



Community Development Department

Planning Division

3900 Main Street, Riverside, CA 92522 | Phone: (951) 826-5371 | RiversideCA.gov

PLANNING COMMISSION HEARING DATE: APRIL 7, 2016

AGENDA ITEM NO.: 2

PROPOSED PROJECT

<i>Case Numbers</i>	P14-0045 (General Plan Amendment), P14-0046 (Specific Plan Amendment), P14-0047 (Rezone), P14-0048 (Site Plan Review), P15-0953 (Variance), P15-0954 (Variance)
<i>Request</i>	The following entitlements are requested to permit a mixed-use, transit-oriented development consisting of 212 residential units, 1,221 square feet of commercial space and 315 surface parking spaces: 1) amend the General Plan land use designation from MU-V – Mixed Use-Village, B/OP – Business/Office Park, I – Industrial to MU-U – Mixed Use-Urban; 2) amend the zoning designation from I-SP-CR – Industrial Specific Plan (Marketplace Specific Plan) – Cultural Resources (Seventh Street East Historic District) Overlay Zones, BMP-SP-CR – Business and Manufacturing Park – Specific Plan (Marketplace Specific Plan) – Cultural Resources (Seventh Street East Historic District) Overlay Zones, BMP-SP – Business and Manufacturing – Specific Plan (Marketplace Specific Plan) Overlay Zone, CR-SP – Commercial Retail – Specific Plan (Market Plan Specific Plan) Overlay Zone, I-SP – Industrial – Specific Plan (Marketplace Specific Plan) Overlay Zone to MU-U-SP – Mixed Use Urban – Specific Plan (Marketplace Specific Plan) Overlay Zone and MU-U-SP-CR – Mixed Use – Urban – Specific Plan (Marketplace Specific Plan) – Cultural Resources (Seventh Street East Historic District), 3) amend the Marketplace Specific Plan, to remove the subject site from the Neighborhood Marketplace Sub-Area and Marketplace Urban Industrial Sub-Area and establish the Mixed-Use Marketplace Sub-Area for the subject site; 4) Site Plan review; and, 5) Variances to permit fewer parking spaces than required by Code and to allow tandem parking spaces.
<i>Applicant</i>	Darrin Olson, representing Mission Lofts, LLC.
<i>Project Location</i>	3008-3052 Mission Inn Avenue, 3770 Commerce Street, 2981 University Avenue, 3025-3035 Ninth Street, located north of 9 th Street, south of Mission Inn Avenue, east of Commerce Street, west of Park Avenue.
<i>Project area</i>	4.69 acre
<i>Ward</i>	2
<i>Neighborhood</i>	Eastside
<i>Specific Plan</i>	Marketplace

<i>General Plan Designation</i>	MU-V – Mixed-Use – Village, B/OP – Business/Office Park, I - Industrial	
<i>Zoning Designation</i>	I-SP-CR – Industrial Specific Plan (Marketplace Specific Plan) – Cultural Resources (Seventh Street East Historic District) Overlay Zones, BMP-SP-CR – Business and Manufacturing Park – Specific Plan (Marketplace Specific Plan) – Cultural Resources (Seventh Street East Historic District) Overlay Zones, BMP-SP – Business and Manufacturing – Specific Plan (Marketplace Specific Plan) Overlay Zone, CR-SP – Commercial Retail – Specific Plan (Market Plan Specific Plan) Overlay Zone, I-SP – Industrial – Specific Plan (Marketplace Specific Plan) Overlay Zone.	
<i>Staff Planner</i>	Brian Norton, Senior Planner; 951-826-2308; bnorton@riversideca.gov	

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;
2. **RECOMMEND ADOPTION** of the Mitigation Monitoring and Reporting Program (MMRP) pursuant to CEQA Section 21081.6; and
3. **RECOMMEND APPROVAL** of Planning Cases Numbers: P14-0045 (General Plan Amendment), P14-0046 (Specific Plan Amendment), P14-0047 (Rezone), P14-0048 (Site Plan Review), P15-0953 (Variance), and P14-0954 (Variance), based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions.

SITE BACKGROUND

The 4.69 acre project site, bisected by University Avenue, consists of seven vacant parcels connected by an abandoned rail bridge. The site is vacant with the exception of a concrete loading dock, constructed in 1930 and utilized to facilitate loading and unloading of rail cars for a packinghouse through 1947.

PROPOSAL

The applicant is requesting approval of a mixed use, transit-oriented development consisting of 210 residential units, 640 square feet of commercial uses, and 315 parking spaces. The residential component will be situated on the northern portion of the site, while the commercial

and majority of the parking area will be on the southern portion of the site. The existing rail bridge, running perpendicular to University Avenue, will provide the pedestrian connection between the two portions of the site.

The residences will include 52 studios, 77 one-bedroom, and 83 two-bedroom units. The units will range in size from 459 square feet to 1,177 square feet. Patios or balconies, ranging in size from 53 to 105 square feet, are provided for 145 units. The site provides 17,279 square feet of common useable open space, including a dog run on the southern portion of the property.. The commercial component includes 640 square feet of commercial tenant space within repurposed shipping containers. Specific tenants have not been identified by applicant.

A total of 313 on-site parking spaces will be provided for residences and 2 parking spaces for employees of the commercial lease spaces. A total of 144 parking spaces are located on the northern portion of the project site and 171 parking spaces are located on the southern portion of the site, in a gated and secured surface parking lot. 16 tandem parking stalls are proposed and will be assigned to the two-bedroom units. The rail bridge will be enhanced to provide pedestrian connectivity between the northern and southern portions of the project site.

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

- General Plan Amendment
- Specific Plan Amendment
- Rezone
- Site Plan Review Permit
- Variances related to parking

PROJECT ANALYSIS

<i>Authorization and Compliance Summary</i>			
	Consistent	Inconsistent	N/A
<i>General Plan 2025</i> The project will be consistent with the proposal to amend the General Plan land use designation to designate the subject site for MU-U – Mixed-Use Urban. The project will further the intent of the General Plan and Land Use Policies by facilitating, transit-oriented, mixed-use, in-fill development as a means of revitalizing underutilized urban parcels, and directly addressing the City's housing needs.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Specific Plan</i> The project site is located within the Marketplace Specific Plan. The proposed project will be consistent with the proposed Mixed Use Marketplace Sub Area. The project, as proposed, is consistent with Specific Plan Land Use Goals, in that it provides a mixture of land uses to economically revitalize the area, provides a land use that economically, aesthetically and socially benefits the surrounding neighborhood, and although there are no historic structures on-site, it respects and complements the historic industrial	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Authorization and Compliance Summary</i>			
	Consistent	Inconsistent	N/A
buildings within the Specific Plan.			
<p><i>Zoning Code Land Use Consistency (Title 19)</i></p> <p>The proposed MU-U-SP – Mixed-Use Urban – Specific Plan (Marketplace Specific Plan) Overlay Zones and MU-U-SP-CR – Mixed-Use – Specific Plan (Marketplace Specific Plan) – Cultural Resources (Seventh Street East Historic Zone) is consistent with the proposed MU-U – Mixed-Use Urban General Plan Land Use designation. Mixed-Use – Urban developments are subject to a Site Plan Review Permit. In addition, the project serves to strengthen the interaction between adjacent sub areas (Central marketplace, the Marketplace South and the Marketplace North sub areas) within the specific plan, as the mixture of compatible uses reduces the dependency on automobiles, improves air quality and decreases sprawl.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><i>Compliance with Marketplace Specific Plan Design Standards and Guidelines</i></p> <p>Although no historic structures exist on-site, the architectural design of the project utilizes, preserves and highlights the underlying urban character of the Specific Plan, by providing design elements that respect the historical nature of the packinghouses and rail corridors. A portion of the site is within the Seventh Street East Historic District and the Citrus Thematic Potential Historic District, thus the Cultural Heritage Board has purview over building design and elevations. At its meeting on March 24, 2016, the Cultural Heritage Board unanimously voted to recommend approval of the design to City Council.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PROPOSED MIXED-USE MARKETPLACE SUB-AREA

The project site is located within the Neighborhood Marketplace and the Marketplace Urban Industrial sub-areas of the Marketplace Specific Plan. These sub areas provide for a variety of uses including retail, office, lodging, neighborhood services, industrial and manufacturing uses. This project proposes to remove the project site from the Marketplace Urban Industrial and the Neighborhood Marketplace sub-areas, and apply a new Mixed-Use Marketplace sub area to the subject site to allow development with high density, transit-oriented development. This designation would be appropriate at this location given the proximity of the site to the Downtown Riverside train station and Downtown Riverside. Furthermore, the project will be consistent with the purpose of the Marketplace Specific Plan, in that it will serve as a catalyst for the redevelopment of the Marketplace Specific Plan area; it will indirectly provide additional commerce and employment opportunities for the Eastside Community; it will beautify the entrance to Downtown Riverside, University Avenue, entry into Downtown Riverside Metrolink/Amtrak Station; and it will complement the redevelopment efforts occurring within the Downtown area.

The proposed Mixed Use-Urban Sub-Area includes development standards generally consistent with the standards for the Mixed-Use Urban Zone found in Chapters; 19.120 Mixed-Use Zones; 19.580 and 19.150 Base Zones Permitted Land Uses of the Zoning Code. Please refer to Exhibit 7 of this staff report.

Further, the proposed sub area will be consistent with the intent of the proposed Mixed-Use Urban General Plan land use designation, as it will facilitate the development of a transit-oriented development, consistent with General Plan 2025 policies related to reducing vehicle miles travelled, encouraging higher density land uses near transit stations, and air quality improvement policies as follows:

- o Policy CCM-6.1: Encourage the reduction of vehicle miles, reduce the total number of daily peak hour vehicular trips, increase the vehicle occupancy rate and provide better utilization of the circulation system through the development and implementation of TDM programs contained in the SCAQMD and County of Riverside TDM Guidelines;
- o Policy CCM-9.1: Encourage increased use of public transportation and multi-modal transportation as a means of reducing roadway congestion, air pollution and non-point source water pollution, through such techniques as directing new growth along transportation corridors;
- o Policy AQ-1.15: Establish land use patterns that reduce the number and length of motor vehicle trips and promote alternative modes of travel;
- o Policy AQ-1.23: Increase residential and commercial densities around rail and bus transit stations;
- o Policy AQ-1.7: Support appropriate planned residential developments and infill housing, which reduce vehicle trips;
- o Policy AQ-8.23: Apply urban planning principles that encourage higher density, mixed use, walkable/bikeable neighborhoods, and coordinate land use and transportation with open space systems; and
- o Policy LU-8.3: Allow for mixed-use development at varying intensities at selected areas as a means of revitalizing underutilized urban parcels.

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<i>Proposed Mixed Use Marketplace Sub Area Development Standards</i>				
Standard		Proposed	Consistent	Inconsistent
<i>Max. Density (du/ac)</i>	60 du/ac, when Mixed-Use projects are located within ½ mile of a transit stop. Otherwise, 40 du/ac.	45.2 du/ac (212 units / 4.69 acres) Adjacent to Downtown Riverside Train Station.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Proposed Mixed Use Marketplace Sub Area Development Standards</i>					
Standard			Proposed	Consistent	Inconsistent
			Adjacent to University Avenue RTA stop.		
<i>Residential Minimum Setbacks</i> (Where a lot or parcel of land at the junction of two streets has a frontage on each street over 130 feet in length, front yard setbacks of the depth required in the appropriate zone shall be required on those frontages)				<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Mission Inn Avenue 351 foot frontage Front - 0 feet		4 feet – 2 inches to 13 feet – 5 inches		
	Commerce Street 293 foot frontage Front - 0 feet		0 feet to 11 feet - 1 inch		
	University Avenue 529 foot frontage Front - 0 feet		0 feet to 11 feet – 1 inch		
	Resident Adjacent Side – 15 feet		25 feet		
<i>Commercial Minimum Setbacks</i>	9 th Street Front - 0 feet		10 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Alley Side Side – 0 feet		2 feet		
	Interior Side Side – 15 feet		15 feet		
	University Avenue Rear – 15 feet		282 feet		
<i>Vehicle Parking</i>	1.5 parking spaces per One-Bedroom Units (129 units)	194 spaces			
	2 parking spaces per Two-Bedroom Units	166 spaces			

<i>Proposed Mixed Use Marketplace Sub Area Development Standards</i>					
Standard			Proposed	Consistent	Inconsistent
	(83units)				
	1 parking space per every 250 square feet of commercial (1220 square feet - 640 square feet of commercial space and 580 square feet of patio)	5 spaces			
	Total	365	315	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	1 covered or enclosed parking space per unit	212	213	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maximum Building Height	Residential 60 feet		<u>Residential (4-Story)</u> 47 feet-6 inches (Non-Habitable portion of structure) 55 feet-2 inches <u>Residential (2-Story)</u> 25 feet-0 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Commercial 60 feet		16 feet-7 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Proposed Mixed Use Marketplace Sub Area Development Standards</i>				
Standard		Proposed	Consistent	Inconsistent
<i>Open Space</i>	Common: 50 sq. ft. / unit (10,600 sq. ft. required)	17,279 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Private: 50 sq. ft. per unit for at least 50% of the units (106 units require private open space)	145 units have private open space between 53 and 105 sq. ft.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

SITE PLAN REVIEW

Site Design

The site has been designed to create an urban-scale, transit-oriented project consistent with the purpose of the Marketplace Specific Plan and the Mixed Use Marketplace Sub Area. Buildings with large ground level patios are oriented towards the Mission Inn Avenue and Commerce Street to provide a strong interface with the streets. Residential buildings along Mission Inn Avenue, in close proximity to existing residences, have been designed to step down in height and scale, and include a substantial setback to the easterly property line for compatibility with existing residential properties.

The commercial component, located on the southern portion of the site, consists of converted cargo containers, harkening back to the sites historic legacy with the railroads. The commercial buildings are located within close proximity to Ninth Street, with an outdoor patio and a substantial setback to single family residential uses to the east.

An existing abandoned Southern Pacific rail bridge will be repurposed and enhanced to provide pedestrian connection between the northern and southern portions of the project site. The bridge connects residents with the surface parking lot, the commercial units along Ninth Street, and a convenient pedestrian path to the Downtown Riverside Metrolink/Amtrak Station.

Vehicle Access

Access to the surface parking lot on the north side of University Avenue is proposed via a 24-foot wide, two-way driveway off Mission Inn Avenue, and a 24-foot wide, two-way driveway off University Avenue. No vehicle/security access gates are provided on the northerly portion of the site. The applicant has indicated that security cameras will be provided throughout the entirety of the site and a security company will be hired to patrol the property.

Access to the southern surface parking lot is proposed via a 30-foot wide, two-way driveway off Ninth Street. The southern surface parking lot will be secured and gated for vehicle and pedestrian access.

Amenities

The project complies with the open space development standards of the MU-U Marketplace Sub-area, which refers to the Zoning Code for the standard requirements. The Zoning Code does not prescribe a certain number or type of amenities for a project in the MU-U Zone. However, the project includes multiple resident and guest amenities, including; a fitness center, lounge room, with pool table, large meeting table and television lounge area; a dog run; enhanced pedestrian rail bridge with seating and landscaping and an outdoor amenity courtyard, with pool, spa, fire pit lounge areas, barbecues and cabanas.

Conceptual Landscaping and Hardscaping

The conceptual landscape plan shows multiple species of trees, shrubs and groundcovers to complement and accent the architecture and provide sufficient screening of the surface parking lot from University Avenue and Mission Avenue. Hardscape features, such as; enhanced paving and landscape pots are proposed along the pedestrian bridge connecting the southern portion of the project with the northern portion of the site. Yew pines and Shoestring Acacia trees are propped along the eastern property line where the project is adjacent to residential property. Yew pines, grow 8 to 15 feet in height, and will adequately screen and soften the carport structures along the eastern portion of the property.

ARCHITECTURAL DESIGN

The project site is partially located within the Seventh Street East Historic District and partially within the Citrus Thematic Potential Historic District. A Certificate of Appropriateness, processed under case P15-0930 for the design of the building elevations, was considered by the Cultural Heritage Board (CHB) on March 24, 2016. At that meeting the CHB unanimously approved the project.

ENVIRONMENTAL IMPACTS

A Mitigated Negative Declaration (MND) has been prepared for this project in accordance with the California Environmental Quality Act (CEQA), based on the findings set forth in the case record, the project will not have a significant effect on the environment.

NEIGHBORHOOD COMPATIBILITY

The project is consistent with the purpose and the goals and policies of the Marketplace Specific Plan in that it will develop an underutilized site with a mixed use, transit oriented development that will serve as a catalyst to revitalize the area, encourage future land uses that respect and complement the historic fabric within the Specific Plan, and protect residential areas from adjacent non-residential land uses. The site has been designed to locate the four story residential buildings primarily along the western and southern edges of the property, furthest from single family residential uses. Where residential units are placed within proximity to existing single family residences, along Mission Inn Avenue, provisions have been included that include; a 25 foot setback along the eastern property line shared with the existing residential property, an 11 foot setback from the northern property line along Mission Inn Avenue. Additionally, the buildings have been stepped down to two stories in height to reduce massing and scale.

Additionally, buildings and carports will be enhanced with large evergreen trees and plants that grow from 8 to 15 feet in height.

The commercial component of the project is intended to primarily serve the future project residents, the residents immediately adjacent in the neighborhood, and those utilizing the Downtown Riverside train station on a regular basis; thus the future commercial uses would be reflective of neighborhood or commuter serving commercial, such as; coffee shop, bakery, bike shop or other similar uses.

PUBLIC NOTICE AND COMMENTS

An eighth page add, with project details and hearing dates and times, was published in the Press Enterprise. Additionally, Public Notices were mailed to the owners of the subject property as well as local agencies that would provide services to the project. As of the writing of this report, two letters of support 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. Staff Findings and Variance Justifications
2. Staff Recommended Conditions of Approval
3. Aerial Photo/Location
4. Existing/Proposed General Plan
5. Existing/Proposed Zoning
6. Existing Marketplace Specific Plan (Section 3.1.1 Relationship to the General Plan Land Use Element, Figure 4, Figure 4a, Figure 5, Figure 8, Neighborhood Marketplace Sub Area, Urban Industrial Sub Area, Section 4.3 Land Use Definitions)
7. Proposed Marketplace Specific Plan (Section 3.1.1 Relationship to the General Plan Land Use Element, Figure 4, Figure 4a, Figure 5, Figure 8, Proposed Section 4.2.10 Mixed-Use Marketplace Sub Area Development Standards, Proposed Section 4.3.7 Mixed-Use Land Use Definitions)
8. Project Plans (Site Plan, Reference - Building Elevations, Reference - Floor Plans, Reference - Renderings, Conceptual Landscape Plan, Open Space Plan)
9. Conceptual Grading Plan
10. Applicant Prepared Variance Justifications
11. Existing Site Photos
12. CEQA Document (Mitigated Negative Declaration, Air Quality/Greenhouse Gas, Health Risk Assessment, Cultural Resources Report Study, Geotechnical Investigation, Preliminary WQMP, Noise Impact Analysis, Traffic Impact Analysis)

(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
Ted White, City Planner
Rafael Guzman,
Community and Economic Development
Director



CITY OF RIVERSIDE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

PLANNING DIVISION

EXHIBIT 1 – FINDINGS

PLANNING CASES: P14-0045 (General Plan Amendment), P14-0046 (Specific Plan Amendment), P14-0047 (Rezone), P14-0048 (Site Plan Review), P15-0953 (Variance), P15-0954 (Variance)

STAFF RECOMMENDED FINDINGS

Rezone

- a. The proposed MU-U – Mixed Use – Urban Zone is generally consistent with the goals, policies, and objectives of the General Plan;
- b. The proposed MU-U – Mixed Use – Urban Zone will not adversely affect surrounding properties; and
- c. The proposed MU-U – Mixed Use – Urban Zone promotes public health, safety, and general welfare and serves the goals and purposes of the Zoning Code.

Seizing Our Destiny:

- d. The proposed project is consistent with the Seizing Our Destiny “Intelligent Growth” and Location of Choice” initiatives, as it will provide a transit-oriented development to serve Riverside’s growing and increasing mobile population in an environmentally responsible and aesthetically pleasing manner.

Variances

The Planning Commission makes the necessary findings in the applicant’s favor to grant the following variances:

- VARIANCE A: To allow 315 parking spaces, where 365 parking spaces would be required ; and
- VARIANCE B: To allow 16 tandem parking spaces.

As justification, to the applicant’s attached variance justifications, Staff has prepared the following supplemental variance justifications:

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 Zoning Code establishes parking requirements for multi-family residential projects based on the number and size of units. The proposed project requires 365 parking spaces, where 315 spaces are provided. The granting of the requested parking variance can be supported due to the project’s proximity to the Metrolink station, which will result in some dwellings having less than the typically expected number of vehicles. Residents will utilize

available transit to get to work, school, recreation, etc. thus reducing the total number of vehicles and vehicle trips.

VARIANCE B: The proposal complies with this finding. Strict application of the Zoning Code would require the applicant to significantly redesign the site, incorporating single parking spaces. The reconfiguration of the site may trigger additional variances, such as landscape setbacks, loss of common open space or a reconfiguration of the buildings that would move them closer to single family residences. Staff has also conditioned for the tandem parking spaces to be assigned to two-bedroom units only, so the vehicle owners share the same parking arrangement. These factors represent practical difficulties in the development of the site as proposed.

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.

VARIANCE A: The proposal complies with this finding. Transit-orientated residential developments are in a unique position to provide housing within direct proximity to a transit station, thereby providing not only a convenience to residence, but resulting in less vehicles on site. Therefore, the granting of the requested parking variance can be supported due to the project's proximity to the Metrolink station, which will result in some dwellings having less than the typically expected number of vehicles.

VARIANCE B: The proposal complies with this finding. The proposed project is considered an urban transit-oriented development. The location of the project will allow residences choices in the mode of transportation they take, thus reducing the need to move personal vehicles on a regular basis. Furthermore, the tandem parking stalls will be assigned to 2 bedroom units, leaving the parking arrangement to the lessees of those specific units.

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.

VARIANCE A: The proposal complies with this finding, with the recommended conditions of approval. This variance is necessary to facilitate the unique character proposed for this transit-orientated development. Due to its proximity to the transit station, a lower than typical number of parking spaces will be needed. Additionally, the project will be required to meet, if not exceed, standards contained in the *Citywide Design Guidelines* which pertain to landscaping and architectural design. With compliance with recommended conditions, the project will provide a high quality of life for residents as well as serve as a "gateway" to Riverside for those arriving via Metrolink.

VARIANCE B: The proposal complies with this finding. The use of tandem parking stalls, is internal to the site and will not have an effect on the public or offsite parking demand. Typically, where projects are considered in-fill, urban development or transit-oriented development, flexible solutions, including tandem parking to allow spaces in reduced areas will create additional land available for recreational amenities providing for an improved overall urban design.

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.



CITY OF RIVERSIDE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

PLANNING DIVISION

EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

Case Numbers: **P14-0045** (General Plan Amendment)
P14-0046 (Specific Plan Amendment)
P14-0047 (Rezone)
P14-0048 (Site Plan Review)

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

Case Specific

- **Planning**

1. All conditions of Planning Case P15-0939 (Certificate of Appropriateness) shall apply.
2. The General Plan 2025 land use designation of MU-U – Mixed Use - Urban shall be applied to the subject property as depicted on Exhibit 7.
3. The MU-U-SP – Mixed Use – Urban – Specific Plan (Marketplace Specific Plan) Overlay Zones and MU-U-SP-CR - Mixed Use – Urban – Specific Plan (Marketplace Specific Plan) and Cultural Resources (Seventh Street East Historic District) Overlay Zones shall be applied to the subject properties, as shown in Exhibit 7.
4. The Riverside Marketplace Specific Plan Sub-Area plan shall be amended to include the new Mixed-Use Marketplace Sub-area and development standards as shown on Exhibit 7.
5. All conditions of the Airport Land Use Commission (ALUC), processed under case ZAP1162MA15, shall be satisfied.
6. 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.
7. All tandem parking spaces shall be assigned exclusively to two-bedroom units.

Prior to Grading Permit Issuance:

8. The General Plan Amendment, Specific Plan Amendment and Rezoning shall be adopted.
9. 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

- 10. 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. The 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.
- 11. The applicant shall be responsible for erosion and dust control during both the grading and construction phases of the project.
- 12. 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 Issuance of Building Permit:

13. A lot line adjustment shall be recorded to consolidate the project site parcels to the satisfaction of the Planning Division and Public Works Department.
14. * The Project proponent shall demonstrate to the City that all exposed residential exterior window/wall assemblies facing Mission Inn Avenue provide a Sound Transmission Class (STC) rating of at least 28 dBA; window/wall assemblies facing Commerce Street and the Railroad provide an STC rating of at least 25 dBA; and window/wall assemblies facing University Avenue provide an STC rating of at least 23.4 dBA. The building plans submitted to the City for review and approval shall identify the STC rating of the materials used to construct the exterior windows/wall assemblies.
15. * Provide a striping plan in substantial conformance with the University Avenue Driveway Access Striping Exhibit, as shown on Figure 9-1 of the TIA, unless the City Public Works Department determines that an alternate plan would provide acceptable access to the Project site.
16. 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.
17. 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.
18. An exterior lighting plan shall be submitted to Design Review staff for review and approval. 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.
19. Landscaping, irrigation, exterior lighting, and sign plans shall be submitted for Design Review 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.
20. Fence/Wall plans shall be submitted as part of the construction plans, and shall include the following:

- a. The location, height and materials, including decorative cap, of all existing perimeter fences and walls;
- b. The proposed decorative block wall along the easterly property line shall be no more than 6 feet in height. The wall shall be reduced to 3 feet in height within 20 feet of the Mission Inn Avenue property line; and
- c. Columns with decorative cap shall be provided at different intervals; and

During Construction:

- 21. * Prior to initiation of ground-disturbing activities, construction personnel shall be alerted to possibility of buried historic period cultural deposits. Should any cultural and/or archaeological resources be inadvertently discovered during construction, construction activities in the vicinity of the discovery shall immediately halt and shall be moved to other parts of the Project site and a qualified archaeologist shall be contacted to determine the significance of the resource(s). If the find is determined to be a historical or unique archaeological resource, as defined in Section 15064.5 of the California Code of Regulations (State CEQA Guidelines), avoidance or other appropriate measures shall be implemented.
- 22. * 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.
- 23. The applicant shall be responsible for erosion and dust control during both the grading and construction phases of the project.
- 24. *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.
- 25. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- 26. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- 27. 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.
- 28. 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.
- 29. 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 in MM CR2.

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

30. 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.
31. *All future property managers at the project site shall be required to disclose to potential residents the number of trains that pass by per day and at what time of day they pass. They should also be required to inform potential residents that the train horn noise will be audible in most of the proposed residential dwelling units. Relatively current train inventory data can be found on the Federal Railroad Administration's website. More specifically, data can currently be found at <http://safetydata.fra.dot.gov/officeofsafety/publicsite/crossing/crossing.aspx>.

- **Public Works**

The following Public Works "engineering" conditions to be met prior to case finalization:

32. Installation of curb and gutter at 31.5 feet from monument centerline, sidewalk and matching paving on Mission Inn Avenue to Public Works specifications.
33. Installation of curb and gutter at 20 feet from monument centerline, sidewalk and matching paving on 9th Street to Public Works specifications.
34. Prior to issuance of a building permit, applicant shall secure ownership of old abandoned Southern Pacific Railroad bridge. Subsequent to acquisition applicant shall apply for and obtain an Encroachment Permit allowing for private use of the bridge in the public right-of-way to Public Works and Planning Specifications.
35. Off-site improvement plans to be approved by Public Works prior to issuance of a construction permit.
36. A surety prepared by Public Works shall be posted to guarantee the required off-site improvements prior to issuance of a Building Permit.
37. Installation of sidewalk along Commerce Street frontage to Public Works specifications.
38. Installation of sewers/sewer laterals to serve this project to Public Works specifications. If an existing sewer lateral is proposed to be reused, the applicant shall perform a video inspection of the lateral to confirm it is suitable for use. A record of the video inspection shall be submitted to Public Works for review and concurrence.
39. Size, number and location of driveways to Public Works specifications.

40. Closure of unused driveway opening(s) to Public Works specifications.
41. The applicant shall place necessary signage to restrict left turns out of the University Avenue access driveway during the PM peak hour of traffic: 4:00 PM to 6:30 PM.
42. The applicant shall design signing & striping plans to extend the two-way left turn lane along University Avenue adjacent to the project access driveway to Public Works specifications.
43. The applicant shall ensure adequate sight distance at all project driveways.
44. 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.
45. 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.

46. 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.
47. 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.

48. 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.
49. 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.
50. 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 the Public Works Department.

- **Public Utilities – Electric**

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

51. 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.
52. 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**

53. 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.
54. The provision of water facilities in accordance with the City of Riverside Public Utilities Water Rules.
55. 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:

56. 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.
57. Access roadways shall be all weather surfaces, paved, provided with engineered turf block, or alternate design. Such roadways shall be maintained at all times.
58. All required hydrants shall be in service and fire flow available prior to permit release by the Fire Department. Violation of this requirement may result in citations that require a court appearance to be issued.
59. Group R, Division 2 occupancies shall be provided with a manual and automatic fire alarm system in apartment houses three or more stories in height or containing 16 or more dwelling units. (See California Fire Code for exceptions). Submit plans and obtain approvals from the Fire Department prior to installation.
60. 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.
61. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
62. Construction plans shall be submitted and permitted prior to construction.
63. Fire Department access is required to be maintained during all phases of construction.

- **Parks and Recreation**

64. Prior to Building Permit Issuance: 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.

- **Riverside Police Department**

Security

65. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easy discernment of the appearance and conduct of all persons on or about the parking lot.
66. A security camera surveillance system shall be in constant use, maintained in good working condition and made available for review by members of the Riverside Police Department.

67. Management shall actively participate in Business Watch through the Riverside Police Department.
68. The development shall participate in the Police Department's Crime Free Multiple-Housing Program.

Grounds

69. The licensee shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
70. The applicant shall be responsible for maintaining free from graffiti, the area adjacent to the premises over which they have control.
71. No loitering shall be permitted on any property adjacent to the licensed premises and under the control of the licensee.
72. No pay phones shall be installed or maintained outside the building.

Standard Conditions

- **Planning**

73. 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.
74. 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.
75. 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.
76. There is a 24 month time limit on this approval.
77. 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.