

CITY OF RIVERSIDE PLANNING DEPARTMENT

Tract Map, Rezoning and Planned Development



PLANNING COMMISSION HEARING DATE: AUGUST 19, 2004

PLANNING CASE P03-1451: Proposed Tract Map 31930 by Gabel, Cook and Becklund, on behalf of Jim Guthrie, to subdivide approximately 86.31 vacant acres into 29 residential and 5 open space lots, located southerly of terminus of Cresthaven Drive and northerly of Alessandro Arroyo in the RC - Residential Conservation and O - Official Zones.

PLANNING CASE P03-1548: Proposed revised planned residential development (PD-001-912) by Gabel, Cook and Becklund, on behalf of Jim Guthrie, consisting of 29 single family residences with private and common open space on approximately 86.31 vacant acres, located southerly of terminus of Cresthaven Drive and northerly of the Alessandro Arroyo in the RC - Residential Conservation and O - Official Zones.

PLANNING CASE P04-0260: Proposal by Gabel, Cook and Becklund, on behalf of Jim Guthrie, to rezone approximately 7 acres from the O – Official Zone to the RC – Residential Conservation Zone located along the southerly portion of a 29-unit planned residential development, situated southerly of the terminus of Cresthaven Drive and northerly of the Alessandro Arroyo.

BACKGROUND/PROJECT DESCRIPTION

In 1994, TM 23027 was approved allowing the subdivision 167.5-acres into 85-single family lots and 5 open space lots. In conjunction with this map, a Planned Residential Development (PD-00-912) and a Rezoning Case (RZ-006-912) was approved. Subsequently, only 20 lots recorded and the remainder of the map expired. In 1998, TM 28728 was approved to implement the formerly approved Planned Residential Development. This map approved the subdivision of the unrecorded 151.8-acres into 65 single family lots over four phases, and phase 1 (23 lots) subsequently recorded (see Exhibit F for phasing map). On February 21, 2002 the Planning Commission approved a time extension for phases 2-4 of TM 28728 until July 2003 with no eligibility for additional time extensions. By July 2003, phase 2 (14 lots) had recorded but phases 3 and 4 never recorded in time prior to expiration of the map. As such, 28 lots still remained to be recorded.

As such, the applicant is now proposing a new map to subdivide approximately 86.31 vacant acres to create 29 single family residential and 5 open space lots. Phases 3 and 4 of TM 28728 were previously approved for a total of 28 single family residential lots and four open space lots.

The following chart shows a sequence of map approvals in relation to this project:

overall number of proposed lots still lies within the allowable maximum yield pursuant to the City's density bonus provisions for PRDs. This is discussed in detail in the body of this report.

The project involves grading on slopes ranging between 10% and 30% and will require exceptions from the City's Grading Ordinance standards related to the encroachment of building pads and/or manufactures slopes into the 50-foot development setback and limits of the Alessandro Arroyo and to permit slopes in excess of 25-feet for streets.

The project also involves a request to rezone approximately 7-acres from the O - Official Zone to the RC - Residential Conservation Zone. As a matter of information, a rezoning case for the area in question was also approved in 1994 in conjunction with TM 23027 and PD-001-912. However, the applicant has chosen to refile a new rezoning request instead of requesting a time extension for multiple years.

ANALYSIS

In reviewing this project, staff has the following comments:

- **General Plan/Specific Plan/Zoning Considerations**

Rezoning

The project is consistent with the General Plan land use designations of RHS — Hillside Residential and NOS — Natural Resources Open Space. Except for approximately 7 acres generally located along the southern most portions of the project area, the property is zoned RC – Residential Conservation. Zoning Case RZ-006-912 was previously approved in conjunction with the original map and PRD (TM 23027 and PD-001-912) to rezone the southernmost 7-acres of the project area from the O — Official Zone to the RC — Residential Conservation Zone. Instead of filing a time extension for multiple years, the applicant is requesting a new rezoning application. This rezoning request will be in compliance with the previously approved PRD and Tract Maps 23027 and 28728. The site is surrounded by RC Zoned property and staff has no objection to the proposed rezoning request in order to comply with the original PRD for this property.

A portion of the area to be rezoned encompasses currently owned by the Riverside County Flood Control District, in which final approval of the County will be required in order to finalize the rezoning and map. Overall, 17.45-acres of the subject property is still owned by the Riverside County Flood Control District, in which the applicant plans to purchase this property. The applicant and County have been involved in on-going negotiations for the sale of this property. If the applicant is unable to acquire this property, the applicant will be required to revise the map to eliminate approximately 6 lots due to a loss of acreage in developable area, resulting in a maximum of 80 lots for the entire PRD.

Revised Planned Residential Development

The original TM 23027 and PRD had 145 developable acres on an overall project area of 167.5 gross acres. Approximately 23 acres of the project area are located within the boundaries of the 100 year flood plain and are undevelopable. Based on the benchmark density of .5 units per gross acre, which is allowed for PRDs in the RC Zone, 72 lots would be allowed. However, under the Code's density bonus provisions, up to 90 lots could be permitted on the subject property. While TM 23027 as considered by the City Council in 1994 included 86 lots, the conditions of approval required the elimination of lot 53, reducing the yield to 85 lots. As discussed previously, the applicant is proposing to retain lot 53, thereby increasing the overall number of approved lots under the original PRD from 85 lots to 86.

In considering this request, staff would note that the project since its inception has been somewhat controversial and the subject of a great deal of neighborhood interest. The final approved design represented a compromise between the original developer and neighborhood, and the removal of Lot 53 was agreed to by the previous developer in the spirit of compromise. At this point staff is unaware of any changes in neighborhood circumstances that would support revisiting the conditions of approval, which reflect the previous compromises. As such, staff does not support allowing an additional lot, thereby recommending denial of the revised PRD.

The proposed higher density is permitted under the PRD provisions of the City's Zoning Code which: 1) provide for a density bonus of up to 25%, provided the project demonstrates certain design criteria resulting in superior site utilization; and 2) allows density to be calculated on a gross, rather than net, acreage basis (gross density allows the streets to be included in the lot size, thereby, increasing the overall number of permitted units). The criteria for justifying a density bonus include "Retention of unique natural features of the site and incorporation of such features into the project's overall design."

In this case, the significant natural features of the site include numerous massive rock outcroppings, rugged topography and steep arroyos traversing the site. The rock outcroppings, in particular, are a dominant visual feature which distinguishes the site from the more weathered, rolling terrain characterizing much of the Alessandro Heights area. On this basis, a density bonus under the PRD provisions of the RC Zone was approved. Staff believes that this project, of which this new map is a part, minimizes the grading in steep, highly visible areas and retains the significant natural features of the site to a large extent.

- **Access/Circulation**

Primary access to the site is provided from Century Avenue and Cresthaven Drive, 66-foot-wide secondary streets. A private street system is proposed to serve this development. The circulation system as proposed is adequate to serve this project.

- **Map Design**

This map is similar to the original project under TM-23027 and TM-28728, except for a proposed sewer line and changes to grading for some of the lots. As well, the approvals in both 1994 and 1998 required a number of conditions requiring design changes to meet

grading, neighborhood compatibility and aesthetic concerns. This new map does not reflect all changes as conditioned and staff is recommending the same conditions of approval as approved by the City Council in 1998. The following discussion restates previously identified design concerns which are addressed in the recommended conditions of approval.

The previous map proposed custom grading for lots 54-57 and the applicant is now proposing to mass grade these lots in conjunction with the remainder of the project. All changes to pad elevations and lot widths for lots 54 through 57 have been incorporated into this new map, as conditioned under TM 28728.

The project also includes an access road to the Riverside County Flood Control dam site located along the southwesterly portion of the site. As well, lots 50-52 have been reconfigured, as conditioned under TM 28728, to provide long driveways for these lots and cul-de-sac Century Hills Drive along westerly end of the map. Finally, the project proposes installation of a new sewer line and access road in the open space area. The line originates from the adjacent residential development to the north (TM 28728-2) and flows to the south until it reaches the intersection of Grass Valley Way and Century Hills Drive.

Variances

This project also requires variances which the City may grant, provided that findings in support of the requests can be made. Variances are requested to permit parcels less than 2-acres for lots with an average natural slope (ANS) greater than 15% but less than 30% for lots 37 - 39, 43-48, 50-79, parcels less than 5-acres in size on lots with an ANS greater than 30% for lot 49, and landlocked parcels located along private streets for residential and open space lots. Staff can support the variances requested for lot size because of the overall benefits of the design with regard to preservation of open space and unique topographical features. Staff has made the necessary findings in support of these variances and has attached variance justifications.

Although many of the lots do not meet the required lot width of 130-feet as required by the RC Zone, a variance is not needed as these lots are not fronting on a public street. Since they do not have a front property line from which to measure the lot width at the front yard setback line, these lots do not technically need a lot width variance. To ensure that the placements of the homes on these lots are consistent with the intent of the RC Zone, staff is adding a condition that for purposes of measuring the front yard building setback line the private street will be considered a public street. All homes placed on these lots will have to be setback 30-feet from the private street property line and 25-feet from the side and rear property lines”

- **Grading**

The project area is characterized by slopes that range between approximately 10 and 30 percent, with an average slope of approximately 26%. The proposed grading for this project is regulated by the Public Works Department and the City’s Grading Ordinance. The

project requires grading exceptions to allow manufactured slopes up to a height of 30 feet for portions of proposed Cresthaven and Century Hills Streets.

As well, portions of the proposed pads and streets are located within the limits of the Alessandro Arroyo. In addition, the Grading Ordinance requires a 50-foot development setback from the limits of the Arroyo. This map has been revised to eliminate pad size variances and slope height variances for all residential lots.

Arroyo Grading Exceptions

The southerly boundary of the site is traversed by the main branch of the Alessandro Arroyo, a major arroyo which is a designated Natural Arroyo under the City's General Plan and Grading Ordinance. The map is designed to cluster lots around large, connected open space areas which are intended to include the prominent physical features of the site, such as rock outcroppings and the main branches of the Alessandro Arroyo. A number of tributaries to the Alessandro Arroyo also traverse the site.

The Grading Ordinance allows the granting of grading exceptions provided findings can be made that exceptional or special circumstances apply to the property. Such as exceptional or special circumstances shall include such characteristics as unusual lot size, shape or topography, drainage problems, or the impracticability of employing a conforming grading plan, by reason of prior existing recorded subdivisions or other characteristics of contiguous properties.

While portions of the tributaries will be retained as open space throughout the project, portions of lots 37-41, 43-49, 57-68, 77, 78, Grass Valley Way, Cresthaven Drive, Century Hills Drive, a Flood Control access road and a sewer line will encroach within the limits and 50-foot development setback of the Alessandro Arroyo as defined in the Grading Ordinance. The limits of the Alessandro Arroyo and the required fifty-foot setback established under the Grading Ordinance were established based on an analysis of topographical maps and aerial photos. The limits of the arroyo are defined as those areas with slopes over 30% and which are identified on the Alessandro Arroyo map exhibit to the grading ordinance. However, it is often necessary to actually inspect the site to determine more precisely the Arroyo limits. Lots 37-40 have been daylighted to avoid slopes within proximity to the main Arroyo. The grading for these lots allows for an open space corridor that lines up with the open space areas of the adjacent maps to the northeast. Additionally, lot 45 contains significant rock outcroppings in the rear portion of the pad which are noted for protection

The remaining lots 41-44, 46-49, 57-68 and 77-78 are located outside the main branch of the arroyo and lie on relatively flat surfaces or within portions of tributaries which are not topographically or visually significant.

Although the proposed street alignment has already been approved under the PRD, grading exceptions are now necessary to construct some of these streets. However, none of the proposed streets lie within the actual arroyo. For the reasons stated above, staff can support all of the requested grading exceptions for encroachments into the Arroyo and its tributaries.

Staff has made the necessary findings in support of these exceptions and are attached as part of this report.

Slope Height

The Grading Ordinance permits manufactured slopes no higher than twenty-feet. The project requires grading exceptions to allow manufactured slopes up to a height of 30 feet for portions of proposed Cresthaven Drive and Century Hills Drive. There are two instances where slopes higher than twenty-feet are necessary for certain segments of the streets. The street configuration, as proposed, was based on a study of the natural terrain to limit the amount of grading needed and are therefore not recommended for change. Since these slopes will not affect the arroyo and are necessary to construct the streets as approved, staff can support these exceptions and has attached grading exceptions.

- **Biological Issues**

A biological Assessment for the proposed map and a biological due diligence survey for the proposed sewer line was prepared by Michael Brandman Associates on July 9, 2004 and December 15 2003, respectively. Additionally, a wetland delineation was prepared March 2003 by Michael Brandman Associates. The updated biological assessment concurs with the findings of a biological Assessment prepared by RB Riggan Associates 2001.

Based on the current plant communities occurring within the project site and the location of known recorded special status species, Stephen's kangaroo rat (SKR), which occurs in disturbed scrub and grassland habitats, has a moderate potential for occurrence due to the lack of suitable habitat. No sensitive plant communities were observed on the site. As well, it was determined that the project site does not contain any suitable habitat for burrowing owl or narrow endemic plant species. The site is within the current Riverside County Multi-Species Habitat Conservation Plan (MSHCP) and a separate habitat assessment is not required by the County prior to issuance of grading permits.

As a matter of information, a biological study focusing on the California Gnatcatcher (CAGN) was prepared for TM 28728 in September 2001. The study reported that potential habitat for the Gnatcatcher within the project area are not occupied by such species. A follow-up focused survey was conducted in October 2002 and there was no siting of CAGN.

- **Neighborhood Compatibility Considerations**

Throughout the process for both maps, TM 23027 and TM 28728, there was substantial neighborhood concern with and input into the project. The approved map design and grading-related conditions addressed the concerns raised. Finally, since the lots would be large enough to maintain livestock and the surrounding area is not livestock oriented, staff recommends that the keeping of livestock be prohibited to maintain neighborhood compatibility.

RECOMMENDATION

That the City Planning Commission:

1. **APPROVE** Planning Cases P03-1451 (TM 31930) and P04-0260 (Rezoning), including variances and grading exceptions attached to this report, subject to the recommended conditions of approval based on the following findings:
 - a. the development, as conditioned, is consistent with the Zoning Code and General Plan and with the intent of the Grading Ordinance; and
 - b. staff can make the necessary findings to support grading exceptions and variances as detailed in Exhibits K, L, M, N.
2. **DENY** Planning Cases P03-1548 (Revised PRD), based on the following findings:
 - a. there have been no changes in the project area to warrant any changes from the originally approved PRD;
2. Determine that:
 - a. this proposed case will not have a significant effect on the environment because of the mitigation measures described in this report and recommend that the City Council adopt a Mitigated Negative Declaration; and
 - b. there is evidence before the City 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.

EXHIBITS

- A. Location/Zoning Map
- B. General Plan Map
- C. Aerial Photo
- D. Proposed Rezoning Map
- E. Approved Tract Map-28728 dated 1998
- F. Approved Phasing Map 28728 dated 2002
- G. Proposed Subdivision Map TM 31930
- H. Planning Commission Staff Report Dated February 21, 2002 for TM 28728
- I. Final Approved Conditions for TM 28728
- J. Correspondence Received
- K. Staff Prepared Grading Exceptions
- L. Staff Prepared Variance Justifications
- M. Applicant Prepared Grading Exceptions
- N. Applicant Prepared Variance Justifications
- O. Biological Reports and Wetland Delineation Report
- P. CEQA Findings Prepared by Applicant

RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

Case Number: P04-0260 (Rezoning)

Meeting Date: August 19, 2004

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

Standard Conditions

- **Planning**

1. Prior to finalization of the rezoning case, the applicant shall obtain final authorization from the Riverside County Flood Control District or the applicant shall have acquired such property.
2. There shall be a two-year time limit in which to satisfy the approved conditions and finalize this action. Subsequent one-year time extensions may be granted by the City Council upon request by the applicant. Any extension of time beyond five years may only be granted after an advertised public hearing by the City Council.
3. When all of the conditions of approval have been completed, the applicant shall apply for a request for processing through the Public Works Department to initiate finalization of this rezoning. A fee may be required.
4. All necessary parcel description describing the exact area to be rezoned shall be prepared, signed and sealed by a licensed Land Surveyor or Civil Engineer authorized to practice Land Surveying in the State of California for the area of the property to be rezoned. **Descriptions are required to be on 8½ inch by 11 inch paper with the title “Attachment A” at the top.**

GENERAL INFORMATION NOTES

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

RECOMMENDED CONDITIONS

Case Number: P03-1451 (TM 31930)

Meeting Date: August 19, 2004

CONDITIONS

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

Case Specific

- **Planning**

1. The City Planning Commission makes the necessary findings in the applicant's favor to grant the following variances. As justification, the applicant's written justifications are referenced:
 - a. parcels less than two acres in size on lots with an average natural slope (ANS) greater than 15% (lots 23-27, 29-32, 35-37, 39-49, 51-56, 58-64 and 66-91);
 - b. parcels less than five acres in size on lots with an ANS of 30% or greater (lots 33-34, 38, 50 & 65);
 - c. landlocked parcels located along private streets.
2. The Commission makes the necessary findings in the applicant's favor to grant the following grading exceptions. As justification, the applicant's written justifications are referenced:
 - a. to permit lots **37-41, 43-49, 57-62, 77, 78**, Grass Valley Way, Cresthaven Drive, Century Hills Drive, a Flood Control access road and a sewer line to encroach within the limits and 50-foot development setback of the Alessandro Arroyo as defined in the Grading Ordinance; and
 - b. to permit slopes in excess of twenty-feet for portions of Cresthaven and Century Hills Drives.

Prior to Map Recordation

3. 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.

4. The applicant shall obtain final authorization from the Riverside County Flood Control District or the applicant shall have acquired such property.
5. An open space easement shall be recorded for all areas within the boundaries of the 100 year flood plain and all non-graded areas and for each lot all areas not proposed for grading under this review subject to the approval of the Planning Department and City Attorney's Office. The easement should clearly specify that these areas are intended for open space purposes only and that no grading, construction or fencing is permitted. The open space areas within the open space easement are to be maintained by a non-profit conservation organization such as the Riverside Land Conservancy subject to the approval of the Planning Department and City Attorney's Office. The property shall be transferred either in fee title or an easement established to facilitate maintenance/stewardship by such an organization.
- *6. Lots 53 and open space Lot 87 shall be combined as one open space lot.
- *7. The applicant shall prepare and record Covenants, Conditions, and Restrictions (CC&Rs) and other documents as necessary subject to approval of the Planning Department and City Attorney's Office. The CC&Rs shall contain the following conditions and restrictions:
 - *a. prohibiting any additional grading beyond the Arroyo setback and 50-foot development setback;
 - *b. establishing a Homeowner's Association;
 - *c. the keeping of livestock is prohibited;
 - *d. prohibiting further subdivision of any lots within this map.
- *8. The unused portion of right-of-way from the existing cul-de-sac bulb of Cresthaven Drive shall be vacated. A separate submittal and filing fee is required.
- *9. Lots 88 and 89 should be split at the phasing line to create two new, numbered open space lots.
- *10. Planning Cases P04-0260 and P03-1548 shall be finalized.
- *11. Easements shall be recorded as necessary to provide water to the adjoining

lots to the north of Rolling Ridge Road and that the developer stub the waters lines to all effected, contiguous properties.

Prior to Grading Permit Issuance

- *12. The proposed project affects waters of the United States and waters of the State, which fall under the jurisdiction of the United States Army Corps of Engineers (USACE) and the California Department of Fish and Game (CDFG), respectively. As such, the following agencies have jurisdiction over this project, as necessary: the California Department of Fish and Game; the Army Corps of Engineers; the U.S. Fish and Wildlife Service; and the California Regional Water Control Board. These agencies' approval will be required prior to grading permit issuance and the applicant is responsible for compliance with all requirements and conditions of these agencies.
- *13. Permanent loss of RSS will be mitigated at a greater than 3:1 ratio through the onsite preservation of 20.6 acres of RSS (9.6 acres moderate quality, 11 acres low quality) adjacent to the Alessandro Arroyo.
- *14. The permanent loss of jurisdictional waters will be offset by the expansion of the unnamed drainage feature at a 1:1 ratio. The mitigation site will be located immediate downstream of the road crossing and adjacent to the proposed upland water quality bio-swale. It is anticipated that the bio-swale will provide sufficient hydrology to support riparian vegetation.
- *15. A water quality bio-swale will be installed immediate downstream of the road crossing. The bio-swale will be installed in an upland location to provide pretreatment of urban runoff priot to discharge into the drainage feature. The HOA will provide long term maintenance, consisting of installation of native grasses, and sediment removal as needed.
- *16. A three year maintenance and monitoring plan is proposed to ensure the successful establishment of the native cover within the mitigation area. Riparian vegetation will be installed within the mitigation site consisting of native grasses.
- *17. The project site is located within the Riverside County SKR Habitat Conser- vation Plan Fee Assessement Area, and therefore subject to current fee requirements as administered by the City of Riverside.
- *18. The grading plan shall be revised, subject to Planning Department review and approval, to:
 - *a. 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 City Attor- ney's office Departments' review and approval.

- *b. Indicate that all rip-rap will be natural rock (not blasted) and all visible drainage features will be color treated to blend in with the natural surroundings.
 - *c. Indicate an interim erosion control program to be certified by the project engineer subject to Public Works Department review and approval.
 - *d. Reflect City adopted contour grading policies. 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. Indicate that grading operations will be restricted 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.
 - *f. Indicate the 100 year flood limits of the blue line stream to the satisfaction of the Public Works Department.
- *19. Prepare a detailed grading plan at 1"=40' scale for lot 45 showing protection of the existing rock outcroppings, subject to Planning Department approval.
 - *20. Final driveway grades and configurations will be subject to review and approval of the Fire Department.
 - 21. Tract Map 31930 shall be recorded.
 - *22. Provide a trail across the subject property, between the Alessandro Arroyo and the northerly boundary of the subject property for eventual connection to Tiburon Knoll, subject to approval of the Planning Department.
 - *23. Landscaping and irrigation plans for all manufactures slopes in excess of five feet in vertical height shall be submitted to and approved by the Planning Department. The applicant's engineer or landscape architect shall submit a letter certifying to the installation of such required landscaping and irrigation facilities prior to the release of utilities.
 - *24. In the event that joint access driveways are proposed, covenants shall be prepared subject to the satisfaction of the City's Attorney Office and Public Works Departments.
 - *25. The grading plan shall be revised to reflect all design changes recommended in this City Planning Commission report.
 - *26. Adjacent property owner's approval shall be obtained for all off-site grading. Also, slope maintenance agreements for all slopes crossing property lines shall be recorded subject to approval of the Planning and Public Works

Departments and City Attorney's Office

- *27. The applicant shall prepare a Coastal Sage Scrub and riparian enhancement plan subject to review and approval of the Planning Department prior to grading permit.
- *28. Manufactured slope ratios shall not exceed a maximum of 2:1.
- *29. The applicant shall be responsible for erosion and dust control during both the grading and construction phases of the project.
- *30. Grading activity shall be in substantial compliance with the grading plan on file with this application.
- *31. Advisory: The Regional Water Quality Control Board requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP).
- *32. Compliance with SCAQMD Rules 402 and 403 shall be followed in order to minimize air pollutant construction emissions. Additionally, the applicant will implement the following:
 - a) Regular watering, at least 3-times a day, of the construction site, including all unpaved parking or staging areas or unpaved road surfaces, shall be utilized in order to reduce the fugitive dust generated during grading and construction operations;
 - b) Replace groundcover in disturbed areas as quickly as possible; and
 - c) Appoint a construction relations officer to act as a community liaison concerning on-site construction activity, including resolution of issues related to PM 10 generation.
- *33. Advisory: Any disturbance of the "blue line streams" will require permits and approval from the State Department of Fish and Game and U.S. Army Corps of Engineers.
- *34. The applicant shall comply with the long term Stephen's Kangaroo Rat (SKR) Habitat Conservation Plan (HCP) and the City's policies for implementing the HCP.

Prior to Building Permit Issuance

- *35. The applicant is advised that the project is in an area impacted by a CNEL noise level between 60 and 70 dBA. Dwelling units constructed within the noise impacts areas will have to be sound insulated to the specifications of the Building Division.

- *36. Submit documentation of approval by the Riverside County Airport Land Use Commission (ALUC) shall be submitted to the Planning Department. All Conditions imposed by the ALUC shall be met to its satisfaction prior to map recordation. In the event the ALUC finds this map to be inconsistent with the Airport Land Use Plan, the case shall be considered by the City Council at a public hearing concurrently with the ALUC appeal.
- *37. The applicant shall convey an avigation easement to the March Air Reserve Base (MARB) and the March Inland Port (MIP) to the satisfaction of the City Attorney's Office and MARB/MIP. The applicant shall obtain approval of the Riverside County Airport Land Use Commission and submit documentation to Planning Department staff.
- *38. Any lighting other than normally associated with a residential use, such as tennis court lighting, will be reviewed by the Planning Department in the Design Review process. Any tennis court lighting is required to be hooded and directed downward. In addition, the design shall avoid off-site light spillage.
- 39. For purposes of measuring the front yard building setback line the private street will be considered a public street. All homes placed on these lots will have a front yard setback of 30-feet from the private street property line and 25-feet from the side and rear property lines. All other applicable standards of the underlying RC — Residential Conservation Zone shall be met.
- 40. If any of the mitigation measures contained herein conflict with the measures required by any of the resource agencies with jurisdiction over this project, the applicant shall comply with mitigation measures imposed by the resource agency.

Standard Conditions

- **Planning**

- *41. There is a thirty month time limit in which to satisfy the conditions and record this map. Five subsequent one-year time extensions may be granted by the City Planning Commission 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.
- *42. In approving this case, it has been determined that the project has the potential for adverse effect on wildlife resources and the payment of fees pursuant to Section 711.4 of the Fish and Game Code is required.

- Public Works

43. 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 I 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.
44. Full improvement of interior streets based on private residential street standards.
45. Storm Drain construction will be contingent on engineer's drainage study as accepted by the Public Works Department.
46. Off-site improvement plans to be approved by Public Works prior to recordation of this map.
47. The proposed private streets are to be designed and fully improved per the standards governing private streets, Resolutions 12006 and 15531.
48. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to recordation of this map.
49. Off-site improvement plans to be approved by Public Works and a surety posted to guarantee the required off-site improvements prior to recordation of this map.
50. Size, number and location of driveways to Public Works specifications.
51. 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 specifications. Security gates shall be keypad activated to provide access to the project for trash collection service.
- *52. Minimum design speed for residential streets should not be less than 25 miles per hour with a 150 foot minimum sight distance.
- *53. Installation of sewers and sewer laterals to serve this project to Public Works specifications. However, septic tanks will be allowed for lots that cannot reasonably be served by a gravity sewer.
- *54. Onsite disposal system (septic tank) acceptability shall be obtained for each lot of this map not served by sewer, to the satisfaction of the County Department of Environmental Health, prior to this map recording.

- *55. Removal and/or relocation of irrigation facilities, as required.
- *56. All property subject to flooding from a 100-year storm shall be placed in the WC (or other appropriate Zone) prior to or concurrently with recordation of this map.
- *57. Ownership of property to be undivided prior to this map recording.
- *58. Trash collection service will not be provided on the common drive serving Lots 50-53. An area shall be provided along Century Hills Drive to accommodate the placement of containers for automated collection. This requirement shall be incorporated in the CC&R's for this project.

- **Fire Department**

- *59. Requirements for construction shall follow the Uniform Building Code with the State of California Amendments as adopted by the City of Riverside.
- *60. Construction plans shall be submitted and permitted prior to construction.
- *61. Any required fire hydrants shall be installed and operational prior to Fire Department release of permit.
- *62. Fire Department access is required to be maintained during all phases of construction.
- *63. Prior to map recordation the Fire Department recommends the following conditions be included in a recorded covenant to the satisfaction of the City Attorney's Office and Fire Departments to ensure that future buyers are informed of these requirements:
 - a. On- and off-site fire protection facilities shall be provided to the specifications of the Fire Department.
 - b. The Building Division and Fire Department shall inspect and approve the property and structure for the intended use and all standards and regulations shall be met.
 - c. Residential fire sprinklers shall be installed per City Ordinance #6019.
 - d. A public water system shall be provided and maintained.
 - e. Streets and fire apparatus access roads shall meet public street standards.
- *64. Appropriate provisions shall be made and approved by the City resolution or

agreement to insure streets are maintained and repaired when necessary in the event a homeowners association fails to do so.

- *65. Cul-de-sacs, where islands are provided, shall be a minimum of 106-feet in diameter, curb-to-curb, with a maximum fifty-foot diameter island.
- *66. Entry gate(s) shall meet Fire Department requirements for access and be equipped with key box (Knox) devices.
- *67. All dead-ends, caused by recordation of individual phases of the map, in excess of 150-feet will be required to provide a temporary turnaround to the Fire Department's approval.

● **Public Utilities**

- *68. 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.
- *69. 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.
- *70. Consideration for acceptance of a City maintained water system within private developments requires the following:
 - a. Easements will be provided as required by the Water Utility. This will include the entire width of private streets (minimum 50-foot wide) and a graded strip (minimum 30-foot wide) elsewhere as needed.
 - b. Easements shall be kept clear of structures, trees and all other deep rooted plants which could interfere with the operation, maintenance and/or replacement of City water facilities. This includes medians.
 - c. The City Water Utility shall review and approve all construction and landscaping plans within the easement areas.
 - d. Private streets shall be constructed to Public Works specifications, including standard 6-inch curb and gutter to provide adequate drainage for flushing and flow testing fire hydrants.
 - e. City water mains in private streets shall be ductile iron and shall be constructed beneath all transverse storm drain facilities.
 - f. Compliance with any other special requirements of the Water Utility.
- *71. Applicable Water Utility fees and charges, will be required prior to record-

ation.

- *72. Since the Public Utilities Department signs the record map only when all of our conditions have been satisfied, Water Utility approved modifications can be made without further City Planning Commission review.
- 73. Advisory: The provision of faithful performance bonds in accordance with the City of Riverside Water Rules.
- 74. Advisory: Special requirements are applicable for acceptance of public water system facilities within private streets.

- **Park and Recreation**

- *75. The removal, relocation, replacement or protection of existing street trees to the specifications of the Park and Recreation, Public Works and Planning Departments.
- *76. The installation of new street trees in accordance with the specifications of the Park and Recreation Department. Street tree installation work may be deferred until issuance of building permit on each individual parcel. No Street Trees are required for private streets. All street trees shall be automatically irrigated and installed prior to occupancy.
- *77. Payment of all applicable park development fees (local and regional/reserve) as mitigation for impact to park development and open space needs as generated by the project (Note: Regional/Reserve Park fees not applicable to Open Space Lot acreages; However, all other lots including street lots are subject to Regional/Reserve Park fees).
- *78. All reverse frontage and public landscape plans shall be subject to review and approval of the Park and Recreation, Planning and Public Works Departments.
- *79. Installation of full reverse frontage and public landscape improvements, walls and hardscape for all public landscape areas as may be required by the Planning Department, in accordance with the specifications of the Park and Recreation, Planning and Public Works Departments.
- *80. Irrigation systems serving public landscape areas shall be metered, controlled and valved separately from any private landscape areas for both electrical and water services, as well as for irrigation valve control.
- *81. All public landscape areas and private open space areas and parkways shall be maintained through a Homeowner's Association.
- *82. Provide landscape and wall easements, subject to the approval of the Park and

Recreation and Public Works Departments and City Attorney's Office, for all reverse frontage and public landscape improvements that extend beyond the public right of way.

- *83. A multi-purpose recreational trail easement shall be granted to the City along an alignment within the Alessandro Arroyo as approved by the Planning, Park and Recreation and Public Works Departments, and the Recreational Trails Steering Committee. It is anticipated the trail alignment will remain within the 100 year flood plain.
- *84. Trail signage shall be placed along the trail prior to recordation, or shall be incorporated into the performance/labor material bonds executed for construction of the trail.
- *85. A Covenant and Agreement for the maintenance of the landscaped parkways, reverse frontage and public landscape areas and medians, approved as to form by the City Attorney, must be executed by the developer. The agreement shall outline the responsibilities and liabilities being assumed by the Home Owners Association (HOA), upon acceptance of these landscape areas for private maintenance by the HOA.

GENERAL INFORMATION NOTES

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

RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

Case Number: P03-1548 (Planned Residential Development)

Meeting Date: August 19, 2004

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

Standard Conditions

● **Planning**

1. A maximum of 86 lots shall be allowed under this Planned Residential Development on approximately 167.5-acres.
2. In approving this case, it is found that this proposed project is consistent with the existing general plan for the City of Riverside based on substantial evidence discussed in this report. There is not substantial evidence in the record that the project will interfere with the revised general plan currently being prepared by the City.
3. On and off-site fire protection facilities shall be provided to the specifications of the Fire Department.

Fire Department Advisory Conditions:

4. Single family residences shall meet all the following requirements prior to issuing a building permit.
 - a. Public fire hydrant capable of delivering 1,000 G.P.M. available at 20 P.S.I. residual pressure.

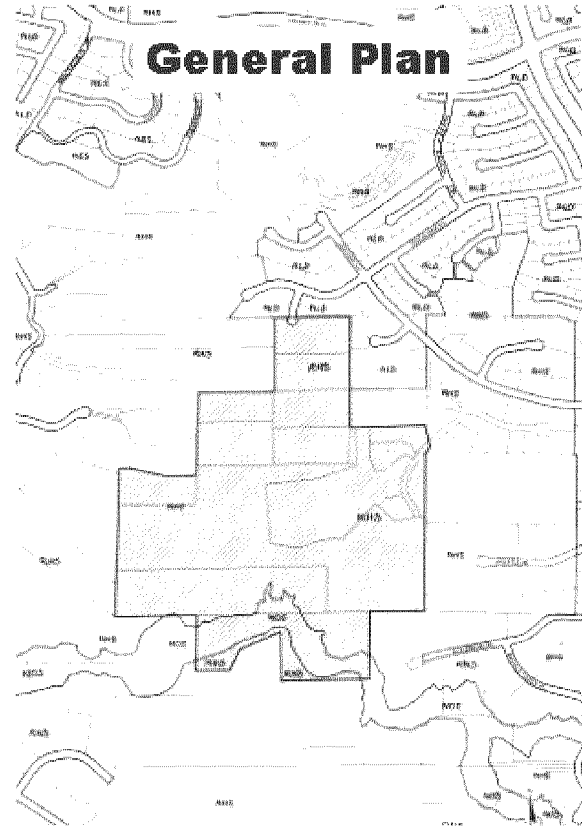
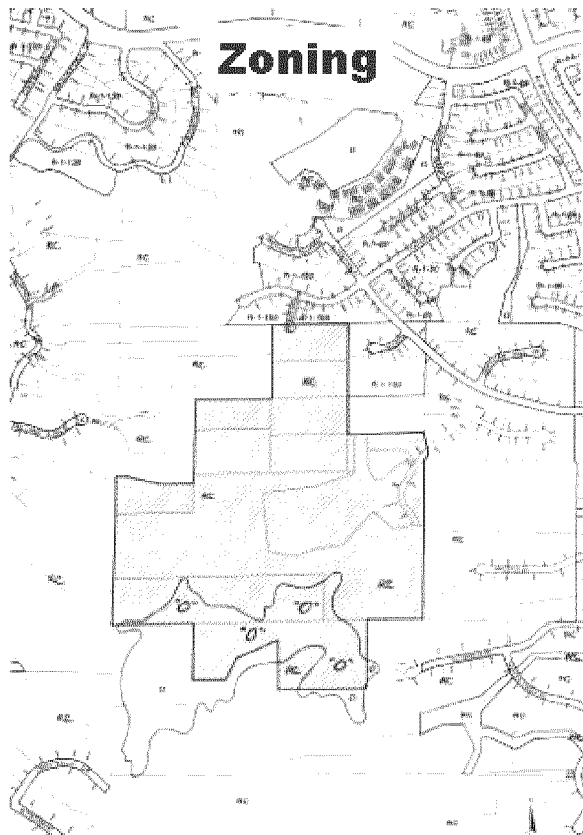
EXCEPTION: Public fire hydrant capable of delivering 500 G.P.M available at 20 P.S.I residual pressure with an approved residential fire sprinkler system per N.F.P.A. 13(d).
 - b. Public fire hydrant shall be within 350 feet from the driveway entrance as measured by route of travel
 - c. All exterior portions of the single family residence shall be within 300 feet from an approved water supply located on a public way, as measured by an approved route around the exterior of the building

EXCEPTION: Access requirements may be removed if single family residence has an approved residential fire sprinkler system per N.F.P.A. 13(d) and the entire exterior of the single family residence, roof, siding, and overhangs, are of fire retardant construction

Water Utilities advisory conditions:

5. Consideration for acceptance of a City maintained water system within private developments requires the following:
 - a. Easements will be provided as required by the Water Utility. This will include the entire width of private streets (minimum 50 feet wide) and a graded strip (minimum 30 feet wide) elsewhere as needed
 - b. Easements shall be kept clear of structures, trees and all other deep rotted plants, which could interfere with the operation, maintenance, and/or replacement of the City water facilities. This includes medians.
6. The City Water Utility shall review and approve all construction and landscaping plans within the easement areas.
7. Private streets shall be constructed to Public Works specifications, including standard 6 inch curb and gutter to provide adequate drainage for flushing and flow testing fire hydrants.
8. Installation of a 12 inch water main across the Alessandro Arroyo is of prime importance to the expansion and operation of the city 1400 zone on both sides of the arroyo. Therefore, the installation of a 12 inch water main in a graded easement is required from your project boundary near the Arroyo Dam to the nearest private street, as approved by the Water Utility and the Planning Department. Crossing the arroyo at the dam will also require the approval of the Riverside County Flood Control District.
9. Compliance with any other special requirements of the water utility
10. Applicable water utility fees and charges will be required prior to recordation.
11. Plot plan, building elevations, landscaping, irrigation for the future residence shall be submitted to the Design Review Board for review and approval. Design Modifications may be required as deemed necessary. A separate application and filing fee is required. The plot plan and building elevations must be approved prior to building permit issuance; landscaping and irrigation plans must be submitted prior to building permit issuance.

EXHIBIT A & B



CPC 8/19/04

P03-1451-1548 / P04-0260

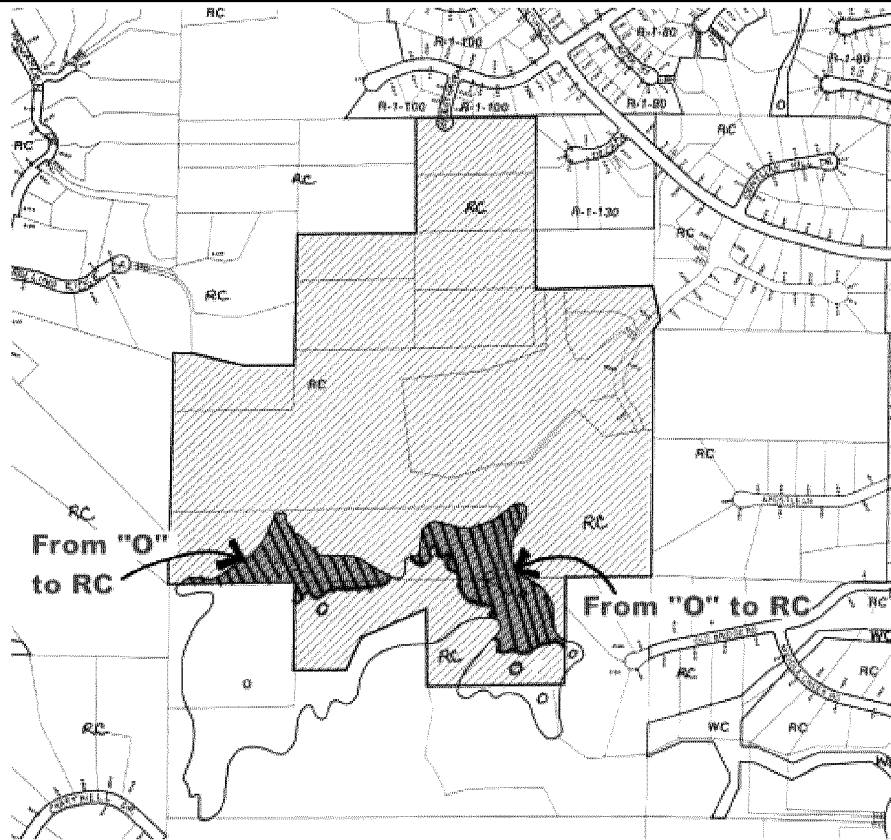
EXHIBIT C – 1998 Aerial Photo



CPC 8/19/04

P03-1451-1548 / P04-0260

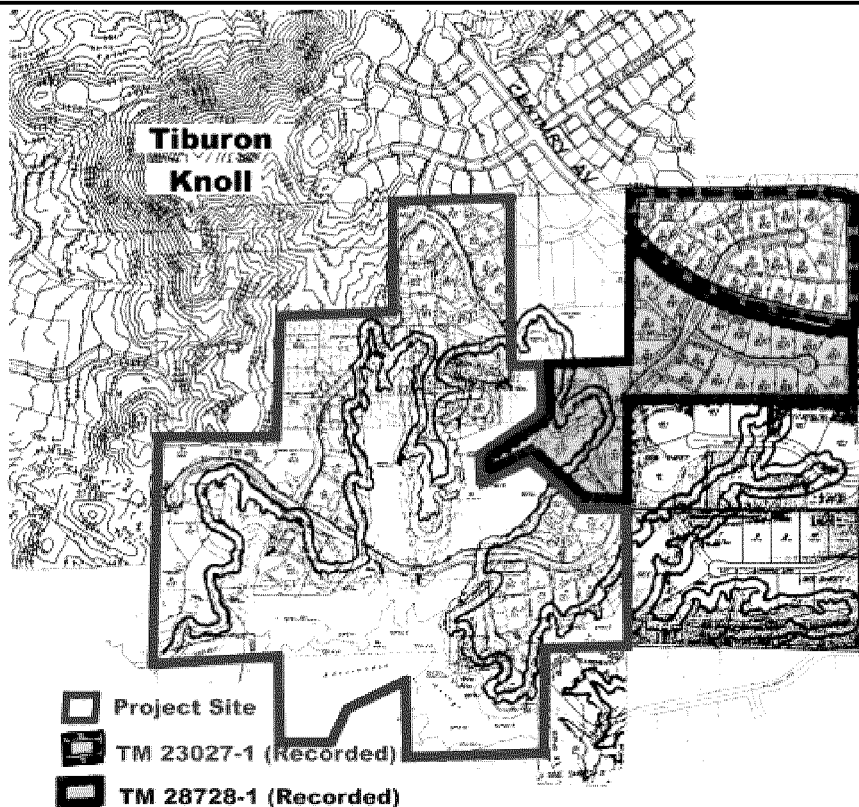
EXHIBIT D – Proposed Zoning



CPC 8/19/04

P03-1451-1548 / P04-0260

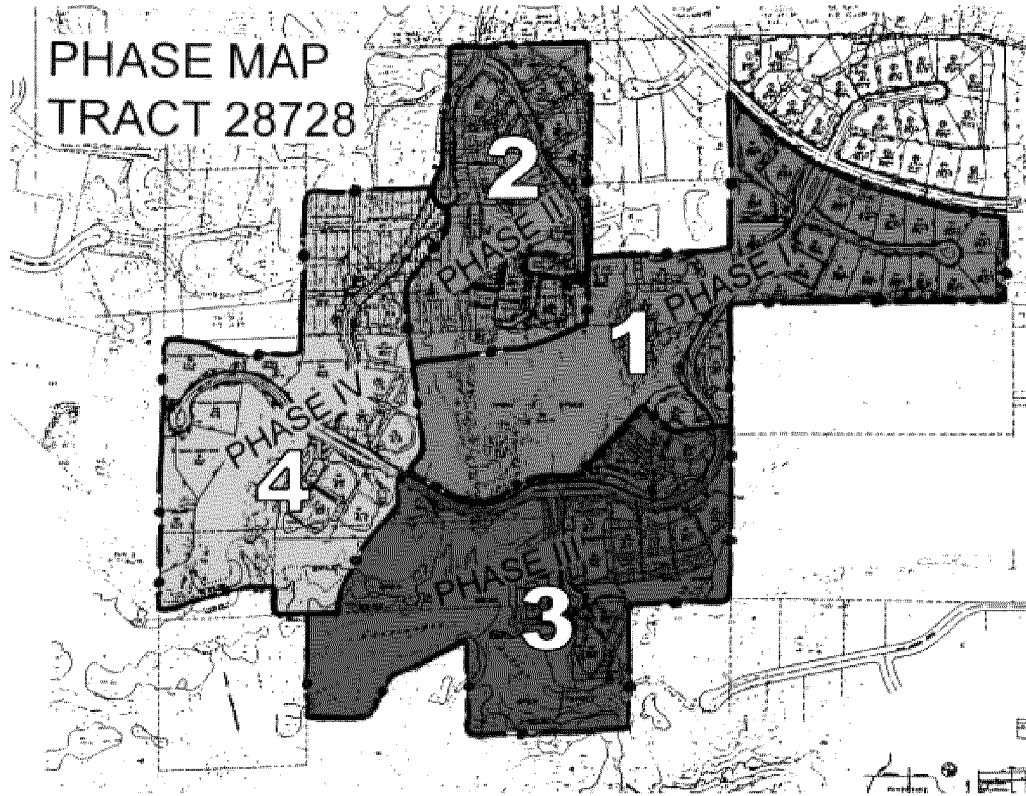
EXHIBIT E – Approved Tract Map 28728 (dated 1998)



CPC 8/19/04

P03-1451-1548 / P04-0260

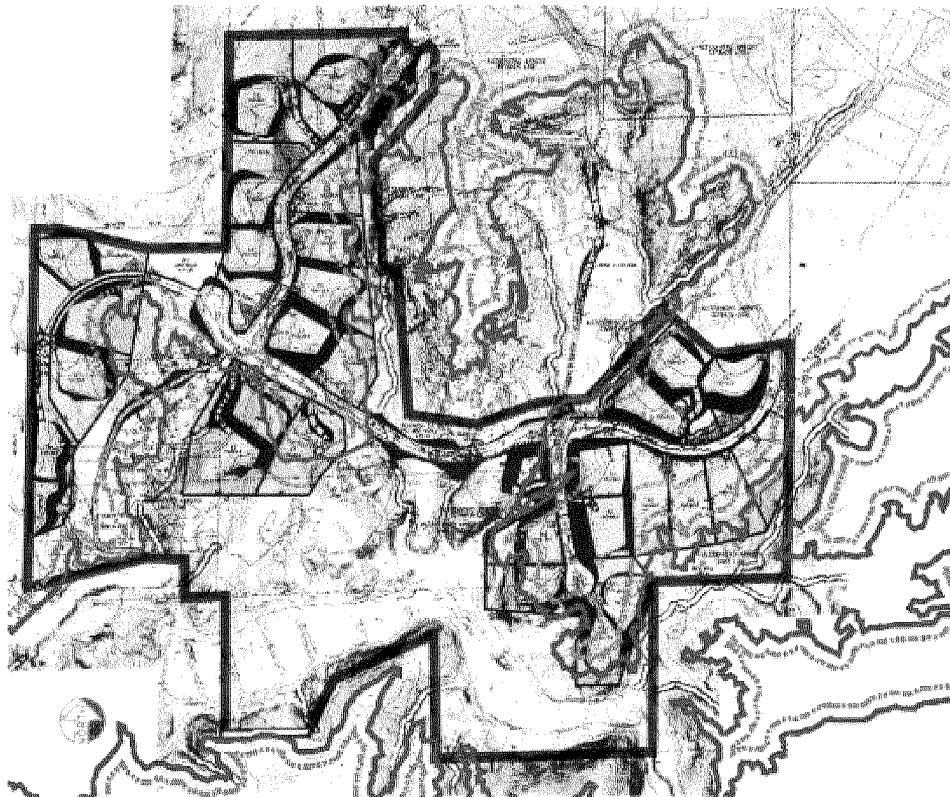
EXHIBIT E – Approved Phasing Map 28728 (dated 2002)



CPC 8/19/04

P03-1451-1548 / P04-0260

EXHIBIT F – Proposed Tract Map 31930



CPC 8/19/04

P03-1451-1548 / P04-0260



Negative Declaration

1. **Case Number:** P03-1451, P03-1548, P04-0260
2. **Project Title:** Tract Map, Rezoning and Planned Residential Development
3. **Hearing Date:** August 19, 2004
4. **Lead Agency:** City of Riverside, Planning Department
3900 Main Street, 3rd Floor
Riverside, CA 92522
5. **Contact Person:** Clara Miramontes, Senior Planner
Phone Number: (909) 826-5277
6. **Project Location:** Northerly of the Alessandro Arroyo, easterly of Hawarden Drive,
westerly of Alessandro Boulevard and southerly of Century Avenue
7. **Project Applicant:** Bill Gabel (909) 788-8092
Gabel, Cook and Becklund, Inc.
125 West La Cadena Drive, Suite A
Riverside, CA 92501
8. **General Plan Designation:** RHS — Hillside Residential and NOS — Natural Resources
Open Space
9. **Zoning:** RC -SP — Residential Conservation and Specific Plan (Hawarden Hills) Combin-
ing Zone and O - SP — Official and Specific Plan (Hawarden Hills) Combining
Zones
10. **Description of Project:** (Describe the whole action involved, including but not limited to later phases of the project, and any secondary,
support, or off-site features necessary for its implementation.)

This project proposes to implement the final two phases of a previously approved map TM 28728, subdividing 151.8 acres into 65 single family residential lots and 6 open space lots in the area bounded by Trafalgar Avenue to the north, Century Avenue to the east, the Alessandro Arroyo to the south and Rolling Ridge Road to the west. TM 28728 was originally approved in 1998 and was divided into four phases, in which phase 1 recorded subsequently (see Exhibit F for phasing map). TM 28728 was created to implement a formerly approved Planned Residential Development (PD-001-912) which was approved in 1994 along with Tract Map 23027 originally encompassing the subdivision of 167.5 acres into 85 lots. However, only 20 lots of TM 23027 were recorded in time before the map expired. As such, TM 28728 was created to implement the remaining 65 unrecorded lots. On February 21, 2002 the Planning Commission approved a time extension for phases 2-4 of TM 28728 until July 2003 with no eligibility for additional time extensions. By July 2003, phase 2 (lots 63-76, 90 and a portion of 89) had recorded but phases 3 and 4 never recorded in time prior to expiration of the map. As such, the applicant is now proposing a new map to subdivide approximately 86.31 vacant acres to create 29 single family residential and 5 open

space lots. Phases 3 and 4 of TM 28728 were approved for a total of 28 single family residential lots and four open space lots.

The proposed map does not comply with the previously approved number of lots under the originally approved PRD (PD-001-912) which approved a total of 85 lots whereas as the proposed map proposes 86 lots. As such, the applicant is also requesting an application for a revised PRD. The overall number of proposed lots still complies with the City's density bonus provisions for PRDs. This is discussed in detail in the body of this report.

The project involves grading on slopes ranging between 10% and 30% and will require exceptions from the City's Grading Ordinance standards related to the encroachment of building pads and/or manufactures slopes into the 50-foot development setback and limits of the Alessandro Arroyo and to permit slopes in excess of 25-feet for streets.

The project also involves a rezoning request to remove an O - Official Zoning designation from the southerly portion of the project area where development is proposed and placing the property in the RC - Residential Conservation Zone. The area to be developed has a General Plan land use designation of Hillside Residential, in which a General Plan Amendment is not required. As a matter of information, a rezoning case for the area in question was also approved in 1994 in conjunction with TM 23027 and PD-001-912. However, the applicant has chosen to refile a new rezoning request instead of requesting a time extension for multiple years.

11. **Existing Land Uses and Setting:**

The subject property is characterized by vacant, steeply sloping terrain traversed by a series of ridgelines and arroyo tributaries. The main arroyo, the Alessandro Arroyo is a blueline stream generally located along the southerly edge of the property. Numerous rock outcroppings and mature trees are located throughout the project area. The Alessandro Dam lies directly to the southwest of the subject property. Surrounding properties to the south and east are primarily vacant, but planned for large lot (RC Zoned) single family residential development. Properties to the north and west are characterized by a mix of vacant properties, conventional residential units and large lot single family residences along the Hawarden Hills ridgeline.

12. **Surrounding Land Uses and Setting:**

Adjacent existing land use:

North: Single Family Residential

East: Vacant

South: Vacant

West: Vacant

Adjacent zoning:

North: R-1-100 and R-1-130 — Single Family Residential Zones & RC — Residential Conservation Zone

East: RC — Residential Conservation Zone

South: RC — Residential Conservation and O — Official Zones

West: RC — Residential Conservation Zone

13. **Other agencies whose approval is required:**

- a. California Department of Fish and Game
- b. United States Army Corps of Engineers
- c. Fish and Wildlife
- d. U.S. California Regional Water Quality Control Board

14. **Other Environmental Reviews Referenced in this Review:**

- a. Environmental Review of TM-28728/TM-23027/PD-001-912/RZ-006-912/EP-016-912 (On file with the Planning Department)
- b. Alessandro Heights Arroyo Study & EIR, and Grading Ordinance (On file with the Planning Department)
- c. Hawarden Hills Study/Specific Plan (On file with the Planning Department)
- d. Traffic Study TM 23027;1991 (On file with the Planning Department)
- e. Hydrology Study TM 23027 (On file with the Planning Department)
- f. Preliminary Geotechnical Investigation Report 1999 (On file with the Planning Department)
- g. Air Quality Analysis 2004 (On file with the Planning Department)

DETERMINATION:

On the basis of this initial evaluation which reflects the independent judgement of the Planning Department, it is recommended that:

The City Planning Commission find that the proposed project COULD NOT have a significant effect on the environment, and that a NEGATIVE DECLARATION be prepared.

The City Planning Commission find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the recommended mitigation measures have been added to the project (see attached recommended mitigation measures). A mitigated NEGATIVE DECLARATION will be prepared.

The City Planning Commission find there is no evidence before the agency that the proposed project will have any potential for adverse effect on wildlife resources, and the impacts of the project are de minimis pursuant to Section 711.4 of the Fish and Game Code.

Ken Gutierrez, Planning Director



Environmental Initial Study

Project Description: See Negative Declaration

Evaluation of Environmental Impacts:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources cited in the parentheses following each question. A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards.
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. An answer of “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect is significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. An answer of “Less than Significant Impact” is appropriate *only* in the event there is **no** substantial evidence that an effect is significant.
5. An answer of “Potentially Significant Unless Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from a “Potentially Significant Impact” to a “Less than Significant Impact.” A description of the mitigation measures is required, along with an explanation of how they reduce the effect to a less than significant level (mitigation measures from a previous analysis may be cross-referenced).
6. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. When an earlier analysis is used, the initial study shall:
 - a. **Reference earlier analyses used.** Identify earlier analyses. Unless noted otherwise, all previous environmental documents are available at the City of Riverside Planning Department.
 - b. **Note impacts adequately addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. **Identify mitigation measures.** For effects that are “Less than Significant with Mitigation Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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1. LAND USE AND PLANNING.

Would the proposal:

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. | <p>Conflict with general plan designation or zoning?
 <small>(Source: GENERAL PLAN LAND USE DIAGRAM, TITLE 19 OF THE RIVERSIDE MUNICIPAL CODE)</small></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

The proposed project involves the subdivision of approximately 86.31 vacant acres to create 29 single family residential and 5 open space lots. A Planned Residential Development application has been submitted to allow one additional lot to the previously approved TM 28728. The original Planned Residential Development request was approved in 1994 in conjunction with TM 23027, the original tract map for this project area, and subsequently for TM 28728. The proposed PRD complies with the maximum density bonus allowed under a PRD in the RC zone.

This project also requires variances and grading exceptions, which the City may grant, provided that findings in support of the requests can be made. Variances are requested to permit parcels less than 2-acres for lots with an average natural slope (ANS) greater than 15% but less then 30% for lots 37 - 39, 43-48, 50-79, parcels less than 5-acres in size on lots with an ANS greater than 30% for lot 49, landlocked parcels located along private streets for residential and open space lots, and lot widths at the building setback line less than 130-feet in width for lots 38, 44, 49 and 50-53. Grading exceptions are discussed in detail in Section 3.e.

The project also involves a rezoning request to remove an O - Official Zoning designation from the southerly portion of the project area and place the property in the RC - Residential Conservation Zone to facilitate this development. The area to be developed has a General Plan land use designation of Hillside Residential. A General Plan Amendment is not required.

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| b. Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project? <small>(Source:)</small> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

The proposed project affects waters of the United States and waters of the State, which fall under the jurisdiction of the United States Army Corps of Engineers (USACE) and the California Department of Fish and Game (CDFG), respectively. As such, the following agencies may have jurisdiction over this project, as necessary: the California Department of Fish and Game; the Army Corps of Engineers; the U.S. Fish and Wildlife Service; and the California Regional Water Control Board. These agencies' approval will be required prior to grading permit issuance and the applicant is responsible for compliance with all requirements and conditions of these agencies.

On April 13, 2003, the applicant obtained a stream or lake alteration agreement from CDFG for the same -acre project in its previous iteration, TM 28728. The agreement authorized permanent impacts to .077 acres of State jurisdictional streams and associated habitat. Any changes from that stated in the agreement will require the applicant to request an amendment to the original agreement or submit a new notification to CDFG. The applicant has also obtained a Clean Water Act Section 401 Certification under the previous map TM 28728, the project qualifies for processing under the US Army Corps of Engineers Nationwide Permit NW39 under Section 404 of the Clean Water Act, and the US Fish and Wildlife Service has conducted a formal Section 7 consultation for the project.

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c. | Be incompatible with existing land use in the vicinity? <small>(Source:)</small> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

The proposal is in conformance with the General Plan. In addition, surrounding properties to the north have been developed with a similar density. This project is not expected to result in an adverse impact on the adjacent properties.

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d. | Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)? <small>(Source: GENERAL PLAN EXHIBIT 10 — AGRICULTURAL RESOURCES)</small> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Portions of the sites are designated as Farmland of Local Importance by the State of California. The City General Plan, while acknowledging the importance of retaining the City’s agricultural capability, indicates that it is not feasible nor desirable to retain all potentially viable agricultural lands, based on land use considerations. Inasmuch as the General Plan proposes the conversion of these lands to development, and the designated areas have not been actively farmed, the impacts associated with the development of these lands are not considered significant.

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e. | Disrupt or divide the physical arrangement of an established community? <small>(Source:)</small> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

The proposed development will not disrupt the existing residential neighborhood to the north. This map will complete the final phase of previously approved map (TM 28728), which was part of the planned residential development originally approved in 1994.

2. POPULATION AND HOUSING.

Would the proposal:

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. | Cumulatively exceed official regional or local population projections? <small>(Source:)</small> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

This project is consistent with the City of Riverside General Plan and the growth projections contained therein.

ISSUES (AND SUPPORTING INFORMATION SOURCES):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>b. Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? (Source:)</p> <p>The project is located in an urbanized area and involves only the minor, incremental extension of existing infrastructure. The sewer extension will not directly or indirectly induce substantial growth because the capacity is directly proportional to the number of houses in the project.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c. Eliminate existing housing, especially affordable housing? (Source:)</p> <p>The project will not result in the removal of any residences.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3. GEOLOGY AND SOILS.

Would the proposal result in or expose people to potential impacts involving:

<p>a. Fault rupture? (Source: GENERAL PLAN EXHIBIT 6 — SEISMIC HAZARDS)</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b. Seismic ground shaking? (Source: GENERAL PLAN EXHIBIT 6 — SEISMIC HAZARDS)</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. Seismic ground failure, including liquefaction? (Source: GENERAL PLAN EXHIBIT 6 — SEISMIC HAZARDS)</p> <p>The Soil Study prepared by Gabel, Cook and Becklund for TM 28728 does not identify that the Project site contains soils subject to liquifaction or seismic ground failure.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d. Seiche hazard? (Source: GENERAL PLAN EXHIBIT 7 — HYDROLOGY)</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- e. Grading on natural slopes over 10 percent? (Source: GIS MAPS & GENERAL PLAN EXHIBIT 4 — SLOPE ANALYSIS)

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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The project area is characterized by slopes that range between approximately 10 and 30 percent, with an average slope of approximately 26%. The proposed grading for this project is regulated by the Public Works Department and the City’s Grading Ordinance. The project requires grading exceptions to allow manufactured slopes up to a height of 30 feet for portions of proposed Cresthaven and Century Hills Streets. As well, portions of the proposed pads and streets are located within the limits of the Alessandro Arroyo. In addition, the Grading Ordinance requires a 50-foot development setback from the limits of the Arroyo.

The Grading Ordinance allows the granting of grading exceptions provided findings can be made that exceptional or special circumstances apply to the property. Such as exceptional or special circumstances shall include such characteristics as unusual lot size, shape or topography, drainage problems, or the impracticability of employing a conforming grading plan, by reason of prior existing recorded subdivisions or other characteristics of contiguous properties.

Portions of lots 37-41, 43-49, 57-62, 77, 78, Cresthaven Drive, Century Hills Drive, Grass Valley Way, a Flood Control access road and a sewer line encroach within the limits and 50-foot development setback of the Alessandro Arroyo as defined in the Grading Ordinance. The limits of the Alessandro Arroyo and the required fifty-foot setback established under the Grading Ordinance were established based on an analysis of topographical maps and aerial photos.

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact Potentially Significant Unless Mitigation Incorporated Less Than Significant Impact No Impact

The limits of the arroyo are defined as those areas with slopes over 30% and which are identified on the Alessandro Arroyo map exhibit to the grading ordinance. However, it is often necessary to actually inspect the site to determine more precisely the Arroyo limits. Lots 37-40 have been daylighted to avoid slopes within proximity to the main Arroyo. The grading for these lots allows for an open space corridor that lines up with the open space areas of the adjacent maps to the north-east

The remaining lots 41-44, 46-49, 57-68 and 77-78 are located outside the main branch of the arroyo and lie on relatively flat surfaces or within portions of tributaries which are not topographically or visually significant. Additionally, lot 45 contains significant rock outcroppings in the rear portion of the pad which are noted for protection.

Although the proposed street alignment has already been approved under the PRD, grading exceptions are now necessary to construct some of these streets. However, none of the proposed streets lie within the actual arroyo. For the reasons stated above, staff can support all of the requested grading exceptions for encroachments into the Arroyo and its tributaries. Staff has made the necessary findings in support of these exceptions and are attached as part of this report.

ISSUES (AND SUPPORTING INFORMATION SOURCES):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f. Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? (Source: The California Regional Water Quality Control Board has issued a Section 401 water quality standards certification which contains mitigation measures to protect water quality.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Subsidence of the land? (Source: GENERAL PLAN EXHIBIT 6 — SEISMIC HAZARDS)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expansive soils? (Source: GENERAL PLAN EXHIBIT 5 — UNSUITABLE SOIL CONDITIONS) See Preliminary Soils Report prepared by Earth Technics dated November 22, 1999	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| i. Unique geologic or physical features? (Source:) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

Adjacent to the site to the south is the main branch of the Alessandro Arroyo, a major arroyo which is a designated Natural Arroyo under the General Plan and Grading Ordinance. A number of tributaries to the Alessandro Arroyo traverse the site. While portions of the tributaries will be retained as open space throughout the project, development will reduce the size of some tributaries within the boundaries of the Arroyo. Staff can generally support the requested exceptions to the grading ordinance to permit grading within the Arroyo boundary and setback because the project design is sensitive to the natural terrain and incorporates the preservation of significant natural features in relatively large open space areas. In addition to the Arroyo, the site contains large areas of rock outcroppings within open space lot 88, a unique feature recognized by the City zoning ordinance. The map and grading plan have been designed to preserve rock outcroppings which are visible on the site where ever possible. Most of the major outcrops have been retained within the open space areas or in parcel areas outside the graded pad.

An open space easement shall be placed over all ungraded portions of the map consistent with the provisions of the Grading Ordinance. The easement shall designate these areas for natural open space purposes and shall prohibit fencing, grading, structures or vegetation removal. This open space shall be dedicated to an appropriate conservancy organization for purposes of long term maintenance and management.

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Should no organization be found, a home owner’s association (HOA) shall be established to maintain these areas. In the case an HOA is required, CC & R’s will be required to insure maintenance and management of the open space, subject to approval of the Planning Department and City Attorney’s Office.

4. WATER.

Would the proposal result in:

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|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <p>a. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? <small>(Source:)</small>
 project will result in increased impermeable area, thereby altering absorption rates and increasing surface runoff. The City of Riverside General Plan anticipated the impacts of development on drainage and addressed these impacts through the implementation of a master drainage plan for each of the City’s drainage basins. Drainage improvements shall be consistent with the requirements of the City’s Public Works Department.</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

There are a few instances where grading crosses lot lines and/or the tract boundaries. Approval for all off-site grading will be required from all affected property owners and covenants will be required ensuring adequate maintenance of all such proposed facilities, subject to review and approval by the City Attorney’s Office, Planning and Public Works Departments.

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p>b. Exposure of people or property to water related hazards such as flooding? (Source: GENERAL PLAN EXHIBIT 7 — HYDROLOGY; FEW. FLOOD INSURANCE RATE MAP PANEL 060260 0001-0030 B, ZONES A & C)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

As previously noted under the original map approval of the low-lying portion of the site is located in an area subject to inundation from the Mills Filtration Plant located to the east. No development is proposed within the 100-year floodplain and the probability of exposure to flood hazards is minimal.

The floodplain for the project area was identified in a hydrological study prepared by the applicant for TM-23027. The low-lying portion of the site is located in an area subject to inundation from the Mills Filtration Plant located to the south east. No development is proposed within the 100-year floodplain; and therefore, the probability of exposure to flood hazards is minimal. Floodplain areas within the project are required to be within an open space easement. The easement will specify that these areas are intended for open space purposes only and that no grading, construction or fencing is permitted. The open space easement is to be maintained by a Homeowner’s Association or a conservation group such as the Riverside Land Conservancy subject to the approval of the Planning Department and City Attorney’s Office.

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| c. Discharge into surface waters or other alteration of surface water quality? <small>(Source:)</small> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

The project will result in increased impermeable area, thereby altering absorption rates and increasing surface runoff. The City of Riverside General Plan anticipated the impacts of development on drainage and addressed these impacts through the implementation of a master drainage plan for each of the City’s drainage basins. Drainage improvements shall be consistent with the requirements of the City’s Public Works Department, the mitigation measures and standards contained in the Section 401 Certification, and the “First Flush” standards for retention basins imposed by the Water Quality Control Board.

In addition, impacts related to erosion and surface runoff will be addressed by adherence to City adopted erosion control policies.

As this project also involves the grading of more than one acre, state and federal requirements call for the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) establishing erosion and sediment controls for construction activities. The City is not responsible for approving the SWPPP or ensuring that it is implemented. Rather, the Regional Water Quality Control Board is responsible for enforcing NPDES regulations.

ISSUES (AND SUPPORTING INFORMATION SOURCES):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>d. Changes in the amount of surface water in any water body? <i>(Source:)</i> The existing property currently drains into the Alessandro Arroyo. This project continues to drain into the arroyo but will not change the course of the arroyo. Although the amount of surface water draining into the Arroyo will increase, the “First Flush” requirements noted in 4c and the NPDES requirement noted in 4d above will mitigate impacts to surface runoff in accordance with CWQCB and NPDES regulations.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>e. Changes in the course or direction of water movement? <i>(Source:)</i> All grading and drainage facilities will be subject to Public Works Department approval and specifications to ensure that adequate drainage is provided.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>f. Changes in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations, or through substantial loss of groundwater recharge capability? <i>(Source:)</i> This project does not involve either direct withdrawal or recharge of groundwater, nor does it alter the underlying aquifer. The project results in new impermeable surfaces, thereby potentially impacting groundwater recharge capability. However, due to the topography of the site, groundwater will runoff the new impermeable surfaces, into the proposed drainage facilities consistent with the City’s master drainage plan.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>g. Altered direction or rate of flow of groundwater? <i>(Source: GENERAL PLAN EXHIBIT 6 — SEISMIC HAZARDS)</i> No changes to the direction of groundwater flow will occur as a result of the proposed project, and a retention basin is proposed to catch and filter “First Flush” runoff before it percolates into the ground.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (AND SUPPORTING INFORMATION SOURCES):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
h. Impacts to groundwater quality? <small>(Source:)</small> The project will not result in the discharge of groundwater contaminants.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Substantial reduction in the amount of local groundwater otherwise available for public water supplies? <small>(Source:)</small> This project will not utilize local groundwater for water supply. Local groundwater is not utilized for domestic consumption.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5. AIR QUALITY.

Would the proposal:

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a. Violate any air quality standard or contribute to an existing or projected air quality violation?
<small>(Source: AQMD URBEMIS 2002)</small> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

LSA Associates prepared an Air Quality Analysis for TM 31930, dated June and July 2004. The Analysis identifies that project construction will temporarily exceed the South Coast Air Quality Management District daily thresholds of significance for Nox and PM10. Compliance with SCAQMD Rules 402 and 403 shall be followed in order to minimize air pollutant construction emissions. However, because project construction is only proposed for 5-6 weeks, this short term impact is determined to be less than significant.

Additionally, the applicant will implement the additional mitigation measures:

- 1) Regular watering, at least 3-times a day, of the construction site, including all unpaved parking or staging areas or unpaved road surfaces, shall be utilized in order to reduce the fugitive dust generated during grading and construction operations;**
- 2) Replace groundcover in disturbed areas as quickly as possible;**
- and 3) Appoint a construction relations officer to act as a community liaison concerning on-site construction activity, including resolution of issues related to PM 10 generation.**

ISSUES (AND SUPPORTING INFORMATION SOURCES):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>b. Create a CO hotspot, or expose individuals to CO concentrations above established standards? (Source:)</p> <p>This project is located in an area of the SCAQMD which is designated as attainment for CO. Because project traffic is not anticipated to result in a significant impact at intersections in the vicinity of the project, resulting CO levels from project traffic will not rise to a level of significance.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c. Expose sensitive receptors to pollutants? (Source:)</p> <p>Because the area surrounding the proposed Project is zoned RC, the lots for the most part range between 1 and 2 acres in size. The size of the lots coupled with the distance between them prevents the transfer of air pollutants between the proposed project and the existing homes to the northeast. Although sensitive receptors to the NE of the project may be exposed to an increase in PM10 as a result of project grading, this increase will be reduced with mitigation, temporary, and therefore, a less than significant impact.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>d. Create objectionable odors? (Source:)</p> <p>This project will not result in emission odors likely to be found objectionable by reasonably sensitive persons in nearby neighborhoods.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e. Be subject to Transportation Demand Measures? (Source:)</p> <p>This project will not result in any new employees and therefore TDM requirements do not apply.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

6. TRANSPORTATION/CIRCULATION.

Would the proposal result in:

ISSUES (AND SUPPORTING INFORMATION SOURCES):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>a. Increased vehicle trips or traffic congestion? (Source:)</p> <p>In 1991, a traffic study was prepared for the original tract map (which includes the property contained in TM 31930) encompassing the subdivision of 167.5 acres into 86 single family residential lots and 5 open space lot. The study concluded that the widening of the intersection at Alessandro/Chicago/Arlington Avenues and of Alessandro Boulevard will mitigate any increase in trips that result from the development of this project. As such, any traffic impacts that result from increased trips and cumulative impacts that may result from the development of TM 31930 will result in an impact that is less than significant.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b. Reduction in Level of Service (LOS) of intersections? (Source:)</p> <p>The City Traffic Engineer has reviewed the 1991 Traffic Study prepared for the original project, and has determined that the LOS for Century and Alessandro and Trafalgar and Alessandro identified in that document accurately describe conditions today. Project traffic will not result in a significant impact to the LOS at intersections carrying project traffic.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c. Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses? (Source:)</p> <p>This project will facilitate the construction of residences, which will not have an effect on the existing transportation corridors. All new private streets shall be required to comply with all Public Works requirements as to design.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (AND SUPPORTING INFORMATION SOURCES):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Inadequate emergency access or access to nearby uses? (Source: The development of this project will include the construction of Century Hills Drive, which will connect the dead end at Cresthaven to the dead end that currently exists at Century. The connection of these 2 dead end streets will improve emergency access to the Project.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Insufficient parking capacity on-site or off-site? (Source: The plans for the proposed homes will need to include the required on-site parking at the time of Design Review approval.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Hazards or barriers for pedestrians or bicyclists? (Source: No hazards or barriers for pedestrians or bicyclists are caused by this project.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Source: The project will result in the construction of 29 new single family residences and will not conflict with policies supporting alternate modes of transportation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Rail or air traffic impacts? (Source: The project site is not in the vicinity of rail facilities. The site is located within the March Air Reserve Base influence area. Approval from the Airport Land Use Commission (ALUC) will be required prior to building permit issuance. An aviation easement to the March Air Reserve Base (MARB) and the March Inland Port (MIP) to the satisfaction of the City Attorney’s Office and MARB/MIP will be required.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. BIOLOGICAL RESOURCES.

Would the proposal result in impacts to:

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a. Federally endangered, threatened, or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)? <small>(Source:)</small> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

A biological Assessment for the proposed map and a biological due diligence survey for the proposed sewer line was prepared by Michael Brandman Associates on July 9, 2004 and December 15 2003. As well a wetland delineation was prepared March 2003 by Michael Brandman Associates. The updated biological assessment concurs with the findings of a biological Assessment prepared by RB Riggan Associates 2001.

Based on the current plant communities occurring within the project site and the location of known recorded special status species, Stephen’s kangaroo rat (SKR), which occurs in disturbed scrub and grassland habitats, has a moderate potential for occurrence due to the lack of suitable habitat. No sensitive plant communities were observed on the site. As well, it was determined that the project site does not contain any suitable habitat for burrowing owl or narrow endemic plan species. The site is within the current Riverside County Multi-Species Habitat Conservation Plan (MSHCP) and a separate habitat assessment is not required by the County prior to issuance of grading permits.

As a matter of information, a biological study focusing on the California Gnatcatcher was prepared for TM 28728 in September 2001. The study reported that potential habitat for the Gnatcatcher within the project area are not occupied such species. Additionally, a biological assessment was prepared for TM 28728 in August 2001 by RB Riggan and Associates. A follow-up focused survey was conducted in October 2002 and there was no siting of CAGN.

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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The updated biological assessment concurs with the findings of a biological Assessment prepared by RB Riggan Associates 2001. The biological assessment and wetland delineation for this project notes that the project will have the following impacts on existing biological resources:

- 1) *The loss of approximately 46 acres of low density, occupied habitat os the Stephens' Kangaroo Rat. (RB Riggin 2000)*
- 2) *Loss of 2.9 acres of Riversidean Sage Scrub (RSS) and 2.6-acres of heavily disturbed RSS within Critical Habitat for the California Gnatcatcher. These habitats are not occupied by the California Gnatcatcher. (RB Riggin 2000)*
- 3) *The loss of approximately 31.8 acres of non-native grassland, 2.9-acres of moderate quality Riversidean Sage Scrub (RSS) and 2.6-acres of low quality RSS within critical habitat area. (Wetland Study 2003)*
- 4) *loss of approximately .028 acres (370 linear feet) of USACE and .077 acres of CDFG jurisdictional waters. Affected vegetation is limited to ruderal species and scarce mulefat. No wetlands are present within the project impact area. (Wetland Study 2003)*

To mitigate these potentially significant impacts the following mitigation measures will be required:

- 1) *Approximately 43.78 acres of onsite CAGN critical habitat located along the Alessandro Arroyo will be dedicated as open space. This area contains approximately 10.5 acres of riparian/wetland vegetation. (Wetland Study 2003)*
- 2) *Permanent loss of RSS will be mitigated at a greater than 3:1 ratio through the onsite preservation of 20.6 acres of RSS (9.6 acres moderate quality, 11 acres low quality) adjacent to the Alessandro Arroyo. (Wetland Study 2003 and RB Riggins 2000)*

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- 3) *The permanent loss of jurisdictional waters will be offset by the expansion of the unnamed drainage feature at a 1:1 ratio. The mitigation site will be located immediate downstream of the road crossing and adjacent to the proposed upland water quality bio-swale. It is anticipated that the bio-swale will provide sufficient hydrology to support riparian vegetation. (Wetland Study 2003)*
- 4) *A water quality bio-swale will be installed immediate downstream of the road crossing. The bio-swale will be installed in an upland location to provide pretreatment of urban runoff prior to discharge into the drainage feature. The HOA will provide long term maintenance, consisting of installation of native grasses, and sediment removal as needed. (Wetland Study 2003)*
- 5) *Riparian vegetation will be installed within the mitigation site consisting of native grasses. (Wetland Study 2003)*
- 6) *A three year maintenance and monitoring plan is proposed to ensure the successful establishment of the native cover within the mitigation area. (Wetland Study 2003)*
- 7) *The applicant shall be required to obtain necessary approvals and permits prior to any grading from the California Department of Fish and Game; the Army Corps of Engineers; the U.S. Fish and Wildlife Service; and the California Regional Water Control Board. (Wetland Study 2003 and RB Riggins 2000)*
- 8) *The project site is located within the Riverside County SKR Habitat Conservation Plan Fee Assessment Area, and therefore subject to current fee requirements as administered by the City of Riverside. (Biological Assessment 2003)*

ISSUES (AND SUPPORTING INFORMATION SOURCES):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>b. Species identified as a sensitive or special status species in local or regional plans or listings maintained by the California Department of Fish and Game? (Source:)</p> <p>According to the biological report reference in 7.a. above, based on the current plant communities occurring within the project site and the location of known recorded occurrences of the above mentioned special status species, Stephen’s Kangaroo Rat (SKR), which occurs in disturbed scrub and grassland habitats, a moderate potential to occur within the project. Therefore, the project is subject to current fee requirements as administered by the City of Riverside.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c. Locally important natural communities (e.g., sage scrub, etc.)? (Source:)</p> <p>Due to the loss of approximately 31.8 acres of non-native grassland, 2.9-acres of moderate quality Riversidean Sage Scrub (RSS) and 2.6-acres of low quality RSS within critical habitat area, the conditions of this project require the applicant to prepare a coastal sage scrub and riparian enhancement plan subject to review and approval of the Planning Department prior to issuance of grading permits.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>d. Wetland habitat (e.g. riparian and vernal pool)? (Source:)</p> <p>See response 7.a. above.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>e. Wildlife dispersal or migration corridors? (Source:)</p> <p>The proposed open space along the Alessandro Arroyo will provide wildlife corridor movement opportunities.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>f. Wildlife resources pursuant to Section 711.4 of the Fish and Game Code? (Source:)</p> <p>This project will result in potential adverse impacts to wildlife resources, and the payment of fees pursuant to Section 711.4 of the Fish and Game Code is required.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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8. ENERGY AND MINERAL RESOURCES.

Would the proposal:

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|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Conflict with the General Plan Energy Element?
<small>(Source: CONSERVATION ELEMENT OF THE GENERAL PLAN)</small> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Use non-renewable resources in a wasteful and inefficient manner?
<small>(Source:)</small>
The construction of residences is not a wasteful use of non-renewable materials.. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?
<small>(Source: GENERAL PLAN - EXHIBIT 40 — MINERAL RESOURCES)</small>
The Project is not located in an area containing known mineral resources, therefore the construction of residences will not reduce the future availability of valuable mineral resources. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

9. HAZARDS.

Would the proposal involve:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals, or radiation)?
<small>(Source:)</small>
Project does not involve the use of hazardous materials. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Possible interference with an emergency response plan or emergency evacuation plan?
<small>(Source:)</small>
This project will not impact emergency response or evacuation plans. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. The creation of any health hazard or potential health hazard?
<small>(Source:)</small>
This project will facilitate the construction of single family residences which would not result in health hazards. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Exposure of people to existing sources of potential health hazards?
<small>(Source:)</small>
No hazardous sites are identified in the vicinity of the project. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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| e. | Increased fire hazard in areas with flammable brush, grass, or trees? <small>(Source:)</small> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project is planned for low density residential development with areas of natural vegetation. While a minimal risk of grassland fire exists, the Project contains streets which are accessible to emergency vehicles and will require the installation of fire hydrants per City requirements. In addition, City Code requires residences to include fire sprinklers. These factors ensure that fire risks will be reduced to a level of less than significant.

- | | | | | | |
|----|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| f. | Exposure of people to risk from airport operations? <small>(Source:)</small> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

The site is located within the March Air Reserve Base influence area. An application to and approval from the Airport Land Use Commission (ALUC) will be required prior to building permit issuance. The applicant shall comply with all conditions of ALUC prior to building permit issuance.

10. NOISE.

Would the proposal result in:

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. | Increase in existing noise levels? <small>(Source:)</small> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project does not involve uses, activities, or increased traffic levels that would result in an increase in ambient noise levels on the Project site.

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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| b. Exposure to severe noise levels, including construction noise? <small>(Source: GENERAL PLAN EXHIBIT 15 — EXISTING NOISE CONTOURS)</small> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

Because of its proximity to the March Air Reserve Base (MARB), the project is located in an area of 60 - 70 dB CNEL. Noise levels of this intensity are considered Conditionally Acceptable for residential uses per the General Plan. The Building Code requires that, prior to building permit issuance, adequate noise reduction measures must be incorporated into the house design to attenuate interior noise levels to 45 dBA. Compliance with the building code is required and is not considered to be mitigation.

The project will result in temporary increases in noise levels due to construction/grading activity. Potential noise impacts will be limited by compliance with the City's Noise Ordinance (Title 7), which limits construction noise that would disturb a residential neighborhood 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. Additionally, the applicant is advised that any blasting will require a special permit to be issued by the City Fire Department, and must occur during the hours construction is permitted by the City. Because compliance with the construction hours is required by City Code, compliance does not constitute mitigation.

11. PUBLIC SERVICES.

Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:

ISSUES (AND SUPPORTING INFORMATION SOURCES):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>a. Fire protection? (Source:)</p> <p>The project shall comply with the requirements of the City Fire Department. The Fire Department requested a number of conditions of approval be required for the project to ensure adequate fire protection, including provision and maintenance of a public water system, provision of streets and fire apparatus access roads that meet public street standards, and that cul-de-sacs, where islands are provided, be a minimum of 106 feet in diameter curb-to-curb, with a maximum 50-foot diameter island. In addition, the grading plans shows several driveways in excess of 150 feet in length proposed. A condition of approval will be imposed requiring the driveways and site access on the grading plans to be submitted to the Fire Department for review and approval prior to the issuance of a building permit for the Project.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b. Police protection? (Source:)</p> <p>The Project, will result in an incremental additional demand for public services. However, because the Project is consistent with the adopted General Plan, which provides for adequate public services, no significant adverse impacts will result from its implementation.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c. Schools? (Source:)</p> <p>The payment of school fees pursuant to the requirements of state law shall be required prior to project construction.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>d. Maintenance of public facilities, including roads? (Source:)</p> <p>The Project will be conditioned to pay TUMF and Traffic and Transportation Fees in an amount established by City ordinance. Payment of these fees will reduce impacts related to this issue to a level of less than significant.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>e. Other governmental services? (Source:)</p> <p>See response 11b.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact Potentially Significant Unless Mitigation Incorporated Less Than Significant Impact No Impact

12. UTILITIES AND SERVICE SYSTEMS.

Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| <p>a. Power or natural gas? <small>(Source:)</small>
 The project will result in an incremental additional demand for utilities. However, it is consistent with the General Plan which provides, in conjunction with the City’s Capital Improvement Program, for the adequate provision of infrastructure and utility services. Therefore no impacts in regard to infrastructure or services will result from the Project.</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>b. Communications systems? <small>(Source:)</small>
 See response 12a.</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>c. Local or regional water treatment or distribution facilities? <small>(Source:)</small>
 The Public Utilities Department indicated a concern regarding the proposed private street system relative to installation and maintenance of water lines and the provision of water to the subdivision. To address these concerns, conditions of approval have been imposed by the City Water Department.</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>d. Sewer or septic tanks? <small>(Source:)</small>
 The project will require the installation of a new sewer line and access road. Such sewer line shall be subject to the specifications and approval of the Public Works Department.</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>e. Storm water drainage? <small>(Source:)</small>
 See response 12c.</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>f. Solid waste disposal? <small>(Source:)</small>
 See response 12c.</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>g. Local or regional water supplies? <small>(Source:)</small>
 See response 12c.</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

13. AESTHETICS.

Would the proposal:

ISSUES (AND SUPPORTING INFORMATION SOURCES):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>a. Have a demonstrable negative aesthetic effect? (Source:)</p> <p>The grading and construction proposed for the development of TM 31930 may result in potential aesthetic impacts. There are significant natural features on the site including numerous massive rock outcroppings, rugged topography and steep Arroyo areas consisting of the main Arroyo and tributaries. The rock outcroppings in particular are a dominant visual feature which distinguish the site from the more weathered, rolling terrain which characterizes much of the Alessandro Heights area. Conditions of approval will be required to retain visible rock outcroppings on the site, and the Design Review process for future residences, will minimize any further aesthetic impacts related to the construction of residences on the site to a level of less than significant.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b. Create light or glare? (Source:)</p> <p>The development proposed by this Project will introduce new lighting sources normally associated with residential uses. Any ancillary lighting, such as tennis court lighting, will be reviewed by the Planning Department in the Design Review process. Any tennis court lighting will be required by a conditions of approval to be directed downward to avoid spillover light escaping from the boundaries of each individual lot. In addition, the design will avoid off-site light spillage.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ISSUES (AND SUPPORTING INFORMATION SOURCES):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Affect a scenic vista or roadway? <i>(Source:)</i> Compliance with this City code provision, and the Design Review process, will ensure that the residences developed by this Project are situated in locations which blend into the surrounding terrain, and therefore, do not result in a significant aesthetic impact when viewed from adjacent roadways. Conditions of approval imposed during the Design Review process and compliance with the RC zone are required for the Project.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

14. CULTURAL RESOURCES.

Would the proposal:

a. Disturb paleontological resources? <i>(Source:)</i> No identified paleontological resources or paleontologically sensitive areas are known to occur within the City.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Disturb archaeological resources? <i>(Source:)</i> The Alessandro Heights EIR included this site. As a part of that EIR, an archaeological study was completed, which identified four archaeological sites on the property. Three of the sites will be located within the open space areas. The remaining site is located within a proposed street and, therefore, will not be preserved. Because the archaeological study did not require but did recommend that these sites be retained, staff does not believe that loss of the one site constitutes a significant impact.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Have the potential to cause a physical change which would affect historical resources, including heritage trees? <i>(Source:)</i> No other historical or cultural resources are located on this site except as described in 14b.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Have the potential to cause a physical change which would affect unique ethnic cultural values, including those associated with religious or sacred uses? <i>(Source:)</i> See response 14c.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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15. RECREATION.

Would the proposal:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Increase the demand for neighborhood or regional parks or other recreational facilities? <small>(Source:)</small> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

The addition of 29 new residences will minimally increase the demand for neighborhood and regional recreational facilities, which will be accommodated through the City’s existing park system.

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| b. Affect existing recreational opportunities, including trails? <small>(Source: GENERAL PLAN EXHIBIT 41 — NEIGHBORHOOD AND COMMUNITY PARKS; GENERAL PLAN EXHIBIT 42 — PROPOSED TRAIL SYSTEM)</small> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

The project area is located within the Hawarden Hills Specific Plan area and designates the westerly portion of the site with a trail corridor connecting the Alessandro Arroyo to the Hawarden Hills Vista Point to the north. The City’s Trails Master Plan does not identify this trail as planned or designated, but does show a multi-purpose recreational trail through the Alessandro Arroyo. Upon further review of the trail as shown in the HHSP, it was determined that the location for such trail shall be identified at the time of Project development. Staff is requiring as a condition of Project approval that a trail easement be provided connecting the Alessandro Arroyo and Hawarden Hills Vista Point, with the location to be approved by the Planning and Parks and Recreation Departments and City Attorney’s Office.

16. MANDATORY FINDINGS OF SIGNIFICANCE.

ISSUES (AND SUPPORTING INFORMATION SOURCES):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? (Source:) No. See responses in Section 7.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (Source:) The original project, consisting of Tract Maps 23027, 28728, 31930, proposes to preserve 60.44 acres, or 36 percent of the total 167.5-acre development. The 41.48 acres of open space proposed for preservation as part of TM 31930 consists of 48% of the property contained in the project. The preservation of open space is listed as a goal in the RC Zone, and is also identified as a goal on Measure C. As such, information contained in this initial study supports the conclusion that the Project will not delay the achievement of previously-identified long term environmental goals.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- c. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, and the effects of probable future projects.) (Source:)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The potential exists for the individual project to result in significant grading impacts due to land form alteration. TM 31930 is the third component of a 186-acre project, first approved as TM 23027. When TM 23027 expired, the lots remaining unrecorded at that time were incorporated into a new map, TM 28728, which was approved before the Grading Ordinance was adopted. At that time, the Alessandro Arroyo was defined as the boundaries of the 100-year flood plain, and the Arroyo setback was determined from that limit. In 1998, after the Grading Ordinance was adopted, the property owner applied for a time extension for TM 28728, and prepared grading exceptions which the City approved. Recently, the remaining unrecorded lots in exactly the same design previously approved for TM 28728, have been incorporated into TM 31930 (except for the addition of an off-site sewer line). The development of TM 23027 and TM 28728 did not result insignificant impacts to landform grading. Because TM 31930 does not incorporate any changes to the design or layout of the previously approved lots, its development is not anticipated to result in cumulatively considerable impacts to the environment. Together, the recordation of the three tract maps will result in the preservation of 36% of the total project acreage as open space. The open space dedications for each tract individually include, TM 23027 - no open space, TM 28728 - 14.4 acres, TM 28728 - 4.18 acres and TM 31930 - 41.86 acres. The acre-

ISSUES (AND SUPPORTING INFORMATION SOURCES):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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age dedicated to open space for the three tract maps totals 60.44 acres. Because each tract map individually did not result in significant grading impacts to landforms, grading related to their cumulative development is not expected to result in cumulatively considerable impacts. As such, no adverse cumulative impacts were identified in this initial study analysis.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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- d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

(Source:)

No. See response in Section 9.

FINDING (To be completed by the City Planning Commission)

It has been found that the project will not have a significant effect on the environment and a Mitigated Negative Declaration should be adopted by the City Council. As part of this determination, the approved mitigation measures shall be required for the project. The proposed Mitigated Negative Declaration reflects the independent judgement of the City of Riverside.

1. See conditions in report marked with an asterisk (*).

Limited to Case P03-1451/P03-1548/P04-0260

It has been found that the project may have a significant effect on the environment and an Environmental Impact Report should be required by the City Council.

There is no evidence before the agency that the proposed project will have any potential for adverse effect on wildlife resources, and the impacts of the project are found to be de minimis pursuant to Section 711.4 of the Fish and Game code.

Signature _____ Date _____

City Planning Commission

Case Number: P03-1451/P03-1548/P04-0260



Supplemental Report **EXHIBIT 'H'**

PLANNING COMMISSION HEARING DATE: FEBRUARY 21, 2002

P03.1451-1548, P04.0260

TRACT MAP 28728 (*Continued from February 7, 2002*): Request of Gabel, Cook and Becklund, on behalf of Dr. Hong, for a two-year time extension in which to record tentative Tract Map 28728, the proposed subdivision of approximately 87.4 vacant acres into approximately 43 residential and five open space lots (Phases 2 - 4), generally situated northerly of the Alessandro Arroyo, easterly of Hawarden Drive, southerly of Century Avenue and westerly of Alessandro Boulevard in the RC — Residential Conservation and O — Official Zones. The Planning Commission will also review the grading plan for compliance with the City's Grading Ordinance. (*To be heard concurrently with PD-001-912.*)

BACKGROUND

This case was scheduled to be heard by the Planning Commission on January 17, 2002. However, the morning of the meeting, staff and the applicant received two letters regarding the project. The first letter was from the Burton's, who wanted to have a chance to look at the proposed plans. However, they did not provide their phone number or address and staff was unable to contact them. The other letter was from Arlee Montalvo. The applicant requested a continuance to today's meeting to allow time to adequately address the issues in this letter. In addition to the letters, the Commission also heard testimony from members of the audience on January 17th. This supplemental report addresses the issues raised in both written and verbal comments.

Ms. Montalvo's Letter

1. Time Extension

- **Comment — This Tract Map has expired, and no extension can legally be granted retroactively.**

As stated in the January 17, 2002 staff report, the applicant submitted a timely request for a one year time extension on July 19, 2000 where the map was due to expire on July 22, 2000. Although the City's Subdivision Ordinance, Title 18, requires time extension requests to be submitted thirty-days prior to map expiration (18.10.030), the State's Subdivision Map Act does not, and it has been the City's practice to defer to the Subdivision Map Act when our ordinance conflicts with the Act. The Act permits time extension requests up to the expiration date. Therefore, the request for the time extension was accepted and processed.

Due to the City's requirement to review the grading deviations in conjunction with the time extension request and the additional time needed for the applicant to conduct the needed surveys for the updated biological report, the case was still open on July 22, 2001 when a second one year time extension would have normally been required. Since the first time extension request was still open and being processed by staff,

there was no need for the applicant to formally request another one year time extension.

- **Comment — The granting of grading exceptions on 26 out of 44 (59%) of the lots on Phases 2-4 is excessive.**

The Grading Ordinance, Title 17, was created to further implement the goals and objectives of the General Plan and RC Zone by controlling excavation, grading and earthwork construction. The Ordinance permits conditional exceptions, or deviations, from the ordinance under Section 17.32.010, which states as follows:

“Generally. Conditional exceptions to the regulations contained in this chapter shall be permitted upon a finding by the Zoning Administrator that exceptional or special circumstances apply to the property. Such exceptional or special circumstances shall include such characteristics as unusual lot size, shape, or topography, drainage problems, or the impracticability of employing a conforming grading plan, by reason of prior existing recorded subdivisions or other characteristics of contiguous properties.”

The Planning Department is supporting the requested deviations for the detailed reasons outlined in the recommended findings. This subdivision and related grading plan were the subject of intense scrutiny by the community and many hours of study by the staff and property owner’s representatives. Numerous field trips to the site were made by staff, the Planning Commission and the City Council. In staff’s opinion, the resulting design is exceptionally sensitive to the natural topography of the property.

In further support of this conclusion, reference the following comments made by one of the most affected neighbors, Mr. Raftery, at the January 17th meeting.

“In working with the developer and their engineer, plus the City Planning Department, the group that I represent feels strongly that the City has probably come up with one of the best plans that I’ve seen in some forty years of law practice involved in this area and many others, under the circumstances of this property. I am a contiguous property owner that abuts this project. The developers, through their engineer, Mr. Gabel’s firm, have been cooperative with the City and have been cooperative with people who had interest in the environment. I want the Commission to know that I think the project is one of the best that I’ve seen and been involved in here in the City. It is a highly sensitive area, but they have done a wonderful job with this project.”

- **Comment — The Tract Map cannot be justified by an expired Planned Residential Development (PRD) plan.**

It is correct that the related Planned Residential Development (PRD) case, PD-001-912, for this map has expired. The Code states that time extension requests are to

be submitted before the expiration date, which has passed for PD-001-012. However, longstanding practice of the City is to allow filing of retroactive time extensions for PRD's and Conditional Use Permits. To simplify matters, the applicant has submitted a request for the PRD time extension, and staff has prepared the report for the Commission's review at today's meeting.

- **Comment — The Tract Map cannot be justified by a non-conforming PRD.**

This is not a non-conforming PRD as the PRD ordinance permits up to a 25% density bonus for RC zoned projects based on a number of factors. The subject PRD was granted an 18% density bonus based on superior design and sensitivity to the natural terrain, and findings were made to support that bonus. The remaining unrecorded portions of the map and PRD have a density 0.48, which is less than the baseline density permitted without a density bonus.

The PRD was processed in accordance with normal procedures for a single family PRD, which are different than for multiple family PRD's. In the case of the former, the specifics of development for individual lots are not known at the time of approval, as custom homes are normally built on these lots. In the case of the latter, floor plans and elevations are required earlier in the process as the project is typically an apartment building under one ownership.

Finally, the PRD ordinance, as it applies to the RC Zone, was effective on the date of approval of TM-28728.

- **Comment — This Tract Map fails to satisfy legal requirements regarding lot size variances in the RC Zone.**

The request before the Commission today is a time extension and grading review. Since there have been no changes in the area or the Zoning Ordinance which would require another look at the requested variances, staff did not readdress this issue under the time extension. The City's discretion in approving a time extension on an approved map is limited to the length of the extension and new conditions or review of prior approvals is not permitted. When the map was approved in 1998, the Commission made the necessary findings to support the variances based upon the topographical constraints of the property and these findings are still applicable today, since there have been no pertinent changes to the Zoning Ordinance or the map that affect these variances.

The Commission is advised that the time extension request can be denied; however, nothing prevents the subdivider from agreeing to new conditions under the time extension in an effort to gain support for the time extension. It should also be noted that if the time extension is denied, the subdivider could reapply for a new map, which could result in a design that is not consistent with the phases of the map that have been previously approved and recorded in this area by this developer.

- **Comment — The findings for the variances and deviations are inadequate.**

The findings for the variances are not being revisited at this time as noted above. Both the staff and the applicant have prepared findings for the requested grading deviations. Based upon the site's topographical characteristics and constraints, including drainage issues, rock outcroppings, blue line stream location, flood plain location, etc., staff was able to make the findings to support the deviations.

Negative Declaration

- **Comment — Mitigation for wetland and Riversidian coastal sage scrub is absent.**

Mitigation for wetland and Riversidian Coastal Sage Scrub is found in the mitigations noted in the Initial Study as well as in the conditions of approval. The applicant's representative, Campbell Bio Consulting, has prepared a detailed letter addressing the commentor's concerns (Exhibit V of this supplemental staff report). Staff is of the opinion that the initial study adequately addresses biological impacts and provides appropriate mitigation, reflected in the conditions of the map, to adequately mitigate any significant impact.

- **Comment — The homeowners association being listed as a possible manager of the open space easement undermines the proposed mitigation.**

At the last meeting staff recommended that condition 1 be modified to require the open space to be maintained by a non-profit conservation organization. This change is reflected in the latest recommended conditions.

- **The Tract Map is not consistent with the RC zoning and General Plan.**

The Planning Commission and City Council previously determined that the map is consistent with the General Plan and the RC Zone, and staff continues to concur in this previous finding.

Mr. Raftery's Testimony

Mr. Raftery is a contiguous property owner living at 2400 Rolling Ridge Road. Generally, he was very supportive of the project (see comments noted above). However, he did have two requests. The first was that a condition be added requiring the project to be gated. The second was to have private street "C" shortened to a cul-de-sac in front of open space lot 88. Long driveways could then be provided for lots 50, 51 and 52. This design would minimize the extent of grading. As noted by the letter submitted by the applicant's representative, the applicant agrees with these requests and appropriate conditions have been added.

Mr. Mylne's Testimony

The Hawarden Hills Study was adopted in 1977 and includes a trail corridor from the Alessandro Arroyo to Tiburon Knoll to the north of the subject property. Staff is recommending a condition that the applicant provide for this trail across the subject property subject to approval of the Planning Department.

RECOMMENDATION

That the City Planning Commission:

1. **APPROVE** Zoning Case TM-28728 subject to the recommended conditions of approval based on the following findings:
 - a. the development, as conditioned, is consistent with the Zoning Code, specifically the RC Zone, and General Plan and the intent of the Grading Ordinance;
 - b. staff can make the necessary findings to support deviations to the Grading Ordinance; and
 - c. there have been no significant changes in the surrounding area.
2. Determine that:
 - a. this proposed case will not have a significant effect on the environment because of the mitigation measures described in this report and recommend that the City Council adopt a Mitigated Negative Declaration;
 - b. 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.

EXHIBITS

- I. Site Plan
- II. Original Staff Report and all Exhibits from January 17, 2002
- III. Biological Report
- IV. Letters of Opposition (2)
- V. Letter from Kathy Dale, Campbell Bio Consulting, Inc.
- VI. Letter from William Gabel (2)

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cw:Diane Jenkins, AICP

**APPROVED CONDITIONS FROM JANUARY 22, 1998 WITH RECOMMENDED
MODIFICATIONS & GENERAL INFORMATION NOTES**

Case Number: TM-28728

Meeting Date: February 7, 2002

CONDITIONS

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

Case Specific

● **Planning**

Prior to Map Recordation

- *1. An open space easement shall be recorded for all areas within the boundaries of the 100 year flood plain and the setback therefrom, ~~as well as all areas~~ designated as open space, and for each lot all areas not proposed for grading under this review subject to the approval of the Planning and Legal Departments. The easement should clearly specify that these areas are intended for open space purposes only and that no grading, construction or fencing is permitted. The open space areas within the open space easement are to be maintained by a Homeowner's Association or by an agreement with non-profit conservation organization such as the Riverside Land Conservancy subject to the approval of the Planning and Legal Departments. The property shall be transferred either in fee title or an easement established to facilitate maintenance/stewardship by such an organization.
- *2. Lots 54 - 57 shall be redesigned to widen the street frontage of Lot 56 to allow the building pad area to be located at a lower elevation as conceptually shown on the staff's exhibit, subject to Planning Department review and approval.
- *3. Lots 53 and open space Lot 87 shall be combined as one open space lot.
4. Shorten private street lot "C" to cul-de-sac in front of open space lot 88 with long driveways provided for lots 50, 51 and 52, subject to Planning and Public Works Departments approval.
5. Provide gates at the entrance/exits to the project. The gates should meet all Fire, Police, Public Works and Planning Departments' requirements for design, turnarounds and locks.
6. Provide a trail across the subject property, between the Alessandro Arroyo and the northerly boundary of the subject property for eventual connection to Tiburon Knoll, subject to approval of the Planning Department.

7. The applicant shall prepare and record Covenants, Conditions, and Restrictions (CC&Rs) and other documents as necessary subject to approval of the Planning and Legal Departments:
 - *a. prohibiting any additional grading beyond the Arroyo Study standards;
 - *b. restricting the pad elevations on Lots 54 - 57 as follows: Lot 54 - 1,260; Lot 55 - 1,265; Lot 56 - 1,280; and Lot 57 - 1,290;
 - *c. establishing a Homeowner's Association;
 - d. the keeping of livestock is prohibited;
 - e. prohibiting further subdivision of any lots within this map.

8. The City Planning Commission makes the necessary findings in the applicant's favor to grant the following variances. As justification, the applicant's written justifications are referenced:
 - a. an overall average density greater than .5 units/acre;
 - b. parcels less than two acres in size on lots with an average natural slope (ANS) greater than 15% (lots 23-27, 29-32, 35-37, 39-49, 51-56, 58-64 and 66-91);
 - c. parcels less than five acres in size on lots with an ANS of 30% or greater (lots 33-34, 38, 50 & 65);
 - d. landlocked parcels located along private streets.

In addition to the applicant's findings, approval of these variances will not affect the overall density or functioning of the map. The design, which proposes some lots with less than the required area, will more effectively preserve the topography in a natural state and minimize grading. Although the lots will be technically landlocked, guaranteed access to a public street will be provided with maintenance being the responsibility of the affected property owners.

9. Reverse frontage walls shall be provided along Century Avenue for lots 21 - 26 and carried through on the side yards for lots 85 & 86 and along Cresthaven Drive for lots 69, 71 & 72. Plans for all reverse frontage shall be submitted for Design Review for the Planning, Public Works and Park and Recreation Departments approval. A Homeowner's Association shall be responsible for maintenance of this reverse frontage area.

10. The reverse frontage wall for lots 21 - 26 should be placed at the top of the slope.
11. The reverse frontage areas should be combined into separate lots and maintained through a Homeowner's Association.
12. The unused portion of right-of-way from the existing cul-de-sac bulb of Cresthaven Drive shall be vacated. A separate submittal and filing fee is required.
13. Lots 88 and 89 should be split at the phasing line to create two new, numbered open space lots.
14. The phasing line for Phase 2 should follow the lot line of Lot C, the extension of Cresthaven Drive. Grading for the southerly extension of Cresthaven Drive shall be permitted to encroach into the designated open space.
15. Zoning Cases RZ-006-912 shall be adopted and PD-001-912 finalized prior to or concurrently with the adoption of this map. (Both cases have expired and will require retroactive time extensions.)
16. Easements shall be recorded as necessary to provide water to the adjoining lots to the north of Rolling Ridge Road and that the developer stub the waters lines to all effected, contiguous properties.

Prior to Grading Permit Issuance

17. The grading plan shall be revised, subject to Planning Department review and approval, to:
 - *a. 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.
 - *b. Indicate that all rip-rap will be natural rock (not blasted) and all visible drainage features will be color treated to blend in with the natural surroundings.
 - *c. Indicate an interim erosion control program to be certified by the project engineer subject to Public Works Department review and approval.
 - d. Reflect City adopted contour grading policies. 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. Indicate that grading operations will be restricted 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.
 - f. Indicate the 100 year flood limits of the blue line stream to the satisfaction of the Public Works Department.
18. The Commission makes the necessary findings in the applicant's favor to grant the following grading deviations. As justification, the applicant's written justifications and staff's supplemented justifications are referenced:
- a. to allow the building pad and/or manufactured slopes for lots 37-41, 43-49, 57-68, 77 and 78 and portions of street lots C, E, F, H and I to encroach into the limits of the Alessandro Arroyo; and
 - b. to permit slopes in excess of twenty-feet in vertical height for lots 49, 63, 64, and street lots C, E and H.
19. Prepare a detailed grading plan at 1"=40' scale for lot 45 showing protection of the existing rock outcroppings, subject to Planning Department approval.
20. Final driveway grades and configurations will be subject to review and approval of the Fire Department.
21. Tract Map 28728 shall be recorded.
22. Landscaping and irrigation plans for all manufactures slopes in excess of five feet in vertical height shall be submitted to and approved by the Planning Department. The applicant's engineer or landscape architect shall submit a letter certifying to the installation of such required landscaping and irrigation facilities prior to the release of utilities.
23. In the event that joint access driveways are proposed, covenants shall be prepared subject to the satisfaction of the Legal and Public Works Departments.
24. The grading plan shall be revised to reflect all design changes recommended in this City Planning Commission report.
25. Adjacent property owner's approval shall be obtained for all off-site grading. Also, slope maintenance agreements for all slopes crossing property lines shall be recorded subject to approval of the Planning, Legal and Public Works Departments.

- *26. Prior to the issuance of grading permits for Phases 2-4, the applicant shall have a biological study prepared by a qualified biologist acceptable to the U.S. Fish and Wildlife Service to determine the presence or absence of the California Gnatcatcher. In the event portions of the site are occupied, the applicant shall obtain U.S. Fish and Wildlife Service prior to prior to grading permit issuance.
- *27. The applicant shall prepare a Coastal Sage Scrub and riparian enhancement plan subject to review and approval of the Planning Department prior to grading permit issuance for Phases 2-4.
- 28. Manufactured slope ratios shall not exceed a maximum of 2:1.
- 29. The applicant shall be responsible for erosion and dust control during both the grading and construction phases of the project.
- 30. Grading activity shall be in substantial compliance with the grading plan on file with this application.
- *31. Advisory: The Regional Water Quality Control Board requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP).
- *32. Advisory: Any disturbance of the "blue line streams" will require permits and approval from the State Department of Fish and Game and U.S. Army Corps of Engineers.
- *33. The applicant shall comply with the long term Stephen's Kangaroo Rat (SKR) Habitat Conservation Plan (HCP) and the City's policies for implementing the HCP.

Prior to Building Permit Issuance

- *34. The 30-foot wide access road proposed for Lot 92 shall be graded, with slopes landscaped, a wall placed at the top of the slope and a gate installed at Century Avenue, on-site with adequate stacking space and vehicle turn-around area to Planning and Public Works specifications.
- *35. The applicant is advised that the project is in an area impacted by a CNEL noise level between 60 and 70 dBA. Dwelling units constructed within the noise impacts areas will have to be sound insulated to the specifications of the Building Division.
- 36. ~~An avigation easement shall be required to the specifications of march Air Reserve Base (MARB) and the Legal Department.~~

- *37. Submit documentation of approval by the Riverside County Airport Land Use Commission (ALUC) shall be submitted to the Planning Department. All Conditions imposed by the ALUC shall be met to its satisfaction prior to map recordation. In the event the ALUC finds this map to be inconsistent with the Airport Land Use Plan, the case shall be considered by the City Council at a public hearing concurrently with the ALUC appeal.
- *38. The applicant shall convey an avigation easement to the March Air Reserve Base (MARB) and the March Inland Port (MIP) to the satisfaction of the Legal Department and MARB/MIP. The applicant shall obtain approval of the Riverside County Airport Land Use Commission and submit documentation to Planning Department staff.
- *39. Any lighting other than normally associated with a residential use, such as tennis court lighting, will be reviewed by the Planning Department in the Design Review process. Any tennis court lighting is required to be hooded and directed downward. In addition, the design shall avoid off-site light spillage.
- 40. For purposes of measuring the front yard building setback line the private street will be considered a public street. All homes placed on these lots will have a front yard setback of 30-feet from the private street property line and 25-feet from the side and rear property lines. All other applicable standards of the underlying RC — Residential Conservation Zone shall be met.

Standard Conditions

- **Planning**

- 41. ~~There is a thirty month time limit in which to satisfy the conditions and record this map. Three subsequent one-year time extensions may be granted by the City Planning Commission 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. The new expiration date of the map will be July 22, 2002 and only one more time extension request is permitted.~~
- *42. In approving this case, it has been determined that the project has the potential for adverse effect on wildlife resources and the payment of fees pursuant to Section 711.4 of the Fish and Game Code is required.

- **Public Works**

- 43. Dedication of right-of-way for Cresthaven Drive to 30 feet from monument centerline to Public Works specifications.

44. Installation of curb and gutter at 18 feet from monument centerline, sidewalk and matching paving on Cresthaven Drive to Public Works specifications.
45. Full half-street improvements required on Cresthaven Drive for the portion not lying completely within the boundaries of the map, total R/W = 40 feet, curb and gutter at 18 feet from monument centerline to Public Works specifications. The unused portion of the right-of-way for the cul-de-sac on Cresthaven Drive shall be vacated prior to recordation of this map.
46. The proposed private streets are to be designed and fully improved per the standards governing private streets, Resolutions 12006 and 15531.
47. Storm Drain construction will be contingent on engineer's drainage study.
48. Off-site improvement plans to be approved by Public Works and a surety posted to guarantee the required off-site improvements prior to recordation of this map.
49. Size, number and location of driveways to Public Works specifications.
50. Minimum design speed for residential streets should not be less than 25 miles per hour with a 150 foot minimum sight distance.
51. Installation of sewers and sewer laterals to serve this project to Public Works specifications. However, septic tanks will be allowed for lots that cannot reasonably be served by a gravity sewer.
52. Onsite disposal system (septic tank) acceptability shall be obtained for each lot of this map not served by sewer, to the satisfaction of the County Department of Environmental Health, prior to this map recording.
53. Removal and/or relocation of irrigation facilities, as required.
54. All property subject to flooding from a 100-year storm shall be placed in the WC (or other appropriate Zone) prior to or concurrently with recordation of this map.
55. Ownership of property to be undivided prior to this map recording.
56. 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 specifications.

● **Fire Department**

57. Requirements for construction shall follow the Uniform Building Code with the State of California Amendments as adopted by the City of Riverside.
58. Construction plans shall be submitted and permitted prior to construction.
59. Any required fire hydrants shall be installed and operational prior to Fire Department release of permit.
60. Fire Department access is required to be maintained during all phases of construction.
- *61. Prior to map recordation the Fire Department recommends the following conditions be included in a recorded covenant to the satisfaction of the Legal and Fire Departments to ensure that future buyers are informed of these requirements:
 - a. On- and off-site fire protection facilities shall be provided to the specifications of the Fire Department.
 - b. The Building Division and Fire Department shall inspect and approve the property and structure for the intended use and all standards and regulations shall be met.
 - c. Residential fire sprinklers shall be installed per City Ordinance #6019.
 - d. A public water system shall be provided and maintained.
 - e. Streets and fire apparatus access roads shall meet public street standards.

Appropriate provisions shall be made and approved by the City resolution or agreement to insure streets are maintained and repaired when necessary in the event a homeowners association fails to do so.

Cul-de-sacs, where islands are provided, shall be a minimum of 106-feet in diameter, curb-to-curb, with a maximum fifty-foot diameter island.

Entry gate(s) shall meet Fire Department requirements for access and be equipped with key box (Knox) devices.

62. All dead-ends, caused by recordation of individual phases of the map, in excess of 150-feet will be required to provide a temporary turnaround to the Fire Department's approval.

● **Public Utilities**

63. 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.
64. 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.
- *65. Consideration for acceptance of a City maintained water system within private developments requires the following:
 - a. Easements will be provided as required by the Water Utility. This will include the entire width of private streets (minimum 50-foot wide) and a graded strip (minimum 30-foot wide) elsewhere as needed.
 - b. Easements shall be kept clear of structures, trees and all other deep rooted plants which could interfere with the operation, maintenance and/or replacement of City water facilities. This includes medians.
 - c. The City Water Utility shall review and approve all construction and landscaping plans within the easement areas.
 - d. Private streets shall be constructed to Public Works specifications, including standard 6-inch curb and gutter to provide adequate drainage for flushing and flow testing fire hydrants.
 - e. City water mains in private streets shall be ductile iron and shall be constructed beneath all transverse storm drain facilities.
 - f. Installation of a 12-inch water main across the Alessandro Arroyo is of prime importance to the expansion and operation of the City 1400 zone on both sides of the arroyo. Therefore, the installation of a 12-inch water main in a graded easement is required, from the project boundary near the Arroyo Dam, to the nearest private street, as approved by the Water Utility and the Planning Departments. Crossing the arroyo at the dam will also require the approval of the Riverside County Flood Control District.
 - g. Compliance with any other special requirements of the Water Utility.
66. Applicable Water Utility fees and charges, will be required prior to recordation.

67. Since the Public Utilities Department signs the record map only when all of our conditions have been satisfied, Water Utility approved modifications can be made without further City Planning Commission review.

● **Park and Recreation**

68. The removal, relocation, replacement or protection of existing street trees to the specifications of the Park and Recreation, Public Works and Planning Departments.
69. The installation of new street trees in accordance with the specifications of the Park and Recreation Department. Street tree installation work may be deferred until issuance of building permit on each individual parcel. No Street Trees are required for private streets. All street trees shall be automatically irrigated and installed prior to occupancy.
- *70. Payment of all applicable park development fees (local and regional/reserve) as mitigation for impact to park development and open space needs as generated by the project (Note: Regional/Reserve Park fees not applicable to Open Space Lot acreages; However, all other lots including street lots are subject to Regional/Reserve Park fees).
71. All reverse frontage and public landscape plans shall be subject to review and approval of the Park and Recreation, Planning and Public Works Departments.
72. Installation of full reverse frontage and public landscape improvements, walls and hardscape for all public landscape areas as may be required by the Planning Department, in accordance with the specifications of the Park and Recreation, Planning and Public Works Departments.
73. Irrigation systems serving public landscape areas shall be metered, controlled and valved separately from any private landscape areas for both electrical and water services, as well as for irrigation valve control.
74. All public landscape areas and private open space areas and parkways shall be maintained through a Homeowner's Association.
75. Provide landscape and wall easements, subject to the approval of the Park and Recreation, Public Works and Legal Departments, for all reverse frontage and public landscape improvements that extend beyond the public right of way.
- *76. A multi-purpose recreational trail easement shall be granted to the City along an alignment within the Alessandro Arroyo as approved by the Planning, Park and Recreation and Public Works Departments, and the Recreational Trails

Steering Committee. It is anticipated the trail alignment will remain within the 100 year flood plain.

- *77. A minimum 10' wide multi-purpose recreational trail designated for non-motorized use and separated from the residential lots by a minimum 6' block or wooden fence as determined by Planning Department, shall be constructed by the developer (or performance/labor material bonds executed for construction of trail) to the specifications of the Public Works, Planning and Park and Recreation Departments.
- *78. Trail signage shall be placed along the trail prior to recordation, or shall be incorporated into the performance/labor material bonds executed for construction of the trail.
- 79. A Covenant and Agreement for the maintenance of the landscaped parkways, reverse frontage and public landscape areas and medians, approved as to form by the City Attorney, must be executed by the developer. The agreement shall outline the responsibilities and liabilities being assumed by the Home Owners Association (HOA), upon acceptance of these landscape areas for private maintenance by the HOA.

GENERAL INFORMATION NOTES

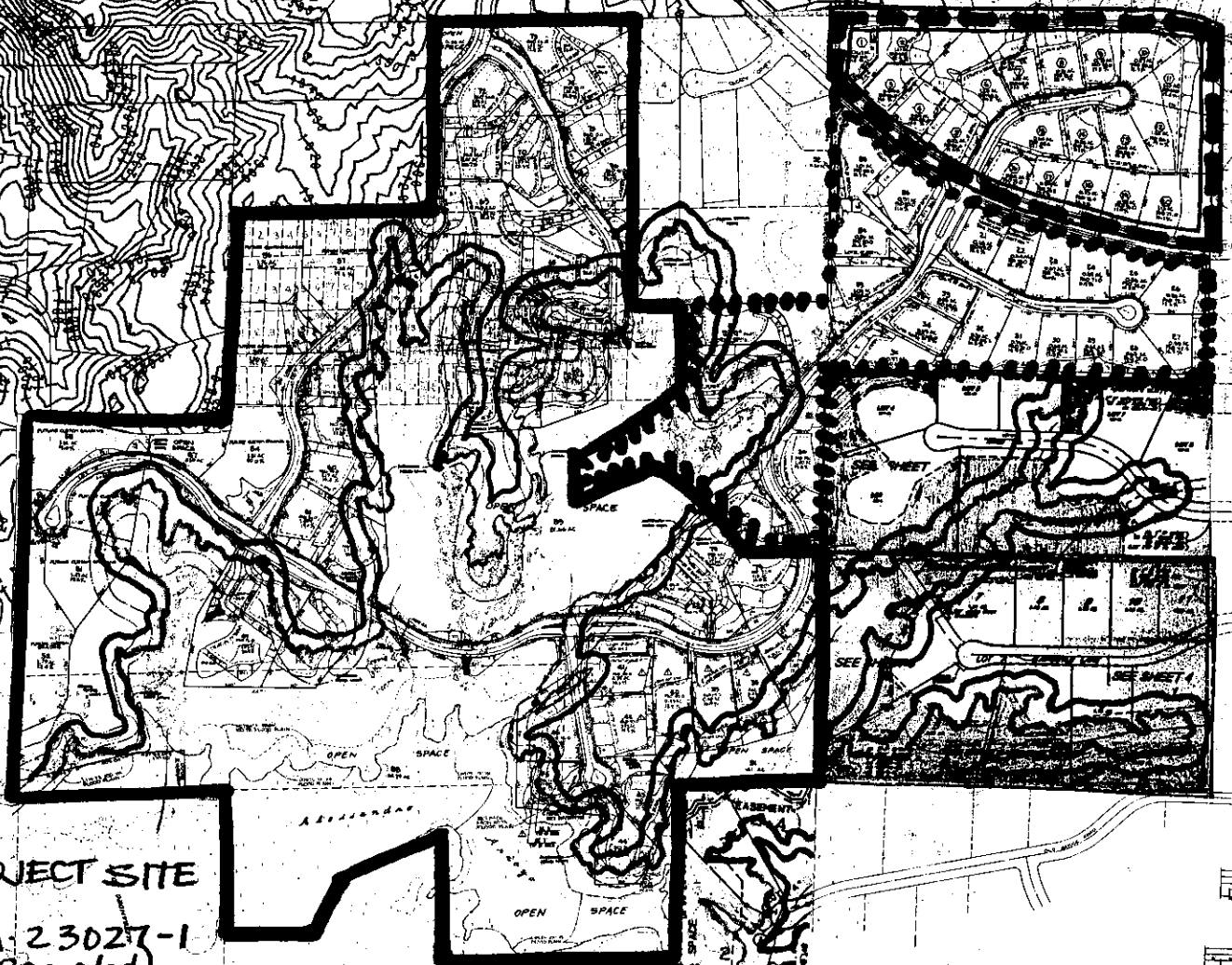
1. Appeal Information
 - a. Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within fifteen calendar days after the decision.
 - b. Appeal filing and processing information may be obtained from the Planning Department Public Information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




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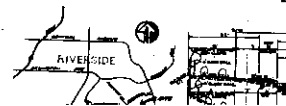
TM-28728

EXHIBIT I - Site Plan

BIKON
HOLE



-  PROJECT SITE
-  TM 23027-1
(Recorded)
-  TM-28728-1
(Recorded)





Tract Map and Planned Development

PLANNING COMMISSION HEARING DATE: JANUARY 17, 2002

TRACT MAP 28728: Request of Gabel, Cook and Becklund, on behalf of Dr. Hong, for a two-year time extension in which to record tentative Tract Map 28728, the proposed subdivision of approximately 151.8 vacant acres into approximately 43 residential and five open space lots, generally situated northerly of the Alessandro Arroyo, easterly of Hawarden Drive, southerly of Century Avenue and westerly of Alessandro Boulevard in the RC — Residential Conservation and O — Official Zones. The Planning Commission will also review the grading plan for compliance with the City’s Grading Ordinance.

BACKGROUND/PROJECT DESCRIPTION

This proposal is a request for a time extension and grading review for tract map TM 28728, an RC-Residential Conservation zoned subdivision of approximately 152 acres into 66 single family residential lots and five open space lots in the area bounded by Trafalgar Avenue to the north, Century Avenue to the east, the Alessandro Arroyo to the south and Rolling Ridge Road to west.

TM 28728 partially implements planned residential case PD-001-912, which was approved in 1994. Since original approval of the project, Phase 1 of TM-23027 was recorded on March 22, 1996, creating twenty lots northerly of Century Avenue on approximately 14 acres. The remainder of TM 23027 subsequently expired. On January 22, 1998, the Planning Commission approved TM-28728, which is the same design as the expired portions of TM 23027.

TM 28728 is divided into four phases which have been or will be recorded separately as follows:

- Phase 1 Lots 1 - 35, 80 - 86, portion of 89 and 92. This phase recorded on July 16, 1998.
- Phase 2 Lots 63 - 76, 90 and a portion of 89.
- Phase 3 Lots 36 - 46, 77 -79, portion of 88, 91 and 93 (new open space lot proposed under this time extension).
- Phase 4 Lots 47 - 62, 87 and a portion of 88.

ANALYSIS

• **Time Extension**

TM 28728 expired on July 22, 2000 and the applicant submitted a timely request for a time extension on July 19, 2000. However, an initial study is required to review the grading per the requirements of the Grading Ordinance, which became effective after the original map approval. The initial study includes an updated biological study and findings for

EXHIBIT II
Staff Report (1/17/02)

grading exceptions under the Grading Ordinance, since portions of the proposed subdivision encroach into the limits of the Alessandro Arroyo. Scheduling of the time extension case has been delayed pending completion of a new biological study, which has requirements to be conducted at specific times of the year.

Due to the delay, the map now needs a two-year time extension extending the expiration date to July 22, 2002. Since there have been no significant changes in the area since the last review of the map, staff is recommending approval of the time extension subject to the conditions listed in this report. This map will be eligible for one additional one-year time extension.

As a matter of information, the applicant is advised that the planned residential development case, PD-001-912, and the rezoning case, RZ-006-912, implementing this project also will need retroactive time extensions.

- **Grading**

After TM 28728 was approved in January 1998, the City adopted a new Grading Ordinance in November 1998. The Grading Ordinance is applicable to any project where a grading permit plan was not approved prior to July 1, 1997. As such, the project, other than Phase 1, is subject to review in accordance with the Grading Ordinance. As part of this review, it has been determined that deviations to the Grading Ordinance are required. A detailed description of the requested grading deviations are discussed later in this report. As a matter of information, grading for this tract was originally approved in 1994 by the Environmental Protection Commission (EPC) under EP-016-912 and at that time careful consideration was given to protecting the natural terrain and the Alessandro Arroyo as required by the *Alessandro Heights Standards for Grading and Arroyo Preservation* document.

A number of minor changes to the map and grading are proposed mostly to meet the requirements of the Grading Ordinance as follows:

- Minor grading changes are proposed to lots 37 through 42. Lot 37 has been reduced from 1.34 acres to 1.09 acres in size, allocating the remaining acreage as an open space lot (Lot 93 mis-numbered on the plan as lot 92).
- Lots 38 through 40 have been redesigned from split level pads to single pads moved closer to the street, thereby reducing the amount of grading into the arroyo tributary that runs along the rear of these lots.
- The pad sizes for Lots 41 and 42 have slightly increased in size but are in compliance with the pad size limitations established under the City's Grading Ordinance.

All other aspects of the map, including street alignment, lot configuration, and open space are generally the same as the previously approved map.

Arroyo Grading Deviations

The southerly boundary of the site is traversed by the main branch of the Alessandro Arroyo, a major arroyo which is a designated Natural Arroyo under the City's General Plan and Grading Ordinance. The map is designed to cluster lots around large, connected open space areas which are intended to include the prominent physical features of the site, such as rock outcroppings and the main branches of the Alessandro Arroyo. A number of tributaries to the Alessandro Arroyo also traverse the site. While portions of the tributaries will be retained as open space throughout the project, grading deviations are required for lots 37-41, 43-49, 57-68, 77 and 78 and portions of street lots C, E, F, H and I to allow the building pad and/or manufactured slopes to encroach into the fifty-foot development setback and/or the limits of the Alessandro Arroyo and its tributary streams (Exhibit 'F').

The limits of the Alessandro Arroyo and the required fifty-foot setback established under the Grading Ordinance were established based on an analysis of topographical maps and aerial photos. The limits of the arroyo are those areas with slopes over thirty percent. It is often necessary to actually inspect the site to determine more precisely the arroyo limits. Based on several field visits to the site, staff noted that lots 37-40 were encroaching fairly close to a tributary of the arroyo. Per the request of staff, the applicant revised the grading for these lots to avoid significant impacts to the tributary. The lots have been redesigned into single pads, and the pads have been daylighted to avoid slopes within proximity to the tributary. Additionally, the redesigned grading also allows for an open space corridor that lines up with the open space areas of the adjacent maps. To add to this open space area and to create a better connection the applicant created open space lot 93 by slightly reducing lot 37.

Additionally, lot 45 contains significant rock outcroppings in the rear portion of the pad which are noted for protection in the submitted map. To insure that these rock outcroppings are protected under the proposed grading, staff recommends that a detailed grading plan be submitted for this lot for staff approval to determine the precise location of the rock outcroppings.

The remaining lots 41-44, 46-49, 57-68 and 77-78 are located outside the main branch of the arroyo and lie on relatively flat surfaces or within portions of tributaries which are not topographically or visually significant.

Although the proposed street alignment has already been approved, grading deviations are now necessary to construct some of these streets. However, none of the proposed streets lie within the actual arroyo.

With the changes noted to the grading and map design and conditions, staff can support all of the requested grading deviations for encroachments into the Arroyo and its tributaries.

Pad Size

A deviation is necessary for a proposed pad size in excess of the limits set by the Grading Ordinance for lot 49. The Grading Ordinance sets pad size limitations based on the average

natural slope (ANS) of the graded area. Lot 49 has an ANS 30.6% and exceeds the maximum permitted pad size of 18,000-square-feet by 2,300-square feet. In discussing this matter with the applicant the applicant has agreed to revise the grading so the pad does not exceed the permitted 18,000-square-feet.

Slope Height

The Grading Ordinance permits manufactured slopes no higher than twenty-feet. As proposed, lots 49, 63, 64, and portions of street lots C, E and H contain slopes higher than twenty-feet and require a grading deviation for slope height. There are four instances where slopes higher than twenty-feet are necessary for certain segments of the streets. The street configuration, as proposed, was based on a study of the natural terrain to limit the amount of grading needed and are therefore not recommended for change. Since these slopes will not affect the arroyo and are necessary to construct the streets as approved, staff can support these deviations.

The remaining deviations for the above referenced lots consist of slopes up to a maximum of 30-feet. Due to the approved configuration of these lots and streets, these slopes are necessary to limit grading and protect the natural terrain to the greatest extent possible and staff can support the requested deviations for slope height.

RECOMMENDATION

That the City Planning Commission:

- a. **APPROVE** a two-year time extension and the proposed grading plan, including grading deviations, for Tract Map-28728 subject to the recommended conditions of approval based on the following findings:
 - i. the development, as conditioned, is consistent with the Zoning Code and General Plan and with the intent of the Grading Ordinance;
 - b. staff can make the necessary findings to support deviations to the Grading Ordinance as detailed in Exhibit 'H'.
 - c. there have been no significant changes in the surrounding area.
2. Determine that:
 - a. this proposed case will not have a significant effect on the environment because of the mitigation measures described in this report and recommend that the City Council adopt a Mitigated Negative Declaration; and
 - b. there is evidence before the City 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.

EXHIBITS

- A. Location/Zoning Map
- B. General Plan Map
- C. Aerial Photo
- D. Approved Tract Map-28728
- E. Updated Tract Map-28728
- F. Grading Exceptions Chart
- G. Applicant's Grading Deviation Justifications
- H. Staff Prepared Grading Deviation Justifications
- I. Planning Commission Staff Report Dated January 22, 1998 (*with attached exhibits*)

**APPROVED CONDITIONS FROM JANUARY 22, 1998 WITH RECOMMENDED
MODIFICATIONS & GENERAL INFORMATION NOTES**

Case Number: TM-28728

Meeting Date: January 17, 2002

CONDITIONS

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

Case Specific

● **Planning**

Prior to Map Recordation

1. An open space easement shall be recorded for all areas within the boundaries of the 100 year flood plain and the setback therefrom ~~as well as~~ all areas designated as open space, and for each lot all areas not proposed for grading under this review subject to the approval of the Planning and Legal Departments. The easement should clearly specify that these areas are intended for open space purposes only and that no grading, construction or fencing is permitted. The open space areas within the open space easement are to be maintained by a Homeowner's Association or by an agreement with the Riverside Land Conservancy subject to the approval of the Planning and Legal Departments.
- *2. Lots 54 - 57 shall be redesigned to widen the street frontage of Lot 56 to allow the building pad area to be located at a lower elevation as conceptually shown on the staff's exhibit, subject to Planning Department review and approval.
- *3. Lots 53 and open space Lot 87 shall be combined as one open space lot.
4. The applicant shall prepare and record Covenants, Conditions, and Restrictions (CC&Rs) and other documents as necessary subject to approval of the Planning and Legal Departments:
 - *a. prohibiting any additional grading beyond the Arroyo Study standards;
 - *b. restricting the pad elevations on Lots 54 - 57 as follows: Lot 54 - 1,260; Lot 55 - 1,265; Lot 56 - 1,280; and Lot 57 - 1,290;
 - *c. establishing a Homeowner's Association;
 - d. the keeping of livestock is prohibited;
 - e. prohibiting further subdivision of any lots within this map.

5. The City Planning Commission makes the necessary findings in the applicant's favor to grant the following variances. As justification, the applicant's written justifications are referenced:

- a. an overall average density greater than .5 units/acre;
- b. parcels less than two acres in size on lots with an average natural slope (ANS) greater than 15% (lots 23-27, 29-32, 35-37, 39-49, 51-56, 58-64 and 66-91);
- c. parcels less than five acres in size on lots with an ANS of 30% or greater (lots 33-34, 38, 50 & 65);
- d. landlocked parcels located along private streets.

In addition to the applicant's findings, approval of these variances will not affect the overall density or functioning of the map. The design, which proposes some lots with less than the required area, will more effectively preserve the topography in a natural state and minimize grading. Although the lots will be technically landlocked, guaranteed access to a public street will be provided with maintenance being the responsibility of the affected property owners.

6. Reverse frontage walls shall be provided along Century Avenue for lots 21 - 26 and carried through on the side yards for lots 85 & 86 and along Cresthaven Drive for lots 69, 71 & 72. Plans for all reverse frontage shall be submitted for Design Review for the Planning, Public Works and Park and Recreation Departments approval. A Homeowner's Association shall be responsible for maintenance of this reverse frontage area.
7. The reverse frontage wall for lots 21 - 26 should be placed at the top of the slope.
8. The reverse frontage areas should be combined into separate lots and maintained through a Homeowner's Association.
9. The unused portion of right-of-way from the existing cul-de-sac bulb of Cresthaven Drive shall be vacated. A separate submittal and filing fee is required.
10. Lots 88 and 89 should be split at the phasing line to create two new, numbered open space lots.
11. The phasing line for Phase 2 should follow the lot line of Lot C, the extension of Cresthaven Drive. Grading for the southerly extension of Cresthaven Drive shall be permitted to encroach into the designated open space.

12. Zoning Cases RZ-006-912 shall be adopted and PD-001-912 finalized prior to or concurrently with the adoption of this map. (Both cases have expired and will require retro-active time extensions.)
13. Easements shall be recorded as necessary to provide water to the adjoining lots to the north of Rolling Ridge Road and that the developer stub the waters lines to all effected, contiguous properties.

Prior to Grading Permit Issuance

14. The grading plan shall be revised, subject to Planning Department review and approval, to:
 - *a. 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.
 - *b. Indicate that all rip-rap will be natural rock (not blasted) and all visible drainage features will be color treated to blend in with the natural surroundings.
 - *c. Indicate an interim erosion control program to be certified by the project engineer subject to Public Works Department review and approval.
 - d. Reflect City adopted contour grading policies. 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. Indicate that grading operations will be restricted 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.
 - f. Indicate the 100 year flood limits of the blue line stream to the satisfaction of the Public Works Department.
15. The Commission makes the necessary findings in the applicant's favor to grant the following grading deviations. As justification, the applicant's written justifications are referenced:
 - a. to allow the building pad and/or manufactured slopes for lots 37-41, 43-49, 57-68, 77 and 78 and portions of street lots C, E, F, H and I to encroach into the limits of the Alessandro Arroyo; and

- b. to permit slopes in excess of twenty-feet for lots 49, 63, 64, and street lots C, E and H.
16. Prepare a detailed grading plan at 1"=40' scale for lot 45 showing protection of the existing rock outcroppings, subject to Planning Department approval.
 17. Final driveway grades and configurations will be subject to review and approval of the Fire Department.
 18. Tract Map 28728 shall be recorded.
 19. Landscaping and irrigation plans for all manufactured slopes in excess of five feet in vertical height shall be submitted to and approved by the Planning Department. The applicant's engineer or landscape architect shall submit a letter certifying to the installation of such required landscaping and irrigation facilities prior to the release of utilities.
 20. In the event that joint access driveways are proposed, covenants shall be prepared subject to the satisfaction of the Legal and Public Works Departments.
 21. The grading plan shall be revised to reflect all design changes recommended in this City Planning Commission report.
 22. Adjacent property owner's approval shall be obtained for all off-site grading. Also, slope maintenance agreements for all slopes crossing property lines shall be recorded subject to approval of the Planning, Legal and Public Works Departments.
 - *23. Prior to the issuance of grading permits for Phases 2-4, the applicant shall have a biological study prepared by a qualified biologist acceptable to the U.S. Fish and Wildlife Service to determine the presence or absence of the California Gnatcatcher. In the event portions of the site are occupied, the applicant shall obtain U.S. Fish and Wildlife Service prior to grading permit issuance.
 - *24. The applicant shall prepare a Coastal Sage Scrub and riparian enhancement plan subject to review and approval of the Planning Department prior to grading permit issuance for Phases 2-4.
 25. Manufactured slope ratios shall not exceed a maximum of 2:1.
 26. The applicant shall be responsible for erosion and dust control during both the grading and construction phases of the project.

27. Grading activity shall be in substantial compliance with the grading plan on file with this application.
- *28. Advisory: The Regional Water Quality Control Board requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP).
- *29. Advisory: Any disturbance of the "blue line streams" will require permits and approval from the State Department of Fish and Game and U.S. Army Corps of Engineers.
- *30. The applicant shall comply with the long term Stephen's Kangaroo Rat (SKR) Habitat Conservation Plan (HCP) and the City's policies for implementing the HCP.

Prior to Building Permit Issuance

- *31. The 30-foot wide access road proposed for Lot 92 shall be graded, with slopes landscaped, a wall placed at the top of the slope and a gate installed at Century Avenue, on-site with adequate stacking space and vehicle turn-around area to Planning and Public Works specifications.
- *32. The applicant is advised that the project is in an area impacted by a CNEL noise level between 60 and 70 dBA. Dwelling units constructed within the noise impacts areas will have to be sound insulated to the specifications of the Building Division.
- ~~33. An avigation easement shall be required to the specifications of March Air Reserve Base (MARB) and the Legal Department.~~
- *34. Submit documentation of approval by the Riverside County Airport Land Use Commission (ALUC) shall be submitted to the Planning Department. All Conditions imposed by the ALUC shall be met to its satisfaction prior to map recordation. In the event the ALUC finds this map to be inconsistent with the Airport Land Use Plan, the case shall be considered by the City Council at a public hearing concurrently with the ALUC appeal.
- *35. The applicant shall convey an avigation easement to the March Air Reserve Base (MARB) and the March Inland Port (MIP) to the satisfaction of the Legal Department and MARB/MIP. The applicant shall obtain approval of the Riverside County Airport Land Use Commission and submit documentation to Planning Department staff.
- *36. Any lighting other than normally associated with a residential use, such as tennis court lighting, will be reviewed by the Planning Department in the Design Review process. Any tennis court lighting is required to be hooded

and directed downward. In addition, the design shall avoid off-site light spillage.

37. For purposes of measuring the front yard building setback line the private street will be considered a public street. All homes placed on these lots will have a front yard setback of 30-feet from the private street property line and 25-feet from the side and rear property lines. All other applicable standards of the underlying RC — Residential Conservation Zone shall be met.

Standard Conditions

- **Planning**

38. ~~There is a thirty month time limit in which to satisfy the conditions and record this map. Three subsequent one-year time extensions may be granted by the City Planning Commission 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. The new expiration date of the map will be July 22, 2002 and only one more time extension request is permitted.~~
- *39. In approving this case, it has been determined that the project has the potential for adverse effect on wildlife resources and the payment of fees pursuant to Section 711.4 of the Fish and Game Code is required.

- **Public Works**

40. Dedication of right-of-way for Cresthaven Drive to 30 feet from monument centerline to Public Works specifications.
41. Installation of curb and gutter at 18 feet from monument centerline, sidewalk and matching paving on Cresthaven Drive to Public Works specifications.
42. Full half-street improvements required on Cresthaven Drive for the portion not lying completely within the boundaries of the map, total R/W = 40 feet, curb and gutter at 18 feet from monument centerline to Public Works specifications. The unused portion of the right-of-way for the cul-de-sac on Cresthaven Drive shall be vacated prior to recordation of this map.
43. The proposed private streets are to be designed and fully improved per the standards governing private streets, Resolutions 12006 and 15531.
44. Storm Drain construction will be contingent on engineer's drainage study.

45. Off-site improvement plans to be approved by Public Works and a surety posted to guarantee the required off-site improvements prior to recordation of this map.
46. Size, number and location of driveways to Public Works specifications.
47. Minimum design speed for residential streets should not be less than 25 miles per hour with a 150 foot minimum sight distance.
48. Installation of sewers and sewer laterals to serve this project to Public Works specifications. However, septic tanks will be allowed for lots that cannot reasonably be served by a gravity sewer.
49. Onsite disposal system (septic tank) acceptability shall be obtained for each lot of this map not served by sewer, to the satisfaction of the County Department of Environmental Health, prior to this map recording.
50. Removal and/or relocation of irrigation facilities, as required.
51. All property subject to flooding from a 100-year storm shall be placed in the WC (or other appropriate Zone) prior to or concurrently with recordation of this map.
52. Ownership of property to be undivided prior to this map recording.
53. 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 specifications.

● **Fire Department**

54. Requirements for construction shall follow the Uniform Building Code with the State of California Amendments as adopted by the City of Riverside.
55. Construction plans shall be submitted and permitted prior to construction.
56. Any required fire hydrants shall be installed and operational prior to Fire Department release of permit.
57. Fire Department access is required to be maintained during all phases of construction.
- *58. Prior to map recordation the Fire Department recommends the following conditions be included in a recorded covenant to the satisfaction of the Legal and Fire Departments to ensure that future buyers are informed of these requirements:

- a. On- and off-site fire protection facilities shall be provided to the specifications of the Fire Department.
- b. The Building Division and Fire Department shall inspect and approve the property and structure for the intended use and all standards and regulations shall be met.
- c. Residential fire sprinklers shall be installed per City Ordinance #6019.
- d. A public water system shall be provided and maintained.
- e. Streets and fire apparatus access roads shall meet public street standards.

Appropriate provisions shall be made and approved by the City resolution or agreement to insure streets are maintained and repaired when necessary in the event a homeowners association fails to do so.

Cul-de-sacs, where islands are provided, shall be a minimum of 106-feet in diameter, curb-to-curb, with a maximum fifty-foot diameter island.

Entry gate(s) shall meet Fire Department requirements for access and be equipped with key box (Knox) devices.

- 59. All dead-ends, caused by recordation of individual phases of the map, in excess of 150-feet will be required to provide a temporary turnaround to the Fire Department's approval.

- **Public Utilities**

- 60. 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.
- 61. 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.
- *62. Consideration for acceptance of a City maintained water system within private developments requires the following:
 - a. Easements will be provided as required by the Water Utility. This will include the entire width of private streets (minimum 50-foot wide) and a graded strip (minimum 30-foot wide) elsewhere as needed.

- b. Easements shall be kept clear of structures, trees and all other deep rooted plants which could interfere with the operation, maintenance and/or replacement of City water facilities. This includes medians.
 - c. The City Water Utility shall review and approve all construction and landscaping plans within the easement areas.
 - d. Private streets shall be constructed to Public Works specifications, including standard 6-inch curb and gutter to provide adequate drainage for flushing and flow testing fire hydrants.
 - e. City water mains in private streets shall be ductile iron and shall be constructed beneath all transverse storm drain facilities.
 - f. Installation of a 12-inch water main across the Alessandro Arroyo is of prime importance to the expansion and operation of the City 1400 zone on both sides of the arroyo. Therefore, the installation of a 12-inch water main in a graded easement is required, from the project boundary near the Arroyo Dam, to the nearest private street, as approved by the Water Utility and the Planning Departments. Crossing the arroyo at the dam will also require the approval of the Riverside County Flood Control District.
 - g. Compliance with any other special requirements of the Water Utility.
63. Applicable Water Utility fees and charges, will be required prior to recordation.
64. Since the Public Utilities Department signs the record map only when all of our conditions have been satisfied, Water Utility approved modifications can be made without further City Planning Commission review.

● **Park and Recreation**

65. The removal, relocation, replacement or protection of existing street trees to the specifications of the Park and Recreation, Public Works and Planning Departments.
66. The installation of new street trees in accordance with the specifications of the Park and Recreation Department. Street tree installation work may be deferred until issuance of building permit on each individual parcel. No Street Trees are required for private streets. All street trees shall be automatically irrigated and installed prior to occupancy.
- *67. Payment of all applicable park development fees (local and regional/reserve) as mitigation for impact to park development and open space needs as

generated by the project (Note: Regional/Reserve Park fees not applicable to Open Space Lot acreages; However, all other lots including street lots are subject to Regional/Reserve Park fees).

68. All reverse frontage and public landscape plans shall be subject to review and approval of the Park and Recreation, Planning and Public Works Departments.
69. Installation of full reverse frontage and public landscape improvements, walls and hardscape for all public landscape areas as may be required by the Planning Department, in accordance with the specifications of the Park and Recreation, Planning and Public Works Departments.
70. Irrigation systems serving public landscape areas shall be metered, controlled and valved separately from any private landscape areas for both electrical and water services, as well as for irrigation valve control.
71. All public landscape areas and private open space areas and parkways shall be maintained through a Homeowner's Association.
72. Provide landscape and wall easements, subject to the approval of the Park and Recreation, Public Works and Legal Departments, for all reverse frontage and public landscape improvements that extend beyond the public right of way.
- *73. A multi-purpose recreational trail easement shall be granted to the City along an alignment within the Alessandro Arroyo as approved by the Planning, Park and Recreation and Public Works Departments, and the Recreational Trails Steering Committee. It is anticipated the trail alignment will remain within the 100 year flood plain.
- *74. A minimum 10' wide multi-purpose recreational trail designated for non-motorized use and separated from the residential lots by a minimum 6' block or wooden fence as determined by Planning Department, shall be constructed by the developer (or performance/labor material bonds executed for construction of trail) to the specifications of the Public Works, Planning and Park and Recreation Departments.
- *75. Trail signage shall be placed along the trail prior to recordation, or shall be incorporated into the performance/labor material bonds executed for construction of the trail.
76. A Covenant and Agreement for the maintenance of the landscaped parkways, reverse frontage and public landscape areas and medians, approved as to form by the City Attorney, must be executed by the developer. The agreement shall outline the responsibilities and liabilities being assumed by the Home

Owners Association (HOA), upon acceptance of these landscape areas for private maintenance by the HOA.

GENERAL INFORMATION NOTES

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

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**CITY COUNCIL
FINAL APPROVED CONDITIONS**

TM-28728 / PD-001-912

City Council Meeting Date: May 14, 2002

**APPROVED CONDITIONS FROM JANUARY 22, 1998 WITH RECOMMENDED
MODIFICATIONS & GENERAL INFORMATION NOTES**

CONDITIONS

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

Case Specific

● **Planning**

Prior to Map Recordation

- *1. An open space easement shall be recorded for all areas within the boundaries of the 100 year flood plain and the setback therefrom, all areas designated as open space, and for each lot all areas not proposed for grading under this review subject to the approval of the Planning and Legal Departments. The easement should clearly specify that these areas are intended for open space purposes only and that no grading, construction or fencing is permitted. The open space areas within the open space easement are to be maintained by a non-profit conservation organization such as the Riverside Land Conservancy subject to the approval of the Planning and Legal Departments. The property shall be transferred either in fee title or an easement established to facilitate maintenance/stewardship by such an organization, or other mechanism and/or organization as approved by Planning and Legal Departments.
- *2. Lots 54 - 57 shall be redesigned to widen the street frontage of Lot 56 to allow the building pad area to be located at a lower elevation as conceptually shown on the staff's exhibit, subject to Planning Department review and approval.
- *3. Lots 53 and open space Lot 87 shall be combined as one open space lot.
4. Shorten private street lot "C" to cul-de-sac in front of open space lot 88 with long driveways provided for lots 50, 51 and 52, subject to Planning and Public Works Departments approval.

P03-1451-1548, P04-0260
EXHIBIT 'I'

5. Provide gates at the entrance/exits to the project. The gates should meet all Fire, Police, Public Works and Planning Departments' requirements for design, turnarounds and locks.
6. Provide a trail across the subject property, between the Alessandro Arroyo and the northerly boundary of the subject property for eventual connection to Tiburon Knoll, subject to approval of the Planning Department.
7. The applicant shall prepare and record Covenants, Conditions, and Restrictions (CC&Rs) and other documents as necessary subject to approval of the Planning and Legal Departments:
 - *a. prohibiting any additional grading beyond the Arroyo Study standards;
 - *b. restricting the pad elevations on Lots 54 - 57 as follows: Lot 54 - 1,260; Lot 55 - 1,265; Lot 56 - 1,280; and Lot 57 - 1,290;
 - *c. establishing a Homeowner's Association;
 - d. the keeping of livestock is prohibited;
 - e. prohibiting further subdivision of any lots within this map.
8. The City Planning Commission makes the necessary findings in the applicant's favor to grant the following variances. As justification, the applicant's written justifications are referenced in Exhibits 6, 7, & 8 (pages 4 & 5) of the original January 22, 1998 staff report:
 - a. an overall average density greater than .5 units/acre;
 - b. parcels less than two acres in size on lots with an average natural slope (ANS) greater than 15% (lots 23-27, 29-32, 35-37, 39-49, 51-56, 58-64 and 66-91);
 - c. parcels less than five acres in size on lots with an ANS of 30% or greater (lots 33-34, 38, 50 & 65);
 - d. landlocked parcels located along private streets.

In addition to the applicant's findings, approval of these variances will not affect the overall density or functioning of the map. The design, which proposes some lots with less than the required area, will more effectively

preserve the topography in a natural state and minimize grading. Although the lots will be technically landlocked, guaranteed access to a public street will be provided with maintenance being the responsibility of the affected property owners.

9. Reverse frontage walls shall be provided along Century Avenue for lots 21 - 26 and carried through on the side yards for lots 85 & 86 and along Cresthaven Drive for lots 69, 71 & 72. Plans for all reverse frontage shall be submitted for Design Review for the Planning, Public Works and Park and Recreation Departments approval. A Homeowner's Association shall be responsible for maintenance of this reverse frontage area.
10. The reverse frontage wall for lots 21 - 26 should be placed at the top of the slope.
11. The reverse frontage areas should be combined into separate lots and maintained through a Homeowner's Association.
12. The unused portion of right-of-way from the existing cul-de-sac bulb of Cresthaven Drive shall be vacated. A separate submittal and filing fee is required.
13. Lots 88 and 89 should be split at the phasing line to create two new, numbered open space lots.
14. The phasing line for Phase 2 should follow the lot line of Lot C, the extension of Cresthaven Drive. Grading for the southerly extension of Cresthaven Drive shall be permitted to encroach into the designated open space.
15. Zoning Cases RZ-006-912 shall be adopted and PD-001-912 finalized prior to or concurrently with the adoption of this map. (Both cases have expired and will require retroactive time extensions.)
16. Easements shall be recorded as necessary to provide water to the adjoining lots to the north of Rolling Ridge Road and that the developer stub the waters lines to all effected, contiguous properties.

Prior to Grading Permit Issuance

17. The grading plan shall be revised, subject to Planning Department review and approval, to:

- *a. 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.
 - *b. Indicate that all rip-rap will be natural rock (not blasted) and all visible drainage features will be color treated to blend in with the natural surroundings.
 - *c. Indicate an interim erosion control program to be certified by the project engineer subject to Public Works Department review and approval.
 - d. Reflect City adopted contour grading policies. 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. Indicate that grading operations will be restricted 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.
 - f. Indicate the 100 year flood limits of the blue line stream to the satisfaction of the Public Works Department.
18. The Commission makes the necessary findings in the applicant's favor to grant the following grading deviations. As justification, the applicant's written justifications and staff's supplemented justifications are referenced in Exhibit G and staff's written justifications are referenced in Exhibit H, both of the January 17, 2002 staff report.
- a. to allow the building pad and/or manufactured slopes for lots 37-41, 43-49, 57-68, 77 and 78 and portions of street lots C, E, F, H and I to encroach into the limits of the Alessandro Arroyo; and
 - b. to permit slopes in excess of twenty-feet in vertical height for lots 49, 63, 64, and street lots C, E and H.
19. Prepare a detailed grading plan at 1"=40' scale for lot 45 showing protection of the existing rock outcroppings, subject to Planning Department approval.
20. Final driveway grades and configurations will be subject to review and approval of the Fire Department.

21. Tract Map 28728 shall be recorded.
22. Landscaping and irrigation plans for all manufactured slopes in excess of five feet in vertical height shall be submitted to and approved by the Planning Department. The applicant's engineer or landscape architect shall submit a letter certifying to the installation of such required landscaping and irrigation facilities prior to the release of utilities.
23. In the event that joint access driveways are proposed, covenants shall be prepared subject to the satisfaction of the Legal and Public Works Departments.
24. The grading plan shall be revised to reflect all design changes recommended in this City Planning Commission report.
25. Adjacent property owner's approval shall be obtained for all off-site grading. Also, slope maintenance agreements for all slopes crossing property lines shall be recorded subject to approval of the Planning, Legal and Public Works Departments.
- *26. Prior to the issuance of grading permits for Phases 2-4, the applicant shall have a biological study prepared by a qualified biologist acceptable to the U.S. Fish and Wildlife Service to determine the presence or absence of the California Gnatcatcher. In the event portions of the site are occupied, the applicant shall obtain U.S. Fish and Wildlife Service approval prior to grading permit issuance.
- *27. The applicant shall prepare a Coastal Sage Scrub and riparian enhancement plan subject to review and approval of the Planning Department prior to grading permit issuance for Phases 2-4.
28. Manufactured slope ratios shall not exceed a maximum of 2:1.
29. The applicant shall be responsible for erosion and dust control during both the grading and construction phases of the project.
30. Grading activity shall be in substantial compliance with the grading plan on file with this application.
- *31. Advisory: The Regional Water Quality Control Board requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

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Standard Conditions

● **Planning**

- 40. The new expiration date of the map will be July 22, 2002 and only one more time extension request is permitted.
- *41. In approving this case, it has been determined that the project has the potential for adverse effect on wildlife resources and the payment of fees pursuant to Section 711.4 of the Fish and Game Code is required.

● **Public Works**

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- c. Residential fire sprinklers shall be installed per City Ordinance #6019.
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 - g. Compliance with any other special requirements of the Water Utility.
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66. Since the Public Utilities Department signs the record map only when all of our conditions have been satisfied, Water Utility approved modifications can be made without further City Planning Commission review.

● **Park and Recreation**

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- *69. Payment of all applicable park development fees (local and regional/reserve) as mitigation for impact to park development and open space needs as generated by the project (Note: Regional/Reserve Park fees not applicable to Open Space Lot acreages; However, all other lots including street lots are subject to Regional/Reserve Park fees).
- 70. All reverse frontage and public landscape plans shall be subject to review and approval of the Park and Recreation, Planning and Public Works Departments.
- 71. Installation of full reverse frontage and public landscape improvements, walls and hardscape for all public landscape areas as may be required by the Planning Department, in accordance with the specifications of the Park and Recreation, Planning and Public Works Departments.
- 72. Irrigation systems serving public landscape areas shall be metered, controlled and valved separately from any private landscape areas for both electrical and water services, as well as for irrigation valve control.
- 73. All public landscape areas and private open space areas and parkways shall be maintained through a Homeowner's Association.
- 74. Provide landscape and wall easements, subject to the approval of the Park and Recreation, Public Works and Legal Departments, for all reverse frontage and public landscape improvements that extend beyond the public right of way.
- *75. A multi-purpose recreational trail easement shall be granted to the City along an alignment within the Alessandro Arroyo as approved by the Planning, Park and Recreation and Public Works Departments, and the Recreational Trails Steering Committee. It is anticipated the trail alignment will remain within the 100 year flood plain.
- *76. A minimum 10' wide multi-purpose recreational trail designated for non-motorized use and separated from the residential lots by a minimum 6' block or wooden fence as determined by Planning Department, shall be constructed by the developer (or performance/labor material bonds executed for construction of trail) to the specifications of the Public Works, Planning and Park and Recreation Departments.
- *77. Trail signage shall be placed along the trail prior to recordation, or shall be incorporated into the performance/labor material bonds executed for construction of the trail.

78. A Covenant and Agreement for the maintenance of the landscaped parkways, reverse frontage and public landscape areas and medians, approved as to form by the City Attorney, must be executed by the developer. The agreement shall outline the responsibilities and liabilities being assumed by the Home Owners Association (HOA), upon acceptance of these landscape areas for private maintenance by the HOA.

Date: April 12, 2004

To: City of Riverside Planning Commission and Planning Department.

RE: City of Riverside Planning Case P03-1451; P03-1548; P04-0260 (TM31930). 3-10-04 Field Trip

From: City and County Joint Citizens Advisory Committee for Riverside Area Arroyo Preservation (RAAP)

First, we thank Mr. Jim Guthrie and the planners from the Riverside City Planning Department, Joel Belding, Clara Miramontes, and John Swiecki for accompanying RAAP on a field trip to the project site on March 10, 2004. Everyone was very gracious and helpful. The RAAP was able to examine the land relative to the proposed map to gain an appreciation for which areas of the map encroach into the Alessandro Arroyo and its setbacks and which encroachments would be problematic to protection and preservation of the arroyo system.

The Alessandro Arroyo and its tributaries are an important part of our local watershed. There is much sensitive habitat along the arroyo system and scenic views that are valued by the public. The pictures at the end of this file were taken by our committee during the field trip to help illustrate the nature of the land under consideration. The following comments have been reviewed by citizen members of RAAP and do not represent comments of County or City staff.

We are not surprised that the agency transmittal notice for this project produced few comments from agencies. The transmittal notice for Proposed TM 31939 by Gable, Cook, and Becklund to subdivide approximately 86.1 vacant acres into 29 residential and 5 open space lots, situated at the south terminus of Cresthaven Drive and Century Drive in the RC-Residential Conservation and O- Official Zones, was dated December 29, 2003. The notice did not provide sufficient information or a clear enough map for agency reviewers to understand the problems and environmental impacts of the proposed tract map. The case goes before the Planning Commission on April 22 for a hearing. We maintain that the project should be continued for at least two more months. This would allow problems with the proposed plan to be resolved. Problems that we discuss here involve excessive grading into arroyos and setbacks to arroyos, grading and filling of wetland habitat and scenic drainages, an unnecessary road crossing the open space, lack of a designated path for a foot trail, and lack of guaranteed ownership of 17.5 acres of flood control land that is part of the tract map.

Background: This map is tied to the already recorded TM28728 which already has 56 lots on 59 acres of RC land (where a maximum density of 0.5/acre is allowed unless an environmentally sensitive Planned Residential Development justifies up to a 25% density bonus). The original project was given a density bonus of ~ 25% based in part on the open space that would be provided in this currently proposed project. (TM31030). This map and open space is on RC zoned land and county flood control land (Zoned O) along and within the limits of the Alessandro Arroyo (as defined by the City Grading Ordinance). The developer has not obtained the right of purchase over the Flood Control District land that is in the O-zone. The staff at the Flood Control District has informed us that the developer (now Mr. Guthrie and Mr. Gable) is at the beginning stage of proposing purchase of the 17.5 acres of Flood Control land within the Alessandro Arroyo. The proposal to purchase that land and to rezone 7 acres will be carefully scrutinized by the Flood Control District. To surplus the land and approve it for sale requires a several month process, including for example, an appraisal and a vote by the County Board of Supervisors to declare the land surplus and available for sale.

The developers are trying to purchase 17.5 acres of flood control land and rezone 7 acres to RC to allow encroachment of building pads, houses, and infrastructure into the current O-zone. The flood control land is completely within the boundaries of the Alessandro Arroyo and its 50 ft setback as defined in the City

EXHIBIT 'J' - 1

Code (see Grading Ordinance with respect to grading of hillsides and arroyos) and therefore cannot and should not be graded.

The project as proposed is not sufficiently sensitive to the steep terrain, the limits of the Alessandro Arroyo, its major tributaries, and their 50 ft setbacks to warrant the excessive grading exceptions or the 25% PRD density bonus. Several major drainages would be filled to accommodate the development, including a road that unnecessarily crosses the open space, requires massive grading and filling, and crosses (fills) a riparian area with mulefat scrub vegetation (potential habitat for least Bell's vireo). One least Bell's vireo was sighted last year by an employee of the Riverside-Corona Resource Conservation District near the Berry Rd. crossing of the arroyo, so we know these listed birds use the vegetation in the vicinity of the Alessandro Arroyo. Destruction of wetland habitat requires a 3:1 mitigation. On site preservation does not mitigate loss of wetland habitat.

The entire project is within official critical habitat for the California gnatcatcher. The California gnatcatcher has been recorded at several locations nearby in shrubland habitat along the Alessandro Arroyo and the Alessandro Heights. Destruction of critical habitat, whether occupied or not, should be mitigated so that there is no net loss of habitat.

RAAP is concerned about how open space along arroyos are managed. Many are inappropriately managed and this has been a vexing problem. There is no proposal provided for how the open space in this tract map will be managed. The planned encroachments into the arroyo show that little thought has been given to placement of fire breaks. Setbacks to arroyos are needed for appropriate management of the land area including assurance that firebreaks are placed in non-sensitive areas. Firebreaks should not be damaging to the riparian area. There should be a buffer of natural vegetation between fire breaks and the riparian areas. If the management involves a homeowners association, an agency or non-profit lands management group should be designated to assist the homeowners association with the management of this sensitive open space. A way of funding the cooperative management needs to be described and conditioned for map approval.

It is important for the project to include important trail linkages. The City's General Plan includes an Alessandro Arroyo trail above the riparian areas, and, by incorporating the Hawarden Hills Specific Plan, also includes a trail from Tiburon Knoll to the Alessandro Dam. The project needs to be redrawn to integrate these trails into the proposed tract map and into areas above the riparian zone and above the dam. This should not wait to be a condition of approval. It should be designated before going to the Planning Commission.

Summary of requested alterations to the map:

1. The project could be redesigned to eliminate the road across the open space. The grading and fill required for the road would destroy portions of tributary arroyos and would degrade the open space. The road should not fill and cross a wetland (see pictures). If there is a road, it should bridge arroyo tributaries and wetland habitat.
2. 21 of the 29 lots would require grading into the 50 ft. setback of the Alessandro Arroyo; 16 of these also require grading within the Alessandro Arroyo itself. Any grading that encroaches into areas of sensitive habitat, including habitat that is currently recovering from fire, should be eliminated. Sensitive habitat includes sensitive vegetation types, including riparian, vernal pool, inland (Riversidean) sage scrub areas. Areas of inland sage scrub and riparian habitat would be destroyed or degraded by the current development plan. These habitats are home to a host of sensitive species in the project area. Many sensitive species have been noted in various environmental studies along the arroyo.

3. Any removal of inland sage scrub habitat or riparian habitat should be mitigated 3:1 through on site restoration of degraded habitat or offsite mitigation. There should be no net loss of sensitive habitat. Preservation of habitat on site does not mitigate loss of habitat.
4. The trail segments in the Riverside General Plan and Hawarden Hills Specific map need to be provided within this tract map. Consultation with the Department of Fish and Game should help to provide an appropriate location for the foot path. The trail would be much less destructive than the proposed road.
5. An open space management plan and a way to fund the ongoing management of the open space needs to be provided (describe potential collaborating management organization and funding mechanism). Describe how off road vehicle access and illegal dumping would be denied. Show where fire breaks would occur so that both the habitat and the homes are protected.

The major arroyo systems in our area are an important part of our local watershed. Every time a portion of this watershed is lost, it results in more runoff, less water percolating into the ground, and less recharging of important drinking water aquifers. The arroyos are also important to wildlife and to our own aesthetic sensibilities. The Multispecies Habitat Conservation Planning process assumed that arroyos would be protected through appropriate development. Please join with us in recommending positive changes to this proposed tract map and join in the effort to preserve our regional arroyo systems.

Submitted by Arlee Montalvo, acting secretary, for the City and County Joint Citizens Advisory Committee for Riverside Area Arroyo Preservation (RAAP).

RAAP MISSION, GOALS, AND OBJECTIVES

Mission: To promote cooperation between the County and City of Riverside for the conservation and preservation of the arroyos in the project area. Develop a comprehensive model that promotes preservation of arroyos, quality of life, and compatible development that can serve as a template for this and other areas.

Project Area: The following arroyo systems within County Districts (D) and City Wards (W), will be emphasized:

Alessandro Arroyo (D1; W4), Springbrook Wash (D1, 2, 5; W1), Prenda Arroyo (D1; W4), Woodcrest Arroyo (D1, W4), Golden Starr/Washington Arroyos (D1), Mockingbird Canyon Arroyo (D1, W5), Tesquesquite Arroyo (D1, 2; W1, 2) and Box Springs/Sycamore Canyon Arroyos (D1, 5; W2).

Comments to be submitted to:

Case planner: Joel Belding, (909) 826-5932, jbelding@riversideca.gov, and the City Planning Commissioners.

Figures follow. More photographs are available upon request.

South-east facing view of portion of proposed open space and Alessandro Arroyo just upstream (north) of the Alessandro Dam. Site burned about 2 years ago. Sage scrub and riparian vegetation is recovering.



View toward north looking up tributary arroyo of Alessandro Arroyo. Area of mulefat in foreground is at proposed road crossing. Note bed and bank and riparian vegetation.



Portion of tributary arroyo where proposed road would cross.



View looking southwest at tributary arroyo with mulefat scrub and other riparian vegetation below point where road would cross.



Proposed road across open space does not bridge drainages and riparian areas. The plan is to fill and use culverts.



Recovering coastal sage scrub in pad areas (~ at developed lots 37-40) and in designated open space (open space lot 30).



25 March, 2004

To: Honorable Chair and Members of the City of Riverside Planning Commission

From: Friends of Riverside's Hills, 4477 Picacho Dr., Riverside, CA 92507

Re: P03-1451/P03-1548/P04-0260.

We would like to express our concerns over a project proposal submitted for your approval. Specifically, we oppose approval of the proposed tract map 31930 (P03-1451) as currently designed, and approval of the associated planned residential development (P03-1548). We also oppose the proposed rezoning of seven acres from O-zone to RC-zone (P04-0260), and the granting of a Neg. Dec. for this whole project. Our position is based on information that we have received in advance of the Staff Report on these three planning cases. We will present supplemental information after we have seen the opinion of the planning staff.

In brief summary, our points are:

1. The hearing should be continued until the developer has some right of purchase over Flood Control District land that is in the O-zone. The developer is proposing to purchase 17.5 acres within the Alessandro Arroyo and rezone 7 acres to RC-zone. The staff at the Flood Control District has informed us that, at present, the developer has no agreement to purchase this property.
2. The rezoning of the 7 acres of O-zone to RC-zone should not be permitted. The developer is requesting this rezoning to justify the density of lots in the tract map. This is based on the following calculation (based on what we believe to be accurate numbers). The proposed tract map is the final phase of a larger project. The first phases developed 56 homes on 59 acres, and this final phase is for 29 homes on 86 acres (including the 17.5 acres of O-zone). With the rezoning, this sums to 85 homes on 135 acres of RC-zoned land, which is a 26% density bonus over RC-zone standards. This bonus is excessive in such a sensitive area, and either exceeds or is very close to the 25% maximum density bonus allowed under the General Plan in such an environmentally sensitive area (NR 1.4). In any event, we see no justification for rezoning the 7 acres of land that is within the boundaries of the Alessandro Arroyo, as defined by the City's zoning ordinance, and hence cannot be developed. The residents of the City of Riverside gain nothing by this shell game, whereby land is rezoned simply to satisfy the acreage needs of the developer. In fact the City experiences a net loss, since the current proposal would result in grading and development within the Arroyo (see #3 below), contrary to the wishes of the citizens of the City as expressed in measures R and C. Without this rezoning, a 25% density bonus would permit only 23 homes in the current tract map.
3. There are excessive grading exceptions necessary for this tract map and PRD. To qualify for a density bonus, an RC-zone PRD project must retain important natural features of the landform. High on the list of such natural features are the City's arroyos, and for that reason the City's grading ordinance does not allow grading within 50 feet of an arroyo. In the project map that we have seen, it appears that 21 of the 29 lots would involve grading into the 50 ft. setback (72%), with 16 of these requiring grading within the arroyo itself (55%). This is an unacceptable number of grading exceptions in any development, since it would amount to a legislative action that circumvents the grading ordinance. It is even less acceptable in a development that is claiming the maximum density bonus for preserving the natural arroyo environment. Note that within the PRD ordinance, a criterion for substantial density

Ex. J-2

reduction is if "the property is characterized by steep slope necessitating extensive grading."

4. The roads require unacceptable grading exceptions. In particular, "Century Hills Drive" runs east-west across the open space and would be completely within the arroyo area. Its construction would require severe destruction of the landform. Furthermore, the road as currently designed requires filling tributary arroyos, and the destruction of a wetland area. This road must be removed or redesigned to minimize its environmental impacts.
5. No provisions are being made for public access trails. The City's General Plan includes an Alessandro Arroyo trail, and, by incorporating the Hawarden Hills Specific Plan, includes a trail from Tiburon Knoll to the Alessandro Arroyo. There appears to be no consideration of how these two trails will be integrated with the proposed tract map. In addition, there have been no decisions regarding how they open space will be managed. This is critical given that the sole reason for the density bonus given to this project appears to be the preservation of open space.
6. The Draft Negative Declaration should not be approved. Items 2-5 noted above all raise issues that are inadequately addressed in the Draft Negative Declaration.

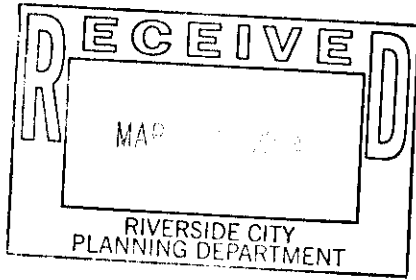
We will expand on these objections and add others if this project is not significantly redesigned before the Planning Commission considers it. We would recommend a continuation so that this redesign can occur.

Thank you for your attention.

Respectfully submitted by Leonard Nunney

On behalf of Friends of Riverside's Hills

email: watkinshill@juno.com



March 12, 2004

Adam Fischer
8518 Hayloft Place
Riverside, CA 92508

Joel Belding
City of Riverside
Planning Department
3900 Main Street, 3rd Floor
Riverside, CA 92522

**RE: COMMENTS ON DRAFT NEGATIVE DECLARATION FOR PROPOSED
16 ACRE DEVELOPMENT, EAST OF CANYON CREST PARKWAY (P03-
1358/P04-0015)**

Dear Mr. Belding:

Thank you for providing the opportunity to comment on the above proposed project. As you are aware, the proposed project lies adjacent to Sycamore Canyon Park which is heavily used by hikers, bicyclists, the homeless, paintballers, hunters, dog trainers, off-highway vehicle enthusiasts, and BMX riders to varying degrees. Nevertheless, Sycamore Canyon Park is a unique feature to the city of Riverside and a valuable recreational resource to the local community. In recognition of this, and in the interest of protecting this resource, I object to issuance of a Negative Declaration for the proposed project.

Under item 4(b) of the EIS, the proposed project will expose people to water related hazards. The project will offer a 50-foot wide access point for users of Sycamore Canyon, however, the proposed access point will put users into the bed of a significant drainage at the bottom of a substantial watershed. Due to the wide variety of users of the Park, it is inevitable that some users will be exposed to high flows during storm events while attempting to access the Park. I know of no trailheads in Sycamore Canyon Park within drainage courses, indicative that the park users are collectively aware of the hazards of such large drainages and have better sense.

Under item 6(c) of the EIS, the proposed project will likely create hazards from design features or the lack thereof. The users of Sycamore Canyon Park have a strong sense of ownership of the trails. Historically, trails lost as the result of development in Sycamore Highlands or the placement of the fence along Canyon Crest Parkway, have only been re-routed by obstacles, but the general access has not been lost. The existing informal trailhead at Via Las Nubes will be re-routed through or along the bank of the stream course that the proposed access offers. Lack of planned access to the Park at this point will certainly result in rogue trails by various Park users. Trails that are not planned for

Ex. J-3

the various users will not likely allow compatible use between, for example, hikers and bicyclists. The rogue trail, being within or along the stream, will likely contain blind spots due to the steep terrain of the drainage. Close calls between trail users will only heighten animosity between the various trail users.

Under Item 6(d) of the EIS, the proposed project does not allow adequate emergency access to the northwestern portion of the Park. The nearest vehicle access to the Park is at the top of Sycamore Canyon off Canyon Crest Parkway to the South. However the terrain leading to the northwestern portion is rugged and not accessible to emergency vehicles. As the fires of fall 2003 have demonstrated, wildfires could easily engulf Sycamore Canyon in a single episode. The proposed project will eliminate what limited access previously existed. Injured Park users could also be affected by the lack of emergency access to this area.

Under Item 6(e) of the EIS, the proposed project will eliminate an opportunity to provide parking capacity for the proposed Park access. Currently, the terminus of Via Las Nubes effectively provides an off-street parking area for the trailhead. Failing to provide better than through-street parking for Park users will result in conflicts with existing, and the proposed, homeowners.

Under Item 6(e) of the EIS, the proposed project's Park access will create hazards and barriers for hikers and bicyclists in the Park by putting them into the drainage. The drainage substrate is sandy and the banks are steep along much of its length. There are few opportunities for users to develop a trail comparable in access to the existing trail. The rogue trail will likely be poorly planned and hazardous.

Under Item 7(a) of the EIS, the proposed project will likely degrade sage scrub by directing Park users into the drainage. Sage scrub appears to be present along the banks of the drainage. Rogue trails, created by users, will likely be done at the expense of the sage scrub and will degrade the banks of the drainage, the vegetation, and the Park overall. The existing trails exist in ruderal areas.

Under Item 13(a) of the EIS, the proposed project, particularly the tennis court, will likely result in hazardous lighting and glare. Mountain bikers use the existing on-site trail, informally known as "triple R" and "naked lady trail" as the ending point of downhill runs at night. Speeds can exceed 30 miles per hour. Excessive light and glare from the project can impair the vision of cyclists as they approach the end of the trail. This condition would not be tolerated for motorists on public rights-of-way and should not be tolerated for users of a public park.

Under Item 15(b) of the EIS, the proposed project will eliminate a popular trailhead and replace it with an access point into a hazardous and undesirable area for a new trail.

I respectfully request that the City of Riverside amend the EIS according to the above comments and prepare a mitigated negative declaration. Mitigation should consist of the project proponents constructing off-street trailhead parking to replace spaces lost by the

extension of Via Las Nubes. The proponents should be required to move the proposed Park access to a location and construct a new trailhead and trail, that is comparable to the existing trail in level of access, safety, vegetative impact, and compatibility. The proposed tennis court should be eliminated from the project and all lighting on the project should be restricted to appropriately shielded lamps totaling no more than 60watts of output per lamp position. Violations of this condition should be referable to Code Enforcement as a nuisance or an equally effective enforcement instrument. Furthermore, conditions should be placed in the lot CC&R's such that homeowners are to maintain native vegetation on the properties' slopes. Violations of this condition should be referable to Code Enforcement as an aesthetic nuisance or an equally effective enforcement instrument.

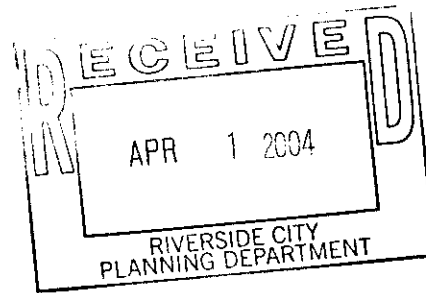
Sincerely,

A handwritten signature in black ink, appearing to read 'A. Fischer', written in a cursive style.

Adam Fischer

March 31, 2004

Planning Department
City of Riverside
3900 Main Street
Riverside, Ca. 92522



Attention: Joel Belding

Reference: Case Number, PO 3-1451
 PO 3-1548
 PO 4-0260
 Tract Number 31930 (Prior Tract Number 28728)

Dear Joel,

Thank you for your time and attention at our meeting on Monday, March 29, 2004.

Per your request we are responding in writing regarding our concerns for the proposed development of Tract 31930.

First, you have advised us that the original approval for this proposed development dates back approximately ten (10) years. However, the Developer allowed the original map to lapse. Subsequently, the Developer obtained another five (5) year map approval. Again the Developer allowed the map to lapse. Thus, ten (10) years of mapping approval has passed and now the Developer requests a new five (5) year approval based on a new tract number, 31930.

However, we must point out to the Commission and to the Developer that "times have changed" and now we find ourselves in a totally changed residential development configuration beyond ten (10) years ago, or even five (5) years ago when the second map was approved. Now, however, there in fact exist several new neighborhoods and multiple homeowners (we included), who will be directly and negatively impacted by the development of the proposed project.

Thus, when arriving at a final decision we hope the Commission will base its decision on all the factors and issues that impact the existing residential developments; Alessandro Heights homeowners and environmental concerns.

Our property location is 1998 Apostle Lane, Riverside, Ca., 92506, directly east of proposed development Tract 31930.

Issues Regarding Tract 31930 Development Negatively Impacting

1. Blocked Views to the West. Our issues blocked views to the west – need to bring down pad heights on Lots 37, 38, 39, 40. Our existing pad height is 1,234'. Currently, we enjoy a night light and terrestrial view which is highly valued esthetically as well as market value resale.
2. Privacy. Reduction of privacy that currently exists due to new development plan – open back yards to existing homeowners open backyards. To the extent that it

Ex. J-4

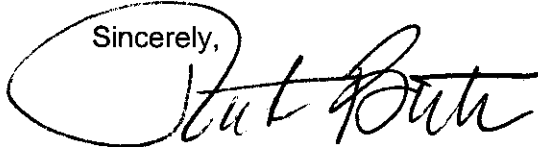
relates to us, we would request a reduction in pad elevations from above 1,200' to a maximum of 1,200' to allow for privacy issues.

3. Peace and Quiet Enjoyment. Disruption of currently enjoyed peace and quiet for two (2) to four (4) years – granite dynamite blasting, heavy equipment grading, general construction – impact over long term development on human elements.
4. Environmental Imbalance – Human Factors. Disruption of environmental balance – impact both animal and plant habitat – increased irrigation due to natural run off of slopes create new plant growth issues – animal environmental drastically changed decreasing corridors of migration (i.e. coyotes, rabbits, birds, ground squirrels, et.al.).
5. Riverside Conservation Corridor. Riverside policy regarding non-use of reserve conservation zones controverts the approval of this project – totally changed.
6. Architecture and Plans and Street Scene. Developer/Builder has produced architecture and plans that do not provide adequate distinction with respect to exterior renderings, monochromatic colors, use of one (1) plan super plotted not in accordance with the Riverside General Plan regarding street scene. (See Santa Barbara collection current developer plans)
7. Fire Protection. Since 2000, at least three (3) grass fires have started in this area designated for development.


Finally, we will be materially damaged should this proposed project be allowed to proceed without mitigation regarding an agreement that addresses the issues listed above.

Hence, we will appear at the Commission Meeting on April 8, 2004, to answer any questions and speak regarding our position.

Sincerely,



Robert Burton



Susan Burton



Carousel Coin & Jewelry Exchange

Owner: WAYNE J. SKILES
Graduate Gemologist (GIA)
115 Carousel Mall
San Bernardino, CA 92401
(909) 383-9000

26 March 2004

To: Chair and members of riverside Planning Commission

From:
Wayne Skiles
6352 Century Hill Drive
Riverside, Ca92506

RE: tract maps TM3 1930 and TM28728
Re: Po3-1451/P03-1548/P04-0260

As a nearby homeowner I would like to express my concerns over the proposed project you are tasked with approving/disapproving.

At a 3-23-04 meeting of the Hidden Canyon Estates Homeowners association this project was discussed in detail. Speaking was Professor Len Nuunney and the developer Jin Guthrie. Several homeowners present also voiced their concerns. The sometimes heated debate went into detail.

While Jim Guthrie was eloquent ,considerate ,and open to discussion, the facts remain the facts.

He is proposing grading variances on over 70 % of the proposed 29 lots!!

Variances with this delvelopment seem to be the rule NOT the exception! Personally I oppose the grading in the Arroyo for the purpose of having "larger building pads

Other issues are the establishment of the trail,construction of a massive road accross the Arroyo,

the filling in of the Arroyo,conversion of 7 acres from Offical Zone to Residential; Conservation Zone, etc.

I respectfully request this decision be postponed by the Planniing Commission. Perhaps fewer homes , elimination or minimal grading in the Arroyo,and establishment of a trail would please all parties and be in the interest of of the environment as well?

Mr Guthrie is an astute businessman and should be open to a negotiation to prevent a lengthy, costly fight on this project.

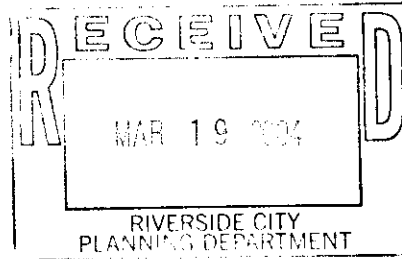
Very Respectfully,

Wayne J. Skiles
Vice President
Hidden Canyon Estates
Homeowners Association

EX. J-5

**City of Riverside
Planning Department**

City of Riverside Planning Department
3900 Main Street
Riverside, Ca. 92522



March 17, 2004

Dear Planning Commission:

Thank you for the opportunity to express my family's concerns over the proposed project reference by Case Number P03-1451/P03-1548/P04-0260.

My family opposes the current proposal. The proposed development is way too close to the canyons, arroyo and streams. Our review of this proposed development leaves us with great concern and sorrow over the future of our (Riverside) natural lands. The area affected by this proposal will consume one more of Riverside's natural resources, nature. This is a beautiful natural area with canyons, stream, arroyos, numerous indigenous animals and plant life. It will only serve to further disrupt and displace animals, plants and the natural beauty. Yes, this proposed development is also in my back yard and I don't want to see the natural rock formations, animal habitat and plants disrupted any further than they've already been. This proposal will adversely affect my property value too. My home at 2198 Old Bridge Rd. is on a nature boundary over looking this beautiful area. I look forward to protecting it. I protect it by not touching it.

Solution

My family would support a proposal that demonstrated a conscience move to increase the "no touch zone" around these areas. Push back from the canyon, stream and arroyo areas allowing more room for this natural resource to flourish. The result will be fewer homes and increased open space for animals plants and of course humans (hikers)too.

Summary;

This area is a beautiful place to live and we would not want to prevent others from enjoying it. It is an amazing natural wilderness area that supports a small ecosystem while only a few miles from the city center. This is the very reason I moved to this area of Riverside. Please do not ruin it.

Your sincere consideration is appreciated

Sincerely *Mark A. Kelcher*

The Kelchers
Mark & Aline Kelcher
2198 Old Bridge Rd.
Riverside, Ca. 92506

Ex. J-6



Notice of Public Hearing

YOU ARE INVITED TO ATTEND a Public Hearing before the **PLANNING COMMISSION** of the City of Riverside regarding the following item:

CASE NUMBER: P03-1451/P03-1548/P04-0260

APPLICANT: Gabel, Cook and Becklund, on behalf of Jim Guthrie

LOCATION: southerly of terminus of Cresthaven Drive and northerly of Alessandro Arroyo

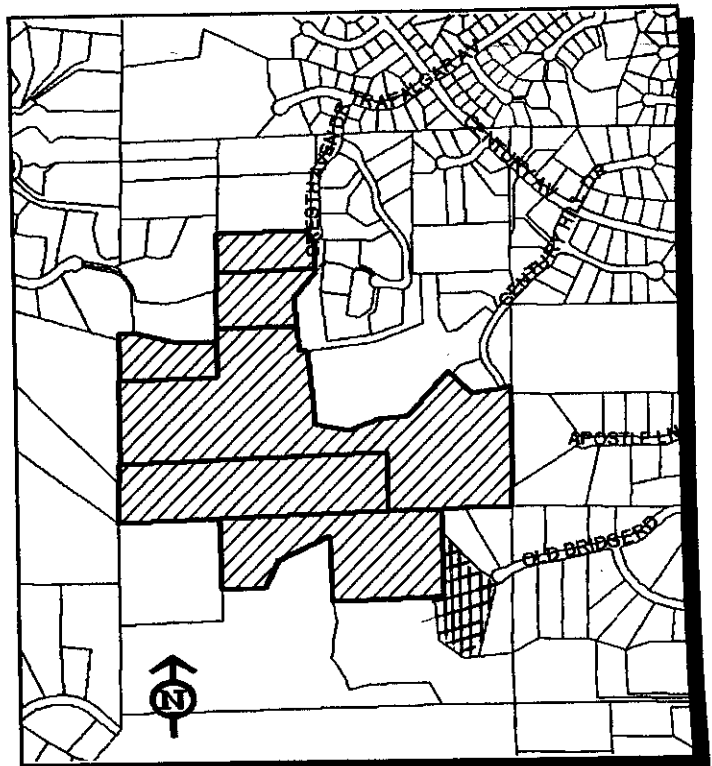
PROPOSAL: **P03-1451:** Proposed Tract Map 31930 to subdivide approximately 86.31 vacant acres into 29 residential and 5 open space lots, located in the RC - Residential Conservation and O - Official Zones. **P03-1548:** Proposed planned residential development to establish a 29 single family residence planned residential development with private and common open space on approximately 86.31 vacant acres; **P04-0260:** Proposal by Gabel, Cook and Becklund, on behalf of Jim Guthrie, to rezone approximately 7 acres from the O - Official Zone to the RC - Residential Conservation Zone. Related variances and grading exceptions may also be considered.

ENVIRONMENTAL DETERMINATION: The Planning Department has determined that the proposed project will not have a significant effect on the environment and is recommending that a Negative Declaration be adopted.

Interested parties may contact the Contact Planner between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The Negative Declaration and department case file are available for inspection at the Planning Department on March 9, 2004. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

This notice is being mailed to property owners within 300 feet of this project site. Interested parties may appear and speak in opposition to or support of the project or the staff recommendation at the meeting. Written comments may also be submitted for consideration.

If you challenge any of the above proposed actions in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Department of the City of Riverside at, or prior to, the public hearing.



PLANNING COMMISSION HEARING

City Council Chambers, City Hall
3900 Main Street
Riverside, CA 92522

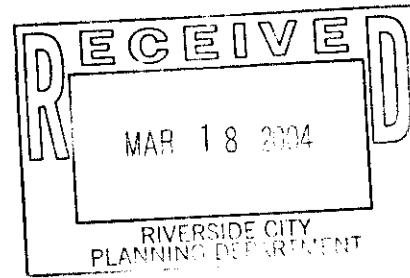
MEETING DATE: April 8, 2004
MEETING TIME: 9:30 a.m.

CONTACT PLANNER: Joel Belding
PHONE: (909) 826-5932
E-MAIL: jbelding@riversideca.gov

Ex. J-6

2440 Rolling Ridge Road
Riverside, Ca. 92506

Joel Belding
City of Riverside Planning Department
3900 Main Street
Riverside, Ca. 92522



Re: Proposal P03-1451: Tract Map 31930

Dear Mr. Belding and the Planning Department,

I reside at 2440 Rolling Ridge Road and my property is adjacent to the proposed development P03-1451. My only concern relates to my privacy.

Lot 53 will have a common boundary with my property. The proposed plan is to use fill to level the building pad. My concern is the elevation of the pad. Is it limited to the average height of the existing land or can it be artificially raised to a new height? I have had problems with mud slides from construction in the past and don't want a repeat performance.

Lastly, is the elevation of the structure limited to one story or will a two-story structure be allowed?

Thank you for addressing my concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven E. Larson".

Steven E. Larson, MD
782-3618

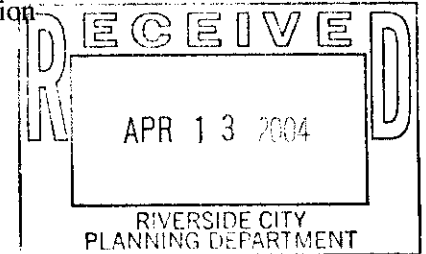
Ex. J-7



Chaffey College Honors Program

To:
Honorable Chair and Members of the City of Riverside Planning Commission

From:
Scott and Eva Rose
6381 Century Hill Drive
Riverside, CA 92506



RE: P03-1451/P03-1548/P04-0260

As a concerned and soon to be greatly affected homeowner in the Hidden Canyon Estates, I would like to both articulate my apprehension and reaffirm the stated position expressed by my fellow homeowners and our representative of Friends of Riverside's Hills, Leonard Nunney.

The heart of my apprehension lies in a couple of the central components of the aforementioned development proposals. I will briefly highlight these concerns as follows:

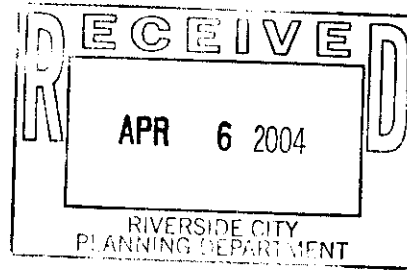
1. The proposed grading of the Arroyo for the sheer purpose of having "larger building pads" seems to me a most grave mismanagement of such a vital habitat for its dozens of species. As this land cannot be developed and the purpose of the grading is merely to satisfy the acreage needs of the developer, I find this misappropriation of this land a most serious violation of both the wildlife and all who are concerned with proper land management.
2. In my understanding of the proposals thusfar, there have been no formal provisions to develop public access trails according to the City's General Plan. In fact, the lack of such a provision seems to be indicative of an ethos that runs quite counter to that of the original intentions of the City Planners for this area and indeed the motivations for migrating to this area of most if not all of its current inhabitants. What was once the promise and most appealing element of living in this area (a close and non-obtrusive co-existence with the surrounding natural habitat) is now the very thing under serious attack.

In light of these and other concerns it is my strong suggestion, in solidarity with the community in which I find myself, to delay all such development until the concerns and desires of all affected parties are both acknowledged and respected. Thank you for your time and consideration.

Sincerely,

Eva K. Rose
Director, Chaffey College Honors Program
Professor, Dept. of Communication Studies

Ex. J-8



Joel Belding
Planning and Building Department, City of Riverside
3900 Main Street
Riverside, CA 92522

Regarding Proposals P03-1358/P04-0015

Dear Mr. Belding,

I am writing in regards to the proposed housing tract on the west side of Sycamore Canyon Park. As a resident of Riverside who has enjoyed the park for both hiking and bicycling, the proposed project concerns me. Construction of the tract could result in blocked access to two trails within the park that are frequently used by many runners, bicyclists, and hikers. These trails are connected to others within the park, which makes their accessibility even more valuable.

The housing tract would severely detract from the recreation opportunity provided by Sycamore Canyon Park if its construction blocks these trails. As fewer trails exist to provide public recreation, it is increasingly critical to preserve the ones that remain. It should be possible, and probably simple, to preserve access to these trails even with the construction of the proposed development. I am not opposed to the tract if the developer is required to provide trail access.

Please ensure that these concerns are voiced to the Planning Commission. I appreciate your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Juhasz".

Mark Juhasz

Ex. J-9

25 March, 2004

To: Honorable Chair and Members of the City of Riverside Planning Commission
From: Friends of Riverside's Hills, 4477 Picacho Dr., Riverside, CA 92507
Re: P03-1451/P03-1548/P04-0260.

We would like to express our concerns over a project proposal submitted for your approval. Specifically, we oppose approval of the proposed tract map 31930 (P03-1451) as currently designed, and approval of the associated planned residential development (P03-1548). We also oppose the proposed rezoning of seven acres from O-zone to RC-zone (P04-0260), and the granting of a Neg. Dec. for this whole project. Our position is based on information that we have received in advance of the Staff Report on these three planning cases. We will present supplemental information after we have seen the opinion of the planning staff.

In brief summary, our points are:

1. The hearing should be continued until the developer has some right of purchase over Flood Control District land that is in the O-zone. The developer is proposing to purchase 17.5 acres within the Alessandro Arroyo and rezone 7 acres to RC-zone. The staff at the Flood Control District has informed us that, at present, the developer has no agreement to purchase this property.
2. The rezoning of the 7 acres of O-zone to RC-zone should not be permitted. The developer is requesting this rezoning to justify the density of lots in the tract map. This is based on the following calculation (based on what we believe to be accurate numbers). The proposed tract map is the final phase of a larger project. The first phases developed 56 homes on 59 acres, and this final phase is for 29 homes on 86 acres (including the 17.5 acres of O-zone). With the rezoning, this sums to 85 homes on 135 acres of RC-zoned land, which is a 26% density bonus over RC-zone standards. This bonus is excessive in such a sensitive area, and either exceeds or is very close to the 25% maximum density bonus allowed under the General Plan in such an environmentally sensitive area (NR 1.4). In any event, we see no justification for rezoning the 7 acres of land that is within the boundaries of the Alessandro Arroyo, as defined by the City's zoning ordinance, and hence cannot be developed. The residents of the City of Riverside gain nothing by this shell game, whereby land is rezoned simply to satisfy the acreage needs of the developer. In fact the City experiences a net loss, since the current proposal would result in grading and development within the Arroyo (see #3 below), contrary to the wishes of the citizens of the City as expressed in measures R and C. Without this rezoning, a 25% density bonus would permit only 23 homes in the current tract map.
3. There are excessive grading exceptions necessary for this tract map and PRD. To qualify for a density bonus, an RC-zone PRD project must retain important natural features of the landform. High on the list of such natural features are the City's arroyos, and for that reason the City's grading ordinance does not allow grading within 50 feet of an arroyo. In the project map that we have seen, it appears that 21 of the 29 lots would involve grading into the 50 ft. setback (72%), with 16 of these requiring grading within the arroyo itself (55%). This is an unacceptable number of grading exceptions in any development, since it would amount to a legislative action that circumvents the grading ordinance. It is even less acceptable in a development that is claiming the maximum density bonus for preserving the natural arroyo environment. Note that within the PRD ordinance, a criterion for substantial density

EX. J-10

reduction is if "the property is characterized by steep slope necessitating extensive grading."

4. The roads require unacceptable grading exceptions. In particular, "Century Hills Drive" runs east-west across the open space and would be completely within the arroyo area. Its construction would require severe destruction of the landform. Furthermore, the road as currently designed requires filling tributary arroyos, and the destruction of a wetland area. This road must be removed or redesigned to minimize its environmental impacts.
5. No provisions are being made for public access trails. The City's General Plan includes an Alessandro Arroyo trail, and, by incorporating the Hawarden Hills Specific Plan, includes a trail from Tiburon Knoll to the Alessandro Arroyo. There appears to be no consideration of how these two trails will be integrated with the proposed tract map. In addition, there have been no decisions regarding how they open space will be managed. This is critical given that the sole reason for the density bonus given to this project appears to be the preservation of open space.
6. The Draft Negative Declaration should not be approved. Items 2-5 noted above all raise issues that are inadequately addressed in the Draft Negative Declaration.

We will expand on these objections and add others if this project is not significantly redesigned before the Planning Commission considers it. We would recommend a continuation so that this redesign can occur.

Thank you for your attention.

Respectfully submitted by Leonard Nunney

On behalf of Friends of Riverside's Hills

email: watkinshill@juno.com



Grading Exceptions

EXHIBIT K

CASE NUMBER: TM-28728

HEARING DATE: JANUARY 17, 2002

STAFF SUPPLEMENTED GRADING EXCEPTION FINDINGS:

- Grading Exceptions:
- A) to permit lots 37-41, 43-49, 57-62, 77, 78, Grass Valley Way, Cresthaven Drive, Century Hills Drive, a Flood Control access road and a sewer line to encroach within the limits and 50-foot development setback of the Alessandro Arroyo as defined in the Grading Ordinance; and
 - B) To permit slopes in excess of twenty feet for portions of Crest haven, and Century Hills Drive

FINDINGS:

1. *The strict application of the provisions of this Title would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of Title 17.*

Deviation A — Arroyo Limits and Setback Encroachments

Lots 37 through 40 - The strict application of the provisions of this Title would not permit reasonably sized building pads to be created on these minimum one-acre lots due to the required fifty-foot setback and arroyo limits. The applicant has revised the proposed grading on these lots to eliminate a second pad that was originally proposed at the rear of the lots thereby greatly reducing the amount of grading encroaching into the setback and arroyo limits. As well, the applicant has created a new open space lot, Lot 93, from a portion of lot 37 opening up the open corridor that connects to the open space areas of the maps to the east. The affected area is a tributary of the arroyo with the main branch of the arroyo further south. From a field visit to the site staff noted that the area proposed for grading does not have the characteristics (i.e., riparian area, 30% slopes, unique topographical features, etc.) that the Grading Ordinance endeavors to preserve. Therefore, it would be an unnecessary hardship to eliminate these pads and/or lots completely as the proposed grading is not in the more environmentally sensitive areas of the arroyo and ample open space is provided.

Lots 41, 46 and Grass Valley Way - These lots encroach into another tributary of the Alessandro Arroyo. This tributary extends from the arroyo to the south, northerly up a steep slope breaking out into two fingers. The steep slope is generally characterized with large rock outcroppings which the applicant proposes to preserve. The strict application of the provisions of this Title would not permit the proposed building pads and street due to their encroachment into the setback and arroyo limits. During a field visit, staff noted that this portion of the map area does

not visually appear as a part of an arroyo and there are no significant rock outcroppings or other notable features being removed. Since the intent of the Grading Ordinance is being maintained with the grading as proposed, it would be an unnecessary hardship not to permit the grading as proposed.

Lots 43 and 44 - The strict application of the provisions of this Title would not permit the proposed building pads in that the grading necessary for these lots encroach into the arroyo limits and setback. Based on a field inspection, staff noted that these lots are sitting on knolls above the main arroyo and are not within the arroyo. The applicant has designed the grading to daylight with no exposed slopes to the arroyo and to blend in with the natural terrain. The area directly abutting the rear property lines of these lots has been reserved as an open space lot that will link to open space areas in adjacent maps. It would be an unnecessary hardship to not permit these encroachments given that the encroachments will not affect sensitive areas of the arroyo and the actual sensitive areas behind these lots have been reserved as part of an open space lot. These encroachments will be consistent with the intent of Title 17.

Lot 45 - The strict application of the provisions of this Title would not permit the proposed building pad in that the grading necessary for this lot encroaches into the arroyo limits and setback. The limits of the arroyo and setback were established based on an analysis of topographical maps and aerial photos which depicted those areas with slopes over 30%. Per a field visit, the proposed pad will not be situated over sensitive areas of the arroyo limits or within the arroyo itself. However, staff did note that significant rock outcroppings exist in the rear portion of the pad and are noted for protection on the map. To insure that these rock outcroppings are protected, staff is recommending that a detailed grading plan be submitted for this lot showing the precise location of these rock outcrops and insuring their preservation in order to meet the intent of Title 17. Given these circumstances, it would be an unnecessary hardship to not permit grading as proposed for this lot.

Lots 47, 48 & 49 - These lots encroach into another tributary of the Alessandro Arroyo. This tributary extends from the arroyo to the south, northerly up a slope generally characterized with large rock outcroppings which the applicant proposes to preserve. The strict application of the provisions of this Title would not permit the proposed building pads in this location as they are within the arroyo limits and setback. However, from both a review of the grading plan as well as a field visit to the site, staff noted that these lots are not truly in the tributary but sit on a relatively flat knoll next to the tributary. The area proposed for these pads is relatively flat and does not contain any significant rock outcroppings or sensitive areas of the arroyo. In fact, there are some rock outcroppings directly easterly of lot 47 which have been reserved within an open space lot. It would be an unnecessary hardship not to allow these minimal encroachments given that the intent of Title 17 will be met.

Lot 57 and Cresthaven Street - Actual grading for lot 57 has not been proposed at this time. However, a portion of lots 57 and C encroach into the arroyo and setbacks as defined by the Grading Ordinance. Therefore, the strict application of the provisions of this Title would not permit the construction of street lot C and would limit grading on lot 57. However, this area is actually just to the west of one of the tributaries of the arroyo. The areas proposed for grading do not have any of the characteristics of an arroyo. When this map was originally approved, careful consideration was given to the proposed street alignment through the map to insure that grading would be minimized. Not allowing construction of Cresthaven Street or the future grading of lot

57 would be an unnecessary hardship since these areas are not significant and the intent of the Grading Ordinance is being met.

Lots 58 through 62 - These lots are also on the westerly side of the tributary mentioned under Lot 57 and Street Lot C above. The strict application of the provisions of this Title would greatly limit the proposed building pads for these lots as much of these lots are within the arroyo limits and setback. However, from a field visit to the site, staff noted that the tributary itself is further east than what has been depicted in the Grading Ordinance. The areas of these lots within the tributary do not have the characteristics the Grading Ordinance is intended to protect. These pads will lie on relatively flat areas of the site not disturbing the lower portions of this tributary. Given these minimal encroachments, it would be an unnecessary hardship to not allow these proposed pads given that the intent of Title 17 will be met.

Lots 77 and 78 - These lots are located easterly of the tributary finger discussed in Lots 63 through 68 and Street Lots F and H above and are proposed for a relatively flat area approximately twenty to thirty feet above the actual tributary as noted in our field visit. The strict application of the provisions of this Title would not permit the proposed building pads for these lots in that the proposed grading necessary encroaches minimally into the arroyo limits and setback. However, the tributary of the arroyo lies directly westerly of these lots and grading will not occur in the lower steep portions of the tributary thereby no impact to the vegetation and the scattered rock outcroppings characterizing the tributary is proposed. Given these insignificant encroachments, it would be an unnecessary hardship to not allow these pads given that the intent of Ordinance is being maintained.

Century Hills Drive - The strict application of the provisions of this Title will not permit the construction of this street since it encroaches into the arroyo limits. The proposed alignment of street E is designed to preserve as much of the existing rock outcroppings as possible while minimizing grading. The street traverses some tributary segments of the arroyo. Additionally, the street is aligned to stay away from the main branch of the arroyo to the south. Given these minimal impacts, it would be an unnecessary hardship to not allow the creation of street lot E which connects this development given that the intent of Title 17 will be met.

Flood Control access road and sewer line -The strict application of the provisions of this Title will not permit the installation of a Flood Control access road and new sewer line . This will require minimal grading and excavation for the installation of the sewer line. Additionally, the Flood Control access road already exists. Not allowing the Flood Control access road would be considered an unnecessary hardship given that maintenance access is necessary. Additionally, the sewer line originates from the adjacent residential development to the north and flows to the south until it reaches the intersection of Grass Valley Way and Century Hills Drive. Not allowing this sewer line would be considered an unnecessary hardship give the minimal grading and disturbance will be created.

Deviation B — Slope Height

Century Hills Drive and Cresthaven Drive - The strict application of this Title would not permit the construction of these streets since slopes higher than twenty feet will be required. To build proposed Crest Haven Di there is an area, just southerly of the Cresthaven Drive cul-de-sac, where slopes will reach a maximum of 26-feet for a distance of thirty-feet. For Century Hills Dr,

there is an area, located approximately midway in the length of the street, where the maximum slope height will reach thirty-feet for a distance of seventy-feet. For street H there are two areas where slopes will exceed twenty-feet. The first area is the southerly portion of lot 76, where a maximum height of 29-feet over a distance of seventy-feet will be needed. The second area is on the easterly side of the knuckle of street H with street F where a maximum height of thirty-feet for a distance of forty-feet is needed. These slopes are not out of character with the area and will be contour graded to blend with the area. As mentioned previously, the street configuration, as proposed, was based on a study of the natural terrain of the project site to limit grading. This proposal shows the same streets as approved before under the map and the slopes will be contour graded. It would be an unnecessary hardship to not allow these slopes for these streets given that the slopes are not in sensitive areas of the arroyo and the intent of Title 17 will be met.

2. *That there are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally apply to other property in same zone or neighborhood.*

Deviation A: — Arroyo Limits and Setback Encroachments

Lot 37 through 40 - Per a field visit, the portions of the building pads and manufactured slopes of these lots encroaching within the arroyo limits and setback areas are from a visual standpoint not readily identifiable as part of the arroyo. Also, all of the sensitive natural features in the area, particularly the rock outcroppings, will not be affected. These factors are considered exceptional circumstances.

Lot 41, 46 and Grass Valley Way - The portion of the building pad and manufactured slopes lying within the arroyo limits and setback areas are within a tributary and not the main branch of the arroyo. From a site visit to this site, staff noted that this area is not identifiable as part of the arroyo and this is considered an exceptional circumstance.

Lot 43 and 44 - Per a field visit, the portions of the building pads and manufactured slopes of these lots lying within the arroyo limits and setback areas will not affect sensitive natural features of the arroyo. When staff went out to the site, it was noted that these lots are sitting on knolls above the main arroyo. The applicant has designed the grading to daylight with no visible slopes and to blend in with the natural terrain. In fact, there is a portion adjacent to the rear property line of this lot that is sensitive to the arroyo and will be reserved as part of an open space lot.

Lot 45 - As noted under finding 1, the proposed pad will not be situated over sensitive areas of the arroyo limits or within the arroyo itself. However, staff did note that significant rock outcroppings exist in the rear portion of the pad and are noted for protection on the map. Since, this grading is not actually within the arroyo, this an exceptional circumstance.

Lots 47, 48 and 49 - From both a review of the grading plan as well as a field visit to the site, staff noted that these lots are not truly in the tributary but sit out on a relatively flat knoll next to the tributary. The area proposed for these pads is relatively flat and does not contain any significant rock outcroppings or sensitive areas of the arroyo. As a matter of fact, there are some rock outcroppings directly easterly of lot 47 which have been reserved within an open space lot. Lot 48 is further to the north outside the main branch of the arroyo. These are considered exceptional circumstances.

Lot 57 and Street Lot C - This area is actually just to the west of one of the tributaries of the arroyo. The areas proposed for grading do not have any of the characteristics of an arroyo. When this map was originally, proposed careful consideration was given to the proposed street alignment through the map to insure that grading would be minimized. This portion of the site is not steep and will not impact the lower, steeper portions of this tributary. These are considered exceptional circumstances.

Lots 58 through 62 - Per a field visit, the proposed pads will be situated on a relatively flat area and away from the sensitive lower portion of a tributary segment of the arroyo. This is considered an exceptional circumstance.

Lots 77 and 78 - The proposed pads will be situated on a relatively flat portion of the site, and not within the arroyo. This is considered an exceptional circumstance.

Streets (Glen haven and Century Hills Dr) - The proposed street location will stay out of areas with significant scattered rock outcroppings just northerly of the proposed street location and the main arroyo which runs just southerly of the street. The streets were designed to limit the amount of grading to the maximum extent. Staff believes these to be considered exceptional circumstances.

Flood Control access road and sewer line - Per a field visit, the portions of the areas to be graded for a Flood Control access road and sewer line encroaching within the arroyo limits and setback areas are from a visual standpoint not readily identifiable as part of the arroyo

Variance B: — Slope Height Exceptions

Streets (Glen haven and Century Hills Dr- The street configuration for this project was based on a study of the natural terrain to limit the grading needed. As a result, the proposed slopes up to thirty-feet in height are needed for the street configuration. To redesign the streets in a different configuration would require even more grading than proposed. These are considered exceptional circumstances.

3. *That the granting of a waiver will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which the property is located.*

Deviation A:

Lots 37 through 40 - The proposed grading does not affect the actual arroyo as noted by a site visit.. Also, all of the sensitive rock outcroppings within the arroyo limits and setbacks will be preserved. The proposed grading will have not be detrimental to the public or the area.

Lot 41, 46 and Street Lot I - The proposed grading on these lots will not affect the sensitive portions of the tributary segment of the arroyo. Although the Grading Ordinance defines this area as part of the arroyo tributary staff noted that the tributary if further west and these lots are not within the tributary.

Lots 43 & 44 and Grass Valley Way- The proposed grading on this lot will not affect sensitive portions of the arroyo and no sensitive rock outcroppings within the arroyo and setbacks will be

impacted. The proposed grading will have no adverse impact to this neighborhood.

Lot 45 - The proposed grading on this lot, as conditioned for the preservation of the rock outcroppings in the rear of the pad, will not affect sensitive portions of the arroyo. On this basis, the proposed grading will have no adverse impact on the neighborhood.

Lots 47 and 48 - The proposed grading on these lots will not affect sensitive portions of the arroyo. No other grading exceptions are necessary for these lots. The proposed grading will have no adverse impact to this neighborhood.

Lot 49 - The proposed grading on this lot, as conditioned, will not affect sensitive portions of the arroyo. This map has been approved previously and this lot will not change. The proposed grading will have no adverse impact to this neighborhood.

Lot 57 and Street Lot C - The proposed grading on these lots will facilitate the construction of Street C which is in the least sensitive location possible. The proposed grading will not affect sensitive areas of a tributary segment of the arroyo. The proposed grading will have no adverse impact to this neighborhood.

Lots 58 through 62 - The proposed grading on these lots will not affect sensitive portions of a tributary segment of the arroyo. The proposed grading for these lots is the same as previously approved and will have no adverse impact to this neighborhood.

Lots 77 and 78 - The proposed grading for these lots will not affect sensitive areas of the arroyo and its tributaries. Additionally, these lot configurations have been approved once previously. The proposed grading will have no adverse impact to this neighborhood.

Crest Haven and Century Hills Drives - The proposed alignment of this street has already been approved previously and it was determined that it would not affect sensitive areas of the arroyo. The proposed grading will have no adverse impact to this neighborhood.

As noted above the actual effects to the arroyos are insignificant and the applicant has designed the map and grading as sensitively as possible. Therefore, this project should not be detrimental to the public or area.

Deviation B: — Slope Height Exceptions

Glen Haven and Century Hills Drives - As mentioned previously, the street configuration and alignment have already been approved under the map based upon extensive studies and previous public input to limit the amount of grading to the extent possible. Per a field visit, the proposed slopes up to 30-feet will not affect sensitive areas of the arroyo and will not have an adverse impact to the neighborhood.

Flood Control access road and sewer line -These features will not impact any adjacent neighborhood but rather improve sewer facilities and maintenance into the Flood Control District area to the south the project. As noted above the actual effects to the arroyos are insignificant and the applicant has designed the map and grading as sensitively as possible. Therefore, this project

should not be detrimental to the public or area.



CASE NUMBER: P03-1451, P03-1548 and P04-0260

HEARING DATE: August 19, 2004

- Variations:
- a. parcels less than two acres in size on lots with an average natural slope (ANS) greater than 15% (lots 23-27, 29-32, 35-37, 39-49, 51-56, 58-64 and 66-91);
 - b. parcels less than five acres in size on lots with an ANS of 30% or greater (lots 33-34, 38, 50 & 65);
 - c. landlocked parcels located along private streets

STAFF VARIANCE JUSTIFICATION FINDINGS:

FINDINGS:

1. The strict application of the provisions of the Zoning Regulations result in practical difficulties or unnecessary hardships in the development of this property.

Variations A and B: The strict application of the Code would require a redesign of the project to eliminate all variations, which would negate the need for the Planned Residential Development application. As the PRD application was filed to allow clustering of the proposed lots with the intent of maximizing the preservation of natural space within the project area, this strict application of the Code would be counter to the City's goal of environmental preservation and sensitive hillside development.

Variance C: The strict application of the Zoning Code would not allow the proposed private street design in which this would be considered an unnecessary hardship given that all lots will have access to public streets.

2. There exceptional circumstances or conditions applicable to this property or to the intended use or development of this property which do not apply generally to other property in the same zone or neighborhood.

Variations A and B: The clustering of lots proposed for this project, with the intent of maximizing open space preservation and retention of important natural drainages, is the environmentally superior option for this project.

Variance C: This map is designed as a planned residential development with private streets and that all lots will have access to a public street. These are considered exceptional circumstances.

3. The granting of this request prove materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located.

Variations A, B & C: The lot is of comparable size to surrounding RC Zone lots and still exceeds the minimum lot size allowed in the RC Zone. The lot provides adequate building area to accommodate a residence without the need for setback variations. As well, all lots will be served by a private street connecting to a public street.

4. The granting of this request will not be contrary to the objectives of the General Plan.

The General Plan does not pertain in this instance.

cw:Clara E. Miramontes