



PLANNING COMMISSION HEARING DATE: MAY 19, 2016

AGENDA ITEM NO.: 7

PROPOSED PROJECT

<i>Case Numbers</i>	P14-0683 (General Plan Amendment), P14-0684 (Rezone), P14-0685 (Site Plan Review), P15-1080 (Variance), P15-1081 (Variance), P15-1082 (Grading Exception)	
<i>Request</i>	The following entitlements are requested to permit a multi-family development consisting of 216 residential units and 385 parking stalls: 1) amend 11.75 acres of the 30.9 acre project site from General Plan land use designation OS – Open Space to MHDR – Medium High Density Residential; 2) rezone 9.0 acres from PF – Public Facilities Zone to R-3-3000 – Multi-Family Residential Zone; rezone 2.75 acres from R-1-7000 – Single Family Residential Zone to R-3-3000 – Multi Family Residential Zone; and rezone approximately 0.8 acres from R-1-7000 – Single Family Residential Zone to PF – Public Facilities Zone; 3) Site Plan Review; and 4) Variances requested to allow heights greater than permitted and building setbacks less than required by Code; and 5) Grading Exceptions related to on-site grading and retaining walls over six feet in height not open to public view.	
<i>Applicant</i>	Steve Sommers, representing SDH and Associates	
<i>Project Location</i>	601 Central Avenue, located on the north side of Central Avenue, between Canyon Crest Drive and Quail Run Road	
<i>APN</i>	253-260-020, 253-240-020, 253-240-028	
<i>Project area</i>	30.9 acres	
<i>Ward</i>	2	
<i>Neighborhood</i>	Canyon Crest	
<i>Specific Plan</i>	N/A	
<i>General Plan Designation</i>	OS – Open Space, MHDR – Medium High Density Residential	
<i>Zoning Designation</i>	PF – Public Facilities, R-3-3000 – Multi-Family Residential, R-1-7000 – Single Family Residential	

RECOMMENDATIONS

Staff recommends that the City Planning Commission:

1. **RECOMMEND** that the City Council **DETERMINE** that this proposed project will not have a significant effect on the environment based on the findings set forth in the case record and recommend City Council adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) pursuant to CEQA Section 21081.6; and
2. **RECOMMEND APPROVAL** of Planning Cases: P14-0683 (General Plan Amendment), P14-0684 (Zoning Code Amendment), P14-0685 (Site Plan Review), P15-1080 (Variance), P15-1081 (Variance), P15-1082 (Grading Exception) based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions.

SITE BACKGROUND

The 30.9 acre project site consists of three vacant parcels. While the site is largely unimproved, grading has occurred over the years, creating manufactured slopes around the subject property for existing adjacent residential projects, public facility infrastructure and roadways. The northwest portion of the site has historically been utilized by the Riverside County Flood Control District as a catch basin for the Box Springs stream that generally flows east to west across the northern portion of the property.

The parcels have a combined average natural slope of 13.2% and are primarily situated lower than surrounding land uses, including Quail Run Road and Central Avenue. The project site is generally bounded by multi-family residential along the east portion of the site, the Sycamore Canyon Fire Station and multi-family residential on the west side of the site, single family residential along the north portion of the site and multi-family residential to the south of the site, across Central Avenue. Central Avenue, a fully improved arterial street generally forms the south boundary of the project site and Quail Run Road, a fully improved cul-de-sac, generally forms the southwest boundary of the project site.

PROPOSAL

The applicant is requesting approval of a multi-family residential development consisting of 216 residential units, 385 parking spaces and on-site amenities. Plans indicate that 13.35 acres of the 30.9 acre site will be undisturbed, 6.38 acres, primarily located on the north portion of the property (commonly referred to as the borrow site) will be utilized to provide fill for the development pads and 11.2 acres situated along the southeast and west portions of the subject site will be developed with 13 residential buildings, internal roadways, parking and on-site amenities.

The project includes 101 one-bedroom, and 115 two-bedroom units. The units will range in size from 665 square feet to 1,095 square feet. All units have patios or balconies ranging in size from 75 to 172 square feet. The site provides 123,981 square feet of common useable open space, including a club house, fitness center, pool and spa, bar-be-que area, large open space turf area, nature walking path, exercise stations, raised viewing decks, and interpretive signs for the native riparian/wildlife biological sensitive areas.

A total of 385 on-site parking spaces will be provided for residences, including 156 parking spaces in enclosed garages, 135 spaces will be covered by carports, and 94 will be uncovered parking spaces. Primary vehicular access will be provided from Quail Run Road. A secondary driveway along Central Avenue will be restricted to an exit only driveway and for emergency vehicles access.

Retaining walls up to 28 feet in height will be constructed along the north side of the 11.2 acre building pad to avoid and protect biologically sensitive areas. The proposed retaining walls will generally be situated lower than the elevation of both Central Avenue and Quail Run Road and will not be visible from the public right-of-way.

To facilitate implementation of this project the following entitlements are requested:

- General Plan Amendment
- Rezone
- Site Plan Review Permit
- Variances related to setback and building heights
- Grading Exception related to on-site grading

PROJECT ANALYSIS

<i>Authorization and Compliance Summary</i>			
	Consistent	Inconsistent	N/A
<p><i>General Plan 2025</i></p> <p>The project will be consistent with the existing land use designation OS – Open Space and proposed MHDR – Medium High Density Residential land use designation. The proposed General Plan amendment furthers the intent of the General Plan by; facilitating in-fill development while addressing the City's housing needs. The project will be consistent with the development pattern of multi-family residential in the Canyon Crest Neighborhood while protecting, enhancing and restoring on-site open space.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><i>Specific Plan</i></p> <p>The project site is not located within a Specific Plan boundary.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><i>Zoning Code Land Use Consistency (Title 19)</i></p> <p>The proposal to rezone approximately 9.0 acres from PF – Public Facilities Zone to R-3-3000 – Multi-Family Residential Zone and 2.75 acres from R-1-7000 – Single Family Residential Zone to R-3-3000 – Multi Family Residential Zone is consistent with the proposed MHDR – Medium High Density Residential Land Use designation. Additionally, the proposed rezoning of approximately 0.8 acres from R-1-7000 – Single Family Residential Zone to PF – Public Facilities Zone along the east</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

property line is consistent with the OS – Open Space land use designation.			
The project as designed is consistent with existing multi-family residential developments along Central Avenue and Quail Run Road and serves to protect and restore 19.15 acres of on-site open space, strengthening riparian/riverine and hillside vegetation communities with native plant and tree species. Additionally, the project reduces dependency on automobiles, as it is within walking distance to the Canyon Crest Town Center, a regional commercial shopping center.			
<i>Compliance with Citywide Design & Sign Guidelines</i>			
The proposed project substantially meets the objectives of the City's design guidelines, subject to the recommended conditions of approval detailed below. The project is consistent with surrounding residential developments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Standard		Proposed	Consistent	Inconsistent
<i>Maximum Density</i>	14.5 du/ac	6.99 du/ac (216 units / 30.9 acres)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Minimum Setbacks</i>	Central Avenue, Front - Arterial Street – 35 feet	15 feet (Building 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Quail Run Road, Front – 25 feet	35 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	West Side – 10 feet	20 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	East Side – 10 feet	66 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	North Side – Rear – 20 feet	400 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Building separation – 15 feet	25 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Minimum Parking</i>	1.5 parking spaces per One-Bedroom Units		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Standard		Proposed	Consistent	Inconsistent
	(101 units) 152 required	385 spaces		
	2 parking spaces per Two-Bedroom Units (115 units) 230 required			
	Total Required 382 spaces			
<i>Covered Parking Spaces</i>	Garage – One parking space in a fully enclosed garage for 40% of units. 87 required	156	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Carport – 75% of total required spaces shall be in a garage or carport 287 required	294	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Maximum Building Height</i>	30 feet 2 stories Up to 60% of units maybe in buildings up to three stories, 40 feet in height. Maximum 130 units maybe in three story buildings	210 of 216 units or 97% of units are within three story buildings	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Open Space</i>	Common: 500 sq. ft. / unit (108,000 sq. ft. required)	123,981 square feet total	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Standard		Proposed	Consistent	Inconsistent
	Private: 120 sq. ft. per each ground floor unit 50 sq. ft. per each upper level unit	43 Ground Level Units 160 square feet private open space	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		173 Upper Level Units 89 square feet private open space	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SITE PLAN REVIEW

Site Design

Staff supports the site design as it has been designed to cluster the residential buildings, amenities, walkways, parking and internal drive aisles in less sensitive areas on the southeast and western edges of the 30.9 acre site to minimize impacts to the sensitive portions of the site. Clustering the development allows for preservation, enhancement, restoration and avoidance of riparian/riverine and sensitive hillside vegetative communities within the 19.7 acres of open space. The development meets the setback requirements, except for Building 11, along Central Avenue. It is setback 15 feet from the front property line, where the Zoning Code would require 35 feet. The applicant has requested a variance to allow a reduced front yard setback and provided justifications in support of the variance. As well, supplemental variance justifications, prepared by staff, are also provided. Lastly, given the clustered project design, the majority of the units are provided in three story buildings, where the Zoning Code would require up to 60 percent of the units in buildings up to three stories in height. The applicant has requested a variance from this standard and provided justifications in support of the variance. Supplemental variance justifications, prepared by staff, are also provided.

Furthermore, the project design is compatible with existing multi-family developments to the east of the project site, where clustering of development was used to develop multiple family projects due to the Box Springs stream and sensitive vegetative communities. The project has been designed to be compatible with the residences to the north by clustering the development toward the southern portion of the site, situated a distance in excess of 400 feet from the single family residences.

Vehicle Access

Primary vehicle access to the site is proposed via a 44-foot wide, two-way driveway off of Quail Run Road. The entrance includes vehicle gates, vehicle stacking lane, and adequate turn around area. A secondary 50-foot wide driveway along Central Avenue will primarily be restricted to an "exit only" driveway to eliminate stacking of vehicles along Central Avenue as this entrance was not designed to provide vehicle stacking. The secondary driveway will only allow access into the site to emergency vehicles and Riverside County Flood Control vehicles for routine maintenance

of the basin to the northwest of the subject property. Lastly, interior access is provided to the City's electrical substation plant and Riverside County Flood Control basin/Box Springs Dam.

Perimeter Walls and Fences

The proposed fence and wall plan reflects a six foot high tubular steel fence with decorative pilasters located along Quail Run Road and Central Avenue. Vehicular access will be controlled by access controlled swing gates located off of Quail Run Road and sliding gates off of Central Avenue. Pedestrian access will be provided by self-latching pedestrian gates to Quail Run Road and Central Avenue. The remainder of the site is surrounded by existing masonry walls, tubular steel fencing, view fencing. Due to on-site grade changes, a 42 inch safety railing will be provided at the top of all retaining walls.

Amenities

The project complies with the open space development standards of the R-3-3000 – Multi-Family Residential Zone. For developments consisting of 76 units or more, the Zoning Code requires a large open lawn area and at least four recreational amenities. The site provides 123,981 square feet of common useable open space, including a club house with indoor kitchen, fitness center, pool and spa with covered pavilion and outdoor fireplace, barbeque area, large turf area, nature walking path, exercise stations, raised viewing decks and native riparian/wildlife interpretive signs.

Conceptual Landscaping and Hardscaping

The conceptual landscape plan reflects multiple species of trees, shrubs and groundcovers to complement and accent the proposed architecture. The landscaping palette on the developed pads is consistent with landscaping in the immediate area. Due to the projects near Sycamore Canyon Wilderness Park and the Box Springs Creek, specific native species of trees and shrubs have been utilized to avoid introducing non-native vegetation consistent with the Multi Species Habitat Conservation Plan (MSHCP).

As required by the Riverside Conservation Authority (RCA) Joint Project Review (JPR), a restoration plan has been prepared for 6.38 acres of the open space portion of the site, where impacts will occur during construction. The restoration plan includes removal of invasive plant and tree species and restoration of native plant and tree species to enhance and restore portions of the riverine ecosystem and hillside vegetative communities. Specific species have been chosen for this project to avoid invasive plant and tree species.

Grading

Conceptual grading plans have been designed to primarily avoid or have minimal impacts on biologically sensitive areas of the site, balance on-site grading, raise the levee on the western portion of the subject site to protect Fire Station #14, raise the proposed development area out of the flood zone, and allow the volume of the basin to maintain the same capacity after development as exists today.

Retaining walls up to 28 feet in height and 2:1 slopes up to 25 feet in height are proposed in certain areas of the site to avoid riparian/riverine habitat and hillside vegetative communities. The Grading Code allows retaining walls up to six feet in height in an area not open to public view, unless a higher wall is approved administratively. Staff was able to make the necessary findings in support of the grading exception to allow the over height retaining walls, as they are proposed generally between the building pads and the biologically sensitive area of the site where the site drops in elevation into the basin and will not be visible from the public right-of-way. Where walls

could be visible to the public, they will be screened by the proposed apartment buildings. Staff prepared findings justifying the grading exception are provided.

On-site soil will primarily be taken from the 4.93 acre portion of the site, north of the Box Springs Creek, shown on the plans as the "borrow area". The soil will be used for building pads upon which internal roadways, parking and buildings will be constructed. Overall site grading and placement of structures have primarily been designed and placed in concert with existing natural contours to the extent possible.

The highest elevation is located at the vehicle driveway entrance off of Quail Run Road. The site significantly drops in elevation towards the north and west segments of the property. While grading was primarily intended to follow the contours of the site, the project was ultimately designed in a cluster/open space design, which requires grading in certain areas to avoid biologically sensitive areas of the site. Therefore the applicant is requesting a Grading Exception to portions of the proposed building pad to be graded, which do not fit with existing natural contours. Staff is able to support the requested grading exception and has prepared the necessary findings.

Lastly, a Hydrology Study of Box Springs Dam and a Scour Analysis were completed and approved by Riverside County Flood Control and City of Riverside Public Works Department, subject to conditions of approval. The Scour Analysis was conducted since part of the grading associated with the project would modify the Box Springs Canyon topography and the ultimate flow patterns of Box Springs Creek. The Hydrology Study of Box Springs Dam is intended to assess any impacts that the proposed project would have on the hydraulic capacity of the Box Springs Dam. The project is consistent with both studies and will not have a measurable impact on the operations or functions of the Box Springs Dam. The proposed grading of the project perimeter, specifically raising the pad elevation, along the southwest portion of the property will prevent flows from escaping the basin by any other means than the Box Springs Dam spillway.

ARCHITECTURAL DESIGN

The contemporary Santa Barbara architecture includes varying building modulations and rooflines, enhanced chimneys, stone veneer, tile roofing, exposed wood rafters, decorative ironwork, tile work, covered balconies and stucco walls with reveal lines. Building elevations have been designed to be complementary with existing multiple-family residential developments located to the west and east of the project site. Proposed carports consist of roof tile and decorative fascia supported by painted steel posts. Staff supports the proposed building elevations as the design is consistent with Citywide Design Guidelines and complements the surrounding development.

COMPLIANCE WITH THE MULTI SPECIES HABITAT CONSERVATION PLAN (MSHCP)

While the project avoids 1.4 acres of riparian/riverine area, generally located on the southwest portion of the subject site, impacts to the "borrow area" and the area between the retention basins required preparation of a Determination of Biologically Equivalent or Superior Preservation (DBESP). A DBESP was prepared for the Project and submitted to the Regional Conservation Authority (RCA), United States Fish and Wildlife Service (Service), and California Department of Fish and Wildlife (CDFW) for review. A portion of the Project site is also within a Multi Species Habitat Conservation Plan (MSHCP) Criteria Cell 719; thus, Joint Project Review (JPR) was required. After consultation with the Western Riverside County RCA, Service, CDFW, and the Santa Ana Regional

Water Quality Control Board (Regional Board), and a site visit with staff from the Service, CDFW, and Regional Board, the Project's grading plan was revised to accommodate full on-site mitigation to 0.81 acres of alluvial fan scrub habitat, 0.08 acres of willow-mulefat woodland, 0.29 acres of mulefat scrub, 0.07 acres of riverine, and 4.93 acres of alluvial fan sage scrub habitats by replacing and restoring impacted habitats with the same habitats, at a 1:1 ratio. The restored habitat will be placed in a conservation easement that will be managed by the Riverside Land Conservancy. The DBESP and JPR (#15-04-15-01) processes have been completed and the Project has been determined to be consistent with the MSHCP, pursuant to specific mitigation measures and conditions that have been included in the conditions of approval and the Mitigation Monitoring and Reporting Program.

ENVIRONMENTAL IMPACTS

A Mitigated Negative Declaration (MND) has been prepared for this project in accordance with the California Environmental Quality Act (CEQA). The CEQA documentation states the proposed project will not have a significant effect on the environment provided the recommended mitigation measures are adopted and applied.

NEIGHBORHOOD COMPATIBILITY

The project, as proposed, is consistent and compatible with surrounding development patterns along Central Avenue in the Canyon Crest Neighborhood. The project site is consistent with existing multi-family clustered developments directly to the east of the property. The proposed clustered development project design allows the project to avoid biologically and culturally sensitive habitat located throughout the southern portion of the site, and provides a natural separation from the existing single family residences located on the north edge of the project site. Although 12 of the 13 residential buildings are three stories in height, a majority of those buildings are located up to 36 feet lower than the highest point along the public right-of-way, significantly reducing the mass and scale of buildings that would be visible to the public and significantly protecting the view shed of Sycamore Canyon Wilderness Park.

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.

APPEAL INFORMATION

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

EXHIBITS LIST

1. Findings – Rezoning, Variance Justifications and Grading Exception
2. Staff Recommended Conditions of Approval
3. Aerial Photo/Location
4. Existing/Proposed General Plan
5. Existing/Proposed Zoning
6. Project Plans (Site Plan, Building Elevations, Floor Plans, Renderings, Carport Elevations, Conceptual Landscape Plan, open Space Plan, Fence and Wall Plan, Turning Radius)
7. Conceptual Grading Plan
8. Applicant Prepared Variance Justifications
9. Applicant Prepared Grading Exceptions
10. Existing Site Photos
11. CEQA Documents (Mitigated Negative Declaration, Cultural Resources Report, Air Quality/GHG, Focused Biological Assessment, Determination of a Biologically Equivalent or Superior Preservation Plan (DBESP), DBESP Wildlife Agency Response Letter, Traffic Impact Analysis, Regional Conservation Authority – Joint Project Review, Final Restoration Plan, SCOUR Report, Hydrology Report, WQMP)
12. Conservation Easement (Riverside Land Conservancy, Conservation Easement Map)

(Color / Material Board to be available at the City Planning Commission Meeting)

Report and Recommendations Prepared by:
Report and Recommendations Reviewed by:
Report and Recommendations Approved by:

Brian Norton, Senior Planner
Patricia Brenes, Principal Planner
Rafael Guzman, Interim Community and
Economic Development Director



CITY OF RIVERSIDE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT PLANNING DIVISION

EXHIBIT 1 – FINDINGS

PLANNING CASES: P14-0683 (General Plan Amendment), P14-0684 (Rezone), P14-0685 (Site Plan Review), P15-1080 (Variance), P15-1081 (Variance), P15-1082 (Grading Exception)

FINDINGS

Rezone

- a. The proposed R-3-3000 – Multi-Family Residential Zone is generally consistent with the goals, policies, and objectives of the General Plan;
- b. The proposed R-3-3000 – Multi-Family Residential Zone will not adversely affect surrounding properties; and
- c. The proposed R-3-3000 – Multi-Family Residential Zone promotes public health, safety, and general welfare and serves the goals and purposes of the Zoning Code.

Variances

- VARIANCE A: To allow building heights greater than permitted and building setback less than required by Code; and
- VARIANCE B: To permit more than 60 percent of residential units within three story residential buildings, up to 40 – feet in height.

Recommended Findings

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

VARIANCE A: The proposal complies with this finding. The subject site consists of multiple biologically sensitive areas, including a riparian area located on the southwestern portion of the property. Compliance with the required front yard setback requirement for Building 11 would involve significant site plan modifications, including reconfiguration of building pads, drive aisles and parking areas that could have a permanent impact on the biologically sensitive area of the site. Therefore, staff believes the location of the biologically sensitive area results in practical difficulties and an unnecessary hardship in developing the property. To minimize visual impacts, a condition of approval has been added, limiting the height of Building 11 to a maximum of 2 stories; consistent in scale, mass and setbacks of existing multi-family residential buildings along Central Avenue. Based on this, Staff can support the requested variance.

VARIANCE B: The proposal complies with this finding. Strict application of the Zoning Code would require the applicant to reduce the height of some buildings so that the multiple family residential complex complies with the requirement that only 60% of residential buildings may be three stories. Compliance with this standard would result in a decrease in the number of units. An increase in the size of building footprints to accommodate the same number of units would most likely trigger other variances, such as, but not limited to, reductions in parking, common open space,

separation between buildings and would trigger permanent impacts on environmentally sensitive areas, such as riparian/riverine and hillside vegetative communities. The project has been designed in a cluster/open space design on 11.2 acres of the 30.9 acre project site, to avoid, preserve and enhance biologically sensitive areas. Additionally, building pads have primarily been designed to be graded lower than Central Avenue and Quail Run Road, primarily in the flood control basin and partially screened by an existing electrical substation along Central Avenue. These factors represent practical difficulties and unnecessary hardships in the development of the site. Based on this, Staff can support the requested variance.

2. *There are 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.*

VARIANCES A & B: The proposal complies with this finding. The 30.9 acre subject property has multiple biologically and culturally sensitive areas creating exceptional conditions to the intended development of the property. The proposed project has been designed to avoid, preserve and restore biologically sensitive areas of the site, requiring development to be clustered toward the southerly area of the site, predominantly in three story buildings, and reducing building setbacks along Central Avenue frontage. The proposed project will be consistent with adjacent multi-family residential projects to the east (Sonata at Canyon Crest and Stone Canyon), developed as cluster/open space developments. Staff believes exceptional circumstances exist in developing the property. By avoiding and protecting biologically sensitive areas, the developable area is limited to 11.2 acres requiring a cluster/open space site design to avoid environmentally sensitive areas.

3. *The granting of this request will not prove materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located.*

VARIANCES A & B: The proposal complies with this finding, with implementation of mitigation measures and recommended conditions of approval, the project will cluster development primarily towards the southern portion of the site avoiding and protecting environmentally sensitive areas. A total of 6.38 acres will be restored by removing invasive plant species and creating high quality riparian/riverine habitat along the Box Springs Creek. Further, undeveloped portions of the site will be placed in a conservation easement and managed by a land conservancy in perpetuity. Additionally, the levee along the west property line will be raised out of the 100 year flood and inundation zone, thus creating a levee for the protection of Fire Station #14, constructed at the same elevation as the top of the spill way for Box Springs Dam. With implementation of project mitigation measures and compliance of recommended conditions, the project will provide a high quality of life for residents and habitat in the Canyon Crest area.

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

VARIANCES A & B: Based on the scope of the requested variances, the granting of this request will not be contrary to the objectives of the General Plan 2025.

Grading Exceptions

- EXCEPTION A: To permit portions of the proposed building pad to be graded, which do not fit with existing natural contours.
- EXCEPTION B: To permit retaining walls higher than six feet in height not open to public view.

Recommended Findings:

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

Exceptions A and B: The proposal complies with this finding. Grading plans reflect manufactured slopes with 2:1 to 4:1 ratios along the developable building pad area where possible. However, certain segments of the building pad area require retaining walls up to 28 feet in height. The inclusion of retaining walls up to 28 feet in height limit those areas of the building pad to be graded in a way that fits within the existing natural contours, while allowing the building pad to avoid riparian/riverine habitat that would otherwise be significantly impacted by either removing or permanently altering riparian/riverine areas.

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 to other property in the same zone or neighborhood.

Exceptions A and B: The proposal complies with this finding. The subject site has multiple areas of biologically sensitive habitat, including a blue line stream on the north side of the site and riparian/riverine ecosystem on the southwest portion of the site. The location of the biologically sensitive areas and the blue line stream, restrict development to the southerly portion of the site, typically in a cluster/open space development pattern to avoid, preserve and in certain cases enhance on-site biological ecosystems. Although a portion of the building pad provides natural and contoured slopes, similar to manufactured and natural slopes around the project site, there are areas of the building pad that include retaining walls to reduce the distance slopes extend into the basin or are put in place to completely avoid biologically sensitive areas. Therefore, the biological ecosystem presents exceptional circumstances to the property that encumbers the development from providing natural contours along the entirety of the building pad that fit with the existing on-site natural contours.

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.

Exceptions A and B: The granting of a waiver will not be detrimental or injurious to the property. The project has been designed to avoid, preserve and enhance biologically sensitive areas of the site. The use of retaining walls along segments of the building pad will help in avoiding or permanently impacting sensitive habitat. Grading plans indicate the remainder of the building pad will provide manufactured slope ratios of 2:1 to 4:1. Retaining walls along certain segments of the building pad, are set back from the natural slope, and are primarily constructed along segments of steeper hillsides to protect the sites natural slopes to reduce graded slopes that might otherwise extend into biologically sensitive areas of the site. The proposed retaining walls will generally be situated lower than the elevation of both Central Avenue and Quail Run Road and will not be visible from the public right-of-way.



CITY OF RIVERSIDE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

PLANNING DIVISION

EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

Case Numbers: **P14-0683** (General Plan Amendment)

Meeting Date: May 19, 2016

P14-0684 (Rezone)

P14-0685 (Site Plan Review)

P15-1080 (Variance)

P15-1081 (Variance)

P15-1082 (Grading Exception)

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

Case Specific

• Planning

1. The General Plan 2025 land use designation of MHDR – Medium High Density Residential shall be applied to the subject property as shown in Exhibit 4.
2. The R-3-3000 – Multi-Family Residential and PF – Public Facilities Zones shall be applied to the subject property, as shown in Exhibit 5.
3. All conditions of the Airport Land Use Commission (ALUC), processed under case ZAP1112MA15, shall be satisfied.
4. 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, including any required variances. A separate sign application, including fees and additional sets of plans, will be necessary prior to sign permit issuance.
5. The development shall participate in the Police Department's Crime Free Multiple-Housing Program.
6. In accordance with a variance for a building encroachment into the required front yard landscape setback, Building 11 shall not exceed a maximum of 2 stories in height.

Prior, During and Post Construction

7. ***MM Bio 6:** No trespass beyond that already delimited by construction limits shall occur into jurisdictional waters.
8. ***MM Bio 7:** No drainage for subsequent development will be designed to flow or be directed into this area. All final project design flows will be directed into a formal site collection.

Prior to Grading Permit Issuance

9. ***MM Bio 1:** Site-preparation activities (removal of trees and vegetation) shall be avoided during the nesting season (February 1 through August 31), to the greatest extent possible. If site-preparation cannot be avoided during the nesting season, a breeding bird survey will be conducted to determine if nesting birds are present. Occupied nests will not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist verifies through non-invasive methods that either (a) the adult birds have not begun egg-laying and incubation; or (b) the juveniles from the occupied nests are foraging independently and are capable of independent survival.
10. ***MM Bio 3:** As required by JPR # 15-04-15-01, prior to issuance of grading permits, the project applicant shall prepare a restoration plan and provide this plan to the City. The City shall provide the restoration plan to the Regional Conservation Authority, California Department of Fish and Wildlife and U.S. Fish and Wildlife Service prior to issuance of grading permits. After completion of the restoration actions, the City shall be responsible for ensuring that the restoration actions are carried out and successful.
11. ***MM Geo 1:** Prior to issuance of a grading permit for the project, a soils or geotechnical report that identifies the potential for landslides on the Project site and provides recommendations for grading and foundation support shall be submitted to the City for review and approval. The Project applicant shall implement all recommendations in the approved report.
12. ***MM Trans 2:** Sight distance at the Project driveways shall be reviewed with respect to standard Caltrans and City of Riverside's sight distance standards at the time of preparation of final grading, landscape, and street improvement plans.
13. ***MM CR 1:** Prior to beginning construction the project applicant shall retain a City of Riverside qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation.
14. ***MM CR 2:** At least 30 days prior to beginning Project construction, the project applicant shall contact the Pechanga Tribe, Soboba Tribe, and Morongo Tribe to notify the Tribes of grading, excavation, and the monitoring program and, if a Cultural Resources Treatment and Monitoring Agreement has not been developed, to develop a Cultural Resources Treatment and Monitoring Agreement between the Applicant and the Tribes. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of professional Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.
15. ***MM CR 3:** Prior to beginning Project grading, the Project Archaeologist shall file a pre-grading report with the City (if required) to document the proposed methodology for grading activity observation which will be determined in consultation with the Pechanga Tribe, Soboba Tribe, and Morongo Tribe. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement(s) required in **MM CR 2**, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation the Pechanga Tribe, Soboba Tribe, and Morongo Tribe in order to evaluate the significance of any archaeological resources discovered on the property. Tribal and archaeological monitors shall be allowed to monitor all grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities.

16. ***MM NOISE 3:** Two weeks prior to the commencement of construction, notification must be provided to surrounding land uses disclosing the construction schedule, including the various types of activities that would be occurring throughout the duration of the construction period. For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number.
17. Areas outside the developed area, not included within the Land Conservation agreement shall be recorded as open space easement.
18. 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 all recommendations of the required Project specific Water Quality Management Plan;
 - d. Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems; and
 - e. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement.

During Grading Activities

19. ***MM Bio 2:** If the biologist is not able to verify one of the conditions identified in **MM BIO 1**, then no disturbance shall occur within 300 feet of non-raptor nests, and within 500 feet of raptor nests, during the breeding season so as to avoid abandonment of the young.
20. ***MM Bio 5:** Prior to construction, the project applicant shall obtain the necessary authorization from the regulatory agencies for proposed impacts to jurisdictional waters. Project-specific delineations may be required to determine the limits of the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW) jurisdiction. Impacts to jurisdictional waters shall require authorization by the corresponding regulatory agency. Authorization may include, but is not limited to, a Section 404 permit from the USACE, a Section 401 Water Quality Certification from the RWQCB, and a Section 1602 Streambed Alteration Agreement from CDFW. Project-specific impacts to jurisdictional waters shall be mitigated by the USACE, CDFW, and the RWQCB where applicable.
21. ***MM CR 5:** If inadvertent discoveries of subsurface archaeological/cultural resources are discovered during grading, the developer, the project archaeologist, and the Tribe(s) shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. Pursuant to Calif. Pub. Res. Code 21083.2(b) avoidance is the preferred method for archaeological resources. If the developer, the project archaeologist, and the Tribe(s) cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Community Development Director for decision. The Community Development Director shall make the determination based on the provisions of CEQA with respect to the archaeological resources and shall take into account the religious beliefs, customs, and practices of the Tribe(s). Notwithstanding any other rights available under the law, the decision of the Community Development Director shall be appealable to the Planning Commission and/or City Council.

22. To reduce construction related particulate matter air quality impacts of projects the following measures shall be required:
- a. The generation of dust and fugitive dust shall be controlled as required by SCAQMD Rule 403;
 - b. Grading activities shall cease during period of high winds (greater than 25mph);
 - c. 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;
 - d. Contractor shall prepare and maintain a traffic control plan, prepared, stamped and signed by either a licensed Traffic Engineer or a Civil Engineer. The preparation of the plan shall be in accordance with Chapter 5 of the latest edition of the Caltrans Traffic Manual and the State Standard Specifications. The plan shall be submitted to Public Works Department for review and approval. The Traffic Plan shall include, but is not limited to, rerouting construction related traffic off congested streets, consolidating truck deliveries, and providing temporary dedicated turn lanes for movement of construction traffic to and from site. Work shall not commence without an approval traffic control plan from the Public Works Department;
 - e. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
 - f. Wash off trucks and other equipment leaving the site;
 - g. Replace ground cover in disturbed areas immediately after construction;
 - h. Keep disturbed/loose soil moist at all times;
 - i. Enforce a 15 mile per hour speed limit on unpaved portions of the construction site.
23. The applicant shall be responsible for erosion and dust control during both the grading and construction phases of the project.
24. To reduce diesel emissions associated with construction, construction contractors shall provide temporary electricity to eliminate the need for diesel powered generators, or provide evidence that electrical hook ups at construction sites are not cost effective or feasible.

Prior to Building Permit Issuance

25. The R-3-3000 – Multi-Family Residential Zone and PF – Public Facilities Zone shall be adopted.
26. The General Plan land use designation of MHDR – Medium High Density Residential shall be adopted.
27. A lot line adjustment shall be recorded to consolidate the project site parcels to the satisfaction of the Planning Division and Public Works Department.
28. ***MM NOISE 1:** Prior to the issuance of a building permit for any apartment building, documentation shall be submitted to the City confirming that the architectural materials to be used will achieve an interior noise level no greater than 45 CNEL.
29. ***MM NOISE 2:** In order to reduce exterior noise levels to the daytime exterior noise level consistent with Section 7.25.010 of Title 7 of the Riverside Municipal Code, the balconies on Building 5 and

Building 10, that front Central Avenue shall incorporate noise attenuating shields composed of tempered glass, transparent plexi glass, or lexan.

30. 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. If landscape screening is the preferred screening method, no landscaping except ground cover shall be allowed within 10 feet of the transformer. The applicant is advised to consult with the City of Riverside Public Utilities, Electrical Engineering Division, at (951)826-5489 prior to preparing these plans.
31. Plans submitted for Plan check review should 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 preventer possible, be painted green, and consist of some form of screening including but not limited to berming, landscaping, and/or installation of a screen wall.
32. Landscaping, irrigation, exterior lighting, and sign plans shall be submitted for Planning staff approval. Design modifications may be required as deemed necessary. Separate applications and filing fees are required. Landscaping, irrigation and exterior lighting plans must be submitted prior to building permit issuance.
33. **Photometric/lighting Plan:** An exterior lighting plan shall be submitted with building permit plans review and approval. Photometric plans shall include the following:
 - a. Night lighting shall be directed away from the MSHCP Conservation Area to protect species within the MSHCP Conservation Area from direct night lighting. Shielding shall be incorporated in project designs to ensure ambient lighting in the MSHCP Conservation Area is not increased.
 - b. No lighting shall be included within the MSHCP Conservation Area.
 - c. A photometric study and manufacturer's cut sheets of all exterior lighting on the new buildings and within the common open space areas shall be submitted with the exterior lighting plan. All on-site lighting shall provide a minimum intensity of one foot-candle and a maximum intensity 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 offsite glare, shall not direct light skyward and shall be directed away from adjacent properties and public right-of-ways. If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed 20 feet in height, including the height of any concrete or other base material.
34. **Fence/Wall Conditions:** Revise the submitted fence/wall plan such that the plan provided for building permit plan check incorporates the following changes:
 - a. The location, height and materials, including decorative cap for all proposed pilasters/wall segments; and
 - b. Plans shall reflect safety fencing; fully dimensioned, specific locations and detailed cross sections. Specific locations throughout the project will require that the safety fencing be designed to eliminate light spill into the conservation area.

35. **Plot Plan Conditions:** Revise the submitted plot plan such that the plan provided for building permit plan check incorporates the following changes:
- a. Provision for decorative paving at the Central Avenue vehicle entrance/exit.
36. **Trash Enclosure Conditions:** Revise the submitted trash enclosure elevations such that the plan provided for building permit plan check incorporates the following changes:
- a. Provision for the trash enclosure to either be constructed with a decorative masonry and decorative cap or be finished in stucco and painted to match on-site residential buildings.
37. **Landscape and Irrigation Plans** shall be submitted for Design Review approval. Design modifications may be required as deemed necessary. Separate applications and filing fees are required. Landscaping and irrigation plans must be submitted prior to building permit issuance. Landscape and irrigation plans shall include the following:
- a. The project shall be designed to prevent light spill into the conservation area from car headlights once completed. Landscape plans shall either include hedge row plants or screen walls in front of all vehicle parking spaces and drive aisles throughout the project that face onto or project light into the conservation area.
 - b. The tree palette shall include trees that are common in the Canyon Crest Neighborhood;
 - c. Invasive species of plants shall be avoided throughout the project, as listed in Table 6-2 of the MSHCP; and
 - d. Specific plants and trees, referenced in the Final Restoration Plan shall be reflected on the landscape plans.

During Construction:

38. ***MM NOISE 4:** Prior to and during construction activities, the Project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturer standards.
39. ***MM NOISE 5:** The construction contractor shall locate noise generating construction equipment and construction staging in areas that will create the greatest distance between construction related noise sources and noise sensitive receptors (nearby residences) that are nearest the Project site. The location of the construction staging areas shall be shown on the construction specifications and shall be reviewed by the City prior to the issuance of grading permit.
40. ***MM CR 4:** All cultural materials that are collected during the grading monitoring program and from any previous archeological studies or excavations on the project site, with the exception of sacred items, burial goods, and human remains, which will be addressed in the Treatment Agreement required in **MM CR 2** shall be tribally curated according to current professional repository standards. The collections and associated records shall be transferred, including title, to a curation facility, which meets the standards set forth in 36 CFR Part 79 for federal repositories. All sacred sites, should they be encountered within the Project site, shall be avoided and preserved as the preferred mitigation, if feasible.
41. ***MM CR 6:** If any paleontological resources are exposed during Project related excavation, ground disturbance activities in the vicinity of the discovery shall be moved and a qualified paleontological resources specialist will be retained by the Project Applicant to evaluate the resources. If the find is determined to be significant, avoidance or other appropriate measures as identified by the paleontological resources specialist shall be implemented. Appropriate

measures include a qualified paleontologist to be permitted to recover, evaluate, and curate the finds in accordance with the standards and guidelines of the City of Riverside and the Society of Vertebrate Paleontology.

42. The applicant shall be responsible for erosion and dust control during both the grading and construction phases of the project.
43. 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 or urban pollutants, and flooding.
44. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
45. During all project site construction, the Construction Contractor shall limit all construction-related activities that would result in a noise disturbance to between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays. No construction is permitted on Sundays or federal holidays.
46. The Construction Contractor shall time the construction activities so as to not interfere with peak-hour traffic and minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flag person shall be retained to maintain safety adjacent to existing roadways.
47. If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendants shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98 and the Treatment Agreement described.
48. Should cultural, historical or archeological items be found during grading and construction activity, the construction and grading of this project all activity shall be halted in the vicinity of the find and diverted until a qualified archeologist meeting the Secretary of the Interior standards can evaluate the nature and significance of the find. If human remains are uncovered, the applicant shall contact the County Coroner's Office.

Prior to Release of Utilities and/or Occupancy for any phase

49. ***MM Bio 4:** Prior to the issuance of occupancy permits the mitigation areas shall be placed under a conservation easement, dedicated to a Resource Conservation District or other approved mitigation entity. The City shall not issue any occupancy permits until they have been provided evidence that the conservation easement has been recorded.
50. Install the landscape and irrigation per the approved plans and submit the completed "Certificate of Substantial Completion" (Appendix C of the water Efficient Landscaping and Irrigation Ordinance Summary and Design Manual) signed by the Designer/auditor responsible for the project. Contact Brian Norton, Senior Planner, at (951) 826-2308 or bnorton@riversideca.gov to schedule the final inspection at least one week prior to needing the release of utilities.

- **Public Works**

The following public works "engineering" conditions to be met prior to case finalization unless otherwise noted:

51. The subject project is located with a Special Flood Hazard Area (SFHA) with a designation of Zone A, area subject to inundation by the 1 percent annual chance flood. Prior to issuance of a grading permit a CLOMR (Conditional Letter of Map Revision) shall be processed for approval through the City and the Federal Emergency Management Agency (FEMA) to remove property from Zone A.
52. Prior to issuance of any Building permits a Letter of Map Revision (LOMR) shall be processed for approval through the City and FEMA to modify the effective Flood Insurance Rate Map (FIRM).
53. 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.
54. Closure of unused driveway opening to Public Works specifications.
55. The westerly project driveway located on Central Avenue shall be restricted to right turn egress movements only. Ingress is prohibited.
56. Advisory: Any vertical drop of more than 30 inches which is located within 36 inches of an adjacent walkway or drive aisle shall require fencing or guards to the satisfaction of the Building and Safety Division.
57. Storm Drain construction will be contingent on engineer's drainage study. Access to Water Quality basins to be through development and approved by Public Works.
58. Installation of flood protection facilities along proposed inundation limits to Public Works specifications.
59. Project shall install an acceleration lane in the median at the intersection of Quail Run Road and Central Avenue to Public Works Specifications.
60. Project shall ensure adequate sight distance at the project entrance roadway.
61. Project shall implement signing & striping in conjunction with detailed construction plans approved by Public Works.
62. ***MM Trans 1:** Prior to issuance of any building permits the Project Developer shall make fair share contributions towards the following:
 - a. Project developer shall pay its fair share contribution of \$5,000.00 towards 2nd westbound left turn pocket at intersection of Canyon Crest Drive & Central Avenue.
 - b. Project developer shall pay its fair share contribution of \$37,000.00 towards installation of a traffic signal at intersection of Quail Run Road & Central Avenue.
 - c. Project developer shall pay its fair share contribution of \$1,000.00 towards construction of a second NWB thru lane at intersection of Sycamore Canyon Boulevard & Central Avenue.

63. Advisory: Project may elect to install traffic signal at intersection of Quail Run Road and Central Avenue in lieu of construction of acceleration lane in the median at the intersection of Quail Run Road and Central Avenue and Traffic fair share mitigations.
64. Installation of sewers/sewer laterals to serve this project to Public Works specifications.
65. Size, number and location of driveways to Public Works specifications.
66. 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.
67. Project shall ensure adequate access to the Water Quality Basins for operation and maintenance to Public Works satisfaction.
68. 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.

69. 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.
70. Prior to issuance of any building or grading permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument acceptable to the City Attorney to inform future property owners of the requirement to implement the approved project-specific WQMP. Other alternative instruments for requiring implementation of the approved project-specific WQMP include: requiring the implementation of the project-specific WQMP in the Home Owners Association or Property Owners Association Conditions, Covenants and Restrictions

(C,C&R's); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the project-specific WQMP; or equivalent may also be considered. Alternative instruments must be approved by the City prior to the issuance of any building or grading permits.

71. 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.
72. 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.

- **Riverside County Flood Control**

The following Riverside County Flood Control and Water Conservation District (RCFC) conditions to be met prior to case finalization unless otherwise noted:

73. The storage capacity behind the dam shall continue to be equal to or greater than the 2008 existing condition at every stage.
74. The current District access road through the fire station shall be abandoned in order to accommodate fill approximately between Building Pad 13 and Building Pad 11 up to the proposed top of wall (1185.5ft NAVD 88). The fill will maintain the 1000-year inundation limit to be at the wall resulting in an overall smaller boundary limits than the current District inundation easement. The 1000-year inundation limit shall be clearly identified on the final plans. The City will need to provide owner notification of the 1000-year flooding limits.
75. The revised RCFC access route from Central Avenue shall include a 50 foot wide driveway ramp, 1-inch crushed rock placed 3-inches thick where the proposed access is not covered by asphalt and a 35 foot minimum inside radius for all proposed curves.
76. Advisory. Due to the conservation easement, access to the water quality basins from the District's Box Springs Dam access road will not be available and access will have to be provided through the private development.
77. The Applicant shall submit an agreement application to the District in order to memorialize maintenance responsibilities for the water quality basins within the District's inundation easement.
78. Prior to partial easement relinquishment, City provide meets and bounds of the proposed inundation limits to verify the proposed change to the current inundation easement. The current language may also need to be changed in order to address the new development. The applicant shall prepare all required documents and exhibits necessary to fulfill condition and pay any associated fees.

79. The District will require a final grading plan that achieves the proposed storage and City shall be responsible to ensure construction is performed per plans.

- **Public Utilities – Electric**

Contact Summer Ayala at 951-826-2129 for questions regarding public utilities (electric) conditions/corrections listed below:

80. 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.
81. 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.
82. Blanket public utility easements on all parcels.
83. Plot existing electrical distribution facilities on original plot plan tracing and submit for department approval (contact department representative for details).
84. 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.
85. 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.

- **Public Utilities – Water**

86. Advisory: The Water Department will not permit public water facilities on private property.
87. 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.
88. Prior to Building Permit Issuance, Applicant shall obtain approval of sub-metering facilities from the Utility. Such facilities are required to allow future sub-metering by the Utility.
89. Advisory: All utilities shall be satisfactorily relocated, protected and/or replaced to the specifications of the affected departments and agencies.
90. Advisory: The provision of water facilities in accordance with the City of Riverside Public Utilities Water Rules.
91. Advisory: The provision of utility fees and charges in accordance with the City of Riverside Public Utilities Water Rules.

- **Fire Department**

Contact Margaret Albanese at 951-826-5455 for questions regarding fire conditions or corrections.

The following to be met prior to construction permit issuance:

92. Access roadways shall be a minimum of twenty (20) feet in unobstructed width with a minimum vertical clearance of thirteen feet, six inches (13'6"). Grade differential shall not exceed twenty (20) percent.

93. Any required fire hydrants shall be installed and operational prior to Fire Department release of permit.
94. Access roadways shall be all weather surfaces, paved, provided with engineered turf block, or alternate design. Such roadways shall be maintained at all times.
95. An automatic fire sprinkler system is required by City Ordinance 16.32.076. Under separate cover, submit plans for the automatic fire sprinkler system(s) and obtain approval from the Fire Department prior to installation. Systems exceeding 20 sprinkler heads shall be provided with supervisory service and shall be monitored by an approved facility. Post Indicator valves, Detector Check control valves and water flow switches are required to be central station monitored. Have alarm contractor submit plans and obtain approvals prior to installation. Alarm contractor shall provide a copy of a maintenance contract complying with N.F.P.A. 72.
96. Fire Department access is required to be maintained during all phases of construction.
97. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
98. All gates shall have a Knox switch for electric gates and/or Knox padlock for manual gates. In addition to the Knox switch all electric gates shall have installed an automatic infrared gate system that is activated by the emergency vehicle strobes.

- **Parks and Recreation**

Prior to Building Permit Issuance:

99. Payment of all applicable park development fees (local, regional/reserve, trail and aquatic) as mitigation for the impacts of the project on the park development and open space needs of the City. For questions or concerns regarding this condition, contact Park Planning & Design, 951-826-2000.

Standard Conditions

- **Planning**

100. There is a 24 month time limit on this approval.
101. The Project must be completed per the Site Plan Review and Design Review approved by the Planning Commission, including all conditions listed in this report. Any substantial changes to the Project must be approved by the Planning Commission or minor modifications by Design Review Staff. Upon completion of the Project, a Design Review 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.
102. 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.

103. 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.
104. 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.