



MEMORANDUM

Community Development Department Planning Division

DATE: NOVEMBER 19, 2010

TO: PLANNING CASE FILE P10-0696

FROM: ANDREA ROBLES, CPC SECRETARY 

CC:

RE: **PLANNING CASE P10-0696**: Proposal by the City of Riverside for a Revised Tentative Tract Map TM 32647, including modification of conditions, to facilitate the acquisition of 12.92 acres by the City of Riverside for purposes of developing a neighborhood park, situated southerly of Lurin Avenue and westerly of Obsidian Drive, in the R-1-10,500-SP – Single Family Residential and Specific Plan (Orangecrest) Overlay Zone, in Ward 4. Contact Planner: Clara Miramontes (951) 826-5277 cmiramonts@riversideca.gov

At its meeting of November 18, 2010, the City Planning Commission **determined** that this proposal will not have a significant effect on the environment, Section 15061(b)(3) of the California Environmental Quality Act, as it can be seen with certainty that there is no possibility that this revision to Tentative Tract Map 32647, including modification of conditions, will have a significant effect on the environment. Further, all prior environmental impacts were thoroughly analyzed under Planning Case P05-0325 (Exhibit E), whereas a mitigated negative declaration was adopted by the Planning Commission on April 20, 2006 in conjunction with the approval of Tentative Tract Map 32647. The City Planning Commission also **recommended approval** of Planning Case P10-0696 based on the findings outlined in the staff report and subject to the recommended conditions as attached.

There is now a ten-day appeal period from the date of the Planning Commission's decision. Appeals must be received in writing along with the required fee by 5:00 pm on November 29, 2010 in the Planning Division of the Community Development Department. If this case is not appealed, the decision of the Planning Commission is final.

Should you have any questions concerning this notice contact Clara Miramontes, Principal Planner, at extension 5277, or I can be reached at (951) 826-5989.

**CITY PLANNING COMMISSION
APPROVED CONDITIONS OF APPROVAL**

P10-0696 (Revised TM 32647)

PLANNING COMMISSION MEETING DATE: November 18, 2010

CONDITIONS *All mitigation measures are noted by an asterisk (*).*

Case Specific

● **Planning**

1. In approving this case, it has been determined that the proposed project could have the potential for adverse effects on wildlife resources and the applicant is responsible for payment of Fish and Game fees at the time the Notice of Determination is filed with the County.
2. The Commission makes the necessary findings in the applicant's favor to grant the following variances to allow lots 100 through 103 to have septic systems. Staff's prepared written justifications are referenced to support the requested variances.

Standard Conditions

● **Planning**

3. There is a thirty-month time limit in which to satisfy the conditions and record this map. The City Planning Commission upon request by the applicant may grant five subsequent one-year time extensions. 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.
4. Within 30 days of the approval of the tentative map by the City the developer/subdivider 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 subdivision, 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/subdivider of any such claim, action or proceeding and the City will cooperate in the defense of the proceeding.

5. 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.

Prior to Map Recordation

6. Street names shall be reviewed and approved by the Planning Division and shown on the Final Map.
7. "C" Court and Paradise Place shall provide for an interim cul-de-sac with an ultimate design for a local street continuation. The applicant will be required to provide a sample deed restriction to notify the future owners of Lots 1 through 11 and Lots 39 through 46 that the roadway is not a cul-de-sac and that the ultimate configuration will be a through road.
8. The CC&R's shall provide that the HOA may assume responsibility for slope maintenance, including rear, side and front yard slopes, or front and side yard landscape maintenance, if the homeowner does not provide adequate and appropriate maintenance and care of slopes, walls and landscaping. The HOA is authorized to lien/assess an appropriate fee for this maintenance service.

Prior to Grading Permit Issuance

9. *The applicant shall be required to pay the standard SKR mitigation fee.
10. *A pre-construction survey for the burrowing owl should be conducted 30 days prior to commencement of any ground disturbing activities. If during the pre-construction survey, the burrowing owl(s) is observed on site, the burrowing owl should be actively relocated as areas immediately surrounding the property are either developed, in the process of being developed or does not provide sufficient acreage and/or quality to support the burrowing owl.
11. *A 40-scale grading plan shall be submitted to the Planning Department 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, including being certified by the project engineer subject to Public Works Department review and approval.
 - c. Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems.

- d. Incorporate contour grading in accordance with City policy. Prior to issuance of a building permit, the applicant's engineer shall submit a letter certifying the contouring of such required slopes in accordance with City adopted standards.
 - e. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement.
 - f. Note all drainage features will be color treated to match surrounding terrain and indicated that all rip-rap will be natural rock (not blasted).
 - g. Clearly indicate all pad and lot drainage, subject to review and approval by the Planning and Public Works Departments. Cross lot drainage covenants, if necessary, shall be subject to Public Works and Legal Departments' review and approval.
- 12. *Slope landscape/irrigation plans for all slopes that are over 5 feet in vertical height or higher shall be submitted to and approved by the Planning Department.
 - 13. *The applicant shall be responsible for erosion and dust control during both the grading and construction phases of the project.
 - 14. *Grading activity shall be in substantial compliance with the grading plan on file with this application.
 - 15. *Manufactured slope ratios shall not exceed a maximum of 2:1.
 - 16. **Advisory:** State and Federal regulations require preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The Regional Water Quality Control Board enforces compliance with this requirement.

Ongoing Conditions of Grading Operations:

- 17. * Construction vehicle access will utilize existing paved roads and service roads for all planned improvements to the maximum extent feasible. Specifically, natural areas, including existing drainage areas and areas outside of the project footprint or site (other than approved bare dirt or paved parking areas), shall not be used for construction access or staging.

Prior to Building Permit Issuance

- 18. Prior to receiving a Building Permit the applicant shall submit a comprehensive wall and fence plan for Design Review staff approval. This plan shall specify:

- a. The location, height and design of all fences and retaining walls including Lots 104 and 105.
 - b. All walls and fences shall be constructed by the developer in conjunction with construction of the tract.
- 19. The home builder of Lots 1 through 11 and Lots 39 through 46 shall be required to provide written disclosure notice to the future home buyer that the streets ("C" Court and Paradise Place) are planned for continuation.
 - 20. "C" Court and Paradise Place shall have appropriate barricades at the end of the cul-de-sacs.
 - 21. Posted signage shall be provided at the ends of "C" Court and Paradise Place stating that the road is planned for continuation.

- **Public Works**

Prior to Map Recordation

- 22. 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.
- 23. Deed for widening Lurin Avenue to 33 feet from monument centerline between Taft Street and Obsidian Drive to Public Works specifications.
- 24. Installation of curb and gutter at 20 feet from monument centerline, sidewalk and matching paving on Lurin Avenue between Taft Street and Obsidian Drive to Public Works specifications.
- 25. Full half-street improvements on Lurin Avenue between the westerly boundary of the WMWD reservoir site and Taft Street, total R/W = 43 feet, sidewalk, curb and gutter at 20 feet from monument centerline to Public Works specifications. The horizontal and vertical alignment shall be coordinated with adjacent developments and all portions of Lurin Avenue shall provide a 35 mph design speed to Public Works specifications. A reduced parkway width may be allowed adjacent to the WMWD property to accommodate placement of a retaining wall as accepted by WMWD, Public Works Department and Planning Division

26. Full half-street improvements on Taft Street between Mariposa Avenue and Lot 18, total R/W = 43 feet, total roadway width = 28 feet, sidewalk, curb and gutter at 20 feet from monument centerline to Public Works specifications. The horizontal alignment may be shifted westerly to provide for ultimate street improvements that do not encroach into the existing structures to Public Works and Riverside County Transportation specifications.
27. Full half-street improvements on Mariposa Avenue, R/W at 27 feet from construction centerline, minimum 32-foot wide roadway, curb and gutter at 22 feet from construction centerline (construction centerline varies from 0 feet to 22 feet northerly of monument centerline) to Public Works specifications. The alignment of Mariposa Avenue shall provide a 35 mph design speed to Public Works specifications.
28. Full improvement of interior streets based on 66-foot residential street standards and 60 foot residential cul-de-sac street standards.
29. Minimum 28-foot-wide paving required on Lurin Avenue between Obsidian Drive and Wood Road to provide access to this project, to Public Works and Riverside County Transportation Department specifications. The project shall have two points of a minimum 20-foot-wide paving without specification of the access routes, subject to Public Work's standards. Riverside County Transportation Department specifications compliance may be required.
30. One-foot wide barrier strips shall be placed at the westerly terminus of "C" Court and the southerly terminus of Paradise Place to Public Works specifications.
31. Size, number and location of driveways to Public Works specifications.
32. Storm Drain construction will be contingent on engineer's drainage study. The proposed basins shall be properly located and adequately sized to detain the incremental increase in runoff to Public Works specifications.
33. Installation of sewers and sewer laterals to serve this project to Western Municipal Water District specifications. Proposed septic systems serving Lots 100-103 shall be subject to a variance in accordance with RMC 18.40 and approval by the City, Riverside County Health Department and Santa Ana Regional Water Quality Control Board.

Prior to Grading Permit Issuance

34. Prior to issuance of a grading permit or building permit, the applicant shall submit to the City for review and approval, a project-specific WQMP that:

- a. Addresses Site Design BMPs such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" and conserving natural areas;
 - b. Incorporates the applicable Source Control BMPs as described in the Santa Ana River Region WQMP and provides a detailed description of their implementation;
 - c. Incorporates Treatment Control BMPs 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 BMPs requiring long-term maintenance; and
 - e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs requiring long-term maintenance.
35. Prior to issuance of any grading or building permits, the property owner shall provide approved language and format 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 (CC&Rs); 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 grading or building permits. (Modified by Planning Commission 4-20-06)
36. 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.
37. Prior to grading or building closeout or the issuance of a certificate of occupancy or certificate of use, the applicant shall:
- a. Demonstrate that all structural BMPs 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 BMPs 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.

Prior to Building Permit Issuance

- 42. The applicant shall pay the Transportation Uniform Mitigation Fee (TUMF) for each lot in accordance with the fee schedule in effect at the time of permit issuance.

● **Fire Department**

- 43. Requirements for construction shall follow the Uniform Building Code with the State of California Amendments as adopted by the City of Riverside.
- 44. Construction plans shall be submitted and permitted prior to construction.
- 45. Any required fire hydrants shall be installed and operational prior to Fire Department release of permit.
- 46. Fire Department access is required to be maintained during all phases of construction.
- 47. Dead end roadways in excess of 150 feet in length (Paradise Place) shall be provided with an approved turn-around.

● **Public Utilities**

- 48. **Advisory:** Water utility provisions to the specifications of the Western Municipal Water District of Riverside County.
- 49. **Advisory:** 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.
- 50. **Advisory:** Utility easements shall be provided and/or retained to the specifications of the affected departments and agencies.
- 51. Final Map Certificate Requirement. Please provide the following wording for the Public Utilities Certificate:

I HEREBY CERTIFY THAT THE SUBDIVIDER NAMED ON THIS MAP HAS DEPOSITED WITH THE CITY OF RIVERSIDE PUBLIC UTILITIES DEPARTMENT SUFFICIENT FUNDS OR MADE THE REQUIRED ARRANGEMENTS AND PROVISIONS FOR THE INSTALLATION OF ELECTRIC FACILITIES NECESSARY TO PROVIDE SERVICE TO ALL LOTS AS SHOWN ON THIS MAP; AND THAT ALL PUBLIC UTILITY EASEMENTS SHOWN ARE SUFFICIENT FOR ALL REQUIREMENTS OF THE ELECTRIC DIVISION OF THE PUBLIC UTILITIES DEPARTMENT OF THE CITY OF RIVERSIDE. ARRANGEMENTS FOR WATER SERVICE MUST BE MADE WITH THE WESTERN MUNICIPAL WATER DISTRICT.

Date: _____

By: _____
David H. Wright, Public Utilities General Manager

Prior to Case Finalization

52. Contact department representative to resolve possible conflict with existing electric service facilities.
53. The provision of utility easements, water, street lights and electrical underground and/or overhead facilities and fees in accordance with the rules and regulations of the appropriate purveyor.

● **Park and Recreation**

54. *General:* This tentative map as proposed includes landscape and common areas that will require maintenance by other than the City. Therefore, it shall be agreed that all improvements for all such public landscapes (e.g. detention basins "A" and "B", multi-purpose trail, and trail landscape improvements along Mariposa Avenue) shall be installed by the developer and maintained by an MPOA and/or an HOA. For questions or concerns regarding this condition contact Principal Park Planner Bob Johnson at 951/826-2018
55. *General:* For landscape maintenance purposes, all parkways along public streets where adjacent to front or side yards of single family lots shall be privately maintained by the property owner(s) adjacent thereto, all per City standards, policies and ordinances. For questions or concerns regarding this condition contact Principal Park Planner Bob Johnson at 951/826-2018.

56. *Prior to Map Recordation:* If a Master Property Owners Association (MPOA) or a Home Owners Association (HOA) is approved as a part of the tentative map process, developer shall prepare and provide all necessary legal documents as necessary to establish the association to the satisfaction of the Parks and Recreation, and Planning Departments and City Attorney's Office. The documents shall provide for the "in-perpetuity" maintenance of landscaping as designated for maintenance by the association per the conditions of approval on the map. For questions or concerns regarding this condition contact Senior Park Planner Bob Johnson at 951/826-2018.
57. *Prior to Recordation:* Wherever public street rights-of-way dedications are insufficient to provide a minimum 5-1/2 foot wide planting area, street tree easements shall be dedicated to accommodate required street tree plantings along all public streets per City standards. For questions or concerns regarding this condition contact Senior Park Planner Bob Johnson at 951/826-2018.
58. *Prior to Recordation:* Dedicate Multi-purpose Recreational Trail Easements/rights- of-way, designated for non-motorized use, along alignments as acceptable to the Park and Recreation Department and as necessary for implementation of the City's Multi-purpose Recreational Trails System. For questions or concerns regarding this condition contact Senior Park Planner Bob Johnson at 951/826-2018.
59. *Prior to Recordation:* Per the City General Plan, a multi-purpose recreational trail segment is designated within and/or adjacent to this project along the Mariposa Avenue frontage. Therefore, installation (or posting of appropriate sureties with the Park and Recreation Department to guarantee the installation) of full multi-purpose recreational trail improvements for the trail segments both within and/or adjacent to the project is required. Trail installation work shall be subject to the Park and Recreation Department's public landscape permit and inspection process. For questions or concerns regarding this condition contact Principal Park Planner Bob Johnson at 951/826-2018.

60. *Prior to Building Permit Issuance:* Payment of all applicable park development fees (local and regional/reserve) as mitigation for impacts of the project on the park development and open space needs of the City. For questions or concerns regarding this condition contact Senior Administrative Analyst Patti Casillas at 951/826-2068.
61. *Prior to Building Permit Issuance:* Payment of Street Tree Plan Check and Inspection Fees as applicable. For questions or concerns regarding this condition contact the Tree Division Staff at 951/351-6126.
62. *Prior to Occupancy:* The installation (or posting of appropriate sureties with the Park and Recreation Department to guarantee the installation) of new street trees along all public street frontages per City standards. For questions or concerns regarding this condition contact the Tree Division Staff at 951/351-6126
63. Street trees and parkway landscaping shall be provided to the specifications of the Park and Recreation Department.
64. The removal, relocation, replacement or protection of existing street trees to the specifications of the Park and Recreation, Public Works and Community Development Departments.
65. The installation of new street trees in accordance with the specifications of the Park and Recreation Department.