



REVISED VARIANCE JUSTIFICATION FINDINGS

• **Variance – Justification Findings pursuant to Chapter 19.720**

Request: To allow a second freeway oriented sign, where the Zoning Code allows one freeway oriented signs for sites 25 acres or larger in size.

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

The proposal complies with this finding. The project consists of a 35-acre mixed-use development containing residential and commercial uses. Strict application of the Code would only allow one freeway oriented sign, which would create an unnecessary hardship inconsistent with the purpose and intent of the Zoning Code. The purpose of the Zoning Code is to encourage, classify, designate, regulate, restrict and segregate the highest and best location and use of buildings, structures and land for agriculture, residence, commerce, trade, industry, water conservation or other purposes in appropriate places; as well as to regulate and limit the height, number of stories and size of buildings and other structures hereafter erected or altered. Such regulations are deemed necessary in part to encourage the most appropriate use of land; to conserve and stabilize the value of property; to provide adequate open spaces for light and air and to prevent and fight fires; and, to promote the public health, safety and general welfare, all as part of the General Plan of the City (Riverside Municipal Code, § 19.020.010.).

The project site is in an urban area, previously graded and partially developed, and surrounded by roads, highways, residential buildings and a school. The 35 acre property location is unusual, in that it is adjacent to two freeways with frontages approximately 1,000 and 1,800 feet in length.

While the purpose of the Zoning Code is to regulate structures such as freeway oriented signs, by only permitting one sign for a development with large frontages along two freeways, a strict application of the Code would impose an unnecessary hardship due to the unique business identification and promotion opportunities presented by double-freeway exposure. A second freeway oriented sign is needed to allow the opportunity for greater business identification and visibility from the freeways. Without such a sign, the value of the property could be reduced as businesses in the project would not have necessary exposure to those traveling on area freeways, which could be an incentive to locate in the project area. Adding one additional freeway oriented pylon sign would encourage the best use of the land as a mixed-use project by promoting the commercial businesses located on site. Furthermore, the sites visibility adjacent to the SR-60/SR-91/I-215 interchange (interchange) is limited. The interchange has multiple elevated connector ramps that reduce the traveling public's visibility of the project from the adjacent freeways; as well the SR-60 is below grade along most of the projects frontage, limiting visibility to the site. In additionally, the unique configuration of the Orange Street exit ramp requires motorists heading west bound to transition to an exit lanes prior to the interchange, furthering the need to provide adequate notification and signage of the project to the traveling public. Moreover, each freeway oriented sign has been designed and located to be visible from one freeway, limiting sign clutter. Accordingly, the design and separation of the signs would promote the public safety and general welfare, in accordance with the purpose of the Zoning Code. Therefore, strict application

of the Zoning Code would result in practical difficulties and unnecessary hardships and a variance is necessary.

2. Are there special circumstances or conditions applicable to the property 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 property is located at the intersection of two major freeways with frontages approximately 1,000 and 1,800 feet. While the Zoning Code allows for one freeway oriented sign for sites 25 acres or larger in size, most sites only have frontage along one freeway. This site is unique and different from all other properties in the vicinity because it directly fronts two separate freeways along the southern and eastern sides of the project. The other properties at this intersection are already developed with either individual warehouse buildings or single family residences. Those properties are not part of an overall larger cohesive development with multiple uses. Further, most of the sites within the City zoned as Mixed-Use Urban are located within the center of the City along what is known as the "L-Shaped" corridor. Those sites do not have freeway access and would not be eligible for freeway oriented signs.

Additionally, the project is an integrated 35-acre mixed use development that includes multiple buildings and users. The mixed-use project proposed consists of multi-family residential dwelling units, multi-tenant commercial buildings, a vehicle fueling station, a drive-thru restaurant, two hotels, recreational vehicle (RV) overnight parking, and space for intermittent outdoor entertainment and on-site activities (e.g., farmers market, car shows). The residential portion of the project would be constructed on approximately 18.4 acres on the northern half of the project site. The commercial, vehicle fueling station, and drive-thru restaurant portion of the project would be located on approximately 7.6 acres located in the southwest corner of the project site. Two hotel buildings with associated parking would be located on approximately 7.4 acres, near the southeast corner of the project site. The proposed RV parking area would be located in the southeast corner of the project site, closest to the SR 60/I-215 interchange and adjacent to the proposed hotels. Most developments do not propose the scale or cohesive mix of residential and commercial uses that this project is proposing, which creates a special circumstance. As stated above, the uses fronting the freeways would consist of the vehicle fueling station and drive-thru restaurant along SR-60, with the two hotel buildings located near the SR-60/I-215 interchange, and the RV parking area along the I-215 freeway. These uses, although part of the same integrated project, are different from each other and would each need appropriate signage. Therefore, special conditions do exist, due to the projects specific location and cohesive development that generally do not apply to other proposed developments in the area or within the same Zoning Designation.

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

The proposal complies with this finding. The 35-acre property has two freeway frontages along the southern and eastern sides. With SR-60 being located 10 feet -8 inches lower than the grade of the project, the overall height of the freeway oriented sign will be 49 feet-4 inches, which is lower than the hotels proposed for the site. The I-215 freeway is approximately 10 feet-10 inches higher than the site, thus the freeway oriented sign is 70 feet-10 inches in height. This is lower than the adjacent freeway connector ramps; therefore, its height would not be out of character. In addition, the signs are located approximately 490 and 920 feet from the closest residences to the north, with multiple buildings proposed between the signs and residences. The second freeway oriented sign has been designed to complement the architecture of the mixed use development.

It will allow identification of businesses along the second freeway frontage. Further, the freeway oriented signs have been placed as far as possible from each other with a separation of approximately 1,450 feet to avoid having excessive signage along the property frontages. Lastly, the residential and commercial buildings, and landscaping create a buffer between the second freeway oriented sign and the nearby residences to the north. For all these reasons, a second freeway oriented sign will not be materially detrimental to the public welfare or injurious to the property or the existing residential neighborhood.

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

The proposal complies with this finding. The granting of the variance to allow a second freeway oriented pylon sign will not be contrary to the General Plan, as the secondary sign will not result in excessive and inappropriate signage that has an adverse impact on the overall visual appearance. A second freeway oriented pylon sign is consistent with Objective LU-70 - Provide a balanced community with sufficient office, commercial, and industrial uses while preserving the single family residential preeminence of the community. Adequate signage, for all the reasons previously outlined above, allows a greater degree of visibility for the developments tenants, contributing to a successful project that provides the Northside Neighborhood a balance of community serving commercial needs, and additional residential options while preserving the existing single family nature of the Neighborhood.

Further, the mixed-use design of the project would comply with the applicable General Plan Housing Element objectives and policies by increasing the types and availability of housing in the City. The project would comply with smart growth principles by providing high-density housing near the SR 60 and I-215 Interchange, a major regional transportation corridor. The addition of live-work units and one-, two-, and three-bedroom apartments would increase diversity of the City's housing types. As stated above, the signs have been located approximately 920 feet and 490 feet from the closest residences to the north of the project site and wouldn't be contrary to these objectives and policies.

The project would comply with and promote applicable Land Use and Urban Design objectives and policies as it would increase density near transportation corridors, provide a mix of uses, and ensure a well-planned infill development. General Plan Objective LU-9 and Policy LU-9.2 encourage strategic land uses and updates to the General Plan that meet growing development needs in the City. The project supports this objective by proposing a land use change that would accommodate a mixed-use development strategically located adjacent to regional freeways that would contribute to needed residential and commercial development in the Northside Neighborhood. The addition of a second freeway sign would further promote commercial development in the Northside Neighborhood in accordance with these objectives and policies.

Objective LU-74 seeks to preserve the lower density charm of the Northside Community. While the project is proposing high density, mixed-use development, the project locates the commercial uses away from existing residential areas and provides adequate setbacks and integrated architectural and landscape design to protect the scenic integrity of the residential neighborhoods as discussed in Policy LU-9.7 and LU-74.5. Signage would be in character with the proposed uses and heights of the adjacent freeways, and is consistent with similar commercial shopping centers located along the SR-60/I-215 freeway corridor, specifically the Canyon Springs Marketplace, and Canyon Springs commercial center. Overall, the addition of a second freeway sign, along a second freeway frontage, would comply with the City's General Plan.