

City of Riverside
3900 Main Street, Third Floor / Planning Division
Riverside, Ca 92522

RE: Hawthorne PRD 233-180-007-6 & 233-170-001-9

Dear Ms. Tang,

Thank you for your help on our Hawthorne Development of 54 SFR gated community.

As you know we are bringing this project at an old RUSD school site which has fell into disrepair in the last few years. The new community will be a positive feature in the neighborhood. It will reduce vagrancy and vandalism that has been a problem on site and in the area.

As we have discussed the following are the variance justifications:

Variance: Setback from front property line along Indiana Ave and south perimeter property line – 20 feet required.

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

Yes: This project is providing for a 20' setback along the other three edge conditions per the new PRD standard. However this project was submitted under the prior requirements. The setback along Indiana has been increased to allow for 10.5' of landscaping along the property wall and with a 6.5' sidewalk the project wall is 17' from the street. This is consistent with the new sidewalk that was recently poured by the city along the property to the West and the reverse frontage along the residential across Indiana.

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

Yes: The proximity to the rail line requires residences to be held at least 80' away along the southerly property line. This puts pressure along the Northern edge at Indiana.

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

No: The project continues the existing pattern along Indiana with additional landscaping provided and maintained by a professionally managed HOA.

Will the granting of such variance be contrary to the objectives of any part of the General Plan?

No: This variance will help fulfill the General Plan objective of providing a variety of housing types and focusing density along major transportation corridors.

Exhibit 7 - Applicant Prepared Variance Justifications

Variance: To allow 5-foot landscaped and wall setbacks along Indiana Avenue where 20 feet is required.

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

Yes; This project is bordered along the rear property line by the railroad serving BNSF and Metrolink. In order to minimize the effect of the noise disturbance we have placed a large open space along this Southern property line. In addition we have placed the homes a minimum of 80' from the tracks. With the size of this buffer the front of the property has been impacted by 9.5 feet.

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.

Yes; With the location of the rail lines along the largest part of the property the project seeks to minimize any impacts by focusing the placement of the homes toward the front of the property.

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.

No; The granting of this request will improve the neighborhood and public welfare by providing a buffer to the rail lines that do not currently exist with a large open space, residences and sound walls.

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

No. This variance will help fulfill the General Plan objective of providing a variety of housing types and focusing density along major transportation corridors.

Variance: To allow fences and walls higher than permitted by Code.

Will the strict application of this title result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Code?

Yes. The 6.8 acre property is bounded by a public street along the northerly side (Indiana Avenue) and existing railroad Right-of-Way along the southerly side. The total elevation difference within these established and improved boundaries is approximately 10 feet.

- a. Establishing private street alignments and grades coupled with appropriate building pad elevations for this small-lot subdivision is very restricted, due to the necessity to provide functional vehicular and pedestrian access throughout the site. Further, the project is required to intercept and treat surface flows within the site to comply with water quality regulations. As a result, the project site cannot be developed without elevating a portion of the site.
- b. Eliminating or reducing the height of proposed retaining walls would require use of 2:1 graded slopes, which would encumber significant portions of the site, resulting in loss of dwelling units, negative impacts to common amenity areas and/or utilize less desirable water quality features.

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

Yes. The topography of the adjacent public street and railroad Right-of-Way which abut the site, have created a pronounced elevation change across the parcel. The total vertical difference within these established and improved boundaries is approximately 10 feet.

- a. The alignment of the established public street and railroad Right-of-Way are limiting factors in development of the subject property. The proposed small-lot subdivision with internal private streets and common amenities, limits the project's ability to accommodate the vertical transition within the site.

Will the granting of such variance be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which the property is located?

No. The granting of the variance will allow the parcel to develop in a manner that is compatible with the surrounding developments and in accordance with the Zoning Code.

- b. The limits and heights of proposed retaining walls have been reduced to the maximum extent practicable.
- c. The proposed grading design will not result in adverse effects to surface drainage in the area.

Will the granting of the variance be contrary to the objectives of any part of the General Plan?

No. The granting of the variance will allow the property to develop in a manner that is consistent with the Zoning Code for Planned Residential Developments.

This community at the old Hawthorne Elementary site will be a compliment to the neighborhood, be well served by the many local amenities and provide for a variety of housing types in our City.

Sincerely,

Steve Berzansky
Steven Walker Communities