10).

Surrounding Residential Lot Sizes

The project is surrounded by existing single family residences to the east, south and west, which were developed as part of The Retreat (SP317) and Wild Rose (SP176) Specific Plans. The lot sizes abutting the project are approximately 7,800 to 11,900 square feet to the east, 7,200 to 10,000 square feet to the

south, and 9,700 to 13,700 square feet to the west on top of the hill. The Temescal Valley Municipal Advisory Council (MAC) provided comments at their November 13, 2013, and June 11, 2014, meetings. Specifically, they commented that the proposed project's minimum lot size was too small and not consistent with the surrounding communities.

Single-story Floor Plan

The Riverside Countywide Design Guidelines requires projects with 10 or more residential lots should include at least one single-story floor plan, the intent of which is to create a varied appearance of building heights in the community. The applicant has provided one single-story floor plan, Plan 1, which will be utilized in 14 residential lots. Plan 1 was developed by the applicant to fulfill the intent of the Countywide Design Guidelines in creating an interesting and varied streetscape. Although Plan 1 building façade may give the impression that it is a single-story building, the actual building height and floor plan lends itself to a traditional two-story floor plan.

Variance Setback Request

The applicant is seeking a variance to encroach 5 feet into the 20 foot front yard setback to accommodate a non-habitable front porch design in Plan 1 floor plans (Exhibit T). The applicant submitted a justification letter (Exhibit V) providing reasons why their variance request should be granted. They also provided exhibit showing building elevation with and without the front porch (Exhibit P). Section 18.27 in Ordinance No. 348 provides the basis for a variance:

"Variances from the terms of this ordinance may be granted when, because of special circumstances applicable to a parcel of property, including size, shape, topography, location or surroundings, the strict application of this ordinance deprives such property of privileges enjoyed by other property in the vicinity that is under the same zoning classification".

Staff has reviewed the applicant's request for a variance and believes that findings can be made consistent with Section 18.27. A portion of the site has significant topological slopes. Approximately 2.2 acres (17%) of the 12.3 acre site has significant steep slopes ranging between 36% to 67%, making these areas undevelopable for single family residences. Due to the site's significant topological features, the applicant's developable envelope is restricted to approximately 10 acres. Coupled with other design restrictions such as providing two internal roads for access onto Forest Boundary Road, the project layout is further restricted. In addition, the long and narrow shape of the project's parcels has restricted the layout design of the project compared to the shape and sizes of the surrounding residential parcels within The Retreat and Wild Rose Specific Plans. The Specific Plan parcels are of sufficient size and shape to provide for the requirements for a residential community subdivision. The applicant is requesting a variance to encroach 5 feet into the front yard 20 foot setback for a non-inhabitable porch because of the topological issues and narrow shaped lots restricting the layout design. Staff contends that a variance could be granted to allow this project the same developmental privileges as other projects that were not affected by steep slopes and narrow shaped parcels.

Emergency Secondary Access

During the Land Development Committee process, the applicant was made aware of the critical need for emergency access by the Fire and Transportation Department. There are existing two points of paved access to the project site; northerly on Forest Boundary Road to Knabe Road, and southerly on Forest Boundary Road which turns into the Retreat Parkway and connects to Weirick Road. However, the main issue is that electronic checkpoint gates exist on Forest Boundary Road south of the project (and also

by Weirick Road) as part of The Retreat Specific Plan community. The concerns are if an accident occurred and obstructed Knabe Road and Forest Boundary Road intersection, how would resident vehicles get away from the project site, and how would emergency vehicles gain access to the project site. Currently, only residents within The Retreat community (and emergency vehicles) have access to these gates.

Staff requires the applicant secure secondary access to the project by either: providing a written agreement with the Retreat Residential Development which grants the project access to its gates and permission to utilize the Retreat Parkway in the event of an emergency evacuation in perpetuity. It is Staff's understanding that the subject of the secure secondary access agreement will be considered with The Retreat Homeowners Association (HOA) at their February 12, 2015, meeting. According to the applicant there is a high level of certainty this agreement will be acceptable to the HOA.

Should the decision by the homeowners association delay such agreement, Staff recommends this project be continued until the applicant can obtain a written guarantee that secondary access can be obtained. Staff will update the Commission regarding the status of the HOA decision prior to the meeting.

SB 18 Tribe Comments

Per Senate Bill 18, General Plan Amendment No. 1137 was transmitted to the local Native American Tribes in the area. Two tribes responded and requested consultation: the Pechanga and Soboba Tribes. Staff met with both tribes to discuss the project, and both tribes had no further comments.

SUMMARY OF FINDINGS:

- | | |
|--|---|
| 1. Existing General Plan Land Use (Ex. #6): | Community Development: Light Industrial and Rural: Rural Residential |
| 2. Proposed General Plan Land Use: | Community Development: Medium Density Residential and Open Space: Recreation |
| 3. Surrounding General Plan Land Use (Ex. #6): | Community Development: Light Industrial, Medium Density Residential, Medium High Density Residential, Open Space: Conservation, City of Corona |
| 3. Existing Zoning (Ex. #3): | Manufacturing-Service Commercial, Residential Agricultural-2 1/2 acre minimum |
| 4. Proposed Zoning (Ex. #3): | Planned Residential and Open Area Combining Zone Residential Development |
| 5. Surrounding Zoning (Ex. #3): | Manufacturing-Service Commercial, Residential Agricultural-2 1/2 acre minimum, Specific Plan No. 317 (The Retreat), Specific Plan No. 176 (Wild Rose) |

- | | |
|-----------------------------------|---|
| 5. Existing Land Use (Ex. #1): | RV storage and residence, container storage, livestock raising, horse stable boarding |
| 6. Surrounding Land Use (Ex. #1): | Single family residences, vacant land |
| 7. Project Data: | Total Acreage: 12.3 gross acres
Total Proposed Residential Lots: 53
Total Proposed Non-Residential Lots: 1 drainage basin lot, 1 paseo lot, 1 open space lot, 1 slope lot, 1 park lot, 1 private drive lot, 2 landscaping lots
Proposed Minimum Lot Sizes: 4,000 sq.ft.
Schedule: A |
| 8. Environmental Concerns: | See attached environmental assessment |

RECOMMENDATIONS:

ADOPT RESOLUTION NO. 2015-003 RECOMMENDING ADOPTION for General Plan Amendment No. 1137.

THE PLANNING COMMISSION RECOMMENDS THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:

ADOPT a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42676**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; subject to resolution adoption for the project by the Riverside County Board of Supervisors and,

TENTATIVELY APPROVE of **GENERAL PLAN AMENDMENT NO. 1137**, amending the General Plan Land Use designation for the subject property from Community Development: Light Industrial and Rural: Rural Residential to Community Development: Medium Density Residential and Open Space Recreation, based upon the findings and conclusions incorporated in the staff report, pending final adoption of the General Plan Amendment Resolution by the Board of Supervisors; and,

TENTATIVELY APPROVE of **CHANGE OF ZONE NO. 7821**, amending the zoning classification for the subject property from Manufacturing-Service Commercial and Residential Agricultural-2 1/2 acre minimum to Planned Residential (R-4) and Open Area Combining Zone Residential Developments, based on the findings and conclusions incorporated in the staff report, pending final adoption of the Zoning Ordinance by the Board of Supervisors; and,

APPROVE **TENTATIVE TRACT MAP NO. 35249**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report; and,

APPROVE **VARIANCE NO. 1895**, to encroach 5 feet into the 20 foot front yard setback on 14 of the 53 proposed lots to accommodate a front yard porch on the building.

OR

CONTINUE the project off calendar until such time that the written guarantee for the secondary access can be obtained and submitted to staff for review.

FINDINGS: The following findings are in addition to those incorporated in the summary of findings and in the attached environmental assessment, which is incorporated herein by reference.

1. The project site is currently designated Community Development: Light Industrial and Rural: Rural Residential in the Temescal Canyon Area Plan.
2. The proposed residential parcels with a minimum lot size of 4,000 sq.ft., is permitted in the proposed Community Development: Medium Density Residential (2 – 5 dwelling units per acre) land use designation. The proposed open space recreational lots are also permitted in the proposed Open Space: Recreation land use designation.
3. The project site is surrounded by properties which are designated Community Development: Light Industrial to the north, Community Development: Medium Density Residential to the south, Community Development: Medium High Density to the east, and Rural: Rural Residential and Open Space Conservation to the west.
4. The zoning for the subject site is Manufacturing-Service Commercial and Residential Agricultural-2 1/2 acre minimum.
5. The proposed 53 residential lots are consistent with the proposed change of zone to Planned Residential zone. The proposed recreational open space areas are also consistent with the proposed Open Area Combining Zone Residential Developments zone.
6. The project site is surrounded by properties which are zoned Manufacturing-Service Commercial to the north, Residential Agricultural-2 1/2 acre minimum and Specific Plan No. 317 (The Retreat) to the south, Specific Plan No. 176 (Wild Rose) to the east and Residential Agricultural-2 1/2 acre minimum and Specific Plan No. 317 (The Retreat) to the west. Similar residential uses have been approved and/or constructed and are operating in the project vicinity.
7. This project is located within the Western Multiple Species Habitat Conservation Plan (WRMSHCP) Fee Area but not within a designated Criteria Cell of the WRMMSHCP.
8. This project is within the Sphere of Influence of the City of Corona. The Riverside County Planning Department transmitted a copy of the project to the City of Corona's Planning Department on April 16, 2014. No comments from the City of Corona have been received.
9. As a result of Section 3.2.I, and in accordance with Section 3.2.J. of Ordinance No. 460, the applicant is conditioned to provide written assurance(s) from the owner(s) of the property(ies) underlying the off-site improvement/alignment that sufficient right-of-way can and will be provided. This condition will provide secondary access to the project site.
10. In order to support the proposed General Plan Amendment, it must be established that the proposal could possibly satisfy certain required findings. The Administration Element of the General Plan and Article II of Riverside County Ordinance No. 348 identify four categories of amendments, Technical, Entitlement/Policy, Foundation and Agriculture. Each category has distinct required findings.

General Plan Amendment No. 1137 falls into the Entitlement/Policy Amendment category which involves an amendment within the same Foundation-Component, Community Development. The

proposed change to Open Space: Recreation foundation component and land use designation is also accepted and classified under the Entitlement/Policy Amendment category.

The Administration Element of the General Plan and Article II of Riverside County Ordinance No. 348 explains that two findings must be made, and at least one of five additional findings must be made to justify an entitlement/policy amendment. The two findings are:

- a) The proposed change does not involve a change in or conflict with the Riverside County Vision, any General Plan Principal set forth in General Plan Appendix B, and any Foundation Designation in the General Plan.
- b) The proposed amendment would either contribute to the achievement of the purposes of the General Plan or, at a minimum would not be detrimental to them.

The additional findings, only one of which need be made include:

- c) Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan.
- d) A change in policy is required to conform to changes in state or federal law or applicable findings of a court of law.
- e) An amendment is required to comply with an update of the Housing Element or change in State Housing Element law.
- f) An amendment is required to expand basic employment job opportunities (jobs that contribute directly to the County's economic base) and that would improve the ratio of jobs-to-workers in the County.
- g) An amendment is required to address changes in ownership of land or land not under the land use authority of the Board of Supervisors

Consideration Finding:

- a) The proposed change does not involve a change in or conflict with the Riverside County Vision, any General Plan Principal, and any Foundation Designation.

The Vision for Riverside County states that housing and providing shelter is one of the most basic community needs and for leaders to accept the necessity to provide housing for the County's growing population. The proposed Amendment is consistent with the vision as it is providing housing and shelter to meet the needs of the County's growing population. The Land Use Element of the General Plan encourages a "balanced mixtures of land uses, including commercial, office, industrial, agriculture, and open space, as well as a variety of residential product types, densities, and intensities in appropriate locations that respond to a multitude of market segments". The proposed Amendment would positively contribute towards the purposes of the General Plan and County Vision by providing housing opportunities for a growing population. The findings can be made that the proposed Amendment contributes to the County's vision and does not change or conflict with general plan principles.

b) The proposed amendment would either contribute to the achievement of the purposes of the General Plan or, at a minimum would not be detrimental to them.

The proposed General Plan meets the General Plan Principle of creating community centers with mixed or integrated commercial, residential, employment, parks, and civic, recreational and cultural uses. The proposed Amendment would contribute to the achievement of the general plan principles and policies, and would not be detrimental to them. The project is consistent with a number of policies included in the General Plan, and the Temescal Canyon Area Plan:

LU 8.3. *"Incorporate open space community green-belt separators, and recreational amenities into Community Development areas in order to enhance recreational opportunities and community aesthetics, and improve the quality of life".*

The project will provide a 1.3 acre private park with park amenities (i.e., benches, tot lot, etc.) to accommodate residents within the project development. Proposed open space lots (Lots H and J) and the water quality /infiltration basin (Lots A), all bordering the project development's frontage along Forest Boundary Road will be landscaped and planted to match with existing planted landscaping along the opposite side of Forest Boundary Road.

LU 17.2. *"Require that adequate and available circulation facilities, water resources, sewer facilities, and/or septic capacity exist to meet the demands of the proposed land use".*

The project has adequate facilities to provide the needs and services of its residents as outlined in the project's environmental assessment.

LU 22.10. *"Require that residential units/projects be designed to consider their surroundings and to visually enhance, not degrade, the character of the immediate area".*

The proposed project contains hillside relief that will remain undeveloped and will be protected from development with its proposed General Plan Amendment in changing the land use designation from Rural: Rural Residential to Open Space: Recreation.

LU 22.4. *"Accommodate the development of a variety of housing types, styles and densities that are accessible to and meet the needs of a range of lifestyles, physical abilities, and income levels".*

The project proposes lots sizes between 4,000 sq. ft. to 7,706 sq.ft. and will provide a variety of housing opportunities with three theme designs (Spanish, Country, and Craftsman.) and three model plans ranging from 2,004, 2,113 and 2,405 sq. ft. in size that are compatible with its surrounding properties.

The findings can be made that the proposed Amendment does not change or conflict with general plan principles.

c) Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan.

Since the time of preparation of the General Plan, the economy as a whole, and more specifically the local development market, has undergone drastic changes that could not have been foreseen

at the time of preparation of the General Plan. During the Great Recession the housing market was devastated, resulting in the stoppage of construction of new housing units for several years. Consequently, the supply of new housing is substantially behind demand from standard growth rates based on long-term demographic projections. With the economy in recovery, and coupled with a decrease in unemployment rates and low interest rates, the demand for new housing far exceeds the demand for new light industrial uses. Furthermore, the market for light industrial uses for this piece of property is generally low for several reasons. First, the property is surrounded on three sides by existing residential uses, which can deter future industrial users because of fears of complaints from surrounding residents that could inhibit light industrial operations. Second, access and visibility to the property are inferior to many other vacant industrial properties and zoned industrial land, making it very difficult for this property to compete in the industrial market. Finally, the size and shape of this property as a result of topographic constraints (surrounding slopes) makes this property difficult to develop and compete in the industrial market. These market conditions could not have been foreseen at the time of preparation of the General Plan, yet they represent special circumstances that warrant a change in land use designation for the property.

f) An amendment is required to expand basic employment job opportunities (jobs that contribute directly to the County's economic base) and that would improve the ratio of jobs-to-workers in the County.

The proposed Amendment is consistent with this finding as the project would create some jobs as part of the construction and operations of the residential community. In addition, the housing the tract map development would create would attract people to the local area, potentially prompting them to look for nearby employment and sources to shop, both contributing to the County's economic base.

11. The proposed land division is located within a high fire hazard severity zone.
12. This land division has been designed so that each lot, and the subdivision as a whole, is in compliance sections 4290 and 4291 of the Public Resources Code by requiring that the site have fuel modification standards acceptable to the Riverside County Fire Department.
13. Fire protection and suppression services will be available for the subdivision through Riverside County Fire Department.
14. The project meets the regulations regarding road standards for fire equipment access adopted pursuant to Section 4290 of the Public Resources Code and Riverside County Ordinance No. 787 by road standards for fire equipment access, standards for signs identifying streets, roads and buildings, use of blue dot reflectors, roofing materials, fuel modification zones, and residential fire sprinklers.
15. A finding can be made for the project's variance request to encroach 5 feet into the 20 foot front yard setback consistent with Section 18.27 of Ordinance No. 348. The project site has significant topological slopes and narrow shaped lots that have restricted the developable area. A variance is required to allow this project the same developmental privileges as other projects without these design constraints.

16. Environmental Assessment No. 42676 identified the following potentially significant impacts:

- a) Biological Resources
- b) Cultural Resources
- c) Geology/Soils
- d) Hazards & Hazardous Materials
- e) Transportation

These listed impacts will be fully mitigated by the measures indicated in the environmental assessment, conditions of approval, and attached letters. No other significant impacts were identified.

CONCLUSIONS:

- 1. The proposed project is in conformance with the Community Development: Medium Density Residential and Open Space: Recreation Land Use Designation, and with all other elements of the Riverside County General Plan with the approval of General Plan Amendment No. 1137.
- 2. The proposed project is consistent with the zoning classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348 with the approval of Change of Zone No. 7821.
- 3. The public's health, safety, and general welfare are protected through project design.
- 4. The proposed variance request is inconsistent with Ordinance No. 348.
- 5. The proposed project is conditionally compatible with the present and future logical development of the area.
- 6. The proposed project will not have a significant effect on the environment.
- 7. The proposed project will not preclude reserve design for the Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP).

INFORMATIONAL ITEMS:

- 1. As of this writing, one comment letter in opposition to the project has been submitted by Martin Field dated February 9, 2015. Mr. Field has concerns with adding 53 housing units in such a small area, and such a project would be detrimental to the peace and tranquility of the neighborhood.
- 2. The project site is not located within:
 - a. An Airport Influence Area;
 - b. A Historic District;
 - c. A General Plan Overlay or Policy Area;
 - d. Tribal Land;
 - e. A Specific Plan;
 - f. A 100-year flood plain;

- g. The Mt. Palomar Observatory Area;
- h. A Conservation Area;
- i. Not in an area drainage plan, or dam inundation area;
- j. An Agriculture Preserve; or
- k. The Stephens Kangaroo Rat Fee Area or Core Reserve Area.

3. The project site is located within:
- a. The City of Corona sphere of influence;
 - b. Very Low Liquefaction area;
 - c. A Fault Zone;
 - d. High Fire Area;
 - e. High Paleontological Sensitivity area;
 - f. Temescal Canyon Area Plan;
 - g. Temescal Canyon Municipal Advisory Council (MAC) area;
 - h. The boundaries of the Corona-Norco Unified School District.

The subject site is currently designated as Assessor's Parcel Number No's: 282-180-006 and 282-180-009.



**PLANNING COMMISSION
MINUTE ORDER
FEBRUARY 18, 2015**

I. AGENDA ITEM 4.2

GENERAL PLAN AMENDMENT NO. 1137, CHANGE OF ZONE NO. 7821, TENTATIVE TRACT MAP NO. 35249, VARIANCE NO. 1895 – Intent to Adopt a Mitigated Negative Declaration –

Applicant: Rancho Way, LLC – Representative: Mayers and Associates – First Supervisorial District – Location: Northerly of Gentle Wind Drive, easterly of Retreat Parkway, southerly of Knabe Road, and westerly of Forest Boundary Parkway – Zoning: Manufacturing-Service Commercial (MSC) and Residential Agricultural - 2 1/2 Acre Minimum (R-A-2 1/2).

PROJECT DESCRIPTION:

The General Plan Amendment proposes to change the project site's current General Plan Land Use designation from Community Development: Light Industrial and Rural: Rural Residential to Community Development: Medium Density Residential (MDR) and Open Space: Recreation. The Change of Zone proposes to change the existing zoning from Manufacturing - Service Commercial (M-S-C) and Residential Agricultural - 2 1/2 Acre Minimum (R-1-2 1/2) to Planned Residential (R-4) and Open Area Combining Zone Residential Developments. The Tentative Tract Map proposes a Schedule A subdivision to create 53 single family residential lots with a minimum lot size of 4,000 sq. ft., 1 drainage basin lot, 1 paseo lot, 1 open space lot, 1 slope lot, 1 park lot, 1 private drive lot, and 2 landscaping lots on 12.3 Gross Acres. The Variance requests to encroach 5 feet into the 20 foot front yard setback on 14 of the 53 proposed lots to accommodate a front yard porch on the building.

II. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Planner: Paul Rull at (951) 955-0972 or email prull@rctlma.org.

Spoke in opposition of the proposed project:

- Craig Deleo, Neighbor, 8721 Bedford Motoway, Temescal Valley (951) 277-2803
- Jerry Sincich, Neighbor, Temescal Valley
- Jannlee Watson, Neighbor, 23043 Sunrose St., Temescal Valley (951) 277-0383
- Tracy Davis, 8826 Flintridge Lane, Temescal Valley (951) 277-3253
- Rob Mucha, Neighbor, 22512 Amber Eve Dr., Temescal Valley (714) 402-7017
- Kevin Melvin, Neighbor, 8892 Gentle Wind Dr., Corona (951) 660-1844

No one spoke in favor or in a neutral position.

III. CONTROVERSIAL ISSUES:

Yes. Neighbors are opposing the proposed project.

CD The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Mary Stark, TLMA Commission Secretary, at (951) 955-7436 or email at mcstark@rctlma.org.



**PLANNING COMMISSION
MINUTE ORDER
FEBRUARY 18, 2015**

IV. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Leach, 2nd by Chairman Valdivia

A vote of 3-0 (Commissioners Petty and Sanchez were absent)

ADOPTED RESOLUTION NO. 2015-003; and,

THE PLANNING COMMISSION RECOMMENDS THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:

ADOPT a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42676**; and,

TENTATIVELY APPROVE of **GENERAL PLAN AMENDMENT NO. 1137**; and,

TENTATIVELY APPROVE of **CHANGE OF ZONE NO. 7821**; and,

APPROVE **TENTATIVE TRACT MAP NO. 35249**; and,

APPROVE VARIANCE NO. 1895 subject to the added, modified, and revised Conditions of Approval discussed at hearing.

CD The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Mary Stark, TLMA Commission Secretary, at (951) 955-7436 or email at mcstark@rctlma.org.



Steve Weiss, AICP
Planning Director

RIVERSIDE COUNTY

PLANNING DEPARTMENT

Memorandum

DATE: February 18, 2015

TO: Riverside County Planning Commission

FROM: Planning Staff

RE: **February 18, 2015, Planning Commission meeting for Agenda Item 4.2 General Plan Amendment No. 1137, Change of Zone No. 7821, Tentative Tract Map No. 35249, Variance No. 1895**

1. Staff received a signed and executed agreement between the applicant and The Retreat granting access into The Retreat Specific Plan. Staff is currently reviewing the agreement.
2. Staff received comments in support of the project from:
 - a. Anonymous dated February 17, 2015,
 - b. Mel Vandermuelen (verbal comments) dated February 17, 2015,
 - c. Voit Real Estate Services, Michael Bouma dated February 18, 2015.
3. Staff received comments opposed to the project from:
 - a. Bill and Janet Gagner dated February 9, 2015,
 - b. Eugene Collier dated February 17, 2015,
 - c. Barbara Collier dated February 17, 2015,
4. Staff revised the following conditions:
 - a. 50.PLANNING.31. The home owners' association established herein shall manage and continuously maintain the 'common area', more particularly described on Tentative Tract Map No. 35249 attached hereto, and shall not sell or transfer the 'common area' or any part thereof, absent the prior written consent of the Planning Department of the County of Riverside or the County's successor-in-interest.
 - b. 100.PLANNING.1 Prior to the 20th building permit issued for single-family residence in the tract excluding any model homes, the developer shall construct all recreational amenities as per TENTATIVE TRACT MAP NO. 35249, or sooner.

TEMPORARY CONSTRUCTION EASEMENT AND AGREEMENT

THIS AGREEMENT is made this 12TH day of February, 2015, by and between The Retreat Homeowners Association, hereinafter referred to as "Grantor", and Rancho Way, LLC., hereinafter referred to as "Grantee". Whenever the term "Grantee" is used, it refers to Rancho Way, LLC and any successor in interest.

Grantor is the owner of the real property situated in Temescal Valley, County of Riverside and Grantee intends to construct 53 single family homes, Tentative Tract #35249. This project site is located just north of The Retreat's unstaffed gate at the terminus of Forest Boundary Road. Grantee's project is approximately one mile south of the intersection of Weirick Road/Retreat Parkway.

For valuable consideration, Grantor does hereby grant to Grantee an easement to construct and install an emergency communication box at the project entry gate keypad area at Grantor's unstaffed gate at the terminus of Forest Boundary Road. Said emergency communication box would allow the public who could be trapped on the segment of Forest Boundary Road to egress through The Retreat. Said emergency communication box shall be installed at Grantee's sole cost and expense. Grantee shall also install a backup power system, comprised of a combination of batteries with normal power chargers and solar charger backups that would operate the emergency communication system, remote gate opening device, video cameras and gate operation, collectively referred to as "Improvements". Said Improvements shall be installed as part of the construction of the 53 lot development at the time of its development.

In order to install said Improvements, Grantee and its authorized agents, employees, contractors and sub-contractors require a Temporary Construction Easement, hereinafter referred to as "TCE" upon that area of Grantor's property depicted in Exhibit "A" attached hereto.

NOW THEREFORE, Grantor hereby grants Grantee TCE for the express purpose of installing Improvements and restoring existing improvements immediately adjacent to this area. Said TCE shall begin upon commencement of installation of Improvements and restoration of TCE Area by Grantee.

Grantee shall comply with all applicable laws, ordinances and regulations, including but not limited to all regulatory, environmental and safety requirements at Grantee's sole cost and expense.

Grantee shall not use, deposit or permit the use or deposit of any hazardous material or toxic waste or other harmful substances on any real property of the Grantor.

Grantee shall not materially interfere with the use by and operation of activities of Grantor on its property, and Grantee shall use such routes and follow such procedures on Grantor's property as result in the least damage and inconvenience to Grantor.

Grantee shall be responsible for any damage to Grantor's property or that of third parties resulting from any exercise of the rights herein granted, including but not limited to utilities, fences and power sources that may be altered, damaged or destroyed in connection with the exercise of the TCE Area.

TCE is made on the express condition that Grantor is to be free from all liability by reason of injury or death to persons or injury to property from whatever cause arising out of Grantee's agents', officers', employees', invitees', contractors' and sub-contractors' or licensees' exercise of rights granted pursuant to TCE or use of TCE Area or of the improvements or personal property of Grantee thereto or thereon, including any liability for injury or death to the person or property of Grantee, its contractors, sub-contractors, agents, officers, members, employees, invitees, or licensees or to any property under the control or custody of Grantee during the term of TCE. Grantee hereby covenants and agrees to defend and indemnify Grantor, its officers, employees, agents, invitees and guests and hold them harmless from any and all liability, loss, costs or obligations on account of, or arising out of, any such injury or losses caused or claimed to be caused by the exercise of TCE or use of TCE Area by Grantee, however occurring, other than those caused solely by the willful or negligent acts or omissions of Grantor.

Grantee shall provide Grantor with proof of insurance of its sub-contractors with coverage and limits acceptable to Grantor.

Grantor will submit final plans for the Improvements to Grantor 45 days prior to start of installation. Approval shall not be unreasonably withheld. Grantee shall provide a 15 day advance notice before commencement of Improvements.

Grantee shall not cause liens of any kind to be placed against any of Grantor's real property.

Grantee will obligate the future 53 lot homeowners association to fund future maintenance and repair of the Improvements as the need arises. Grantor does hereby agree to maintain and repair the Improvements in perpetuity only after giving notice of maintenance and repairs needed and payment by Grantee in advance of work commencing.

This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force or effect except in a subsequent modification in writing, signed by the parties.

Any notices required to be given pursuant to this agreement shall be provided as follows:

The Retreat Homeowners Association
c/o Lordon Management Company
1275 Center Court Drive
Covina, CA 91724

Rancho Way, LLC
c/o The Niru Group
111 Therory, Suite 250
Irvine, CA 92617

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

GRANTOR: THE RETREAT HOMEOWNERS ASSOCIATION

By: _____

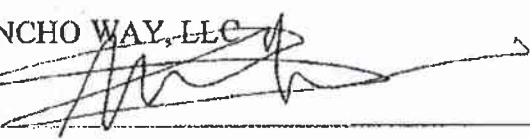
Its _____

By: _____

Its _____

GRANTEE

RANCHO WAY, LLC

By:  _____

Its MANAGING MEMBER

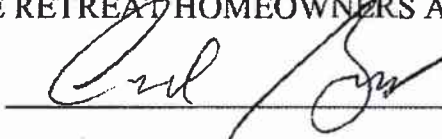
Any notices required to be given pursuant to this agreement shall be provided as follows:

The Retreat Homeowners Association
c/o Lordon Management Company
1275 Center Court Drive
Covina, CA 91724


Rancho Way, LLC
(Insert contact information)

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

GRANTOR: THE RETREAT HOMEOWNERS ASSOCIATION

By: 

Its president

By: 

Its CFO

GRANTEE RANCHO WAY, LLC

By: _____

Its _____

Rull, Paul

Subject:

RE: Planning Letter and some more info please :)

ANONYMOUS

-----Original Message-----

Sent: Monday, February 16, 2015 3:41 PM

To: Rull, Paul

Subject: Re: Planning Letter and some more info please :)

Hi Paul,

I have been hearing people saying that they do not want this project to go through. They said they will raise their opposition at the meeting. I cannot attend the meeting, but wanted to let you know that I think that this will be a benefit to our community. Its much better then the abandoned and run down land and debris that is there now.

Just wanted to let you know that even you will hear people complain and try and derail this project..there are some of us that are in favor of it.

Have a great day!

Thanks,



REAL ESTATE SERVICES

2400 E. Katella Ave., Ste. 750
Anaheim, CA 92806
TEL 714.978.7880
FAX 714.978.9431
Lic # 01333376
www.voitco.com

Michael J. Bouma, SIOR

January 26, 2015

Mr. Nima Taghavi
Managing Member
Rancho Way, LLC
111 Theory, Suite 250
Irvine, CA 92617

Re: 22395 Forest Boundary Road, Corona, CA

Dear Nima:

Upon my review of the site referenced above, it is my opinion that there would no demand for an industrial project on the site for the following reasons:

1. The site itself is too small to construct an industrial project and the shape of the lot would not be conducive to an industrial development.
2. The site is topographically constrained.
3. Potential users would have concerns about conducting their business surrounded by residential homes, including the potential for restrictions on noise, hours of operations, truck traffic, and certain manufacturing operations that are precluded by government regulations from being too close to residential homes.
4. There are much more desirable properties in the immediate area, including both existing facilities, and undeveloped properties, that would be more desirable for industrial uses and future development.

For the above reasons, I recommend that you continue with your residential entitlement process as it would appear to be the highest and best use for the property and the most compatible with the neighboring residential homes.

Sincerely,

VOIT REAL ESTATE SERVICES

Michael J. Bouma, SIOR
Senior Vice President
mbouma@voitco.com
(714) 935-2340
License #01070753



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Anaheim • Irvine • Las Vegas • Los Angeles • Newport Beach • Phoenix • Sacramento • San Diego

William E. Gagner, Jr.

8851 Soothing Ct.

Corona, CA 92883

951.538.8660

Bgagner50@gmail.com

February 9, 2015

Riverside County Planning Department

Paul Rull

P.O. Box 1409

Riverside, CA 92502-1409

RE: General Plan Amendment No. 1137, Change of zone No. 7821, Tentative Tract Map No. 35249, Variance No. 1895

Dear Mr. Rull,

Please accept this letter in opposition to the above mentioned project. We reside at 8851 Soothing Ct, Corona, CA 92883 in the community known as "The Retreat" directly adjacent to the proposed project. We disagree strongly that this project will have no environmental impacts. Building 53 homes on a small 12 acre parcel poses a definite health hazard to current residents. The automobile emissions created by cars of the residents living in this proposed project will be harmful to the area. In addition, Forest Boundary Parkway, a narrow two lane road that dead-ends at The Retreat (and the only access to this project) will become heavily congested and even gridlocked if this project is allowed to be built.

We are not opposed to expansion and thoughtful growth, however, approving this high density project on a small, essentially land locked parcel, does not reflect responsible planning. We strongly urge the Planning Commission to reject this proposal and maintain the current zoning as is: Residential Agricultural – 2 ½ acre minimum.

Sincerely,


Bill and Janet Gagner

Rull, Paul

From: Eugene Collier aka Johnny Williams <cwproductions@aol.com>
Sent: Tuesday, February 17, 2015 12:59 PM
To: Rull, Paul
Subject: Fwd: Oppose

Sent from my iPhone

Begin forwarded message:

From: Eugene Collier aka Johnny Williams <cwproductions@aol.com>
Date: February 17, 2015 at 12:51:39 PM PST
To: "prull@rctlma.irc" <prull@rctlma.irc>
Subject: Oppose

As a homeowner since 1998 in the Wild Rose Ranch area I have watched our area developed. It is now beginning to over develop as the space becomes cramped and over crowded. The old RV Storage facility development is to small a space for there proposed project. It is clear the builders concern is for making money not our neighborhood. Thank you Johnny Williams

Sent from my iPhone

Rull, Paul

From: Barbara Collier <collib04@aol.com>
Sent: Tuesday, February 17, 2015 1:03 PM
To: Rull, Paul
Subject: Oppose

I am not in favor of the proposed new development at Forest Boundary Parkway and Knabe Rd. Not at this time the freeway is a mess, new apartments at Temescal Canyon Rd. Condos at Dos Lagos. Until there are more road and or street available for emergence vehicles and everyday travel. It is congested enough.

Concern Homeowner in the Wild Rose area, Barbara Williams

Sent from my iPad

RESOLUTION NO. 2015-003
RECOMMENDING ADOPTION OF
GENERAL PLAN AMENDMENT NO. 1137

WHEREAS, pursuant to the provisions of Government Code Section(s) 65350/65450 et. seq., public hearings were held before the Riverside County Planning Commission in Riverside, California on February 18, 2015, to consider the above-referenced matter; and,

WHEREAS, all the provisions of the California Environmental Quality Act (CEQA) and Riverside County CEQA implementing procedures have been met and the environmental document prepared or relied on is sufficiently detailed so that all the potentially significant effects of the project on the environment and measures necessary to avoid or substantially lessen such effects have been evaluated in accordance with the above-referenced Act and Procedures; and,

WHEREAS, the matter was discussed fully with testimony and documentation presented by the public and affected government agencies; now, therefore,

BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Planning Commission of the County of Riverside, in regular session assembled on February 18, 2015, that it has reviewed and considered the environmental document prepared or relied on and recommends the following based on the staff report and the findings and conclusions stated therein:

ADOPTION of the Mitigated Negative Declaration environmental document, Environmental Assessment No. 42676; and,

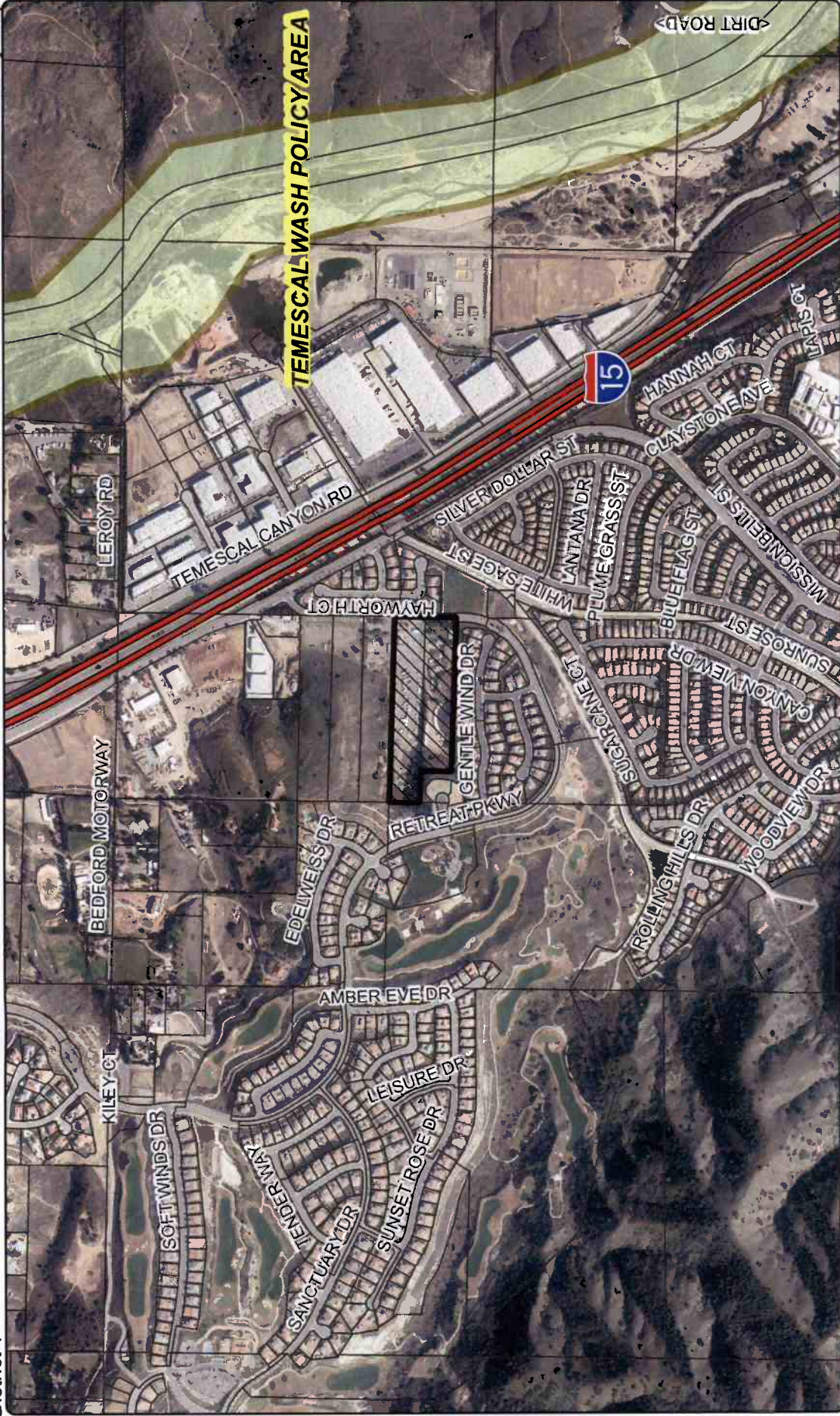
ADOPTION of General Plan Amendment No. 1137; and,

APPROVAL of Tentative Tract Map. No. 35249.

RIVERSIDE COUNTY PLANNING DEPARTMENT CZ07821 GPA01137 TR35249 VICINITY/POLICY AREAS

Supervisor Jeffries
District 1

Date Drawn: 12/04/2014
Vicinity Map



Zoning Area: Glen Ivy

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County. The General Plan is a long-range policy document that provides a framework for future development and growth. For further information, please contact the Riverside County Planning Department at (951) 955-2400 (Western County) or at (951) 955-2477 (Eastern County) or visit our website at <http://www.riverside.ca.gov>

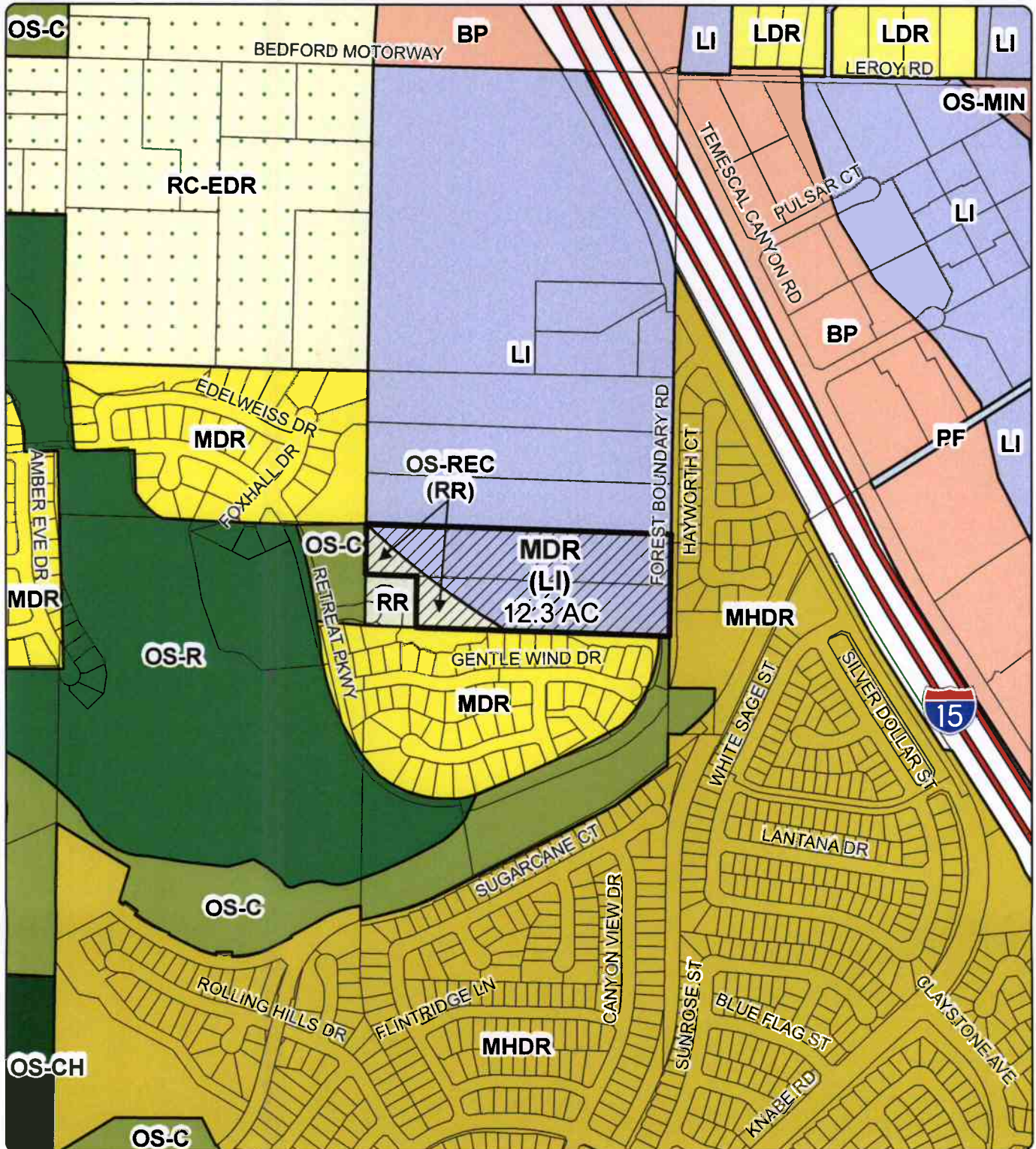
RIVERSIDE COUNTY PLANNING DEPARTMENT

CZ07821 GPA01137 TR35249

PROPOSED GENERAL PLAN

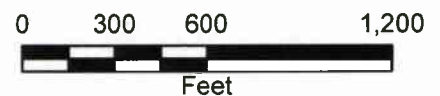
Supervisor Jeffries
District 1

Date Drawn: 12/04/2014
Exhibit 6



Zoning Area: Glen Ivy

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <http://planning.rctimes.org>

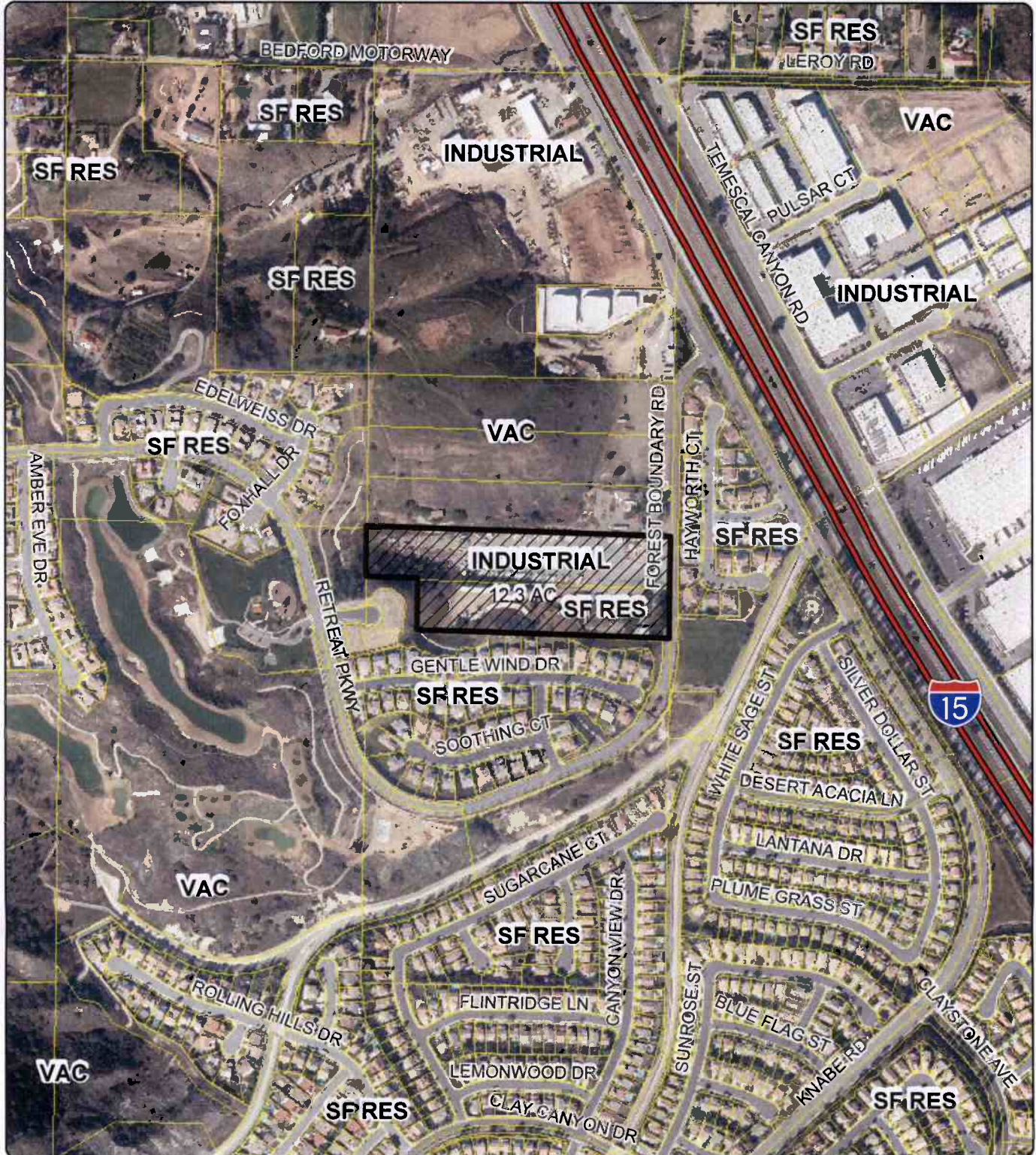
RIVERSIDE COUNTY PLANNING DEPARTMENT

CZ07821 GPA01137 TR35249

Supervisor Jeffries
District 1

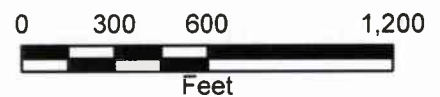
Date Drawn: 12/04/2014
Exhibit 1

LAND USE



Zoning Area: Glen Ivy

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <http://planning.rctdnet.org>