

Community Development  
Department  
*Planning Division*

February 24, 2012

Allen Asada  
5389 Jasper Ln  
Riverside, CA 92506

**SUBJECT: P11-0212 – 2378 University Avenue**

Dear Applicant:

The Riverside City Council, at its meeting of January 17, 2012, approved Planning Case P11-0212. Attached are the final conditions of approval and City Council minutes for your records. In conjunction with this approval the City Council, in accordance with the California Environmental Quality Act (CEQA), determined that this project would not have a significant effect on the environment and adopted a Mitigated Negative Declaration.

A Mitigated Notice of Determination must be filed with the County of Riverside Clerk's Office. The filing of the Mitigated Notice of Determination formally deems the project approved and commences a 30-day period in which legal challenges to the environmental determination can be made. Please submit your check in the amount of \$2,108.00 made payable to the County of Riverside so that Planning staff may file the Mitigated Notice of Determination on your behalf.

Please call Moises, Lopez, Associate Planner, at (951) 826-5264 if you have any questions about the content of this letter.

Sincerely,

Erin Gettis, AIA  
Principal Planner/  
Historic Preservation Officer

**CITY COUNCIL  
FINAL APPROVED CONDITIONS**

CASE NO. P11-0212

City Council Meeting Date: January 17, 2012

**General Conditions**

1. The project must be complete per the Cultural Heritage Board's approval, including all conditions listed below. Any subsequent changes to the project must be approved by the Cultural Heritage Board or the Cultural Heritage Board staff. Upon completion of the project, a Cultural Heritage Board staff inspection must be requested to ensure that the approved plans have been executed and that all conditions have been implemented before **OCCUPANCY** hold can be released.
2. There is a ten calendar-day appeal period that will lapse at 5:00 p.m. on December 26, 2011. Appeals of the Board's action will not be accepted after this time.
3. This approval will expire in one year on **December 14, 2012**.
4. 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.

**Specific Conditions of Approval**

1. A demolition permit shall be obtained prior to demolition activity.

*Prior to the Issuance of a Demolition Permit:*

2. \*The property shall be documented to the equivalent of Historic American Buildings Survey (HABS) Level II standards, including compilation of textual information regarding the history and current condition of the property, photographic documentation using black and white 35mm format film, subject to the review and approval of the Planning Director. Photographic views shall include contextual views, all exterior elevations of buildings, detailed views of significant exterior architectural features, and interior views of significant historical architectural features. All existing architectural drawings and/or plans of the buildings and historic photographs shall be submitted as available from current and previous property owners.
3. \*The applicant shall contact interested repositories, including but not limited to historic resources interest groups, to provide the opportunity to salvage interior and exterior character-defining building materials and fixtures. The applicant shall provide proof in writing of contact made in regard to this condition (i.e., copies of the letters).
4. \*To mitigate for potential adverse impacts resulting from construction activities, development projects must abide by the SCAQMD's Rule 403 concerning Best Management Practices for construction sites in order to reduce emissions during the construction phase. Measures may include:
  - a. Development of a construction traffic management program that includes, but is not limited to, rerouting construction related traffic off congested streets, consolidating truck deliveries,

and providing temporary dedicated turn lanes for movement of construction traffic to and from site;

- b. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
  - c. Wash off trucks and other equipment leaving the site;
  - d. Replace ground cover in disturbed areas immediately after construction;
  - e. Keep disturbed/loose soil moist at all times;
  - f. Suspend all grading activities when wind speeds exceed 25 miles per hour;
  - g. Enforce a 15 mile per hour speed limit on unpaved portions of the construction site.
5. \* 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.
6. To reduce construction related particulate matter air quality impacts of City projects the following measures shall be required:
- a. the generation of dust shall be controlled as required by the AQMD;
  - b. grading activities shall cease during periods of high winds (greater than 25 mph);
  - c. trucks hauling soil, dirt or other emissive materials shall have their loads covered with a tarp or other protective cover as determined by the City Engineer; and
  - d. the contractor shall prepare and maintain a traffic control plan, prepared, stamped and signed by either a licensed Traffic Engineer or a Civil Engineer. The preparation of the plan shall be in accordance with Chapter 5 of the latest edition of the Caltrans Traffic Manual and the State Standard Specifications. The plan shall be submitted for approval, by the engineer, at the preconstruction meeting. Work shall not commence without an approved traffic control plan.
7. \* The following mitigation measures should be implemented to reduce project-related adverse impacts to archaeological resources and sites containing Native American human remains that may be inadvertently discovered during construction of projects proposed in the City's General Plan Update:
- a. In areas of archaeological sensitivity, including those that may contain buried Native American human remains, a registered professional archaeologist and a representative of the culturally affiliated Native American Tribe, with knowledge in cultural resources, should monitor all project-related ground disturbing activities that extend into natural sediments in areas determined to have high archaeological sensitivity.
  - b. If buried archaeological resources are uncovered during construction, all work must be halted in the vicinity of the discovery until a registered professional archaeologist can visit the site of discovery and assess the significance and origin of the archaeological resource. If the resource is determined to be of Native American origin, the Tribe shall be consulted. If the

archaeological resource is determined to be a potentially significant cultural resource, the City, in consultation with the project archaeologist and the Tribe, shall determine the course of action which may include data recovery, retention in situ, or other appropriate treatment and mitigation depending on the resources discovered.

- c. 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-inter 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.
8. The applicant shall provide catalog cuts or manufacturer's cut sheets for the proposed front and rear doors, wrought iron detailing, and brackets for review and approval of Design Review staff.

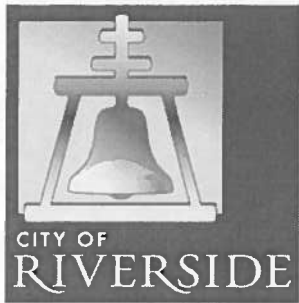
*During Construction*

9. Ensure that noise impacts generated by vehicular sources are minimized through the use of noise reduction features (e.g., earthen berms, landscaped walls, lowered streets, improved technology).

*Prior to the Issuance of a Building Permit for the Office Building*

10. A Variance shall be submitted to the Planning Division for the parking shortage. Pursuant to Chapter 19.580 (Parking and Loading) of the Zoning Code, the new office building requires nine parking spaces where only seven are proposed.

**COUNCIL/AGENCY MEMBERS**

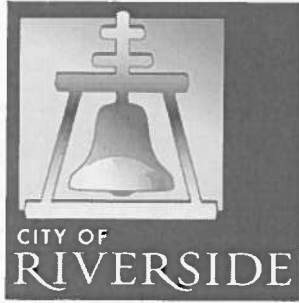


**CITY COUNCIL  
MINUTES**

TUESDAY, JANUARY 17, 2012, 2 P.M.  
ART PICK COUNCIL CHAMBER  
CITY HALL  
3900 MAIN STREET

*City of Arts & Innovation*

	G A R D N E R	M E L E N D R E Z	B A I L E Y	D A V I S	M A C A R T H U R	H A R T	A D A M S
WARDS	1	2	3	4	5	6	7
Roll Call:	X	X	X	X	X	X	X
Mayor Loveridge called the meeting to order at 2 p.m.							
<u>PRESENTATION</u>							
Executive Director Anne Mayer discussed the Riverside County Transportation Commission and its relationship to the City of Riverside and answered questions from the Mayor and City Council.							
<u>PUBLIC HEARINGS/PLANNING REFERRALS AND APPEALS</u>							
CASE P11-0212 - REPEAL STRUCTURE OF MERIT - CERTIFICATE OF APPROPRIATENESS - 2378 UNIVERSITY - RESOLUTION - ORDINANCE INTRODUCED							
Hearing was called on the proposal by Allen Asada on behalf of William Kennedy to repeal the Structure of Merit designation and Overlay Zone at 2378 University Avenue and to consider a Certificate of Appropriateness for demolition of an existing fire-damaged approximately 4,000-square-foot two-story residential structure and construction of new approximately 2,274-square-foot two-story office building in the CR-SP-CR-Commercial Retail and Specific Plan (University Avenue) and Cultural Resource Overlay Zones. No one spoke on the matter. The public hearing was officially closed. Following discussion, the City Council (1) determined that Case P11-0212 will not have a significant effect on the environment based on the findings set forth in the case record and adopted a Mitigated Negative Declaration; and (2) approved Case P11-0212 subject to the findings as outlined in the written staff report thereby repealing the Structure of Merit designation for both the building and site and approved the Certificate of Appropriateness; (3) adopted a resolution repealing the designation of 2378 University Avenue as a City Structure of Merit; and (4) introduced an ordinance rezoning 2378 University Avenue from the CR-SP-CR-Commercial Retail Specific Plan (University Avenue) and Cultural Resource Plan Overlay Zones, to the CR-SP-Commercial Retail and Specific Plan (University Avenue) Overlay Zones; whereupon, the title having been read and further reading waived, Resolution No. 22331 of the City Council of the City of Riverside, California, Making Findings and Determinations in the Matter of Planning Case P11-0212 Repealing the Designation of 2378 University Avenue as a City Structure of Merit (Structure of Merit Number 157) in Accordance with Section 20.20.100, Title 20 of the Riverside Municipal Code, was presented and adopted; and whereupon, an ordinance entitled, "An Ordinance of the City of Riverside, California,							



**CITY COUNCIL  
MINUTES**

TUESDAY, JANUARY 17, 2012, 2 P.M.  
ART PICK COUNCIL CHAMBER  
CITY HALL  
3900 MAIN STREET

**COUNCIL/AGENCY  
MEMBERS**

*City of Arts & Innovation*

GARDNER	MELENDREZ	BAILLEY	DAVIS	MACARTHUR	HART	ADAMS
1	2	3	4	5	6	7

Amending the Zoning Map of the City Of Riverside Pursuant to Chapter 19.090 of the Riverside Municipal Code by Rezoning Land From Zone CR-SP-CR To Zone CR-SP", was presented and introduced.

Motion  
Second  
All Ayes

	X					X
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**CASE P11-0663 - A.C.E. HAWTHORNE HOUSE - CITY LANDMARK - 3747 MONROE - RESOLUTION**

Hearing was called on the proposal by Jennifer Mermillod, of JM Research & Consulting, on behalf of California Baptist University to designate the A.C.E. Hawthorne House and related Eucalyptus tree, located at 3747 Monroe Street as a City Landmark and to amend Riverside Municipal Code (Title 19 Zoning Code Map) to rezone .99 acre to add the CR-Cultural Resources Overlay Zone to the existing R-1-7000-Single Family Residential Zone. No one spoke on the matter. The public hearing was officially closed. Following discussion, the City Council (1) determined that Case P11-0663 is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15308, as it can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment, said action is intended to preserve the historic character of the building and site, and to provide notice of the historic status; (2) approved Case P11-0663 subject to the findings as outlined in the written staff report and, thereby, the designation of 3747 Monroe Street and related Eucalyptus tree, both the building and site, as a City Landmark; (3) adopted a resolution designating 3747 Monroe Street and related Eucalyptus tree as a City Landmark; and (4) approved the findings for the Zoning Code Map Amendment to apply the CR-Cultural Resources Overlay Zone to the property at 3747 Monroe Street and related Eucalyptus tree; whereupon, the title having been read and further reading waived, Resolution No. 22332 of the City Council of the City of Riverside, California, Approving the Application Under Planning Case Number P11-0663 Designating the Structure at 3747 Monroe Street, as a City Historic Landmark, APN: 231-020-009, was presented and adopted.

Motion  
Second  
All Ayes

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Councilmember Melendrez disqualified himself from participating in the following item as he owns property within 500 feet and left the dais.

**CASE P11-0732 - APPEAL - CERTIFICATE OF APPROPRIATENESS - BUILDING FACADE IMPROVEMENTS - 3630 UNIVERSITY**

Hearing was called to consider the appeal by Bill Bromley of the Cultural Heritage Board decision for a Certificate of Appropriateness to make modifications to the ground floor level of the Roosevelt Building including alterations to existing store front at Mission Tobacco Lounge tenant space and addition of an outdoor patio located at 3630 University Avenue. No one spoke on the matter. The public hearing was officially closed. Following

	A					
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