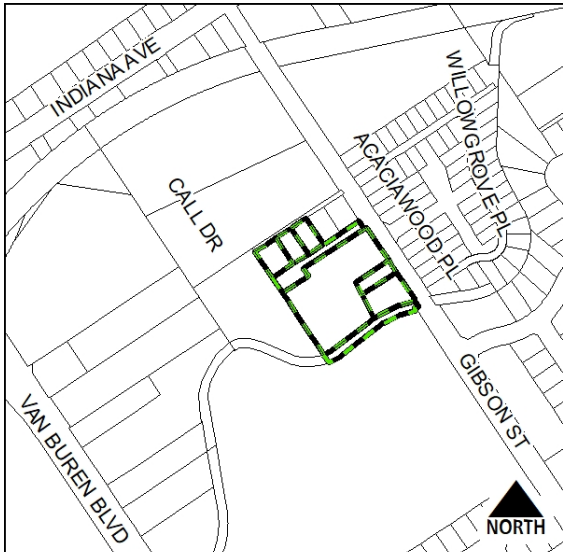




**PLANNING COMMISSION HEARING DATE: SEPTEMBER 15, 2022
AGENDA ITEM NO.: 3**

PROPOSED PROJECT

Case Number	PR-2021-000975 (Design Review and Street Vacation)	
Request	To consider the following entitlements to facilitate the construction of a four-story multiple family residential development consisting of 139 units: 1) Design Review of project plans; and 2) A Street Vacation to vacate approximately 16,696 square feet of Aguilar Street, approximately 360 feet in length and 50 feet in width.	
Applicant	Angel Orozco of Greens Gibson LLC	
Project Location	3114, 3136, and 3160 Gibson Street, situated on the west side of Gibson Street between Aralia Drive and Douglas Drive	
APN(s)	233-160-019, 233-160-018, 233-160-025, 233-160-026, 233-160-015, 233-160-014, and a portion of 233-160-022	
Project Area	3.49 Acres	
Ward	5	
Neighborhood	Arlington South	
General Plan Designation	VHDR – Very High Density Residential and MU-V – Mixed Use-Village	
Zoning Designation	R-4 – Multiple Family Residential Zone and MU-V – Mixed Use-Village	
Staff Planner	Judy Egüez, Senior Planner 951-826-3969 jeguez@riversideca.gov	

RECOMMENDATION

Staff recommends that the Planning Commission:

1. **RECOMMEND that the City Council DETERMINE** that the proposed multiple family residential project is consistent with the Final EIR for the 2014-2021 Housing Element Update/Housing Implementation Plan certified in December 2017 (SCH No. 2017041039) subject to compliance with the approved Mitigation Monitoring and Reporting Program and that the proposed Street Vacation is exempt from the California Environmental Quality Act (CEQA) subject to Section 15061(b)(3) (Common Sense Rule) of the CEQA Guidelines, as it can be seen with certainty that the Street Vacation will have no significant effect on the environment; and
2. **RECOMMEND that the City Council APPROVE** Planning Case PR-2021-000975 (Design Review and Street Vacation), based on the findings outlined in the staff report and subject to the recommended conditions (Exhibits 1).

SITE BACKGROUND

The 3.49-acre project site consists of six vacant parcels, a segment of Aguilar Street, and a portion of the Riverside Canal.

On December 12, 2017, the City Council adopted the 2014-2021 Housing Element implementation Program that rezoned approximately 200 properties across the City to allow for multi-family and mixed-use residential development, to comply with the State Housing Element Law. The subject parcels were part of this citywide rezoning effort, changing the General Plan Land Use designation to VHDR – Very High Density Residential and Mixed Use-Village and the zones to R-4 – Multiple-Family Residential zone and MU-V – Mixed-Use Village Zone.

Surrounding land uses include industrial uses and residential uses to the north, residences to the east (across Gibson Street), a drive-in movie theatre to the south, and industrial uses to the west (Exhibit 3). The site is currently accessed from Gibson Street and Aguilar Street.

PROPOSAL

The Applicant is requesting approval of a Design Review and a Street Vacation of Aguilar Street to facilitate the construction of a multiple-family residential development.

The project includes 139 units in four, four-story buildings. The complex features 19 different floor plans that include 40 studio units, 35 one-bedroom units, 39 two-bedroom units, and 25 three-bedroom units. The units will range in size from 423 square feet for the smallest studio unit to 2,005 square feet for the largest three-bedroom unit. Every unit is proposed to provide a private patio consisting of a minimum of 50 square feet. A total of 222 parking spaces, including 66 garages and 100 covered carports, are proposed to serve the project.

Common useable open space, totaling 23,645 square feet, is proposed and centrally located within the development. Amenities include: a pool/spa, a fitness facility, a tot lot, a dog park, barbecue with seating throughout, and a sky deck located on top of Building 1.

Access is provided from two proposed driveways on Gibson Street. The eastern-most driveway will serve as the project primary entrance/exit for the development and the driveway on the west side will serve as an emergency vehicle access only. Pedestrian walkways are proposed throughout the interior of the complex and serve to connect the common areas, parking areas, and the public sidewalk.

The existing paved portion of Aguilar Street right-of-way, which is proposed to be vacated, will be converted into private driveways for the two existing residences located at 9315 Aguilar Street

and 3210 Gibson Street. The unimproved portions of Aguilar Street right-of-way will be incorporated into the project.

The site will be secured with a 6-foot-high fence, including a steel rolling gate along Gibson Street and a perimeter block wall.

PROJECT ANALYSIS

	Consistent	Inconsistent
<p>General Plan 2025</p> <p>The General Plan 2025 Land Use designations for the project site are VHDR – Very High Density Residential and MU-V – Mixed Use-Village (Exhibit 4). The project site is one of the 57 sites (W5G4S23) rezoned to R-4 – Multiple-Family Residential Zone with the 5th Cycle Housing Element Update, to accommodate the City's Regional Housing Needs Assessment (RHNA) allocation (P17-0096, P17-0180, P17-0182, and P17-0521). The proposed project is consistent with the Objectives and Policies of the General Plan 2025, specifically:</p> <p><u>Objective H-2:</u> To provide adequate diversity in housing types and affordability levels to accommodate housing needs of Riverside residents, encourage economic development and sustainability, and promote an inclusive community.</p> <ul style="list-style-type: none"> - <u>Policy H-2.2:</u> Smart Growth. Encourage the production and concentration of quality mixed-use and high-density housing along major corridors and infill sites throughout the City in accordance with smart growth principles articulated in the General Plan. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Zoning Code (Title 19)</p> <p>The project site has a split zoning of R-4 – Multiple-Family Residential Zone and MU-V – Mixed Use - Village Zone; both zones are consistent with the respective VHDR - Very High Density Residential and MU-V – Mixed Use - Village General Plan land use designations (Exhibit 5). The proposed multi-family buildings are proposed on the R-4 Zoned portion of the site. The MU-V Zoned portion of the site, which consists of the Riverside Canal portion, will only be developed with guest parking spaces, landscaping and open space.</p> <p>The overall project has been analyzed under the R-4 Zoning. The proposed project is consistent with the applicable development standards of the R-4 – Multiple-Family Residential Zone.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Compliance with Citywide Design Guidelines</p> <p>The proposed project substantially meets the objectives of the Citywide Design Guidelines for multi-family development related to building siting and orientation, massing, articulation and architectural treatment, parking layout, and landscaping.</p> <p>The proposed project has been designed in a modern contemporary architectural style by incorporating wood grain tile, stucco, stone veneer and decorative metal balconies.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Consistent	Inconsistent
<p>The design focuses on centrally located common open spaces that can be used as gathering areas for dining, game use, lounge, and active play areas.</p> <p>The conceptual landscape plan provides an attractive and welcoming environment, with the inclusion of shade trees, decorative planters and high-quality landscaping throughout the site for a cohesive appearance.</p>		

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<i>Chapter 19.100 – Development Standards for R-4 - Multiple-Family Residential Zone</i>				
Standard		Proposed	Consistent	Inconsistent
Lot Area	30,000 sq. ft.	152,024 sq. ft.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Density	40 du/ac	39.83 du/ac	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lot Width	100 feet	343 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lot Depth	100 feet	372 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Building Height	50 feet ¹	Roof line - 47 feet Top of elevator shaft - 55 feet, 1 inch	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Building Setbacks	Front Yard – 15 feet (Gibson Street)	15 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Side Yard – 7 feet, 6 inches	East – 33 feet, 10 inches West – 51 feet, 11 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear Yard – 10 feet	50 feet, 2 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Common Open Space	150 sq. ft./ unit – 20,800 sq. ft. (139 units x 50 square feet)	23,645 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Private Open Space	50 sq. ft./ unit – 6,950 sq. ft. (139 units x 50 square feet)	10,105 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

<i>Chapter 19.580 – Parking and Loading Development Standards</i>					
Standard		Required	Proposed	Consistent	Inconsistent
Minimum Parking	1 spaces per unit for studio (40 units) = 40 spaces	221 spaces	222 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	1.5 spaces per unit with 1 bedroom (35 units) = 53 spaces				
	2 spaces per unit > 2 bedrooms (39 units) = 78 spaces				

Chapter 19.580 – Parking and Loading Development Standards					
Standard		Required	Proposed	Consistent	Inconsistent
	2 spaces per unit > 2 bedrooms (25 units)= 50 spaces				
Covered Parking	75 percent of the required spaces shall be in a garage or carport (221 spaces x 0.75 = 166 spaces)		166 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parking Space Dimension	9 feet x 18 feet		9 feet x 18 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Drive Aisle Width	24 feet		24 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Street Vacation

The applicant is proposing the vacation of Aguilar Street consisting of approximately 360 feet in length and 50 feet in width to facilitate the construction of the project. Two residences (9315 Aguilar Street and 3210 Gibson Street) currently take access from Aguilar Street. The developer is proposing to construct two private driveways (one for each single-family residence) accessed from Gibson Street and installation of landscaping in a 5-foot-wide planter located between the driveways and the subject multi-family development.

Pursuant to State law, specifically Public Streets, Highways, and Services Easements Vacation Law (commencing with Section 8300 of the Streets and Highway Code and Section 21101 of the Vehicle Code of the State of California), the City may regulate traffic on its public streets, alleys, and walkways to the extent expressly authorized. The law permits the City to vacate a street, alley, or walkway only upon a finding supported by substantial evidence that the right-of-way is no longer needed for vehicular or pedestrian traffic and is unnecessary for present or prospective public use.

The following facts are provided to support the proposed vacation of the Aguilar Street right-of-way:

- The proposed street to be vacated will no longer be needed for street purposes or for access to adjacent parcels. The two residential parcels located at 9315 Aguilar Street and 3210 Gibson Street will be accessed from a private driveway, to be constructed by the developer, and therefore, will not be impacted. The remaining, unimproved, portion of Aguilar Street right-of-way is not needed for access to the lots on the north or south side as those parcels will be incorporated into the project site. The property to the west is developed with a secured truck/RV storage facility that takes direct access from Van Buren Boulevard.
- The proposed area to be vacated is unnecessary for present or future public use or vehicular traffic. The developer will be constructing private driveways for the two residences located at 9315 Aguilar Street and 3210 Gibson Street; the improved portion of Aguilar Street is not needed for vehicular traffic. The remaining, unimproved, portion of Aguilar Street right-of-way is not needed for present or future access to the lots on the north or south side as those parcels will be incorporated into the project site. The property to the west is developed with a secured truck/RV storage facility that takes direct access from Van Buren Boulevard. Vehicular access to the proposed multiple family development and the two existing residences will be from Gibson Street.
- Gibson Street will serve as the primary access to the two residences located at 9315 Aguilar Street and 3210 Gibson Street as well as the proposed multiple family development. The area to be vacated will not be necessary for access.

- The proposed vacation will not impact access to any other parcels than the two existing residences that will maintain access via private driveways constructed by the developer of the proposed multiple family development. The remaining parcels adjacent to the unimproved right-of-way to the north and south will be incorporated into the project.

Based on the facts above, staff concluded that the subject street right-of-way is not needed for vehicular or pedestrian traffic or for present or prospective public use. The vacated right-of-way will revert to the General Plan land use designation and zoning of the adjacent properties, which would be VHDR – Very High Density Residential and R-4 Multiple Family Residential Zone, respectively.

In compliance with State Law and local ordinance, if the Planning Commission recommends approval of the proposed street vacation, the City Council will consider a Resolution of Intent to set a public hearing to consider the vacation at a date not sooner than 15 days following adoption of the Resolution of Intent. At least 15 days prior to the public hearing date established with the Resolution of Intent, a notice will be posted at all intersections and at points occurring each 300 feet along the affected roadway segments.

FINDINGS SUMMARY

Street Vacation

The vacation of the entirety Aguilar Street will not impact access or circulation to surrounding properties or to the City's overall circulation. The project, as proposed, will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area.

The developer will be constructing private driveways for the two residences located at 9315 Aguilar Street and 3210 Gibson Street; thus, the improved portion of Aguilar Street is not needed for vehicular traffic. The remaining, unimproved, portion of Aguilar Street right-of-way is not needed for present or future access to the lots on the north or south side as those parcels will be incorporated into the project site. The property to the west is developed with a secured truck/RV storage facility that takes direct access from Van Buren Boulevard. Vehicular access to the proposed multiple family development and the two existing residences will be from Gibson Street.

The areas to be vacated are not used to access other properties or connect to surrounding streets as they will either be accessed from private driveways along Gibson Street, accessed from Gibson Street or accessed from Van Buren Boulevard.

ENVIRONMENTAL REVIEW

This proposal for the multiple family residential project is consistent with the Final EIR for the 2014-2021 Housing Element Update/Housing Implementation Plan certified in December 2017 (SCH No. 2017041039) subject to compliance with the approved Mitigation Monitoring and Reporting Program.

The proposed Street Vacation is exempt from the California Environmental Quality Act (CEQA) subject to Section 15061(b)(3) (Common Sense Rule) of the CEQA Guidelines, as it can be seen with certainty that the Street Vacation will have no significant effect on the environment.

PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners within 300 feet of the site. As of the writing of this report, no responses have been received by Planning Staff.

STRATEGIC PLAN ALIGNMENT

This project contributes to the Envision Riverside 2025 City Council Strategic Plan Priority 2 – Community Well-Being - **Goal 2.1 – Facilitate the development of a quality and diverse housing supply that is available and affordable to a wide range of income levels.**

This item aligns with each of the five Cross-Cutting Threads, as follows:

1. *Community Trust* – The proposed multi-family development requires public hearings by the Planning Commission and City Council. Additionally, public comment is encouraged throughout the process through the 15-day public noticing period and at public hearings.
2. *Equity* – The proposed multi-family development provides housing opportunities that benefits all residences in the community and region.
3. *Fiscal Responsibility* – The proposed multi-family development applicant will be responsible for all fiscal aspects of the project.
4. *Innovation* – The proposed multiple family development meets the growing community's needs for increased housing opportunities.
5. *Sustainability and Resiliency* – The proposed multi-family development is designed to meet the current and future needs of the community.

APPEAL INFORMATION

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

EXHIBITS LIST

1. Staff Recommended Conditions of Approval
2. Existing Site Photos
3. Location Map
4. General Plan Map
5. Zoning Map
6. Project Plans (Site Plan, Renderings, Floor Plans, Building Elevations, Open Space Exhibit, Wall & Fence Plan, Conceptual Landscape Plans, Conceptual Grading Plan, Lighting Plan)
7. Aguilar Street Vacation Exhibit, Aguilar Street Legal Description and Plat Map

Prepared by: Judy Egüez, Senior Planner

Reviewed by: Candice Assadzadeh, Senior Planner

Approved by: Mary Kopaskie-Brown, Acting Deputy Director/City Planner



EXHIBIT 1 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

PLANNING CASE: PR-2021-000975 (Design Review and Street Vacation)

Planning Division

1. The subject property shall be developed substantially as described in the text of this report and as shown on the plans on file with this case, except for any specific modifications that may be required by these conditions of approval.
2. Any future modifications to the approved design shall be submitted to the Planning Division for consideration. A separate application and fee may be required.
3. The project shall comply with the applicable mitigation measures of the Final Program Environmental Impact Report (FPEIR) certified for the City's 2014-2021 5th Cycle Housing Element (SCH# 2017041039).
4. *Advisory:* Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. Any new signs shall be subject to separate review and assessment. A separate sign application, including fees and additional sets of plans, will be necessary prior to sign permit issuance.

Operational Conditions:

5. The driveway on the west side of the site shall be used for Emergency Vehicle Access only.

Prior to Grading Permit Issuance:

6. The street vacation of Aguilar Street shall be completed.
7. The Project applicant shall retain a qualified biologist to conduct a 30-day pre-construction survey for burrowing owl. The results of the single one-day survey shall be submitted to the City prior to obtaining a grading permit. If burrowing owl are not detected during the pre-construction survey, no further mitigation is required. If burrowing owl are detected during the pre-construction survey, the Project applicant and a qualified consulting biologist will be required to prepare and submit for approval a burrowing owl-relocation program.
8. **MM CUL-3:** To avoid impacts to previously recorded historic resources located within 50 feet of construction activities involving pile driving (if any) on the candidate sites listed below, prior to demolition, grading, or building permit approval, a site-specific Construction Protection Plan (CPP) shall be prepared by a qualified Historic Building Architect. The CPP shall specify mitigation to avoid or reduce impacts to less than significant. To provide adequate protection to the adjacent previously recorded historic resource, the CPP shall include the following components, pursuant to the National Park Service Preservation Tech Notes, Temporary Protection Number 3, Protecting a Historic Structure During Adjacent Construction:
 - a. Protocol for consultation between the historic building owner and project applicant to identify potential risks, negotiate changes, and agree upon protective measures;

- b. Requirements for documentation of the condition of the adjacent historic building prior to any demolition/construction work, in a manner consistent with the U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties.
 - c. Protective measures to be implemented at both the construction site and the historic site.
 - d. Mitigating the effects of vibrations shall begin during the consultation process when acceptable levels shall be set and alternative processes specified, as required. If vibrations are likely to damage adjacent structures, specific measures to mitigate potential impacts shall be identified during the consultation process. Alternative measures to be considered include the following, among others, as required:
 - i. Pile cushioning, jetting, predrilling, cast-in-place systems, or resonance-free vibratory pile drivers;
 - ii. Hand demolition as a substitute when conventional demolition activities would cause excessive vibrations;
 - iii. If pile driving is likely to damage adjacent structures, non-displacement piles that are inserted in bored holes rather than driven, "jacking-in" or pressing the piles into the ground, or other equally effective measure; and
 - iv. Delivery entry and exit points that are located the further distance possible/feasible from the historic site.
 - e. Procedures for regular monitoring during construction to: identify damage; evaluate the efficacy of protective measures already in place; and identify and implement additional corrective measures, if needed. Continual crack and vibration monitoring shall be provided as a warning system to prevent exceedances of previously established (during the Consultation phase) safe thresholds.
 - f. All damage to historic structures shall be restored to its preexisting condition
9. **MM CUL-4:** To avoid impacts to previously recorded resources located adjacent to candidate sites identified in CUL-3, prior to demolition, grading, or building permit approval for the candidate sites, the project applicant shall substantiate that:
- a. The Contractor conducting work on the construction site has submitted documents pertaining to protection of historic resources (i.e., Construction Protection Plan (CPP)) to the Community & Economic Development Department. · Promotion of CPP awareness among all project participants.
 - b. A Worker Historic Resources Awareness Program has been developed for implementation prior to demolition, grading, or building permit approval. The Program shall be implemented to educate all construction personnel (employees of contractors and subcontractors) who work on the project site or related facilities during demolition and construction concerning the adjacent historical resource. The training may be presented on electronic media in the form of a video recording.
 - c. The construction plans specify that the Contractor shall not locate any equipment or deliver any materials or commence any work whatsoever that may impact adjacent historic resources.
 - d. Each Contractor-Generated Submittal shall include the following:
 - i. General location map of the development site showing where work on the Contract will be performed, including notation on the map of location of the historic resource (s).

- ii. Listing of materials, products or construction equipment to be used in the course of the Contract that have the potential to come in contact with the historic resource, and the proposed methods to be employed to prevent any damage to said historic resources.
 - iii. In the event that the Contractor identifies potentially more effective and/or efficient methods of protection as construction proceeds, the Contractor shall provide said measures to the Community & Economic Development Department. Adjustments and modifications shall be documented with the City and on construction drawings.
10. **MM CUL-5:** If excavation activities include digging deeper than 10 feet below the ground surface, a qualified paleontologist shall be contracted to monitor construction activities. If construction activities uncover potential paleontological (fossil) resources, construction would be temporarily halted within 50 feet of the find until the resources' significance is determined by a qualified paleontologist. The paleontological monitor shall be equipped to salvage fossils as they are unearthed to avoid construction delays, and to remove samples of sediments which are likely to contain the remains of small fossil invertebrates and vertebrates.
- The paleontological monitors shall have stop-work authority to temporarily halt or divert equipment to allow removal of abundant or large specimens. The paleontologist shall identify and permanently preserve all recovered specimens and facilitate curation into an established, accredited, professional museum repository with permanent retrievable storage. The paleontologist shall have a written repository agreement prior to the initiation of recovery activities. The qualified paleontologist shall complete a report describing the methods and results of the monitoring and data recovery program that shall be submitted to the City.
11. **MM NOI-1:** To reduce construction-related noise impacts, Project applicants shall require construction contractors to implement a site-specific Noise Reduction Program, which includes the following measures, ongoing through demolition, grading, and/or construction:
- Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds), wherever feasible.
 - Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electronically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler shall be used (this muffler can lower noise levels from the exhaust by up to approximately 10 dBA). External jackets on the tools themselves shall be used where feasible (this can achieve an approximately 5.0-dBA reduction. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible.
 - Stationary construction-related noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and incorporate insulation barriers, or other measures to the extent feasible.
9. **MM NOI-2:** Prior to demolition, grading, or building permit approval, the project applicant shall submit to the Community & Economic Development Department a list of measures

to respond to and track complaints pertaining to construction noise, ongoing throughout demolition, grading, and/or construction. These measures shall include the following:

- a. A procedure and phone numbers for notifying the Community & Economic Development Department and Police Department (during regular construction hours and off-hours);
 - b. A requirement for a sign to be posted on-site specifying the permitted construction days and hours and complaint procedures, and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours); and
 - c. A requirement for a preconstruction meeting to be held with the job inspectors and general contractor/on-site Project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.
10. A 40-scale precise grading plan shall be submitted to the Planning Division and include the following:
- a. Hours of construction and grading activity are limited to between 7:00 a.m. and 7:00 p.m. weekdays and 8:00 a.m. and 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or Federal Holidays;
 - b. Compliance with City adopted interim erosion control measures;
 - c. Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems;
 - d. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement; and
 - e. Identification of location, exposed height, material, and finish of any proposed retaining walls.

During Grading and Construction Activities:

11. Construction and operation activities on the property shall be subject to the City's Noise Code (Title 7), which limits construction noise to 7:00 a.m. to 7:00 p.m. weekdays, and 8:00 a.m. to 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or federal holidays.
12. The project shall comply with all existing State Water Quality Control Board and City storm water regulations, including compliance with NPDES requirements related to construction and operation measures to prevent erosion, siltation, transport of urban pollutants, and flooding.
13. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
14. The Construction Contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
15. To reduce construction related particulate matter air quality impacts of the project, the following measures shall be required:
 - a. The generation of dust shall be controlled as required by the AQMD;
 - b. Trucks hauling soil, dirt or other emissive materials shall have their loads covered with a tarp or other protective cover as determined by the City Engineer;

- c. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards;
 - d. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
 - e. Trucks and other equipment leaving the site shall be washed off;
 - f. Disturbed/loose soil shall be kept moist at all times;
 - g. All grading activities shall be suspended when wind speeds exceed 25 miles per hour; and
 - h. A 15 mile per hour speed limit shall be enforced on unpaved portions of the construction site.
16. The applicant shall be responsible for erosion and dust control during construction phases of the project.
17. To reduce diesel emissions associated with construction, construction contractors shall provide temporary electricity to the site to eliminate the need for diesel-powered electric generators or provide evidence that electrical hook ups at construction sites are not cost effective or feasible.

Prior to Building Permit Issuance:

18. **Staff Required Landscape and Irrigation Condition:** Plans shall be submitted for Planning staff approval. Separate application and filing fee are required. Design modifications may be required as deemed necessary.
19. **Photometric/Lighting Plan:** An exterior lighting plan shall be submitted to staff for review and approval. A photometric study and manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas and in the parking-lot shall be submitted with the exterior lighting plan. All on-site lighting shall provide a minimum intensity of one foot-candle and a maximum of ten foot-candles at ground level throughout the areas serving the public and used for parking, with a ratio of average light to minimum light of four to one (4:1). The light sources shall be shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties and public rights-of-ways. If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed fourteen (14) feet in height, including the height of any concrete or other base material.
20. **Fence and Wall Plan:** The fence and wall plan provided for building permit plan check shall incorporate the following:
- a. All freestanding and retaining walls shall be constructed of, or finished in, a decorative material;
 - b. All walls shall consist of a decorative material and finished with a decorative cap; and
 - c. Specify the color and materials of all proposed walls and fences.
21. Roof and building mounted equipment shall be fully screened from the public right-of-way. Screening material shall be integrated with the design of the building and be at least as high as the proposed roof mounted equipment.
22. Ground mounted equipment shall be fully screened from the public right-of-way.

23. Construction plans submitted for Plan Check review shall specify the location, design and color of all domestic water meters, backflow preventers, and all on- and off-site utility cabinets subject to Planning Division and Public Utilities' review and approval. The visibility of such facilities shall be minimized and include use of the smallest equipment possible, be painted green, and include of some form of screening including but not limited to berming, landscaping, and/or installation of a screen wall.
24. Submit three sets of plans depicting the preferred location for above ground utility transformer of capacity to accommodate the planned or speculative uses within the building(s) or subject site. These plans shall be reviewed and approved by the Planning Division and Public Utilities Department - Electric Division prior to the issuance of a building permit. The proposed location of the transformer shall be level, within 100 feet of the customer's service point, accessible to service trucks and in a location where the transformer can be adequately screened from public view, either by buildings or landscape screening.

Prior to Release of Utilities and/or Occupancy:

25. Install the landscape and irrigation per the approved plans and submit the completed "Certificate of Substantial Completion" (Appendix C of the Water Efficient Landscaping and Irrigation Ordinance Summary and Design Manual) signed by the Designer/auditory responsible for the project. Contact the project Planner at (951) 826-5371 to schedule the final inspection at least one week prior to needing the release of utilities.
26. The applicant shall provide written evidence to the Planning Division and the Riverside Police Department that they will be participating in the City's Crime Free Multi-Housing Program.

Standard Conditions:

27. There shall be a one-year time limit in which to commence the project beginning the day following approval by the Planning Commission unless a public hearing is held by City Council; in that event the time limit begins the day following City Council approval.
28. The Design Review may be granted time extensions by the Community & Economic Development Director, or their designee, up to a total of two years beyond the original approval expiration date prior to issuance of any building permits. The request shall include a letter stating the reasons for the extension of time and associated fee shall be submitted to the Planning Division. Once a building permit has been issued, the development will be considered vested and time extensions are no longer needed.

PLEASE BE ADVISED THAT THE APPLICANT WILL NOT BE NOTIFIED BY THE PLANNING DIVISION ABOUT THE PENDING EXPIRATION OF THE SUBJECT ENTITLEMENT.

29. The Project must be completed per the Plot Plan Review approved by the Community & Economic Development Director, including all conditions listed in this report. Any substantial changes to the Project must be approved by the Development Review Committee or by Planning Staff. Upon completion of the Project, a Staff inspection must be requested, and **UTILITIES** will not be released until it is confirmed that the approved plans and all conditions have been implemented.
30. Within 30 days of approval of this case by the City, the developer shall execute an agreement approved by the City Attorney's Office to defend, indemnify, including reimbursement, and hold harmless the City of Riverside, its agents, officers and employees from any claim, action, or proceeding against the City of Riverside, its agents, officers, or employees to attack, set aside, void, or annul, an approval by the City's advisory agency, appeal board, or legislative body concerning this approval, which action is brought within

the time period provided for in Section 66499.37 of the Government Code. The City will promptly notify the developer of any such claim; action or proceeding and the City will cooperate in the defense of the proceeding.

31. This approval is for design concept only and does not confirm the project has been thoroughly checked for compliance with all requirements of law. As such, it is not a substitute for the formal building permit plan check process, and other changes may be required during the plan check process.
32. This Project shall fully and continually comply with all applicable conditions of approval, State, Federal and local laws in effect at the time the permit is approved and exercised and which may become effective and applicable thereafter, and in accordance with the terms contained within the staff report and all testimony regarding this case. Failure to do so will be grounds for Code Enforcement action, revocation or further legal action.

Public Works

Conditions to be Fulfilled Prior to Issuance of Building Permits, Unless Otherwise Noted:

33. Storm Drain construction will be contingent on engineer's drainage study.
34. Deed for widening Gibson Street along project frontage to 33' from monument centerline to Public Works specifications.
35. Installation of curb and gutter at 22 feet from monument centerline, sidewalk, and matching paving on Gibson Street to Public Works specifications.
36. Vacation of Aguilar Street to Public Works specifications. Vacated Aguilar Street to be repaved to satisfaction of Public Works Department.
37. Reciprocal ingress/egress access easement required on Aguilar Street to allow access to existing residences.
38. Covering of existing Riverside Drainage Canal to Public Works and Riverside Public Utilities – Water specifications.
39. Prior to Building Permit Issuance, the Developer shall complete a lot line adjustment to consolidate the project site parcels to the satisfaction of the Planning Division and Public Works Department.
40. Installation of sewer and sewer lateral to serve 9315 Aguilar Street to Public Works specifications.
41. Installation of sewers and sewer laterals to serve this project to Public Works specifications.
42. Off-site improvement plans to be approved by Public Works prior to issuance of construction permit.
43. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to map recordation.
44. Size, number and location of driveways to Public Works specifications.
45. Closure of unused driveway(s) to Public Works specifications.
46. All security gates or facilities proposed now or in the future will be located on-site and adequate stacking space and vehicle turn-around area will have to be provided to Public Works and Fire Department specifications.
47. Prior to permit issuance, add the following notes to the site/plot or landscape plans and email PDF to gthanaka@riversideca.gov for review and approval:

Plant 24" box size *Lagerstroemia indica* in public right-of-way along Gibson Street & Aguilar Street. Typical spacing 20' O.C. Prior to any planting, Tree Inspector to determine precise locations (and quantities) at time of scheduled site inspection after fine grading and hardscape installation is complete. Planting, staking, irrigation, root barriers to Landscape & Forestry specifications

48. Trash enclosures required per public works specifications. Tandem enclosures required to contain only same type of dumpsters
49. Prior to final inspection for the development project, the applicant shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of payment. If the project improvements include qualifying right-of-way dedications and/or street improvements to a TUMF regional arterial roadway as identified on the Regional System of Highways and Arterials, the developer may have the option to enter into a Credit/ Reimbursement Agreement with the City and Western Riverside Council of Governments (WRCOG) to recover costs for such work based on unit costs as determined by WRCOG.

The terms of the agreement shall be in accordance with the RMC Chapter 16.68 and the TUMF Administrative Plan requirements. Credit/reimbursement agreements must be fully executed prior to receiving any credit/reimbursement. An appraisal is required for credit/reimbursement of right of way dedications and credit/reimbursement of qualifying improvements requires the public bidding and payment of prevailing wages in accordance with State Law. For further assistance, please contact the Public Works Department.

50. Prior to issuance of a building or grading permit, the applicant shall submit to the City for review and approval, a project specific WQMP that:
- a. Addresses Site Design BMP's such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas and conserving natural areas;
 - b. Incorporates the applicable Source Control BMP's as described in the Santa Ana River Region WQMP and provides a detailed description of their implementation;
 - c. Incorporates Treatment Control BMP's as described in the Santa Ana River Region WQMP and provides information regarding design considerations;
 - d. Describes the long-term operation and maintenance requirements for BMP's requiring long-term maintenance; and
 - e. Describes the mechanism for funding the long-term operation and maintenance of the BMP's requiring long-term maintenance.
51. Prior to issuance of any building or grading permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument acceptable to the City Attorney to inform future property owners of the requirement to implement the approved project-specific WQMP. Other alternative instruments for requiring implementation of the approved project-specific WQMP include: requiring the implementation of the project-specific WQMP in the Homeowners Association or Property Owners Association Conditions, Covenants and Restrictions (C,C&R's); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the project-specific WQMP; or equivalent may also be considered. Alternative instruments must be approved by the City prior to the issuance of any building or grading permits.

52. If the project will cause land disturbance of one acre or more, it must comply with the statewide General Permit for Storm Water Discharges Associated with Construction Activity. The project applicant shall cause the approved final project specific WQMP to be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.
53. Prior to building or grading permit closeout or the issuance of a certificate of occupancy or certificate of use, the applicant shall:
 - a. Demonstrate that all structural BMP's described in the project specific WQMP have been constructed and installed in conformance with approved plans and specifications;
 - b. Demonstrate that applicant is prepared to implement all non-structural BMP's described in the approved project specific WQMP; and
 - c. Demonstrate that an adequate number of copies of the approved project specific WQMP are available for the future owners/ occupants.
54. Rehabilitation of existing pavement in Gibson Street along entire project frontage to public works specifications.
55. Intersection of Gibson Street and Lincoln Avenue: Project shall install flashing LED STOP signs at all approaches.
56. Intersection of Gibson Street and Lincoln Avenue: Project shall upgrade the existing crosswalks with continental crosswalk markings on all approaches.
57. All conditions placed upon this case must be fulfilled prior to the recording of the vacation resolution by the City Clerk. The case is not finalized until the City Clerk records the Vacation Resolution.
58. If the disposition of land is other than by operation of law the applicant shall have quitclaim deeds exchanging the property prepared to the satisfaction of Planning, City Attorney's Office and Public Works Departments. All necessary parcel descriptions and plats shall be prepared, signed and sealed by a licensed Land Surveyor or Civil Engineer authorized to practice Land Surveying in the State of California. DESCRIPTIONS and PLATS ARE REQUIRED TO BE ON 82-inch by 11-inch FORMAT.
59. Council authorizes the City Manager to execute quitclaims documents on behalf of the City of Riverside to extinguish the desired public rights within the vacated right of way that does not revert by operation of law.
60. Prior to finalization of the case, the applicant shall provide the appropriate documentation that the lender(s) / trustee(s) has (have) agreed to modify any Trust Deed(s) to reflect the reconfigured parcel(s).
61. Property transfers to the final proposed parcel configurations must be accomplished concurrently with the finalization of this case. Ownership of the property shall remain undivided prior to recordation of the Certificate of Compliance for Lot Line Adjustment.
62. All recording fees of the Riverside County Recorder, including transfer documents, grants of right-of-way and the Certificate of Compliance for Lot Line Adjustment are the responsibility of the applicant.
63. Applicant shall prepare Grant Deeds that have each owner grant to themselves each of the parcels in their final configuration. This requirement is necessary to ensure that the final parcel configurations and ownerships are clearly identified in the Land Title History.
64. Vacation Case to be completed prior to issuance of the Certificate of Compliance.

Fire Department

Prior to Issuance of Building Permits:

- 65. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
- 66. Construction plans shall be submitted and permitted prior to construction.
- 67. Fire Department access shall be maintained during all phases of construction.
- 68. Knox Box for the gate and infra-red control for electric gate is required.
- 69. Manual fire Alarm system and smoke alarm system per 2016 NFPA 72 is required for the building.
- 70. NFPA 13R Fire Sprinkler system is required. Please submit shop drawings.
- 71. A public fire Hydrant is required. Additional on-site Fire Hydrant may be required to meet the required Fire Flow and to ensure a Fire Hydrant is within 500 feet of any Building .
- 72. An automatic wet standpipe is required if the occupied floor is 30 feet above the nearest Fire Apparatus access road.

Public Utilities – Water

- 73. Prior to Grading Permit Issuance, the applicant shall acquire or lease the portion of the Riverside Canal required for the project from the City and improve the existing open channel canal with a buried pipeline suitable for drainage in accordance with City of Riverside Public Works standards.
- 74. Applicant shall maintain a gated vehicular access for the City into the adjacent Riverside Canal property.
- 75. Advisory: Low water pressure in the project area, domestic and/or fire pumps may be required.

Public Utilities – Electric

Prior to Issuance of Building Permits:

- 76. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site. In addition to installing spare conduits, streetlights, also stub & cap along property frontage.
- 77. Developer is responsible for the cost of relocation of existing structures/facilities.

Parks, Recreation and Community Services

Prior to Issuance of Building Permits:

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