



# COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION

## VARIANCE JUSTIFICATION FORM

PLEASE TYPE OR PRINT CLEARLY

Project Description: Harris Farm - 36 single-family attached townhome community

Project Location: 4105 Jefferson Street, Riverside, CA 92504

Assessor's Parcel Number (APN): 227-130-025

**VARIANCES REQUESTED** – State variance(s) requested specifically and in detail. Please attach separate sheets(s) as necessary.

Request a variance of Municipal Code Section 19.100.070D Additional Regulations for the R-3 and R-4 Zones,

Distance Between Buildings from a minimum of 15 feet to a minimum of 8.5 feet.

**REQUIRED FINDINGS** – Answer each of the following questions yes or no and then explain your answer in detail. Questions 1 and 2 must be answered “yes” and 3 and 4 “no” to justify granting of a variance. Attach written details if insufficient space is provided on this form. Economic hardship is not an allowable justification for a variance.

1. Will the strict application of the provisions of the Zoning Code result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Code? Explain in detail.

Yes. See attached sheet.

2. Are there special circumstances or conditions applicable to your property or to the intended use or development of your property that do not apply generally to other property in the vicinity and under the identical zoning classification? Explain in detail.

Yes. See attached sheet.

3. Will the granting of such variance prove materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which your property is located? Explain in detail.

No. See attached sheet.

4. Will the granting of such variance be contrary to the objectives of any part of the General Plan? Explain in detail.

No. See attached sheet.

1. Will the strict application of the provisions of the Zoning Code result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Code? Explain in detail.

Yes. Strict application of the R-3 standards will result in practical difficulties and unnecessary hardships that are inconsistent with the general purpose and intent of the Zoning Code. The purpose of the Zoning Code is "to encourage, classify, designate, regulate, restrict and segregate the highest and best location and use of buildings, structures and land for agriculture, residence, commerce, trade, industry, water conservation or other purposes in appropriate places; to regulate and limit the height, number of stories and size of buildings and other structures hereafter erected or altered; to regulate and determine the size of yards and other open spaces; and, to regulate and limit the density of population and for such purpose to divide the City into zones of such number, shape and area as may be deemed best suited to carry out these regulations and provide for their enforcement."

The City of Riverside's Municipal Code has regulations for single-family residential and multiple-family residential, but does not have a clear set of standards for processing a hybrid of the two. So the direction given is to utilize the Multiple-Family Zones for density purposes and for design direction. Therein is where the problem arises with the strict application of the building separation requirement found under 19.100.070 Additional Regulations for the R-3 and R-4 Zones, D. Distance between Buildings which states that the minimum distance between buildings shall be not less than fifteen feet. Traditionally, the separation between single-family structures averages ten feet. The variance requested is for all buildings with the exception of Building 1 and Building 10. The minimum building separation is 8.5 feet occurring between Buildings 2 and 3 and Buildings 8 and 9. The distance between Buildings 4 and 5 is 10.5 feet. The distance between Building 6 and 7 is approximately 11 feet.

At the behest of the Public Utilities Department, the project was designed so that the location of public utility connections were minimized to allow for combined pulls of the electrical systems. The electrical systems are contained within exterior utility closets on the side of the buildings to allow for servicing and access by Riverside Public Utilities personnel. These service closets are on the first floor level and have been integrated into the architectural design of the buildings. Generally, the Municipal Code allows in projections into the required yards for features such as porches, platforms, or landings. They may project up to 3 feet into a required side or rear yard area. The utility closet feature is approximately 2 feet by 8 feet and can be deemed similar to the allowable projections. Therefore, it is consistent with the intent of the Zoning Code. To deny the variance would result in practical difficulties inconsistent with the general purpose of the zoning regulations. The design of this hybrid project was carefully considered to complement the surrounding area, by increasing setbacks adjacent to the single-family homes to the south, while addressing the need for housing the City.

2. Are there special circumstances or conditions applicable to your property or to the intended use or development of your property that do not apply generally to other property in the vicinity and under the identical zoning classification? Explain in detail.

Yes. The project site is currently an underutilized parcel of land being occupied by one single-family home, accessory buildings and fruit trees. The parcel has been surrounded by higher density developments. The granting of the variance will allow the development of the parcel while taking into consideration the existing parcel constraints and the developed surrounding area. The site being 195 feet wide by 660 feet deep is not conducive to being developed in the pattern established along Jefferson Street or on adjacent Willow Avenue. The property includes a 5-foot public utility easement that must be maintained along the southern property line that further reduces the potential developable land area. The project as proposed, 36 attached townhomes, seeks to fulfill an underserved niche market that provides homeownership with community amenities such as a pool and community garden with passive recreational opportunities as well. The 2.96-net acre site provides a transition between the senior assisted living complex and the existing single-family homes. There are no other properties in the general vicinity that share the same constraints as does 4105 Jefferson Street. Strict adherence of the 15-foot building separation requirement would be inconsistent with the spirit and intent of Zoning Code to encourage the high and best use of land. To not grant the variance, it would result in effect with a minimization of the buildable floor area space for each townhome.

3. Will the granting of such variance prove materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which your property is located? Explain in detail.

No. The project exhibits design qualities and features that will make it desirable and beneficial to the neighborhood. The applicant has shown sensitivity to the neighboring properties and uses by designing buildings that fits in with adjacent building massing and provides transitions that are sensitive to the surrounding uses. The proposed project would provide an appropriate transitional development between the abutting single-family and institutional land uses. The proposed project will comply with all requirements for parking, private yards, and open space in accordance with the Riverside Municipal Code. Granting of the variance will allow for greater separations from the existing residences to the south and east. The variance of 15 foot building separation requirement will not be materially detrimental to the public welfare or injurious to the property or improvement of the proposed R-3-3000-AP-D zone or the Ramona neighborhood. The project will contribute to the public welfare by providing safe and new housing that will also set a high standard for residential projects along Jefferson Street. Rather than other typically attached, multi-residential developments in the community, the project will feature 36 attached for sale single-family townhomes. This project will further inspire similar proposed developments in the community in

hopes of addressing the need for quality single-family housing in a variety of housing types.

4. Will the granting of such variance be contrary to the objectives of any part of the General Plan? Explain in detail.

No. The project site is located within the Ramona neighborhood of the Riverside General Plan. Ramona is best known for its long-established residential areas with homes for all income ranges. Along Magnolia Avenue, the Neighborhood includes two of Riverside's major educational institutions: the Sherman Indian School and California Baptist University. The close proximity of these uses creates an interesting "institutional corridor" along Magnolia Avenue. Growth and change at these schools will continue to influence the surrounding neighborhood.

The primary objective for the Ramona neighborhood states "Objective LU-78: Maintain Ramona's established residential character while allowing for higher-intensity, transit-oriented residential and mixed residential-commercial development on opportunity sites, particularly along Magnolia and California Avenues."

The first policy provides under "Policy LU-78.1: Improve and expand the housing stock to support and complement the major educational institutions and bus rapid transit."

The 36 single-family residential townhomes are proposed on an underutilized parcel that is surrounded by development and is in close proximity to a transit corridor, California Avenue. The project will serve as a transitional buffer between the senior assisted living complex to the north and traditional single-family lot pattern to the south, west and east. The project will provide an additional housing stock opportunity that is not readily available in the immediate area. It blends owner-occupied units with amenities found in higher density products such as a community pool, community garden and recreational activity areas all within a gated residential project. The project satisfies the Objective of the Ramona neighborhood and Policy LU-78.1 by improving and expanding the housing stock to support and compliment the major educational institutions and transit services in the area.

The purpose of the General Plan, in part, is to promote an arrangement of land use, circulation and services which will encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the community, within the larger framework of the City; guide the development, betterment, and change of the community to meet existing and anticipated needs and conditions, to reflect economic potentials and limits, land development and other trends; and protect investment to the extent reasonable and feasible. The reduction of the building separation requirement will not adversely affect the General Plan.