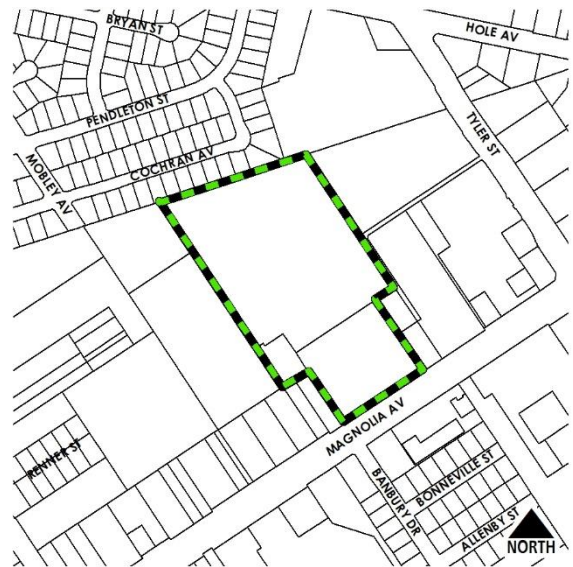




**PLANNING COMMISSION HEARING DATE: FEBRUARY 18, 2021
AGENDA ITEM NO.: 5**

PROPOSED PROJECT

Case Numbers	P19-0863 (Site Plan Review) P20-0133 (Conditional Use Permit)	
Request	To consider the following entitlements for the construction of a mixed-use development on two parcels totaling 16.11 acres: 1) Site Plan Review of project plans for a mixed-use project consisting of 450 multi-family residential dwelling units, and 9,000 square feet of commercial retail space; and 2) Conditional Use Permit to permit accessory structures and recreational open space in the Water Course Overlay Zone.	
Applicant	Darrin Olson, Magnolia Partnership, LLC	
Project Location	10411-10481 Magnolia Avenue, situated on the north side of Magnolia Avenue, between Tyler Street and Polk Street	
APN	143180028 143180031 143180032	
Project Area	16.11 Acres	
Ward	6	
Neighborhood	La Sierra	
General Plan Designation	MU-V – Mixed-Use - Village	
Zoning Designation	MU-V-SP – Mixed Use-Village, Specific Plan (Magnolia Avenue) Overlay Zones, and MU-V-WC-SP – Mixed-Use- Village-Water Course, Specific Plan (Magnolia Avenue) Overlay Zones	
Staff Planner	Brian Norton, Senior Planner 951-826-2308 bnorton@riversideca.gov	



RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **DETERMINE** under Section 15183.3 - Streamlining for Infill Projects, pursuant to Public Resources Code Section 21094.5, 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.
2. **APPROVE** Planning Cases P19-0863 (Site Plan Review), P20-0133 (Conditional Use Permit), based on the findings outlined in the staff report and subject to the recommended conditions (Exhibits 1 and 2).

SITE BACKGROUND

The 16.11-acre project site consists of three contiguous, vacant, parcels. Parking lots, drive aisles and parking lot landscaping remain. Following is a summary of the site changes that have occurred over the years:

- In 1979, a 0.72-acre portion of the 16.11-acre site was rezoned to include a Water Course Overlay. The Overlay Zone was added so the area could be utilized as a retention basin to channel stored water into existing storm drains for a commercial shopping center constructed in the early 1980's. The shopping center included a service station (Unocal 76), general retail (Gemco), grocery store (Lucky), and personal services, such as watch repair, dry-cleaning services, physical therapy, and restaurants.
- In the late 1980s, the Project Site was fully developed with four commercial buildings.
- In 2009, three of the four buildings were demolished, with one commercial structure remaining on-site.
- In 2009, a mixed-use project was approved for the project site consisting of 315 multi-family residential units and 71,211 square feet of commercial space. The entitlements expired in 2016, and the project was never constructed.
- In 2018, the remaining commercial structure was demolished.

Surrounding land uses include single family residences to the north, commercial uses to the east, commercial uses to the south, across Magnolia Avenue and mobile home park and commercial uses to the west. (Exhibit 3).

PROPOSAL

The Applicant is requesting approval of a Site Plan Review to facilitate a mixed-use development consisting of a 450-unit multi-family residential building and two multi-tenant commercial buildings totaling 9,000 square feet. The applicant is also requesting a Conditional Use Permit to permit accessory structures (carports) and recreational open space in the Water Course Overlay Zone. The following is a description of each component of the project:

- Multi-Family Residential

The multi-family residential complex is located on the northern portion of the development on approximately 13.31 acres. A total of 450 units are proposed in a single four-story building. The complex includes 106 studio units, 173 one-bedroom units, and 171 two-bedroom units. Units range in size from 459 to 894 square feet. Private balconies or patios are proposed for 344 of the unit and range in size from 63 to 76 square feet. The 106 studio units do not include private open space.

Common useable open space totals 127,725 square feet and includes a 67,473 square foot "North Park" with a tot lot and dog park located on the northside of the site. Multiple courtyards are proposed around the residential building and include a pool, spa, outdoor kitchen, game lawn areas, fire pits, and lounge areas. The proposed project also includes a 2,264 square foot roof deck and a 6,065 square foot indoor amenity area that includes a fitness center, club room and co-working area.

A total of 736 parking spaces are proposed for the residential component of the project, with 533 covered with carports.

- Commercial

The commercial component of the project is located on the southern portion of the development on 2.8 acres. A total of 9,000 square feet of commercial space is proposed in two, single story buildings. A 24,378 square foot open space courtyard is proposed and includes outdoor dining areas, a programable turf area and cantilevered shade pergolas. No tenants have been identified for the commercial lease spaces.

A total of 94 uncovered parking spaces are provided to serve the commercial uses on site. Access will be provided via two, two-way driveways from Magnolia Avenue.

Primary vehicular access is provided from a signalized intersection at Magnolia Avenue and Banbury Drive. Secondary access points are provided along Magnolia Avenue and from the existing commercial development to the east of the project site.

Pedestrian access is proposed throughout the site with raised sidewalks connecting the residential portion of the project with the proposed open space park along the northern portion of the site, the commercial component along the southern portion of the site and existing commercial and retail to the east of the project site.

PROJECT ANALYSIS

	Consistent	Inconsistent
<p>General Plan 2025</p> <p>The project is consistent with the General Plan Land Use designation of MU-V – Mixed Use – Village (Exhibit 4). The land use designation provides opportunities for high-density residential development with commercial, office, and business uses, with an emphasis on retail and entertainment activities. Such development is intended to facilitate the grouping of housing with employment uses, entertainment activities and public gathering spaces, and other community amenities. The project is consistent with the following Policies and further the intent of the General Plan 2025:</p> <p><u>Objective LU-58</u>: Enhance the role of La Sierra as a major employment center in the City, with complementary residential and mixed-use development.</p> <p><u>Policy LU-58.3</u>: Provide opportunities for transit-oriented, mixed use projects providing medical support office/employment, restaurants and high-density residential near Kaiser Permanente. Emphasize ownership housing, as feasible, in this area.</p> <p><u>Policy LU-58.6</u>: Allow for increased residential and commercial densities to bring more people to the neighborhood, support transit and complement the scale of the Kaiser facility.</p> <p><u>Policy LU-58.7</u>: Support and encourage the redevelopment of the Magnolia Avenue corridor with mixed use development.</p> <p><u>Objective LU-61</u>: Enhance the economic vitality of the neighborhood and rejuvenate older commercial centers.</p> <p><u>Policy LU-8.1</u>: Ensure well-planned infill development Citywide, allow for increased density in selected areas along established transportation corridors.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Consistent	Inconsistent
<p>Zoning Code (Title 19)</p> <p>The project is consistent with the MU-V-SP – Mixed Use- Village and Specific Plan (Magnolia Avenue) Overlay Zones and MU-V-WC-SP – Mixed Use-Village – Water Course and Specific Plan (Magnolia Avenue) Overlay Zones (Exhibit 5). Both zones are consistent with the MU-V – Mixed Use-Village General Plan land use designation.</p> <p>The project design strengthens the interaction between the proposed mix of uses on- and off-site, reducing sprawl and creating a pedestrian-oriented environment. The carports and recreational open space, proposed within the small portion of the site zoned Water Course Overlay in the rear of the site, are permitted subject to the granting of a Conditional Use Permit.</p> <p>As designed, this project provides a dynamic mix of uses while ensuring that the overall design and proposed uses are compatible with the surrounding neighborhoods.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Magnolia Avenue Specific Plan – La Sierra District</p> <p>The project is located on the eastern edge of the La Sierra District and directly adjacent to the Galleria District of the Magnolia Avenue Specific Plan (Exhibit 6). Both districts consist of a mixture of retail, office, medical and residential uses. The project is located within proximity to both the Riverside Kaiser Hospital Campus and the Galleria at Tyler shopping complex. The Galleria at Tyler is defined as a regional commercial center and a destination for residents and visitors to the region, while Kaiser Hospital campus is a major job generator in the region. The introduction of mixed-use development at this location will have the greatest impact bringing additional residences and employees to re-energize the Districts. The project, as proposed, furthers the vision of the Districts and is consistent with applicable Policies of the Specific Plan.</p> <p><u>Objective 1:</u> Enhance the role of the La Sierra District as a major employment center in the City with complementary retail, residential and mixed-use development. (General Plan Objective LU-58)</p> <p><u>Policy 1.2:</u> Provide opportunities for transit-oriented, mixed use projects providing medical support office/employment, restaurants, and high-density residential near Kaiser Permanente Hospital. Emphasize ownership housing, as feasible, in this area. (General Plan Policy LU-58.3)</p> <p><u>Policy 1.3:</u> Allow for increased residential and commercial densities to bring more people to the District, support transit, and complement the scale of the Kaiser facility. (General Plan Policy LU-58.6)</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Consistent	Inconsistent
<p>Compliance with Magnolia Avenue Specific Plan Design Guidelines</p> <p>The proposed project meets the objectives and guidelines of the Magnolia Avenue Specific Plan Design Guidelines (Chapter 4). The mixed-use project has been designed by placing buildings around programable and passive open space areas, activating the Magnolia Avenue streetscape and connecting the multiple uses and open space throughout the development with enhanced pedestrian connectivity.</p> <p>For compatibility with surrounding single-family residences, the four-story residential building has been setback 230 feet from the rear (north) property line and 80 feet from the side (west) property line. The scale and massing of the project is consistent with surrounding development patterns, specifically the Galleria at Tyler and the Riverside Kaiser Hospital campus.</p> <p>The project has been designed to create a sense of place, consistent with the intent of the Magnolia Avenue Specific Plan Design Guidelines.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Housing Element</p> <p>The project site is one of the 57 sites (W6G1S01) rezoned to Mixed-Use Zone to accommodate the City's Regional Housing Needs Assessment (RHNA) allocation. To facilitate the development of housing throughout the City, consistent with California Government Code Section 65580, a Site Plan Review is required for mixed use developments when in compliance with the established criteria in Chapters 19.120 (Mixed Use Zones) and 19.120.030 (Site Plan Review). The project is consistent with the following Policies and further the intent of the Housing Element:</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> <p><u>Policy H-2.1:</u> Corridor Development. Focus development along the L Corridor connecting the University Village, Downtown, Magnolia, and Market Place Specific Plans to create vibrant mixed-use and mixed-income environments that support the downtown, are transit-oriented, and strengthen the economy.</p> <p><u>Policy H-2.2:</u> Smart Growth. Encourage the production and concentration of quality mixed-use and high-density housing along major corridors and infill sites throughout the City in accordance with smart growth principles articulated in the General Plan.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Consistent	Inconsistent
<p>Compliance with Citywide Design Guidelines</p> <p>The proposed project substantially meets the objectives of the Citywide Design Guidelines for new commercial and residential development related to building siting and orientation, massing, articulation and architectural treatment, parking layout, and landscaping.</p> <p>The residential buildings have been designed to incorporate a modern contemporary architectural style by incorporating metal siding, wood composite board, stucco, perforated metal elements and metal awnings/canopies.</p> <p>The commercial buildings include articulated facades with sloped roof lines. Consistent with the design of the residential building, the commercial buildings will include metal siding, wood composite board siding, large canopies, perforated metal awnings and dormers.</p> <p>The overall design of the site focuses on pedestrian connectivity with raised pedestrian walkways, connecting the commercial component with the residential component of the development. Additionally, the design focuses on common open spaces located throughout the development that can be used as gathering areas for dining, game use, lounge areas and active play areas.</p> <p>The conceptual landscape plan provides an attractive and welcoming environment, with the inclusion of shade trees and high-quality landscaping throughout the site. The proposed project meets the objectives of the Citywide Design & Sign Guidelines.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Lot 1 (Residential)					
Chapter 19.120.050 – Development Standards for Mixed Use Zones					
	Standard		Proposed	Consistent	Inconsistent
Lot Area	20,000 sq. ft.		579,783 sq. ft.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Floor Area Ratio	2.5 FAR		0.71 FAR	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Density	40 du/ac ¹		33.8 du/ac	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lot Width	75 feet		660 feet 6 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lot Depth	100 feet		700 feet 9 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Building Height	45 feet ²		Roof line - 41 feet 10 inches Parapet - 47 feet 6 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Building Setbacks	Side Yard	East – 15 feet	77 feet 5 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		West - 15 feet	80 feet 1 inch	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		South – 15 feet	60 feet 3 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear Yard – 25 feet	230 feet 5 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Common Open Space	50 sq. ft./ unit - 22,500 sq. ft. (450 square feet x 50 square feet)		127,725 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Private open Space	50 sq. ft./ unit – 22,500 sq. ft. (450 square feet x 50 square feet) or met through equivalent design features ³		344 units with private open space 24,378 square feet Equivalent Design Feature - Common Open Space exceeds by 105,225 sq. ft.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

¹ Zoning Code Table 19.120.050 – Mixed Use Zones Development Standards – Projects in MU-V Zones that are located within one-half mile of 1) transit stop along Magnolia Avenue or University Avenue; or 2) any transit station may have a residential density of up to 40 dwelling units per acre.

² Zoning Code 19.560.030 – Exceptions to Height Limits – Roof structures for the housing of elevators, stairways, parapet walls, may be erected above the height limits prescribed by the Zoning Code.

³ Zoning Code Table 19.120.050 Mixed-Use Zones Development Standards - Private useable open space can also be met through equivalent design features as approved by the Planning Commission

Lot 2 (Commercial)					
Chapter 19.120.050 – Development Standards for Mixed Use Zones					
Standard		Proposed	Consistent	Inconsistent	
Lot Area	20,000 sq. ft.	121,968 sq. ft.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Floor Area Ratio	2.5 FAR	0.07 FAR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Lot Width	75 feet	430 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Lot Depth	100 feet	201 feet 4 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Height	45 feet	24 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Setback	Front Yard – 0 feet		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Side Yard	East – 0 feet	109 feet 6 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		West – 0 feet	75 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear Yard – 15 feet		105 feet 6 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Chapter 19.580 – Parking and Loading Standards					
Standard		Proposed	Consistent	Inconsistent	
Residential					
Minimum Parking	Studio 106 units/1 space = 106 spaces	708 spaces	736 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	1 bedroom 173 units/1.5 spaces = 260 spaces				
	2 bedroom 171 units/2 spaces = 342 spaces				
Commercial					
Minimum Parking	1 space/100 square feet (9,000 square feet restaurant)	90 spaces	90 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Landscape Setback	Street Frontage (Magnolia Ave) - 15 feet		116 feet 6 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Interior Property Lines – 5 feet		5 feet 9 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parking Space Dimension	9 feet x 18 feet		9 feet x 18 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Drive Aisle Width	24 feet		24 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

FINDINGS SUMMARY

Site Plan Review

The proposed project has been designed as an integrated development compatible with surrounding uses, specifically with the residences to the north and west of the project site. It is also consistent with the objectives, policies, and development standards of the General Plan, the Magnolia Avenue Specific Plan, and the Zoning Code. In summary:

- The four-story residential component, consisting of contemporary architecture, includes setbacks greater than required by Code and large open space areas to provide ample separation from the existing single-family residences to the north and west of the site and for compatibility purpose. The over 2.41 acres of common open space areas are proposed to compensate for the absence of private open space in 106 units. The additional open space is consistent with the Zoning Code, which allows a development to meet the minimum requirements of private open space by providing equivalent design features. It should be noted that the units with private open space exceed the minimum area requirement by 5,300 square feet. The project as proposed exceeds both the projects common and private open space area requirements.
- The commercial component compliments the contemporary architecture of the residential building in the rear of the site. It has been designed in a manner sensitive in scale to the neighborhood. The proposed project includes courtyards and outdoor dining areas to activate Magnolia Avenue, one of the City's most important corridors, while providing opportunities for pedestrian oriented retail and service uses for the community.

The proposed mixed use development is appropriate for the site and neighborhood, as it is located proximate to major job hubs (Kaiser Hospital, County of Riverside Offices, Galleria at Tyler), educational facilities (California Baptist University), local commercial, recreational opportunities, and community services, contributing to a synergistic relationship between uses in the area. The site is adjacent to Magnolia Avenue, a high-quality transit corridor served by Riverside Transit Authority (RTA) with 2 bus routes and 6 additional routes at the Galleria transfer station.

For these reasons, the proposed project will not have substantial adverse effects on the surrounding properties or uses.

Conditional Use Permit

The applicant has requested a Conditional Use Permit to permit recreation (common open space) and accessory structures (carports) to be located within the 0.71-acre Water Course Overlay. The Water Course Overlay was added to the project site in 1979 as part of a commercial development constructed in 1980 to capture on-site storm water and divert it to the storm water system. While no buildings are proposed Water Course Overlay, parking spaces and drive aisles were located within the boundaries of the Overlay.

The introduction of common open space, residential parking, carports, and drive aisles in a small portion of the site would not impact the on-site storm water. The project's site design proposes to capture on-site storm water in subterranean dry wells placed throughout the site for water treatment consistent with the project's Water Quality Management Plan (WQMP). This treatment system eliminates the need for a retention basin in the northwest corner of the project site, zoned Water Course Overlay. For these reasons, staff supports the proposed uses within the Water Course Overlay.

ENVIRONMENTAL REVIEW

The project has been assessed under Section 15183.3 - Streamlining for Infill Projects, pursuant to Public Resources Code Section 21094.5 and 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.

PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners within 500 feet of the site. As of the writing of this report, no responses have been received by staff regarding the proposed project.

As a matter of information, the applicant conducted a neighborhood meeting on February 3, 2021 to present the project to the community.

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 Community & Economic Development Department, Public Information Section, 3rd Floor, City Hall.

EXHIBITS LIST

1. Staff Recommended Findings
2. Staff Recommended Conditions of Approval
3. Location Map
4. General Plan Map
5. Zoning Map
6. Magnolia Specific Plan – La Sierra and Galleria District Map
7. Housing Element Map
8. Project Plans (Site Plan, Conceptual Grading Plan, Floor Plans, Building Elevations, Open Space Exhibit, Conceptual Landscape Plans, Parking Plan, Photometric Lighting Plan)
9. Applicant Project Description
10. Existing Site Photos
11. Appendix N Checklist and Appendices

Prepared by: Brian Norton, Senior Planner

Reviewed by: Patricia Brenes, Principal Planner

Approved by: Mary Kopaskie-Brown, City Planner



EXHIBIT 1 – STAFF RECOMMENDED FINDINGS

PLANNING CASES: P19-0863 (Site Plan Review)
P20-0133 (Conditional Use Permit)

FINDINGS:

- **Site Plan Review Findings pursuant to Chapter 19.120.030**
 - a) The proposed development is consistent with the General Plan, any applicable specific plans and the intent and purpose of the mixed-use zones (Section [19.120.010](#)- Purpose);
 - b) The proposed development, as conditioned, will not have substantial adverse effects on the surrounding property or uses, and will be compatible with the existing and planned land use character of the surrounding area;
 - c) The proposed development is appropriate for the site and location by fostering a mixture and variety of land uses within the zone and the general vicinity and contributing to a synergistic relationship between uses; and
 - d) The proposed development is harmonious with its surrounding environment. Buildings within a mixed-use development project must also be compatible with each other and be designed as an integrated, unified project. All proposed development must meet the design standards and guidelines in [Section 19.120.070](#) (Design Standards and Guidelines).
- **Conditional Use Permit Findings pursuant to Chapter 19.760.040**
 - a) The proposed uses (accessory structures and recreation use) are substantially compatible with other existing and proposed uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts;
 - b) The proposed uses (accessory structures and recreation use) will not be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area; and
 - c) The proposed uses (accessory structures and recreation use) will be consistent with the purposes of the Zoning Code and the application of any required development standards is in the furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

PLANNING CASES: **P19-0863** (Site Plan Review)
P20-0133 (Conditional Use Permit)

Case-Specific

Planning Division

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. 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 Grading Permit Issuance:

4. 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. The project shall abide by the SCAQMD's Rule 403 concerning Best Management Practices for construction sites to reduce emissions during the construction phase. Measures may include:
 - (1) Suspend all grading activities when wind speeds exceed 25 miles per hour;
 - (2) 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;
 - (3) Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads.
 - (4) Wash off trucks and other equipment leaving the site;

- (5) Replace ground cover in disturbed areas immediately after construction; and
 - (6) Always keep disturbed/loose soil moist.
5. Prior to demolition, grading, or building permit approval, the project applicant shall submit to the Community & Economic Development Department a list of measures to respond to and track complaints pertaining to construction noise, ongoing throughout demolition, grading, and/or construction. These measures shall include the following:
- A procedure and phone numbers for notifying the Community & Economic Development Department and Police Department (during regular construction hours and off-hours);
 - A requirement for a sign to be posted on-site specifying the permitted construction days and hours and complaint procedures, and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours); and a requirement for a preconstruction meeting to be held with the job inspectors and general contractor/on-site Project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.

During Grading and Construction Activities:

6. In accordance with SCAQMD Rule 403, the contractor shall control excessive fugitive dust emissions during construction through regular watering or other dust prevention measures, and through compliance with SCAQMD Rule 402, which requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. As specified in the SCAQMD's Rules and Regulations, the following shall be implemented during construction:
- a. All active portions of the construction site shall be watered every three hours during daily construction activities and when dust is observed migrating from the construction site to prevent excessive amounts of dust.
 - b. A construction relations officer shall be appointed to act as a community liaison concerning on-site construction activity including resolution of issues related to particulate matter generation.
 - c. During daily construction activities, unpaved access roads, parking areas, and staging areas shall be paved, or water shall be applied every three hours, non-toxic soil stabilizers applied. More frequent watering shall occur if dust is observed migrating from the site during site disturbance.
 - d. Any on-site stockpiles of debris, dirt, or other dusty material shall be enclosed, covered, watered twice daily, or non-toxic soil binders shall be applied.
 - e. All grading and excavation operations shall be suspended when wind speeds exceed 25 miles per hour.
 - f. Disturbed areas shall be replaced with ground cover or paved immediately after construction is completed in the affected area.
 - g. Track-out devices such as gravel bed track-out aprons (3 inches deep, 25 feet long, 12 feet wide per lane and edged by rock berm or row of stakes) shall be provided to reduce mud/dirt trackout from unpaved truck exit routes. Alternatively, a wheel washer shall be used at truck exit routes.
 - h. On-site vehicle speed shall be limited to 15 miles per hour.
 - i. Before departing the construction site, all material to be transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.

- j. Construction trucks shall be rerouted away from congested streets or sensitive receptor areas.
 - k. Construction drawings shall specify SCAQMD Rule 402 and Rule 403 requirements.
7. To reduce ROG emissions resulting from application of architectural coatings, the contractor for future development exceeding the SCAQMD construction thresholds shall implement the following measures during construction:
 - a. High-pressure-low-volume (HPLV) paint applicators with a minimum transfer efficiency of at least 50 percent shall be used;
 - b. Coatings and solvents used shall have a ROG content lower than required under Rule 1113; and
 - c. Pre-painted construction materials shall be used.
 8. If the contractor discovers unknown wastes or suspect materials during construction that are believed to involve hazardous waste or materials, the contractor shall: Immediately cease work in the suspected contaminant's vicinity, and remove workers and the public from the area; Notify the City's Project Engineer; Secure the area as directed by the Project Engineer; and Notify the implementing agency's Hazardous Waste/Materials Coordinator. The Hazardous Waste/Materials Coordinator shall advise the responsible party of further actions that shall be taken, if required.
 9. To reduce construction-related noise impacts, Project applicants shall require construction contractors to implement a site-specific Noise Reduction Program, which includes the following measures, ongoing through demolition, grading, and/or construction: Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds), wherever feasible. Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electronically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler shall be used (this muffler can lower noise levels from the exhaust by up to approximately 10 dBA). External jackets on the tools themselves shall be used where feasible (this can achieve an approximately 5.0- dBA reduction. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible. Stationary construction-related noise sources shall be located as far from adjacent sensitive receptors as possible, and they shall be muffled and incorporate insulation barriers, or other measures to the extent feasible.
 10. 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.
 11. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
 12. 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.
 13. 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.

14. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
15. The applicant shall be responsible for erosion and dust control during construction phases of the project.
16. 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

17. A declaration of Covenants, Conditions and Restrictions (CC&R's) shall be prepared establishing a Master Property Owner Association subject to the City's Planning Division and City Attorney's Office review and approval. Such declaration shall set forth provisions for maintenance of all common open space areas, and all other privileges and responsibilities of the common ownership. The CC&R's shall include provisions prohibiting the Master Property Association (MPA) from quitclaiming, selling, or otherwise transferring the land held in common ownership to private property owners. The CC&Rs shall contain the following conditions and restrictions:
 - a. Establish a Master Property Owners Association (MPA);
 - b. The MPA shall be responsible for common maintenance of all open space, private drainage easements, and well as the implementation of water quality management facilities on each lot; and
 - c. Reciprocal parking and access agreements shall be provided between all lots.
18. 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.
19. 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 landscape screening.
20. A photometric study and manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas, parking lots and pedestrian paths shall be submitted with the exterior lighting plan.
 - a. 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);

- b. The light sources shall be hooded and shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties and public rights-of-ways;
 - c. If lights are proposed to be mounted on buildings, down-lights shall be utilized;
 - d. Light poles shall not exceed 14 feet in height, including the height of any concrete or other base material, within 50-feet of residential property lines to north of the subject property line, otherwise light standards shall not exceed 20 feet in height, including the height of any concrete or other base material; and
 - e. For safety, all pedestrian paths shall be adequately lighted throughout the project.
21. Landscape and Irrigation Plans shall be submitted for Planning staff approval. Separate application and filing fee are required. Design modifications may be required as deemed necessary. Landscape plans shall meet all development standards, including planting 1 tree per every 4 uncovered parking stalls.

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/property manager shall contact the Riverside Police Department to participate in the City's Crime Free Multi-Housing Program.

Standard Conditions

- 24. There shall be a one-year time limit in which to commence construction of the project beginning the day following approval by the Planning Commission unless a public hearing is held by City Council; in that event the time limit begins the day following City Council approval.
- 25. Entitlements may be granted time extensions by the Community & Economic Development Director, or their designee, up to a total of five years beyond the original approval expiration date prior to issuance of any building permits. At the exhaustion of Community & Economic Development Director approved extensions, the original Approving or Appeal Authority following a public hearing noticed pursuant to Section 19.670.040 (Notice of Hearing for Legislative Actions), may grant one final permit extension of up to two years. A public hearing notification fee is required of the applicant in such case, in addition to a time extension fee. Once a building permit has been issued, the development will be considered vested and time extensions are no longer needed.
- 26. Prior to the expiration of the entitlements, if building permits have not been obtained, a time extension request shall be submitted to the Planning Division. 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 ENTITLEMENT.**
- 27. 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.

28. 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.
29. Enumeration of the conditions herein shall not exclude or excuse compliance with all applicable rules and regulations in effect at the time this permit is exercised.

Public Works

Conditions to be fulfilled prior to issuance of building permits unless otherwise noted:

30. Prior to Building Permit Issuance, the Developer shall complete a lot line adjustment to consolidate the project site parcels to the satisfaction of the Planning Division and Public Works Department.
31. Storm Drain construction will be contingent on engineer's drainage study.
32. Installation of sewers and sewer laterals to serve this project to Public Works specifications. If existing private sewer to be utilized a plan and video inspection will be required to be reviewed and approved. All sewer to be private all the way to connection to public main.
33. On site plan submitted to Forestry, provide linear footage labels, clearly marked, along each parcel line.

Add the following notes to the landscape plans and email PDF for review and approval to Tree Inspector (gtanaka@riversideca.gov):

PROTECT IN PLACE existing Street Trees in PUBLIC RIGHT-OF-WAY. If existing Street Trees are found to be missing, dead or in poor condition they must be replaced with 24" box size tree(s) to match existing. Tree Inspector to determine disposition of Street Trees during site inspection after fine grading and any hardscape installation is complete. Planting, staking, irrigation, root barriers to Landscape & Forestry specifications.

34. Off-site improvement plans to be approved by Public Works prior to building permit issuance.
35. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to building permit issuance.
36. All Trash Enclosures per City Standards. No Tandem enclosure allowed.
37. 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.

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.

38. 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.
39. 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.
40. 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.
41. Prior to building or grading permit closeout or the issuance of a certificate of occupancy or certificate of use, the applicant shall:
 - a. Demonstrate that all structural BMP's described in the project specific WQMP have been constructed and installed in conformance with approved plans and specifications;
 - b. Demonstrate that applicant is prepared to implement all non-structural BMP's described in the approved project-specific WQMP; and
 - c. Demonstrate that an adequate number of copies of the approved project-specific WQMP are available for the future owners/ occupants.
42. Prior to Building Permit Issuance, the Developer shall complete a lot line adjustment to consolidate the project site parcels to the satisfaction of the Planning Division and Public Works Department.
43. Encroachment permit required from RCFC and Water Conservation District prior to storm drain connection.

44. The project shall install accessible pedestrian push buttons at the following intersections to provide safer pedestrian access to the project residents to nearby commercial centers:
 - a. Tyler Street at Magnolia Avenue
 - b. Banbury Drive at Magnolia Avenue

Fire Department

Prior to issuance of building permits:

45. An automatic fire sprinkler system is required by City Ordinance 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 certificated 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.

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 N.F.P.A. 72.

Contact the Riverside Public Utilities Department at (951) 826-5285 for the requirements for the dedicated fire service and backflow requirements.

46. The Riverside Municipal Code, Section 16.36.010 to 16.36.090 requires a Public-Safety Radio Amplification System in:
 - a. New buildings greater than fifty thousand (50,000) square feet.
 - b. In existing buildings greater than fifty thousand (50,000) square feet when modifications or repairs exceed fifty percent (50%) of the value of the existing building(s) and are made within any twelve (12) month period or the usable floor area is expanded or enlarged by more than fifty percent (50%).
 - c. All basements where the occupant load is greater than fifty (50), regardless of the occupancy, or sub-level parking structures over ten thousand (10,000) square feet.

Plans shall be submitted to the Riverside Police Communication Analyst (951) 353-7270, for review and approval. The Riverside Police Communication Analyst will conduct an acceptance test of the system and a copy of the report shall be forwarded to the Fire Department.

47. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
48. Construction plans shall be submitted and permitted prior to construction.
49. Fire Department access shall be maintained during all phases of construction.
50. All required private hydrants shall be in service and fire flow available prior to building permit release by the Fire Department. Violation of this requirement may result in citations that require a court appearance to be issued.
51. Fire access shall comply with our turning radius per the information bulletin provided.
52. Provide for Fire Department vehicle access to within one hundred and fifty (150) feet of all portions of all exterior walls of all structures. This measurement shall be based on the path of travel as determined by the Fire Department.

Public Utilities – Water

53. Prior to issuance of grading permit, all on-site public waterlines shall be abandoned, and affected services of neighboring properties relocated.
54. Prior to issuance of building permit applicant shall submit a composite water plan to the water department for the installation of new services to serve the project.
55. All water services required for the project will be located at the Magnolia Avenue frontage.

Public Utilities – Electric

Prior to issuance of building permits:

56. 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.
57. Easements & any associated fees will be acquired during the design process.
58. 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.
59. BLANKET PUE will be required over the whole parcel for this project.
60. 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.
61. 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.
62. Plot existing electrical distribution facilities on the original site plan.
63. Please show proposed location of transformers and service panel locations.
64. Multiple structures will be required to serve this site (2) PMS, PJC, & (2 to 3 transformers).

Parks, Recreation and Community Services

Prior to issuance of building permits:

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