



Community Development Department


Planning Division

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

PLANNING COMMISSION HEARING DATE: OCTOBER 18, 2018

AGENDA ITEM NO.: 2

PROPOSED PROJECT

<i>Case Numbers</i>	P18-0504 (Plot Plan Review), P18-0574 (Variance), P18-0609 (Variance)	
<i>Request</i>	Appeal of an approval by the Development Review Committee for the following entitlements: 1) a Design Review for the construction of a 4,397 square foot single-family residence; 2) a Variance to allow for two stories where the Zoning Code allows for a maximum of one story; and 3) a Variance to allow a building height of 26-feet where the Zoning Code allows for a maximum height of 20-feet.	
<i>Applicant</i>	Michael Hunting	
<i>Appellant</i>	Mike Sadeghian	
<i>Project Location</i>	376 Eternal Way, located south of Overlook Parkway, at the terminus of Eternal Way	
<i>APN</i>	243-590-009	
<i>Project area</i>	1.03 acres	
<i>Ward</i>	4	
<i>Neighborhood</i>	Alessandro Heights	
<i>General Plan Designation</i>	HR – Hillside Residential	
<i>Zoning Designation</i>	RC – Residential Conservation Zone	
<i>Staff Planner</i>	Jack Cartledge, Planning Technician 951-826-5592 jcartledge@riversideca.gov	

RECOMMENDATIONS

That the City Planning Commission:

1. **DETERMINE** that the proposed case is exempt from the California Environmental Quality Act (CEQA) subject to Section 15303(a) (New Construction of a single-family residence), as this project will not have a significant effect on the environment; and
2. **DENY THE APPEAL, UPHOLD** the decision of the Development Review Committee and **APPROVE** Planning Cases P18-0504 (Plot Plan Review), P18-0574 (Variance), and P18-0609 (Variance), based on the findings outlined in the staff report and subject to the conditions of approval.

PROJECT DESCRIPTION/ BACKGROUND

The subject 1.03-acre project site is located at the western terminus of Eternal Way, a private residential street in the Alessandro Heights Neighborhood within the community of Hawarden Meadows. The property is within the Residential Conservation (RC) Zone. The site is listed as Lot 10 within Tract Map 29628, initially approved as a 34-lot subdivision in November 2005. An Environmental Impact Report was prepared for the Tract Map and certified in February 2006. Legal action was taken by the Friends of Riverside's Hills on the project, which concluded with a settlement agreement being reached. The agreed terms allow a maximum building height of 30-feet for certain lots within the development, including the subject property, subject to City approval.

The applicant is requesting a Design Review of a plot plan and building elevations for the construction of a 4,397 square foot two-story residence with driveway access from Eternal Way. The RC Zone allows for single-family dwellings of no more than one story and 20 feet in height. Because of development restrictions imposed by the RC Zone, the applicant has requested variances to allow for the second story and a height increase to 26 feet. Variance findings are included within the attached Development Review Committee (DRC) staff report (Exhibit 5).

The proposed home includes a 440 square foot detached casita, 1,318 square feet of covered porch area, a 966 square foot, a three-car garage, and an additional 385 square foot garage. The project site has been rough-graded, and limited vegetation exists on-site. Grading plans identify a project-specific Water Quality Management Plan with on-site water flow directed toward a bio-retention basin along the southern property line.

APPEAL - FINDINGS

On September 5, 2018, the Development Review Committee (DRC) approved the project and initiated a 10-day appeal period. On September 6, 2018, the DRC's decision was appealed by Mike Sadeghian. The following are responses to the concerns listed in letters submitted to the Planning Division:

Concern: Views from adjacent properties will be negatively impacted should the proposal be constructed.

Response: An Environmental Impact Report (EIR) for Tract 29628 and technical studies were prepared in accordance with CEQA laws, and the report was adopted by City Council in 2006 prior to grading. As part of the assessment, each individual lot was examined for classification as a Visual Receptor or determined to be located atop a prominent ridgeline. Lot 10 (376 Eternal Way) was not determined to be classified as either a visual receptor nor located atop a prominent ridgeline.

There are two properties adjoining the south property line of the project site that would potentially be impacted. However, the graded pad of the project site is situated 13 feet and 22 feet lower than the graded pads of the two southern-adjoining parcels, resulting in limited visual impacts to those properties.

The 826 square feet second story portion of the proposed dwelling makes up approximately 21% of the building footprint and is concentrated within the northernmost portion of the residence. The second story portion is 108 feet from the southern parcel line, providing separation and reduced visual impact to the residences to the south.

Based upon the determination made in the Tract Map Final EIR and the pad sizes of both the subject site and surrounding properties, Staff concludes that limited impacts to sightlines will occur with the granting of the proposed variances.

The development of this site with a single-family dwelling is consistent with the existing development of the adjacent single-family residential properties and within the surrounding area of the Alessandro Heights Neighborhood and the community of Hawarden Meadows.

Concern: The proposal is in conflict with the intent of Proposition R and Measure C.

Response: The subject site has a General Plan Land Use designation of HR – Hillside Residential. This designation limits development of Riverside’s ecologically sensitive and visually prominent hillside areas for parcels with RC zoning, consistent with Proposition R and Measure C.

The proposal is consistent with the density allowances for the HR designation. The development will be limited to the existing graded pad and comply with Section 17.28.020 of the Grading Code for hillside grading. Per the Zoning Code, development standards within the RC Zone may be modified subject to the granting of a Variance, provided the required variance findings can be made. The findings to support the variances were reviewed and subsequently approved by the Development Review Committee.

The development is also consistent with the Land Use and Urban Design Element of the City’s General Plan, and is consistent with the following policies:

Policy LU-4.1: Adhere to the protections for hillside development set forth in Proposition R and Measure C.

Policy LU-4.2: Enforce hillside grading provisions of the City’s Grading Code (Title 17) to minimize ground disturbance associated with hillside development; respect existing land contours to maximum feasible extent.

As proposed, the single-family dwelling matches surrounding land uses, and Staff concludes that the entitlements do not conflict with the intent of Proposition R and Measure C.

ENVIRONMENTAL REVIEW

Staff determined the proposed project is categorically exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15303(a) (New Construction of a single-family residence), as this project will not have a significant effect on the environment.

PUBLIC NOTICE AND COMMENTS

Public Hearing Notices were mailed to property owners within 300 feet of the subject site. As of the writing of this report, Planning Division staff received a total of three comment letters in opposition to the proposal. Staff has reviewed submitted comments where residents expressed concerns with impacts to views of surrounding natural features and of the project’s conformance with the Residential Conservation Zone.

No additional analysis is needed. Comments received have been addressed within this staff report and the EIR associated with the previously approved Tract Map.

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 Division front counter, 3rd Floor, City Hall.

EXHIBITS LIST

1. Location Map
2. General Plan Map
3. Zoning Map
4. Site Plan, Floor Plans, Elevations
5. Development Review Committee Staff Report
6. Development Review Committee appeal letter
7. Comment Letters