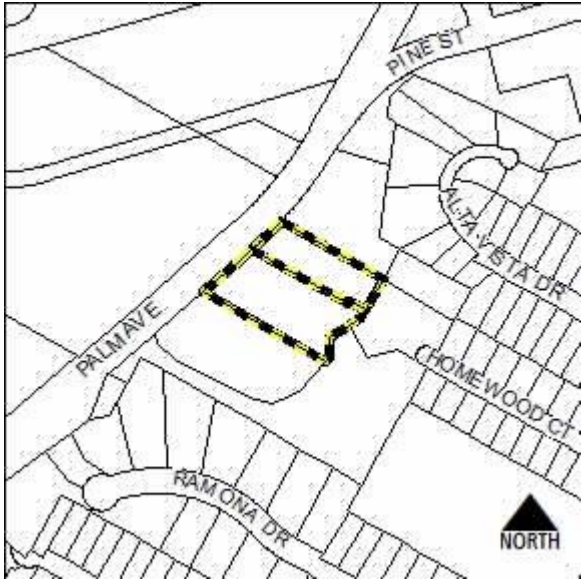




PLANNING COMMISSION HEARING DATE: JULY 12, 2018

AGENDA ITEM NO.: 2

PROPOSED PROJECT

Case Numbers	P18-0279 (Rezone), P18-0280 (Conditional Use Permit), P18-0281 (Design Review), and P18-0282 (Grading Exception)		
Request	To consider the following entitlements for the construction of a 50,876 square foot, two-story senior housing complex consisting of 59 dwelling units: 1) a Zoning Code Amendment to rezone a portion of the site from O – Office Zone to R-1-7000 – Single-Family Residential Zone; 2) a Conditional Use Permit to permit the construction of a senior housing complex; 3) Design Review of project plans; and 4) a Grading Exception for retaining walls higher than permitted by Code along the east side of the property.		
Applicant	Mohamad Younes of Invision Palm, LLC		
Project Location	4800 Palm Avenue, situated on the east side of Palm Avenue between Tequesquite Avenue and Beechwood Place		
APN	217-140-030 and 217-140-036		
Project area	1.96 acres		
Ward	1		
Neighborhood	Wood Streets		
General Plan Designation	MDR – Medium Density Residential		
Zoning Designation	O – Office Zone and R-1-7000 – Single-Family Residential Zone		
Staff Planner	Judy Egüez, Associate Planner; 951-826-3969; jeguez@riversideca.gov		

RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **RECOMMEND that the City Council DETERMINE** that the project is exempt from the California Environmental Quality Act subject to Section 15332 (In-fill Development Projects), as this project will not have a significant effect on the environment; and
2. **RECOMMEND APPROVAL** of Planning Cases P18-0279 (Rezone), P18-0280 (Conditional Use Permit), P18-0281 (Design Review), and P18-0282 (Grading Exception) based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions.

SITE BACKGROUND

The 1.96 acre project site is vacant and consists of two contiguous parcels. The site has an average natural slope of 12.8 percent with a 30 foot gradient. It consists of a relatively flat topography, except for a 2:1 slope located within 60 feet of the east property line.

Surrounding land uses include a medical care facility (Community Care on Palm) to the north, multiple-family residential to the south, a single family residence and a church to the east, and the Ryan Bonaminio Park to the west, across Palm Avenue.

As a matter of information, on November 7, 2006 City Council approved a General Plan Amendment, Rezoning, Site Plan Review, Tract Map, and Design Review (Planning Cases P06-0220 P06-0221, P06-0222, P06-0223, P06-0224) to facilitate the construction of a multiple family residential development consisting of 20 condominium units on the southern-most 1.24-acre parcel. However, the applicant did not proceed with development of the property and the associated entitlements have since expired.

PROPOSAL

The applicant is requesting approval of a Rezone, a Conditional Use Permit, Design Review, and a Grading Exception to facilitate the construction of a two-story, 50,876 square foot senior apartment complex consisting of 59 residential units.

The project includes 42 one bedroom units and 17 two bedroom units, ranging in size from 615 square feet to 822 square feet. Ground floor units include patios ranging in size from 118 square feet to 188 square feet. Second floor units include balconies ranging in size from 56 square feet to 86 square feet. The site provides 8,876 square feet of common usable open space including a community room with a kitchen and covered patio, an open courtyard with bar-b-que areas and seating, a water fountain, and two seating areas within the building.

The building has been designed to reflect a contemporary architecture with Tuscan influences, including warm colored stucco walls, stone accents, arched details, wrought iron patio railings and a concrete s-tile roof.

The project will be served by 65 parking spaces, 33 of which are covered by carport structures. A total of six carport structures are proposed, five of which will include solar panels. Access to the site will be provided by a 30-foot wide driveway along Palm Avenue. The parking area is not proposed to be gated.

PROJECT ANALYSIS

Authorization and Compliance Summary		
	Consistent	Inconsistent
<p>General Plan 2025</p> <p>The proposed project is consistent with the underlying General Plan 2025 Land Use designation of MDR – Medium Density Residential, and will further the intent of the General Plan by providing for new senior housing opportunity consistent with the following General Plan Policy:</p> <p><i>Policy H-4.1: Senior Housing. 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.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Zoning Code Land Use Consistency (Title 19)</p> <p>The site is zoned R-1-7000 – Single Family Residential and O – Office Zone. The applicant is requesting a Rezone to change the zone of the portion of the property from O – Office to R-1-7000 – Single Family Residential. Upon rezoning, the R-1-7000 – Single Family Residential Zone will be consistent with the MDR – Medium Density Residential General Plan land use designation. Proposed senior housing is permitted in the R-1-7000 Zone subject to the approval of a Conditional Use Permit and compliance with the Development Standards of the R-1-7000 Single Family Residential Zone.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Grading Code Consistency (Title 17)</p> <p>The project site is subject to the Hillside Grading regulations, as the average natural slope exceeds 10 percent. The Project is generally consistent with the grading standards and general requirements established in the Grading Code, except for requested Grading Exception to allow retaining walls higher than permitted by Code along the east line.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p>Compliance with Citywide Design & Sign Guidelines</p> <p>As proposed, the site plan, building elevations, and conceptual landscaping are consistent with the applicable provisions of the Citywide Design and Sign Guidelines. The building has been sited so that it is oriented towards Palm Avenue, with the main entrance and leasing office located at the northwest corner of the building. Building elevations have been designed to incorporate well-articulated building planes to reinforce street frontages. The building also provides varied roof shapes and multi pane windows with accent trim. Architectural details and materials include decorative ironwork, arches, stucco walls, stone and a concrete tile roof. Site specific landscaping includes a mix of drought-tolerant trees, shrubs, and ground covers.</p> <p>The proposed elevations and conceptual landscape plans meet the objectives and guidelines of the Citywide Design and Sign Guidelines, subject to the recommended conditions of approval.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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COMPLIANCE WITH DENSITY APPLICABLE TO SENIOR HOUSING

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 with densities 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 is 31 dwelling units per acre. This density is consistent with previously approved senior apartment projects throughout the City as noted 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
Madison Street Senior Apartments	3628 Madison Street	12	0.62	20
Mount Hood Senior Apartments	8389 Mount Hood Road	39	1.52	26
Proposed Project	4800 Palm Avenue	59	1.96	31

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

	Standard		Proposed	Consistent	Inconsistent
Min. Setbacks	Front (Palm Avenue)	20 feet	20 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Side (North and South)	7 ½ feet, and 10 feet	84 feet (North) 10 ½ feet (South)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear (East)	25 feet	53 feet-5 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maximum Lot Coverage	40 percent		30.22 percent	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maximum Building Height	35 feet*		35 feet-5 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Accessory Structures (Carports)	Building Separation	5 feet	16 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Front Setback (Located not closer than the front-most wall of the residence, or 50 feet)	50 feet	76 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Side Setback (North)	5 feet	10 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear Setback (East)	5 feet	30 to 46.72 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Maximum Building Height for one-story structure	20 feet	11 feet-2.5 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*The Zoning Code allows uninhabited architectural design features such as towers, spires, steeples, domes, and cupolas to exceed the specified height limit by a maximum of 10 feet.

Chapter 19.580 – Parking and Loading Design Standards					
	Standard		Proposed	Consistent	Inconsistent
Parking	1.1 Spaces Per Unit	65 spaces	65 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Covered Parking	50 percent covered spaces	33 spaces	33 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parking Space Width	9 feet		9 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Chapter 19.580 – Parking and Loading Design Standards				
Standard		Proposed	Consistent	Inconsistent
<i>Parking Space Depth</i>	18 feet	18 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Drive Aisle Width</i>	Two Way – 24 feet	24 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Shade Trees</i>	1/ four spaces	1/four spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Landscape Setback</i>	15 feet	20 feet	<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. The project meets all applicable development standards.

DESIGN REVIEW

Site Design

Staff supports the proposed site design, as it will allow the building to be oriented towards Palm Avenue with primary access from Palm Avenue. The corner tower demarcates the main pedestrian entrance to the complex and leasing office. Patios fronting onto Palm Avenue will be secured with 3-foot, 4-inch high stucco walls with stone veneer. Patios interior to the site will be secured with 3-foot, 4-inch high vinyl fencing painted to match the color of the building. Adequate circulation is provided throughout the surface parking lot, along the west and north sides of the site. No gates are proposed to secure the site.

Architecture

Staff supports the proposed building elevations. They have been designed to orient towards the street and incorporate well-articulated building planes. The building also incorporates varied roof shapes and multi pane windows with decorative surrounds. The building has been designed to reflect a contemporary architecture with Tuscan influences including architectural details such as decorative ironwork, arches, stucco walls, stone and a concrete tile roof.

Conceptual Landscaping

The conceptual landscape plan proposes a variety of trees, shrubs and ground cover throughout the development to create a lush and comfortable environment. The proposed bio-retention area within the courtyard will be planted with native grasses and perennial plants to complement the overall landscape palette of the site. The landscape setback in front of the parking lot, however, needs to be designed to provide a minimum height of 3 feet for adequate screening of vehicles. Thus, Staff recommends a condition of approval, requiring plant materials including but not limited to shrubs and accent plant materials to comply with the intent of the parking lot

screening requirement. As conditioned, staff supports the conceptual landscaping, as it meets the objectives of the Citywide Design and Sign Guidelines.

Fences and Walls

Fences and walls are provided throughout the site to define spaces, while creating visual interest. The existing 6 foot high combination wall along the north side of the site, consisting of a retaining block wall and tubular steel, is proposed to remain in place. A six-foot high vinyl fence is proposed along the south side of the site, to screen the adjacent driveway and parking area on the existing multi-family apartment complex. The site will be secured with a 6 foot high split face block wall along the segment adjacent to the residence to the east and a 6 foot high tubular steel fence where adjacent to the church property.

Staff recommends conditions of approval requiring the addition of a decorative cap to the proposed split face block wall and incorporation of decorative pilasters to the block wall and tubular steel fencing along the east property line for consistency with the Citywide Design and Sign Guidelines,. As conditioned, staff supports the walls and fences proposed on the site.

GRADING EXCEPTION

The project involves a Grading Exception for retaining walls higher than permitted by Code along the east (rear) portion of the site, at the toe of the existing slope. Grading plans show a retaining wall ranging in height from 8-feet, 4 inches to 21-feet, 3 inches. While the majority of the proposed retaining wall will be screened from the public right-of-way by the building, an approximate 40-foot wide segment of the retaining wall, approximately 12-feet in height, may be visible. The applicant is proposing to plant a hedge in a 3 foot wide landscape planter in front of this segment of the wall, as well as vines to cover the wall, and soften the view. The portions of the wall, ranging from 21-feet, 3 inches to 15-feet, 5 inches, along the southeast property line will be visible to the future residents of the senior apartment community. To improve the view for residents, staff recommends a condition to terrace the portions of the wall exceeding the height of the carports to allow for plantings to grow and soften the walls.

Staff can support the proposed grading exception as the majority of the wall will not be visible from the street or from the properties to the east, which sit approximately 25-feet above the retaining walls; the portion of the wall that is visible from the street will be screened with landscaping. Further, retaining walls exceeding the allowable height were necessary due to the existing condition on the site.

ENVIRONMENTAL REVIEW

Planning Division Staff has determined that this project is categorically exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15332 (Infill Development Projects) of the CEQA Guidelines, as the project constitutes an infill development project.

The project is consistent with the criteria set forth in Section 15332(a)-(e) as follows:

- a. The project is consistent with the applicable General Plan Designation of MDR – Medium Density Residential and all applicable General Plan policies as well as with the applicable development standards of the Zoning Code;
- b. The project occurs within the City Limits on a project site of no more than five acres substantially surrounded by urban uses;

- c. The project site has no value as habitat for endangered, rare or threatened species;
- d. Approval of the project would not result in any significant effects relating to air quality, water quality, noise or traffic; and
- e. The site can be adequately served by all required utilities and public services.

Staff has therefore determined that the proposed project requires no further environmental review, and that it will not have a significant effect on the environment.

NEIGHBORHOOD COMPATIBILITY

The proposed project is surrounded by a variety of uses including single-family residences, multiple-family development, medical facilities, and a public park. Rezoning the site to R-1-7000 Single Family Zone is consistent with the development pattern of the area and compatible with the surrounding uses. Senior housing is predominantly a low impact use, resulting in a substantial reduction in noise and traffic generation compared with other types of multi-family residential developments. The site design, including the placement of the building, has been designed to be sensitive to adjacent residential use to the east by providing a screen wall, building setbacks and enhanced landscaping around the perimeter of the project. For these reasons, staff believes the project is compatible with surrounding 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, one phone call has been received by staff. The adjacent property owner requested to review the project plans and expressed concerns regarding having direct view of the roof of the proposed building and looking at the roof mounted mechanical equipment. The applicant has indicated that the roof mounted mechanical equipment will be painted to match the roof in order to conceal them as much as possible. Additionally, the main house of the adjacent residence sits approximately 30-feet higher than the proposed senior apartment complex and is located approximately 120 feet away from the rear property line. Therefore, roof mounted equipment is not anticipated to be readily visible.

APPEAL INFORMATION

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

EXHIBITS LIST

1. Findings
2. Staff Recommended Conditions of Approval
3. Location Map
4. General Plan Map
5. Existing/Proposed Zoning Maps
6. Project Plans (Site Plan, Floor Plans, Roof Plan, Building Elevations and Renderings, Trash Enclosure, Carport Elevations, Preliminary Landscape Plan, Preliminary Grading and Drainage Plan, and Grading Exception)
7. Applicant Prepared Grading Exception Justifications
8. Existing Site Photos

Prepared by: Judy Egüez, Associate Planner

Reviewed by: Patricia Brenes, Principal Planner and Candice Assadzadeh, Senior Planner

Approved by: David Welch, Community & Economic Development Interim Director



EXHIBIT 1 – FINDINGS

PLANNING CASES: **P18-0279** (Rezone)
 P18-280 (Conditional Use Permit)
 P18-0281 (Design Review)
 P18-0282 (Variance)

Conditional Use Permit Findings pursuant to Chapter 19.760.040:

- The proposed 59-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 59-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; and
- The proposed 59-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.

Grading Exception Findings pursuant to Section 17.32.020

Requested Grading Exception: To permit retaining walls higher than permitted by Code.

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

The proposal **complies** with this finding. The site has an average natural slope of 12.8 percent. The terrain is generally flat along the westernmost portion of the site. There is an approximate 30 foot elevation difference from the Palm Avenue right-of-way to the east property line. The western most portion of the site, adjacent to Palm Avenue, is relatively flat; the 30 foot grade difference is primarily located within 60 feet of the east property line, as there is an existing 2:1 slope extending from the project site to the adjacent properties to the east. Therefore, retaining walls ranging in height from 8-feet, 4 inches to 21-feet, 3 inches are required in order to develop the site. Strict application of the provision limiting the retaining walls to a maximum height of 6-feet when not visible from the public right-of-way, and a maximum height of 3-feet when visible from the public right-of-way, would consequently create a property with less usable area, and therefore the property may not be feasible to develop. This would result in an unnecessary hardship inconsistent with the intent of the Grading Code, which includes the maintenance of the identity, image and environmental quality of the City, and to achieve land use densities that are in keeping with the General Plan.

- b. That there are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

The proposal **complies** with this finding. The site has an average natural slope of 12.8 percent, which is primarily attributed to the 30 foot elevation difference from the Palm Avenue right-of-way to the east property line. Per visual inspection, the slope runs through approximately 10 adjacent parcels. Most of the adjacent properties were developed many years ago, and under different requirements. The project site is one of the last undeveloped properties in the general area that is hindered by the 2:1 slope in the rear. Therefore, this situation generally does not apply to other properties of the same zone or other surrounding properties.

- c. That the granting of a waiver will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which the property is located.

The proposal **complies** with this finding. Granting the grading exception for retaining walls higher than permitted by Code will not be materially detrimental to the public welfare or injurious to the property or the surrounding neighborhood. The majority of the retaining wall will not be visible from the public right-of-way, and the portion that is visible, will be screened with landscaping and vines. Additionally, portions of the wall ranging from 21-feet, 3 inches to 15-feet, 5 inches, along the southeast property line will be visible to the future residents of the senior apartment community. To improve the view for residents, staff recommends a condition to terrace the portions of the wall exceeding the height of the carports to allow for plantings to grow and soften the walls.

The wall is approximately 25 feet lower than the existing residence to the east, therefore the wall will not cause any view obstructions of Mt. Rubidoux. Additionally, the landscaping on slope will be enhanced with a variety of trees and plantings. Furthermore, granting the exception will allow for the construction of a senior apartment complex which is consistent with the development pattern of the surrounding neighborhood.



CITY OF RIVERSIDE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

PLANNING DIVISION

EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

Case Numbers: **P18-0279** (Rezone)
P18-0280 (Conditional Use Permit)
P18-0281 (Design Review)
P18-0282 (Variance)

Planning

1. A maximum of 59 units shall be permitted.

Prior to the issuance of a Grading Permit

2. Rezoning of portion of the site from O-Office Zone to R-1-7000-Single Family Residential Zone shall be adopted.
3. 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; and
 - 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.

During Construction Activities

4. 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.
5. 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.
6. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.

7. 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.
8. 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.
9. 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 Building Permit

10. **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. A shrub hedge and accent plant materials shall be planted within the landscape setback to adequately screen the parking lot from public view. Plantings within the landscape setback shall be designed for partial screening of vehicles to a minimum height of three-feet, measured from the finished grade of the parking lot; and
 - b. Appropriate plant materials shall be planted in the 3 foot wide planter located between the terraced walls to soften the view of the wall.
11. **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 perimeter block wall shall include a decorative cap complementary with the split face masonry blocks;

- b. Pilasters with decorative caps shall be incorporated at regular intervals into the design of the 6 foot high split face block wall adjacent to the existing residence and the 6 foot high tubular steel fence adjacent to the church property. Pilasters shall be finished in a decorative material and
 - c. Retaining wall beginning mid-point from the carport along the east to the south of the site shall be terraced. A 3 foot wide planter shall be provided between the terraced walls.
- 12. Plans submitted for staff review shall specify the location, design and color of all domestic water meters, backflow preventers and utility cabinets subject to Planning Division 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.
 - 13. 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.
 - 14. 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 Utilities and/or Occupancy:

- 15. 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 Judy Egüez, Associate Planner, at (951) 826-3969 or jeguez@riversideca.gov to schedule the final inspection at least one week prior to needing the release of utilities.
- 16. 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.
- 17. 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.

Operational Standards

- 18. 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.

19. 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.
20. 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.

Standard Conditions:

21. There shall be a two-year time limit in which to commence construction of the project beginning the day following approval by the City Council. Subsequent one-year time extensions may be granted upon request by the applicant. Any extension of time beyond five years may only be granted after an advertised public hearing by the City Council.
22. The Zoning Code Amendment, Conditional Use Permit, Design Review, and Grading Exception, may be granted time extensions by the Community & Economic Development Director or their designee up to a total of five years beyond the original approval expiration date prior to issuance of any building permits. Once a building permit has been issued the development will be considered vested and time extensions are no longer needed. At the exhaustion of Community & Economic Development Director approved extensions, the original Approving or Appeal Authority following a public hearing noticed pursuant to Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing), may grant one final permit extension of up to two years. A public hearing notification fee is required of the applicant in such case in addition to a time extension fee.
23. All necessary parcel description describing the exact area to be rezoned shall be prepared, signed and sealed by a licensed Land Surveyor or Civil Engineer authorized to practice Land Surveying in the State of California for the area of the property to be rezoned. Descriptions are required to be on 8 1/2 inch by 11 inch paper with the title "Attachment A" at the top
24. 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.
25. 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.
26. 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.

27. 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.
28. 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.
29. 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.
30. 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.
31. 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.
32. Failure to abide by all conditions of this permit shall be cause for revocation.
33. 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.

Fire Department

34. 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.

35. 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. New fire alarm systems shall be UL, FM or ETL certificated for the life of the system. Central Station shall be UL UUFX.
36. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
37. Construction plans shall be submitted and permitted prior to construction.
38. Fire Department access shall be maintained during all phases of construction.

Parks, Recreation & Community Services – Park Planning

39. Developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve and trail fees) per RMC Chapters 16.60, 16.44 and 16.76.

Public Works Department

40. Installation of sewers/sewer laterals to serve this project to Public Works specifications.
41. Driveway(s) size and location to Public Works specifications.
42. 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.
43. Required double trash enclosure per City standards. Tandem enclosures may be allowed so long as "trash only" and "recycle" only are in separate enclosures.
44. A thorough site distance analysis should be constructed at site driveways, and driveways should be laid out to best preserve on-street parking along Palm Avenue.
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. Relocation of existing 16" storm drain required to be minimum 18" pipe within dedicated 15' easement and constructed prior to abandonment of existing storm drain line.
51. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to issuance of building permit.

52. Prior to Building Permit Issuance, the Developer shall complete a lot line adjustment to consolidate the project site parcels to the satisfaction of the Planning Division and Public Works Department.

Public Works - Street Trees

53. PLANT 24" Box Size Street Trees with automatic irrigation and root barriers along any hardscapes. Specie, Koelreuteria paniculata. Typical spacing is 35 feet. Tree Inspector will spot for final spacing once final construction and grading has been completed.
54. Installation of automatic irrigation system to provide deep-root watering to trees is required.

Public Utilities – Electric

55. 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.
56. 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.
57. 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.
58. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site.
59. Plot existing electrical distribution facilities on the original site plan.
60. Show proposed location of transformers and electrical rooms.
61. Point of connection will be in Palm. Switch will be needed to serve development, please show locations of proposed equipment, contact Public Utilities with any questions.

Public Utilities – Water

62. Master water meter agreement required if units will be privately sub-metered.
63. Separate water meter required for landscape irrigation