



**PLANNING COMMISSION HEARING DATE: APRIL 28, 2022  
AGENDA ITEM NO.: 5**

**PROPOSED PROJECT**

<b>Case Number</b>	<b>PR-2021-001023</b> (General Plan Amendment, Zoning Code Map Amendment, Conditional Use Permit, Variance, and Design Review)		
<b>Request</b>	<p>To consider the following entitlements to facilitate the development of an automated vehicle wash facility:</p> <ol style="list-style-type: none"> <li>1. General Plan Amendment to change the land use designation from O – Office to C – Commercial;</li> <li>2. Zoning Code Map Amendment to change the zone from O – Office Zone to CR – Commercial Retail Zone;</li> <li>3. Conditional Use Permit to permit an automated vehicle wash facility;</li> <li>4. Variance to allow a perimeter wall higher than allowed by the Zoning Code; and</li> <li>5. Design Review of project plans.</li> </ol>		
<b>Applicant</b>	Eugene Marini of KA Enterprises		
<b>Project Location</b>	360 E. Alessandro Boulevard, situated on the northwest corner of Alessandro Boulevard and Mission Grove Parkway		
<b>APN</b>	272-060-004		
<b>Project Area</b>	0.88 acres		
<b>Ward</b>	4		
<b>Neighborhood</b>	Mission Grove		
<b>General Plan Designation</b>	O - Office		
<b>Zoning Designation</b>	O - Office Zone		
<b>Staff Planner</b>	Candice Assadzadeh, Senior Planner 951-826-5667 <a href="mailto:cassadzadeh@riversideca.gov">cassadzadeh@riversideca.gov</a>		

## RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **RECOMMEND that the City Council DETERMINE** that the proposed project will not have a significant effect on the environment based on the findings set forth in the case record and adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting program (MMRP) pursuant to CEQA Sections 15074 and 21081.6; and
2. **RECOMMEND that the City Council APPROVE** PR-2021-001023 (General Plan Amendment, Zoning Code Map Amendment, Conditional Use Permit, Variance, and Design Review) based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions (Exhibits 1 and 2).

## SITE BACKGROUND

The project site consists of an 0.88 acre parcel developed with an abandoned AT&T facility (Exhibit 3). Surrounding land uses include residential to the north and west, the Mission Grove Plaza to the south (across Alessandro Boulevard), and the Riverside County Emergency Operations Center and a water treatment plant to the east (across Mission Grove Parkway) (Exhibit 4).

As a matter of information, the project was advertised to change the zone of the project site from O – Office Zone to CG – Commercial General Zone. The environmental document also analyzed the zone change to the CG – Commercial General Zone, which is the more intensive of the commercial zones; and therefore, the worst-case scenario. However, the more appropriate zone to consider for this site would be the CR – Commercial Retail Zone, which is more restrictive than the CG – Commercial General Zone, in terms of permitted uses. The application of the CR – Commercial Retail Zone would minimize any potential compatibility impacts to the adjacent residential uses. Thus, the analysis provided in this staff report considers rezoning the property from O – Office Zone to CR – Commercial Retail Zone.

## PROPOSAL

The applicant is requesting approval of entitlements to facilitate construction of a 3,648 square foot automated vehicle wash facility (Quick Quack). The proposed vehicle wash facility consists of a one-story building with a single vehicle wash tunnel, an electrical room, equipment room, restroom, employee lounge, fire riser room, storage closet, office, and a quarterback station. Seventeen covered vacuum positions and three employee parking spaces are provided east of the vehicle wash tunnel. The vacuum canopies are comprised of metal support structures with a metal panel shade structure painted to complement the building. The vertical posts will be wrapped with stone to complement the building.

Three 12-foot-wide queueing lanes with a combined length of approximately 312 feet, located on east of the vehicle wash tunnel, are provided to accommodate 15 vehicles. Access to the vehicle wash facility will be provided from Mission Grove Parkway and East Alessandro Boulevard.

The conceptual landscape design features a variety of trees and water-efficient shrubs and ground cover plants around property lines and landscape planters interior to the site. A 3-foot-high decorative masonry wall, with a wooden pergola, is proposed behind the required 10-foot landscape setback and in front of the car wash tunnel to screen view of the wash tunnel from East Alessandro Boulevard.

The facility is proposed to operate seven days a week from 7:00 a.m. to 7:00 p.m. and from 7:00 a.m. to 9:00 p.m. during the summer.

Implementation of this proposed project requires:

- General Plan Amendment: To amend the land use designation from O – Office to C – Commercial;
- Zoning Code Amendment: To change the zone from O – Office Zone to CR – Commercial Retail Zone;
- Conditional Use Permit: To permit an automated vehicle wash facility;
- Variance: To allow an 8-foot-high perimeter wall along the north and west property lines, where 6 foot high solid walls are allowed by the Zoning Code; and
- Design Review: Site design and building elevations.

**PROJECT ANALYSIS**

**Authorization and Compliance Summary**

	Consistent	Inconsistent
<p><b>General Plan 2025</b></p> <p>The project will be consistent with the proposed General Plan land use designation of C – Commercial (Exhibit 5), which provides for retail, sales, service, and office uses that serve multiple neighborhoods within the City.</p> <p>The proposed project is also consistent with General Plan 2025 Land Use and Urban Design Element Objectives, Goals and Policies of the Mission Grove Neighborhood and will further the intent of the General Plan 2025 through consistency with the following objective:</p> <ul style="list-style-type: none"> <li>• <u>Objective LU-69.3</u>: Work cooperatively with the March Joint Powers Authority to ensure compatibility of land uses.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Zoning Code Land Use Consistency (Title 19)</b></p> <p>The project will be consistent with the proposed CR – Commercial Retail Zone (Exhibit 6), as it intended for a broad range of indoor oriented retail sales and service, and office uses as either stand-alone businesses or as part of commercial centers or office developments. The CR – Commercial Retail Zone allows for vehicle wash facilities subject to approval of a Conditional Use Permit and compliance with the Site Location, Operation, and Development Standards.</p> <p>The proposed project is generally consistent with the applicable development standards of the Zoning Code, except for over height perimeter solid masonry walls along the north and west property lines. The Zoning Code allows for consideration of Variances to deviate from the development standards. The applicant is requesting a Variance to facilitate implementation of the proposed project (Exhibit 8).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Compliance with Citywide Design &amp; Sign Guidelines</b></p> <p>The proposed project substantially meets the objectives of the Citywide Design Guidelines for new commercial development related to building siting and orientation, massing, articulation and</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Consistent	Inconsistent
architectural treatment, parking layout, landscaping, service area and equipment screening and lighting. As proposed and conditioned, the proposed project is consistent with the Citywide Design Guidelines.		
<b>Riverside County Airport Land Use Compatibility Plan</b> The proposed project is in Zone C2 (Flight Corridor Zone) of the March Air Reserve Base Land Use Compatibility Plan (MARB LUCP). On May 13, 2021, the Riverside County Airport Land Use Commission (ALUC) 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 9).	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS**

<b>Chapter 19.110 – CR – Commercial Retail Zone Development Standards</b>					
<b>Standard</b>		<b>Proposed</b>	<b>Consistent</b>	<b>Inconsistent</b>	
<b>Floor Area Ratio</b>	0.50	0.09	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Minimum Lot Area</b>	20,000 square feet	38,332 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Minimum Lot Width</b>	60 feet	208 feet, 8 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Minimum Lot Depth</b>	100 feet	208 feet, 8 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Building Height</b>	75 feet	29 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Setbacks</b>	Front	0 feet	42 feet (South) 139 feet (East)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Interior Sides	0 feet	55 feet, 11 inches (North) 8 feet (West)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Chapter 19.425 – Vehicle Wash Facilities Site Location, Operation, and Development Standards</b>				
<b>Standard</b>		<b>Proposed</b>	<b>Consistent</b>	<b>Inconsistent</b>
<b>Screening of Equipment</b>	Equipment, supplies and activities - Contained within an enclosed building	Vehicle wash equipment - Located within an enclosed building	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Frontage</b>	Direct access to an arterial or collector street	East Alessandro Boulevard (120-foot Arterial)  Mission Grove Parkway (100-foot Arterial)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Circulation</b>	Traffic circulation to preclude traffic congestion on public streets, and safe ingress, egress movements	Adequate circulation and safe ingress and egress movements	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Landscape Setback</b>	10 feet when adjacent to any public street	10 feet, 4 inches (East Alessandro Boulevard) 15 feet, 7 inches (Mission Grove Parkway)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Noise</b>	Noise shall comply with Title 7 of the Municipal Code	The project will comply with the Noise Code	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Water Runoff</b>	Water flow shall be confined to the site	Water flows are confined to the site	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Chapter 19.580 - Parking and Loading Development Standards</b>				
<b>Standard</b>		<b>Proposed</b>	<b>Consistent</b>	<b>Inconsistent</b>
<b>Parking Requirements</b>	2 spaces (1 space/ 2 employees per shift)	2 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Landscape Setback</b>	15 feet	15 feet (East Alessandro Boulevard) 15 feet, 7 inches (Mission Grove Parkway)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## FINDINGS SUMMARY

### Zoning Code Map Amendment

The proposal to apply the CR – Commercial Retail Zone to the project site is generally consistent with the goals, policies, and objectives of the General Plan, as it will allow for additional commercial development in the Mission Grove Neighborhood compatible with the surrounding uses. The proposed Zoning Code Map Amendment will not adversely affect surrounding properties, as the project was purposefully designed to shield the wash tunnel from the adjacent residential property by means of an 8-foot high masonry screen wall, screen trees, and an overhead trellis at the tunnel entrance. Furthermore, the proposed amendment promotes public health, safety, and general welfare and serves the goals and purposes of the Zoning Code.

### Conditional Use Permit

The automated vehicle wash facility will complement the established commercial development across East Alessandro Boulevard. The project site has been designed to provide safe and efficient vehicular access and internal circulation while providing adequate landscaping, water quality treatment facilities, utility equipment, and pedestrian access. The proposed project will visually enhance the site with new landscaped areas adjacent to the street frontages and throughout the site. The 3-foot-high decorative masonry wall, with a wooden pergola, will adequately screen the wash tunnel from East Alessandro Boulevard.

## Variance

The Zoning Code allows walls along the side property lines to be a maximum height of 6 feet. The project proposes a solid masonry wall 8 feet in height along the north and west property lines. The applicant is requesting a Variance to exceed the height limit and 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 Variance to allow solid masonry walls up to 8 feet in height, as the project specific noise study demonstrates that an 8-foot-high sound wall is required to adequately shield the adjacent residential property from any noise impacts related to the proposed automated wash facility.

## ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration (MND) has been prepared for the proposed project in accordance with Section 15074 of the California Environmental Quality Act (CEQA) Guidelines. The CEQA documentation states that the proposed project will not have a significant effect on the environment, subject to implementation of the Mitigation, Monitoring and Reporting Program (MMRP) (Exhibit 10).

## PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners within 300 feet of the site. As of the writing of this report, no responses have been received by Planning Staff.

## STRATEGIC PLAN ALIGNMENT

This project contributes to the Envision Riverside 2025 City Council Strategic Priority 3 – Economic Opportunity (Goal 3.3 – Cultivate a business climate that welcomes innovation, entrepreneurship and investment).

This item aligns with each of the five Cross-Cutting Threads, as follows:

1. *Community Trust* – The City is transparent in the entitlement process as this project and public input is encouraged throughout the process through the 20-day review period of the Mitigated Negative Declaration and at public hearings.
2. *Equity* – The proposed project is a retail service that will serve multiple neighborhoods within the City.
3. *Fiscal Responsibility* – All fiscal responsibility for the proposed project is borne by the applicant.
4. *Innovation* – The proposed project has been designed to be sensitive to the adjacent residential uses.
5. *Sustainability and Resiliency* – The proposed project will be required to follow all requirements related to water collection, recycling, and conservation.

## 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, 3rd Floor, City Hall.

## EXHIBITS LIST

1. Staff Recommended Findings
2. Staff Recommended Conditions of Approval
3. Existing Site Photos
4. Location Map
5. Existing and Proposed General Plan Maps
6. Existing and Proposed Zoning Maps
7. Project Plans (Title Sheet, Architectural Site Plan, Landscape Plan, Photometric Site Plan, Architectural Site Wall Plan, Floor Plans, Roof Plan, Elevations, Arch Wall Feature Elevations, Pilaster Elevations, Colored Elevations, Pay Canopy, Pay Canopy Colored Elevations, East Vacuum Canopy, West Vacuum Canopy, Vacuum Canopy Color Elevations, Site Elements, Constraints Map, Preliminary Grading Plan, DMA Map, Preliminary Site Sections, On-Site Circulation and Truck Turning, Fire Lane and Hose Pull, Truck Turning, Project Description)
8. Applicant Prepared Variance Justifications
9. Airport Land Use Commission (ALUC) Determination - Dated May 13, 2021
10. Mitigated Negative Declaration

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Prepared by: Candice Assadzadeh, Senior Planner

Reviewed by: Patricia Brenes, Principal Planner

Approved by: Mary Kopaskie-Brown, Acting Community & Economic Development Department  
Deputy Director and City Planner



EXHIBIT 1 – FINDINGS

**PLANNING CASE:** PR-2021-001023 (General Plan Amendment, Zoning Code Map Amendment, Conditional Use Permit, Variance, and Design Review)

**A. Zoning Code Amendment Findings Pursuant to Chapter 19.810.040**

1. The proposed Zoning Code Map Amendment is generally consistent with the goals, policies, and objectives of the General Plan;
2. The proposed Zoning Code Map Amendment will not adversely affect surrounding properties; and
3. The proposed Zoning Code Map Amendment promotes public health, safety, and general welfare and serves the goals and purposes of the Zoning Code.

**B. Conditional Use Permit Findings pursuant to Chapter 19.760.040**

1. The proposed project is substantially compatible with other existing and proposed uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts;
2. The proposed project will not be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area; and
3. The proposed project will be consistent with the purposes of the Zoning Code and the application of any required development standards in the furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.

**C. Variance Justification Findings Pursuant to Chapter 19.720.040**

Variance Request: To allow an 8-foot-high perimeter wall along the north and west property lines, where 6 foot high solid walls are allowed by the Zoning Code.

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

The proposed project **complies** with this finding. The strict application of the provisions of the Zoning Code allows a perimeter wall to be a maximum of 6 feet in height. The project specific noise study demonstrates that an 8-foot-high sound wall is required to adequately shield the adjacent residential property from any noise impacts related to the proposed automated wash facility. Therefore, strict application of the Zoning Code would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Specific Plan.

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.*



The proposed project **complies** with this finding. The project site is immediately adjacent to residential uses to the north and west, which is a unique circumstance for this neighborhood. The majority of the neighborhood is included in the Mission Grove Specific Plan, which master planned the land uses; however, the project site is excluded from the Specific Plan. The project specific noise study demonstrates that an 8-foot-high sound wall is required to adequately shield the adjacent residential property from any noise impacts related to the proposed automated wash facility. Therefore, 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.

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.*

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 proposed 8 foot wall will be constructed of decorative masonry and will be finished with pilasters at the terminus of the wall, adjacent to Mission Grove Parkway and East Alessandro Boulevard. Therefore, 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.

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

The proposed project **complies** with this finding. Based on the scope of the requested Variance, granting the Variance will not be contrary to the objectives of the General Plan 2025.



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

**PLANNING CASE:** **PR-2021-001023** (General Plan Amendment, Zoning Code Map Amendment, Conditional Use Permit, Variance, and Design Review)

**Planning Division**

1. 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.
2. All conditions of Riverside County Airport Land Use Commission case ZAP1457MA21 shall apply.
3. The General Plan Map shall be amended as shown in Exhibit 5 contained in the attached City Planning Commission staff report dated April 28, 2022.
4. **Advisory:** Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. Any new signs shall be subject to separate review and assessment. A separate sign application, including fees and additional sets of plans, will be necessary prior to sign permit issuance.

*Prior to Issuance of Grading Permit:*

5. **MM BIO-1:** If construction shall occur within the nesting bird breeding season (February 1st through August 31st), prior to on-site vegetation clearance, the Project applicant shall retain a qualified biologist to conduct a pre-construction nesting bird survey in accordance with the following:
  - a. The survey shall be conducted no more than three days prior to the initiation of clearance/construction work;
  - b. If pre-construction surveys indicate that bird nests are not present or are inactive, or if potential nesting vegetation is unoccupied, no further measures are required;
  - c. If active nests of birds that are protected under the Migratory Bird Treaty Act (MBTA) or California Fish and Game Code (CFGF) are found during the surveys, the biologist shall delineate an appropriate buffer zone around the nest. The size of the buffer shall be determined by the biologist and shall be based on the nesting species, its sensitivity to disturbance, expected types of disturbance, and location in relation to the construction activities. These buffers are typically 300 feet from nests of non-listed species and 500 feet from the nests of raptor and listed species. Any active nests observed shall be mapped on an aerial photograph and with the bird species identification;
  - d. Only construction activities (if any) that have been approved by a Biological Monitor shall take place within the buffer zone until the nest is vacated. The biologist shall serve as Construction Monitor when construction activities take place near active nest areas to ensure no inadvertent impacts on these nests occur; and
  - e. Results of the pre-construction nesting bird survey and any subsequent monitoring shall be provided to the Property Owner/Developer and the City. The monitoring

report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds.

6. **MM CUL-1:** Prior to grading permit issuance, if there are any changes to project site design and/or proposed grades, the Applicant and the City shall contact consulting tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City, developer/applicant, and consulting tribes to discuss any proposed changes and review any new impacts and/or potential avoidance/preservation of the cultural resources on the project site. The City and the developer/ applicant shall make all attempts to avoid and/or preserve in place as many cultural resources and paleontological resources as possible that are located on the project site if the site design and/or proposed grades should be revised. In the event of inadvertent discoveries of archaeological resources, work shall temporarily halt until agreements are executed with consulting tribe, to provide tribal monitoring for ground disturbing activities.
7. **MM CUL-2:** Archeological and Paleontological Monitoring – At least 30 days prior to application for a grading permit and before any grading, excavation and/or ground disturbing activities take place, the developer/applicant shall retain a Secretary of Interior Standards qualified archaeological monitor to monitor all ground-disturbing activities to identify any unknown archaeological resources.
  - a. The project archaeologist, in consultation with consulting tribes, the Developer, and the City, shall develop an Archaeological Monitoring Plan to address the details, timing, and responsibility of all archaeological and cultural activities that will occur on the project site. Details in the plan shall include:
    - i. Project grading and development scheduling;
    - ii. The development of a rotating or simultaneous schedule in coordination with the developer/applicant, the project archaeologist, and for designated Native American Tribal Monitors from the consulting tribes for grading, excavation, and ground-disturbing activities on the site, including the scheduling, safety requirements, duties, scope of work, and project archeologist and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all project archaeologists;
    - iii. The protocols and stipulations that the Applicant, tribes, and project archaeologist/paleontologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits, or nonrenewable paleontological resources that shall be subject to a cultural resource evaluation;
    - iv. Treatment and final disposition of any archeological and cultural and paleontological resources, sacred sites, if discovered on the project site; and
    - v. The scheduling and timing of the Cultural Sensitivity Training noted in mitigation measure MM-CUL-4.
8. 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 6:00 p.m. weekdays and 8:00 a.m. and 5:00 p.m. Saturday;
  - b. No construction noise is permitted on Sundays or Federal Holidays;

- c. Compliance with City adopted interim erosion control measures;
- 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. Identification of location, exposed height, material, and finish of any proposed retaining walls.

*Prior to Start of Grading and Construction Activities:*

- 9. **MM CUL-4:** The Secretary of Interior Standards County certified archaeologist and Native American monitors shall attend the pre-grading meeting with the developer/permit holder's contractors to provide Cultural Sensitivity Training for all construction personnel. This shall include the procedures to be followed during ground disturbance in sensitive areas and protocols that apply in the event that unanticipated resources are discovered. Only construction personnel who have received this training can conduct construction and disturbance activities in sensitive areas. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.

*During Grading and Construction Activities:*

- 10. **MM CUL-3:** Treatment and Disposition of Cultural Resources – In the event the Native American cultural resources are inadvertently discovered during grading for this project, the following procedures will be carried out for treatment and disposition of the discoveries:
  - a. Consulting Tribes Notified: within 24 hours of discovery, the consulting tribe(s) shall be notified via email and phone. The developer shall provide the city evidence of notification to consulting tribes. Consulting tribe(s) will be allowed access to the discovery, to assist with the significance evaluation;
  - b. Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location on site or at the offices of the project archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with a tribal monitor from each consulting tribe to oversee the process; and
  - c. Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The Applicant shall relinquish the artifacts through on or more of the following methods and provide the City of Riverside Community and Economic Development Department with evidence of same:
    - i. Accommodate the process for on-site reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloging and basic recordation have been completed;
    - ii. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore will be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation

facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation;

- iii. If more than one Native American tribe or band is involved with the project and cannot come to a consensus as to the disposition of cultural materials, they shall be curated at the Western Science Center or Museum of Riverside by default; and
  - iv. At the completion of grading, excavation, and ground-disturbing activities on the site, a Phase IV Monitoring Report shall be submitted to the City documenting monitoring activities conducted by the project archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the City of Riverside, Eastern Information Center, and consulting tribes.
11. **MM NOI-1:** Construction shall occur during the permissible hours as defined in section 7.35.01(B)(5) and 7.35.020(G) of the Riverside Municipal Code (RMC).
  12. **MM NOI-2:** During construction, the contractor shall ensure all construction equipment is equipped with appropriate noise attenuating devices.
  13. **MM NOI-3:** The contractor shall locate equipment staging areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site, to the greatest extent feasible, during all project construction.
  14. **MM NOI-4:** Idling equipment shall be turned off when not in use.
  15. **MM NOI-5:** Equipment shall be maintained so that vehicles and their loads are secured from rattling and banging.
  16. Construction and operation activities on the property shall be subject to the City's Noise Code (Title 7), as well as the County of Riverside's Noise Code (Title 9) which limits construction noise to 7:00 a.m. to 6:00 p.m. weekdays, and 8:00 a.m. to 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or federal holidays.
  17. 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.
  18. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
  19. 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.
  20. To reduce construction related particulate matter air quality impacts of projects the following measures shall be required:
    - a. The generation of dust and fugitive dust shall be controlled as required by SCAQMD Rule 403;

- b. Grading activities shall cease during period of high winds (greater than 25mph);
  - 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;
  - d. 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 to Public Works Department for review and approval. The Traffic Plan shall include, 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. Work shall not commence without an approval traffic control plan from the Public Works Department;
  - e. Streets shall be swept at the end of the day if visible soil material is carried onto adjacent paved public roads;
  - f. Trucks and other equipment shall be washed when leaving the site;
  - g. Ground cover in disturbed areas shall be replaced immediately after construction;
  - h. Disturbed/loose soil shall be kept moist at all times; and
  - i. A 15 mile per hour speed limit shall be enforced on unpaved portions of the construction site.
21. The applicant shall be responsible for erosion and dust control during both the grading and construction phases of the project.
22. To reduce diesel emissions associated with construction, construction contractors shall provide temporary electricity to eliminate the need for diesel powered generators or provide evidence that electrical hook ups at construction sites are not cost effective or feasible.
23. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
24. 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:*

25. The Zoning Code Map shall be amended as shown in Exhibit 6 contained in the attached City Planning Commission staff report dated April 28, 2022.
26. Prior to building permit issuance, a site plan that indicates the location and capacity of solid waste and recycling collection and loading areas must be submitted to the Riverside County Department of Waste Resources for review and approval.
27. **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. Include the following on the plans:
- a. Provide a mix of evergreen trees and shrubs along the north property line, to the satisfaction of staff;
  - b. The three proposed Chitalpa trees, located at the northwest corner of the project site, shall be replaced with an evergreen species with a minimum box size of 24 inches, to the satisfaction of staff; and

- c. Provide enhanced landscaping along street frontages, to the satisfaction of staff; particularly along the Alessandro frontage to adequately screen vehicles and the wash tunnel from public view.
28. **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 for review and approval.
- 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 20 feet in height, including the height of any concrete or other base material;
  - e. Light poles within 50 feet of residential zone or uses shall not exceed 14 feet in height, including the height of any concrete or other base material; and
  - f. For safety, all pedestrian paths shall be adequately lighted throughout the project.
29. **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. Pilasters shall be provided at the terminus of the wall along the north and west property line;
  - b. The wall along the north and west property line shall be constructed of Blockcrete, by American Precast Concrete, Inc., as specified in the project specific noise study;
  - c. All freestanding and retaining walls shall be constructed of, or finished in, a decorative material;
  - d. All walls shall be consists of a decorative material and finished with a decorative cap; and
  - e. Specify the color and materials of all proposed walls and fences.
30. **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. The electrical switchgear shall be provided inside the electrical room;
  - b. 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;
  - c. 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 a planter; and
  - d. Provision for accessible parking as deemed necessary by Building and Safety Division.
31. **Staff Required Floor Plan Conditions:** Revise the submitted plot plan such that the plan provided for building permit plan check incorporates the following changes:

- a. The project shall use a 120 HP International Drying Cooperation Stealth system or equivalent;
  - b. The tunnel exit and entrance dimensions shall be 10 feet wide by 10 feet tall; and
  - c. An acoustic liner (quiet fiber acoustic perforated metal panels or equivalent) shall line 15 feet of the exit and entrance of the tunnel.
32. **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; and
  - b. Roof-mounted mechanical equipment shall not protrude above the height of the building parapet wall.
33. 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.
34. 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.
35. Ground mounted equipment shall be fully screened from the public right-of-way.

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

36. Prior to issue of occupancy permit, applicant will conduct a post-construction noise survey to verify compliance to the City's residential noise requirements.
37. 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.

*Site Operation Standards:*

38. Hours of operation shall be limited to 7:00 a.m. to 9:00 p.m.
39. The wash tunnel roll-up doors shall be rolled down one foot, leaving a 9-foot-tall opening.
40. All operations shall be in compliance with Title 7 (Noise Control) of the Riverside Municipal Code.



*Standard Conditions:*

41. There is a 24-month 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.
42. The Conditional Use Permit, Design Review, Variance, and Grading Exception 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 the Community & Economic Development Department Director approved extensions, the original Approving or Appeal Authority following a public hearing noticed pursuant to Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing), may grant one final permit extension of up to two years. Once a building permit has been issued, the development will be considered vested and time extensions are no longer needed. A public hearing notification fee is required of the applicant in such case, in addition to a time extension fee.

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

43. 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.
44. 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.
45. 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.
46. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
47. 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.
48. 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.

**Fire Department**

49. An automatic fire sprinkler system is required by City Ordinance 16.32.335. 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 (UJFX) 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.

50. 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.
51. To comply with all applicable requirements per CFC, Chapter 33 (Fire Safety During Construction and Demolition).
52. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
53. Construction plans shall be submitted and permitted prior to construction.
54. Fire Department access shall be maintained during all phases of construction.

#### **Parks, Recreation & Community Services – Park Planning**

55. Developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve and trail fees) for privately developed areas.

#### **Public Utilities - Electric**

56. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site. In addition to the cost of the relocation of existing structures.
57. Plot existing electrical distribution facilities on the original site plan.
58. Provide transformer and switchgear location – a 6x8 slab box will be required for this project.
59. Developer will be responsible for the cost of removing two poles and primary wires.

#### **Public Works – Land Development**

*Conditions to be fulfilled prior to permit issuance unless otherwise noted:*

60. Storm Drain construction will be contingent on engineer's drainage study.
61. Installation of sewers and sewer laterals to serve this project to Public Works specifications.
62. Size, number and location of driveways to Public Works specifications.
63. Closure of unused driveway(s) to Public Works specifications.
64. Prior to permit issuance, add the following notes to the site/plot or landscape plans and email a PDF to [gtanaka@riversideca.gov](mailto:gтанака@riversideca.gov) for review and approval:
  - a. Plant 24" box size *Lophostemon confertus* (Brisbane box) in public right-of-way along Mission Grove Parkway; and
  - b. Protect in place existing Street Trees in public right-of-way along Alessandro Boulevard. If existing Street Trees are found by Tree Inspector at time of scheduled site inspection (after fine grading and hardscape installation is complete), to be missing, dead, damaged or in poor condition, they will be required to be removed and replaced with 24" box size trees to match existing. Planting, staking, irrigation, root barriers to Landscape & Forestry specifications.

65. Trash enclosure required per public works specifications.
66. 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.

67. 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;
  - e. Describes the mechanism for funding the long-term operation and maintenance of the BMP's requiring long-term maintenance; and
  - f. Describes the mechanism for funding the long-term operation and maintenance of the BMP's requiring long-term maintenance.
68. 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.
69. 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.

70. Prior to building or grading permit closeout or the issuance of a certificate of occupancy or certificate of use, the applicant shall:
  - c. Demonstrate that all structural BMP's described in the project-specific WQMP have been constructed and installed in conformance with approved plans and specifications;
  - d. Demonstrate that applicant is prepared to implement all non-structural BMP's described in the approved project-specific WQMP; and
  - e. Demonstrate that an adequate number of copies of the approved project-specific WQMP are available for the future owners/ occupants.
71. Prior to the issuance of a Certificate of Occupancy, the applicant shall construct eight (8) Polara audible pedestrian push buttons and one (1) Polara intelligent Central Control Unit (ICCU) System controller at the intersection of Mission Grove Parkway and Alessandro Boulevard. The applicant shall hire a contractor to install the traffic signal equipment to its intended operating conditions. The contractor shall complete the construction work with an approved Public Works Permit. The installation of the traffic signal equipment shall be completed to the satisfaction of the Director of Public Works. The project is solely responsible for the procurement and installation of this infrastructure improvement.

#### **Western Municipal Water District**

72. Compliance with water efficient landscape requirements per the City of Riverside's Ordinance No. 859.
73. Developer's landscape architect is required to meet landscape requirements of the agency of jurisdiction.
74. Developer to submit a 22" x 34" preliminary onsite and/or offsite plan of water layout to Western before formal submittal of Water Improvement Plans.
75. Preliminary water plans shall show the following items:
  - a. Delineate all proposed water facilities within project boundaries. Include pipeline diameters and type of material.
  - b. Delineate all existing utility facilities (i.e.; pipe diameter, pipe material, water meters, air/vac, blow-off, fire hydrants, valves, sewer, gas, communication, electrical, etc.) within project boundaries.
  - c. Delineate all easements within project boundaries.
  - d. Delineate all proposed and existing lots, streets, and storm drains.
76. Developer to submit a detailed engineer's construction cost estimate to Western for review and approval. Once approved, Developer shall make a deposit for plan checking services for Water Improvement Plans.
77. Water Improvement Plans shall be designed per Western's Standard Specifications. Please review Western's Standard Specifications for submittal formats and requirements online at <http://www.wmwd.com/158/Standard-Specifications-Drawings>.
78. Developer to submit grading plans for Western's review and approval before grading permit is issued. All onsite and/or offsite utilities to be relocated, upsized, or installed are at Developers expense.
79. Developer to pay all cost associated with preliminary review by Western at the time of review.

80. Provide and/or pay for all applicable cost and fees including connection facilities, relocation of facilities, and additional facilities that may be necessary to accommodate applicant's proposed water and sewer usage, while maintaining resiliency of pipelines within Western's distribution system. This may include the upsizing of pipelines, installation of pressure reduction, and/or pump stations (subject to the application of appropriate credits for additional facilities provided by applicant).
81. Water Improvement Plans shall not be accepted for plan checking until all items mentioned above are reviewed and approved by Western.
82. The available Fire Flow must be determined by a flow test or fire flow modeling. Coordinate with fire protection agency of jurisdiction to determine required fire flow for the proposed project and advise Western of the fire flow requirements. Submit request to Western for fire flow modeling to determine if existing water systems capacity is available to provide the required fire flow. Depending on the results of the fire flow modeling additional conditions of approval such as upsizing of existing pipes, extension of pipes, installation of parallel piping or installation of pumps, at the developer's cost, may be required.
83. Contact Western's Development Services Department at (951) 571-7100 for further information.