



REVISED GRADING EXCEPTION FINDINGS

• **Grading Exception – Justification Findings pursuant to Chapter 17.32**

Request: - To permit retaining walls higher than six feet in areas not open to public view.

1. *The strict application of Title 17 of the Riverside Municipal Code would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of Title 17 of the Riverside Municipal Code.*

The proposal complies with this finding. The Grading Code sets forth rules and regulations intended to further implement the goals and objectives of the General Plan, and to protect life, limb, property, the public welfare and the physical environment by regulating grading on private property. Grading Plans reflect a retaining wall up to 12 feet in height along a segment of the eastern boundary of the development. The retaining wall is required due to the grade different between the connector ramp for the Riverside Interchange (SR-91/SR-60/I-215) and the proposed inclusion of an internal drive aisle that transverses the project site from east to west. The connector ramp sits 14 feet higher than the project site and the proposed 12-foot high retaining wall will not be visible from the public right of way. Denial of an exception would result in practical difficulties and unnecessary hardships, as the removal of the retaining wall would require manufactured slopes, shifting the main internal drive aisle and proposed buildings closer to the existing single family residential neighborhood, creating potential impacts.

2. *There are exceptional circumstances or conditions applicable to the property involved or the intended use or development of the property that do not apply generally to other properties in the same zone or neighborhood.*

The proposal complies with this finding. Due to the topography, the existing freeway interchange, the requirement to provide multiple vehicle access points to the site for both circulation and emergency access, and the placement of the internal drive aisle away from the existing single family neighborhood are all circumstances and of the intended use of the property that do not generally apply to other properties in the neighborhood. As previously noted, the retaining wall will be lower than the adjacent public right of way, limiting visibility from the right of way. Surrounding properties are fully developed on smaller parcels with warehouse buildings, single family residences, a school and a church. Those properties are not part of an overall larger development with multiple uses or internal drive aisles that buffer a freeway interchange with multiple grade and elevation changes to accommodate for connector ramps. 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", again, not adjacent to freeway interchanges with varying degrees of elevation change.

3. *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. The granting of a waiver will not be detrimental or injurious to the property. The tallest segments of the retaining wall have been designed so that they are

not visible from the public right of way or the existing neighborhood. Due to the topography of the site and the existing interchange, the retaining wall sits at a lower elevation than the roadway. In addition, the retaining wall will not be visible to the existing neighborhood due to the placement of the proposed multi-family residential buildings. Therefore, the granting of a waiver will not be materially detrimental to either the project property or the neighborhood.