



Community & Economic Development Department

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

Planning Division

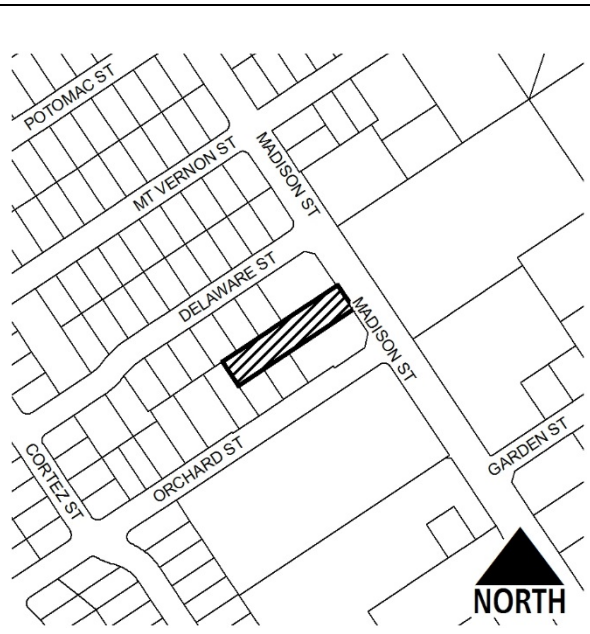
[RiversideCA.gov](http://RiversideCA.gov)

**PLANNING COMMISSION HEARING DATE: OCTOBER 6, 2016**

**AGENDA ITEM NO.: 5**

**PROPOSED PROJECT**

<i>Case Numbers</i>	<b>P16-0184</b> (Conditional Use Permit) <b>and P16-0185</b> (Design Review)		
<i>Request</i>	To consider a Conditional Use Permit and Design Review for the construction of a 9,712 square foot, two story senior apartment building.		
<i>Applicant</i>	WB Allen Development LLC.		
<i>Project Location</i>	3628 Madison Street, situated on the west side of Madison Street between Delaware Street and Orchard Street.		
<i>APN</i>	230-054-009		
<i>Project area</i>	0.62 acres		
<i>Ward</i>	3		
<i>Neighborhood</i>	Ramona		
<i>Specific Plan</i>	Not Applicable		
<i>General Plan Designation</i>	MDR – Medium Density Residential		
<i>Zoning Designation</i>	R-1-7000 - Single Family Residential Zone		
<i>Staff Planner</i>	Sean P. Kelleher, Associate Planner; 951-826-5712; skelleher@riversideca.gov		



## RECOMMENDATIONS

Staff recommends that the City Planning Commission:

1. **DETERMINE** that Planning Cases P16-0184 and P16-0185 will not have a significant effect on the environment and are categorically exempt from the provisions of the California Environmental Quality Act per Section 15332 (In-fill Development Projects) of the CEQA Guidelines; and
2. **APPROVE** Planning Cases P16-0184 and P16-0185 based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions.

## SITE BACKGROUND

This 0.62-acre property is currently developed with two residences. Records also show that there was a barn on this site before the residences were built, but only the foundation remains today. A single, two-way driveway is shared with the single family residence immediately to the south of this property, at 3604 Madison Street. The site is surrounded by single family residences to the north, west and south. The majority of the residences are single story. Madison Elementary School is located to the east of the site across Madison Street.

## PROPOSAL

The applicant is requesting approval of a Conditional Use Permit and Design Review for the construction of an independent living senior housing complex with up to 12 units within a two-story, 28 foot high, approximately 9,715 square foot building. The rectangular shaped building is proposed to be sited to the rear of the site with parking in front.

The project includes 12 two bedroom units, approximately 730 square feet in size. Ground floor units will include 142 square foot front patios and 92 square foot rear patios. The second story units have 142 square foot front balconies and 92 square foot rear balconies. The site provides 4,612 square feet of common usable open space including bar-b-que area and a large open space turf area. Services provided on-site will include transportation for medical and shopping related needs upon request, an on-site maintenance person for assistance with minor repairs, and laundry facilities on each floor.

A total of 14 on-site parking spaces will be provided for the residents and guests. Although plans show 12 spaces covered by carports, the applicant has agreed to modify the plans to provide 7 spaces covered by carports in order to comply with the accessory structure development standards. Access to the site will be provided from Madison Street via a driveway shared with an adjacent single family residence to the south.

## PROJECT ANALYSIS

<i>Authorization and Compliance Summary</i>			
	N/A	Consistent	Inconsistent
<p><b><i>General Plan 2025</i></b></p> <p>The proposed project is consistent with the underlying General Plan 2025 land use designation of MDR – Medium Density Residential, which will further the intent of the General Plan by providing for new senior housing opportunity consistent with General Plan Policy H-4.1: Support the development of accessible and affordable senior rental and ownership housing that is readily accessible to support services; and provide assistance for seniors to maintain and improve their homes.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b><i>Zoning Code Land Use Consistency (Title 19)</i></b></p> <p>The R-1-7000 – Single Family Residential Zone is consistent with the MDR – Medium Density Residential General Plan land use designation. Proposed senior housing is permitted subject to a Conditional Use Permit and compliance with the Development Standards of the R-1-7000 Single Family Residential Zone.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b><i>Compliance with Citywide Design &amp; Sign Guidelines</i></b></p> <p>The proposed project meets the intent of the objectives of the Citywide Design Guidelines and Sign Guidelines, subject to the recommended conditions of approval.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### ***Density***

The MDR – Medium Density Residential General Plan Land Use designation is intended to provide for residential development with a density of up to 8.0 dwelling units per acre. However, the Zoning Code allows Senior Housing projects of a density of greater than 8.0 dwelling units per acre in single family residential zones subject to the granting of a Conditional Use Permit.

The need for additional quality senior housing projects within the City of Riverside to provide housing for a rapidly growing segment of the City's population has been recognized for several years. In fact, the General Plan objectives include provision for "adequate housing and supportive services for Riverside residents with special needs" (Goal H-4) and "supporting the development of accessible and affordable senior rental housing readily accessible to support services" (Policy H-4.1). A number of senior projects have been approved and/or completed that provide housing opportunities for senior citizens.

As proposed, the maximum project density will be approximately 20 dwelling units per acre. This density is at the low end of the range of densities typically found in existing senior apartment projects, as reflected in the table below:

Project	Address	Number of Units	Acres	Density (du/acre)
Victoria Springs	2810 Adams Street	240	7.6	32
Tyler Springs	10406 Indiana Avenue	273	9.44	29
Brandon Place	3941 Polk Street	197	6.35	31
Friend Development	8507 Magnolia Avenue	90	2.5	36
Goldware Senior	6730 Streeter Avenue	162	6.38	25
Raincross Senior	5200 Central Avenue	172	6.1	28
Snowberry Creek	8400 Colorado Avenue	224	10.7	21
Las Fuentes	1807 Eleventh Street	75	2.13	35
El Paseo	4030 Harrison Street	75	2.08	36
Orange Street Senior Apartments	1054 North Orange Street	23	0.77	30
<b>Proposed Project</b>	<b>3628 Madison Street</b>	<b>12</b>	<b>0.62</b>	<b>20</b>

## COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Standard			Proposed	Consistent	Inconsistent
<i>Min. Setbacks</i>	Front (Madison Street)	20 Feet	132 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Side (North)	7 Feet, 6 Inches	7 Feet, 6 Inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Side (South)	10 Feet	10 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear (West)	25 Feet	41 Feet 6 Inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Maximum Lot Coverage</i>	40%		29.8%5	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Maximum Building Height</i>	35 Feet		27 Feet, 10 Inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Parking</i>	1.1 Spaces Per Unit	14 Parking Spaces	14 Parking Spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Covered Parking</i>	50% of the required parking shall be covered	7 Parking Spaces	7 Parking Spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Accessory Structures (Carports)</i>	Principal Building Setback	5 Feet	14 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Front Setback (Shall not be closer than the front-most wall of the dwelling nearest the front lot line, or 50 feet, whichever distance is less.)	50 Feet	64 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Side Setback	5 Feet	8 Feet (North) 7 Feet (South)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear Setback	5 Feet	239 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Maximum Building Height for one-story structure	20 Feet	12 Feet 4 Inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Maximum Floor Area	750 Square Feet	630 square feet (North Carport) 648 square feet (South Carport)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

There are no codified development standards unique to senior housing, other than those relating to parking quantity and covered parking ratios. As shown above, the project will meet these standards. As previously mentioned, the applicant has agreed to modify the size and location of the carports to ensure compliance with the accessory structure development standards.

Conditions of approval will also require the carports be reduced in size to 750 square feet and the north carport be relocated outside of the front setback for accessory structures.

## **DESIGN REVIEW**

### ***Site Plan***

The project site presents unique challenges due to the long narrow configuration of the lot, its proximity to single family residences and a curvilinear driveway shared with the residence to the south. To address these unique circumstances, the building has been designed to conform with the site configuration and sited closer to the rear. The building side setbacks range from 7 ½ to 15 feet, and landscaping is proposed to break up the length of the building and soften the views from the adjacent properties. The parking lot is proposed in front of the building with access from Madison Street, and the geometry of the driveway entrance was shaped to provide an adequate turn-around area. Staff, therefore, supports the proposed site design.

### ***Vehicle Access***

Vehicular access to the site will be provided via a 28 foot wide driveway on Madison Street, shared with the property to the south. Ingress and egress is controlled by an existing traffic light that also serves to regulate traffic leaving Madison Elementary School. The driveway entrance includes a turn around, which has been designed to allow for trash trucks serving the site to turn-around and enter Madison Street in a forward direction. To ensure adequate access is provided for the subject site and the residence to the south, the applicant and the adjacent property owner have provided a letter agreeing to share the paved driveway entrance and proposed turn around area off Madison Street. In addition, a condition of approval will require a shared access agreement to be recorded to ensure adequate access and turn around area will be provided in perpetuity.

### ***Perimeter Fence and Walls***

The site will be secured with a combination of decorative tubular steel fencing with block columns, split face block walls, and white vinyl fencing. A condition of approval is recommended requiring compliance with the fence height requirement.

### ***Architecture***

The contemporary interpretation of the Spanish architecture includes varying building modulations and rooflines, composition shingle roofing, decorative ironwork, tile work, shutters, dormers, balconies, and stucco walls. The proposed carports consist of composition gable roofs supported by painted wood posts. Staff supports the proposed building elevations as the design is consistent with Citywide Design Guidelines and complements the surrounding development.

### ***Conceptual Landscaping***

The conceptual landscape plan reflects multiple species of trees, shrubs and groundcovers to complement and accent the proposed architecture. The landscaping palette has been designed in compliance with the City's Water Efficient Landscape Ordinance and will enhance the streetscape along Madison Street. As previously identified, trees have been proposed along the side property lines to break up the length of the building. A condition of approval is recommended requiring three additional trees along the north property line and one tree along the south property line adjacent to the electrical room. Two water quality management basins

are proposed to be landscaped. A small basin is located along Madison Street and a larger basin in the rear of the property. Staff supports the conceptual landscape plan.

## **ENVIRONMENTAL REVIEW**

This proposal is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15332, as the project constitutes an In-Fill Development.

## **NEIGHBORHOOD COMPATIBILITY**

The proposed project will provide senior housing within an existing residential neighborhood. It has been the City's experience that senior housing projects typically make good neighbors, as they are a low impact use, with substantially reduced noise and traffic generation as compared to other types of multiple family residential developments. Furthermore, this project has been designed to be sensitive to surrounding residential uses by providing building setbacks and landscape improvements including the planting of trees, to minimize views from the proposed project into adjacent single-family residential yards. For these reasons, staff believes the project is compatible with surrounding residential land uses and is supportive of the project.

## **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, two letters in opposition have been received by staff. These letters, provided to the Commission as Exhibit No. 13 attached to this report, identify concerns regarding loss of privacy, traffic generated by the use, reduction in property value, and the opinion that the site is too small for the proposed senior housing complex.

## **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 Recommended Findings
2. Staff Recommended Conditions of Approval
3. Aerial Photo/Location Map
4. General Plan Map
5. Zoning Map
6. Site Plan
7. Floor Plan
8. Building Elevations
9. Conceptual Grading Plan
10. Conceptual Landscape Plan
11. Site Demolition Plan
12. Existing Site Photos
13. Public Comment Letters

*(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:

Sean P. Kelleher, Associate Planner  
Ted White, City Planner  
Rafael Guzman,  
Community & Economic Development  
Director





# CITY OF RIVERSIDE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

PLANNING DIVISION

## EXHIBIT 1 – STAFF RECOMMENDED FINDINGS

**PLANNING CASES:** P16-0184 (Conditional Use Permit) P16-0185 (Design Review))

*Conditional Use Permit Findings pursuant to Chapter 19.760.040:*

- The proposed 12 unit senior apartment complex is substantially compatible with other existing and proposed uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts.
- The proposed 12 unit senior apartment complex will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area.
- The proposed 12 unit senior apartment complex will be consistent with the purposes of the Zoning Code and the application of any required development standards is in the furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.



# CITY OF RIVERSIDE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

PLANNING DIVISION

## EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

### RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

Case Numbers: P16-0184 (Conditional Use Permit)  
P16-0185 (Design Review)

#### Conditions

##### Case Specific

- **Planning**

1. A maximum of 12 units shall be permitted in conjunction with this Conditional Use Permit.

#### *Operational Standards*

2. The applicant shall comply with all federal, state and local laws and shall cooperate with the Riverside Police Department (RPD) in the enforcement of all laws relating to this permit. Material violation, as determined by the City Planning Commission, of any laws in connection with this use or failure to cooperate with RPD will be cause for revocation of this permit.
3. The owner and/or occupant shall be liable for the cost of excessive police service or response in accordance with Chapter 9.60 of the Riverside Municipal Code.
4. A copy of the Conditional Use Permit and the final Conditions of Approval shall be available at the site and presented to City staff, including the Police Department and Code Enforcement, upon request. Failure to have the latest approved conditions available upon request will be grounds for revocation.

#### *During Construction Activities*

5. Construction and operation activities on the property shall be subject to the City's Noise Code (Title 7), which limits construction noise to 7:00 a.m. to 7:00 p.m. weekdays, and 8:00 a.m. to 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or federal holidays.
6. The project shall comply with all existing State Water Quality Control Board and City storm water regulations, including compliance with NPDES requirements related to construction and operation measures to prevent erosion, siltation, transport of urban pollutants, and flooding.

7. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
8. The Construction Contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
9. To reduce construction related particulate matter air quality impacts of projects the following measures shall be required:
  - a. the generation of dust shall be controlled as required by the AQMD;
  - b. trucks hauling soil, dirt or other emissive materials shall have their loads covered with a tarp or other protective cover as determined by the City Engineer;
  - c. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards;
  - d. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
  - e. Wash off trucks and other equipment leaving the site;
  - f. Keep disturbed/loose soil moist at all times;
  - g. Suspend all grading activities when wind speeds exceed 25 miles per hour; and
  - h. Enforce a 15 mile per hour speed limit on unpaved portions of the construction site.
10. To reduce diesel emissions associated with construction, construction contractors shall provide temporary electricity to the site to eliminate the need for diesel-powered electric generators, or provide evidence that electrical hook ups at construction sites are not cost effective or feasible.

*Prior to the issuance of a Grading Permit*

11. A 40-scale precise grading plan shall be submitted to the Planning Division and include the following:
  - a. Hours of construction and grading activity are limited to between 7:00 a.m. and 7:00 p.m. weekdays and 8:00 a.m. and 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or Federal Holidays;
  - b. Compliance with City adopted interim erosion control measures;
  - c. Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems;
  - d. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement.

*Prior to the Issuance of a Building Permit*

12. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
13. **Plot Plan Conditions:** Revise the submitted plot plan such that the plan provided for building permit plan check incorporates the following changes:
  - a. The carport on the north side of the drive aisle shall be located outside of the 50 foot front setback required for accessory structures.
  - b. The proposed carports shall be reduced in size not to 750 square feet.
14. **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 applicant shall plant three additional trees along the north property line, one adjacent to the trash enclosure and two between the apartment units, and the south property line. A single tree shall be planted between the electrical room and the eastern property line.
15. **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 proposed block columns and fence posts shall be a maximum of six feet high.
  - b. The retaining wall shall match the block walls on-site in color and material.
16. **Trash Enclosure Conditions:** Revise the submitted trash enclosure elevations such that the plan provided for building permit plan check incorporates the following changes:
  - a. Add details for the enhancement of the existing trash enclosure to include colors and materials and a decorative overhead trellis or solid roof enclosure subject to Planning Division and Building and Safety Staff approval and in accordance with the City's trash enclosure policies and standard drawings.
17. Plans submitted for staff review should specify the location, design and color of all domestic water meters, backflow preventers and utility cabinets subject to the Planning and Public Utilities review and approval. The visibility of such facilities shall be minimized to Planning Department review and approval through means including but not limited to relocation, berming, landscaping, and/or installation of a screen wall.
18. An exterior lighting plan shall be submitted to staff for review and approval. A photometric study and manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas and in the parking lot shall be submitted with the exterior lighting plan. All on-site lighting shall provide a minimum intensity of one foot-candle and a maximum of ten foot-candles at ground level throughout the areas serving the public and used for parking, with a ratio of average light to minimum light of four to one (4:1). The light sources shall be shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties and public rights-of-ways. If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed fourteen (14) feet in height, including the height of any concrete or other base material.

19. Provision for screening any ground mounted equipment shall be fully screened from all public right-of-ways to the satisfaction of Staff.

*Prior to Release of Occupancy:*

20. 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 Sean P. Kelleher, Associate Planner, at (951) 826-5712 or [skelleher@riversideca.gov](mailto:skelleher@riversideca.gov) to schedule the final inspection at least one week prior to needing the release of utilities.
21. A covenant shall be recorded to the satisfaction of the City Attorney's Office and the Planning Division stipulating that tenants of the project shall be individuals with a minimum age of 55 years.
22. The applicant shall provide written evidence to the Planning Division and the Police Department that they will be participating in the City's Crime Free Multi-Housing Program.

- **Building and Safety**

23. Codes in Effect: The proposed project shall fully comply with the 2013 California Building Code, the 2013 California Green Building Standards Code, the 2013 California Plumbing and Mechanical Codes, the 2013 California Electrical and Energy Codes, and the 2013 California Fire Code as adopted and amended by the City of Riverside, or the version of these codes in effect at the time a permit application is filed.
24. Licensed Design Required: Given the project scope of work; an appropriately Licensed California Design Professional is required to oversee the building plan design which shall bear the wet stamp, date and signature of the licensed professional as required by Sections 5537 and 6737 of the California Business & Professions Code.
25. Plan Review: Building plan review fees will cover the initial plan check and two rechecks only. Any additional review required beyond the first three (3) plan checks shall be paid by the applicant on an hourly basis in accordance with the current B&S fee schedule.

Note: This project shall require a 20 working day (4 week) plan check turnaround schedule for the initial plan check and a 10 working day back check for each subsequent review.

26. Conditions of Approval: A copy of the City Conditions of Approval, signed by the applicant, shall be incorporated as the second sheet of the building plans and be present at the time of initial plan check submittal. Building plans must show in detail how they will conform to the required conditions as applicable.
27. Plan Review: At the time of initial plan review submittal; (8) sets of complete plans and (3) sets of site plans along with (2) sets of specifications, structural calculations, title 24 energy reports, soil reports, or other related documentation is required and shall be submitted by the applicant prior to the commencement of City plan review services.
28. Fees: All plan check, permit, and other development related impact fees from the various City Departments and Agencies shall be paid prior to building permit issuance.

29. Structural Calculations: (2) sets of supporting structural calculations shall be prepared under the direction of a California Licensed Engineer or other appropriately licensed design professional. Each set of structural calculations shall bear the wet stamp, date and signature of the licensed design professional prior to permit issuance.
30. Accessibility: The proposed project shall fully comply with the most recent version of Chapter 11-A within the 2013 California Building Code and Chapter 11-B where applicable. The proposed building plans shall show in detail all required accessibility features to include all site accessibility components and building components as required.

Notes:

- a. The accessible route from the loading/unloading zone of the proposed accessible parking stalls shall not pass behind other parking stalls.
  - b. The accessible route as shown from public way shall be adjusted in accordance with note 1.
  - c. The covered carport above the accessible parking stall shall extend over the loading/unloading zone without encroachment.
31. Separate Permits Required: A separate City review, approval and permit is required for any project structural demolition, illuminated signs, separate structures, or other unrelated improvements as required by the City of Riverside.
32. Soil Report: A soil report with a study of liquefaction potential is required in accordance with the provisions set forth in the 2013 California Building Code.
33. Green Code: All newly constructed buildings and site improvements thereto shall fully comply with the 2013 California Green Building Standards Code as adopted by the City of Riverside.
34. Multi-Family Construction: The building plans shall show in detail and incorporate minimum one hour fire rated assemblies between each residential unit as well as the minimum required sound transmission control measures set forth in the California Building Code.
35. Note: Additional review comments may be forthcoming once 100% construction drawings are completed and the proposed project is submitted for full building plan check prior to permit issuance.

- **Fire Department**

36. An automatic fire sprinkler system is required by City Ordinance 16.32.080. 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 a UL Central Station (UUFX) and shall be UL, FM or ETL certificated for the life of the system. Post Indicator valves, Detector Check control valves and water flow switches are required to be supervised by an UL listed central station.

Have a UL, FM or ETL listed and licensed C10 fire 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.

Contact the Riverside Public Utilities Department at (951) 826-5285 for the requirements for the dedicated fire service and backflow requirements.

37. Fire Department access shall be maintained during all phases of construction.
38. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
39. Construction plans shall be submitted and permitted prior to construction.

- **Parks, Recreation & Community Services – Park Planning**

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

- **Public Works Department**

41. Reciprocal access easement/agreement with adjacent property owner shall be executed prior to issuance of a Building Permit.
42. Only one driveway approach will be allowed to serve this property. Size and location to Public Works specifications.
43. 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.
44. 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:

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;

Incorporates the applicable Source Control BMP's as described in the Santa Ana River Region WQMP and provides a detailed description of their implementation;

Incorporates Treatment Control BMP's as described in the Santa Ana River Region WQMP and provides information regarding design considerations;

Describes the long-term operation and maintenance requirements for BMP's requiring long-term maintenance; and

Describes the mechanism for funding the long-term operation and maintenance of the BMP's requiring long-term maintenance.

45. 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.

46. 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.

47. Prior to building or grading permit closeout or the issuance of a certificate of occupancy or certificate of use, the applicant shall:

Demonstrate that all structural BMP's described in the project-specific WQMP have been constructed and installed in conformance with approved plans and specifications;

Demonstrate that applicant is prepared to implement all non-structural BMP's described in the approved project-specific WQMP; and

Demonstrate that an adequate number of copies of the approved project-specific WQMP are available for the future owners/ occupants.

48. Deed for widening Madison Street to 44 feet from monument centerline to Public Works specifications.

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

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

50. Installation of sewers/sewer laterals to serve this project to Public Works specifications.

- **Public Works Department - Solid Waste**

51. \*Advisory - Double bin trash enclosure required (trash and recycling).

- **Public Utilities – Electric**

52. Plot existing electrical distribution facilities on the original site plan.



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 utility easements, water, street lights and electrical underground and/or overhead facilities and fees in accordance with the rules and regulations of the appropriate surveyor.
  55. Provisions for electrical Utility equipment to provide power to the site is the responsibility of the developer. Please make sure that all clearances are maintained and location of the equipment is approved by the Utility.
  56. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site.
- **Public Utilities – Water**
57. Prior to building permit issuance, the Applicant shall upgrade the existing 6-inch waterline in Madison Street from Orchard Street to the project's northerly property line, if fire flow requirements cannot be met by existing water system.
  58. Advisory: The provision of utility fees and charges in accordance with the City of Riverside Public Utilities Water Rules.
  59. Advisory: All utilities shall be satisfactorily relocated, protected and/or replaced to the specifications of the affected departments and agencies.

#### **Standard Conditions**

- **Planning**
60. There shall be a two-year time limit in which to commence the project beginning the day following approval by the Planning Commission unless a public hearing is held by City Council; in that event the time limit begins the day following City Council approval.
  61. 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.
  62. The applicant is advised that the business or use for which this conditional use permit is granted cannot be legally conducted on the subject property until all conditions of approval have been met to the satisfaction of the Planning Division.
  63. 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 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.

64. This use permit may be modified or revoked by the City Planning Commission or the City Council should they determine that the proposed use or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to public safety, property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
65. This permit is issued based upon the business operations plan and information submitted by the applicant, which has been used as the basis for evaluation of the proposed use in this staff report and for the conditions of approval herein. Permittee shall notify Community Development Department, Planning Division, of any change in operations and such change may require a revision to this permit. Failure to notify the city of any change in operations is material grounds for revocation of this conditional use permit.
66. The subject property shall be developed and operated substantially as described in the text of this report and as shown on the plot plan on file with this case except for any specific modifications that may be required by these conditions of approval.
67. The Project must be completed per the Conditional Use Permit 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.
68. The applicant herein of the business subject to this conditional use permit acknowledges all of the conditions imposed and accepts this permit subject to those conditions and with the full awareness of the provisions of Title 19 of the Riverside Municipal Code. The applicant shall inform all its employees and future operators of the business subject to this permit of the restrictions and conditions of this permit as they apply to the business operations.
69. Failure to abide by all conditions of this permit shall be cause for revocation.
70. Enumeration of the conditions herein shall not exclude or excuse compliance with all applicable rules and regulations in effect at the time this permit is exercised.