



Community & Economic Development
Department

City of Arts & Innovation

April 28, 2022

Skyler Denniston
393 E. Walnut Street, 4th flr
Pasadena, CA 91188

SUBJECT: PLANNING CASES DP-2021-00008, DP-2021-01307, DP-2021-01650, DP-2021-01306, SD-2021-00020, DR-2021-00009 AND DP-2021-00731 – CONDITIONAL USE PERMIT, MINOR CONDITIONAL USE PERMITS, REZONING, VACATION, DESIGN REVIEW AND ENVIRONMENTAL IMPACT REPORT – 10800 MAGNOLIA AVENUE, 10821 MAGNOLIA AVENUE, 11510 MAGNOLIA AVENUE, WARD 6

Dear Mr. Denniston:

At its meeting of April 28, 2022, the City Planning Commission approved Planning Cases DP-2021-00008, DP-2021-01307, DP-2021-01650, DP-2021-01306, SD-2021-00020, DR-2021-00009 and DP-2021-00731, subject to the attached conditions.

There is now a ten-day appeal period from the date of the Planning Commission's decision. Appeals must be received in writing along with the required fee by 5:00 p.m. on May 9, 2022 in the Planning Division of the Community & Economic Development Department.

In accordance with established procedure, this matter will now be forwarded to the City Council for public hearing. You will be notified by the City Clerk of the date and time of the hearing. Approval of this action shall not be final until City Council has reviewed and approved it.

Should you have any questions concerning this notice please call Brian Norton, Senior Planner, at (951) 826-2308.

Sincerely,

Patricia Brenes
Principal Planner

cc: Public Works, Chris Scully

PLANNING COMMISSION
RECOMMENDED CONDITIONS

PLANNING COMMISSION HEARING DATE: APRIL 28, 2022

PLANNING CASES: **DP-2021-00008** (Conditional Use Permit)
DP-2021-01307 (Minor Conditional Use Permit)
DP-2021-01650 (Rezone)
DP-2021-01306 (Minor Conditional Use Permit)
SD-2021-00020 (Summary Vacation)
DR-2021-00009 (Design Review)
DP-2021-00731 (Environmental Impact Report)

Planning Division

1. All mitigation measures, as outlined in the Mitigation, Monitoring and Reporting Plan in the FEIR, shall be completed in accordance with the designated schedule.
2. All applicable conditions of previously approved Conditional Use Permit (CU-038-834) shall apply, except as modified by this approval.
3. Approval of this project is contingent upon the Certification of the Environmental Impact Report associated with this project.
4. 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.
5. **Advisory:** Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. Any new signs shall be subject to separate review and assessment. A separate sign application, including fees and additional sets of plans, will be necessary prior to sign permit issuance.

Prior to Issuance of Grading Permit:

6. The Zoning Code Amendment (DP-2021-01650) shall be finalized and/or adopted (Off-Site Area 2), as shown on Exhibit 6a.
7. The Summary Vacation (SD-2021-00020) shall be finalized and/or adopted (Hospital Site).
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 7:00 p.m. weekdays and 8:00 a.m. and 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or Federal Holidays;
 - b. Compliance with City adopted interim erosion control measures;
 - c. Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems;
 - d. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement;
 - e. Identification of location, exposed height, material, and finish of any proposed retaining walls.

During Grading and Construction Activities:

9. Construction and operation activities on the property shall be subject to the City's Noise Code (Title 7), which limits construction noise to 7:00 a.m. to 7:00 p.m. weekdays, and 8:00 a.m. to 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or federal holidays.
10. 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.
11. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project sites.
12. 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.
13. To reduce construction related particulate matter air quality impacts of projects the following measures shall be required:
 - a. The generation of dust shall be controlled as required by the AQMD;
 - b. Trucks hauling soil, dirt or other emissive materials shall have their loads covered with a tarp or other protective cover as determined by the City Engineer;
 - c. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards;
 - d. Streets shall be swept at the end of the day if visible soil material is carried onto adjacent paved public roads;
 - e. Trucks and other equipment leaving the site shall be washed off;
 - f. Disturbed/loose soil shall be kept moist at all times;
 - g. All grading activities shall be suspended when wind speeds exceed 25 miles per hour; and
 - h. A 15 mile per hour speed limit shall be enforced on unpaved portions of the construction site.
14. The applicant shall be responsible for erosion and dust control during construction phases of the project.
15. 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.
16. If human remains are discovered/uncovered/encountered during Project construction activities, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner shall be notified by the City of Riverside of the find immediately. If the remains are determined to be Native American, the County Coroner shall notify the NAHC, which will determine and notify an MLD. With the permission of the landowner or his/her authorized representative,

the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD will have the opportunity to offer recommendations for the disposition of the remains.

Prior to Building Permit Issuance:

17. 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.
18. **Photometric/Lighting Plan:** A photometric study and manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas, parking lots and pedestrian paths shall be submitted.
 - a. All on-site lighting shall provide a minimum intensity of one foot-candle and a maximum of ten foot-candles at ground level throughout the areas serving the public and used for parking, with a ratio of average light to minimum light of four to one (4:1);
 - b. The light sources shall be hooded and shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties and public rights-of-ways;
 - c. If lights are proposed to be mounted on buildings, down-lights shall be utilized;
 - d. Light poles shall not exceed 14 feet in height, including the height of any concrete or other base material when adjacent to residentially zoned property or use; and
 - e. For safety, all pedestrian paths shall be adequately lighted throughout the project.
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; and
 - c. Provision for accessible parking as deemed necessary by Building and Safety Division.
20. 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.
21. Submit three sets of plans depicting the preferred location for above ground utility transformers of capacity to accommodate the planned or speculative uses within the building(s). These plans shall be reviewed and approved by the Planning Division and Public Utilities Department - Electric Division prior to the issuance of a building permit. The proposed location of the transformer shall be level, within 100 feet of the customer's service point, accessible to service trucks and in a location where the transformer can be adequately screened from public view, either by buildings or landscape screening. If landscape screening is the preferred screening method, no landscaping except ground cover shall be allowed within 10 feet of the transformer. The Applicant is advised to

consult with the City of Riverside Public Utilities, Electrical Engineering Division, at (951)826-5489 prior to preparing these plans.

Prior to the Start of Construction for the Hospital Tower:

22. The proposed parking structure shall be completed and fully operational. If the project is unable to complete the parking structure prior to the start of the hospital tower, the applicant shall provide documentation to ensure parking meets Code for each progressive phase, until the parking structure is operational.

Prior to Release of Utilities and/or Occupancy:

23. 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.

Operational Conditions:

24. Site maintenance, including landscaping, water quality basins, fencing, walls for off-site areas 1 and 2 shall be continuously maintained in perpetuity, until such time the sites are sold or redeveloped.
25. Construction trailers shall be removed after construction of Phase 1 and Phase 2 have concluded.
26. Upon removal of the trailers on Off-Site Area 1, the pad shall be landscaped, to the satisfaction of Planning Division Staff. If the trailer pad is constructed of concrete or similar material, landscaping of the pad area will not be required.
27. The project shall fully and continually comply with all Federal, State and Local laws in effect for hazardous materials.

Standard Conditions:

28. There shall be a two-year time limit in which to commence construction of the project beginning the day following approval by the Planning Commission unless a public hearing is held by City Council; in that event the time limit begins the day following City Council approval.
29. The Zoning Code Map Amendment, Conditional Use Permit, Minor Conditional Use Permits, Design Review, and Summary Vacation may be granted time extensions by the Community & Economic Development Director, or their designee, up to a total of five years beyond the original approval expiration date prior to issuance of any building permits. At the exhaustion of Community & Economic Development Director approved extensions, the original Approving or Appeal Authority may grant one final permit extension of up to two years following a public hearing noticed pursuant to Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing). A public hearing notification fee is required of the applicant in such case in addition to a time extension fee. Once a building permit has been issued, the development will be considered vested and time extensions are no longer needed.

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

30. 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.
31. 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.
32. 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.
33. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
34. 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.
35. 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

Prior to Issuance of Building Permits

36. An automatic fire sprinkler system is required by City Ordinance 16.32.080. Under separate cover, submit plans for the automatic fire sprinkler system(s) and obtain approval from the Fire Department prior to installation. Systems exceeding 20 sprinkler heads shall be provided with supervisory service and shall be monitored by a UL Central Station (UUFX) and shall be UL, FM or ETL certificated for the life of the system. Post Indicator valves, Detector Check control valves and water flow switches are required to be supervised by an UL listed central station.

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

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

- a. The tower is required to have a voice Evacuation Fire alarm system because of I2 occupancy.
- b. The tower is required to have a standpipe system as it is more than 30 feet higher than the Fire Department access route.
- c. An on-site Fire Hydrant is required to be within 100 feet of your standpipe.
- d. NFPA 13 fire sprinkler system is required for both tower and parking structure.

37. Required for the parking structure and new hospital tower - The Riverside Municipal Code, Section 16.36.010 to 16.36.090 requires a Public-Safety Radio Amplification System in:
- a. New buildings greater than fifty thousand (50,000) square feet.
 - b. In existing buildings greater than fifty thousand (50,000) square feet when modifications or repairs exceed fifty percent (50%) of the value of the existing building(s) and are made within any twelve (12) month period or the usable floor area is expanded or enlarged by more than fifty percent (50%)
 - c. All basements where the occupant load is greater than fifty (50), regardless of the occupancy, or sub-level parking structures over ten thousand (10,000) square feet.

Plans shall be submitted to the Riverside Police Communication Analyst (951) 353-7270, for review and approval. The Riverside Police Communication Analyst will conduct an acceptance test of the system and a copy of the report shall be forwarded to the Fire Department.

38. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
39. Construction plans shall be submitted and permitted prior to construction.
40. All required hydrants shall be in service and fire flow available prior to building permit release by the Fire Department. Violation of this requirement may result in citations that require a court appearance to be issued.
41. Fire Department access shall be maintained during all phases of construction.
42. New public fire hydrants shall be installed on Magnolia Ave. and spaced a maximum of 350 feet apart.
43. Provide fire access to within 150 feet of all portions of the buildings. Any dead-end drives shall be provided with a fire department turnaround per our turning radius.
- a. A Fire access analysis (hose reach) is required for both new buildings and existing buildings as new building might impede the access to the existing building.
 - b. Submit a scaled drawings to evaluate the Fire apparatus lane and the turning radius. Access and hose-reach for the existing building will be evaluated with the addition of the tower.
44. For fire access to the gate, "Knox" key devices are available for use in the city. Contact the Fire Department for applications and details. An "Infrared Automatic Gate System" is required for all electric gates. Contact the Fire Prevention Division for information. (CFC, Sec. 503.5)
- 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. (CFC, Sec. 506)
45. All Temporary parking lots shall maintain Riverside Fire Department minimum access requirements as described above.
46. Proposed fire pumps shall be located at grade and have direct access from grade or through a fire rated corridor at grade level.
47. Additional on-site fire Hydrant may be required after the required Fire Flow is determined.

Parks, Recreation & Community Services – Park Planning

Prior to Issuance of Building Permit:

48. Developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve, and trail fees) for privately developed areas per RMC Chapters 16.60, 16.44 and 16.76.

Public Utilities – Electric

Prior to Issuance of Building Permit:

49. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site. In addition to installing spare conduits, streetlights, also stub & cap along property frontage.
50. Plot existing electrical distribution facilities on the original site plan.
51. Show location of the PJC, Transformer location, & electric room/switchgear.
52. 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.
53. Blanket Public Utility Easement required on all parcels.
54. The provision of utility easements, water, streetlights and electrical underground and/or overhead facilities and fees in accordance with the rules and regulations of the appropriate surveyor.
55. Provisions for electrical Utility equipment to provide power to the site is the responsibility of the developer. Please make sure that all clearances are maintained, and location of the equipment is approved by the Utility.

Public Utilities – Water

Prior to Issuance of Building Permit:

56. A private on-site domestic water booster pump may be required to maintain the required water pressure in the new tower.
57. Separate plan submittal required for installation of water services to serve the project, directly to the water department.

Public Works

Prior to permit issuance, Unless Otherwise Noted:

58. Storm Drain construction will be contingent on engineer's drainage study.
59. Installation of sewer laterals to serve this project to Public Works specifications.
60. Size, number, and location of driveways to Public Works specifications.
61. 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.

62. 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.
63. 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.
64. 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.
65. 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.
66. New pavement required along project frontage on Magnolia Avenue to Public Works specifications if utility work is constructed during pavement moratorium.
67. Advisory: Magnolia Avenue is currently being paved and will be under a pavement moratorium for the next 3 years. Any utility trenching along the project frontage will require extensive pavement requirements per Public Works standards and specifications.

Public Works Traffic

68. Prior to the issuance of a Grading Permit, the applicant shall submit street improvements plans for the intersections of Park Sierra Drive & Dianna Avenue and Polk Street & Magnolia Avenue.
69. Intersection of Park Sierra Drive and Dianna Avenue:
- Prior to the issuance of a Certificate of Occupancy, the applicant shall construct all-way stop control at the intersection of Park Sierra Drive and Dianna Avenue. The applicant shall hire a contractor to install the MUTCD compliant all-way stop signage and striping. The contractor shall complete the construction work with an approved Public Works Permit. The installation of the all-way stop control signage and striping shall be completed to the satisfaction of the Director of Public Works. The applicant is solely responsible for the procurement and installation of this infrastructure improvement.
70. Intersection of Polk Street and Magnolia Avenue:
- Prior to the issuance of a Certificate of Occupancy, the applicant shall extend the existing northbound left-turn lane pocket to Kaiser Driveway 5 on Polk Street from 80 feet to 250 feet; add MUTCD compliant "KEEP CLEAR" pavement marking & associated R10-7 signage at the driveway for the existing Magnolia Surgery Center Development (property address 10694 Magnolia Avenue). The applicant shall hire a contractor to install the MUTCD compliant signage and striping. The contractor shall complete the construction work with an approved Public Works Permit. The installation of the signage and striping 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.
71. Prior to the issuance of a Certificate of Occupancy, the applicant shall submit site plan that shows bike lockers, bike repair station, wayfinding signage to provide directions to buildings and parking lots and guide visitors to their destination within the site. The site plan shall also show EV parking and EV charging stations.