

**PLANNING COMMISSION**  
**RECOMMENDED CONDITIONS**

Case No.: **P15-0783** (CUP)  
**P15-0457** (DR)

PLANNING COMMISSION HEARING DATE: MAY 19, 2016

**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 satisfaction of the Planning Division.**

**Planning**

1. The modular units shall be installed and operated substantially as described in the text of this staff report and as shown on the plot plan on file with the case, except for any specific modification that may be required by these conditions of approval.
2. All modular buildings on-site shall remain on the premises for a maximum of ten years from the date of City Council approval.
3. The student enrollment shall not exceed a maximum of 500 students.
4. 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.
5. 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.

*Prior to Building Permit Issuance:*

6. Plans submitted for building permits shall show a minimum of five (5), 24 gallon evergreen trees along the southern property line between the proposed modular buildings and State Route 91.
7. The applicant shall submit an executed copy of the Lease agreement between Fellowship Baptist Church and Woodcrest Christian School Sytem allowing for the use of the rear of the Fellowship Baptist Church for the placement of modular buildings by Riverside Christian Day School.

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

8. 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 Sean P. Kelleher, at (951) 826-2712 to schedule the final inspection at least a week prior to needing the release of utilities.

### **Standard Conditions**

9. There shall be a two-year time limit in which to commence 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.
10. 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.
11. The Project must be completed per the Conditional Use Permit and Design Review approved by the Planning Commission, including all conditions listed in this report. Any substantial changes to the Project must be approved by the Planning Commission or minor modifications by Design Review Staff. Upon completion of the Project, a Design Review Staff inspection must be requested, and UTILITIES will not be released until it is confirmed that the approved plans and all conditions have been implemented.
12. 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.
13. 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 satisfaction of the Planning Division.
14. 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.
15. This use permit may be modified or revoked by the City Planning Commission or the City Council should they determine that the proposed use or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to public safety, property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
16. The applicant shall comply with all federal, state and local laws and shall cooperate with the Riverside Police Department (RPD) in the enforcement of all laws relating to this permit. Material violation, as determined by the City Planning Commission, of any laws in connection with this use or failure to cooperate with RPD will be cause for revocation of this permit.

17. This permit is issued based upon the business operations plan and information submitted by the applicant, which has been used as the basis for evaluation of the proposed use in this staff report and for the conditions of approval herein. Permittee shall notify Community Development Department, Planning Division, of any change in operations and such change may require a revision to this permit. Failure to notify the city of any change in operations is material grounds for revocation of this conditional use permit.
18. The applicant herein of the business subject to this conditional use permit acknowledges all of the conditions imposed and accepts this permit subject to those conditions and with the full awareness of the provisions of Title 19 of the Riverside Municipal Code. The applicant shall inform all its employees and future operators of the business subject to this permit of the restrictions and conditions of this permit as they apply to the business operations.
19. Failure to abide by all conditions of this permit shall be cause for revocation.
20. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
21. 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**

Contact Margaret Albanese at 951-826-5455 for questions regarding fire conditions or corrections.

The following to be met prior to construction permit issuance:

22. An automatic fire sprinkler system is required by City Ordinance 16.32.076. 69. The Department of Housing and Community Development (HCD), Section 18028 for commercial modular structures that bear the HCD insignia of approval are not required to have installed an automatic fire sprinkler system. 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 an approved facility. Post Indicator valves, Detector Check control valves and water flow switches are required to be central station monitored. Have 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.
23. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
24. Construction plans shall be submitted and permitted prior to construction.
25. Fire Department access is required to be maintained during all phases of construction.

## **Public Works - Engineering**

The following Public Works "Engineering" conditions to be met prior to case finalization:

26. Deed for widening Arlington Avenue to 55 feet from monument centerline to Public Works specifications.
27. Per the Traffic Impact Report recommendations, a minimum of 4 staff members shall be present during student drop-off times to facilitate circulation and prevent traffic impacts on Arlington Avenue. Public Works shall periodically monitor the circulation on-site, and potential queueing onto Arlington Avenue.

Should continual queueing be observed onto Arlington Avenue the applicant shall comply with the circulation flow shown in the attached diagram (or an alternative circulation pattern recommended by the Traffic Division) at the request of the Public Works Department.

28. The applicant shall comply with the circulation flow within Figure 16 of the Traffic Impact Report, "Pick-up Circulation".

## **Public Works – Forestry and Landscape Division**

Contact Guy Tanaka at [GTanaka@riversideca.gov](mailto:GTanaka@riversideca.gov) or 951-351-6313 for questions regarding street tree conditions or corrections.

29. Protect in place existing street trees.

## **Parks, Recreation, and Community Services**

Prior to Building Permit issuance:

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