



Community and Economic Development Department


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Planning Division

PLANNING COMMISSION HEARING DATE: MAY 16, 2019

AGENDA ITEM NO.: 2

PROPOSED PROJECT

Case Number	P18-0369 (Site Plan Review)		
Request	To consider a Site Plan Review for the construction of a mixed-use development consisting of 92 dwelling units and 750 square feet of commercial space.		
Applicant	Aleksandar Nadazdin		
Project Location	3907-3929 Polk Street and 10670-10680 Stetson Avenue, situated on the east side of Polk Street between Cochran and Magnolia Avenues		
APNs	143-270-009 143-270-010 143-270-011 143-270-012 143-280-001 143-280-002 143-280-054		
Project area	2.92 acres		
Ward	6		
Neighborhood	La Sierra		
Specific Plan	Magnolia Avenue Specific Plan		
General Plan Designation	MU-V – Mixed Use - Village		
Zoning Designation	R-1-7000-SP – Single Family Residential Zone and Specific Plan (Magnolia Avenue) Overlay Zones		
Staff Planner	Candice Assadzadeh, Senior Planner 951-826-5667 CAssadzadeh@riversideca.gov		

RECOMMENDATIONS

Staff recommends that the City Planning Commission:

1. **DETERMINE** that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines, as the proposed project will not have a significant effect on the environment; and
2. **APPROVE** Planning Case P18-0369 (Site Plan Review) based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions (Exhibits 1 and 2).

BACKGROUND

Project Site

The 2.92-acre project site consists of seven contiguous parcels, partially developed with six single-family residences. Surrounding land uses include multi-family residential to the north, single family residential and a residential care facility to the south, vacant land to the east, and multi-family residential to the west across Polk Street (Exhibit 3).

Assembly Bill 3194 - Housing Accountability Act

On August 28, 2018, Governor Brown signed Assembly Bill 3194 (AB 3194), new housing legislation which amended the Housing Accountability Act. AB 3194 applies to all housing development projects and strictly limits the City's authority to reject or restrict housing development projects that comply with applicable objective general plan, zoning and subdivision standards.

The Housing Accountability Act (HAA), as revised by AB 3194, provides that if the zoning for a project site is inconsistent with the general plan, the proposed housing development project cannot be considered "inconsistent" with a jurisdiction's zoning standards. It also provides that the housing development project cannot be required to seek a rezoning providing the project complies with the jurisdiction's objective general plan standards. The HAA also provides that local agencies must now apply zoning standards and criteria to facilitate and accommodate development at the density allowed on the site by the general plan and proposed by housing development project.

The HAA requires that any jurisdiction proposing to either 1) disapprove a housing development project that complies with the applicable, objective general plan and zoning standards and criteria, or to 2) approve it on the condition that it be developed at a lower density, must base its decision upon written findings. The written findings must be supported by a preponderance of the evidence on the record showing that specific conditions exist, including if the housing development project would have a specific, adverse impact upon the public health or safety.

A detailed memorandum from the City Attorney's Office regarding the HAA, including a copy of the HAA, is attached to this staff report (Exhibit 4).

PROPOSAL

The applicant is requesting approval of a Site Plan Review for the construction of a mixed-use development consisting of 92 dwelling units and 750 square feet of commercial space within two buildings.

Building 1, located adjacent to Polk Street, is comprised of 36 units with a unit mix consisting of 11 one-bedroom units and 25 two-bedroom units, and 750 square feet of commercial space. Building 2, located behind Building 1, is comprised of 56 units with a unit mix consisting of 24 one-bedroom units and 32 two-bedroom units. The one-bedroom units range in size from 600 to 684 square feet, whereas the two-bedroom units range in size from 916 to 1,006 square feet. Each unit includes a private patio, ranging in size from 55 to 104 square feet. The development provides 22,856 square feet of common usable open space consisting of pool/spa facilities, bar-b-que areas, and a large open turf area.

Vehicular access to the development is proposed from a driveway on Polk Street, with second driveway for emergency vehicle access only. The project will be served by 173 parking spaces, 61 of which are garaged parking spaces and 67 of which are covered by carport structures. The project will be secured by decorative gates along Polk Street.

PROJECT ANALYSIS

Authorization and Compliance Summary	Consistent	Inconsistent
<p><i>General Plan 2025</i></p> <p>The General Plan land use designation is MU-V – Mixed-Use – Village, which encourages medium to high-density residential development with retail, office and service uses primarily at the street level to facilitate a pedestrian environment (Exhibit 5).</p> <p>The current R-1-7000-SP – Single Family Residential Zone and Specific Plan (Magnolia Avenue) Overlay Zones is inconsistent with the General Plan land use designation, as it is intended for single-family residences with a variety of housing choices. However, the project complies with the objective General Plan standards, as required by the Housing Accountability Act.</p> <p>The proposed project is consistent with General Plan 2025 Land Use and Urban Design Element policies promoting in-fill development Citywide, allow for increased density in selected areas along established transportation corridors (Policy LU-8.1, 8.3 and 8.4), and for the La Sierra Neighborhood. Specifically:</p> <p><i>Policy LU-58.3:</i> Provide opportunities for transit-oriented, mixed-use projects providing medical support office/employment, restaurants and high-density residential near Kaiser Permanente. Emphasize ownership housing, as feasible, in this area.</p> <p><i>Policy LU-58.6:</i> Allow for increased residential and commercial densities to bring more people to the neighborhood, support transit and complement the scale of the Kaiser facility.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><i>Magnolia Avenue Specific Plan (MASP)</i></p> <p>The project is located within the La Sierra District of the Magnolia Avenue Specific Plan consisting of commercial centers, residential development including mobile home parks, business park and light industrial uses, medical uses, and motels (Exhibit 7). The project, as proposed, furthers the vision of the District and is consistent with the following applicable Policies:</p> <p><i>Policy 1.2:</i> Provide opportunities for transit-oriented, mixed-use projects providing medical support office/employment, restaurants, and high-density residential near Kaiser Permanente. Emphasize ownership housing, as feasible, in this area.</p> <p><i>Policy 1.3:</i> Allow for increased residential and commercial densities to bring more people to the District, support transit, and complement the scale of the Kaiser facility.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Authorization and Compliance Summary	Consistent	Inconsistent
<p><i>Zoning Code Land Use Consistency (Title 19)</i></p> <p>The Housing Affordability Act specifically states that a housing project "is not inconsistent with the applicable zoning standards and criteria, and shall not require a rezoning, if the housing development project is consistent with the objective general plan standards and criteria but the zoning for the site is inconsistent with the general plan." Government Code section 65589.5(j)(4). Therefore, rezoning the property to MU-V - Mixed Use - Village for consistency with the General Plan land use designation is not required.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><i>Compliance with Citywide Design & Sign Guidelines</i></p> <p>The site has been designed to integrate the guidelines applicable to mixed-use developments, consisting of a clear demarcation between commercial areas and private areas such as unit entries, courtyards, and decks. Adequate pedestrian and vehicular circulation is provided throughout the site.</p> <p>The building elevations incorporate distinct features of contemporary architecture with Spanish influences, including warm colored stucco walls, arched details, wrought iron patio railings and a concrete s-tile roof.</p> <p>The conceptual landscape plan provides an attractive and welcoming environment, including thoughtfully designed common open space areas.</p> <p>The project meets the objectives of the Citywide Design & Sign Guidelines, subject to the recommended conditions of approval detailed below.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

The project was analyzed for compliance with the development standards of the MU-V - Mixed Use - Village Zone, as the Housing Affordability Act requires residential projects be developed in accordance with the development standards of the zone consistent with the underlying MU-V - Mixed Use - Village General Plan land use designation.

<i>Chapter 19.120</i>					
<i>MU-V – Mixed Use-Village Zone Development Standards</i>					
<i>Standard</i>			<i>Proposed</i>	<i>Consistent</i>	<i>Inconsistent</i>
<i>Lot Requirements</i>	Lot Depth	100 feet	648 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Lot Width	75 feet	258 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Lot Area	20,000 square feet	127,195 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Density¹</i>	40 du/ac		31.5 du/ac	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Floor Area Ratio</i>	2.5		0.91	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Building Height</i>	45 feet		37 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Setbacks</i>	Front (Polk Street)	0 feet	6 feet 6 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Chapter 19.120**MU-V – Mixed Use-Village Zone Development Standards**

Standard			Proposed	Consistent	Inconsistent
	Side Yard	15 feet	47 - 54 feet (North) 15 - 79 feet (South)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear Yard	25 feet	49 - 54 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Open Space	Private Open Space				
	Minimum area	50 sq. ft. / dwelling unit	55 - 104 sq. ft. / dwelling unit	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Common Open Space				
	Minimum area	50 sq. ft. / dwelling unit: 4,600 sq. ft.	22,856 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

¹ Per Table 19.120.050 of the Riverside Municipal Code, MU-V Zone allows a density of 30 dwelling units/acre. Higher residential densities are permissible for projects in the MU-V and MU-U Zones that have the potential to serve as transit-oriented developments. Proposed projects within one-half of a mile of: (1) a transit stop along Magnolia or University Avenues or (2) any transit oriented development may have a residential density of up to 40 dwelling units per acre in the MU-V Zone with a maximum total permissible FAR of 2.5.

Chapter 19.580**Parking and Loading Development Standards**

Standard			Proposed	Consistent	Inconsistent
Residential	1.5 space per unit ≤ 1 bedroom	35 units: 53 spaces	173 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	2 spaces per unit ≥ 2 bedrooms	57 units: 114 spaces			
Commercial	1 space/250 square feet	750 sq. ft.: 3 spaces			
Total		170 spaces			

Chapter 19.550**Fences, Walls and Landscape Material**

Standard			Proposed	Consistent	Inconsistent
Walls¹	Retaining Wall (Side and Rear Yards)	4 feet	6 feet 6 inches to 10 feet in height	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Screen Wall (Side and Rear Yards)	6 feet			

¹ In side and rear yard areas, the height of fences or walls may be increased in height by up to a maximum of four feet by retaining wall portions.

FINDINGS SUMMARY**Housing Accountability Act (AB 3194) and Site Plan Review**

The project site is relatively flat and is not susceptible to landslides or flooding that could potentially have an impact on public health.

The proposed mixed-use project is consistent and compatible with the surrounding development pattern and uses, including single-family residential, multi-family residential and a residential care facility. The site and buildings have been designed to be sensitive to adjacent residential uses by providing reduced massing of the building immediately adjacent to Polk Street, increased building setbacks and enhanced landscaping around the perimeter of the project.

No road improvements are triggered by this project that could potentially pose safety risks, based on the Preliminary Traffic Assessment, prepared for this project, which concludes that Polk Street will have more than adequate capacity to accommodate the traffic increase that would result from this project.

To address community safety and reduce opportunity for criminal activity, a recommended Condition of Approval requires the applicant to 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.

For these reasons, staff concludes this project will not result in adverse impact upon the public health or safety. Should the Planning Commission wish to deny or lower the density of this project, the following specific written findings need to be made and supported by a preponderance of the evidence:

1. "The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density."
2. "There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density."

ENVIRONMENTAL REVIEW

The project is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15332 (In-Fill Development Projects). The project is consistent with the criteria set forth in Section 15332(a)-(e) as follows:

1. The project is consistent with the applicable General Plan Designation of MU-V – Mixed Use - Village and all applicable General Plan policies as well as with the applicable base zoning designation of MU-V – Mixed Use - Village;
2. The project occurs within the City Limits on a site of no more than five acres substantially surrounded by urban uses;
3. The project site has no value as habitat for endangered, rare or threatened species, as depicted in General Plan 2025 Final Programmatic Environmental Impact Report (GP 2025 FPEIR) Figures 5.4-1 (Habitat Areas and Vegetation Communities), 5.4-3 (Stephens' Kangaroo Rat [SKR] Core Reserves and Other Habitat Conservation Plans [HCP]), 5.4-5 (MSHCP Cores and Linkages), 5.4.6 (MSHCP Narrow Endemic Plan Species Survey Areas), 5.4-7 (MSHCP Criteria Area Species Survey Area) and 5.4-8 (MSHCP Burrowing Owl Survey Area), as well as the Habitat Assessment for Burrowing Owl, prepared by Ken H. Osborne, dated May 8, 2018;
4. Approval of the project would not result in any significant effects relating to traffic, as documented by the Preliminary Traffic Assessment, prepared for this project, which concluded that the project is anticipated to generate 35 vehicle trips during the AM peak hour and 45 vehicle trips during the PM peak hour. Based on the daily traffic analysis, Polk Street will have more than adequate capacity to accommodate the traffic increase of the proposed project and is anticipated to continue to operate at Level of Service B (Exhibit 8).
5. Approval of the project would also not result in any significant effects relating to noise, air quality or water quality, as documented by the CalEEMod Emissions Model and Preliminary Water Quality Management Plan prepared for the project. Compliance with construction hours limitations and exterior noise level limits established in Title 7 (Noise) of the Municipal Code will ensure noise, associated with this project, does not result in significant effects; and
6. The site can be adequately served by all required utilities and public services, including water and electric services provided by Riverside Public Utilities, natural gas with SoCal Gas, sewer and storm water conveyances with the City of Riverside Public Works Department and emergency services by the City of Riverside Police and Fire Departments.

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

PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners within 1,000 feet of the site. As of the writing of this report, Planning Division staff has received six letters and two petitions in opposition of the project. The letters of opposition expressed concerns regarding: traffic, density, and the number of stories (Exhibit 9). Staff provides the following responses to the identified concerns:

- The Preliminary Traffic Assessment, prepared for this project, concluded that Polk Street has capacity to accommodate the traffic increase of the proposed project since the roadway is anticipated to continue to operate at Level of Service B.
- The project site is located within one-half of a mile of a transit stop along Magnolia Avenue, and is thereby allowed a density of up to 40 dwelling units/acre, per Table 19.120.050 of the Riverside Municipal Code. The proposed development consists of a density of 31.5 dwelling units/acre, consistent with allowable density.
- The project proposes a maximum building height of 37 feet, where the MU-V – Mixed Use – Village Zone allows a maximum building height of 45 feet. To further minimize massing along Polk Street, Building 1 was redesigned to consist of two stories in height. The remaining portion of Building 1 is three stories in height.

Due to the capacity of Polk Street, compliance with the development standards of the MU-V – Mixed Use - Village Zone and the provisions of the HAA, the project will not negatively affect the existing neighborhood.

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. Location Map
4. Memorandum - Housing Accountability Act
5. General Plan Map
6. Specific Plan and Zoning and Map
7. Project Plans (Grading Plan, Floor Plans, Building Elevations, Carport and Trash Enclosure Elevations, Schematic Landscape Plan, Open Space Plan, Schematic Wall and Fence Plan, Photometric Plans)
8. Preliminary Traffic Assessment
9. Comment Letters
10. Existing Site Photos

Prepared by: Candice Assadzadeh, Senior Planner

Reviewed by: Patricia Brenes, Principal Planner

Approved by: Mary Kopaskie-Brown, City Planner



EXHIBIT 1 – STAFF RECOMMENDED FINDINGS

Case Number: P18-0369 (Site Plan Review)

A. Site Plan Review Findings Pursuant to 19.120.030

- a. The proposed development is consistent with the General Plan, any applicable specific plans and the intent and purpose of the mixed-use zones (Section 19.120.010 - Purpose);
- b. The proposed development, as conditioned, will not have substantial adverse effects on the surrounding property or uses, and will be compatible with the existing and planned land use character of the surrounding area;
- c. The proposed development is appropriate for the site and location by fostering a mixture and variety of land uses within the zone and the general vicinity and contributing to a synergistic relationship between uses; and
- d. The proposed development is harmonious with its surrounding environment. Buildings within a mixed-use development project must also be compatible with each other and be designed as an integrated, unified project. All proposed development must meet the design standards and guidelines in Section 19.120.070 (Design Standards and Guidelines).

Housing Accountability Act (AB 3194) Findings

The proposed project complies with the applicable objective general plan, zoning, and subdivision standards. In addition, the project has been analyzed against public health or safety standards, policies, or conditions in accordance with the Housing Accountability Act. The proposed project would not have a specific, adverse impact upon the public health and safety based on the following:

1. The project site is relatively flat and is not susceptible to landslides or flooding that could potentially have an impact on public health;
2. The project will not result in any traffic safety risks, based on the Preliminary Traffic Assessment, prepared for this project, which concluded that Polk Street will have more than adequate capacity to accommodate the traffic increase that would result from this project; and
3. The project will address community safety and reduce opportunity for criminal activity by complying with the recommended Condition of Approval requiring the applicant to 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.



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

Case Number: P18-0369 (Site Plan Review)

CONDITIONS

Planning Division

1. Plans shall conform to the exhibits attached to this report. Proposed modifications to the approved design shall be submitted for review and approval by the Planning Division and shall include revised exhibits and a narrative description of the proposed modifications. The applicant is advised that an additional application and fee may be required.

Prior to Grading Permit Issuance

2. 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 all recommendations of the required Project specific Water Quality Management Plan;
 - d. Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems; and
 - e. 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 Grading and Construction Activities:

3. During all project site construction, the Construction Contractor shall limit all construction-related activities that would result in a noise disturbance to between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays. No construction is permitted on Sundays or federal holidays.
4. To minimize unnecessary construction related particulate matter air quality the following shall be implemented:
 - a. The generation of dust and fugitive dust shall be controlled as required by SCAQMD Rule 403;
 - b. Grading activities shall cease during period of high winds (greater than 25mph);
 - c. 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;
 - 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. Replace ground cover in disturbed areas immediately after construction;
 - g. Keep disturbed/loose soil moist at all times; and

- h. Enforce a 15 mile per hour speed limit on unpaved portions of the construction site.
- 5. The applicant shall be responsible for erosion and dust control during both the grading and construction phases of the project.
- 6. To minimize any diesel emissions associated with construction, construction contractors shall provide temporary electricity to eliminate the need for diesel-powered generators, or provide evidence that electrical hook ups at construction sites are not cost effective or feasible.
- 7. 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 or urban pollutants, and flooding.
- 8. If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendants shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98 and the Treatment Agreement described.

Prior to Issuance of Building Permit:

- 9. **Photometric/Lighting Plan:** An exterior lighting plan shall be submitted with building permit plans review and approval. Photometric plans shall include the following:
 - a. A photometric study and manufacturer's cut sheets of all exterior lighting on the new buildings and within the common open space areas shall be submitted with the exterior lighting plan.
 - b. All on-site lighting shall provide a minimum intensity of one foot-candle and a maximum intensity 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).
 - c. The light sources shall be shielded to minimize offsite glare, shall not direct light skyward and shall be directed away from adjacent properties and public right-of-ways. If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed 14 feet in height, including the height of any concrete or other base material.
- 10. **Staff Required Building Elevations Conditions:** Revise the submitted plot plan such that the plan provided for building permit plan check incorporates the following changes:
 - a. Building elevations shall clearly specify all materials, colors and finishes.
- 11. **Staff Required Trash Enclosure Conditions:** Revise the trash enclosure plan such that the plan provided for building permit plan check incorporates the following changes:
 - a. Trash enclosures shall include a solid cover or decorative trellis.

12. 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.
13. Submit three sets of plans depicting the preferred location for above ground utility transformer of capacity to accommodate the planned or speculative uses within the building(s) or subject site. These plans shall be reviewed and approved by the Planning Division and Public Utilities Department - Electric Division prior to the issuance of a building permit. The proposed location of the transformer shall be level, within 100 feet of the customer's service point, accessible to service trucks and in a location where the transformer can be adequately screened from public view, either by buildings or landscape screening.
14. Plans submitted for Plan check review shall specify the location, design and color of all domestic water meters, backflow preventers, and all on- and off-site utility cabinets subject to Planning Division and Public Utilities' review and approval. The visibility of such facilities shall be minimized and include use of the smallest preventer possible, be painted green, and consist of some form of screening including but not limited to berming, landscaping, and/or installation of a screen wall.

Prior to Release of Utilities and/or Occupancy:

15. The applicant shall 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 and submitted to the Planning Division for Planning Division site inspection.
16. 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.

Standard Conditions:

17. There is a one year time limit to secure the necessary permits to commence construction 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.
18. 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.
19. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
20. 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.
21. The applicant shall continually comply with all applicable rules and regulations in effect at the time of approval and which may become effective and applicable thereafter.

Fire Department

22. An automatic fire sprinkler system is required by City Ordinance 16.32.335. 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.

23. Provide for fire department access to the facility. "Knox" key devices are available for use in the city. Contact the Fire Department for applications and details.
24. Provide for fire department access to the gate. "Knox" key devices are available for use in the city. Contact the Fire Department for applications and details.

An "Infrared Automatic Gate System" is required for all electric gates. Contact the Fire Prevention Division for information.

25. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
26. Construction plans shall be submitted and permitted prior to construction.
27. Fire Department access shall be maintained during all phases of construction.
28. All rescue windows shall open directly into a public way or to a yard or court that opens to a public way, per 2016 CBC, Section 1030.

Parks, Recreation and Community Services – Park Planning

29. 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 Utilities – Electric

30. 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.
31. The provision of utility easements, water, streetlights and electrical underground and/or overhead facilities and fees in accordance with the rules and regulations of the appropriate surveyor.
32. 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.
33. Developer is responsible for all trenching, installation of conduit, streetlights, and sub-structures required to provide power to the site.
34. Plot existing electrical distribution facilities on the original site plan.
35. Point of connection will be across Polk Street.

Public Works

Conditions to be fulfilled prior to occupancy unless otherwise noted:

36. Prior to Building Permit Issuance, the Developer shall complete a lot line adjustment to adjust and/or consolidate the project site parcels to the satisfaction of the Planning Division and Public Works Department.
37. Deed for widening Polk Avenue to 44' along project frontage to Public Works Specifications prior to issuance of any Building permit.
38. Installation of sewers and sewer laterals to serve this project to Public Works specifications. On site sewer main to be private.
39. 24" Box Size Tristania with root barrier along all hardscapes. Final spotting will be conducted by the Street Tree Inspector after final grading and construction is completed.
40. Installation of automatic irrigation system to provide deep-root watering to trees is required.
41. Storm Drain construction will be contingent on engineer's drainage study.
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 and Fire Department specifications.
43. Size, number and location of driveways to Public Works specifications.
44. Trash Enclosures per City Standards.
45. Keypad activation of the security gates is required to allow access to the site for collection service.
46. 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.

47. 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.
- 48. 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.
- 49. 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.
- 50. 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.