



Community Development
Department
Planning Division

City of Arts & Innovation

December 9, 2013

Wakeland Housing & Development Corp.
David Hetherington
1230 Columbia Street, Ste. 950
San Diego, CA 92101

Subject: Planning Cases P13-0198, P13-0199 and P13-0201 – 5797 Picker Street

Dear Mr. Hetherington:

The Riverside City Council, at its meeting of November 19, 2013, approved your development related application which is referenced by the above-noted case numbers. 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 Negative Declaration.

A Notice of Determination has been filed with the County of Riverside Clerk's Office. The filing of the 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. A copy of the Notice of Determination is enclosed.

Please call Patricia Brenes, Senior Planner, at (951) 826-5933 if you have any questions about the content of this letter.

Sincerely,


Steve Hayes, AICP
City Planner

**CITY COUNCIL
FINAL APPROVED CONDITIONS**

CASE NO. P13-0198 (GPA)

City Council Meeting Date: November 19, 2013

CONDITIONS

Case Specific

• **Planning**

1. The General Plan 2025 shall be amended to change the land use designation of the subject properties from MDR – Medium Density Residential to the HDR – High Density Residential, as shown on Exhibit 4.
2. This case shall be adopted concurrently with related Planning Case P13-0199 (Rezoning) by the City Council.
3. All applicable conditions of related Planning Cases P13-0199 (Rezoning), P13-0200 (Certificate of Appropriateness), and P13-0201 (Site Plan Review) shall apply to this project.
4. All approved conditions of the Riverside County Airport Land Use Commission (ALUC) pertaining to case ZAP1058RI13 shall apply to this project.

Standard Conditions

• **Planning**

5. When all of the conditions of approval have been completed, the City Attorney's Office shall prepare the appropriate Resolution for City Council adoption concurrently with the Rezoning case P13-0199.
6. There shall be a two-year time limit in which to satisfy the conditions and finalize this action. Subsequent one-year time extensions may be granted by the City Council upon request by the applicant. Any extension of time beyond five years may only be granted after an advertised public hearing by the City Council.
7. All necessary parcel description describing the exact area to be redesignated shall be prepared, signed and sealed by a licensed Land Surveyor or Civil Engineer authorized to practice Land Surveying in the State of California for the area of the property to be rezoned. Descriptions are required to be on 8 1/2 inch by 11 inch paper with the title "Attachment A" at the top.

**CITY COUNCIL
FINAL APPROVED CONDITIONS**

CASE NO. P13-0199 (RZ)

City Council Meeting Date: November 19, 2013

CONDITIONS

Case Specific

• **Planning**

1. The R-3-2500-AP-D – Multiple Family Residential and Airport Protection-Zone D Overlay Zones shall be applied to the subject property, as shown on Exhibit 3 of the staff report.
2. This case shall be introduced concurrently with related P13-0198 (General Plan Amendment) by the City Council.
3. All applicable conditions of related Planning Cases P13-0198 (General Plan Amendment), P13-0200 (Certificate of Appropriateness), and P13-0201 (Site Plan Review) shall apply to this project.
4. All approved conditions of the Riverside County Airport Land Use Commission (ALUC) pertaining to case ZAP1058RI13 shall apply to this project.

Standard Conditions

• **Planning**

5. When all of the conditions of approval have been completed, the City Attorney's Office shall prepare the appropriate rezoning Ordinance for City Council adoption concurrently with the General Plan Amendment Case P13-0198.
6. There shall be a two-year time limit in which to satisfy the conditions and finalize this action. Subsequent one-year time extensions may be granted by the City Council upon request by the applicant. Any extension of time beyond five years may only be granted after an advertised public hearing by the City Council.
7. All necessary parcel description describing the exact area to be rezoned shall be prepared, signed and sealed by a licensed Land Surveyor or Civil Engineer authorized to practice Land Surveying in the State of California for the area of the property to be rezoned. Descriptions are required to be on 8 1/2 inch by 11 inch paper with the title "Attachment A" at the top.

**CITY COUNCIL
FINAL APPROVED CONDITIONS**

CASE NO. P13-0201
(Site Plan Review)

City Council Meeting Date: November 19, 2013

CONDITIONS All mitigation measures are noted by an asterisk (*).

Case Specific

• **Planning**

1. All applicable conditions of related Planning Cases P13-0198 (General Plan Amendment), P13-0199 (Rezoning), and P13-0200 (Certificate of Appropriateness) shall apply to this project.

Prior to Grading Permit Issuance:

2. A 40-scale precise grading plan shall be submitted to the Planning Division and include the following:
 - a. Hours of construction and grading activity are limited to between 7:00 a.m. and 7:00 p.m. weekdays and 8:00 a.m. and 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or Federal Holidays;
 - b. Compliance with City adopted interim erosion control measures;
 - c. Compliance with all recommendations of the required project specific Water Quality Management Plan;
 - d. Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems;
 - e. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement; and
 - f. The project shall 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:
 - i. 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;
 - ii. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;

- iii. Wash off trucks and other equipment leaving the site;
- iv. Replace ground cover in disturbed areas immediately after construction;
- v. Keep disturbed/loose soil moist at all times;
- vi. Suspend all grading activities when wind speeds exceed 25 miles per hour; and
- vii. Enforce a 15 mile per hour speed limit on unpaved portions of the construction site.

Prior to Building Permit Issuance:

- 3. Planning Cases P13-0198 (General Plan Amendment) and P13-0199 (Rezoning) shall be finalized.
- 4. Landscaping, irrigation, exterior lighting, and sign plans shall be submitted for Design Review staff approval. Design modifications may be required as deemed necessary. Separate applications and filing fees are required. Landscaping, irrigation and exterior lighting plans must be submitted prior to building permit issuance.
- 5. A Submit three sets of plans depicting the preferred location for above ground utility transformer of capacity to accommodate the planned or speculative uses within the building(s) or subject site. These plans shall be reviewed and approved by the Planning Division and Public Utilities Department - Electric Division prior to the issuance of a building permit. The proposed location of the transformer shall be level, within 100 feet of the customer's service point, accessible to service trucks and in a location where the transformer can be adequately screened from public view, either by buildings or landscape screening. 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.
- 6. Plans submitted for Plan check review should specify the location, design and color of all domestic water meters, backflow preventers, and all on- and off-site utility cabinets subject to Planning Division and Public Utilities' review and approval. The visibility of such facilities shall be minimized and include use of the smallest preventer possible, be painted green, and consist of some form of screening including but not limited to berming, landscaping, and/or installation of a screen wall.
- 7. An exterior lighting plan shall be submitted to Design Review staff for review and approval. A photometric study and manufacturer's cut sheets of all exterior lighting on the new buildings and within the common open space areas shall be submitted with the exterior lighting plan. All on-site lighting shall provide a

minimum intensity of one foot-candle **and a maximum intensity of ten foot-candles** at ground level throughout the areas serving the public and used for parking, with a ratio of average light to minimum light of four to one (4:1). The light sources shall be shielded to minimize offsite glare, shall not direct light skyward and shall be directed away from adjacent properties and public right-of-ways. If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed 20 feet in height, including the height of any concrete or other base material.

8. **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. Provision for minimum 12-inch wide concrete walkways, including curb width, along the sides of landscape planters whenever the side of a parking stall is adjacent to it;
 - c. Provision for wheel stops where parking spaces are adjacent to pedestrian walkways or building walls;
 - d. Indicate the use of colored textured paving material within outdoor seating area of the project; and
 - e. Provision for handicap accessible parking as deemed necessary by Building and Safety Division.

9. Add details for the enhancement of the existing trash enclosure to include colors and materials as those proposed for the multiple-family residential complex and a decorative overhead trellis subject to Planning Division staff approval and in accordance with the City's trash enclosure policies and standard drawings (available at the Planning Division) as follows:

REQUIRED ENCLOSURE MATERIALS:

- a. Block color: Precision block plaster finished and painted to match building or decorative block.
 - b. Cap color: To match exterior of enclosure walls;
 - c. Gate/Gauge Material: 16/ga ribbed metal to match color of building;
 - d. Pedestrian access requirement: Yes;
 - e. Decorative overhead trellis requirement: Yes; and
10. A **Staff Required Landscape and Irrigation Conditions:** Detailed landscape/irrigation plans shall be submitted for Design Review staff review and

approval for the entirety of the project site. A separate application and fees will apply. The detailed plans shall include the following elements:

- a. The plant palette shall include the use of drought tolerant plant species in accordance with the City's Water Efficient Ordinance;
- b. The plant palette throughout the proposed retention basin areas shall consist of a mixture of trees, shrubs, grasses and accent plants to create an attractive area for residents and immediate community neighbors to enjoy while walking in front of the site;
- c. Provision for densely planted landscaping along the northernmost property line to screen views from the adjacent single-family residences;
- d. Landscape planters or groupings of potted plants in self-irrigating pots shall be provided within the common areas of the multiple-family residential complex (pool, outdoor dining area, horseshoe court), subject to Design Review Staff approval. Catalog cuts of any pots shall be submitted for review and approval of Design Review staff;
- e. The applicant shall coordinate with the Public Works Department regarding the proposed landscaping and irrigation in the public-right-of-way.

During Construction:

11. The applicant shall be responsible for erosion and dust control during both the grading and construction phases of the project.
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 or urban pollutants, and flooding.
13. During all project grading on site, the project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
14. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
15. 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.
16. During all project site construction, the Construction Contractor shall limit all construction-related activities that would result in a noise disturbance to between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and

between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays. No construction is permitted on Sundays or federal holidays.

17. Noise-reducing design features shall be utilized consistent with standards in Title 24 California Code of Regulations and Title 7 of the Municipal Code.

Prior to Release of Utilities and/or Occupancy:

18. 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. Call Moises A. Lopez, Associate Planner, at (951) 826-5264 to schedule the final inspection at least one week prior to needing the release of utilities.

Standard Conditions

- **Planning**

19. A There shall be a two-year time limit in which to satisfy the conditions and finalize this action. Subsequent one-year time extensions may be granted by the City Council upon request by the applicant. Any extension of time beyond five years may only be granted after an advertised public hearing by the City Council.
20. Prior to receiving a Building Permit the plot plan, building elevations, landscaping, irrigation and sign plans shall be submitted for Design Review approval. Design modifications may be required as deemed necessary. A separate application and filing fee is required. The plot plan and building elevations must be approved prior to building permit issuance; landscaping and irrigation plans must be submitted prior to building permit issuance.
21. Plans submitted for Design Review Board/staff review should specify the location, design and color of all domestic water meters, backflow preventers and utility cabinets subject to the Planning and Public Utilities review and approval. The visibility of such facilities shall be minimized to Planning review and approval through means including but not limited to relocation, berming, landscaping, and/or installation of a screen wall.
 - a. Applicant shall work with staff on the design of the awnings and fenestration of the proposed 2-story building for consistency with the Officer's Club.
22. 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.

23. Enumeration of the conditions herein shall not exclude or excuse compliance with all applicable rules and regulations in effect at the time this permit is exercised.

- **Public Works**

THE FOLLOWING PUBLIC WORKS "ENGINEERING" CONDITIONS TO BE MET PRIOR TO CASE FINALIZATION:

24. Installation of curb, gutter, sidewalk and matching paving on Wohlstetter Street to accommodate the proposed angled parking spaces and convey street drainage to Public Works specifications.
25. Removal of existing improvements on Wohlstetter Street as required, to accommodate the revised on-street parking to Public Works specifications.
26. Closure of unused driveway openings on Wohlstetter Street and on Picker Street to Public Works specifications.
27. Size, number and location of driveways to Public Works specifications.
28. Installation of sewers and sewer laterals to serve this project to Public Works specifications.
29. Dedication of a 10' wide storm drain easement along the northerly property line to accommodate the existing storm drain facilities to Public Works specifications.
30. Off-site improvement plans to be approved by Public Works prior to Construction Permit issuance.
31. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to Building Permit issuance.
32. All security gates or facilities proposed now or in the future will be located on-site and adequate stacking space and vehicle turn-around area will have to be provided to Public Works specifications.
33. 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.
34. 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.
35. 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.
36. 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.

- **Fire**

CONTACT MARGARET ALBANESE AT 951-826-5455 FOR QUESTIONS REGARDING FIRE CONDITIONS OR CORRECTIONS.

37. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
38. Construction plans shall be submitted and permitted prior to construction.

39. Any required fire hydrants shall be installed and operational prior to Fire Department release of permit.
40. Fire Department access is required to be maintained during all phases of construction.

- **Parks, Recreation, and Community Services**

41. Payment of all applicable park development fees (local, regional/reserve, trail, and aquatic) as mitigation for the impacts of the project on the park development and open spaces needs of the City. For questions or concerns regarding this condition, contact Park Planning & Design at (951) 826-2000.

- **Public Utilities - Electric**

CONTACT SUMMER DELGADO AT 951-826-2129 FOR QUESTIONS REGARDING PUBLIC UTILITIES (ELECTRIC) CONDITIONS/CORRECTIONS LISTED BELOW.

42. 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.
43. The provision of utility easements, water, street lights and electrical underground and/or overhead facilities and fees in accordance with the rules and regulations of the appropriate purveyor.

- **Public Utilities – Water**

CONTACT PAUL BAUM AT PBAUM@RIVERSIDECA.GOV OR (951) 826-5370 WITH ANY WATER QUESTIONS REGARDING THIS PROJECT.

44. *Advisory:* All utilities shall be satisfactorily relocated, protected and/or replaced to the specifications of the affected departments and agencies.
45. *Advisory:* Utility easements shall be provided and/or retained to the specifications of the affected departments and agencies.
46. *Advisory:* The provision of water facilities in accordance with the City of Riverside Public Utilities Water Rules.
47. *Advisory:* The provision of utility fees and charges in accordance with the City of Riverside Public Utilities Water Rules.
48. Prior to any water service installation, the developer shall extend the water main along the easterly side of the project at Wohlstetter Street from Philbin Avenue to the northerly property line.

**CITY COUNCIL
FINAL APPROVED CONDITIONS**

CASE NO. P13-0200 (CR)

City Council Meeting Date: November 19, 2013

All mitigation measures are noted by an asterisk (*).

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. Actions by the Cultural Heritage Board, including any environmental finding may be appealed. There is a ten day appeal period that will lapse at 5:00 p.m. on September 30, 2013. Appeals of the Board's action will not be accepted after this time. The appeal fee is \$1,531.20. Appeals will be considered by the Land Use Committee of the City Council at their next available meeting. Appeal processing information may be obtained from the Community Development Department, Planning Division, Public Information Section, 3rd Floor, City Hall.
3. This approval will expire in one year on September 18, 2014.

Specific Conditions of Approval

4. All applicable conditions of related Planning Cases P13-0198 (General Plan Amendment), P13-0199 (Rezoning), and P13-0201 (Site Plan Review) shall apply to this project.
5. * The preserved and enhanced integrity of the restored/rehabilitated Camp Anza Officers Club, which is to be achieved by the proposed project, shall be further protected by the preparation and submittal of a local designation application prior to final inspection or the issuance of certificate of occupancy.
6. Prior to the issuance of building permits, the applicant shall submit plans that include details for the restoration and rehabilitation of the Officer's Club that implement the recommendations of the "Cultural Resources Survey, Home Front at Camp Anza/Camp Anza Officer's Club" by JMRC, June 2013, to the satisfaction of Cultural Heritage Board staff.
7. **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 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;

- b. Provision for outdoor furnishings to be utilized in conjunction with the proposed multiple-family residential complex (i.e., tables and chairs for the outdoor seating area). Catalog cuts or manufacturer's cut sheets for all proposed outdoor furnishings shall be submitted for review and approval of Design Review staff;
 - c. Provision for decorative sconce lighting on all building elevations. Catalog cuts or manufacturer's cut sheets of the proposed sconce lighting shall be submitted for review and approval of design review staff; and
 - d. Roof mounted mechanical equipment shall not permitted.
 - i. Mechanical equipment screening details shall be provided as follows:
 - 1. Where exposed pitched roofs are proposed, locate **NO** mechanical equipment on any roof pitch, except as specifically approved by the Planning Commission.
 - 2. Where exposed roof pitches are not proposed (i.e., "flat" roofs), specify all roof mounted equipment for screening on all sides with either separate screens or parapet walls at least as high as the equipment to be screened.
 - 3. Specify all electric meters and panels to match adjacent building wall surface and color or to be placed in enclosures.
 - 4. Indicate all gas meters, pipes and valves, ground mounted AC units, etc., for screening devices indicating materials and design complimentary to building architecture subject to Design Review staff approval. Wooden roof screens are generally not acceptable.
8. Add details for the enhancement of the existing trash enclosure to include colors and materials as those proposed for the multiple-family residential complex and a decorative overhead trellis subject to Planning Division staff approval and in accordance with the City's trash enclosure policies and standard drawings (available at the Planning Division) as follows:

REQUIRED ENCLOSURE MATERIALS:

- f. Block color: Precision block plaster finished and painted to match building or decorative block.
- g. Cap color: To match exterior of enclosure walls;
- h. Gate/Gauge Material: 16/ga ribbed metal to match color of building;
- i. Pedestrian access requirement: Yes; and
- j. Decorative overhead trellis requirement: Yes



City of Arts & Innovation

COMMUNITY DEVELOPMENT DEPARTMENT Planning Division

Notice of Determination

To: County of Riverside
County Clerk & Recorder
P.O. Box 751
2720 Gateway Drive
Riverside, Ca 92501-0751
(951) 486-7405
Office of Planning & Research
 P.O. Box 3044,
1400 Tenth Street, Room 222
Sacramento, Ca 95812-3044

From: City of Riverside
Community Development
Department Planning Division
3900 Main Street, 3rd floor
Riverside, CA 92522
(951) 826-5625

SUBJECT: Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number: *(if submitted to State Clearinghouse) n/a*

Project Title: P13-0198, P13-0199, P13-0200 and P13-0201

Project Applicant: David Hetherington of Wakeland Housing and Development Corporation

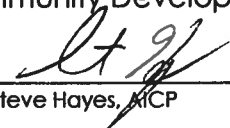
Project Location (include County): 5797 Picker Street an contiguous parcels totaling approximately 2.14 acres in the City and County of Riverside.

Project Description: **PLANNING CASES P13-0198, P13-0199, P13-0200 AND P13-0201:** Proposal by David Hetherington of Wakeland Housing and Development Corporation to consider a General Plan Amendment to amend the General Plan land use designation from MDR – Medium Density Residential to HDR – High Density Residential, an amendment to the Zoning Code (Title 19 of the Riverside Municipal Code) to amend the Zoning designation from R-1-7000 – Single-Family Residential to R-3-2500 – Multiple-Family Residential, the review of the site plan to establish a 30-unit affordable housing project for disabled military veterans and their families and to consider a Certificate of Appropriateness for the rehabilitation and restoration of the former World War II-era Camp Anza Officer's Club, eligible as a City Structure of Merit, on five contiguous parcels totaling approximately 2.14 acres located at 5797 Picker Street, and situated north of Philbin Avenue, between Picker and Wohlstetter Streets, in Ward 6.

This is to advise that the Riverside City Council has approved the above-described project on November 19, 2013 and has made the following determinations which reflect the independent judgment of the City of Riverside regarding the above described project.

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation Measures [were were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
5. A Statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration is available to the General Public at the City of Riverside, Community Development Department, Planning Division, 3900 Main Street, Riverside.

Signature:  Title: City Planner
Steve Hayes, MCP

Date: 12/9/13 Date Received for filing at OPR: _____

**CITY OF RIVERSIDE DEVELOPMENT
INDEMNIFICATION AGREEMENT**

This INDEMNIFICATION AGREEMENT ("Agreement") is made this ____ day of _____, 2013, by a _____, a _____, ("Applicant"), in favor of the City of Riverside, a California charter city and municipal corporation ("City").

RECITALS

A. The Applicant is the owner or developer of that certain real property ("Property") located within the City of Riverside, County of Riverside, California. The Property is more particularly described in the legal description attached hereto as Exhibit "A" and incorporated herein by this reference.

B. The Applicant has applied to the City for certain development approvals for the Property under Planning Case Nos. P13-0198, P13-0199, P13-0200 and P13-0201, a proposal to _____, on the Property located at _____ (the "Project").

C. As a condition of approval to Planning Case Nos. P13-0198, P13-0199, P13-0200 and P13-0201, the City has required that the Applicant execute this Agreement, to defend, indemnify, including reimbursement, and hold harmless the City, its agents, officers and employees from any claim, action, or proceeding against the City, its agents, officers or employees, to attack, void or annul an approval by the City's advisory agency, appeal board, or legislative body concerning the Project.

NOW, THEREFORE, in accordance with the recitals set forth above and as consideration for the approval of development entitlements stated herein, the City and Applicant agree as follows:

1. Incorporation of Recitals. The parties agree that the Recitals constitute the factual basis upon which the City and the Applicant have entered into this Agreement. The City and the Applicant each acknowledge the accuracy of the Recitals and agree that the Recitals are incorporated into this Agreement as though fully set forth at length.

2. Term. The term of this Agreement commences upon approval of Planning Case Nos. P13-0198, P13-0199, P13-0200 and P13-0201 and shall terminate one year after the satisfaction of all required conditions under said Planning Case.

3. Indemnification. The Applicant agrees to indemnify and hold harmless the City, its agents, officers, council members, employees, boards, commissions and their members and the City Council from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of such litigation being to attack, set aside, void or annul any approval of the Project or related decision, or the adoption of any environmental documents or negative declaration which relates to the Project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees that may be awarded to the prevailing party, and costs of suit, attorneys' fees, and other costs, liabilities and expenses arising out of or in connection with the approval of the application or related decision, whether or not there is concurrent, passive or active negligence of the part of the City, its agents, officers, council members, employees, boards, commissions and their members and the City Council.

4. City Notification. City shall promptly notify the Applicant of any claim, action, or proceeding concerning the Project and the City shall cooperate fully in the defense of the matter. Applicant shall promptly retain counsel, at its own cost, to represent the City in any such action. Said counsel, if approved by the City, can jointly represent the City and Applicant. However, the City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter. Any costs and attorney's fees incurred by the City for its separate counsel shall be paid for by the Applicant.

5. Settlement. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

6. Severability. If for any reason, any portion of this Agreement is found to be invalid or unenforceable by a court of competent jurisdiction, the remainder of the Agreement shall remain in full force and effect.

7. Assignability Limitations. This Agreement may be assigned by the Applicant to any successor in interest for the Project, only after Applicant has first notified the City Planning Department and has provided to the City Planning Director a signed acceptance of the assignment by the assignee.

8. Nonwaiver of Rights or Remedies. The failure of the City to exercise any right or remedies available to it pursuant to this Agreement shall not constitute a waiver of that party's right to enforce that right or to seek that remedy in the future. No course of conduct or act of forbearance on any one or more occasions by any party to this Agreement shall preclude that party from asserting any right or remedy available to it in the future. No course of conduct or act of forbearance on any one or more occasions shall be deemed to be an implied modification of the terms of this Agreement.

9. City Authority. Notwithstanding anything in this Agreement to the contrary, the City retains all authority and discretion granted to it by law to either approve, disapprove or modify any of the proposed uses of the Property and/or Project in accordance with City ordinances and the approved General Plan.

10. No Oral Modifications. This Agreement represents the entire understanding of the City and the Applicant and supersedes all other prior or contemporaneous written or oral agreements pertaining to the subject matter of this Agreement. This Agreement may be modified, but only by a writing signed by both the City and the Applicant. All modifications to this Agreement must be approved by the City Council of the City of Riverside.

11. Binding Upon Successors. This Agreement and each of its terms shall be binding upon the City, the Applicant and their respective officers, elected officials, employees, agents, contractors, and permitted successors and assigns.

12. Legal Challenges. Nothing herein shall be construed to require City to defend any third party claims and suits challenging any action taken by the City with regard to any procedural or substantive aspect of the City's approval of the Project, the environmental process, or the proposed uses of the Property. The City shall retain sole and absolute discretion on whether or not it will defend any action filed which challenges the Project, or whether it will take any other course of action on the Project. The Applicant may, however, in its sole and absolute discretion, appear as real party in interest in any third party action or proceeding, and in such event, the City may defend such action or proceedings at City's sole and absolute discretion. This City shall have the absolute right to retain such legal counsel as the City deems necessary and appropriate to represent its interests.

13. Attorneys' Fees. In the event that any action or proceeding, including arbitration, is commenced by either the City or the Applicant against the other to establish the validity of this Agreement or to enforce any one or more of its terms, the prevailing party in any such action or proceeding shall be entitled to recover from the other, in addition to all other legal and equitable remedies available to it, its actual attorneys' fees and costs of litigation, including, without limitation, filing fees, service fees, deposition costs, arbitration costs and expert witness fees, including actual costs and attorneys' fees on appeal.

14. Jurisdiction and Venue. This Agreement is executed and is to be performed in the City of Riverside, Riverside County, California, and any action or proceeding brought relative to this Agreement shall be heard in a court of competent jurisdiction in the County of Riverside, State of California, and the parties hereby waive all provisions of law providing for a change of venue in such proceedings to any other county.

15. Headings. The headings of each Section of the Agreement are for the purposes of convenience only and shall not be construed to either expand or limit the express terms and language of each Section.

16. Representations of Authority. Each party signing this Agreement on behalf of a party which is not a natural person hereby represents and warrants that all necessary legal prerequisites to that party's execution of this Agreement have been satisfied and that he or she has been authorized to sign this Agreement and bind the party on whose behalf he or she signs.

IN WITNESS WHEREOF, the Applicant has caused this Indemnification Agreement to be executed the date first written above.

APPLICANT:

By _____

Printed Name _____

Title _____

By _____

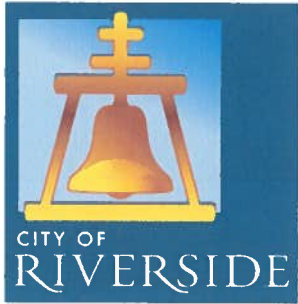
Printed Name _____

Title _____

APPROVED AS TO FORM:

Deputy City Attorney

Rev: 08/19/11



City of Arts & Innovation

**CITY COUNCIL,
SUCCESSOR AGENCY,
AND HOUSING AUTHORITY
MINUTES**

TUESDAY, NOVEMBER 19, 2013, 2 P.M.
ART PICK COUNCIL CHAMBER
CITY HALL
3900 MAIN STREET

**COUNCIL/AGENCY
MEMBERS**

G A R D N E R	M E L E N D R E Z	G U T I E R R E Z	D A V I S	M A C A R T H U R	P E R R Y	A D A M S
1	2	3	4	5	6	7

receives no benefit, owns no property in the BID, and will participate in the following matter.

DOWNTOWN PARKING AND BUSINESS IMPROVEMENT DISTRICT 2014 ASSESSMENT - RESOLUTION

Hearing was called to consider approval of the annual assessment for 2014 in the Downtown Parking and Business Improvement District (BID). One person spoke regarding the matter. The public hearing was officially closed. Following discussion, the City Council (1) confirmed the Annual Report of the Riverside Downtown Partnership acting in its capacity as the advisory board to the Downtown BID; and (2) adopted a resolution to impose the levy for the Downtown BID for calendar year 2014; whereupon, the title having been read and further reading waived, Resolution No. 22593 of the City Council of Riverside, California, Confirming the Annual Report of the Riverside Downtown Partnership Acting in its Capacity as the Advisory Board to the Downtown Parking and Business Improvement Area and Levying Assessments for Calendar Year 2014, was presented and adopted.

Councilmember Melendrez returned to the dais at this time.

JOINT ITEM WITH SUCCESSOR AGENCY TO REDEVELOPMENT AGENCY AND HOUSING AUTHORITY - CASES P13-0198, P13-0199, P13-0200, AND P13-0201 - GENERAL PLAN AMENDMENT AND REZONING - AGREEMENTS - 5797 PICKER - RESOLUTIONS - ORDINANCE INTRODUCED - SUPPLEMENTAL APPROPRIATION

Hearing was called to consider (1) a proposal by David Hetherington of Wakeland Housing and Development Corporation recommending (a) a General Plan Amendment changing the land use designation from MDR - Medium Density Residential to HDR - High Density Residential; (b) rezoning from R-1-7000 - Single-Family Residential Zone to R-3-2500 - Multiple-Family Residential Zone, and (c) site plan review to establish a 30-unit affordable housing project for disabled military veterans and their families on five contiguous parcels totaling approximately 2.14 acres, located at 5797 Picker Street, situated north of Philbin Avenue between Picker and Wohlstetter Streets and (2) disposition of 5797 Picker Street APN 131-123-005, -006, -007, -008, and -013 to Camp Anza, L.P. One person spoke regarding the matter. The public hearing was officially closed. Following discussion, the City Council (1) determined that the action taken herein 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; (2) adopted the Mitigation Monitoring and Reporting Program (MMRP) as outlined in the written staff report, pursuant to Section 21081.6 of the

WARDS

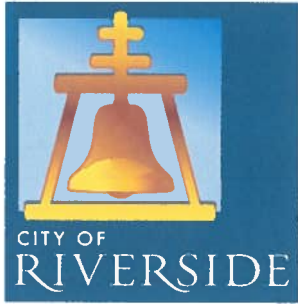
Motion
Second
All Ayes

A

X

X

X



City of Arts & Innovation

**CITY COUNCIL,
SUCCESSOR AGENCY,
AND HOUSING AUTHORITY
MINUTES**

TUESDAY, NOVEMBER 19, 2013, 2 P.M.
ART PICK COUNCIL CHAMBER
CITY HALL
3900 MAIN STREET

**COUNCIL/AGENCY
MEMBERS**

	G A R D N E R	M E L E N D R E Z	G U T I E R R E Z	D A V I S	M A C A R T H U R	P E R R Y	A D A M S
WARDS	1	2	3	4	5	6	7
<p>implement the Assignment of Reimbursement Agreement; and (2) authorized a \$2,066,260 grant from bond proceeds to the Housing Authority to be used for the preservation of the Camp Anza Officer's Club.</p> <p>Following further discussion, the Housing Authority (1) approved and authorized the Executive Director, or his designee, to execute the Assignment of Reimbursement Agreement and all related documents between the City, Housing Authority, and Successor Agency to assume the responsibility of preserving the Camp Anza Officer's Club from the City and to make minor non-substantive changes as necessary to implement the Assignment of Reimbursement Agreement; (2) accepted a \$2,066,260 grant from the Successor Agency to be appropriated to Home Front at Camp Anza Account 9872010-440446; and (3) approved and authorized the Executive Director, or his designee, to execute the Disposition and Development Agreement and all related documents between the Housing Authority and Camp Anza L.P., for rehabilitation of the Camp Anza Officer's Club and development of a 30-unit disabled veteran's affordable housing project and to make minor non-substantive changes as necessary to implement the Disposition and Development Agreement.</p> <p>The City Council recessed at 3:30 p.m. and reconvened at 6:30 p.m. in the Art Pick Council Chamber with Mayor Bailey presiding and all Councilmembers present.</p> <p>The invocation was given by Councilmember Mac Arthur.</p> <p>The Girl Scouts of Riverside presented the Colors and led the Pledge of Allegiance to the Flag.</p> <p>PRESENTATIONS</p> <p>Mayor Bailey called upon Councilmember Adams who recognized La Sierra High School sophomore Nina Ibarra and Norte Vista High School senior Griselda Melgoza for winning the 15th Annual Riverside Public Utilities Bottled Water Label Art Contest.</p> <p>Mayor Bailey called upon Police Chief Diaz who introduced a California Highway Patrol Official who presented the "10851" Award to nine Riverside Police Officers.</p>						X	X
						X	X