



Community & Economic Development Department

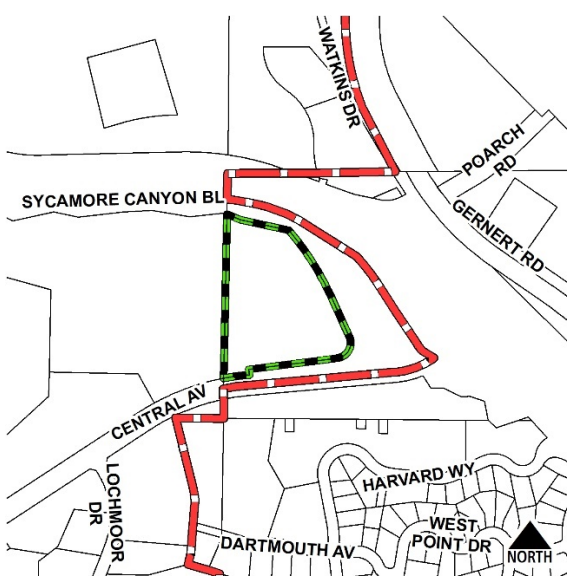
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Planning Division

**PLANNING COMMISSION HEARING DATE: MAY 27, 2021
AGENDA ITEM NO.: 3**

PROPOSED PROJECT

Case Numbers	<p>P19-0775 (General Plan Amendment) P19-0776 (Zoning Code Amendment) P19-0777 (Design Review) P20-0307 (Variance) P20-0308 (Grading Exception) P20-0309 (Grading Exception) P20-0310 (Summary Vacation) P19-0905 (Environmental Impact Report)</p>
Request	<p>To consider the following entitlements for the construction of a multi-family residential development, consisting of 237 residential apartment units, on 9.44 acres:</p> <ul style="list-style-type: none">• General Plan Amendment to amend the land use designation from C – Commercial to VHDR – Very High Density Residential;• Zoning Code Amendment to rezone the project site from CG – Commercial General Zone to R-4 – Multiple Family Residential Zone;• Design Review of project plans for the proposed site design and building elevations;• Variance to allow up to 6 foot high perimeter solid masonry walls and tubular steel fencing within the front yard setbacks, where 3 foot high solid walls and 4 foot open fencing are permitted by the Zoning Code; and to allow project improvements to encroach into the 15 foot landscaped front yard setback along Central Avenue, required in the R-4 Zone when adjacent to an arterial;• Grading Exception to allow up to 11.7 foot high retaining walls not open to public view, where the Grading Code allows a maximum height of 6 feet; and to allow the height of retaining walls visible from the public right of way (Central Avenue and Sycamore Canyon Boulevard) to be up to 5 feet, where the Grading Code allows a maximum height of 3 feet;• Grading Exception to allow slopes with a ratio of 3.9:1 or steeper to be up to 28 feet in vertical height, where the Grading Code limits slopes having a ratio of 3.9:1 or greater to a maximum vertical height of 20 feet;• Summary Vacation for the vacation of excess right-of-way along Sycamore Canyon Boulevard and Central Avenue, totaling 19,200 square feet; and• Environmental Impact Report.

Applicant	Ken Assi of KA Enterprises	
Project Location	Situated at the northwest corner of Central Avenue and Sycamore Canyon Boulevard	
APN	256-050-012	
Project Area	9.44 acres	
Ward	2	
Neighborhood	Canyon Crest	
Specific Plan	N/A	
General Plan Designation	C – Commercial	
Zoning Designation	CG – Commercial General	
Staff Planner	Candice Assadzadeh, Senior Planner 951-826-5667 cassadzadeh@riversideca.gov	

RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **RECOMMEND** that the City Council find:
 - a. The draft project Environmental Impact Report (P19-0905) has been completed in compliance with the California Environmental Quality Act (CEQA);
 - b. The proposed project will not have a significant effect on the environment; and
2. **RECOMMEND** that the City Council: Approve Planning Cases P19-0775 (General Plan Amendment), P19-0776 (Zoning Code Amendment), P19-0777 (Design Review), P20-0307 (Variance), P20-0308 (Grading Exception), P20-0309 (Grading Exception), P20-0310 (Summary Vacation), and P19-0905 (Environmental Impact Report), based on the findings outlined in the staff report and summarized in the attached findings (Exhibit 1) and subject to the recommended conditions of approval (Exhibit 2) and mitigation measures.

SITE BACKGROUND

The project site consists of a vacant 9.44-acre parcel with an average natural slope of 25.9 percent. The parcel is an irregular shaped lot with frontage on Central Avenue and Sycamore Canyon Boulevard. The topography consists of gradual undulating hills and a steep slope along the west side of the project site.

Most of the site is comprised of non-native vegetation and rock outcroppings. It does not contain drainage courses or wetlands, except for the southwest corner of the project site where there is a jurisdictional feature consisting of willow riparian plant community, riparian/riverine habitat, and associated drainage.

The project site is surrounded by SR-60/I-215 freeway to the north, vacant land under the jurisdiction of Riverside County to the south (across Central Avenue), vacant land recently entitled for a commercial development to the east (across Sycamore Canyon Boulevard), and the City's Quail Run Open Space Park to the west (Exhibit 3).

As a matter of information, the project site was annexed into the City as part of a larger annexation effort approved on July 28, 2015 by the City Council under Annexation 118 (P14-0246 – Annexation, P14-1059 – General Plan Amendment, and P14-0901 – Pre-Zoning). As part of Annexation 118, the C – Commercial General Plan Land Use designation was applied to the entirety of the annexed area, and the CG – Commercial General Zone was applied to the project site.

PROPOSAL

The Applicant is requesting approval of entitlements to facilitate a multi-family residential development on 9.44 acres. The proposed project consists of 237 units in five 3-story buildings and two 2-4 split story buildings. The development includes 94 one-bedroom units, 126 two-bedroom units, and 17 three-bedroom units. Units range in size from 760 to 1,398 square feet. Private balconies or patios are attached to each unit and range in size from 58 to 73 square feet. A total of 427 parking spaces are provided in garages, covered carports, and uncovered parking spaces.

Common useable open space totals 49,720 square feet and includes: a putting green, pool and spa, dog run area with a wash station, fitness center, clubhouse, shade structures with barbeques and tables, and a walking perimeter loop trail (1/2 mile loop) with learning and/or exercise stations.

The proposed project includes a series of terraced retaining walls up to 5 feet in height at the southwest corner of the site (adjacent to Central Avenue and the City's Quail Run Open Space) and within the front yard setback along Central Avenue. The walls will be constructed of decorative masonry block, with a decorative cap, and landscaping will be provided between the terraces to soften the appearance of the walls.

The project site will be served by two gated driveways along Sycamore Canyon Boulevard. The driveway at the center of the site will provide full vehicular access to the development. The driveway at the northern boundary of the site will be designated for egress only, as well as emergency vehicular access.

Implementation of this proposed project will require the following entitlements:

- *General Plan Amendment:* To amend the land use designation from C – Commercial to VHDR – Very High Density Residential;
- *Zoning Code Amendment:* To change the zone from CG – Commercial General Zone to R-4 – Multiple Family Residential Zone;
- *Design Review:* Site design and building elevations;
- *Variances:*
 1. To allow up to 6-foot-high perimeter solid masonry walls and tubular steel fencing within the front yard setbacks, where 3-foot-high solid walls and 4-foot open fencing are permitted by the Zoning Code; and
 2. To allow project improvements to encroach into the 15-foot landscaped front yard setback along Central Avenue, required in the R-4 Zone when adjacent to an arterial;

- **Grading Exceptions:**
 1. To allow up to 11.7-foot-high retaining walls not open to public view, where the Grading Code allows a maximum height of 6 feet;
 2. To allow the height of retaining walls visible from the public right of way (Central Avenue and Sycamore Canyon Boulevard) to be up to 5 feet, where the Grading Code allows a maximum height of 3 feet; and
 3. To allow slopes with a ratio of 3.9:1 or steeper to be up to 28 feet in vertical height, where the Grading Code limits slopes having a ratio of 3.9:1 or greater to a maximum vertical height of 20 feet; and
- **Summary Street Vacation:** To vacate excess right-of-way along Sycamore Canyon Boulevard and Central Avenue, totaling 19,200 square feet or 0.44 acres.

PROJECT ANALYSIS

Authorization and Compliance Summary

	Consistent	Inconsistent
<p>General Plan 2025</p> <p>The proposed project is consistent with the proposed General Plan Land Use designation of VHDR – Very High Density Residential (Exhibit 4). The proposed land use designation provides for the development of row houses, condominiums, and apartments. The proposal to amend the General Plan Land Use designation will be consistent with the following Policies and Objectives, and further the intent of the General Plan 2025:</p> <p><u>Policy H-2.2:</u> Smart Growth. Encourage the production and concentration of quality mixed-use and high-density housing along major corridors and infill sites throughout the City in accordance with smart growth principles articulated in the General Plan.</p> <p><u>Policy H-2.3:</u> Housing Design. Require excellence in the design of housing through the use of materials and colors, building treatments, landscaping, open space, parking, sustainable concepts, and environmentally sensitive building and design practices.</p> <p><u>Policy LU-7.2:</u> Design new development adjacent and in close proximity to native wildlife in a manner which protects and preserves habitat.</p> <p><u>Policy LU-8.1:</u> Ensure well-planned infill development Citywide, allow for increased density in selected areas along established transportation corridors.</p> <p><u>Objective LU-21:</u> Attractively develop the City's major gateways to create a stronger sense of City identity.</p> <p><u>Objective LU-42:</u> Maintain the diverse and lively character of Canyon Crest's residential and commercial areas.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Consistent	Inconsistent
<p>Grading Code (Title 17)</p> <p>The proposed project site is subject to the Hillside and Arroyo Grading Ordinance, as the average natural slope exceeds 10 percent. The proposal is generally consistent with the grading standards and general requirements established in the Grading Code except for:</p> <p>1) Retaining walls higher than permitted by Code; and</p> <p>2) Slope heights higher than permitted by Code.</p> <p>The Grading Code allows for consideration of Grading Exceptions to deviate from the development standards. The applicant is requesting Grading Exceptions to facilitate implementation of the proposed project (Exhibit 7).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Zoning Code Land Use Consistency (Title 19)</p> <p>The proposed project is consistent with the proposed R-4 – Multiple Family Residential Zone (Exhibit 5), which is consistent with the proposed VHDR – Very High-Density Residential Land Use designation. The R-4 Zone permits the development of multiple-family dwelling units by right, subject to Design Review approval.</p> <p>The proposed project is generally consistent with the applicable development standards of the Zoning Code except for:</p> <p>1) Over height perimeter solid masonry walls and tubular steel fencing within the front yard setbacks along Central Avenue and Sycamore Canyon Boulevard; and</p> <p>2) The encroachment of project improvements within the 15-foot landscaped front yard setback along Central Avenue.</p> <p>The Zoning Code allows for consideration of Variances to deviate from the development standards. The applicant is requesting Variances to facilitate implementation of the proposed project (Exhibit 8).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Compliance with Citywide Design & Sign Guidelines</p> <p>The proposed project substantially meets the objectives of the Citywide Design Guidelines for new residential development related to building siting and orientation, massing, articulation and architectural treatment, parking layout, and landscaping. The proposed project has been designed to incorporate an earth tone color scheme with decorative accents, including stucco, aluminum balcony louvers, decorative metal gates, metal balcony railings, decorative shutters, and metal canopies.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Consistent	Inconsistent
Riverside County Airport Land Use Compatibility Plan The proposed project is in Zone E (Other Airport Environs) of the March Air Reserve Base Land Use Compatibility Plan (MARB LUCP). On April 30, 2020, the Riverside County Airport Land Use Commission (ALUC) Director determined the proposed project to be consistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, subject to conditions of approval (Exhibit 10).	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Chapter 19.100.040 – Development Standards for the R-4 Zone					
Standard			Proposed	Consistent	Inconsistent
Maximum Density	40 dwelling units/acre		23.98 du/ac	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Minimum Lot Size	30,000 square feet		430,373 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lot Width	100 feet		681 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lot Depth	150 feet		882 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maximum Building Height	50 feet		49 feet, 10 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maximum Number of Stories	4 stories		4 stories	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Minimum Setbacks	Front	Sycamore Canyon Boulevard – 15-foot building setback	17 feet, 4 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Central Avenue – 15-foot landscape setback	0 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Interior Side ¹	35 feet (2 stories) 65 feet (4 stories)	35 feet (2 stories) 74 feet (4 stories)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Open Space	Private Usable Open Space				
	Minimum Area/Unit	50 square feet /unit	58 - 73 square feet/unit	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Common Usable Open Space				
	Minimum Area/Unit	200 square feet /unit = 47,400 square feet total	49,720 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

¹Per Table 19.100.040.B of the Riverside Municipal Code, no building or building portions of two stories or higher may be located within 35 feet of any side or rear property line that abuts property in the RA-5, RC, RR, RE or R-1 Zone, in such instance for each story in excess of two, the setback shall be increased by 15-feet.

Chapter 19.550 – Fences, Walls, and Landscape Materials				
Standard		Proposed	Consistent	Inconsistent
Maximum Fence and Wall Height	4 feet - One part solid to three parts open, excluding pilasters	6 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Chapter 19.580 – Parking and Loading Standards					
Standard		Required	Proposed	Consistent	Inconsistent
Minimum Parking	1.5 spaces per unit with 1 bedroom (94 units) = 141 spaces	427 spaces	427 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	2 spaces per unit ≥ 2 bedrooms (143 units) = 286 spaces			<input checked="" type="checkbox"/>	<input type="checkbox"/>
	75 percent of spaces in a fully enclosed garage or carport	321 spaces	321 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>

FINDINGS SUMMARY

Zoning Code Map Amendment

The proposal to apply the R-4 – Multiple Family Residential Zone to the project site will facilitate the development of 237 multi-family residential units, which will help the City's ability to meet the required 18,458 units identified in the 6th Cycle Regional Housing Needs Assessment (RHNA). The R-4 Zone is established to provide areas for higher density multiple family residences in areas of the City readily served by public transit and near commercial zones and other nonresidential areas that meet the everyday shopping, educational, health service and similar needs of residents.

The Draft EIR includes a mitigation measure requiring the construction of an ADA compliant bus turnout along the project's frontage on Central Avenue, which will provide the opportunity for the Riverside Transportation Authority to add another stop along Route No. 16 (from Moreno Valley Mall to UCR). The proposed project is in proximity to the Canyon Crest Towne Center, Canyon Springs Shopping Center, and University of California, Riverside which provides opportunities for everyday shopping, educational, and the health service needs of residents.

The proposed project is compatible with the surrounding development.

Variances

The Zoning Code requires solid walls within the front yard setback to be a maximum of 3 feet in height and open fencing a maximum of 4 feet in height. The project proposes perimeter solid masonry walls and tubular steel fencing up to 6 feet in height within the front yard setbacks along Central Avenue and Sycamore Canyon Boulevard.

Zoning Code requires a 15-foot fully landscaped front yard setback along Central Avenue. The proposed project includes improvements, including the retaining walls and decorative terraced planters, within the landscape setback. The applicant is requesting Variances to facilitate implementation of the proposed project.

The applicant provided justifications in support of the Variance request (Exhibit 8). Staff can make the necessary findings in support of the Variances to allow over height walls and fences within the front yard setback along Central Avenue and Sycamore Canyon Boulevard and to allow project improvements within the 15 foot landscape setback along Central Avenue (Exhibit 1).

Grading Exceptions

The Grading Code establishes a maximum retaining wall height of 6 feet in areas not visible to the public and a maximum of 3 feet when visible from the public right-of-way. The project proposes retaining walls up to 11.7 feet in height along Sycamore Canyon Boulevard, which is not visible to the public, and up to 5 feet in height along visible from the public right-of-way (Central Avenue and Sycamore Canyon Boulevard). The Grading Code allows slopes with a ratio of 3.9:1 or steeper to have a maximum vertical height of 20 feet. The proposed project will stabilize and recontour an existing knoll located along the north project boundary, with a proposed vertical slope height of 28 feet. The applicant is requesting a Grading Exceptions to facilitate implementation of the proposed project.

The applicant provided justifications in support of the Grading Exception requests (Exhibit 7). Staff can make the necessary findings in support of the Grading Exceptions to allow over height retaining walls and to allow a slope with a vertical height of 28 feet (Exhibit 1).

Summary Vacation

The proposed summary street vacation will vacate excess right-of-way along Sycamore Canyon Boulevard and Central Avenue, totaling 19,200 square feet or 0.44 acres, that resulted from the realignment of Sycamore Canyon Boulevard (Exhibit 9). If the summary vacation is approved, this case will remove the subject 19,200 square feet from the public right-of-way.

The following summarizes the facts and findings required for approval of a summary vacation:

1. *The property is excess right-of-way and is not required for street purposes.*

The area to be vacated is not required for street purposes, as it has been deemed excess right-of-way. The Master Plan of Roadways, Figure CCM-4 of the General Plan Circulation and Community Mobility Element, designates Sycamore Canyon Boulevard as a 66-foot collector street, and Central Avenue as a 110-foot arterial street, where existing right-of-way width to the street centerline varies from 55 to 86 feet.

2. *Access to adjoining properties will not be affected.*

Surrounding properties to the north, south, and east of the site will not be affected, as the area to be vacated has not been improved for street access. There would be no impact to vehicular or pedestrian circulation along these segments of Sycamore Canyon Boulevard and Central Avenue.

3. *These portions of the streets have been closed and impassable as a public road and no public funds have been expended on its maintenance for the last five years.*

The area to be vacated has not been improved for street access. No public funds have been expended for maintenance of the excess right-of-way for street purposes within the last five years.

ENVIRONMENTAL REVIEW

Pursuant to Section 15060(d) of the CEQA Guidelines, an Initial Study (IS) was prepared for the proposed project to determine if the proposed project would have a significant effect on the environment. The IS and Notice of Preparation (NOP) were circulated on June 30, 2020 with the review period ending July 30, 2020. The analysis in the IS concluded that no impacts would occur

to Agriculture & Forestry Resources, Hazards & Hazardous Materials (except for wildland hazards, which was analyzed in the Wildfire Section of the Environmental Impact Report), Hydrology and Water Quality, Mineral Resources, Population and Housing, Public Services (except for Fire Protection, which was analyzed in the Environmental Impact Report), and Recreation sections.

The remaining sections in the IS checklist were identified as having a potentially significant impact requiring the preparation of an Environmental Impact Report (EIR), consistent with Sections 15161 and 15126.6 of the CEQA Guidelines and City of Riverside Resolution No. 21106. The EIR included analysis of potential effects associated with Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Land Use and Planning, Noise, Fire Protection (from Public Services), Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire.

CEQA Guidelines indicate a Project EIR should focus primarily on the changes in the environment that would result from the project. The EIR should describe a range of reasonable alternatives to the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.

The Draft EIR includes three alternatives to the project,

- Alternative 1 – No Project Alternative;
- Alternative 2 – Commercial Development: Develop the Site Pursuant to Current Underlying Zoning Regulations; and
- Alternative 3 – Mixed Use Development: Develop the Site Pursuant to MU-U – Mixed Use Urban Zoning Regulations.

The EIR concludes that none of the Alternatives would meet any or all of the Project objectives and that all impacts related to the project have been identified as less than significant or have been reduced to below the level of significance with mitigation (Exhibit 13).

PUBLIC NOTICE, COMMUNITY MEETINGS, AND COMMENTS

On July 22, 2020, staff held a virtual scoping meeting to inform the community an Environmental Impact Report (EIR) was being prepared for the proposed project, solicit input on the Scope of the EIR, provide information on the CEQA/EIR process, share an overview of the proposed project, and inform the community of all future opportunities for input (Exhibit 13).

Pursuant to CEQA, a 45-day review and comment period was provided from March 19, 2021 to May 3, 2021. A Notice of Availability was mailed to property owners within 300 feet of the project site and to various Federal, State, regional, and local government agencies, and other interested parties, including the agencies/interest groups that commented on the Notice of Preparation. An ad was published in the Press Enterprise.

During this period, staff received nine comment letters, including letters from the agencies and interested parties listed (Exhibit 12):

1. Rincon Band of Luiseño Indians – Acknowledged that the Tribe agrees with the mitigation measures which include archaeological and tribal monitoring, a monitoring report, and protocols for discovery of cultural material and human remains.
2. Riverside County Flood Control – The proposed project would not be impacted by District Master Drainage Plan facilities, and no other facilities of regional interest proposed.
3. SoCalGas – The Transmission Department of SoCalGas does not operate any facilities within the proposed improvement area.

4. Riverside County Airport Land Use Commission – Acknowledged that proposed project was deemed consistent under case number ZAP1414MA20.
5. DeLano & DeLano (on behalf of Friends of Riverside's Hills) – Concerns regarding analysis related to: 1) Land Use; 2) Aesthetics; 3) Biological Resources; 4) Air Quality; 5) Energy; 6) Greenhouse Gas Emissions; 7) Transportation; 8) Cumulative Impacts; 9) Proposed Mitigation Measures; and 10) Alternatives.
6. Kevin Dawson – Concerns regarding: 1) Inadequacy of the Traffic Study; 2) Air Quality; and 3) Cumulative Impacts.
7. DeLano & DeLano (on behalf of Friends of Riverside's Hills) – Additional concerns regarding the Transportation analysis.
8. Mitchell M. Tsai (on behalf of the Southwest Carpenters Labor Union) – Concerns regarding: 1) Public health risks related to construction work due to COVID-19; 2) Proposed Mitigation Measures; 3) Greenhouse Gas impacts; 4) Transportation impacts; 5) Consistency analysis with Southern California Association of Governments (SCAG's) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) Plan; 6) Consistency analysis with SCAG's 6th Cycle Regional Housing Needs Assessment (RHNA) Allocation Plan.
9. Leonard Nunney for Friends of Riverside's Hills – Concerns regarding impacts related to: 1) Aesthetics; 2) Biological Resources; and 3) Wildfire.

Clarification on concerns expressed on the letters will be addressed in the Final EIR.

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 Division Public Information Section, 3rd Floor, City Hall.

EXHIBITS LIST

1. Staff Recommended Findings
2. Staff Recommended Conditions of Approval
3. Location Map
4. Existing and Proposed General Plan Maps
5. Existing and Proposed Zoning Maps
6. Project Plans (Perspective, Architectural Massing Views, Project Data, Site Plan, Open Space Exhibit, Fire Access Plan, Elevations, Floor Plan/Roof Plan/Building Section, Leasing and Clubhouse Floor Plans, Mail Lounge and Fitness Floor Plans, Unit Plans, Parking Exhibit, Trash Enclosure Exhibit, Material Board, Preliminary Grading Plans, Grading Exception Exhibit, Conceptual Landscape Plans, Wall and Fence Plans, Conceptual Recreational Exhibit, Conceptual Community Dog Park Exhibit, Site Photometric Plan)
7. Applicant Prepared Grading Exception Justifications
8. Applicant Prepared Variance Justifications
9. Summary Vacation Legal Description and Plat Map
10. Airport Land Use Commission (ALUC) Director's Determination, dated April 30, 2020
11. Existing Site Photos
12. Public Comment Letters
13. Draft Environmental Impact Report – City's Website
<https://riversideca.gov/cedd/planning/development-projects-and-ceqa-documents>

Draft EIR – Also on File with the City's Community & Economic Development Department, 3900 Main Street, Riverside, CA 92522; and Riverside Public Library, SPC Jesus S. Duran Eastside Library, 4033-C Chicago Avenue, Riverside, CA 92507.

Prepared by: Candice Assadzadeh, Senior Planner

Reviewed by: Patricia Brenes, Principal Planner

Approved by: Mary Kopaskie-Brown, City Planner



EXHIBIT 1 – FINDINGS

PLANNING CASES: **P19-0775** (General Plan Amendment)
 P19-0776 (Zoning Code Amendment)
 P19-0777 (Design Review)
 P20-0307 (Variance)
 P20-0308 (Grading Exception)
 P20-0309 (Grading Exception)
 P20-0310 (Summary Vacation)
 P19-0905 (Environmental Impact Report)

A. Zoning Code Map Amendment (Rezoning) Findings Pursuant to 19.810.040

- a) The proposed Zoning Code Map Amendment (Rezoning) is consistent with the goals, policies, and objectives of the General Plan;
- b) The proposed Zoning Code Map Amendment (Rezoning) will not adversely affect surrounding properties; and
- c) The proposed Zoning Code Map Amendment (Rezoning) will promote public health, safety, and general welfare and serves the goals and purposes of the Zoning Code.

B. Variance Justification Findings Pursuant to Chapter 19.720.040

Variance A: To allow perimeter solid masonry walls and tubular steel fencing up to 6 feet in height within the front yard setbacks along Central Avenue and Sycamore Canyon Boulevard, where 3 foot high solid walls and 4 foot open fencing are permitted by the Zoning Code.

Variance B: To allow project improvements to encroach into the 15-foot landscaped front yard setback along Central Avenue, required in the R-4 Zone when adjacent to an arterial.

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 proposed project **complies** with this finding. The project site is significantly restricted due to topography and boundary conditions. The site has a natural average slope of 25.9 percent and is bounded by Sycamore Canyon Boulevard to the north and east and Central Avenue to the south. The northwest corner of the site (Sycamore Canyon Boulevard) is at an elevation of 1350 feet, whereas the southwest corner at Central Avenue is 1314 feet. There is an approximately 36-foot vertical difference across the site. Most of the site has a relatively flat pad at an elevation of 1350 feet, surrounded by hillsides at the north, west, and south property boundaries. The southwest corner of the project site contains a jurisdictional feature consisting of a willow riparian plant community, riparian/riverine habitat, and associated drainage. The parcel is irregularly shaped, the northeast property line along Sycamore Canyon Boulevard has a 435-foot radius. The aforementioned site characteristics create the need for retaining walls in proximity to the right-of-way.

To address the challenging topographical and edge conditions, and avoid extended slope grading, terraced retaining walls are proposed along Central Avenue, within the front yard setback. Each retaining wall is proposed to be a maximum of 5 feet in height. Strict application of the Zoning Code, limiting the height of the retaining walls within the front yard setback to a maximum of 3 feet, would require lowering the site approximately 6-10 feet, which would negatively affect vehicular and pedestrian access at the north property line, along Sycamore Canyon Boulevard, due to the existing grade of the street. Alternatively, maintaining three-foot maximum wall heights would require installation of three additional terraced wall sections along Central Avenue, which would negatively impact water quality management areas in a way that is detrimental to the site.

To satisfy the development standard requiring multi-family projects to be a fenced, secured complex with coded gates for entry, a six-foot-high tubular steel fence is proposed within the front yard setback. Strict application of the Zoning Code would either limit the height of the tubular steel fence to 4 feet or require each dwelling unit to have a locked storage area or garage. If 237 garages were required, a reduction of up to 55 residential units would be necessary. The carports would be replaced with the required garages, which are wider, deeper, and require greater setbacks due to Building Code requirements. Any such reduction would be contrary to the General Plan 2025, particularly, the Housing Element. The reduction in units would impact the City's ability to meet the required number of housing units identified in the 6th Cycle Regional Housing Needs Assessment (RHNA) which is a requirement of the State.

As such, strict application of the Zoning Code would not further the purpose stated in RMC 19.020.010, particularly regarding encouraging the most appropriate use of land as well as conserving and stabilizing the use of property.

Variance B: The proposed project **complies** with this finding. The project site is significantly restricted due to topography and boundary conditions. The site has a natural average slope of 25.9 percent and is bounded by Sycamore Canyon Boulevard to the north and east and Central Avenue to the south. The northwest corner of the site (Sycamore Canyon Boulevard) is at an elevation of 1350 feet, whereas the southwest corner at Central Avenue is 1314 feet. There is an approximately 36-foot vertical difference across the site. Most of the site has a relatively flat pad at an elevation of 1350 feet, surrounded by hillsides at the north, west, and south property boundaries. The southwest corner of the project site contains a jurisdictional feature consisting of a willow riparian plant community, riparian/riverine habitat, and associated drainage. In addition, the parcel is irregularly shaped, the northeast property line along Sycamore Canyon Boulevard has a 435-foot radius. To have a level of development typical for such a parcel size, the site characteristics create the need for retaining walls in proximity to the right-of-way, and therefore within the front yard setback.

Due to the challenging topographical conditions and biological habitat along the west property line, approximately 2 acres of the 9.44 acre site is to remain undisturbed and/or utilized for matchup grading, allowing for the proposed grading to match the grade of the existing relatively flat pad at 1350 feet. This land encumbrance includes relocating existing graded slopes outside of the public rights-of-way. As a result, portions of project improvements along Central Avenue, including the retaining walls and decorative terraced planters, are proposed to encroach into the required 15 foot fully landscaped front yard setback area.

Strict application of the Zoning Code would require such improvements to be setback a minimum of 15-feet from the property line, providing a fully landscaped setback. Which would impact the hardscape improvements that surround buildings, thus negatively impacting ADA-accessibility path of travel requirements. The common open space

amenities, particularly, the ½ mile walking loop, would be negatively impacted, potentially requiring the need for a variance to allow for the reduction of the square footage of common open space area.

Providing the fully landscaped setback would directly impact available parking spaces, which in turn, could trigger additional variances or a reduction of up to 20 dwelling units below what would typically be available for a similar, non-constrained lot. Reduction in the number of residential units would be required, contrary to the City's General Plan 2025, particularly, the Housing Element. The reduction in units would impact the City's ability to meet the required number of housing units identified in the 6th Cycle Regional Housing Needs Assessment (RHNA) which is a requirement of the State.

Strict application of the Zoning Code would not further the purpose stated in RMC 19.020.010, particularly regarding encouraging the most appropriate use of land as well as conserving and stabilizing the value of property.

2. *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.*

Variances A and B: The proposed project **complies** with this finding. The project site is uniquely shaped and is significantly restricted due to topography and boundary conditions. The property consists of a combination of undulating, undisturbed land, with a large, relatively flat area. The southwest corner of the project site contains a jurisdictional feature consisting of a willow riparian plant community, riparian/riverine habitat, and associated drainage. The northwest corner of the site (Sycamore Canyon Boulevard) is at an elevation of 1350 feet, whereas the southwest corner at Central Avenue is 1314 feet. There is an approximately 36-foot vertical difference across the site.

The proposed height of the solid masonry walls and the height of the tubular steel fence around the perimeter of the project does not grant benefit to the project applicant, but rather allows for a more normal development on the project site. The shape of the site, the topography, biological resources, and boundary conditions constitute an exceptional 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 same zone or neighborhood.

3. *Granting 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. Granting the Variance will allow typical development of the property in accordance with the Objectives and Policies of the General Plan 2025 and the Zoning Code. The existing 36-foot vertical difference across the site requires the construction of 5-foot high retaining walls to provide a safe, functional, and stable transition between the project site and the public right-of-way. The retaining walls have been designed to be terraced, with benches 5 feet in width between each wall. The terraced design provides better aesthetics than a single 20-foot-high wall. The benches between the terraced walls provide ample area to accommodate the desired front yard landscaping along Central Avenue, which will soften the retaining walls, consistent with the Citywide Design and Sign Guidelines.

To satisfy the development standard requiring multi-family projects to be a fenced, secured complex with coded gates for entry, a 6-foot high tubular steel perimeter fence is proposed within the front yard setback. The project has been designed as an entirely secured development, discouraging property crime and unauthorized access at the project site, and thus in the immediate area. The fence has been designed to be

constructed of tubular steel, which is consistent with the existing perimeter fencing of the multi-family development located west of the project site along Central Avenue and the single family residences located southwest of the project site along Lochmoor Drive.

Granting 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 B: The proposed project **complies** with this finding. Granting the Variance will allow typical development of the property in accordance with the Objectives and Policies of the General Plan 2025 and Zoning Code. The project site is bounded by Sycamore Canyon Boulevard to the north and east, and Central Avenue to the south. The existing 36-foot vertical difference across the site requires the construction of 5-foot high retaining walls to provide a safe, functional, and stable transition between the project site and the public right-of-way.

The retaining walls located within the 15-foot landscape front yard setback along Central Avenue have been designed to be terraced, with benches 5 feet in width between each wall. The benches between the terraced walls provide ample area to accommodate the desired front yard landscaping along Central Avenue, which will soften the retaining walls. The retaining walls will be constructed of a decorative material with a decorative cap, consistent with the Citywide Design and Sign Guidelines. The terraced landscape planters located at the corner of Sycamore Canyon Boulevard and Central Avenue will provide an enhanced designed and provide additional visual interest, at a prominent gateway into the City.

Granting the Variance will allow for improvements within the 15-foot landscaped front yard setback along Central Avenue will not prove materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood, as the retaining walls are proposed to be constructed of decorative masonry, and the walls and terraced landscaped planters will provide opportunities for enhanced project landscaping.

4. *Granting the request will not be contrary to the objectives of the General Plan.*

Variance A and B: The proposed project **complies** with this finding. The project is consistent with the following General Plan 2025 Policies, which seeks to:

Policy H-2.2: "Encourage the production and concentration of quality mixed-use and high-density housing along major corridors and infill sites throughout the City in accordance with smart growth principles articulated in the General Plan."

The project proposes to construct a high-density housing project at the intersection of Sycamore Canyon Boulevard and Central Avenue, and near the SR-60/I-215 corridor. The project will comply with the following smart growth principles provided in the General Plan 2025:

- a. Foster distinctive, attractive communities with a strong sense of place;
- b. Preserve open space, farmland, natural beauty, and critical environmental areas;
and
- c. Strengthen and direct development toward existing communities.

Policy LU-3: "Preserve prominent ridgelines and hillsides as important community visual, recreational, and biological assets."

The project proposes to leave the westerly portion of the project site undisturbed, preserving the prominent ridgelines and hillsides and the biological assets within the jurisdictional feature located at the southwest corner of the project site, which consists of a willow riparian plant community, riparian/riverine habitat, and associated drainage.

Policy LU-7.2: "Design new development adjacent and in close proximity to native wildlife in a manner which protects and preserves habitat."

The project is located Criteria Cell 721 of the Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The southwest corner of the project site contains a jurisdictional feature consisting of a willow riparian plant community, riparian/riverine habitat, and associated drainage. The project will be conditioned to convey a 0.53-acre area, including the riparian/riverine area, to the Regional Conservation Authority (RCA), to ensure long-term conservation. Therefore, the site was designed to be proximate to native wildlife, in a manner which protects and preserves habitat.

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

C. Grading Exceptions – Justifications Findings pursuant to Chapter 17.32

Grading Exception A: To allow the height of retaining walls not open to public view to be up to 11.7 feet, where the Grading Code allows a maximum height of 6 feet; and to allow the height of retaining walls visible from the public right-of-way (Central Avenue and Sycamore Canyon Boulevard) to be up to 5 feet, where the Grading Code allows a maximum height of 3 feet.

Grading Exception B: To allow slopes with a ratio of 3.9:1 or steeper to be up to 28 feet in vertical height, where the Grading Code limits slopes having a ratio of 3.9:1 or greater to a maximum vertical height of 20 feet.

1. *That the strict application of the provisions of this title would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this title.*

Grading Exception A: The proposed project **complies** with this finding. The project site is significantly restricted due to topography and boundary conditions. The site has a natural average slope of 25.9 percent and is bounded by Sycamore Canyon Boulevard to the north and east and Central Avenue to the south. At the northwest corner of the site Sycamore Canyon Boulevard is at an elevation of 1350 feet, whereas at the southwest corner of the site Central Avenue is at 1314 feet. There is an approximately 36-foot vertical difference across the site. Most of the site has a relatively flat pad at an elevation of 1350 feet, surrounded by hillsides at the north, west, and south property boundaries. The southwest corner of the project site contains a jurisdictional feature consisting of a willow riparian plant community, riparian/riverine habitat, and associated drainage. In addition, the parcel is irregularly shaped, the northeast property line along Sycamore Canyon Boulevard has a 435-foot radius.

Due to the challenging topographical conditions, approximately 2 acres of the 9.44-acre site must remain undisturbed and/or utilized for match-up grading, allowing the proposed grading to match the grade of the existing relatively flat pad at 1350 feet. The 36-foot vertical difference in elevation along the public street frontages, coupled by restrictions to public street access, create significant challenges for vehicular access and ADA-compliant pedestrian circulation within the site.

Using retaining walls, the project design strikes a balance between the site constraints, and allows for ADA-accessible pedestrian circulation throughout the site, with a maximum slope of 1 inch per foot in the direction of travel and a maximum cross slope of two percent. Portions of the retaining wall near Sycamore Canyon Boulevard, not visible from public view, will exceed the maximum height of six feet and walls along Central Avenue, visible from public view, will exceed the maximum height of three feet. The terraced

retaining wall locations, lengths and heights are illustrated on the Grading Exception exhibit.

The wall segments along Sycamore Canyon Boulevard, not visible from public view, vary between 85-125 linear feet and the maximum heights vary between 7.3 – 11.7 feet. The walls along Central Avenue, visible from public view, are approximately 470 linear feet and a maximum of five feet in height. Walls along the vegetated ravine at the southwest corner of the site, which may be visible from public view, are approximately 390 linear feet and a maximum of five feet in height. Strict application of the Grading Code would require the over-height walls along Sycamore Canyon Boulevard to be eliminated, which would require raising the site nearly six feet. This would only serve to exacerbate the over-height wall issue along Central Avenue and the vegetated ravine. Alternatively, the site would have to incorporate terracing or excessive gradients which would negatively impact vehicular access and ADA-compliant pedestrian circulation within the development, creating the need for stairs and accessible ramps, requiring additional grading.

Strict application of the Grading Code to eliminate the over-height walls along Central Avenue and the vegetated ravine would require lowering the site approximately 6 –10 feet. This would worsen the over-height wall issue near Sycamore Canyon Boulevard as it would drastically impact vehicular and pedestrian access to Sycamore Canyon Boulevard. Strict application of the Grading Code would require the site to be raised by approximately 6 feet along Sycamore Canyon Boulevard and would require the site to be lowered by approximately 6–10 feet along Central Avenue, which would not further the purpose stated in RMC 17.04.010, particularly regarding minimizing the visual impact of grading.

Grading Exception B: The proposed project **complies** with this finding. The project site contains an existing knoll located near the north project boundary, along Sycamore Canyon Boulevard. The existing knoll has a vertical slope height of 28 feet. The condition of the knoll is unstable and could potentially become a public safety hazard. The knoll as existing, in its natural form, does not comply with the provisions of the Grading Code.

The applicant proposes to stabilize and recontour the existing knoll, with a proposed vertical slope height of 28 feet. The slope height of the knoll will remain at 28 feet, which exceeds the standards of the Grading Code. The strict application of the Grading Code would require the knoll to have a maximum vertical slope height of 20 feet, which would not further the purpose stated in RMC 17.04.010, particularly regarding stabilizing steep hillsides, retain moisture, prevent erosion, and enhance the natural scenic beauty.

2. *That there are exceptional 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 same zone or neighborhood.*

Grading Exception A: The proposed project **complies** with this finding. The project site is uniquely shaped and is significantly restricted due to topography and boundary conditions. The property consists of a combination of undulating, undisturbed land, with a large, relatively flat area. The southwest corner of the project site contains a jurisdictional feature consisting of a willow riparian plant community, riparian/riverine habitat, and associated drainage. The northwest corner of the site (Sycamore Canyon Boulevard) is at an elevation of 1350 feet, whereas the southwest corner at Central Avenue is 1314 feet. There is an approximately 36-foot vertical difference across the site. The top of the isolated knoll described above, located near the north project boundary, along Sycamore Canyon Boulevard, has an elevation of 1381.6 feet. The parkway along Central Avenue

near the southwesterly project boundary has an elevation of 1316.5 feet. The total elevation difference between these two points is approximately 65 feet.

Due to the challenging topographical conditions, approximately 2 acres of the 9.44-acre site must remain undisturbed and/or utilized for matchup grading, allowing for the proposed grading to match the grade of the existing relatively flat pad at 1350 feet. The proposed height of the retaining walls does not grant benefit to the project applicant, but rather allows for a more normal development on the project site. The shape of the site, the topography, biological resources, and boundary conditions constitute an exceptional 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 same zone or neighborhood.

Grading Exception B: The proposed project **complies** with this finding. The sparsely vegetated property is a combination of undulating, undisturbed land, with a large, relatively flat area. The Caltrans realignment of Sycamore Canyon Boulevard created an isolated knoll at the northerly property boundary with an overall vertical height of 28 feet.

The project site is bounded by Sycamore Canyon Boulevard to the north and east and Central Avenue to the south. Both streets have pronounced grades, with a total fall of more than 45 feet across the project frontages. As a result, the majority of the public street frontages contain graded slopes adjacent to the roadways. Vehicular access for the site is significantly restricted due to sight distance constraints and limitations on proximity to the intersection.

The westerly boundary is undisturbed with a large knoll near the northwesterly corner. The southwest corner of the project site contains a jurisdictional feature consisting of a willow riparian plant community, riparian/riverine habitat, and associated drainage. The shape of the site, the topography, biological resources, and boundary conditions constitute an exceptional 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 same zone or neighborhood.

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

Grading Exception A: The proposed project **complies** with this finding. The terraced, retaining walls along the south and west property lines are visible from public view and will not exceed 5 feet in height. This wall configuration is less obtrusive than a single retaining wall and provides a more subtle transition than a single, expansive slope surface. The design includes areas for landscaping to soften the walls and add visual interest.

The proposed retaining walls will stabilize the existing slopes along the westerly boundary, allowing sensitive areas to remain undisturbed, preserving natural vegetation and historic drainage patterns. The wall segments adjacent to Sycamore Canyon Boulevard are not visible from public view and will vary between 7.3 – 11.7 feet in height. These walls are necessary to accommodate the siting of three buildings and related parking and walkways, as well as, provide a vehicular and pedestrian connection to Sycamore Canyon Boulevard.

For these reasons, the granting of the Grading Exception 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.

Grading Exception B: The proposed project **complies** with this finding. Granting the Grading Exception will allow typical development of the property in accordance with the

Objectives and Policies of the General Plan 2025 and the Grading Code. The conceptual grading design balances the significant and varied constraints and conditions described in the findings above. The existing knoll has a vertical slope height of 28 feet. The condition of the knoll is unstable and could potentially become a public safety hazard. The knoll as existing, in its natural form, does not comply with the provisions of the Grading Code. The applicant proposes to stabilize and recontour the existing knoll, with a proposed vertical slope height of 28 feet.

Granting the Grading Exception will allow the knoll to be stabilized and recontoured without increasing the overall height or altering the crown. Since the overall vertical height of the slope will not increase, granting the Grading Exception 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.



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

PLANNING CASES: **P19-0775** (General Plan Amendment)
 P19-0776 (Zoning Code Amendment)
 P19-0777 (Design Review)
 P20-0307 (Variance)
 P20-0308 (Grading Exception)
 P20-0309 (Grading Exception)
 P20-0310 (Summary Vacation)
 P19-0905 (Environmental Impact Report)

Planning Division

1. All mitigation measures, as outlined in the Mitigation, Monitoring and Reporting Plan in the FEIR, shall be completed in accordance with the designated schedule.
2. Approval of this project is contingent upon the Certification of the Environmental Impact Report associated with this project.
3. Plans shall conform to the exhibits attached to this report. Proposed modifications to the approved design shall be submitted to the Planning Division and shall include revised exhibits and a narrative description of the proposed modifications. The Applicant is advised that additional development applications and fees may be required.
4. All conditions of Riverside County Airport Land Use Commission case ZAP1414MA20 shall apply.
5. **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 Issuance of Grading Permit:

6. The General Plan Amendment (P19-0775) shall be finalized and/or adopted.
7. The Zoning Code Amendment (P19-0776) shall be finalized and/or adopted.
8. The Summary Vacation (P20-0310) shall be finalized and/or adopted.
9. The applicant shall convey the 0.53-acre area of conservation to the Regional Conservation Authority (RCA) to ensure long-term conservation. Submit documentation of the conveyance to the Planning Division.
10. A 40-scale precise grading plan shall be submitted to the Planning Division and include:
 - 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;
- e. Identification of location, exposed height, material, and finish of any proposed retaining walls.

During Grading and Construction Activities:

- 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 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.
- 15. To reduce construction related particulate matter air quality impacts of projects the following measures shall be required:
 - a. The generation of dust shall be controlled as required by the AQMD;
 - b. 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;
 - c. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards;
 - d. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
 - e. Wash off trucks and other equipment leaving the site;
 - f. Keep disturbed/loose soil moist at all times;
 - g. Suspend all grading activities when wind speeds exceed 25 miles per hour; and
 - h. Enforce a 15 mile per hour speed limit on unpaved portions of the construction site.
- 16. The applicant shall be responsible for erosion and dust control during construction phases of the project.
- 17. 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:

- 18. Landscaping and Irrigation plans shall be submitted to the Planning Division for review. Design modifications may be required as deemed necessary. Separate applications and filing fees are required.

- a. Landscaping and Irrigation plans shall provide suitable landscape material within the bioinfiltration basins;
 - b. Enhanced landscaping shall be provided at the corner of Sycamore Canyon Boulevard and Central Avenue, to the satisfaction of staff;
 - c. Plans shall be approved by the City Fire Department; and
 - d. Landscaping and Irrigation plans shall be approved by the Riverside Conservation Authority (RCA). Submit documentation of RCA approval to the Planning Division.
19. **Photometric/Lighting Plan:** 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.
- 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; and
 - e. For safety, all pedestrian paths shall be adequately lighted throughout the project.
20. **Fence and Wall Plan:** Revise the wall and fence plan such that the plan provided for building permit plan check incorporates the following changes:
- a. All retaining walls shall be constructed of Lock+Load quarry rock, or equal alternative, subject to staff approval;
 - b. All freestanding and retaining walls shall be constructed of, or finished in, a decorative material;
 - c. All walls and pilasters shall be finished with a decorative cap.
21. The Wall and Fence Plan shall be approved by the Riverside Conservation Authority (RCA). Submit documentation of approval to the Planning Division, prior to building permit issuance.
22. **Staff Required Plot Plan Conditions:** Revise the submitted plot plan such that the plan provided for building permit plan check incorporates the following changes:
- a. Verify that all internal drive aisles have a minimum width of 24 feet and all parking stalls are a minimum 9 feet in width by 18 feet in depth;
 - b. A minimum 12-inch concrete walkway, including curb width, shall be provided along the sides of landscape planters whenever the side of a parking stall is adjacent to it; and
 - c. Provision for handicap accessible parking as deemed necessary by Building and Safety Division.
23. **Staff Required Building Elevations Conditions:** Revise the submitted building elevations such that the plans provided for building permit plan check incorporate the following changes:

- a. The color scheme of Buildings 1-5 shall be revised to match the color scheme of Buildings 6 and 7;
 - b. The building elevations submitted for building permits shall clearly specify all building materials and colors to match the materials and colors as approved by the City Planning Commission as applicable; and
 - c. Roof-mounted mechanical equipment shall not protrude above the height of the building parapet wall.
24. **Staff Required Floor Plan Conditions:** Revise the submitted building floor plans such that the plans provided for building permit plan check incorporate the following changes:
- a. Revise the floor plan of Building 5 to remove the eastern most garage, as it does not have direct access to a drive aisle.
25. Plans submitted for staff review shall specify the location, design and color of all domestic water meters, backflow preventers and utility cabinets subject to Planning and Public Utilities review and approval. The visibility of such facilities shall be minimized to Planning Department review and approval through means including but not limited to relocation, berming, landscaping, and/or installation of a screen wall.
26. Submit three sets of plans depicting the preferred location for above ground utility transformers of capacity to accommodate the planned or speculative uses within the building(s). 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. If landscape screening is the preferred screening method, no landscaping except ground cover shall be allowed within 10 feet of the transformer. The Applicant is advised to consult with the City of Riverside Public Utilities, Electrical Engineering Division, at (951)826-5489 prior to preparing these plans.

Prior to Release of Utilities and/or Occupancy:

- 27. 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, at (951) 826-5371 to schedule the final inspection at least one week prior to needing the release of utilities.
- 28. The applicant shall provide written evidence to the Planning Division and the Police Department that they will be participating in the City's Crime Free Multi-Housing Program.

Standard Conditions:

- 29. There shall be a two-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.
- 30. The General Plan Amendment, Zoning Code Map Amendment, Design Review, Variance, Grading Exceptions, and Summary Vacation 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.

Please be advised that the applicant will not be notified by the planning division about the pending expiration of the subject entitlement.

31. 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.
32. 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.
33. 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.
34. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
35. The subject property shall be developed and operated substantially as described in the text of this report and as shown on the plot plan on file with this case except for any specific modifications that may be required by these conditions of approval.
36. The applicant shall continually comply with all applicable rules and regulations in effect at the time permit is approved and exercised and which may become effective and applicable thereafter.

Riverside Conservation Authority

37. Incorporate measures to control the quantity and quality of runoff from the site entering the Multiple Species Habitat Conservation Plan (MSHCP) Conservation Area. In particular, measures shall be put in place to avoid discharge of untreated surface runoff from developed and paved areas into MSHCP Conservation Areas.
38. Land uses proposed in proximity to the MSHCP Conservation Area that use chemicals or generate bioproducts, such as manure, that are potentially toxic or may adversely affect wildlife species, Habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in discharge to the MSHCP Conservation Area. The greatest risk is from landscaping fertilization overspray and runoff.
39. Night lighting shall be directed away from the MSHCP Conservation Area to protect species within the MSHCP Conservation Area from direct night lighting. Shielding shall be incorporated in project designs to ensure ambient lighting in the MSHCP Conservation Area is not increased. Lighting is proposed on the walkway and is required for safety.

40. Proposed noise-generating land uses affecting the MSHCP Conservation Area shall incorporate setbacks, berms, or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations, and guidelines related to land use noise standards.
41. Consider the invasive, non-native plant species listed in Table 6-2 of the MSHCP in approving landscape plans to avoid the use of invasive species for the portions of the project that are adjacent to the MSHCP Conservation Area. Considerations in reviewing the applicability of this list shall include proximity of planting areas to the MSHCP Conservation Areas, species considered in the planting plans, resources being protected within the MSHCP Conservation Area and their relative sensitivity to invasion, and barriers to plant and seed dispersal, such as walls, topography, and other features.
42. Proposed land uses adjacent to the MSHCP Conservation Area shall incorporate barriers, where appropriate, in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping into the MSHCP Conservation Areas. Such barriers may include native landscaping, rocks/boulders, fencing, walls, signage, and/or other appropriate mechanisms.
43. Manufactured slopes associated with the proposed site development shall not extend into the MSHCP Conservation Area.

Fire Department

44. 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.

Have a UL, FM or ETL listed and licensed C10 fire alarm contractor submit plans and obtain approvals prior to installation. Alarm contractor shall provide a copy of a maintenance contract complying with N.F.P.A. 72.

Contact the Riverside Public Utilities Department at (951) 826-5285 for the requirements for the dedicated fire service and backflow requirements.

45. Group R, Division 2 occupancies shall be provided with a manual and automatic fire alarm system in apartment houses three or more stories in height or containing 16 or more dwelling units. (See California Fire Code for exceptions). Submit plans and obtain approvals from the Fire Department prior to installation. New fire alarm systems shall be UL, FM or ETL certificated for the life of the system. Central Station shall be UL UUFX.
46. 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.
47. An "Infrared Automatic Gate System" is required for all electric gates. Contact the Fire Prevention Division for information.
48. 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.
49. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
50. Construction plans shall be submitted and permitted prior to construction.
51. Fire Department access shall be maintained during all phases of construction.

52. Public fire hydrants shall be provided on Central Avenue and Sycamore Canyon Boulevard spaced a maximum of 350 feet apart.
53. New buildings located in any Very High Fire Hazard Severity Zone or any Wildland-Urban Interface Fire Area shall comply with the 2016 California Building Code, Chapter 7A, California Fire Code, Chapter 49, and Public Resource Codes 4290 & 4291.
54. When the project is submitted to the Building and Safety Division for plan review, the submittal shall include the approved Fire Protection Plan (FPP) and Alternate Methods and Materials (AM&M) dated 2/3/2021.
55. Buildings and structures located in the Very High Fire Hazard Severity Zone shall maintain the required hazardous vegetation and fuel management Fire-Resistant Landscaping, found on the CA State Fire Marshal's website, <https://www.readyforwildfire.org/prepare-for-wildfire/get-ready/fire-resistant-landscaping/>

This includes the required minimum 30-feet of defensible space within the project boundaries. As well as the landscaping within the City right-of-way, that is part of the project development.
56. Fire access shall be maintained throughout apartment complex with the required turnaround at the dead-end, adjacent to Building #7. See Fire Department Information Bulletin #B-19-001.
57. Approved Fire Department access pedestrian gates shall be equipped with Knox padlocks and Fire Department access only signage. See Fire Department Information Bulletin #B-19-004.

Parks, Recreation & Community Services – Park Planning

Prior to Issuance of Grading Permit:

58. Submit a copy of the Grading Plans to Parks, Recreation & Community Services Department (PRCSD) for review and approval prior to permit issuance.

Incidental park land impacts shall be returned to as good or better condition than existing.

Cut and/or fill slopes visible from natural open spaces, (e.g. Quail Run Site) shall be designed using "contour grading".

Prior to Issuance of Building Permit:

59. Developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve, and trail fees) for privately developed areas per RMC Chapters 16.60, 16.44 and 16.76.
60. Submit a copy of the Site Improvement and Landscape Plans to PRCSD for review and approval prior to permit issuance.

Public Utilities – Electric

61. 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.
62. Blanket Public Utility Easement required on all parcels.
63. 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.

64. 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.
65. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site.
66. Plot existing electrical distribution facilities on the original site plan.
67. Show proposed location of transformers and electrical rooms.

Public Utilities – Water

Prior to Issuance of Building Permit:

68. Applicant shall construct or guarantee the construction of an 8" water main extension in Central Avenue from Sycamore Canyon Boulevard across the project frontage.
69. Applicant shall construct or guarantee the construction of a 12" water main extension in Sycamore Canyon Boulevard from Central Avenue across the project frontage.

Public Works

Prior to Issuance of Grading Permit, Unless Otherwise Noted:

70. Installation of sewer laterals to serve this project to Public Works specifications.
71. Installation of curb & gutter and sidewalk along Sycamore Canyon Boulevard at location of existing asphalt berm to Public Works specifications.
72. Size, number, and location of driveways to Public Works specifications.
73. Storm Drain construction will be contingent on engineer's drainage study.
74. 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.

75. 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.
76. 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.
77. 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.
78. 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.
79. Street Trees will be Required. 24" Box Size Magnolia grandiflora 'Russet' on Central Avenue and 24" Box Size Tabebuia chrysotricha on Sycamore Canyon Boulevard with root barrier along all hardscapes. Typical spacing approximately 35 feet.
- Quantity and final spotting will be determined after site inspection after fine grading and hardscape installation has been completed.
80. Installation of automatic irrigation system to provide deep-root watering to Street Trees is required.
81. Vacation of excess right of way along Central Avenue to Public Works standards and specifications. City to reserve 65' from improvement centerline.
82. Vacation of excess right of way along Sycamore Canyon Boulevard to Public Works standards and specifications. City to reserve 65' from improvement centerline.
83. Trash enclosures required per Public Works standards. Tandem enclosures will be allowed but they must contain the same type of dumpster (2 solid waste or 2 recycle).

84. Council authorizes the City Manager to execute quitclaims documents on behalf of the City of Riverside to extinguish the desired public rights within the vacated right-of-way that does not revert by operation of law.
85. Prior to finalization of the case, the applicant shall provide the appropriate documentation that the lender(s) / trustee(s) has(have) agreed to modify any Trust Deed(s) to reflect the reconfigured parcel(s).
86. Property transfers to the final proposed parcel configurations must be accomplished concurrently with the finalization of this case. Ownership of the property shall remain undivided prior to recordation of the Certificate of Compliance for Lot Line Adjustment.
87. All recording fees of the Riverside County Recorder, including transfer documents, grants of right-of-way and the Certificate of Compliance for Lot Line Adjustment are the responsibility of the applicant.
88. Applicant shall prepare Grant Deeds that have each owner grant to themselves each of the parcels in their final configuration. This requirement is necessary to ensure that the final parcel configurations and ownerships are clearly identified in the Land Title History.
89. VC P20-0310 to be completed prior to issuance of the Certificate of Compliance.