



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: JULY 28, 2015**

FROM: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT **WARD: 1**

SUBJECT: PLANNING CASE P14-0839 - CONDITIONAL USE PERMIT TO ESTABLISH A CHARTER SCHOOL, REACH LEADERSHIP STEAM ACADEMY – 1085 LINDEN STREET

ISSUE:

The issue for City Council consideration is a proposal by Reach Leadership STEAM Academy to consider a Conditional Use Permit to establish a charter school for kindergarten through 6th grade students, on a 2.5-acre vacant portion of the Grace Methodist Church site, located at 1085 Linden Street.

RECOMMENDATIONS:

That the City Council:

1. Determine the proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15332 (In-Fill Development), Class 32 (the “Class 32 Exemption”);
2. Approve Planning Case P14-0839 based on the findings outlined in the Planning Commission staff report (attachment 2) and summarized in the Planning Commission’s recommended conditions (attachment 1); and
3. Adopt exhibits 6-8 of the Planning Commission’s staff report as approved project plans, subject to recommended conditions of approval (attachment 1).

STAFF/PLANNING COMMISSION RECOMMENDATIONS:

Staff recommended approval subject to the recommended conditions of approval in the staff report. On June 18, 2015, the City Planning Commission recommended approval of Planning Case P14-0839 by a vote of 8 ayes, 0 noes and 0 abstentions, with modifications to staff recommended conditions.

BACKGROUND:

The applicant is requesting consideration of a Conditional Use Permit (CUP) to establish K-6 Reach Leadership STEAM (Science, Technology, Engineering, and Mathematics) Academy (RLA), an independent charter school under the jurisdiction of the Riverside Unified School District. The RLA is a thriving and growing K-6 STEAM school. The current school is located at the Riverside Community Church at 4850 Jurupa Avenue in Riverside.

The project consists of construction and operation of a temporary K-6 charter school campus. The proposal includes the use of 20 portable structures for classrooms (14), administration (1), library (1), a multipurpose room (1), and restrooms (3). Portable buildings range in size from 960 square feet to 1,920 square feet. An outdoor basketball court, play fields, hard courts, lunch shelter, and play areas are also proposed. A courtyard with a flag pole and landscaping serves as assembly and open space. Additionally, the school proposes to use the existing Dexter Hall, an approximately 3,800 square foot building for three (3) kindergarten classes, transit kinder care, and media center.

The proposed school will house approximately 350-450 students and 28-30 staff at full build-out. School hours of operations will be Monday-Friday, 7:00 AM to 3:00 PM. The office operating hours will be the same (Monday-Friday, 7:00 AM to 3:00 PM).

The school campus will be built in two phases. Phase 1 includes placement of eleven (11) classrooms; administration office, multipurpose, and library buildings; which is a total of sixteen (16) portable structures, plus the repurposing of the existing Dexter Hall building. Phase 2 includes placement of the remaining three (3) classroom and restroom portables. Access to the site will be provided via existing driveways along Rustin Avenue for all phases.

The proposed school will be located on a partly developed site, on existing church grounds in a predominantly residential neighborhood. Based on the operational characteristics of the school, the site can be operated in a manner that will not be detrimental to surrounding land uses, including UCR's Riverside Sports Center. The surrounding neighborhood is developed with residential uses (mainly multi-family housing); educational facilities (UCR's Riverside Sports Center), and is in proximity to Interstate Highway 215/California State Route 60. The closest residential area is located over 80 feet east of the subject site, across the Gage Canal. Adequate access to the subject site exists from Rustin Avenue, which will adequately accommodate vehicular traffic to and from the site. No detrimental impacts are anticipated in conjunction with this use, and the Conditional Use Permit can be supported.

Please refer to the June 18, 2015 City Planning Commission staff report, Planning Commission's recommended conditions, and the Commission minutes for additional analysis and details.

FISCAL IMPACT:

There is no impact to the General Fund as all project costs are borne by the applicant.

Prepared by: Emilio Ramirez, Interim Community & Economic Development Director
Certified as to
availability of funds: Brent A. Mason, Finance Director/Treasurer
Approved by: Al Zelinka, FAICP, Assistant City Manager
Approved as to form: Gary G. Geuss, City Attorney

Attachments:

1. City Planning Commission Recommended Conditions – June 18, 2015
2. City Planning Commission Report – June 18, 2015
3. City Planning Commission Minutes

PLANNING COMMISSION
RECOMMENDED CONDITIONS

Case No.: P14-0839

PLANNING COMMISSION HEARING DATE: June 18, 2015

CONDITIONS

Case Specific

The applicant is advised that the business or use for which this conditional use permit is granted cannot be legally conducted on the subject property until all conditions of approval have been met to the approval of the Community and Economic Development Department, Planning Division.

• **Planning**

1. All applicable conditions of Planning Case P14-0840 (Certificate of Appropriateness) shall apply.
2. 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, including any required variances. A separate sign application, including fees and additional sets of plans, will be necessary prior to sign permit issuance.
3. All conditions and requirements of Riverside County Airport Land Use Commission or Staff shall apply.
4. This Conditional Use Permit is valid for five (5) years from the date of approval. A one-time extension of an additional two (2) years is subject to consideration and approval by the Zoning Administrator based on justification provided by the applicant.

Prior to Grading Permit Issuance

5. A 40-scale precise grading plan shall be submitted to the Planning Division and include the following:
 - a. Hours of construction and grading activity are limited to between 7:00 a.m. and 7:00 p.m. weekdays and 8:00 a.m. and 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or Federal Holidays;
 - b. Compliance with City adopted interim erosion control measures;
 - c. Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems;
 - d. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement;

- e. 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;
 - vii. Enforce a 15 mile per hour speed limit on unpaved portions of the construction site.

During grading and construction activities:

- 6. 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.
- 7. 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. 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.

8. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
9. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
10. 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.
11. The Contractor shall limit all construction-related activities that would result in high noise levels 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.
12. 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 Building Permit Issuance

13. Plans shall be submitted and building permits secured from the City's Building and Safety Division for any improvements that require building permits. All Building and Fire Codes shall be met.
14. A site maintenance and operations plan for ongoing and continuous property cleaning, noise control, and odor, dust and litter control, shall be submitted for review and approval of the Planning Division prior to the commencement of operations.
15. 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.
16. Plans shall be submitted and building permits secured from the City's Building and Safety Division for any improvements that require building permits. All Building and Fire Codes shall be met.
17. A site maintenance and operations plan for ongoing and continuous property cleaning, noise control, and odor, dust and litter control, shall be submitted for review and approval of the Planning Division prior to the commencement of operations.
18. 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.
19. 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;
 - c. Provision for handicap accessible parking as deemed necessary by Building and Safety Division;
 - d. Provision for screening any ground mounted equipment to the satisfaction of Design Review Staff;
 - e. Provision for wheel stops where parking spaces are adjacent to pedestrian walkways, screen walls or building walls;
20. 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. Catalog cuts of the decorative sconce lighting and steel canopies shall be submitted for review and approval of Design Review staff; and
 - 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.
21. A fence/wall plan shall be submitted to Planning Staff for approval.
22. Landscape/irrigation plans submitted for Design Review staff review and approval shall include the following elements:
- a. Fast growing vines shall be planted along the site perimeter walls;
 - b. Existing Landscape planters shall be refurbished and/ or replanted with new plant materials where appropriate.
 - c. Lawn / Turf areas shall be minimized to the extent possible;
23. Submit three sets of plans depicting the exact size, design and location of the domestic water backflow preventer and all on and off-site utility cabinets to the Planning Division. These plans will be reviewed and approved by the Water Department and Planning Division. The design shall include the smallest preventer possible, painted green with some form of screening. The applicant is advised to consult with the Water Department prior to preparing these plans.
24. 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 an intensity of one foot-candle at ground level throughout the areas serving the public and used for parking, with a ratio of average light to minimum light of four to one (4:1). The light sources shall be shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties and public rights-of-ways. If lights are proposed to be