



PLOT PLAN REVIEW

PROJECT DETAILS

CASE NUMBERS:	P18-0504, Plot Plan Review P18-0574, Variance P18-0609, Variance
CONTACT PLANNER:	Jack Cartledge, Planning Technician 951-826-5592; jcartledge@riversideca.gov
APPLICANT:	Michael Hunting
PROPERTY ADDRESS:	376 Eternal Way
ZONE:	RC – Residential Conservation
NEIGHBORHOOD AREA:	Alessandro Heights
GENERAL PLAN:	HR – Hillside Residential

PROJECT DESCRIPTION

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 and within the community of Hawarden Meadows. The parcel is listed as Lot 10 within Tract Map 29628 and was initially approved as a 34-lot subdivision in November of 2005. An Environmental Impact Report was prepared for this Tract Map and was certified in February of 2006. The site has been previously rough-graded, and limited vegetation currently exists on-site.

The applicant is requesting a design review of plot plan and building elevations for the construction of a 4,397 square foot two-story residence with driveway access from Eternal Way. Due to development restrictions imposed by the Residential Conservation Zone, the applicant has requested variances for building height and second story to analyze in conjunction with the design review. Submitted variance justifications will be examined further in subsequent sections of this report.

The proposed home includes a 440 square foot detached casita, 1,318 square feet of covered porch area, a 966 square foot, three-car garage, and an additional 385 square foot garage. 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.

PROJECT ANALYSIS

The project site is located within the RC – Residential Conservation Zone, which permits single-family residences subject to the development standards established in Chapter 19.100 of the Zoning Code and outlined below:

Residential Conservation Standard			Proposed	Consistent	Inconsistent
Min. Setbacks	Front	30'	78'	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Side	25'	Left=25' Right=33'	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear	25'	68'-0"	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Min. Parking	2 Car Garage		4 Car Garage	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Max. Number of Stories	1		2	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Max. Height	20'		26'4"	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The site also lies within both the boundary and setback area of the Alessandro Arroyo, and this was identified with the Environmental Impact Report published with the Tract Map in February of 2006. Grading of the site occurred after approval of the report, and the tract was assessed for native and endangered wildlife subject to the Multiple Species Habitat Conservation Plan of Western Riverside County.

The proposed project meets the objectives of the City's Grading Code (Title 17), Zoning Code (Title 19), and Citywide Design Guidelines, subject to the justifications provided and the recommended conditions of approval detailed below.

NEIGHBORHOOD COMPATIBILITY

Planning Staff received two written responses to public notices opposing the requested variances. The given reasons, along with Staff responses, are outlined below:

1. Views from adjacent properties would be negatively impacted with the construction of a two-story, 26-foot high residence at the subject property.
 - a. The site's graded pad area is situated below adjacent properties on three sides by several feet, and the Final Environmental Impact Report for the related tract map determined this lot as not being located atop either a prominent ridgeline or visual receptor. The second story area is less than 19 percent of the home's

total square footage and is concentrated on one side of the structure to minimize visual impact.

2. The RC-Residential Conservation Zone requires only one-story, 20-foot high structures, and this proposal runs in conflict with the intent of Proposition R and Measure C.
 - a. The Zoning Code allows for variances to development standards subject to approval by the Development Review Committee. The applicant has provided justifications to allow for the additional height, and in addition the Friends of Riverside's Hills has certified that two-story homes on this specific lot within Tract Map 29628 meet the intentions of the RC Zone and are in conformance with both Proposition R and Measure C.

ENVIRONMENTAL DETERMINATION

The project represents New Construction, which is categorically exempt per the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the CEQA Guidelines.

DEVELOPMENT REVIEW COMMITTEE'S DECISION

The Development Review Committee **APPROVES** Planning Cases P18-0504 (Plot Plan Review), P18-0574 (Variance), and P18-0609 (Variance) subject to the attached conditions.



VARIANCE FINDINGS

Variance Findings pursuant to Chapter 19.720.040

- a. *The strict application of the provisions of the Zoning Code would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Code.*

The proposal complies with this finding. The property is an irregular pie-shaped lot with 40 feet of grade change, and allowing the construction of a home that meets building setbacks, provides septic and bioretention systems, and allows for usable yard space results in practical difficulties for the landowner.

- b. *There are 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 the identical zoning classification.*

The proposal complies with this finding. The irregular parcel shape makes development of the site difficult. Additionally, the Riverside Municipal Code limits hillside construction to a single graded pad area, rendering a significant portion of the lot unbuildable. The Covenants, Conditions and Restrictions (CC&Rs) for the homeowner's association require a minimum 4,000 square feet of living space, and the applicant is compelled to build upward to meet this standard.

- c. *The granting of such variance 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. Following the resolution of arbitration related to the tract map, a settlement agreement was entered between the developer and petitioner to allow the exceeding of height and story standards for particular lots pending variance. 376 Eternal Way was included in this agreement, and a further 12 additional lots within the same tract have submitted for and were approved for height and story variances since 2007. The granting of such variance will not prove detrimental to the area.

- d. *The granting of the variance will not be contrary to the objectives of any part of the General Plan.*

The proposal complies with this finding. The tract map's Final Environmental Impact Report did not list the subject site as being situated atop a prominent ridgeline or visual receptor, and the structure will respect the sightlines of surrounding properties while still permitting its development. In addition, the Friends of Riverside's Hills has certified that a two-story home on this specific lot conforms with the intent of both Proposition R and Measure C. The granting of the height and story variances will not be contrary to the objectives of any part of the General Plan.

CONDITIONS OF APPROVAL

- **Planning**

Prior to Building Permit Issuance

1. Construction plans submitted to the Building and Safety Division shall reflect all materials and colors utilized on the plans submitted to planning.

GENERAL INFORMATION CONDITIONS:

2. This approval is for design concept only, and does not indicate the project has been thoroughly checked for compliance with all requirements of law. As such, it is not a substitute for the formal building permit plan check process, and other changes may be required during the plan check process.
3. There is a one-year time limit on this approval.
4. This project shall fully and continually comply with all applicable conditions of approval, State, Federal and local laws in effect at the time the permit is approved and exercised and which may become effective and applicable thereafter, and in accordance with the terms contained within the staff report and all testimony regarding this case. Failure to do so will be grounds for Code Enforcement action, revocation or further legal action.

APPEAL INFORMATION

The applicant or any interested person can appeal the Development Review Committee decision or any conditions of approval to the Planning Commission within ten days of this action. To appeal this decision, submit a letter stating what you wish to appeal and why, along with the General Application form and fee made payable to the City of Riverside. The Planning Division's address is:

City of Riverside
Community & Economic Development Department
Planning Division
3900 Main Street, 3rd Floor
Riverside, CA 92522

cw: Jack Cartledge, Planning Technician