



**PLANNING COMMISSION HEARING DATE: APRIL 15, 2021  
AGENDA ITEM NO.: 2**

**PROPOSED PROJECT**

<b>Case Numbers</b>	<b>P19-0560</b> (Conditional Use Permit) <b>P19-0561</b> (Variance) <b>P19-0562</b> (Variance)	
<b>Request</b>	To consider the following entitlements for the construction of a dual branded 226 room hotel (AC Marriott and Residence Inn) and the conversion and modification of the former fire station into office space on two parcels. <ol style="list-style-type: none"> <li>1) Conditional Use Permit to permit a hotel development, a total floor-area-ratio greater than 3.0, and a building height greater than 60 feet;</li> <li>2) Variance to reduce the required 15-foot front setback on Mission Inn Avenue; and</li> <li>3) Variance to allow fewer parking spaces than required by Code.</li> </ol>	
<b>Applicant</b>	Andrew Walcker, Overland Development	
<b>Project Location</b>	3420-3482 Mission Inn Avenue, situated on the south side of Mission Inn Avenue between Lemon and Lime Streets	
<b>APNs</b>	213281006 213281007 213281009	
<b>Project Area</b>	0.95 Acres	
<b>Ward</b>	1	
<b>Neighborhood</b>	Downtown	
<b>General Plan Designation</b>	DSP – Downtown Specific Plan	
<b>Zoning Designation</b>	DSP-RC-CR – Downtown Specific Plan Raincross District and Cultural Resources Overlay Zones	
<b>Staff Planner</b>	Brian Norton, Senior Planner 951-826-2308 <a href="mailto:bnorton@riversideca.gov">bnorton@riversideca.gov</a>	



## 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 (Infill Development Projects) of the CEQA Guidelines, as the project will not have a significant effect on the environment; and
2. **APPROVE** Planning Cases P19-0560 (Conditional Use Permit), P19-0561 (Variance), P19-0562 (Variance) based on the findings outlined in the staff report and subject to the recommended conditions (Exhibits 1 and 2).

## SITE BACKGROUND

The 0.95-acre project site consists of three contiguous parcels, currently developed with the former Central Fire Station, and a surface parking lot (Public Parking Lot 27). The former Central Fire Station was constructed in 1957 and consists of 18,172 square feet. The surface parking lot includes 37 spaces.

Surrounding land uses include the Riverside Art Museum (RAM) and Riverside Municipal Auditorium (MUNI) to the north, across Mission Inn Avenue; vacant commercial property to the east, across Lime Street; Downtown Fire Station 1 and the Life Arts Center to the south, across the existing alley; and the First Congressional Church to the west, across Lemon Street. (Exhibit 3).

In 2012, the Central Fire Station was replaced with the Downtown Fire Station 1 located on the northwest corner of University Avenue and Lime Street. In 2017 the City solicited proposals for development of the project site with a hotel and adaptive reuse of the former Central Fire Station. The proposal by Greens Ehrenberg, LLC (Greens) was selected to develop the project site. On May 8, 2018, City Council approved a Purchase and Sale Agreement with Greens for the disposition of the City-owned former Central Fire Station and Parking Authority-owned Public Parking Lot 27 for the development of a hotel and the adaptive reuse of the fire station building.

## PROPOSAL

The applicant is requesting approval of a Conditional Use Permit and two Variances to facilitate the construction of a dual-brand AC Marriott and Residence Inn Hotel, with a subterranean parking structure; and the adaptive reuse of the former Central Fire Station as offices. Hotel developments with a floor area ratio greater than 3.0 and a building height greater than 60 feet are permitted in the Mission Inn Historic District of the Raincross District of the Downtown Specific Plan, subject to the approval of a Conditional Use Permit. The proposed project also requires the following Variances:

- To allow the proposed hotel building to encroach 14 feet into the required 15-foot front yard setback along Mission Inn Avenue; and
- To allow 144 parking spaces to serve the hotel use, where 226 parking spaces are required by the Code.

The following is a summary of each development component:

- **Dual- Brand Hotel**

The proposed dual-brand hotel consists of eight stories, an overall building height of 93 feet-4 inches, and a floor area ratio of 3.73. The proposed project includes 138 AC Marriot guest rooms and 88 Residence Inn guest rooms, totaling 226 rooms. The proposed hotel includes two separate ground floor lobby areas with front desks, breakfast buffet areas, lounge areas and bar area open to guests and the public.

Hotel amenities include: a 5,510 square foot outdoor pool and lounge area, a 1,100 square foot gym located on the second floor and a rooftop deck, open to the public, located on the eighth floor.

A three-level subterranean parking structure will serve the project. The parking structure will consist of 173 parking spaces, with 144 spaces dedicated to the AC and Residence Inn Hotel, 21 for the office use and 8 for fire department personnel. All hotel parking is proposed to be valet.

Pedestrian access to the hotel lobbies will be provided from multiple entrances, via Mission Inn Avenue, the interior vehicle drop-off area, and hotel elevators serving the subterranean parking structure. Access to the AC Marriott lounge/bar will be provided internally and from an entrance at the corner of Mission Inn Avenue and Lemon Street.

A single, two-way driveway entrance is provided off Lemon Street for vehicular access to the internal drop-off area and the subterranean parking structure. A secondary vehicular exit, adjacent to the alley, is proposed for use when Mission Inn Avenue is closed to vehicles for festivals/events.

- **Office**

A 12,000 square foot portion of the former 18,172 square foot Central Fire Station will be converted to offices. The second story, 6,172 square feet, will be used for storage associated with the hotel and office uses. No tenants have been identified for the office space.

The proposed project supports public art in several areas. Three concrete pads along the east side of the former Central Fire Station will be provided for future installation of freestanding artwork. Panels for art displays located along the Mission Inn Avenue frontage and panels located along the alley for murals will also be included. A 'Riverside Arts District' vintage structure on the roof of the former Central Fire Station building will be installed.

The project site is located within the Mission Inn Historic District. The former Central Fire Station is eligible for designation on the National Register based on the Modernism survey. The hotel building elevations and the modifications to the former Central Fire Station building will be considered by the Cultural Heritage Board on April 21, 2021, under Planning Case P19-0563 (Certificate of Appropriateness).

**PROJECT ANALYSIS**

	Consistent	Inconsistent
<p><b>General Plan 2025</b></p> <p>The proposed project is consistent with the General Plan Land Use designation of DSP – Downtown Specific Plan. The land use designation provides opportunities for a diverse mix of uses. Mixed-uses supports and reinforces Downtown Riverside as the cultural, arts, retailing and entertainment center for the Inland Empire.</p> <p>The proposed project is consistent with the following Policies and furthers the intent of the General Plan Land Use designation of DSP – Downtown Specific Plan (Exhibit 4):</p> <p><u>Policy LU-5</u>: Provide incentives for infill development throughout Downtown, and with an emphasis on the key opportunity sites identified in this plan.</p> <p><u>Policy LU-6</u>: Place a strong emphasis on supporting, preserving, and expanding the Raincross District as a major center for culture, learning, and the arts.</p> <p><u>Policy LU-10</u>: Encourage the establishment of a vibrant mix of uses that will serve the needs of both residents and visitors and will help create a vibrant daytime, evening, and weekend environment.</p> <p><u>Policy LU-11</u>: Promote the expansion of the convention center and related hotel uses to support increased convention and tourist activity.</p> <p><u>Policy LU-12</u>: Maintain a continuity of pedestrian activity through active retail and restaurant ground level uses along Mission Inn Avenue, Main Street and University Avenue.</p> <p><u>Policy UD-1-5</u>: Encourage appropriate public art to further establish a sense of history and pride in the community.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Consistent	Inconsistent
<p><b>Specific Plan Raincross District</b></p> <p>The proposed project is consistent with the Raincross District of the Downtown Specific Plan. Hotel developments with a floor area ratio greater than 3.0 and a building height greater than 60 feet are permitted in the Mission Inn Historic District of the Raincross District, subject to the approval of a Conditional Use Permit.</p> <p>The development standards of the Raincross District allow an increase of the floor area ratio (FAR) to a maximum of 4.5 within the Mission Inn Historic District, provided the proposed use supports the purpose and intent of the Raincross District. The proposed 3.73 FAR will allow the project site to be developed efficiently with a density appropriate for Downtown Riverside.</p> <p>The proposed project height will not be out of character. The proposed building height is similar in height and massing to surrounding buildings within the Raincross District, such as the Hyatt Place and Marriott Hotels, the Hampton Inn Hotel, the Fox Theatre, the Riverside Metro Center office building, and the Riverside Municipal Auditorium.</p> <p>The proposed project provides a dynamic mix of uses in an urban downtown area, directly supporting existing businesses such as; the Riverside Convention Center, the Riverside Community Hospital, University of California Riverside, California Air Resources Board, year round festivals, downtown attractions and entertainment and community services.</p> <p>The proposed project supports the purpose and intent of the Raincross District and is compatible with surrounding development in the District.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Compliance with Standards of the Downtown Specific Plan – Raincross District</b></p> <p>The proposed project has been designed to create an urban-scale development. Except for the front yard setback and reduction in parking, the development is consistent with development standards of the Raincross District.</p> <p>The Mission Inn Avenue frontage of the hotel takes inspiration from elements of the former Central Fire Station including the second story building projection, a pedestrian entrance, and wide sidewalks to directly engage pedestrians and create an active streetscape.</p> <p>The proposed project is located within the core of Downtown Riverside with an emphasis on pedestrian connectivity, mass transit and shared ride modes; this will reduce the dependency on personal vehicles.</p> <p>The proposed project has been designed to create a sense of place, consistent with the Downtown Specific Plan design guidelines</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<i>Downtown Specific Plan – Raincross District</i>						
<i>Standard</i>			<i>Proposed</i>	<i>Consistent</i>	<i>Inconsistent</i>	
<b>Lot Area</b>	10,000 sq. ft.		Lot 1 - 24,395 sq. ft.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
			Lot 2 - 16,802 sq. ft.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Floor Area Ratio</b>	4.5 Mission Inn Historic District (with the approval of a Conditional Use Permit)		3.73FAR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Building Height</b>	100 feet (with the approval of a Conditional Use Permit)		Main Roof line 88 feet – 11 inches  Elevator Penthouse 93 feet - 4 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Building Setbacks</b>	Front (Mission Inn Ave)	15 feet	1 foot	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	Side (Lemon St)	0 feet	1 foot	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Side	0 feet	1 foot - 7 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Rear (alley)	0 feet	1 foot	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Parking</b>	Hotel	1 space/guest room	226 spaces	144 spaces	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Office	Per exemption for historic resource	21 spaces	21spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Fire Station	Per project Purchase and Sale Agreement	8 spaces	8 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## FINDINGS SUMMARY

### **Conditional Use Permit**

The project site has been designed to create an urban-scale project consistent with the purpose and design policies of the Raincross District. The proposed hotel is an infill development compatible with surrounding commercial, office, residential and civic land uses. The integration of hotel and office uses in a pedestrian-friendly configuration is compatible with surrounding development in the District. The proposed project also demonstrates consistency with the goals and policies of the Downtown Specific Plan by providing a hotel and office space that will complement the services provided in Downtown Riverside, while benefiting from the proximity to restaurant or entertainment options.

The proposed floor area ratio and building height promote a development that maximizes limited land space, and a density that will contribute to the sense of community and space in the downtown area. Design features, such as multiple pedestrian entrances, gathering areas on multiple floors, and public art, combined with minimal setbacks provides a strong street presence at the pedestrian level and allows for more human scale interaction with surrounding historic structures. Edge conditions along Mission Inn Avenue, Lime Street and Lemon Street have also been designed to create a sense of place and provide a strong pedestrian interface.

The overall site design, including building height, massing, and FAR are consistent with similar developments in the Raincross District of the Downtown Specific Plan. The proposed project will preserve and revitalize the historic Central Fire Station façade and contribute to the historic fabric of Downtown Riverside. The proposed project will not have substantial adverse effects on the surrounding properties or uses.

### **Variances**

The Downtown Specific Plan establishes the minimum setbacks and parking standards for development within the Raincross District. The applicant is requesting the following Variances:

- To allow the proposed hotel building to encroach 14 feet into the 15-foot front yard setback along Mission Inn Avenue; and
- To allow 144 parking spaces to serve the hotel use, where 226 parking spaces are required by the Code.

The applicant provided justifications in support of the Variance requests (Exhibit 9). The site has been designed in an urban context by situating the hotel building along the front property line. Placement of the building at the property line engages the streetscape, consistent with the adjacent building, and activates the project's frontage. The proposed project site is located in an urban environment, with access to 13 mass transit lines, multiple ride-share services and within walking and biking distance to community services, jobs, entertainment, civic institutions, cultural uses and recreation.

Because of the location of the project site in the downtown, staff can make the necessary findings in support of the Variances to allow the reduced building setback and reduction in the number of parking spaces for the hotel.

## **ENVIRONMENTAL REVIEW**

the proposed project is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15332 (In-Fill Development Projects), 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 staff regarding the proposed project.

## **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 Community & Economic Development Department, Public Information Section, 3<sup>rd</sup> 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. Downtown Specific Plan Map
  7. Project Plans (Site Plan, Conceptual Grading Plan, Floor Plans, Building Elevations, Conceptual Landscape Plans)
  8. Applicant Prepared Project Description
  9. Applicant Prepared Variance Justifications and Parking Study
  10. Existing Site Photos
  11. California Environmental Quality Act (CEQA) – Infill Streamlining Checklist and Appendices
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Prepared by: Brian Norton, Senior Planner

Reviewed by: Patricia Brenes, Principal Planner

Approved by: Mary Kopaskie-Brown, City Planner





*EXHIBIT 1 – STAFF RECOMMENDED FINDINGS*

**PLANNING CASES:** P19-0560 (Conditional Use Permit)  
P19-0561 (Variance)  
P19-0562 (Variance)

FINDINGS:

**A. Conditional Use Permit Findings Pursuant to Chapter 19.760.040**

- a) The proposed hotel is substantially compatible with other existing and proposed uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts;
- b) The proposed hotel 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 hotel will be consistent with the purposes of the Zoning Code and the Downtown Specific Plan 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.

**B. Variances Justification Findings Pursuant to Chapter 19.720.040**

Variance A: To allow the proposed hotel building to encroach 14 feet into the required 15-foot front yard setback along Mission Inn Avenue; and

Variance B: To allow 144 parking spaces to serve the hotel use, where 226 parking spaces are required by the Code.

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

Variance A: The proposal **complies** with this finding. The purpose of the Specific Plan is to encourage, classify, designate, regulate, restrict and segregate the highest and best location and use of buildings, structures and land uses; to regulate and limit the height, number of stories and size of buildings and other structures hereafter erected or altered; to regulate and determine the size of yards and other open spaces; and, to regulate and limit the density of population; and to divide the City into zones of such number, shape and area as may be deemed best suited to carry out these regulations and provide for their enforcement. The regulations are deemed necessary to promote the public health, safety, and general welfare, all as part of the General Plan of the City.

The 0-95-acre downtown project site is surrounded by public-right-of-way. The proposed project has been designed to achieve the most efficient use of space on the site, while still complying with most development standards. Existing buildings, including a portion of the historic Central Fire Station have been designed to feature zero-lot-line construction. Increasing the front setback for compliance with the Code would not only result in

reduction of guest rooms and building footprint but would further reduce the number of parking spaces and further impact the substandard parking condition. The resulting loss of building footprint and potential parking spaces would constitute an unnecessary hardship inconsistent with the policies of the Raincross District of the Downtown Specific Plan.

Based on the above findings, staff finds that the strict application of the provisions of the Downtown Specific Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Specific Plan.

Variance B: The proposal **complies** with this finding. The purpose of the Specific Plan is to encourage, classify, designate, regulate, restrict and segregate the highest and best location and use of buildings, structures and land uses; to regulate and limit the height, number of stories and size of buildings and other structures hereafter erected or altered; to regulate and determine the size of yards and other open spaces; and, to regulate and limit the density of population; and to divide the City into zones of such number, shape and area as may be deemed best suited to carry out these regulations and provide for their enforcement. The regulations are deemed necessary to promote the public health, safety, and general welfare, all as part of the General Plan of the City.

The goals and policies of the Raincross District of the Downtown Specific Plan include an emphasis on a mixture of residential, entertainment, restaurant, cultural and other uses in a compact, walkable, high-activity pedestrian environment with a strong sense of place. Compliance with the parking requirements would apply parking standards to an urban infill project that are not suitable to the context. Strict compliance with parking requirements would necessitate adding additional parking spaces, resulting in a reduction in the amount of guest rooms or the acquisition of additional property, each of which would constitute a practical difficulty due to the uniquely constrained nature of the site.

The parking ratio required for a hotel does not consider the location of the hotel, proximity to job centers, convention centers, entertainment, attractions, and community services. Nor does it account for the proximity to shared mobility with 13 RTA bus lines within proximity to the project and shared ride services from Ontario International Airport. The requirement for additional parking contradicts the intent of the Downtown Specific Plan to create a sense of place and foster a more compact pedestrian environment within the Raincross District. Other buildings and uses within the vicinity generally have limited or reduced parking and depend upon shared public parking, which is within walking distance to the hotel. An amenity of the hotel is valet parking, reducing the need for guests to self-park.

Chapter 16 of the Downtown Specific Plan recognizes that "Off-street parking demand in the downtown area is generally below capacity..." and "The current parking requirements require parking supply for buildings to be located on-site. This is an impediment to new land uses in downtown." The Downtown Specific Plan recognizes the site constraints and the impediment that strict application the Code would cause.

Based on the above findings, staff finds that the strict application of the provisions of the Downtown Specific Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Specific Plan.

**2. *There are special circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the vicinity and under the identical zoning classification.***

Variance A: The proposal **complies** with this finding. The project site abuts an alley in the rear and streets on the sides and front of the property. There is no opportunity to acquire additional property to provide the required 15-foot front yard setback without heavily impacting the development that could potentially result in additional Variances. The

constraint of the project site and its location in a historic urban setting, presents a special circumstance or condition applicable to the property involved or to the intended use or development of the property that does not apply generally to other property in the vicinity and under the identical zoning classification. The development standards for the Raincross District are designed to create a place of daytime, evening, and weekend activity by providing a high activity pedestrian environment with a storefront emphasis at the street level. The requirement for a 15-foot front yard setback is contrary to the desired character and unique sense of identity for this District. Within the Raincross District, there are numerous local and national historic landmarks that define the District's character with zero or reduced front yard setbacks, including the Mission Inn Hotel and Spa, Fox Theater, Stalder Building, Post Office, Loring Building, and the former Central Fire Station. The proposed front yard setback will be consistent with established reduced front setbacks and contribute to the District's unique sense of identity.

Based on the above findings, staff finds that there are special circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the vicinity and under the identical zoning classification.

Variance B: The proposal **complies** with this finding. The intended use of the property is a business hotel and office development designed to complement the existing pattern of development and surrounding land uses by fostering a 24-hour environment with an emphasis on pedestrian activity. This type of development appeals to users that typically use mass transit or a shared vehicle mode of transportation, demonstrating a reduced need to park rental or personal vehicles. Further, the former historic Central Fire Station limits the construction of a subterranean parking garage under the existing building, restricting developable parking to that which is directly under the footprint of the hotel. For those not wishing to park at the hotel, the project site is uniquely positioned in the Downtown core, proximate to public and private parking facilities that are available for employees, patrons and guests as part of the overall pool of available public parking. This is consistent with the "park once" concept whereby visitors can make use of available centralized parking facilities and conduct most of their business on foot. These combined circumstances are unique to this specific site, and the project has been designed to consider these conditions which may not apply generally to other properties in the Downtown area.

Based on the above findings, staff finds that there are special circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the vicinity and under the identical zoning classification.

**3. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which the property is located.**

Variance A: The proposal **complies** with this finding. The proposed project has been designed to be consistent with the development standards of the Downtown Specific Plan – Raincross District using architectural detailing, the preservation of the historic Central Fire Station and the massing of the project with surrounding development. The site plan has also been designed to safely accommodate both hotel, office and fire personal traffic within an internal guest drop off area and subterranean parking structure. Additionally, when festivals close Mission Inn Avenue, the project will be able to safely direct vehicles to exit along the rear alley. The proposed project design, which includes hotel rooms and office space that face out onto the surrounding public right-of-way, including the alley, will enhance public safety by providing additional visual supervision. The project will

provide an additional use within the Downtown, substantially increasing visitation, benefiting surrounding properties and the public.

Based on the above findings, staff finds that granting the Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which the property is located.

Variance B: The proposal **complies** with this finding. The project's location within the Downtown core creates efficiencies in access to services, employment, amenities, and transit which are within walking distance of the project. The hotel will provide valet parking as one of the amenities to improve the guest and visitor experience and reduce patrons from having to self-park or find alternative parking, significantly reducing extra vehicle trips in the Downtown area. Additional parking needs for short-term visitors can be accommodated by existing public and privately controlled parking in the immediate project area. The project will improve and activate an underused corner within the core of Downtown, providing new pedestrian activity at the street level as well as being able to accommodate visitors in the core of Downtown for large conventions, festivals, conferences and other events, which benefits the surrounding properties and the safety and welfare of the public.

Based on the above findings, staff finds that granting the Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which the property is located.

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

Variance A: The proposal **complies** with this finding. The Variances will not be contrary to the objectives of any part of the General Plan. The project is consistent with Objective LU-48 of the General Plan 2025, which seeks to:

*“Strengthen the identity and character of Downtown using the existing historic and architectural urban character of the community, while allowing for new structures that are architecturally compatible with and complementary to the existing architectural and historic fabric.”*

Based on the above findings, staff finds that granting the Variance will not be contrary to the objectives of any part of the General Plan.

Variance B: The proposal **complies** with this finding. The Variance will not be contrary to the objectives of any part of the General Plan. The project is consistent with several Goals and Policies for the Raincross District set forth by the Downtown Specific Plan, as well as the General Plan 2025, including, but not limited to:

- To strengthen the interaction between residential, commercial and employment uses so as to facilitate a more efficient use of transportation systems, to encourage the conservation of land resources and create a vital urban area that is a place of daytime, evening and weekend activity (DSP 6.8.2);
- To maintain the integrity of the Raincross District as the pedestrian-oriented center of Downtown, with an emphasis on an intense mixture of residential, specialty commercial, tourist, restaurant, cultural, arts, and civic uses. Design philosophy emphasizes new and infill construction that is compatible with the historic structures that give Downtown its unique identity (DSP 3.4.1, Policy LU-1.1); and
- The Project is consistent with Policies CCM-13.1 - 13.5, which address the objective of ensuring that adequate on- and off- street parking is provided throughout Riverside.

Based on the above findings, staff finds that granting the Variance will not be contrary to the objectives of any part of the General Plan.



*EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL*

**RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES**

**PLANNING CASES:** **P19-0560** (Conditional Use Permit)  
**P19-0561** (Variance)  
**P19-0562** (Variance)

**Case-Specific**

**Planning Division**

1. All conditions related to Certificate of Appropriateness (P19-0563) shall apply.
2. The subject property shall be developed substantially as described in the text of this report and as shown on the plans on file with this case, except for any specific modifications that may be required by these conditions of approval.
3. Any future modifications to the approved design shall be submitted to the Planning Division for consideration. A separate application and fee may be required.
4. **Advisory:** Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. Any new signs shall be subject to separate review and assessment. A separate sign application, including fees and additional sets of plans, will be necessary prior to sign permit issuance.

***Prior to Grading Permit Issuance:***

5. 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 any applicable recommendations of qualified soils engineer to minimize potential soil stability problems;
  - d. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement; and
  - e. The project shall abide by the SCAQMD's Rule 403 concerning Best Management Practices for construction sites to reduce emissions during the construction phase. Measures may include:
    - (1) Suspend all grading activities when wind speeds exceed 25 miles per hour;
    - (2) 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;

- (3) Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads.
  - (4) Wash off trucks and other equipment leaving the site;
  - (5) Replace ground cover in disturbed areas immediately after construction; and
  - (6) Always keep disturbed/loose soil moist.
6. Prior to demolition, grading, or building permit approval, the project applicant shall submit to the Community & Economic Development Department a list of measures to respond to and track complaints pertaining to construction noise, ongoing throughout demolition, grading, and/or construction. These measures shall include the following: · A procedure and phone numbers for notifying the Community & Economic Development Department and Police Department (during regular construction hours and off-hours); and a requirement for a sign to be posted on-site specifying the permitted construction days and hours and complaint procedures, and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours), and a requirement for a preconstruction meeting to be held with the job inspectors and general contractor/on-site Project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.

**During Grading and Construction Activities:**

7. In accordance with SCAQMD Rule 403, the contractor shall control excessive fugitive dust emissions during construction through regular watering or other dust prevention measures, and through compliance with SCAQMD Rule 402, which requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. As specified in the SCAQMD's Rules and Regulations, the following shall be implemented during construction:
- a. All active portions of the construction site shall be watered every three hours during daily construction activities and when dust is observed migrating from the construction site to prevent excessive amounts of dust.
  - b. A construction relations officer shall be appointed to act as a community liaison concerning on-site construction activity including resolution of issues related to particulate matter generation.
  - c. During daily construction activities, unpaved access roads, parking areas, and staging areas shall be paved, or water shall be applied every three hours, non-toxic soil stabilizers applied. More frequent watering shall occur if dust is observed migrating from the site during site disturbance.
  - d. Any on-site stockpiles of debris, dirt, or other dusty material shall be enclosed, covered, watered twice daily, or non-toxic soil binders shall be applied.
  - e. All grading and excavation operations shall be suspended when wind speeds exceed 25 miles per hour.
  - f. Disturbed areas shall be replaced with ground cover or paved immediately after construction is completed in the affected area.
  - g. Track-out devices such as gravel bed track-out aprons (3 inches deep, 25 feet long, 12 feet wide per lane and edged by rock berm or row of stakes) shall be provided to reduce mud/dirt trackout from unpaved truck exit routes. Alternatively, a wheel washer shall be used at truck exit routes.
  - h. On-site vehicle speed shall be limited to 15 miles per hour.

- i. Before departing the construction site, all material to be transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.
  - j. Construction trucks shall be rerouted away from congested streets or sensitive receptor areas.
  - k. Construction drawings shall specify SCAQMD Rule 402 and Rule 403 requirements.
8. If the contractor discovers unknown wastes or suspect materials during construction that are believed to involve hazardous waste or materials, the contractor shall: Immediately cease work in the suspected contaminant's vicinity, and remove workers and the public from the area; Notify the City's Project Engineer; Secure the area as directed by the Project Engineer; and Notify the implementing agency's Hazardous Waste/Materials Coordinator. The Hazardous Waste/Materials Coordinator shall advise the responsible party of further actions that shall be taken, if required.
  9. 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.
  10. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
  11. 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.
  12. 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.
  13. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
  14. The applicant shall be responsible for erosion and dust control during construction phases of the project.
  15. 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.
  16. In the event of an accidental discovery of any human remains in a location other than a dedicated cemetery, the steps and procedures specified in Health and Safety Code 7050.5, State CEQA Guidelines 15064.5(e), and Public Resources Code 5097.98 must be implemented. Specifically, in accordance with Public Resources Code (PRC) Section 5097.98, the Riverside County Coroner must be notified within 24 hours of the discovery of potentially human remains. The Coroner will then determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) by phone within 24 hours, in accordance with PRC Section 5097.98. The NAHC will then designate a Most Likely Descendant (MLD) with respect to the human remains within 48 hours of notification. The MLD then has the opportunity to recommend to the property owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and



associated grave goods within 24 hours of notification. Whenever the NAHC is unable to identify a MLD, or the MLD fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the MLD and the mediation provided for in subdivision (k) of PRC Section 5097.94 fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall re-enter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.

**Prior to Building Permit Issuance**

17. Construction 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 equipment possible, be painted green, and include of some form of screening including but not limited to berming, landscaping, and/or installation of a screen wall.
18. Submit 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.
19. A photometric study and manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas, parking lots and pedestrian paths shall be submitted with the exterior lighting plan.
  - a. 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);
  - b. The light sources shall be hooded and shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties and public rights-of-ways;
  - c. If lights are proposed to be mounted on buildings, down-lights shall be utilized;
  - d. Light poles shall not exceed 14 feet in height, including the height of any concrete or other base material, within 50-feet of residential property lines to north of the subject property line, otherwise light standards shall not exceed 20 feet in height, including the height of any concrete or other base material; and
  - e. For safety, all pedestrian paths shall be adequately lighted throughout the project.
20. Landscape and Irrigation Plans shall be submitted for Planning staff approval. Separate application and filing fee are required. Design modifications may be required as deemed necessary. Landscape plans shall meet all development standards, including planting 1 tree per every 4 uncovered parking stalls.

**Prior to Release of Utilities and/or Occupancy:**

21. 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/auditory

responsible for the project. Contact the project planner at (951) 826-5371 to schedule the final inspection at least one week prior to needing the release of utilities.

22. Art on the art wall along the Mission Inn Avenue frontage shall be installed prior to occupancy.

**Operational Characteristics:**

23. Hotel parking shall be by valet service.
24. Art shall be displayed in perpetuity on the hotel art wall along the Mission Inn Avenue frontage.

**Standard Conditions**

25. There shall be a one-year time limit in which to commence construction of 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.
26. Entitlements 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 following a public hearing noticed pursuant to Section 19.670.040 (Notice of Hearing for Legislative Actions), may grant one final permit extension of up to two years. 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.
27. Prior to the expiration of the entitlements, 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.**
28. 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.
29. This project shall fully and continually comply with all applicable conditions of approval, State, Federal and local laws in effect at the time the permit is approved and exercised and which may become effective and applicable thereafter, and in accordance with the terms contained within the staff report and all testimony regarding this case. Failure to do so will be grounds for Code Enforcement action, revocation or further legal action.
30. Enumeration of the conditions herein shall not exclude or excuse compliance with all applicable rules and regulations in effect at the time this permit is exercised.

**Public Works**

Conditions to be fulfilled prior to issuance of building permits, unless otherwise noted:

31. Prior to Building Permit Issuance, the Developer shall complete a lot tie to the satisfaction of the Planning Division and Public Works Department.
32. Installation of sewers and sewer laterals to serve this project to Public Works specifications.
33. Driveway(s) size and location to Public Works specifications.
34. Protect existing street trees in place if possible. Palm trees that are to be relocated shall be done so at the direction of public works tree inspector. Any trees found to be dead or in poor shape shall be replaced with a 24" box tree at the direction of the tree inspector.
35. Installation of automatic irrigation system to provide deep-root watering to existing street trees is required.
36. 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.
37. Required double trash enclosures per City standards.
38. Rehabilitation of existing pavement within adjacent Alley per public works specifications.
39. Applicant to apply for encroachment permit for any building protrusions into public right of way.
40. 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.

41. 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.

42. 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.
43. 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.
44. 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.
45. City standard r/w cutback at southeast corner of Mission Inn and Lemon Street to Public Works Specifications. Any deviation from City standard to be approved prior to entitlement.
46. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to issuance of building permit.
47. 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.
48. Closure of unused driveways to Public Works standards and specifications.
49. The developer shall install a diagonal crosswalk at the intersection of Mission Inn Ave./Lemon St. including all necessary signage, striping, ADA ramp, and traffic signal modifications. The crosswalk will allow patrons of the proposed hotel to efficiently cross Mission Inn Avenue while heading towards destinations such as the Convention Center.
50. During the City festivals, Mission Inn Ave. and Lemon St. will be closed and project traffic will be circulated through the project's secondary driveway at the alleyway. The rolling gates shall be opened for hotel traffic. Additionally, the hotel shall provide circulation information in the lobby area to inform guests of the appropriate detours.
51. Additional rehabilitation of pavement along adjacent streets may be required at the direction of the public works inspector during construction if pavement is in poor condition or damaged due to construction or utility trenching.

## **Fire Department**

**Prior to issuance of building permits:**

52. An automatic fire sprinkler system is required by City Ordinance 16.32.080. 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.
53. The Riverside Municipal Code, Section 16.36.010 to 16.36.090 requires a Public-Safety Radio Amplification System in:
  - a. New buildings greater than fifty thousand (50,000) square feet.
  - b. In existing buildings greater than fifty thousand (50,000) square feet when modifications or repairs exceed fifty percent (50%) of the value of the existing building(s) and are made within any twelve (12) month period or the usable floor area is expanded or enlarged by more than fifty percent (50%)
  - c. All basements where the occupant load is greater than fifty (50), regardless of the occupancy, or sub-level parking structures over ten thousand (10,000) square feet.

Plans shall be submitted to the Riverside Police Communication Analyst (951) 353-7270, for review and approval. The Riverside Police Communication Analyst will conduct an acceptance test of the system and a copy of the report shall be forwarded to the Fire Department.

54. Requirements for construction shall follow the currently adopted California Building Code and California Fire.
55. Construction plans shall be submitted and permitted prior to construction.
56. Fire Department access shall be maintained during all phases of construction.
57. Group R, Division 1 occupancies shall be provided with a fire alarm system and smoke alarms. A manual fire alarm system that activates the occupant notification system.
58. Where elevators are provided in buildings four or more stories above, or four or more stories below, grade plane, not fewer than one elevator shall be provided for fire department emergency access to all floors. The elevator car shall be of such size and arrangement to accommodate a gurney size of 24 inches by 84 inches with not less than a 5 inch radius corner in the horizontal open position... (CA Building Code, Section 3002.4) A gurney template shall be provided and demonstrate it can maneuver into the elevator with the required clearances.
59. Fire sprinkler, fire alarm, fixed extinguishing system, emergency radio systems, standpipes or any other type of fire protection systems that are required by the California Fire Code, California Building Code or City Ordinance, shall be submitted by a California Licensed contractor, under separate permit to Riverside Fire Department for approval and permit issuance prior to any work on such systems.
60. 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.

**Public Utilities – Water**

61. Prior to issuance of grading permit, all on-site public waterlines shall be abandoned, and affected services of neighboring properties relocated.
62. Prior to issuance of building permit applicant shall submit a composite water plan to the water department for the installation of new services to serve the project.
63. All water services required for the project will be located at the Magnolia Avenue frontage.

#### **Public Utilities – Electric**

Prior to issuance of building permits:

64. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site.
65. Plot existing electrical distribution facilities on the original site plan.
66. Show proposed location of transformers and electrical rooms.
67. Point of connection will be on Mission Inn. Project will require a switch to be installed.
68. Prior to issuance of building permit Developer and RPU Staff to shall meet to determine the location of electrical infrastructure.
69. Switch measures 80" x 56" and requires 3' clearance around all sides. The front of switch requires an 8' clearance.
70. 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.
71. 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.
72. BLANKET PUE will be required on all parcels.
73. 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.
74. 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.
75. Plot existing electrical distribution facilities on the original site plan.
76. Please show proposed location of transformers and service panel locations.
77. Point of connection will be on Mission Inn. Project will require a switch to be installed.

#### **Parks, Recreation and Community Services**

78. Prior to issuance of building permits, the developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve, and trail fees) for privately developed areas.