




**PLANNING COMMISSION HEARING DATE: OCTOBER 15, 2020
AGENDA ITEM NO.: 4**

PROPOSED PROJECT

<i>Case Numbers</i>	P19-0620 (Conditional Use Permit) P19-0621 (Design Review) P20-0165 (Variance) P20-0166 (Variance)	
<i>Request</i>	To consider the following entitlements for the construction of a 15-unit townhome development on three contiguous parcels: 1) a Conditional Use Permit to permit multi-family residential dwelling units; 2) a Design Review of project plans; 3) a Variance to allow a reduced front yard setback; and 4) a Variance to allow a reduction in the amount of required common open space	
<i>Applicant</i>	Empire Design Group, Inc.	
<i>Project Location</i>	2925 - 2957 Market Street, situated on the west side of Market between Houghton Avenue and Ridge Road	
<i>APN</i>	209-193-019; 209-193-018; and 209-193-017	
<i>Project area</i>	0.64-acres	
<i>Ward</i>	1	
<i>Neighborhood</i>	Downtown	
<i>Specific Plan</i>	DSP – Downtown Specific Plan	
<i>General Plan Designation</i>	DSP – Downtown Specific Plan	
<i>Zoning Designation</i>	DSP-MSG-SP – Downtown Specific Plan – Market Street Gateway District Overlay Zone	
<i>Staff Planner</i>	Danielle Harper-Scott, Assistant Planner 951-826-5933 dharper-scott@riversideca.gov	

RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **DETERMINE** that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines, as the project will not have a significant effect on the environment; and
2. **APPROVE** Planning Cases P19-0620 (Conditional Use Permit), P19-0621 (Design Review), P20-0165 (Variance), and P20-0166 (Variance) 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).

SITE BACKGROUND

The 0.64-acre vacant project site consists of three contiguous parcels. The site is topographically unique, in that it contains a significant slope, with a high point on the north west portion of the property and a low point on the south east portion of the property. Surrounding land uses include single family residential to the north and west, across Market Street; single family residential and a vehicle dealership to the south; and a multi-family residence to the east. (Exhibit 3).

PROPOSAL

The Applicant is requesting approval of a Conditional Use Permit and Design Review for the construction of a multi-family development with common and private open space. The proposed project includes 15 units within three buildings. The proposed project includes 3 three-bedroom units and 12 two-bedroom units. The 12 two-bedroom units have the option of converting a study into an optional third bedroom. Units range in size from 1,520 to 2,205 square-feet. Each unit includes an enclosed 2 car garage.

The buildings have been designed in a contemporary architectural style, with details such as stucco finish, stacked stone veneer, horizontal metal siding, metal railings, and metal awnings. Common usable open space is provided as a landscape courtyard area that includes seating, a firepit, a barbecue grill and outdoor tables. Each unit will provide 234 to 423 square feet of private open space. All units will include a private roof deck and units 2, 3, 7, 8, 12 and 13 including entry porches and balconies.

Parking includes 30 covered parking spaces and 1 uncovered parking space. The development is served by an enhanced 22-foot drive aisle, with access to Market Street. There is no gate included in the proposed project.

The applicant has requested two Variances as part of the application: 1) to allow a 5-foot front yard setback where 20-feet is required; and 2) to allow 7 percent of the site area (2,150 square feet) to be designated as common open space, where 20 percent (5,610 square feet) is required in the Downtown Specific Plan – Market Street Gateway District

PROJECT ANALYSIS

Authorization and Compliance Summary

	Consistent	Inconsistent
<p>General Plan 2025</p> <p>The proposed project is consistent with the underlying General Plan 2025 land use designation of DSP – Downtown Specific Plan (Exhibit 4). The proposed project will further the intent of the General Plan by facilitating the diversification of housing options in the Downtown (Policy LU-48.6):</p> <ul style="list-style-type: none"> Policy LU-48.6: Provide a variety of housing options, including medium- and high-density apartments and condominiums, live/work loft space and mixed-use buildings with significant residential components. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Downtown Specific Plan (DSP)</p> <p>The proposed project is consistent with the development standards of the DSP – Downtown Specific Plan (Exhibit 5). The proposed project site is located within the Market Street Gateway District of the Downtown Specific Plan, which is intended to establish Market Street as the major regional gateway into Downtown through high quality development. The Market Street Gateway District allows multi-family residential uses upon approval of a Conditional Use Permit.</p> <p>The Downtown Specific Plan allows for consideration of Variances to deviate from the development standards. The applicant requested two variances to allow for a reduction in the required front yard setback and minimum common open space. If the Variances are granted, the proposed project meets the development standards for a multi-family development in the Market Street Gateway District of the Downtown Specific Plan.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Zoning Code Land Use Consistency (Title 19)</p> <p>The Downtown Specific Plan defers to the Zoning Code for parking requirements for multiple-family development.</p> <p>The proposed project provides 31 parking spaces, where 30 is required. Parking is consistent with the parking development standards of the Zoning Code.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Compliance with Downtown Specific Plan and Market Street Gateway Design Guidelines</p> <p>The proposed architectural design is consistent with both the Downtown Specific Plan General Design Standards and the Market Street Gateway District Design Standards. Building elevations demonstrate a contemporary architectural style. Materials such as brick, metal siding, stone and stucco have been incorporated on different building planes to reduce overall massing and provide visual interest. Walk ups and front porches have been incorporated within the proposed project to provide streetscape connectivity.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<i>Downtown Specific Plan – Neighborhood Commercial District Multi-Family Residential Standards</i>					
Standard			Proposed	Consistent	Inconsistent
<i>Maximum Density</i>	30 units per acre		23.4 units per acre	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Maximum Building Height</i>	40-feet		39-feet, 7-inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Minimum Building Setbacks</i>	Front	20-feet	5-feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Interior Side (east)	10-feet	11-feet, 2-inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Interior Side (west)	10-feet	28-feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear	15-feet	36-feet, 7-inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Open Space</i>	Common: 20 percent of site area	5,610 square-feet	2,150 square-feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Private: 50 square-feet per unit	50 square-feet per unit	234 - 423 square-feet per unit	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Zoning Code - Chapter 19.580 – Parking and Loading</i>					
Standard		Required	Proposed	Consistent	Inconsistent
<i>Parking</i>	2 spaces per unit ≥ 2 bedrooms	15 units – 30 spaces	31 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Covered Parking</i>	75 percent of total required spaces	23 spaces	30 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Grading Code - Chapter 17.28 – Minimum Grading Standards and General Requirements				
Standard	Maximum	Proposed	Consistent	Inconsistent
Retaining Walls	Front Yard: 3-feet	2-feet, 5 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Side/Rear Yard: 6-feet	6 feet		

FINDINGS SUMMARY

Conditional Use Permit

The proposed multi-family residential development has been designed to be compatible with surrounding uses as well as uses along the Market Street corridor in the Downtown Specific Plan. The site has been lowered by as much as 12 feet in the northwest corner, reducing building massing as it relates to surrounding development. The proposed project's architecture incorporates a high degree of building articulation and includes multiple building materials, reducing the overall mass of the building from Market Street. If the Variances are granted, the development standards of the Market Street Gateway District are met. The proposed project will not be detrimental to the health, safety, or general welfare of the public or surrounding area, and will provide housing opportunities for residences of Riverside. For the reasons stated above, staff can support the proposed Conditional Use Permit.

Variance

The Market Street Gateway District of the Downtown Specific Plan requires a minimum 20-foot front yard setback and 20 percent (5,610 square-feet) of the site area to be designated for common open space. The proposed project is proposing a 5-foot front yard setback and to provide 7 percent (2,150 square-feet) of the site area as common open space. The applicant has prepared justification findings in support of the Variance request (Exhibit 6). staff prepared supplemental justification findings in support of the Variances (Exhibit 1) based on the site topography, limited site area, and development standards related to compatibility with surrounding uses.

ENVIRONMENTAL REVIEW

This proposal is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15332, as the proposed project constitutes an in-fill development.

PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners within 300 feet of the site. As of the writing of this report, no responses have been received by Planning Staff.

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. General Plan Map
5. Zoning Map
6. Applicant Prepared Variance Justifications
7. Project Plans
8. Existing Site Photos

Prepared by: Danielle Harper-Scott, Assistant Planner

Reviewed by: Patricia Brenes, Principal Planner and Brian Norton, Senior Planner

Approved by: Mary Kopaskie-Brown, City Planner



EXHIBIT 1 – STAFF RECOMMENDED FINDINGS

PLANNING CASES: P19-0620 (Conditional Use Permit)
 P19-0621 (Design Review)
 P20-0165 (Variance)
 P20-0166 (Variance)

Conditional Use Permit Findings pursuant to Chapter 19.760.040

- A. The proposed multi-family development is substantially compatible with other existing and proposed uses in the area, including the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts;
- B. The proposed multi-family development will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area; and
- C. The proposed multi-family development will be consistent with the purposes of the Zoning Code and the application of any required development standards is in the furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.

Variance Findings pursuant to Chapter 19.720.040

Variance A: To allow a 5-foot front yard setback where 20-feet is required in the Downtown Specific Plan – Market Street Gateway District.

Variance B: To allow 7 percent of the site area (2,150 square feet) to be designated as common open space, where 20 percent (5,610 square feet) is required in the Downtown Specific Plan – Market Street Gateway District.

- A. The strict application of the provisions of the Zoning Regulations would result in practical difficulties or unnecessary hardships in the development of this property.

Variance A: The proposed project **complies** with this finding. Strict application of the Downtown Specific Plan – Market Street Gateway District development standards would require a minimum 20-foot front yard setback. The proposed project site consists of three infill parcels, totaling 0.64-acres in size. Due to limited site area and the site's existing topography, complying with the required 20-foot front yard setback could result in additional development standards of the City's Municipal Code not being met, such as: providing minimum driveway widths, adequate fire access, maneuvering and turnaround, water treatment infrastructure and development standards related to compatibility with surrounding uses. As proposed, the site has been designed to allow adequate on-site circulation with a sufficient rear yard setback that minimizes impacts on adjacent residential development. Staff supports the request to allow a 5-foot front yard setback, as the reduction will create a strong street presence with public entrances oriented toward the street consistent with Design Guidelines for multi-family development.

Variance B: The proposed project **complies** with this finding. Strict application of the Downtown Specific Plan would require 20 percent of the site area (5,610 square-feet) as common open space. Both the proposed project size and existing topography creates an unnecessary hardship in developing common usable open space. As proposed, the

project incorporates 2,150 square-feet of common usable open space located in a central recreation area. Due to the challenges and restrictions of placing additional common open space on-site, the developer proposed to incorporate larger private open space areas, for each unit, in the form of roof top decks. The proposed project provides up to 423 square feet of private open space per unit, which exceed the private open space requirements for the Downtown Specific Plan – Market Street Gateway District. Each unit provides a 234 square foot private roof top deck, which provides a large gathering area for residents. The proposed project is located within walking and biking distance to multiple parks in the Downtown area, such as Fairmount Park and White Park. Staff supports the requested variance, as the proposed project provides an ample amount of private open space in substitution of the reduction in common open space.

- B. There are exceptional circumstances or conditions applicable to this property or to the intended use or development of this property, which do not apply generally to other property in the same zone or neighborhood.

Variance A: The proposed project **complies** with this finding. Limited site area and topography create restrictions related to the development of the property. A reduced front yard setback allows the site to achieve a design efficiency by providing additional site area to incorporate adequate circulation, fire access, and water treatment infrastructure. Surrounding properties either do not have the same topographic condition or are smaller lots developed with single family residences. As such, there are exceptional circumstances or conditions applicable to this property that do not generally apply to other property in the same zone or neighborhood.

Variance B: The proposed project **complies** with this finding. The topography of the proposed project site is an exceptional circumstance/condition that is applicable to this property that does not generally apply to other properties in the same zone or neighborhood. The existing site slopes towards Market Street and has an average existing slope of 8.7 percent. The proposed project has been designed to lower the site up to 12 feet at the northwest corner to be compatible with the surrounding development. As a result of the sites unique topography, and limited area there are exceptional conditions that limit the development from meeting the common open space requirements.

- C. The granting of this request will not prove materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located.

Variance A: The proposed project **complies** with this finding. The proposed reduced front yard setback will not prove materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood. The reduced front yard setback allows the development to provide a greater rear yard setback, providing a greater degree of separation between the proposed project and existing single-family residences to the west. The project site and building elevations have been designed to provide compatibility with existing multi-family projects along the Market Street corridor and reduce overall impacts to existing surrounding development by providing adequate separation.

Variance B: The proposed project **complies** with this finding. The proposed reduction in common open space will not prove materially detrimental to the public welfare or injurious to the property. Not granting the requested variance requires additional common open space area throughout the site. Due to the site's topography and limited area in which to provide common open space, the project site would be limited to small pockets of common open areas. These areas typically become underutilized or unmaintained. The requested reduction allows the common open space area to be thoughtfully designed and located in a central area of the project to ensure that it is well utilized, is safe, has

plenty of 'eyes-on', and is well maintained. The reduction in common open space will not be detrimental to the public welfare or injurious to the property.

- D. The granting of this request will not be contrary to the objectives of the General Plan.

Variance A & B: The proposed project **complies** with this finding. The granting of the proposed variances will facilitate construction of a multi-family development which furthers Objective H-2 of the Housing Element - to provide adequate diversity in housing types and affordability levels to accommodate housing needs of Riverside residents, encourage economic development and sustainability, and promote an inclusive community.



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

PLANNING CASES: P19-0620 (Conditional Use Permit)
 P19-0621 (Design Review)
 P20-0165 (Variance)
 P20-0166 (Variance)

Case Specific

• **Planning**

1. The subject property shall be developed and operated substantially as described in the text of this report and as shown on the plot plan and floor plan on file with this case except for any specific modifications that may be required by these conditions of approval. Changes to the approved design will require further review by the Planning Division; a new application and filing fee may be required.
2. **Advisory:** Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. A separate sign application and fees will be required prior to permit issuance.

Prior to Grading Permit Issuance:

3. A 40-scale precise grading plan shall be submitted to the Public Works Department 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.
4. Retaining wall plans shall be submitted to the Building & Safety Division and include the following:
 - a. Plans shall be fully dimensioned with heights of retaining walls from finished grade to top of wall;
 - b. Retaining walls visible from Market Street shall utilize the same decorative masonry blocks existing along Market Street;
 - c. Walls not visible from Market Street shall be finished in a decorative material (split face/stucco); and
 - d. All walls shall incorporate a decorative cap.

During Grading and Construction Activities:

5. Construction and operation activities on the property shall be subject to the City's Noise Code (Title 7), which limits construction noise to 7:00 a.m. to 7:00 p.m. weekdays, and 8:00 a.m. to 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or federal holidays.
6. 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 of urban pollutants, and flooding.
7. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
8. The Construction Contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
9. To reduce construction related particulate matter air quality impacts of projects the following measures shall be required:
 - 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. Contractor shall prepare and maintain a traffic control plan, prepared, stamped and signed by either a licensed Traffic Engineer or a Civil Engineer. The preparation of the plan shall be in accordance with Chapter 5 of the latest edition of the Caltrans Traffic Manual and the State Standard Specifications. The plan shall be submitted to Public Works Department for review and approval. The Traffic Plan shall include, but is not limited to, rerouting construction related traffic off congested streets, consolidating truck deliveries, and providing temporary dedicated turn lanes for movement of construction traffic to and from site. Work shall not commence without an approval traffic control plan from the Public Works Department;
 - e. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
 - f. Wash off trucks and other equipment leaving the site;
 - g. Replace ground cover in disturbed areas immediately after construction;
 - h. Keep disturbed/loose soil moist at all times; and
 - i. Enforce a 15 mile per hour speed limit on unpaved portions of the construction site.
 - j. To reduce diesel emissions associated with construction, construction contractors shall provide temporary electricity to the site to eliminate the need for diesel-powered electric generators or provide evidence that electrical hook ups at construction sites are not cost effective or feasible.

Prior to Building Permit Issuance:

10. Landscaping and Irrigation plans shall be submitted for Planning Staff review. Design modifications may be required as deemed necessary. Separate applications and filing fees are required.
11. Plans submitted for staff review should specify the location, design and color of all domestic water meters, backflow preventers and utility cabinets subject to the Planning and Public Utilities review and approval. The visibility of such facilities shall be minimized to Planning Division review and approval through means including but not limited to relocation, berms, landscaping, and/or installation of a screen wall.
12. Ground mounted utility and mechanical equipment shall be fully screened from the public right-of-way.
13. Photometric/Lighting Plan: An exterior lighting plan shall be submitted to staff for review and approval. A photometric study and manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas and in the parking lot shall be submitted with the exterior lighting plan. All on-site lighting shall provide a minimum intensity of one foot-candle and a maximum 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). The light sources shall be shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties and public rights-of-ways. If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed fourteen (14) feet in height, including the height of any concrete or other base material.
14. All walls, including the retaining, shall consist of decorative material and shall be finished with a decorative cap.

Prior to Release of Utilities and/or Occupancy:

15. The project shall participate in the Crime Free Multi-Housing Program, or its successor equivalent, by contacting the Riverside Police Department.
16. 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. Contact the case planner to schedule the final inspection at least one week prior to needing the release of utilities.

Standard Conditions:

17. There shall be a one-year time limit in which to commence the project 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. The Conditional Use Permit may be granted time extensions by the Community & Economic Development Director, or their designee, up to a total of five years beyond the original approval expiration date prior to issuance of any building permits. At the exhaustion of Community & Economic Development Director approved extensions, the original Approving or Appeal Authority may grant one final permit extension of up to two years following a public hearing noticed pursuant to Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing). A public hearing notification fee is required of the applicant in such case in addition to a time extension fee. Once a building permit has been issued, the development will be considered vested and time extensions are no longer needed.

19. Prior to October 15, 2021, if building permits have not been obtained, a time extension request shall be submitted to the Planning Division. The request shall include a letter stating the reasons for the extension of time and associated fee shall be submitted to the Planning Division. **PLEASE BE ADVISED THAT THE APPLICANT WILL NOT BE NOTIFIED BY THE PLANNING DIVISION ABOUT THE PENDING EXPIRATION OF THE SUBJECT ENTITLEMENT.**
20. Enumeration of the conditions herein shall not exclude or excuse compliance with all applicable rules and regulations in effect at the time this Conditional Use Permit is exercised.
21. The project must be completed per the Conditional Use Permit approved by the Planning Commission, including all conditions listed in this report. Any substantial changes to the project must be approved by the Planning Commission or minor modifications by the Community & Economic Development Director or designee. Upon completion of the project, an inspection must be requested, and UTILITIES will not be released until it is confirmed that the approved plans and all conditions have been implemented.
22. 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.
23. The applicant is advised that the business or use for which this Conditional Use Permit is granted cannot be legally conducted on the subject property until all conditions of approval have been met to the satisfaction of the Planning Division.
24. The 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.
25. The use permit may be modified or revoked by the City Planning Commission or the City Council should they determine that the proposed use or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to public safety, property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
26. This Conditional Use Permit is issued based upon the business operations plan and information submitted by the applicant, which has been used as the basis for evaluation of the proposed use in this staff report and for the conditions of approval herein. Permittee shall notify Community Development Department, Planning Division, of any change in operations and such change may require a revision to the Conditional Use Permit. Failure to notify the city of any change in operations is material grounds for revocation of this Conditional Use Permit.
27. The applicant herein of the business subject to this Conditional Use Permit acknowledges all of the conditions imposed and accepts this permit subject to those conditions and with the full awareness of the provisions of Title 19 of the Riverside Municipal Code. The applicant shall inform all its employees and future operators of the business subject to this Conditional Use Permit of the restrictions and conditions of this permit as they apply to the business operations.

28. Failure to abide by all conditions of this Conditional Use Permit shall be cause for revocation.
29. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this Conditional Use Permit.

- **Public Works**

30. Storm Drain construction will be contingent on engineer's drainage study
31. Off-site improvement plans to be approved by Public Works prior to issuance of a construction permit.
32. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to map recordation.
33. Installation of sewer lateral to serve this project to Public Works specifications. *Advisory – Sewer to be private all the way to main line connection.
34. Size, number and location of driveways to Public Works specifications.
35. 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 specifications.
36. Closure of unused driveway(s) to Public Works specifications.
37. Prior to Building Permit Issuance, the Developer shall complete a lot line adjustment to consolidate the project site parcels to the satisfaction of the Planning Division and Public Works Department.
38. 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.

- 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.
39. 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.
 40. 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 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. Plan as the Post-Construction Management Plan.
- **Fire Department**
 41. 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.
 - a. Buildings required to have a standpipe, not less than one standpipe shall be provided for use during construction. Such standpipes shall be installed prior to construction exceeding 40 feet in height above the lowest level of fire department vehicle access. Such standpipes shall be provided with fire department hose connection at accessible locations adjacent to usable stairways. Such standpipes shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.
 - b. 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.
 - c. Contact the Riverside Public Utilities Department at (951) 826-5285 for the requirements for the dedicated fire service and backflow requirements.

42. A public fire hydrant on Market St. is required. Public fire hydrants shall be spaced a maximum of 350 feet.
43. 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.
44. The onsite fire department emergency access shall comply with the following:
 45. Identification and posting of the required fire lanes. All interior fire department access roadways of 20' shall be maintained at all times. No portion of the fire lane shall not be encroached by street parking or landscaping. Show how the 20' access roadway, including the turning radius of 28' inside radius and 48' outside radius shall.
 46. The fire department access roadway shall meet the 80,000-pound load and all-weather surface. Any alternate methods to meet the 80,000-pound load shall be reviewed and approved by the Fire Department.
 47. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
 48. Construction plans shall be submitted and permitted prior to construction.
 49. 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.
 50. Fire Department access shall be maintained during all phases of construction.
- **Public Utilities – Water**
 51. Water meters will not be allowed to be located within driveways or driveway approaches. All water meters required to serve the project shall be located along project frontage.
- **Public Utilities – Electric**
 52. 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.
 53. 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.
 54. Easements & any associated fees will be acquired during the design process.
 55. 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.
 56. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site. In addition to installing spare conduits, streetlights, also stub & cap along property frontage.
 57. Plot existing electrical distribution facilities on the original site plan.
 58. Please show proposed location transformer location & electric room/switchgear
- **Parks, Recreation & Community Services**
 59. Developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve and trail fees) for privately developed areas.