



Community & Economic Development Department


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Planning Division

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PLANNING COMMISSION HEARING DATE: JULY 18, 2024  
AGENDA ITEM NO. 4

PROPOSED PROJECT

Case Numbers	PR-2022-001359 (GPA, SPA, RZ, PM, DR, EIR)	
Request	<p>To consider the following entitlements for the construction of a multi-family residential development consisting of 347 residential units:</p> <ol style="list-style-type: none"><li>1. General Plan Amendment to amend the land use designation of the project site from C – Commercial to MU-U – Mixed Use-Urban;</li><li>2. Specific Plan Amendment to revise the Mission Grove Specific Plan and establish a Mixed-Use Urban category for the subject site, and minor text modifications;</li><li>3. Zoning Code Amendment to rezone the project site from CR-SP – Commercial Retail and Specific Plan (Mission Grove) Overlay Zones to MU-U-SP – Mixed-Use – Urban and Specific Plan (Mission Grove) Overlay Zones;</li><li>4. Tentative Parcel Map (38598) to modify Parcel Map 36320 to create two parcels for financing and conveyance purposes;</li><li>5. Design Review for site design and building elevations; and</li><li>6. Environmental Impact Report.</li></ol>	
Applicant	Michelle Rubin of Regional Properties, Inc	
Project Location	Located at 375 Alessandro Boulevard, generally situated on the northwest corner of Mission Grove Parkway and Mission Village Drive, south of Alessandro Boulevard.	
APN	276-110-018	
Project Area	9.92-acres	
Ward	4	
Neighborhood	Magnolia Center	
General Plan Designation	C - Commercial	
Zoning Designation	CG – Commercial General	
Specific Plan	Mission Grove Specific Plan	
Staff Planner	Veronica Hernandez, Senior Planner 951-826-3965 <a href="mailto:vhernandez@riversideca.gov">vhernandez@riversideca.gov</a>	

## RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **RECOMMEND** to approve (or in the alternative deny) Planning Case PR-2022-001359 (GPA, SPA, RZ, PM, DR, EIR).

If the Planning Commission recommends the project, then:

2. **RECOMMEND** that the City Council find:
  - a. The Draft Environmental Impact Report has been completed in compliance with the California Environmental Quality Act (CEQA);
  - b. The project will have a significant effect on the environment; but
  - c. There are no feasible alternatives to the project or mitigation measures that will avoid or substantially lessen the significant environmental effects as identified in the Draft EIR for project-specific significant and unavoidable impacts to hazards/hazardous materials, land use/planning, and transportation; and
3. **RECOMMEND TO APPROVE** Planning Case PR-2022-001359 (GPA, RZ, SPA, PM, DR, EIR), based on the facts for findings outlined and summarized in the staff report, and subject to the recommended conditions and mitigation measures (Exhibits 1 and 2).

## SITE BACKGROUND

The project site consists of a single 9.92-acre parcel, developed with a vacant 104,321-square foot former retail store (K-Mart), constructed in 1991. K-Mart ceased business operations in October of 2020. The building has remained largely vacant, with intermittent leases for businesses of a temporary nature. The remainder of the site is developed with a large asphalt surface parking lot and landscaping (Exhibit 3).

The project site is part of the larger 70-acre Mission Grove Plaza Shopping Center, which is developed with a variety of commercial uses including retail and restaurants, two grocery stores, and a movie theatre. Surrounding uses include commercial to the north, west, and east (across Mission Grove Parkway, and single-family residential to the south (across Mission Village Drive) (Exhibit 4).

On September 14, 2023, the project was heard by the Riverside County Airport Land Use Commission (ALUC). The project was found to be inconsistent with the Airport Land Use Compatibility Plan, as discussed in the March Air Reserve Base (MARB) Land Use Compatibility Plan section of the report below. Although found to be inconsistent, the General Plan and Zoning Code allow the City to overrule the Airport Land Use Commission inconsistency determinations consistent with California Utilities Code § 21670.

## PROPOSAL

The applicant requests approval of the following entitlements to construct a multi-family residential development: 1) General Plan Amendment to amend the land use designation of the project site from C – Commercial to MU-U – Mixed Use-Urban; 2) Specific Plan Amendment to revise the Mission Grove Specific Plan and establish a Mixed Use Urban category for the subject site; 3) Zoning Code Amendment to rezone the project site from CR-SP – Commercial Retail and Specific Plan (Mission Grove) Overlay Zones to MU-U-SP – Mixed-Use – Urban and Specific Plan (Mission Grove) Overlay Zones; 4) Tentative Parcel (38598) to modify Parcel Map 36320 to create two parcels for financing and conveyance purposes; and 5) Design Review for site design and building elevations.

### **Multi-Family Residential**

A total of 347 residential apartment units in five, 4-story stacked unit buildings are proposed. The complex includes 24 studio, 133 one-bedroom, 180 two-bedroom, and 10 three-bedroom units. Units range in size from 576 to 1,368 square feet. Private balconies or patios, ranging in size from 50 to 67 square feet, are attached to each unit.

Common useable open space totals 28,611 square feet and includes a recreational pool court with barbecue facilities, dog park, clubhouse, and fitness center.

A total of 513 parking spaces are provided for the project, with over 75% in either fully enclosed garages or under covered carports. Should additional parking be needed, an additional 91 parking spaces will be provided through a shared parking agreement with the adjacent commercial center for guest and overflow parking.

### **Vehicular and Pedestrian Site Access**

Primary vehicular access is provided via an existing driveway along Mission Grove Parkway. A resident-only entry is provided on Mission Village Drive. An internal access drive is provided on the west side of the property that connects with the rest of Mission Grove Plaza. Finally, an exit-only driveway is provided further south on Mission Grove Parkway.

The proposal includes an extensive pedestrian network of walkways throughout the project. Residences within the development have multiple pedestrian connections to the commercial center to the west, and to the signalized intersection for additional commercial amenities and conveniences to the east of the project site. The main access point from the project site to the commercial center includes enhanced paving, landscaping, an entry portal architecture feature, and enhanced decorative lighting to provide a safe and welcoming connection between the two properties.

### **Construction**

Construction is anticipated to take approximately 28 months; it is expected that the project will be fully built and open in 2028. Construction activity will consist of demolition of the existing building, site preparation and grading, building construction, paving, and landscaping.

## **PROJECT ANALYSIS**

### ***Authorization and Compliance Summary***

#### **General Plan 2025**

The project proposes to amend the General Plan Land Use designation from C – Commercial to MU-U – Mixed Use-Urban (Exhibit 5). The MU-U land use designation provides opportunities for high-density residential development with commercial, office, institutional 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 integrates design features to be consistent with the following Land Use policies, goals and objects:

#### **Consistent**

- *Objective LU-8* Emphasize smart growth principles through all steps of the land development process (mix land uses; take advantage of compact building design; create a range of housing opportunities and choices; create walkable neighborhoods; foster distinctive, attractive communities with a strong sense of place).

- *Policy LU-8.2* Avoid density increases or intrusion of nonresidential uses that are incompatible with existing neighborhoods.
- *Policy LU-8.3* Allow for mixed-use development at varying intensities at selected areas as a means of revitalizing underutilized urban parcels.
- *Objective LU-9* Provide for continuing growth within the General Plan Area, with land uses and intensities appropriately designated to meet the needs of anticipated growth and to achieve the community's objectives.
- *Policy LU-9.3* Designate areas for urban land uses where adequate urban levels of public facilities and services exist or are planned, in accordance with the public facilities and service provisions policies of this General Plan.
- *Policy LU-9.4* Promote future patterns of urban development and land use that reduce infrastructure construction costs and make better use of existing and planned public facilities when considering amendments to the Land Use Policy Map.
- *Policy LU-9.5:* Encourage the design of commercial developments as "integrated centers," rather than as small individual strip development. Integrate pedestrian access, parking, access, building design and landscape themes across all parcels in the commercial center to unify the development.
- *Policy LU-9.7* Protect residentially designated areas from encroachment by incompatible uses and from the effects of incompatible uses in adjacent areas. Uses adjacent to planned residential areas should be compatible with the planned residential uses and should employ appropriate site design, landscaping and building design to buffer the non-residential uses.
- *Objective LU-28* Preserve and enhance the quality and character of Riverside by ensuring compliance with all relevant codes and regulations.
- *Policy LU-28.2* Encourage the rehabilitation or replacement of dilapidated housing units and buildings, discouraging further deterioration. Where necessary, seek to remove unsafe structures.

#### Potentially Inconsistent

- *Objective LU-22* Avoid land use/transportation decisions that would adversely impact the long-term viability of the March Air Reserve Base/March Inland Port, Riverside Municipal and Flabob Airports.
- *Policy LU-22.3* Work to limit the encroachment of uses that potentially pose a threat to continued airport operations, including intensification of residential and/or commercial facilities within identified airport safety zones and areas already impacted by current or projected airport noise.
- *Policy LU-22.7* Prior to the adoption or amendment of the General Plan or any specific plan, zoning ordinance or building regulation affecting land within the airport influence areas of the airport land use compatibility plan for Riverside Municipal Airport, Flabob Airport or March Air Reserve Base/Inland Port Airport, refer such proposed actions for determination and processing by the ALUC as provided by Public Utilities Code Section 21670.
- *Objective LU-69:* Complete buildout of the Mission Grove Specific Plan, encouraging development that can harmoniously co-exist near the March Airport facility.

- *Policy LU-69.3:* Work cooperatively with the March Joint Powers Authority to ensure compatibility of land uses.

While, the project is consistent with a number of policies, objectives and goals, the development is also inconsistent with the following objectives and policies:

- *Policy LU-22.2* Work cooperatively with the Riverside County Airport Land Use Commission in developing, defining, implementing, and protecting airport influence zones around the MARB/MIP, Riverside Municipal and Flabob Airports and in implementing the new Airport Land Use Compatibility Plan.
- *Policy LU-29.1:* Do not permit further amendments to the Mission Grove Specific Plan that would increase the residential density of the neighborhood or otherwise conflict with ongoing safe operations at March Air Reserve Base/Inland Port as called out in the Riverside County Airport Land Use Compatibility Plan.
- *Policy CCM-11.1:* Protect flight paths from encroachment by inappropriate development using the Riverside County Airport Land Use Compatibility Plan and the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan to determine the consistency of proposed development
- *Policy CCM-11.2:* Limit building heights and land use intensities beneath airport approaches and departure paths to protect public safety consistent with the Riverside County Airport Land Use Compatibility Plan, the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, and all other applicable State and Federal regulations.
- *Policy PSE-3:* Minimize the risk of potential hazards associated with air and ground transportation.

As noted above the project is both consistent and inconsistent with policies, goals and objectives within the General Plan. In this case, inconsistencies are primarily related to those policies related to the March Air Reserve Base (MARB) and Airport Land Use Compatibility standards. The General Plan and Zoning Code grants local agencies the ability to overrule ALUC inconsistency determinations consistent with California Utilities Code § 21670. The following should also be taken into consideration:

- The project would increase the diversity in housing types in the Mission Grove, Alessandro Heights, and Canyon Crest neighborhoods by providing multi-family residences within a commercial center to create a mixed-use development, promoting the overall objectives of the housing element.
- The site is located within a dense urban area, with little to no undeveloped land within proximity to the project site.
- The site is currently developed with a large retail store, with a building height of approximately 33 feet.
- The project would redevelop an underutilized, functionally vacant site with a well-planned, infill development in a strategic location.
- The area surrounding the project site is substantially developed with residential and commercial uses in Airport Zone C2.
- The proposed project would transform a blighted site into a high-quality project, with a new residential community creating a mixed-use commercial center with convenient access to amenities, shopping, dining, and entertainment.

<ul style="list-style-type: none"> <li>• The project would provide 347 residential units that would be credited towards the City's RHNA requirement of 18,415 housing units.</li> </ul>
<p><b>Mission Grove Specific Plan</b></p> <p>The project proposes a Specific Plan Amendment to revise the Mission Grove Specific Plan and establish a Mixed-Use Urban category for the subject site (Exhibit 6). The proposed Mixed-Use – Urban category will allow for high-density residential development and be consistent with the underlying Mixed-Use – Urban Land Use Designation. The proposed Specific Plan Amendment also includes text modifications to update tables, graphics, and descriptions, as well as provide development standards for the Mixed-Use-Urban category (Exhibit 9).</p> <p>The project will be consistent with the proposed Mixed-Use – Urban Zone and all applicable development standards of the Specific Plan.</p>
<p><b>Zoning Code Land Use Consistency (Title 19)</b></p> <p>The project proposes to rezone the project site from CR-SP – Commercial Retail and Specific Plan (Mission Grove) Overlay Zones to Mixed-Use – Urban and Specific Plan (Mission Grove) Overlay Zones (Exhibit 7). The project as designed is consistent with the proposed MU-U – Mixed-Use-Urban Zone, as the zone will be consistent with the proposed MU-U – Mixed Use-Urban General Plan Land Use designation. The MU-U Zone provides for high-density residential development with commercial, office, institutional, and business uses emphasizing retail, entertainment, and student-oriented activities. It is intended to facilitate the grouping of innovative housing options with employment uses, entertainment activities, and public gathering spaces, transit stations and other community amenities, such as art in public spaces.</p> <p>The project has been designed to be consistent with the purpose of the Mixed Use Zones:</p> <ul style="list-style-type: none"> <li>• To encourage a mixture of compatible and synergistic land uses, such as residential with compatible nonresidential uses including office, retail, personal services, public spaces and other community amenities;</li> <li>• To strengthen the interaction between residential, commercial and employment uses in order to reduce dependency on automobiles, improve air quality, decrease urban sprawl, facilitate use of transit and encourage conservation of land resources;</li> <li>• To revitalize deteriorating commercial areas by integrating residential uses into the commercial fabric to create an active street life and enhance the vitality of businesses;</li> <li>• To foster pedestrian-oriented activity nodes by providing a mix of uses in compact, walkable areas;</li> <li>• To increase the area available for residential development and provide alternative types of housing;</li> <li>• To encourage medium- and high-density residential development to occur in close proximity to employment and services; and</li> <li>• To allow for a greater variety of land uses and structures, including flexibility in site planning.</li> </ul> <p>As designed, the project strengthens the interaction between the proposed mix of uses, creating a pedestrian-oriented environment while ensuring the overall design and proposed uses are compatible with uses in the surrounding neighborhoods by incorporating enhanced pedestrian connections to adjacent commercial uses, and siting buildings further from existing</p>

single-family residential to the south. As proposed the project is consistent with the purpose and all applicable development standards of the Zoning Code.

#### ***Subdivision (Title 18)***

The project proposes a Parcel Map (No. 38598) to subdivide the 19.27-acre Parcel 1 of Parcel Map 36320 into two parcels (Parcel 1 – 9.92 acres, Parcel 2 – 9.35 acres) for financing and conveyance purposes. As proposed, the Parcel Map meets the minimum standards of the Subdivision Code and lot standards of the MU-U – Mixed Use-Urban Zone.

#### ***Grading Code (Title 17)***

The subject site is relatively flat and currently slopes from the northeast to the southwest. Grading would require a maximum cut and fill of 5 feet under the buildings. Proposed grading activities anticipate 5,188 cubic yards of cut and 5,950 cubic yards of fill on site, with a net soil import of 832 cubic yards. The project is consistent with all development standards of the Grading Code.

#### ***Riverside County Airport Land Use Compatibility Plan***

The proposed project is located within Airport Compatibility Zone C2 (Flight Corridor Zone) of the March Air Reserve Base Influence Area (Exhibit 8). Each Airport Land Use Compatibility Zone contains specific development standards. Due to the project's request for a General Plan Amendment and Rezone the project was required to be reviewed by the Airport Land Use Commission (ALUC) (Case Number ZAP1548MA22). On September 14, 2023, the Airport Land Use Commission (ALUC) deemed the project inconsistent as follows (Exhibit 12):

- The project's proposed residential density of 35.0 dwelling units per acre is inconsistent with the Zone C2 maximum residential density criteria of 6.0 dwelling units per acre.
- The project's proposed Mixed-Use – Urban land use designation and zoning as well as the Specific Plan Amendment allow for a maximum 40.0 dwelling units per acre, which is inconsistent with the Zone C2 maximum residential criteria of 6.0 dwelling units per acre. Additionally, the project is inconsistent with the City's adopted General Plan and Zoning Ordinance.

As noted above the project is inconsistent with standards set forth by ALUC for the March Air Reserve Base. While the inconsistencies exist, the General Plan, Zoning Code and California Government Code § 21676 grants local agencies (City Council) the ability to overrule inconsistency determinations, with that the following should also be taken into consideration:

- The Project will not affect the orderly expansion of the March Air Reserve Base (MARB).
  - The Project is consistent with residential development surrounding MARB, specifically in Zone C2 and will not result in the encroachment of incompatible residential densities affecting current or future MARB operations. The Project involves the redevelopment of an underutilized commercial parcel with a multifamily residential development. The Project's proposed General Plan designation and zoning designation of Mixed Use-Urban is consistent with surrounding development and would assist in transitioning land use between commercial and single-family residential uses.
  - The Project site is located within the Mission Grove Plaza shopping center and is bordered on the north, west, and east (across Mission Grove Parkway) by shopping centers, which have a General Plan Land Use Designation of C – Commercial and is zoned CR-SP – Commercial Retail and Specific Plan (Mission Grove) Overlay Zones and is developed with retail uses. Multi-family residences are located further north (across Alessandro Boulevard), which have a General

Plan Land Use Designation of HDR – High-Density Residential and are zoned R-3-3000-SP – Multi-Family Residential and Specific Plan (Mission Grove) Overlay Zones. The project site is bordered on the south by a single-family residential neighborhood (across Mission Village Drive), which has a General Plan Land Use Designation of Medium High-Density Residential (MHDR) and is zoned R-1-7000-SP – Single-Family Residential and Specific Plan (Mission Grove) Overlay Zones).

- The surrounding residential uses exceed the 6.0 dwelling units per acre requirement of Zone C2. Of note, several multi-family residential uses are located in Zone C2, near the Project. Mission Villas Condominium complex (located at 200 E. Alessandro Boulevard), Mission Grove Park Apartments (located at 7450 Northrop Drive), and Estancia (located at 7871 Mission Grove Parkway South) are within proximity to the Project Site; Mission Grove Park Apartments and Estancia are both located closer to MARB than the project site. Mission Grove Park consists of 432 units and has a density of 16 dwelling units per acre; Estancia consists of 208 units and has a density of 17.3 dwelling units per acre. The project is consistent with other multi-family residential developments in the C2 Zone.
- Additionally, the Project consists of infill development of an underutilized commercial site. The vast majority of properties within Zone C2 have been built out, single-family residences. Few infill sites, such as the Project, are available for development. As such, the Project would not encourage other developments to exceed Zone C2 density standards or encroach upon MARB operations.
- The project minimizes the public's exposure to excessive noise and safety hazards within areas around the RMA.
  - The Project is consistent with the aircraft noise standards of the ALUCP and the requirements of PUC Section 21670.
    - The MARB ALUCP provides the CNEL considered normally acceptable for new residential uses in the vicinity of MARB is 65 dBA. (ALUCP, § 2.3(a)). The Project site is approximately 3.3 miles from the end of Runway 14-30 at MARB. The MARB ALUCP depicts the site as being below the 60 CNEL range from aircraft noise. Therefore, ALUC found no special measures were required to mitigate aircraft-generated noise. Because the Project is consistent with the noise standards in the MARB ALUCP, the Project also complies with the noise standards in the City of Riverside General Plan. (General Plan Noise Element, Figure N-10.) While multifamily or mixed uses are not defined in the City's General Plan Noise Element, the "normally acceptable" noise level for an infill single family residential use is between 55 and 65 dBA CNEL. Accordingly, noise exposure from MARB would not exceed normally acceptable levels for the Project site.
    - The Project will comply with Riverside Municipal Code requirements regarding construction noise and will not compound noise related to MARB operations. All construction would take place between 7:00 a.m. and 7:00 p.m. on weekdays, 8:00 a.m. and 5:00 p.m. on Saturdays, and would not take place at any time on Sunday or a federal holiday. (RMC, § 7.35.020). The Project will utilize standard construction techniques to ensure interior noise levels from aviation-related sources are no more than CNEL 40 dB (ALUC, § 2.3(b)(1)).



- The Project will also comply with ALUC noticing conditions and will provide a "Notice of Airport in Vicinity" to all prospective purchasers and occupants of the property.
- The Project does not propose any uses specifically prohibited or discouraged in Compatibility Zone C2 (highly noise-sensitive outdoor nonresidential uses or hazards to flight), such as major spectator-oriented sports stadiums, amphitheaters, concert halls and drive-in theaters.
- The Project will have no impact on Federal Aviation Administration Federal Aviation Regulations (FAA FAR) Part 77.
  - The FAA FAR Part 77 Surface Map is a map used by the FAA and the ALUC to identify potential obstructions and hazards to aviation traffic. The ALUC uses the map as a height restriction boundary for purposes of making consistency determinations with its ALUCP. The elevation of Runway 14-32 at its northerly terminus is 1,535 feet above mean sea level ("AMSL"). At a distance of approximately 17,464 feet from the project to the nearest point on the runway, FAA review would be required for any structures with top of roof exceeding 1,710 feet AMSL. The site's highest finished floor elevation is approximately 1,595 feet AMSL with the highest proposed building height at 56 feet, resulting in a top point elevation of roughly 1,651 feet AMSL. Therefore, review of the building for height/elevation reasons by the FAA Obstruction Evaluation Service ("FAAOES") is not required.
- The Project will not impose a safety hazard due to height.
  - The Project proposes to develop five, 4-story residential apartment buildings with a maximum height of 57 feet, 2 inches. This is below the Mixed-Use – Urban Zone maximum height of 60 feet (RMC § 19.120.050) and well below the current CR - Commercial Retail Zone maximum height of 75 feet (RMC § 19.110.030). Development of the Project, as well as the proposed General Plan Amendment and change of zone, will result in a reduced maximum height than what currently exists for the site and for any project that could potentially be developed onsite if the current zoning is maintained. Thus, the Project will not create an obstruction or hazard to air navigation within the meaning of 14 C.F.R. Part 77 nor does it create a safety hazard pursuant to PUC Section 21670.
- The Project is consistent with non-residential density calculations.
  - The project proposed to construct a 347-unit multi-family development with recreational amenities including 2,963 square feet of leasing office area, 1,001 square feet of pool area, 1,293 square feet of club area, and 2,386 square feet of fitness area. ALUC found this non-residential square footage accommodates a total occupancy of 311 people, resulting in an average intensity of 31 people per acre, which is consistent with Zone C2 average intensity criterion of 200 people per acre.
  - The project is also consistent with non-density residential requirements calculated by using the parking spaces provided by the Project. ALUC calculated average intensity by multiplying the number of parking spaces provided or required (whichever is greater) by average vehicle occupancy (assumed to be 1.5 persons per vehicle). ALUC misstated the

number of spaces provided by the project and found that based on the number of parking spaces provided (misstated as 347 standard vehicles), the total occupancy would be estimated at 521 people for an average intensity of 53 people per acre, which is consistent with the Zone C2 intensity criterion of 200 people per acre.

However, the project provides 604 parking spaces. As such, using ALUC's methodology, the total occupancy would be estimated at 906 people, for an average intensity of 91 people per acre. This remains considerably lower than Zone C2 average intensity criterion of 200 people per acre. Thus, while the unit count may exceed ALUC's residential density requirements, the actual number of people onsite would be much lower than what ALUC would allow in Zone C2 if this were a commercial development, and accordingly would not impose a safety impact due to the intensity of people onsite in the event of an emergency.

- The Project will not utilize equipment that would interfere with aircraft communications.
  - There are no radar transmission or receiving facilities within the site. The Project's solar panels are low profile and present little risk of interfering with radar transmission. In addition, solar panels do not emit electromagnetic waves over distances that could interfere with radar signal transmissions, and any electrical facilities that do carry concentrated current will be buried beneath the ground and away from any signal transmission.
- The Project site is currently a part of the Mission Grove Plaza Shopping Center and will continue to share parking spaces with the commercial development upon Project implementation. As such, ample open space is provided adjacent to the Project in the event an aircraft requires an emergency landing.
- While ALUC deemed the project inconsistent with the ALUC Compatibility Plan, Conditions of Approval were provided in the event the City Council approved the project and overrule request. The Project will comply with all feasible recommended ALUC conditions, as outlined below:
  - The Project will comply with the recommended ALUC conditions of approval, including restrictions on outdoor lighting, prohibited uses, and notices and informational brochures for prospective purchasers and tenants.
  - The Project will also comply with recommended conditions related to light and glare with minor modifications to continue to ensure safety but allow for flexibility in the ultimate design of the Project's required solar panels.
    - Condition 7 Solar Arrays – The applicant is seeking to modify this condition to allow annual daylight minutes to deviate from the provided solar glare study up to a maximum of 20 percent, consistent with ALUC policy. If the updated solar glare study results in a) more than 20 percent of annual solar glare limits, b) any glare impacting the traffic control tower, or c) creation of any "yellow" or "red" level glare in flight paths, then the amended project shall require a new hearing by the Airport Land Use Commission.

As a matter of information, the applicant appealed ALUC's determination, which includes the inconsistency determinations and recommended conditions of approval, in the event Council

overrules ALUC'S determination. While information pertaining to the appeal has been included to provide additional information about the inconsistencies and justifications, City Council is the acting and determining body on the appeal request.

#### **Compliance with Citywide Design & Sign Guidelines**

The proposed project substantially meets the design development standards for Mixed Use developments and the objectives of the Citywide Design Guidelines for new residential development related to building siting and orientation, massing, articulation and architectural treatment, parking layout, and landscaping.

The proposed project has been designed in a contemporary Spanish style incorporating smooth finish stucco with score lines, concrete "S" roof tiles, decorative stone veneer, and extended roof overhangs with corbels. Enhanced decorative iron details at roof vents, decorative tiles at project entries, and foam trims, sills, and trellises provide additional detail. Varying rooflines break up the vertical mass of the buildings, and the project is sited to provide the most distance possible from adjacent single-family residences to the south (across Mission Village Drive).

Enhanced pedestrian walkways through the development connect residences with centrally located project amenities and community services, including the leasing office, club room, pool court, and dog park. Additional walkways provided enhanced pedestrian entry to the adjacent commercial center.

### **COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS**

<b>Mission Grove Specific Plan and Riverside Municipal Code, Chapter 19.120 – Development Standards for the MU Zone</b>				
<b>Standard</b>		<b>Proposed</b>	<b>Consistent</b>	<b>Inconsistent</b>
<b>Residential Density</b>	40 du/ac	34.9 du/ac	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Minimum Lot Size</b>	20,000 square feet	Parcel 1 - 432,115 square feet Parcel 2 - 407,286 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Lot Width</b>	80 feet	Parcel 1 - 474.58 feet Parcel 2 - 464.96 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Lot Depth</b>	100 feet	Parcel 1 - 613.9 feet Parcel 2 - 270.64 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Maximum Building Height</b>	60 feet	57 feet, 2 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Minimum Building Setbacks</b>	Front	Mission Grove Parkway 0-foot building setback	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Front	Mission Village Drive 0-foot building setback	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Side Yard (North)	0-foot building setback	58 feet, 9 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Side Yard (West)	0-foot building setback	2 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Private Open Space</b>	50 square feet for at least 50% of the units		51-67 square feet per unit	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Common Open Space</b>	75 square feet /dwelling unit – 26,025 square feet		28,611 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Chapter 19.580 – Parking and Loading</b>					
<b>Standard</b>			<b>Proposed</b>	<b>Consistent</b>	<b>Inconsistent</b>
<b>Minimum Parking</b>	<b>Residential</b>				
	1 space per studio unit	24 units – 24 stalls	24 stalls	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	1.5 space per 1-bedroom unit	133 units – 200 stalls	200 stalls	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	2 spaces per 2-bedroom unit	180 units – 360 stalls	360 stalls	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	2 spaces per 3-bedroom unit	10 units – 20 stalls	20 stalls	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Total Project Parking</b>		513 stalls <sup>1</sup>	513* project stalls	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Covered Parking</b>	75 percent of stalls to be in a fully enclosed garage or carport.	513 stalls * 75 percent – 386 stalls	182 garage 204 carport 386 total covered spaces or 75 percent	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>1</sup> 15% Reduction in required parking for mixed-use projects permitted per Riverside Municipal Code Chapter 19.580.060.C.2

\* 91 Additional parking stalls will be provided on the adjacent commercial center through a shared parking agreement.

## FINDINGS SUMMARY

### *Zoning Code Map Amendment*

The proposal to apply the MU-U-Urban zoning to the site would allow for mixed-use development. The project meets the purpose of the MU Zones and the Zoning is consistent with the MU Land Use designation however, the zoning is not fully consistent with the goals, policies and objectives of the General Plan with respect and specific to those related to the March Air Reserve Base. It should be noted and as indicated above, the General Plan and Zoning Code allow for overrules of ALUC determination consistent with California Public Utilities Code § 21670 grants local agencies the ability to overrule inconsistency determinations. Specific to Zoning, the following should be taken into consideration:

- To encourage a mixture of compatible and synergistic land uses, such as residential with compatible nonresidential uses including office, retail, personal services, public spaces and other community amenities;
- To strengthen the interaction between residential, commercial and employment uses in order to reduce dependency on automobiles, improve air quality, decrease urban sprawl, facilitate use of transit and encourage conservation of land resources;
- To revitalize deteriorating commercial areas by integrating residential uses into the commercial fabric to create an active street life and enhance the vitality of businesses;
- To foster pedestrian-oriented activity nodes by providing a mix of uses in compact, walkable areas;
- To increase the area available for residential development and provide alternative types of housing;
- To encourage medium- and high-density residential development to occur in close proximity to employment and services; and
- To allow for a greater variety of land uses and structures, including flexibility in site planning.
- The project's density is well below ALUC's non-residential density calculations. While the unit count may exceed ALUC's residential density requirements, the actual number of people onsite would be much lower than what ALUC would allow in Zone C2 if this were a commercial development, and accordingly would not impose a safety impact due to the intensity of people onsite in the event of an emergency.

Based upon the above, the project would be consistent with the General Plan policies, goals and objectives if an overrule is granted. Further, the high-quality design of the site, building elevations and community gathering area will promote public health, safety, and general welfare, and will not adversely affect surrounding properties.

## ENVIRONMENTAL REVIEW

An Environmental Impact Report was prepared for the project and analyzed all impact categories, pursuant to Sections 15161 and 15126.6 of the CEQA Guidelines and City of Riverside Resolution No. 21106 (Exhibit 15). A Notice of Preparation (NOP) was circulated on October 28, 2022, with the review period ending November 28, 2022.

CEQA Guidelines indicate a Project EIR should focus primarily on the changes in the environment that would result from the project. The EIR should describe a range of reasonable alternatives to

the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.

The Draft EIR includes four alternatives to the project:

- Alternative 1 – No Development/Keep Existing Commercial Zoning;
- Alternative 2 – Lower Density ALUC Consistent Multi-Family Residential Project;
- Alternative 3 – Retail Project Alternative; and
- Alternative 4 – Off-Site Multi-Family Residential Project

The EIR concludes that none of the Alternatives would meet any or all of the Project objectives, or would result in greater impacts than the proposed project, and that with the exception of Hazards & Hazardous Materials, Land Use & Planning, and Transportation, all impacts related to the proposed project have been identified as less than significant or have been reduced to below the level of significance with mitigation. The following impacts would remain significant and unavoidable and a Statement of Overriding Considerations is required to be adopted by the City Council:

- Hazards & Hazardous Materials  
As outlined in Section 5.9 – Hazards and Hazardous Materials and Section 7.1.8 – Hazards and Hazardous Materials of the Draft EIR, implementation of the Project will result in an inconsistency with the Riverside County Airport Land Use Commission's policy regarding density of units. The inconsistency results in a significant and unavoidable impact.
- Land Use/Planning  
As outlined in Section 5.11 – Land Use and Planning of the Draft EIR, implementation of the Project will result in an inconsistency with the General Plan policies related to airport land use due to the project's inconsistency with Riverside County Airport Land Use Compatibility Plan policies. The inconsistencies will result in significant and unavoidable impacts.
- Transportation/Traffic  
As outlined in Section 5.17 – Transportation, the Project will result in transportation impacts related to Vehicle Miles Traveled (VMT). Implementation of project design features and Transportation Demand Management (TDM) measures may possibly reduce the Project's VMT by up to 17.7 percent but will not reduce the impact to a less than significant level. Therefore, the proposed project would have significant and unavoidable impacts.

As part of the Final Environmental Impact Report a Statement of Overriding considerations will be prepared for City Council's review and determination detailing the project's benefits that would override and outweigh the identified unavoidable impacts.

## **PUBLIC NOTICE, COMMUNITY MEETINGS, AND COMMENTS**

On November 2, 2022, staff held a virtual scoping meeting to inform the community an Environmental Impact Report (EIR) was being prepared for the proposed project, solicit input on the Scope of the EIR, provide information on the CEQA/EIR process, share an overview of the proposed project, and inform the community of all future opportunities for input.

Pursuant to CEQA, a 45-day review and comment period was provided from May 10, 2024, to June 24, 2024. A Notice of Availability was mailed to property owners within 300 feet of the project's sites and to various Federal, State, regional, and local government agencies, and other interested parties, including the agencies/interest groups that commented on the Notice of Preparation. The Notice of Availability was also published in the Press Enterprise.

During the 45-day comment period, staff received the following four comment letters (Exhibit 14):

1. Department of Toxic Substances Control (DTSC) – Recommends that:
  - a. The EIR should acknowledge the potential for historic and/or future uses to result in the release of hazardous wastes/substances on the project site and calls for further studies in such situations;
  - b. The City utilize an approved oversight on the DTSC's Certified Local Agencies List;
  - c. Imported soil and fill material should be tested to ensure any contaminants of concern are consistent with screen levels; and
  - d. Surveys be conducted of buildings to be demolished for lead, mercury, asbestos, and polychlorinated biphenyl caulk.
2. Agua Caliente Band of Cahuilla Indians – Request corrections to typographical errors misspelling "Agua Caliente" as "Aqua Caliente."
3. John Farnsworth – Concerns related to change in developer; mail delivery; proposal by March Air Reserve Base for a new cargo facility; past and future changes to the project; public use of amenities; Project Alternatives; community input; walkability; the proposed parcel map; CEQA guidelines and procedures; and potential impacts to cell phone reception, aesthetics, water supply, traffic, parking, waste management, airport land use compatibility, General Plan consistency, public safety and city resources, and noise.
4. California Department of Transportation, Aeronautics Program – Encourage consideration of a Proposed Project Alternative that would comply with the Riverside County ALUCP.

Additionally, during the 45-day comment period, staff received a total of 202 letters from a number of individuals associated with the Mission Grove Neighborhood Alliance (Exhibit 14).

These letters raise concerns relating to noticing and community input, Project Alternatives, traffic, parks, parking, population growth, cumulative impacts, utilities, views and aesthetics, Project Objectives, architecture and design, General Plan consistency, Zoning Code consistency, Specific Plan consistency, and ALUCP consistency.

A Notice of Public Hearing was mailed to property owners within 300 feet of the project sites after the 45-day comment period. The applicant also hosted two community meetings and attended multiple additional neighborhood interest groups' meetings regarding the project. As of the writing of this report, Staff has not received any comment letters.

Clarification on concerns expressed on the letters will be addressed in the Final EIR.

## STRATEGIC PLAN ALIGNMENT

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 multi-family residential development requires public hearings by the Planning Commission and City Council. Additionally, public comment is and was encouraged throughout the process; including through the Notice of Preparation, the project scoping meeting, the 45-day DEIR review period and at public meeting such as Riverside County Airport Land Use Commission, Planning Commission, and City Council.

2. Equity: The proposed multi-family residential development provides housing opportunities that benefit all residences in the community and region.
3. Fiscal Responsibility: All project costs are borne by the applicant.
4. Innovation: The proposed multi-family residential development meets the growing community's needs for increased housing opportunities while situating residents adjacent to community services and reducing vehicles miles traveled.
5. Sustainability and Resiliency: All new construction will meet the most up-to-date Building Codes. The proposed development is designed to meet the current and future needs of 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 Planning Division Public Information Section, 3rd Floor, City Hall.

## EXHIBITS LIST

1. Findings
2. Conditions of Approval
3. Existing Site Photos
4. Location Map
5. Existing and Proposed General Plan Map
6. Existing and Proposed Specific Plan Map
7. Existing and Proposed Zoning Map
8. Airport Land Use Compatibility Zones
9. Specific Plan Text Amendment – Redline
10. Specific Plan Text Amendment - Clean
11. Project Plans (Site Plan, Parking Allocation Plan, Fire Access Plan, Open Space Plan, Floor Plans, Building Elevations, Colors and Materials, Conceptual Landscape Plans, Wall and Fence Plans, Photometric Lighting Plan, Conceptual Grading Plans, Tentative Parcel Map)
12. Airport – Riverside County Airport Land Use Commission (ALUC) Report
13. Western Municipal Water District Conditions of Approval
14. Public Comment Letters – 45-day Comment Period DEIR
15. Draft Environmental Impact Report – City's Website  
<https://riversideca.gov/cedd/planning/development-projects-and-cega-documents>

Draft EIR – Also on File at:

- City's Community & Economic Development Department, 3900 Main Street, Riverside, CA 92522;
- Main Riverside Public Library, 3911 University Avenue, Riverside, CA 92501; and
- Orange Terrance Library, 20010-B Orange Terrace Parkway, Riverside, CA 92508.

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Prepared by: Veronica Hernandez, Senior Planner  
Reviewed by: Brian Norton, Principal Planner  
Approved by: Maribeth Tinio, City Planner





*EXHIBIT 1 – FINDINGS*

**PLANNING CASES:** PR-2022-001359 (General Plan Amendment, Specific Plan Amendment, Rezone, Design Review, Tentative Parcel Map No. 38598, and Environmental Impact Report)

***Zoning Code Map Amendment (Rezoning) Findings Pursuant to 19.810.040, as outlined in the Staff Report***

- a) The proposed Zoning Code Map Amendment (Rezoning) is consistent with the goals, policies, and objectives of the General Plan;
- b) The proposed Zoning Code Map Amendment (Rezoning) will not adversely affect surrounding properties; and
- c) The proposed Zoning Code Map Amendment (Rezoning) will promote public health, safety, and general welfare and serves the goals and purposes of the Zoning Code.



*EXHIBIT 2 – CONDITIONS OF APPROVAL*

**PLANNING CASES:** PR-2022-001359 (General Plan Amendment, Specific Plan Amendment, Rezone, Design Review, Tentative Parcel Map No. 38598, and Environmental Impact Report)

**Planning Division**

1. All mitigation measures, as outlined in the Mitigation, Monitoring and Reporting Plan in the FEIR, shall be completed in accordance with the designated schedule.
2. All applicable conditions of approval from the Airport Land Use Commission staff report (Case Number ZAP1548MA22) shall apply, with the exception of those modified by the City Council.
3. All applicable conditions of approval from the Western Municipal Water District (WMWD) memo dated November 16, 2022, shall apply.
4. The Specific Plan shall be amended as shown in Exhibits 9 and 10 contained in the attached City Planning Commission staff report dated July 18, 2024.
5. Approval of this project is contingent upon the Certification of the Environmental Impact Report associated with this project.
6. Plans shall conform to the exhibits attached to this report. Proposed modifications to the approved design shall be submitted to the Planning Division and shall include revised exhibits and a narrative description of the proposed modifications. The Applicant is advised that additional development applications and fees may be required.
7. **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:*

8. Appropriate navigation and noise easements for all residentially developed property shall be prepared for City and US Air Fair review and approval and recorded prior to approval of implementing land division proposals.

*Prior to Issuance of Grading Permit:*

9. The Zoning Code Map Amendment shall be finalized and/or adopted as shown in Exhibit 7 contained in the attached City Planning Commission staff report dated July 18, 2024.
10. A 40-scale precise grading plan shall be submitted to the Planning Division and include:
  - 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;
- e. Identification of location, exposed height, material, and finish of any proposed retaining walls.

*During Grading and Construction Activities:*

- 11. 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.
- 12. 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.
- 13. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project sites.
- 14. 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.
- 15. To reduce construction related particulate matter air quality impacts of projects 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. Streets shall be swept 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.
- 16. The applicant shall be responsible for erosion and dust control during construction phases of the project.
- 17. 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.
- 18. If human remains are discovered/uncovered/encountered during Project construction activities, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner shall be notified

by the City of Riverside of the find immediately. If the remains are determined to be Native American, the County Coroner shall notify the NAHC, which will determine and notify an MLD. With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD will have the opportunity to offer recommendations for the disposition of the remains.

19. The use and proper maintenance of noise reducing devices on construction equipment will minimize construction-related noise.

*Prior to Building Permit Issuance:*

20. The Parcel Map shall be recorded.
21. A program to inform prospective purchasers of dwelling units within the Specific Plan area of high aircraft noise levels shall be submitted by the developer for City review and approval prior to the issuance of any residential building permits. This program shall include a letter to be provided to the purchaser prior to completion of the sale.
22. **Fences/Walls and Retaining Walls:** Revise the wall and fence plan such that the plan provided for building permit plan check incorporates the following changes:
- a. All walls and pilasters shall be constructed of a decorative material and finished with a decorative cap.
  - b. Terminating wall segments shall include decorative columns finished with a decorative cap.
23. **Photometric/Lighting Plan:** 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.
- 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 when adjacent to residentially zoned property or use; and
  - e. For safety, all pedestrian paths shall be adequately lighted throughout the project.
24. **Landscaping and Irrigation:** Plans shall be submitted to the Planning Division for review. Design modifications may be required as deemed necessary. Separate applications and filing fees are required.
- a. On-site tree species shall be consistent with ALUC planting plans and shall include deciduous canopy trees along major pedestrian pathways;
  - b. Where possible deciduous trees, consistent with ALUC planting plans shall be used on the south side of buildings to reduce solar heat gain; and
  - c. Landscaping shall be designed to incorporate a tiered planting design with taller plants towards the back of planting areas and lower ground cover closer to walkways.

25. **Bus Stop:** The existing bus stop shall be relocated to the satisfaction of Riverside Transit Agency and City staff.

*Prior to Release of Utilities and/or Occupancy:*

26. 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/auditor responsible for the project. The applicant shall contact the Case Planner to schedule the final inspection at least one week prior to needing the release of utilities.

*During Operation:*

27. The property owner shall be responsible for common maintenance of all open space, maintenance of landscaping, any private drainage easements, and well as the implementation of water quality management facilities on each lot;
28. Outdoor storage shall be prohibited on patios/balconies, and where visible from the public right-of-way, and adjoining properties unless fully screened pursuant to the standards of the Zoning Code. Outdoor storage areas shall not displace required parking or circulation areas.
29. Garages shall be prohibited from being used as storage and must be used for vehicle parking.

*Standard Conditions:*

30. There is a 36-month time limit in which to satisfy the conditions and record this map. 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.
31. There shall be a two-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.
32. The Zoning Code Map Amendment and Design Review 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 may grant one final permit extension of up to two years following a public hearing noticed pursuant to Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing). 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.

**Please be advised that the applicant will not be notified by the Planning Division about the pending expiration of the subject entitlements.**

33. 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.

34. 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.
35. 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.
36. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
37. The subject property shall be developed and operated substantially as described in the text of this report and as shown on the plot plan on file with this case except for any specific modifications that may be required by these conditions of approval.
38. The applicant shall continually comply with all applicable rules and regulations in effect at the time permit is approved and exercised and which may become effective and applicable thereafter.

## **Fire Department**

### *Prior to Issuance of Building Permits*

39. 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 Western Municipal Water District for the requirements for the dedicated fire service and backflow requirements.

40. 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.
41. The Riverside Municipal Code, Section 16.36.010 to 16.36.090 requires a Public-Safety Radio Amplification System in:

- a. New buildings in accordance with California Fire Code Section 510 Emergency Responder Communications Coverage, and NFPA 1221, Edition 2019.

Grid tests shall be submitted to the Riverside Police Communication Analyst (951) 353-7270, for review and determination for a system. If a system is required, plans will need to be sent to Riverside Fire Department for approval and permit issuance prior to any work on such systems. 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

42. Buildings required to have a standpipe, not less than one standpipe shall be provided for use during construction. Such standpipes shall be installed prior to construction exceeding 40 feet in height above the lowest level of fire department vehicle access. Such standpipes shall be provided with fire department hose connection at accessible locations adjacent to usable stairways. Such standpipes shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.
43. Building is required to have a standpipe if floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.
44. Provide for Fire Department access to the facility and pedestrian gate. "Knox" key devices are available for use in the city. Contact the Fire Department for applications and details.
45. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
46. Construction plans shall be submitted and permitted prior to construction.
47. Fire Department access shall be maintained during all phases of construction. (Fire Safety During Construction and Demolition.) Upload a copy of the emergency site safety plan through the building permit public portal. This document can be uploaded as a supplemental document. The safety plan shall include the 13 components found in CFC, 3303.1.1.
48. Provide for Fire Department access to the gate. Knox" key devices are available for use in the city. Contact the Fire Department for applications and details. An "Infrared Automatic Gate System" is required for all electric gates. Contact the Fire Prevention Division for information
49. 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.
50. To comply with all applicable requirements per CFC, Chapter 33 (Fire Safety During Construction and Demolition).
51. Where elevators are provided in buildings four or more stories above, or four of more stories below, grade plane, not fewer than one elevator shall be provided for fire department emergency access to all floors. The elevator car shall be of such size and arrangement to accommodate a gurney size of 24 inches by 84 inches with not less than a 5 inch radius corner in the horizontal open position... (CA Building Code, Section 3002.4) A gurney template shall be provided and demonstrate it can maneuver into the elevator with the required clearances.

### **Parks, Recreation & Community Services – Park Planning**

#### *Prior to Issuance of Building Permit:*

52. The applicant shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve, and trail fees) for privately developed areas.
53. The applicant shall make payment of all applicable Park Development Impact Fees (regional/reserve and trail fees) for all recorded right of way.

## **Public Utilities – Electric**

54. 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.
55. 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.
56. Easements & any associated fees will be acquired during the design process.
57. 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.
58. 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, stub and cap along property frontage.
59. Plot existing electrical distribution facilities on the original site plan.
60. Show location of the PJC, Transformer location, and switchgear.

## **Public Works – Land Development**

*Prior to permit issuance, unless otherwise noted:*

61. Storm Drain construction will be contingent on engineer's drainage study.
62. Installation of sewers and sewer laterals to serve this project to Public Works specifications. Sewer main on site will be private all the way to main line connection.
63. Off-site improvement plans to be approved by Public Works prior to issuance of construction permit.
64. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to construction permit issuance.
65. Size, number, and location of driveways to Public Works specifications.
66. Closure of unused driveways to Public Works specifications.
67. 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.
68. 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.
69. Prior to permit issuance, add the following notes to the site/plot or landscape plans and email PDF to [gtanaka@riversideca.gov](mailto:gtanaka@riversideca.gov) for review and approval:
  - a. PROTECT IN PLACE existing Street Trees in PUBLIC RIGHT-OF-WAY along MISSION VILLAGE DR. If existing Street Trees are found by Tree Inspector at time of scheduled site inspection (after fine grading and hardscape installation is complete), to be missing, dead, damaged or in poor condition, they will be required to be added or removed/replaced with 24" box size Celtis sinensis, typical spacing 30' O.C. Planting, staking, irrigation, root barriers to Landscape & Forestry specifications.



70. Trash enclosures required per Public Works specifications.

71. 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.

72. 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.

73. 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.

74. 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.

75. 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.

#### **Public Works - Traffic**

76. Prior to the issuance of a Certificate of Occupancy, the applicant shall construct a bike rack that can accommodate a minimum of five 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.

77. Prior to the issuance of a Certificate of Occupancy, the applicant shall complete the following improvements as included in the final approved Traffic Study submitted on July 7, 2023:

- a. Intersection of Alessandro Boulevard and Cannon Road:
  - Optimized signal timing for AM and POM peak hour.
- b. Intersection of Trautwein Road and Alessandro Boulevard:
  - Optimize signal timing for AM peak hour.

The applicant shall coordinate with the Public Works Traffic Engineering Division to implement these improvements.

78. Prior to the issuance of a Certificate of Occupancy, the applicant shall construct the following improvements as included in the final Traffic Study submitted on July 7, 2023:

- a. Project Driveway 1 at Plaza Driveway 2 (Mission Grove Plaza):
  - Install 45 feet dedicated westbound left turn lane and 25' taper.
  - Install "DO NOT BLOCK" signage and "KEEP CLEAR" striping improvement for the Eastbound direction.
  - Install a high visibility crosswalk per Standard Plan No. 640 across project driveway 1 parallel to Plaza Driveway 2.
- b. Mission Grove Parkway @ Plaza Driveway 2 (Mission Grove Plaza):
  - Optimize signal phasing splits for both AM and PM peak hours. The applicant shall coordinate with the Public Works Traffic Engineering Division to implement this improvement.
  - Extend the northbound left turn storage length by 15 feet.
  - Extend the eastbound left turn storage length by 35 feet.
  - Upgrade existing eight (8) pedestrian push buttons to Polara audible pedestrian push buttons (or City approved equal) with a central control unit system. An acceptable audible pedestrian push button assembly and system is the Touchless version – Polara iDS39R with 5" x 7" R10-3 face plates.
  - Install high visibility crosswalks per Standard Plan No. 640 across all pedestrian crossings for the entire intersection.

- c. Mission Grove Parkway @ Project Driveway 2:

- Convert Project Driveway 2 from existing right-in and right- out to a gated right-out egress only driveway. Project shall install "Do Not Enter (R5-1) and "Wrong Way" (E5-1a) signs near project driveway 2 for inbound traffic to prohibit illegal ingress into the project site.
  - Install a high visibility crosswalk per Standard Plan No. 640 across driveway 2 parallel to Mission Groce Parkway.
79. Prior to the issuance of a Certificate of Occupancy, the applicant shall construct the following improvements as included in the traffic study dated July 7, 2023:
- a. Project Driveway 3 / Bayou Lane @ Mission Village Drive:
    - Extend red curbing along the eastbound direction on Mission Village Drive west of Bayou Lane by 130 feet. This will require the removal of 5 on-street parking spaces to allow for an eastbound left turn lane.
    - Extend red curbing along the westbound direction on Mission Village Drive east of Bayou Lane by 150 feet. This will require the removal of 6 on-street parking spaces to allow for a westbound left turn lane.
    - Install a dedicated eastbound left turn lane with 150' turn pocket and 100' taper / opening for vehicles to make eastbound left turns into the project driveway 3.
    - Install a dedicated westbound left turn lane with 145' turn pocket and 100' taper/opening for vehicles to make westbound left turns into Bayou Lane.
    - Install a high visibility crosswalk per Standard Plan No. 640 across the project driveway 3 parallel to Mission village Drive.
  - b. 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 confirm to the California Manual on Uniform Traffic Control Devices, Part 2A and 2B.
  - c. Mission Grove Parkway @ Mission Village Drive:
    - Upgrade existing eight (8) pedestrian push buttons to Polara audible pedestrian push buttons (or City approved equal) with a central control unit system. An acceptable audible pedestrian push button assembly and system is the Touchless version – Polara iDS39R with 5" x 7" R10-3 face plates.
80. The applicant shall hire a contractor to install the traffic signal equipment to its intended operating conditions. All signage and striping improvements must comply with the most current California Manual of Uniform Traffic Control Devices (MUTCD) standards. The applicant shall hire a contractor to install MUTCD & City of Riverside Standard compliant signage & striping and median improvements. The applicant shall obtain any necessary permits and approvals to complete the improvements. The applicant is solely responsible for the procurement and installation of the improvements to the satisfaction of the Director of Public Works.
81. Signing and striping improvements and traffic signal modifications 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.
82. Provide Pedestrian Network Improvements (STD-1): Project will construct approximately 20 miles sidewalk to connect to the retail land uses in the surroundings.
83. Parcel Lockers: Project will install 75 package lockers. Once a parcel has been delivered into a locker, the system would notify residents via an app.

84. Bike Racks: Project will install 32 short term bike lockers and 35 long term bike lockers at the project site.
85. Provide Electric Vehicle (EV) Parking and EV Charging Infrastructure: The project will install 41 electric charging stations, accessible EV parking and preferred parking for EVs at the project site. Project will also provide designation EV parking with charging stations at locations such as near main entrances or major access points.
86. Unbundle Residential Parking Costs from Property Cost: Project will provide 1 parking stall for each apartment at no cost. Tenants would be charged a monthly fee of \$75 for studio apartments and 1-bedroom apartments for additional extra parking space.
87. Implement Subsidized or Discounted Transit Program: Prior to the issuance of a Certificate of Occupancy, The Project shall establish a subsidized transit pass program based on recommended improvements from the Vehicle Miles Traveled (VMT) Study dated May 2023. The Project applicant shall establish an account in the amount of \$136,000, to be administered by the leasing office/ property management to provide free or reduced cost transit passes to Project residents for a period of at least 10 years from project occupancy. The program shall provide up to \$60 for a Riverside Transit Agency monthly pass or up to \$100 for a Metrolink monthly pass to qualified residents who request transit reimbursement from the leasing office/property management. Residents who participate in the subsidized transit pass program would also be eligible to receive reimbursement for use of a ride sharing service (i.e., Uber or Lyft) for an emergency ride home.

The leasing office / property management shall provide an annual report of the transit pass program to the City of Riverside Public Works Department that includes the number of reimbursement requests, the amount disbursed to residents, and the remaining amount in the transit pass account. If the program experiences low participation, the City shall have the discretion to direct the leasing office/ property management to redirect the funds for implementation of another measure intended to reduce VMT by Project residents. Such measures could include, but are not limited to, offsite or onsite pedestrian, bicycle or transit improvements.