

PLANNING COMMISSION
RECOMMENDED CONDITIONS

Case No.: **P16-0168** (Rezone)
P15-1107 (Design Review)
P16-0388 (Variance)
P16-0389 (Variance)

PLANNING COMMISSION HEARING DATE: July 28, 2016

Conditions

Case Specific

• **Planning**

1. The CS – Commercial Storage Overlay shall be applied to the subject property, as shown in Exhibit 5.
2. All conditions of the Airport Land Use Commission (ALUC), processed under case ZAP1189MA16, shall be satisfied.
3. The applicant should consider painting the storage facility a color scheme complimentary to the color scheme appropriate for the packing houses, subject to staff approval.
4. The applicant should work with staff to ensure the materials and design features on the front (southern) elevation are complimentary to the citrus packing houses.

Site Operation Standards:

5. The applicant shall be responsible for maintaining the site free of litter.
6. Building and window signs shall comply with Chapter 19.620 of the Zoning Code. Signs shall be subject to separate review. 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:

7. A 40-scale precise grading plan shall be submitted to the Planning Division and include the following:
 - a. Hours of construction and grading activity are limited to between 7:00 a.m. and 7:00 p.m. weekdays and 8:00 a.m. and 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or Federal Holidays;
 - b. Compliance with City adopted interim erosion control measures;
 - c. Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems; and

- 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.

During Grading and Construction Activities:

8. 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.
9. 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.
10. Projects must abide by the SCAQMD's Rule 403 concerning Best Management Practices for construction sites in order to reduce emissions during the construction phase. Measures may include:
 - a. Develop a construction traffic management program that includes, but is not limited to, rerouting construction-related traffic off of congested streets, consolidating truck deliveries, and providing temporary dedicated turn lanes for movement of construction traffic to and from the site;
 - b. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
 - c. Wash off trucks and other equipment leaving the site;
 - d. Replace ground cover in disturbed areas immediately after construction;
 - e. Keep disturbed/loose soil moist at all times;
 - f. Suspend all grading activities when wind speeds exceed 25 miles per hour;
 - g. Enforce a 15-mile-per-hour speed limit on unpaved portions of the construction site.
11. 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 must provide evidence that electrical hook ups at construction sites are not cost effective or feasible.
12. If inadvertent discoveries of subsurface cultural resources are discovered during grading, the Project applicant(s)/developer, the project principal investigator, and the Tribe(s) shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the project applicant and the Tribe(s) cannot agree on the significance or the mitigation for such resources, these items will be presented to the City for decision. The City shall make the determination based on the provisions of the California Environmental Quality Act (CEQA) with respect to cultural resources and shall take into account the religious beliefs, customs and practices of the Tribe(s).

13. In the event that human remains are encountered, California Health and Safety Code Section 7050.5 states no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), human remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendant(s)" shall then make recommendations within 48 hours, and engage in consultations with the landowner concerning the treatment of the remains as provided in Public Resources Code 5097.98.
14. In the event a fossil is discovered during construction for the proposed project, excavations within 50 feet of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the find is determined to be significant and if avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards.

Prior to Issuance of Building Permit:

15. All roof mounted mechanical equipment shall be completely screened from view from the public right-of-way. Parapet walls shall be designed so the top of the walls are equal to or higher than the tallest piece of mechanical equipment on the roof of the building.
16. Plans submitted for staff review should specify the location, design and color of all domestic water meters, backflow preventers and utility cabinets subject to the Planning and Public Utilities review and approval. The visibility of such facilities shall be minimized to Planning Division review and approval through means including but not limited to relocation, berming, landscaping, and/or installation of a screen wall.
17. An exterior lighting plan shall be submitted for Planning Division staff review. A photometric study and manufacturer's cut sheets of all exterior lighting on buildings, landscaped areas and in parking lots shall be reflected. 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. Light sources shall be shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties and public rights-of-ways. If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed twenty feet (20) in height, including the height of any concrete or other base material.
18. **Staff Required Building Elevations Conditions:** 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 shall include the following:
 - a. The applicant shall work with Planning Staff to include murals on the east and west elevations of the commercial storage building; and

- b. Reflective glass shall not be used for window areas along the building façade facing Third Street.
- 19. Landscaping and Irrigation plans shall be submitted for Planning Staff review. Design modifications may be required as deemed necessary. Separate applications and filing fees are required.
- 20. **Revise the Landscape and Irrigation Plans** such that the plans submitted for planning staff approval incorporate the following changes:
 - a. The visibility of water meters, backflow preventers and utility cabinets shall be minimized through means including but not limited to relocation, berming, landscaping, and/or installation of a screen wall; and
 - b. The landscape planter adjacent to the handicap parking stall shall be extended out, 10 feet in front of the decorative fencing.
 - c. Landscape between the public sidewalk and the three parking stalls in front of the security gate shall include a hedge towards the back of the planter area and lower lying plants in front, creating a landscaped layered effect reducing visibility of the parking stalls to the public right-of-way.
 - d. The planter between the handicap parking stall and the security fence shall include a hedge towards the back of the planter area and lower lying plants in front, creating a landscaped layered effect, reducing visual impacts to the right-of-way from exterior storage units.
- 21. Submitted construction plans shall include a fence and wall plan, and shall include the following:
 - a. Any fencing within the required 40 foot front yard setback shall be 4 feet in height.
 - b. All proposed fencing and gates on-site shall be constructed from a decorative tubular steel.
 - c. Any walls that may be proposed as part of the project will need to be constructed of a two sided decorative material and finished with a decorative cap. The Planning Division may require use of decorative pilasters if walls are proposed for long expanses.

Prior to Release of Utilities and/or Occupancy:

- 22. A Historic Conservation Easement shall be recorded for the historic packing house structures located at 3230 Vine Street and 3280 Vine Street. A copy of the recorded document shall be submitted to the Planning Division.
- 23. A Reciprocal Access Agreement shall be recorded and a copy of the recorded document shall be submitted to the Planning Division.

24. 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 Gaby Adame, at (951) 826-5933 to schedule the final inspection at least a week prior to needing the release of utilities.
25. 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.

- **Fire Prevention:**

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

26. Prior to permit issuance access roadways shall be a minimum of twenty (20) feet in unobstructed width with a minimum vertical clearance of thirteen feet, six inches (13'6"). Grade differential shall not exceed twenty (20) percent.
27. Prior to permit issuance access roadways in excess of one hundred and fifty (150) feet in length shall be provided with a provision for turn around. Such provisions shall be of a design approved by the Fire Department.
28. Prior to permit issuance access roadways shall be all weather surfaces, paved, provided with engineered turf block, or alternate design. Such roadways shall be maintained at all times.
29. An automatic fire sprinkler system is required by City Ordinance 16.32.076. 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.
30. The Riverside Municipal Code, Section 16.36.010 to 16.36.090 requires a Public-Safety Radio Amplification System in: (1) New buildings greater than fifty thousand (50,000) square feet; (2) 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%); (3) 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.
31. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.

32. Construction plans shall be submitted and permitted prior to construction.
33. Any required fire hydrants shall be installed and operational prior to Fire Department release of permit.
34. Fire Department access is required to be maintained during all phases of construction.

- **Public Works Department**

35. Offer only of deed for widening 3rd Street along proposed mini storage frontage to 44 feet from monument centerline to Public Works specifications.
36. Completion of curb, gutter, and sidewalk on Third Street to Public Works specifications.
37. Off-site improvement plans to be approved by Public Works prior to permit issuance.
38. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to issuance of building permit.
39. Installation of sewer main/sewer laterals to serve this project to Public Works specifications.
40. Size, number and location of driveways to Public Works specifications.
41. Prior to Building Permit Issuance, the Developer shall complete a lot line adjustment to consolidate the project site parcels to the satisfaction of the Planning Division and Public Works Department.
42. 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.

43. 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. All BMP's must be constructed on private property and shall not encroach into the City right-of-way.
44. 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.
45. 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.
46. Prior to building or grading permit closeout or the issuance of a certificate of occupancy or certificate of use, the applicant shall:
- g. Demonstrate that all structural BMP's described in the project-specific WQMP have been constructed and installed in conformance with approved plans and specifications;
 - h. Demonstrate that applicant is prepared to implement all non-structural BMP's described in the approved project-specific WQMP; and
 - i. Demonstrate that an adequate number of copies of the approved project-specific WQMP are available for the future owners/ occupants.

- **Public Utilities – Water**

- Prior to Certificate of Occupancy, the Applicant shall install fencing to the satisfaction of the Water Utility, along the southeastern property line up to the southernmost building line, and northern property lines with the exception of the area adjacent to the eastern façade.

- **Public Utilities – Electric:**

Contact Summer Ayala at 951-826-2129 for questions regarding public utilities (electric) conditions/corrections listed below.

47. The provision of utility easements, water, street lights and electrical underground and/or overhead facilities and fees in accordance with the rules and regulations of the appropriate purveyor.
48. 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.

- **Park and Recreation**

49. PRIOR TO BUILDING PERMIT ISSUANCE: 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.

GENERAL INFORMATION NOTES

50. This approval is for design concept only, and does not confirm the project has been thoroughly checked for compliance with all requirements of law. As such, it is not a substitute for the formal building permit plan check process, and other changes may be required during the plan check process.
51. The project must be completed per the Design Review 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 changes by Planning staff. Upon completion of the project, a Planning 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.
52. There is a 24-month time limit on this approval, which begins following City Council approval of this case.
53. 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 modification that may be required by these conditions of approval.