

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN BERNARDINO
AND RECORD OF ACTION**

July 28, 2020

FROM

TERRI RAHHAL, Director, Land Use Services Department

SUBJECT

Summerland Senior Care Facility Project, General Plan Amendment and Conditional Use Permit

RECOMMENDATION(S)

1. Conduct a public hearing for the Summerland Senior Care Facility General Plan Amendment and Conditional Use Permit on 3.16 acres in the unincorporated area of Chino and adopt a declaration of intent to:
 - a. Adopt the Mitigated Negative Declaration.
 - b. Adopt the recommended Findings for approval of the General Plan Amendment and Conditional Use Permit.
 - c. Adopt the General Plan Amendment from Single Residential, 1-acre minimum lot size (RS-1) to General Commercial (CG).
 - d. Approve Conditional Use Permit to establish a three-story, 45-foot tall residential care facility consisting of 109 units, subject to the conditions of approval.
 - e. Direct the Clerk of the Board to file a Notice of Determination.
 - Applicant: RDS Partners, Inc.
 - Community: Chino/4th Supervisorial District.
 - Location: 13225 Serenity Trail, Chino.
2. Continue the item for final action with the Second Cycle General Plan Land Use Element Amendment for 2020.

(Presenter: Heidi Duron, Planning Director, 387-4110)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Create, Maintain and Grow Jobs and Economic Value in the County.

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

FINANCIAL IMPACT

Consideration of this item will not result in the use of additional Discretionary General Funding (Net County Cost). Sufficient appropriation and revenue to complete this action have been included in the Land Use Services Planning Division 2020-21 budget. All costs of processing this application are paid by the applicant.

BACKGROUND INFORMATION

The applicant, RDS Partners, Inc., is requesting three actions (collectively "Project"): (1) Adoption of the Mitigated Negative Declaration (MND); (2) Approval of a General Plan Amendment (GPA) to change the General Plan Land Use Designation from Single Residential, 1-acre minimum lot size (RS-1) to General Commercial (CG) on 3.16 acres; and (3) Approval of

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a Conditional Use Permit for a three story, 45-foot tall residential care facility. Approval of the recommended actions will allow the applicant to develop a 109-unit residential care facility with associated amenities.

The Project site is located just north of Chino Avenue and east of State Route 71, in the City of Chino Sphere of Influence. Prior to the submittal of this proposal to the County, the identical project was submitted to the City of Chino (City), in conjunction with a request that the City annex the property. That application was withdrawn because the applicant was unable to satisfy the City's requirements relative to the LAFCO annexation process.

Project Analysis

The Project offers assisted living with numerous amenities and memory care for seniors. The design complies with County Development Code standards for residential care facilities, which are permitted in the proposed CG land use zoning district. A Project-specific parking analysis was prepared to verify ample on-site parking in the proposed sub-grade structure.

The City submitted a comment letter stating that the proposed Project is not consistent with the City General Plan, citing a policy that requires infill residential development to be consistent in scale and character with the existing neighborhood. Although the site is surrounded on two sides by existing single residences, it is actually on the edge of the existing neighborhood and will provide a physical transition between adjacent houses and State Highway 71, with another residential use that is compatible with development adjacent to the highway.

Because the Project will not be annexed to the City, sewer service is not available. The applicant has proposed an efficient on-site wastewater disposal system with pre-treatment that meets Santa Ana Regional Water Quality Control Board (RWQCB) standards and has been approved by County Environmental Health Services, subject to final approval by the RWQCB.

California Environmental Quality Act

An Initial Study (IS) was completed in compliance with the California Environmental Quality Act (CEQA). The IS concludes that with implementation of the recommended mitigation measures, the Project will not have a significant adverse impact on the environment. Therefore, a Mitigated Negative Declaration is proposed.

Further detailed description of the Project analysis, public input and CEQA compliance are provided within the Planning Commission staff report attached to this item.

Planning Commission

The Project was considered in a public hearing by the Planning Commission on June 18, 2020. At the hearing, five residents of the adjacent neighborhood expressed concerns about the Project and asked that the Project be denied. Reasons for opposition included concerns about land use compatibility, noise, traffic and obstruction of views. The Planning Commission recommended approval of the Project by a 5-0 vote.

PROCUREMENT

Not Applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Bart Brizze, Principal Assistant County Counsel and Jason Searles, Deputy County Counsel, 387-5455) on June 29, 2020; Finance

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(Kathleen Gonzalez, Administrative Analyst, 387-5412) on July 6, 2020; County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on July 6, 2020.

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Record of Action of the Board of Supervisors
County of San Bernardino

Hearing Opened

Public Comment: Lester O'Malley, Caroline Chaing, Johannes Windhorst, Armando Diaz, Cathy Marchesi, Land Wayland, Miguel Cisneros

Hearing Closed

**DECLARED INTENT TO ADOPT & CONTINUED TO SECOND CYCLE, 2020 GENERAL
PLAN AMENDMENTS**

Moved: Robert A. Lovingood Seconded: Dawn Rowe

Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Josie Gonzales

Recused: Curt Hagman

Lynna Monell, CLERK OF THE BOARD

BY



DATED: July 28, 2020



cc: File -

jm 07/30/2020