



**PLANNING COMMISSION HEARING DATE: MARCH 2, 2023
AGENDA ITEM NO.:5**

PROPOSED PROJECT

Case Number	PR-2022-001381 (Vesting Tract Map, Design Review and Variance)	
Request	To consider the following entitlements to facilitate the construction of a 70-unit condominium complex: 1) A Vesting Tract Map (VTM 38489) for a one-lot subdivision for condominium purposes; 2) Design Review of project plans; and 3) Variance to allow a combination freestanding and retaining wall with a maximum overall height of 16 feet, where the Zoning Code allows a maximum overall height of 10 feet.	
Applicant	Moses Kim of Warmington Residential	
Project Location	3178, 3188, 3190, 3198, and 3196 Jackson Street, situated on the west side of Jackson Street between Indiana Avenue and Lincoln Avenue, in the R-3-1500 – Multiple-Family Residential Zone	
APNs	233-180-014 233-180-015 233-180-016 233-180-017 233-180-018 233-180-019	
Project Area	4.50-acres	
Ward	5	
Neighborhood	Arlington South	
General Plan Designation	HDR – High Density Residential	
Zoning Designation	R-3-1500 – Multi Family Residential	
Staff Planner	Veronica Hernandez, Senior Planner 951-826-3965 vhernandez@riversideca.gov	

RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **DETERMINE** that the project is consistent with the Final EIR for the 2014-2021 Housing Element Update/Housing Implementation Plan certified in December 2017 (SCH No. 2017041039) subject to compliance with the approved Mitigation Monitoring and Reporting Program.; and
2. **APPROVE** Planning Case PR-2022-001381 (Vesting Tract Map, Design Review, and Variance) based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions (Exhibits 1 & 2).

SITE BACKGROUND

The 4.50-acre project site consists of six contiguous parcels, three of which are developed with existing single-family residences and accessory structures. All existing structures will be demolished as part of the proposed project.

On December 12, 2017, the City Council adopted the 2014-2021 5th Cycle Housing Element Implementation Program that rezoned approximately 200 properties across the City to allow for multi-family and mixed-use residential development, to comply with the State Housing Element Law. The subject parcel was part of this citywide rezoning effort, amending the General Plan Land Use designation to HDR – High Density Residential and the Zoning designation to R-3-1500 – Multi-Family Residential.

Surrounding land uses include railroad tracks to the north, single-family residences to the south and west, and Presidential Park to the east (across Jackson Street) (Exhibits 3 and 4).

PROPOSAL

The Applicant is requesting approval of a Vesting Tract Map, Design Review, and Variance to facilitate the construction of a multi-family residential development.

The project consists of 70 two-story townhome units in 19 buildings. All units will be for sale and include three bedrooms, ranging in size from 1,325 square feet to 1,560 square feet. Two plan types are proposed, with a loft/optional fourth bedroom available in Plan 2. Each unit contains private open space consisting of a porch and a patio.

Common usable open space totals 14,136 square feet and consists of a central park feature with a fire pit and barbecue area in the center of the site, and a children's play area and dog park at the northwest corner of the site.

Vehicle access to the site is provided by a 26-foot wide, 2-way driveway along Jackson Street.

A combination six-foot retaining and 10-foot freestanding decorative masonry wall will be located along the north and northwest property lines. Six-foot-high decorative masonry walls are proposed along the west and south property lines. A 4-foot-high tubular steel fence with masonry pilasters is proposed at the easterly portion of the site (adjacent to Jackson Street). No vehicle gates are proposed as part of the project.

The applicant intends to construct the project to condominium standards and sell each unit with the approval of a one-lot Tract Map for condominium purposes.

The applicant is requesting a Variance to allow a combination freestanding and retaining wall with a maximum overall height of 16 feet along the northerly and northwesterly property lines, where the Zoning Code allows a maximum overall height of 10 feet.

PROJECT ANALYSIS

Authorization and Compliance Summary

	Consistent	Inconsistent
<p>General Plan 2025</p> <p>The project is consistent with the General Plan Land Use designation of HDR – High Density Residential (Exhibit 5). The project provides a well-designed infill multi-family development that contributes to the diverse housing options in the City. The proposed project is consistent with the Objectives and Policies of the General Plan 2025, specifically:</p> <p><u>Policy LU-40</u>: Reinforce Arlington South’s historic development patterns, conserving the predominant single-family residential character.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Zoning Code Land Use Consistency (Title 19)</p> <p>The site has a Zoning designation of R-3-1500 Multi-Family Residential (Exhibit 6), which is consistent with the General Plan 2025 Land Use designation. The Zoning Code allows for consideration of Variances to deviate from the development standards. The applicant is requesting a Variance to allow a combination freestanding and retaining wall with a maximum overall height of 16 feet, where the Zoning Code allows a maximum overall height of 10 feet. With the granting of the Variance, the proposed project would meet the development standards set forth in the Zoning Code for an R-3-1500 – Multi-Family Residential Zone.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>5th Cycle Housing Element</p> <p>The project site is one of the sites (W5G4S14) rezoned with the 5th Cycle Housing Element Update, to accommodate the City’s Regional Housing Needs Assessment (RHNA) allocation (P17-0096, P17-0180, P17-0182, and P17-0521) (Exhibit 7). The proposed project is consistent with the following Objective and furthers the intent of the Housing Element 5th Cycle:</p> <p><u>Objective H-2</u>: To provide adequate diversity in housing types and affordability levels to accommodate housing needs of Riverside residents, encourage economic development and sustainability, and promote an inclusive community.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Subdivision Code (Title 18)</p> <p>The proposed Tract Map for condominium purposes complies with the development standards of the Subdivision Code (Title 18).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Compliance with Citywide Design & Sign Guidelines</p> <p>The proposed project meets the objectives of the Citywide Design Guidelines for multi-family development related to building siting and orientation, massing, articulation and architectural treatment,</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p>parking layout, and landscaping.</p> <p>The proposed project has been designed in a contemporary architectural style incorporating stucco, stone veneer, and window shutters.</p> <p>The design provides common open space areas that can be used as gathering and active play areas.</p> <p>The conceptual landscape plan provides an attractive and welcoming environment, with the inclusion of shade trees, shrubs, and high-quality landscaping throughout the site for a cohesive appearance.</p>		
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COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Chapter 19.100 – Development Standards for R-3-1500 Multiple-Family Residential Zone				
Standard		Proposed	Consistent	Inconsistent
Density	29 du/ac	15.6 du/ac	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Building Height	30 feet	25 feet, 11 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Building Setbacks	Front Yard – 15 feet (Jackson Street)	36 feet, 9 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Side Yard – 7 feet, 6 inches	7 feet, 6 inches (North)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		33 feet (South)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear Yard – 15 feet	15 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Common Open Space	200 sq. ft./ unit – 14,000 sq. ft. (70 units x 200 square feet)	14,136 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Private Open Space	100 square feet/unit	163 - 870 square feet/unit	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Minimum side dimension of 8 feet	8 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Chapter 19.580 – Parking and Loading Development Standards					
Standard		Required	Proposed	Consistent	Inconsistent
Minimum Parking	2 spaces per unit	140 spaces	153 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Covered Parking	75 percent of the required spaces shall be in a garage or carport (140 spaces x 0.75 = 105 spaces)		140 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parking Space Dimension	9 feet x 18 feet		9 feet x 20 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Drive Aisle Width	24 feet		26 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

FINDINGS SUMMARY

Variance

The proposed variance will not grant or authorize a use that is not otherwise allowed in the zone. The requested variance for the over-height combination freestanding/retaining wall is required based on grade differences between the project site and the property to the north, and the presence of an active railway line at the adjacent property. The proposed freestanding/retaining wall will provide visual screening of the railroad tracks and reduce the impact of noise on the residents of the community. The applicant has prepared a Noise Analysis (Exhibit 9) which demonstrates the proposed combination wall will reduce noise from adjacent trains to levels consistent with the requirements of the California Building Code and Riverside Municipal Code. The requested variance does not grant special privileges and will not be detrimental to surrounding properties or the public welfare.

STRATEGIC PLAN

This project contributes to the Envision Riverside 2025 City Council Strategic Priority 2 – Community Well-Being (Goal 2.1 – Facilitate the development of a quality and diverse housing supply that is available and affordable to a wide range of income).

This item aligns with the following Cross-Cutting Threads:

1. Community Trust: The proposed multi-family development requires public hearings by the Planning Commission. Additionally, public comment is encouraged throughout the process through the 15-day public noticing period and at public hearings.
2. Equity: The proposed multi-family development provides housing opportunities that benefits all residences in the community and region.
3. Fiscal Responsibility: All project costs are borne by the applicant.
4. Innovation: The proposed project revitalizes underutilized parcels identified as Opportunity Sites in the 5th Cycle Housing Element. Additionally, the proposed multiple family development meets the growing community's needs for increased housing opportunities
5. Sustainability and Resiliency: All new construction will meet the most up-to-date Building Codes. The proposed multi-family development is designed to meet the current and future needs of the community.

ENVIRONMENTAL REVIEW

This proposal for the multiple family residential project is consistent with the Final EIR for the 2014-2021 Housing Element Update/Housing Implementation Plan certified in December 2017 (SCH No. 2017041039) subject to compliance with the approved Mitigation Monitoring and Reporting Program.

Approval of the project would also not result in any significant effects relating to noise and vibration or water quality, as documented by the Noise Study and Vibration Study prepared by Veneklasen Associates on November 1, 2022, and November 9, 2022, respectively (Exhibits 9 and 10) and the Preliminary Water Quality Management Plan prepared for the project. Compliance with construction hours limitations and exterior noise level limits established in Title 7 (Noise) of the Municipal Code will ensure noise, associated with this project, does not result in significant effects.

The proposed Vesting Tract Map is exempt from the California Environmental Quality Act (CEQA) subject to Section 15061(b)(3) (Common Sense Rule) of the CEQA Guidelines, as it can be seen with certainty that the Vesting Tract Map will have no significant effect on the environment.

PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners within 300 feet of the site. As of the writing of this report, no responses have been received by Planning Staff.

APPEAL INFORMATION

Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within ten calendar days after the decision. Appeal filing and processing information may be obtained from the Planning Department Public Information Section, 3rd Floor, City Hall.

EXHIBITS LIST

1. Staff Recommended Findings
2. Staff Recommended Conditions of Approval
3. Existing Site Photos
4. Location Map
5. General Plan Map
6. Zoning Map
7. Housing Element Site Map
8. Project Plans (Cover Sheets, Site Plan, Refuse Plan, Perspectives and Elevations, Building Plans, Floor Plans, Colors and Materials Board, Vesting Tract Map, Conceptual Grading, Fire Access Plan, Preliminary Landscape Plan, Wall and Fence Plan, Open Space Plan, Photometric Plan)
9. Applicant Prepared Noise Study
10. Applicant Prepared Vibration Study
11. Applicant Prepared Variance Justifications

Prepared by: Veronica Hernandez, Senior Planner

Reviewed and Approved by: Brian Norton, Principal Planner



EXHIBIT 1 – FINDINGS

A. Variance Justification Findings Pursuant to Chapter 19.720.040

Variance Request: To allow a combination freestanding and retaining wall with a maximum overall height of 16 feet, where the Zoning Code allows a maximum overall height of 10 feet.

1. *The variance does not grant or authorize a use or activity that is not otherwise allowed in the zone.*

The proposed project **complies** with this finding. The Zoning Code permits combination freestanding/retaining walls in side and rear yard areas with a maximum overall height of 10 feet. The applicant is requesting approval of a 16-foot-high combination freestanding/retaining wall in the side and rear yard in order to accommodate grade differences between the subject property and the adjacent property to the north, and to reduce noise impacts on residents from the active railroad line.

2. *There are practical difficulties or unnecessary hardships created with the strict application of the Code because of the physical circumstances and characteristics of the property that are not shared by other properties in the Zone.*

The proposed project **complies** with this finding. There is a grade difference ranging from 3.53 feet to 5.86 feet between the subject property and the adjacent railroad property. This grade difference is not as pronounced on other R-3-1500 – Multi-Family Residential Zone properties located to the north (across the railroad tracks) or west of the subject property. Strict application of the Code would require that the retaining portion of the wall be no higher than four feet, which would not be sufficient to address the existing grade difference. The applicant could propose a standalone retaining wall of up to six feet, but the Code would not permit an additional screen wall. This would leave the project site exposed to the adjacent active railroad tracks, resulting in negative impacts to quality of life, including aesthetics and noise impacts. The applicant could remove windows on the north ends of Buildings 2 through 9 to mitigate noise impacts, but this would not be desirable from an architectural or quality of life perspective. Finally, the applicant could reduce the number of units and locate residential buildings further from the railroad tracks, but this would result in a loss of density on a site intended for high-density development as part of the 5th Cycle Housing Element.

3. *The variance does not grant special privileges which are not otherwise available to surrounding properties and will not be detrimental to the public welfare or to the property of other persons located adjacent to the subject property and in the vicinity.*

The proposed project **complies** with this finding. Surrounding properties are permitted to construction combination freestanding/retaining walls if necessary. Granting the variance will not be detrimental to the public welfare or the surrounding properties.



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

PLANNING CASES: PR-2020-000609 (Vesting Tract Map, Design Review, Variance)

Case Specific

Planning

1. The subject property shall be developed substantially as described in the text of this report and as shown on the plans on file with this case, except for any specific modifications that may be required by these conditions of approval.
2. Any future modifications to the approved design shall be submitted to the Planning Division for consideration. A separate application and fee may be required.
3. The project shall comply with the applicable mitigation measures of the Final Program Environmental Impact Report (FPEIR) certified for the City's 2014-2021 5th Cycle Housing Element (SCH# 2017041039).
4. *Advisory:* Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. Any new signs shall be subject to separate review and assessment. A separate sign application, including fees and additional sets of plans, will be necessary prior to sign permit issuance.

Prior to Map Recordation:

5. The applicant shall prepare and record Covenants, Conditions, and Restrictions (CC&Rs) and documents to create a Homeowners Association (HOA), subject to approval of the Planning Division and City Attorney's Office. The CC&Rs shall contain the following:
 - a. Establishment of a Homeowner's Association.
 - b. Each buyer shall sign an acknowledgement that he/she has read the Constitution and By-Laws of the HOA and the CC&Rs applying to the development, including any clause pertaining to private driveways.
 - c. Except as provided in California Code Section 66411.7 (otherwise known as Senate Bill 9) and as may be modified in the future, further subdivision of any lots within this map is prohibited.
 - d. The HOA shall maintain the stormwater basins, parkway, and landscape along the street frontages, and open space areas;
 - e. Recorded map shall include the condition for maintenance by approved entity.

Prior to Grading Permit Issuance:

6. A 40-scale precise grading plan shall be submitted to the Planning Division and include the following:
 - a. Hours of construction and grading activity are limited to between 7:00 a.m. and 7:00 p.m. weekdays and 8:00 a.m. and 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or Federal Holidays;
 - b. Compliance with City adopted interim erosion control measures;

- c. Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems;
- d. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement; and
- e. Identification of location, exposed height, material, and finish of any proposed retaining walls.

During Grading and Construction Activities:

- 7. Construction and operation activities on the property shall be subject to the City's Noise Code (Title 7), which limits construction noise to 7:00 a.m. to 7:00 p.m. weekdays, and 8:00 a.m. to 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or federal holidays.
- 8. The project shall comply with all existing State Water Quality Control Board and City storm water regulations, including compliance with NPDES requirements related to construction and operation measures to prevent erosion, siltation, transport of urban pollutants, and flooding.
- 9. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- 10. The Construction Contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- 11. To reduce construction related particulate matter air quality impacts of the project, the following measures shall be required:
 - a. The generation of dust shall be controlled as required by the AQMD;
 - b. Trucks hauling soil, dirt or other emissive materials shall have their loads covered with a tarp or other protective cover as determined by the City Engineer;
 - c. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards;
 - d. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
 - e. Trucks and other equipment leaving the site shall be washed off;
 - f. Disturbed/loose soil shall be kept moist at all times;
 - g. All grading activities shall be suspended when wind speeds exceed 25 miles per hour; and
 - h. A 15 mile per hour speed limit shall be enforced on unpaved portions of the construction site.
- 12. The applicant shall be responsible for erosion and dust control during construction phases of the project.
- 13. To reduce diesel emissions associated with construction, construction contractors shall provide temporary electricity to the site to eliminate the need for diesel-powered electric generators or provide evidence that electrical hook ups at construction sites are not cost effective or feasible.

Prior to Building Permit Issuance:

14. **Staff Required Landscape and Irrigation Condition:** Plans shall be submitted for Planning staff approval. Separate application and filing fee are required. Design modifications may be required as deemed necessary.
15. **Photometric/Lighting Plan:** An exterior lighting plan shall be submitted to staff for review and approval. A photometric study and manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas and in the parking-lot shall be submitted with the exterior lighting plan. All on-site lighting shall provide a minimum intensity of one foot-candle and a maximum of ten foot-candles at ground level throughout the areas serving the public and used for parking, with a ratio of average light to minimum light of four to one (4:1). The light sources shall be shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties and public rights-of-ways. If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed fourteen (14) feet in height, including the height of any concrete or other base material.
16. **Fences and Walls:** Revise the wall and fence plan such that the plan provided for building permit plan check incorporates the following changes:
 - a. All block walls shall be constructed of decorative masonry and include a decorative cap. Exterior facing walls shall include anti-graffiti coating.
 - b. The proposed tubular steel fence at the easterly portion of the site, between Buildings 1 and 2 and Jackson Street, shall have a maximum height of four feet.
 - c. The proposed combination wall along the north and northwesterly property lines, adjacent to the railroad tracks, shall be constructed of split-face block, and include weep holes. Vines shall be planted along the wall.
 - d. The applicant shall work with the City to install a gate or other security feature between the proposed block wall along the southerly property line and the neighboring block wall.
17. **Noise and Construction:** Exterior walls, windows, and glass doors of facades for Buildings 2 through 9 shall follow construction standards indicated in the Exterior Noise and Exterior Façade Acoustical Analysis and Vibration Analysis prepared by Veneklasen Associates on November 1, 2022. Plans included for construction shall include the required STC rating.
18. Roof and building mounted equipment shall be fully screened from the public right-of-way. Screening material shall be integrated with the design of the building and be at least as high as the proposed roof mounted equipment.
19. Ground mounted equipment shall be screened from view on all sides with solid masonry walls or similar permanent structures. Such masonry wall or structure shall be of a neutral color. Screening with wood, chain-link, or similar fencing materials shall not be permitted.
20. Construction plans submitted for Plan Check review shall specify the location, design and color of all domestic water meters, backflow preventers, and all on- and off-site utility cabinets subject to Planning Division and Public Utilities' review and approval. The visibility of such facilities shall be minimized and include use of the smallest equipment possible, be painted green, and include of some form of screening including but not limited to berming, landscaping, and/or installation of a screen wall.
21. Submit three sets of plans depicting the preferred location for above ground utility transformer of capacity to accommodate the planned or speculative uses within the building(s) or subject site. These plans shall be reviewed and approved by the Planning

Division and Public Utilities Department - Electric Division prior to the issuance of a building permit. The proposed location of the transformer shall be level, within 100 feet of the customer's service point, accessible to service trucks and in a location where the transformer can be adequately screened from public view, either by buildings or solid masonry walls or other similar permanent structures.

Prior to Release of Utilities and/or Occupancy:

22. Install the landscape and irrigation per the approved plans and submit the completed "Certificate of Substantial Completion" (Appendix C of the Water Efficient Landscaping and Irrigation Ordinance Summary and Design Manual) signed by the Designer/auditory responsible for the project. Contact the project Planner at (951) 826-5371 to schedule the final inspection at least one week prior to needing the release of utilities.
23. The applicant shall provide written evidence to the Planning Division and the Riverside Police Department that they will be participating in the City's Crime Free Multi-Housing Program.

Standard Conditions:

24. There is a thirty-six-month time limit in which to satisfy the conditions and record Vesting Tract Map No. 38489. Six subsequent one-year time extensions may be granted by the Community & Economic Development Director upon request by the applicant. Application for a one-year time extension must be made prior to the expiration date of the map. No time extension may be granted for applications received after the expiration date of the map.
25. The request shall include a letter stating the reasons for the extension of time and associated fee shall be submitted to the Planning Division.

PLEASE BE ADVISED THAT THE APPLICANT WILL NOT BE NOTIFIED BY THE PLANNING DIVISION ABOUT THE PENDING EXPIRATION OF THE SUBJECT ENTITLEMENTS.

26. The Design Review and Variance related to implementing the subdivision may be granted time extensions by the Community & Economic Development Director or their designee up to a total of six years beyond the original approval expiration date prior to issuance of any building permits. Once a building permit has been issued, the project will be considered vested and time extensions are no longer needed.
27. The Project must be completed per the Plot Plan Review approved by the Community & Economic Development Director, including all conditions listed in this report. Any substantial changes to the Project must be approved by the Development Review Committee or by Planning Staff. Upon completion of the Project, a Staff inspection must be requested, and **UTILITIES** will not be released until it is confirmed that the approved plans and all conditions have been implemented.
28. Within 30 days of approval of this case by the City, the developer shall execute an agreement approved by the City Attorney's Office to defend, indemnify, including reimbursement, and hold harmless the City of Riverside, its agents, officers and employees from any claim, action, or proceeding against the City of Riverside, its agents, officers, or employees to attack, set aside, void, or annul, an approval by the City's advisory agency, appeal board, or legislative body concerning this approval, which action is brought within the time period provided for in Section 66499.37 of the Government Code. The City will promptly notify the developer of any such claim; action or proceeding and the City will cooperate in the defense of the proceeding.
29. This approval is for design concept only and does not confirm the project has been thoroughly checked for compliance with all requirements of law. As such, it is not a

substitute for the formal building permit plan check process, and other changes may be required during the plan check process.

30. This Project shall fully and continually comply with all applicable conditions of approval, State, Federal and local laws in effect at the time the permit is approved and exercised and which may become effective and applicable thereafter, and in accordance with the terms contained within the staff report and all testimony regarding this case. Failure to do so will be grounds for Code Enforcement action, revocation or further legal action.

Public Works

Conditions to be fulfilled prior to occupancy unless otherwise noted

31. Storm Drain construction will be contingent on engineer's drainage study.
32. Deed for widening Jackson Street along project frontage to 44' from monument centerline to Public Works specifications.
33. A "FINAL MAP" shall be processed with the Public Works Department and recorded with the County Recorder. The "FINAL MAP" shall be prepared by a Land Surveyor or Civil Engineer authorized to practice Land Surveying in the State of California and shall comply with the State Subdivision Map Act and Title 18 of the Riverside Municipal Code. All applicable checking and recording fees are the responsibility of the applicant.
34. Installation of sewers and sewer laterals to serve this project to Public Works specifications. Sewer to be private all the way to main line connection.
35. Size, number and location of driveways to Public Works specifications.
36. Closure of unused driveway(s) to Public Works standards and specifications.
37. All security gates or facilities proposed now or in the future will be located on-site and adequate stacking space and vehicle turn-around area will have to be provided to Public Works and Fire Department specifications.
38. Prior to Permit Issuance, add the following notes to the site/plot or landscape plans and email PDF to gtanaka@riversideca.gov for review and approval:
39. PLANT 24" box size *Cassia leptophylla* in PUBLIC RIGHT-OF-WAY along JACKSON ST. Typical spacing 25' O.C. Prior to any planting, Tree Inspector to determine precise locations at time of scheduled site inspection after fine grading and hardscape installation is complete. Planting, staking, irrigation, root barriers to Landscape & Forestry specifications.
40. Trash collection service will not be provided on common drives. Areas shall be provided along private streets to accommodate the placement of containers for automated collection. On-street parking shall be prohibited on collection days as required to ensure access to the trash containers,
41. Prior to final inspection for the development project, the applicant shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of payment. If the project improvements include qualifying right-of-way dedications and/or street improvements to a TUMF regional arterial roadway as identified on the Regional System of Highways and Arterials, the developer may have the option to enter into a Credit/ Reimbursement Agreement with the City and Western Riverside Council of Governments (WRCOG) to recover costs for such work based on unit costs as determined by WRCOG.
42. The terms of the agreement shall be in accordance with the RMC Chapter 16.68 and the TUMF Administrative Plan requirements. Credit/reimbursement agreements must be fully executed prior to receiving any credit/reimbursement. An appraisal is required for

credit/reimbursement of right of way dedications and credit/reimbursement of qualifying improvements requires the public bidding and payment of prevailing wages in accordance with State Law. For further assistance, please contact the Public Works Department.

43. Prior to issuance of a building or grading permit, the applicant shall submit to the City for review and approval, a project-specific WQMP that:
 - a. Addresses Site Design BMP's such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas and conserving natural areas;
 - b. Incorporates the applicable Source Control BMP's as described in the Santa Ana River Region WQMP and provides a detailed description of their implementation;
 - c. Incorporates Treatment Control BMP's as described in the Santa Ana River Region WQMP and provides information regarding design considerations;
 - d. Describes the long-term operation and maintenance requirements for BMP's requiring long-term maintenance; and
 - e. Describes the mechanism for funding the long-term operation and maintenance of the BMP's requiring long-term maintenance.
44. Prior to issuance of any building or grading permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument acceptable to the City Attorney to inform future property owners of the requirement to implement the approved project-specific WQMP. Other alternative instruments for requiring implementation of the approved project-specific WQMP include: requiring the implementation of the project-specific WQMP in the Home Owners Association or Property Owners Association Conditions, Covenants and Restrictions (C,C&R's); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the project-specific WQMP; or equivalent may also be considered. Alternative instruments must be approved by the City prior to the issuance of any building or grading permits.
45. If the project will cause land disturbance of one acre or more, it must comply with the statewide General Permit for Storm Water Discharges Associated with Construction Activity. The project applicant shall cause the approved final project-specific WQMP to be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.
46. Prior to building or grading permit closeout or the issuance of a certificate of occupancy or certificate of use, the applicant shall:
47. Demonstrate that all structural BMP's described in the project-specific WQMP have been constructed and installed in conformance with approved plans and specifications;
48. Demonstrate that applicant is prepared to implement all non-structural BMP's described in the approved project-specific WQMP; and
49. Demonstrate that an adequate number of copies of the approved project-specific WQMP are available for the future owners/ occupants.

Fire Department

Prior to issuance of building permits

50. An automatic fire sprinkler system is required by City Ordinance No. 16.32.335. Under separate cover, submit plans for the automatic fire sprinkler system(s) and obtain approval

from the Fire Department prior to installation. Systems exceeding 20 sprinkler heads shall be provided with supervisory service and shall be monitored by a UL Central Station (UUFX) and shall be UL, FM, or ETL certified for the life of the system. Post Indicator Valves, Detector Check Control Valves, and water flow switches are required to be supervised by an UL listed central station.

51. Have a UL, FM, or ETL listed and licensed C10 fire alarm contractor submit plans and obtain approvals prior to installation. Alarm contractor shall provide a copy of a maintenance contract complying with NFPA 72.
52. Contact the Riverside Public Utilities Department at 951-826-5285 for the requirements for the dedicated fire services and backflow requirements.
53. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
54. Construction plans shall be submitted and permitted prior to construction.
55. Fire Department access shall be maintained during all phases of construction.
56. Identification and posting of required fire lanes shall be provided as directed by the assigned Fire Inspector. (CFC, Sec. 503.3) (RMC, Sec. 16.32.280).
57. Fire sprinkler, fire alarm, fixed extinguishing system, emergency radio systems, standpipes or any other type of fire protection systems that are required by the California Fire Code, California Building Code or City Ordinance, shall be submitted by a California Licensed contractor, under separate permit to Riverside Fire Department for approval and permit issuance prior to any work on such systems.
58. To comply with all applicable requirements per CFC, Chapter 33 (Fire Safety During Construction and Demolition).
59. Group R, Division 2 occupancies shall be provided with a manual and automatic fire alarm system in apartment houses three or more stories in height or containing 16 or more dwelling units. (See California Fire Code for exceptions). Submit plans and obtain approvals from the Fire Department prior to installation. New fire alarm systems shall be UL, FM or ETL certificated for the life of the system. Central Station shall be UL UUFX.

Parks, Recreation and Community Services

Prior to Map Recordation:

60. Developer shall make payment of all applicable Park Development Impact fees (regional/reserve and trail fees) for all recorded ROW.

Prior to Issuance of Building Permits:

61. Developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve and trail fees) for privately developed areas.

Public Utilities – Electric

Prior to Issuance of Building Permits:

62. All utilities shall be satisfactorily relocated, protected and/or replaced to the specifications of the affected departments and agencies, and easements for such facilities retained as necessary.
63. The provision of utility easements, water, streetlights and electrical underground and/or overhead facilities and fees in accordance with the rules and regulations of the appropriate surveyor.

64. Easements & any associated fees will be acquired during the design process.
65. Provisions for electrical Utility equipment to provide power to the site is the responsibility of the developer. Please make sure that all clearances are maintained and location of the equipment is approved by the Utility.
66. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site. In addition to installing spare conduits, streetlights, also stub & cap along property frontage.
67. Plot existing electrical distribution facilities on the original site plan.
68. Contact RPU to discuss PJC's & transformer locations.
69. This development will have to extend an overhead single phase over the BNSF railroad tracks along Jackson. Railroad submittals and permit fees will be the responsibility of the developer.
70. Streetlights will be required along Jackson Street.

Public Utilities – Water

Prior to Issuance of Building Permits:

71. An executed master meter agreement is required to permit private sub-metering and billing of individual tenants. Submeters must be installed to measure tenants actual use for a master meter agreement to be executed.
72. New water service installations are processed under a separate plan and permit submitted directly to the Public Utilities Department. Water plan must be submitted prior to issuance of building permit.

Public Works – Traffic

73. Prior to the issuance of a Certificate of Occupancy, the applicant shall:
 - a. Construct a stop sign (R1-1), stop bar, stop legend, at the project driveways. Stop signs must conform to City Standard 664 and the markings must conform to the California Manual on Uniform Traffic Control Devices, Part 2A and 2B: <https://dot.ca.gov/programs/safety-programs/camutcd/camutcd-files>.
 - b. Install high visibility crosswalk across project driveway parallel to Jackson Street.
 - c. Install speed feedback sign near the project site on east side of Jackson Street for northbound direction.

All necessary signing and striping improvements must comply with the most current California Manual of Uniform Traffic Control Devices (MUTCD) and City standards. The applicant shall hire a contractor to complete the work. The contractor shall complete the construction work with an approved Public Works Permit. The installation of the signage and striping shall be completed to the satisfaction of the Director of Public Works. The applicant is solely responsible for the procurement and installation of this infrastructure improvement.

74. Prior to the issuance of a Certificate of Occupancy, the applicant shall construct a bike rack that can accommodate a minimum of two bikes. The installation of the bike racks shall be completed to the satisfaction of the Director of Public Works. The applicant is solely responsible for the procurement and installation of this infrastructure improvement.
75. Should installation of private gates be proposed in the future, a site plan, showing the proposed improvements, and an empirical Gate Stacking Analysis, consisting of a feasibility study illustrating adequate vehicle turn around area in front of the gates as well

as emergency vehicle access, shall be submitted to the Public Works Department and Planning Division for review. Site plan changes shall be subject to consideration by the Development Review Committee (DRC) or Planning Commission, as applicable, and may require a revision to this Planning entitlement."

76. Prior to the issuance of a Certificate of Occupancy, the applicant shall complete signing & striping plans to accommodate the inbound left turn lane as recommended in the Traffic Study (Dated September 9, 2022). The left turn lane shall be 100 ft in length. Project shall also install painted porkchop median on Jackson Street to facilitate the left turn in and left turn out movements from the project site. The applicant shall hire a contractor to install the MUTCD & City of Riverside Standard compliant signage and striping. The applicant shall obtain any necessary permits and approvals to complete the improvements on Jackson Street. The applicant is solely responsible for the procurement and installation of the street improvements to the satisfaction of the Director of Public Works.
77. Signing and striping improvements in this memo shall be shown on traffic design plans signed by a licensed civil or traffic engineer and to the satisfaction of the Director of Public Works.