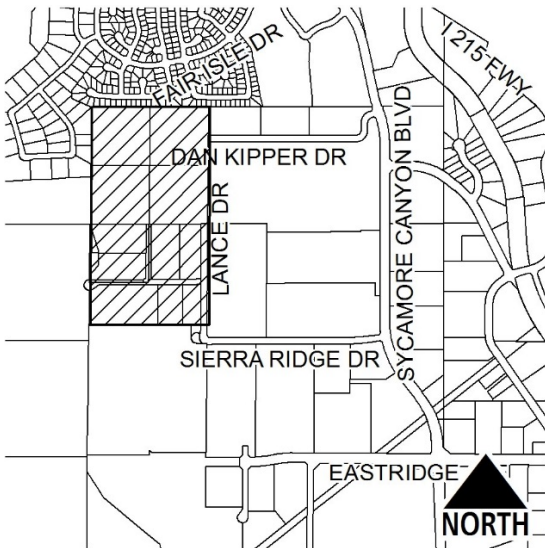




**PLANNING COMMISSION HEARING DATE: NOVEMBER 3, 2016**

**AGENDA ITEM NO.: 4**

**PROPOSED PROJECT**

Case Numbers	P16-0101 (General Plan Amendment/Specific Plan Amendment), P16-0102- (Tentative Parcel Map No. 36879), P14-1082 (Minor Conditional Use Permit), P16-0103 – (Variance/Grading Exceptions), P14-1081 (Design Review) and P14-1072 (Environmental Impact Report)	
Request	To consider the following entitlements for the construction and operation of two industrial warehouse buildings, Building 1 (1,012,995 square feet) and Building 2 (352,174 square feet): 1) a General Plan Amendment and to a Specific Plan Amendment to remove planned but not constructed streets; 2) Tentative Parcel Map No. 36879 to consolidate 17 parcels into two parcels; 3) Minor Conditional Use Permit to permit industrial buildings greater than 400,000 square feet in area; 4) Design Review of a plot plan and building elevations for the construction of two distributions centers and on-site improvements; 5) Grading Exceptions for creation of slopes in excess of 20 feet in height and Variance to allow fewer parking spaces than required by the Zoning Code; and 6) Environmental Impact Report related to the project.	
Applicant	Hillwood Enterprises, L.P. and The Magnon Companies	
Project Location	West side of Lance Drive between Dan Kipper Drive and Sierra Ridge Drive	
APNs	263-020-003, 263-020-04, 263-020-005, 263-020-006, 263-300-001, 263-300-002, 263-300-003, 263-300-004, 263-300-005, 263-300-006, 263-300-025, 263-300-029, 263-300-030, 263-300-033, 263-300-034 (portion), 263-300-035, and 263-300-036	
Project area	76 acres	
Ward	2	
Neighborhood	Sycamore Canyon/Canyon Springs	

<i><b>Specific Plan</b></i>	Sycamore Canyon Business Park – Industrial Subarea
<i><b>General Plan Designation</b></i>	B/OP – Business/ Office Park
<i><b>Zoning Designation</b></i>	BMP-SP – Business and Manufacturing Park and Specific Plan (Sycamore Canyon Business Park) Overlay Zones
<i><b>Staff Planner</b></i>	Patricia Brenes, Principal Planner; 951-826-2307; pbrenes@riversideca.gov

## RECOMMENDATIONS

That the City Planning Commission:

1. **RECOMMEND TO THE CITY COUNCIL that the City Council find:**

- a. The draft project EIR has been completed in compliance with the California Environmental Quality Act (CEQA);
- b. The project will have a significant effect on the environment; but
- c. There are no feasible alternatives to the project or mitigation measures that will avoid or substantially lessen the significant environmental effects as identified in the Draft EIR for Air Quality standards as to cumulative and project-specific impacts during construction and operations; project specific noise impacts during construction and operation; project specific and cumulative traffic impacts to the I-215 freeway on ramps Levels of Service (LOS).

2. **RECOMMEND APPROVAL** of Planning Cases: P14-1081(DR), P14-1082 (MCUP), P16-0101 (GPA and SPA), P16-0102 (TPM) and P16-0103 (VR and GE), based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions and mitigation measures.

## SITE BACKGROUND

The project site consists of 17 contiguous vacant parcels, totaling approximately 76 acres. The site has an average natural slope of approximately 8.4% and is generally flat. Two jurisdictional drainages, Drainage 1 and Drainage 2 and a small isolated ponded area, extend from the northwest to the southeast across the property. Drainage 1 and Drainage 2 contain riparian habitat and riverine characteristics, totaling approximately 1.91 acres. The drainages are fed by a culvert that collects stormwater flows from the residences in the Sycamore Highlands Specific Plan area at the north and west of the property and water that sheet flows across the property. Man-made earthen trails lead into the Sycamore Canyon Wilderness Park, located to west of the site. A small disturbed area, southeast of the property, has been used for rock crushing, sand stockpiling, and construction equipment storage. Except for the riparian habitat and disturbed southeast area, the site consists of non-native grasslands with evidence of recent discing along the perimeter of the site and bicycle and off-road motorized vehicular use in several places throughout the site.

The site is surrounded by residences to the north, Sycamore Canyon Wilderness Park and residences to the west, and large-scale light industrial uses consisting of distribution centers and warehousing to the east and south. Access to the site is provided from Dan Kipper Drive, Lance Drive, and Sierra Ridge Drive.

## PROPOSAL

The proposed project involves the consolidation of the subject 17 parcels into two parcels for the construction and operation of two industrial warehouse and distribution buildings, totaling 1,375,169 million square feet. The businesses will operate 24 hours a day, 7 days a week. There are no specific tenants identified for the buildings. Construction is anticipated to begin in the first quarter of 2017 and to open for business in the first quarter of 2018.

Parcel 1 will be approximately 56 acres and is proposed to be developed with Building 1, approximately 1,012,995 square feet in size. Building 1 will consist of a 10,000 square foot area for office use and a 1,002,995 square foot warehouse area. A total of 147 dock doors are proposed along the east and west sides of the property. An on-site trail and fire access lane will be provided in an easement along the southern and a portion of the western perimeter of Parcel 1. The trail will provide connectivity to the Sycamore Canyon Wilderness Park from Lance Drive. As part of this project, a 16 space parking lot will be provided on the southeast area of the site to serve the trail users. The site will be served by 446 parking spaces and 278 trailer spaces. Vehicular access to Parcel 1 will be provided by two driveways from Lance Drive at the southeast and northeast areas of the parcel.

Parcel 2 will be 20.2 acres and is proposed to be developed with Building 2, approximately 362,174 square feet in size. Building 2 will consists of a 10,000 square foot area for office use, and 352,174 square foot warehouse area. A total of 49 dock doors are proposed along the south side of the building. No dock doors are proposed along the north side of the building, adjacent to the existing residential neighborhood. The site will be served by 143 parking spaces and 74 trailer spaces. Access to Parcel 2 will be provided by one driveway from Lance Drive at the southeast corner of the parcel.

This project will remove Drainage 1 and Drainage 2 and provide a 2.96 acre biological Mitigation Conservation Area along the western side of the property, adjacent to the Sycamore Canyon Wilderness Park, to mitigate for the proposed 1.91 acre permanent impact to riparian/riverine habitat. The biological Mitigation Conservation Area will include a meandering habitat area planted with native riparian and riparian scrub habitat consisting of approximately 106 trees and 538 shrubs. The Mitigation Area will be dedicated to an approved mitigation entity to be managed in perpetuity, and protected from future development by a conservation easement.

## PROJECT ANALYSIS

<i>Authorization and Compliance Summary</i>			
	N/A	Consistent	Inconsistent
<p><i>General Plan 2025</i></p> <p>The proposed project is consistent with the underlying General Plan 2025 land use designation of B/OP – Business/Office Park, and will further the intent of the General Plan Policy LU-80.6 which states: “Promote the development of Sycamore Canyon to achieve economic success defined by a diverse and compatible industrial base that provides economic opportunities for all its citizens...” The amendment to the General Plan consists of the removal of planned but not constructed streets to facilitate the development of the site with two industrial warehouse buildings. Overall, implementation of the proposed General Plan Amendment is considered beneficial as the proposed industrial distribution center will provide trail connectivity to the Sycamore Canyon Wilderness Park and an adequate separation from the residences to the north and northwest.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><i>Specific Plan</i></p> <p>The project site is located within the Industrial Subarea of the Sycamore Canyon Business Park Specific Plan and complies with the requirements of the Specific Plan. The amendment to the Specific Plan Circulation Plan is proposed for consistency with the proposed modifications to the General Plan Circulation and Community Mobility Element.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><i>Zoning Code Land Use Consistency (Title 19)</i></p> <p>The underlying BMP-Business and Manufacturing Park Zone is consistent with the B/OP – Business/Office Park General Plan land use designation. The proposed industrial warehouses are subject to the approval of a Minor Conditional Use Permit and Design Review.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><i>Compliance with Citywide Design &amp; Sign Guidelines</i></p> <p>The proposed project substantially meets the objectives of the City's design guidance document, subject to the recommended conditions of approval and mitigation measures detailed below and contained in the Environmental Impact Report prepared for this project.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><i>Compliance with the Riverside County Airport Land Use Compatibility Plan</i></p> <p>The site is located within Zones C1 and D of the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Authorization and Compliance Summary</i>			
	N/A	Consistent	Inconsistent
Approximately 46 acres of Parcel 1 is located within Zone C1 and 28 acres of Parcel 2/Building 2 and the small north portion of Parcel 1/Building 1 are located within Zone D. The Riverside County Airport Land Use Commission considered the proposed project on December 10, 2015 and determined the project to be consistent with the ALUCP. Further, on October 17, 2016, ALUC staff determined the legislative actions related to the project, General Plan Amendment and Specific Plan Amendment, are also consistent with the ALUCP.			

**COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS**

**SYCAMORE CANYON BUSINESS PARK SPECIFIC PLAN AND BMP DEVELOPMENT STANDARDS**

Parcel 1/Building 1						
Standard				Proposed	Consistent	Inconsistent
Max. Floor Area Ratio	1.50			0.42	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lot Requirements	Lot Size		5 Acres	55 Acres	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Lot Width		300 Feet	1,349 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Building Height	45 Feet			41 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Building Min. Setbacks	Front Yard	Buildings over 30 Feet in Height	50 Feet	214 - 291 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Side Yard	Interior Sides	0 Feet	155-239 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear Yard	Adjacent to Sycamore Wilderness Park	20 Feet	199 - 257 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Adjacent to any R Zone	50 Feet	193 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Min. Parking	<ul style="list-style-type: none"><li>Office : 1 Space/250 Sq. Ft. (10,000 Square Feet)</li><li>Warehouse: 1 space/1,000 Sq. Ft. (1,002,995 Square Feet)</li></ul>		1,043 Spaces	446 Spaces	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Min. Landscape Setbacks	Front Yard		20 Feet	51 – 104 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Side Yard	Interior Sides	0 Feet	42-125 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear Yard	Adjacent to Sycamore Wilderness Park	20 Feet	72– 113 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Adjacent to any R Zone	0 Feet	113 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Parking Lot Landscaped Setback		15 Feet	20 – 104 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Parcel 2/Building 2						
Standard				Proposed	Consistent	Inconsistent
<b>Max. Floor Area Ratio</b>	1.50			0.42	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Lot Requirements</b>	Lot Size		5 Acres	21 Acres	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Lot Width		300 Feet	657 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Building Height</b>	45 Feet			37 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Building Min. Setbacks</b>	Front Yard	Buildings over 30 Feet in Height	50 Feet	124 - 210 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Side Yard	Side Yard Not Adjacent to any R Zone	0 Feet	190 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Adjacent to any R Zone	50 Feet	100 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear Yard	Rear Not Adjacent to any R Zone	0 Feet	101 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Adjacent to any R Zone	50 Feet	138 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Min. Parking</b>	<ul style="list-style-type: none"> <li>Office : 1 Space/250 Sq. Ft. (10,000 Square Feet)</li> <li>Warehouse: 1 space/ 1,000 Sq. Ft. (352,174 Sq. Ft.)</li> </ul>		393 Spaces	143 Spaces	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Min. Landscape Setbacks</b>	Front Yard		20 Feet	56-142 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Side Yard	Side Yard Not Adjacent to any R Zone	0 Feet	0 – 9 1/2 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Adjacent to any R Zone	0 Feet	64 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear Yard	Rear Not Adjacent to any R Zone	0 Feet	101 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Adjacent to any R Zone	0 Feet	101 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Parking Lot Landscaped Setback		15 Feet	65-142 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## *Variance*

Parking variances are necessary to allow 446 spaces where 1,043 spaces are required for Parcel 1 and 143 spaces where 393 spaces are required for Parcel 2. The applicant has provided justifications in support of the variance. As well, supplemental variance justifications, prepared by staff, are also provided. The project is anticipated to generate 860 to 1,335 jobs for both buildings, spread over a 24-hour period, resulting in approximately 445 employees per shift. A total of 589 passenger parking spaces are proposed to serve Buildings 1 and 2. Given the anticipated number of employees, an excess of 144 parking spaces is anticipated. The Applicant is also proposing 352 trailer parking spaces, or 1.8 trailer spaces per dock-door. Furthermore, the proximity of the project to the residences, the park and the onsite mitigation area is unique to this project and despite these constraints, adequate parking would be provided to accommodate more than the anticipated number of employees and sufficient trailer parking for the number of dock doors. If the use changes in the future, tenants would need to demonstrate the existing parking will comply with the minimum parking requirements of the Code or that additional parking can be provided.

## **PARCEL MAP**

The 76 acre site will be subdivided into two parcels and three letter lots, A, B, and C. Each parcel will be under separate ownership and will be developed with an industrial warehouse building. Lots A and C are proposed for the extension of Lance Drive to connect with Dan Kipper Drive. Lot B is a 16 space parking lot for users accessing the trail. Lot B will be dedicated to the Parks, Recreations and Community Services Department. The proposed subdivision complies with the minimum lot requirements of the Sycamore Canyon Business Park Specific Plan and Zoning Code. Therefore, Staff is supportive of the proposed parcel map.

## **DESIGN REVIEW**

### *Site Plan*

Building 1, the large industrial warehouse building, is proposed south of Building 2 so it is not readily visible from the residential neighborhood to the north. It is also approximately 199 to 257 feet from the Sycamore Canyon Wilderness Park and 193 feet from the west property line shared with the residences. There is a 25 foot grade difference between Building 1 and Building 2, which further reduces views of the building from the residences to the north. Views of Building 1 from the park and the residences to the northwest will be softened by landscaping and biological Mitigation Area. Building 2 is proposed 100 feet from the north property line, adjacent to the residences and 138 feet from the west property line, adjacent to the residences. The 100 foot setback includes a 64 foot landscape planter, which will soften views of the building from the residences to the north and serve as a visual and noise buffer. Building 2 is approximately 7 to 16 feet lower in elevation than the residences to the north (side) and approximately 34 feet lower in elevation than the residences to the west (rear). A 101 foot landscape setback is also proposed along the rear of Parcel 2, adjacent to the residences. The residences to the west have a rear yard setback ranging from 72 to 114 feet, which further increases the separation from Building 2. Additionally, no loading docks or parking are proposed on the north and west sides of Building 2, so as to locate those activities away from the residences. Furthermore, as part of this project, a trail will be provided to connect to the Sycamore Canyon Wilderness Park and a 16 space parking lot will be provided on the southeast area of the site to serve the trail users.



Staff supports the site plan as it has been designed to ensure the proposed industrial business center will be compatible with the adjacent residential uses and the Sycamore Canyon Wilderness Park.

### *Site Circulation and Access*

Adequate circulation and access will be provided by this project. A total of three, two-way driveways are provided for ingress and egress to Parcels 1 and 2. The driveways include geometric physical restrictions ("pork chops" design) to prevent vehicles from making left turn movements onto Dan Kipper Drive. Access to the site will be provided from Lance Drive, Dan Kipper Drive, and Sierra Ridge Drive. As part of this project, Lance Drive will be extended northward approximately 960 feet from its current northern terminus, which is about mid-point along the site's eastern frontage, to connect with the existing western terminus of Dan Kipper Drive. The proposed street extension will allow for improved circulation in the area and vehicular access to this site.

A fire access/parks maintenance road will also be provided on site with access taken from an internal driveway on the south side of the site. The fire access road will be 12 feet wide and consist of a minimum 10 foot wide 4 inch thick decomposed gravel surface and 13.5 foot vertical clearance. The fire access road will connect to the Sycamore Canyon Wilderness Park.

### *Building Elevations*

The building elevations have been designed to be consistent with modern light industrial logistics centers and similar in architectural style to other structures within the Sycamore Canyon Business Park Specific Plan area. They will consist of concrete tilt-up paneling with a color palette largely consisting of grays as well as accented use of white, brown, and blues. Window treatments will include the use of spandrel glass, tempered vision glass, and vision glass and with blue reflective glazing. All roof-mounted equipment will be fully screened from public, street-level view. To further ensure roof mounted equipment will be screened, Mitigation Measure AES 8 will require roof mounted equipment be adequately screened.

However, some of the building elevations, readily visible to the public, have very little articulation. The west elevation of Building 1 will be readily visible from the residences to the northwest and partially visible to Sycamore Canyon Wilderness Park, as such warrants more articulation. It should include some of the same elements used on the front elevation to offset the long (1,394 feet) expanse of wall surface. The exterior features provided at the office areas should be provided on every corner of the building, as they will be readily visible to the public. As well, the design should implement articulation to create pockets of light and shadow. The north elevation of Building 2 faces residences to the north and needs to be articulated in the same manner as the front elevation. It should include the same elements use on the front (east) elevation to offset the long (978 feet) expanse of wall surface. The exterior features provided at the office areas should be provided on every corner of the building, as they will be readily visible to the public. As well, the design should implement articulation to create pockets of light and shadow.

Staff supports the proposed building elevations, subject to recommended Mitigation Measure that requires the building elevations readily visible to the public to be enhanced and articulated.

### *Walls and Fencing*

The fencing and screening of the site will include a 6 foot high block wall on the north boundary and the portion of the west boundary adjacent to residential uses. Mitigation Measure AES 1 requires the height of this wall to be increased to 8 feet to create a better visual appearance and help reduce noise potential impacts. Further, as the existing fence, north of the property, was

setback approximately 2 feet from the property line, the installation of the proposed block wall along the north property line would result in a 2 foot space between them. A condition of approval is recommended requiring the applicant to offer to remove the existing fence at the discretion of the adjacent property owner.

The loading dock areas are screened from the public right away by 14 foot high tilt up concrete walls, painted to match the buildings. The loading docks in the rear of Building 1 and side of Building 2 are proposed to be secured with 8 foot high tubular steel fencing and gates.. PVC and tubular steel fencing are proposed along the north side of the trail. The fence adjacent to the Sycamore Canyon Wilderness Park and trail will be required to be designed and constructed in compliance with the City's Park and Recreation and Community Services Department standards and specifications. With the recommended conditions of approval and mitigation measures, staff supports the proposed walls and fences.

### *Conceptual Landscaping*

Landscaping is proposed along the perimeters of Buildings 1 and 2 and along the proposed trail easement. In total, approximately 749,413 square feet of the Project site will be landscaped with drought-tolerant and climate appropriate trees, shrubs and ground cover that will meet or exceed the City's requirements. The landscape plan proposes approximately 1,354 trees outside of the conservation area. The plant palette will provide visual appeal and minimize views of Buildings 1 and 2 from the adjacent residential areas and the Sycamore Canyon Wilderness Park. A 64 foot landscaped setback, proposed to be planted with 24 inch box Coast Live Oak and California Sycamore trees and other smaller plant materials, are shown between Building 2 and the north property line shared with the residences to the north. Further, a 30 foot wide drive aisle and an additional 6 foot wide landscaped area is proposed for greater buffer and separation from the residences to the north and Building 2. A 101 foot landscaped setback is proposed as the Mitigation Conservation Area along the west side of the property. The Conservation Area will be planted with native riparian and riparian scrub habitat consisting of approximately 106 trees and 538 shrubs. Staff supports the proposed conceptual landscape plans.

### *Biological Features and Grading*

The project proposes to remove Drainage 1 and Drainage 2, containing riparian habitat and riverine characteristics, to facilitate development of the site with Building 1 and Building 2. As impacts to the riparian habitat cannot feasibly be avoided, the project proposes to provide a 2.96 acre Mitigation Conservation Area along the western side of the site in proximity to the Sycamore Canyon Wilderness Park. In compliance with the Multi Species Habitat Conservation Plan (MSHCP), a project-level Determination of Biologically Equivalent or Superior Preservation (DBESP) was prepared and has been reviewed by the Wildlife Agencies. The Mitigation Conservation Area is required to be placed under a conservation easement and dedicated to an approved mitigation entity to be managed in perpetuity.

The Project's grading plan is designed so that all earthwork will be balanced on the project site. Therefore, there will be no import or export of earthen materials from the site. Three grading exceptions are needed to allow 2:1 and 3:1 slopes with a bench, between 20-feet and 35-feet in height. The Grading Code permits slopes higher than 20 feet in height with the approval of grading exceptions. The applicant provided justifications in support of grading exceptions. Staff was able to make the necessary findings in support of the grading exceptions to allow the proposed over height slopes, as they are proposed to be landscaped and located behind the Mitigation Conservation area, and near the trail away from the street, where they will not be readily visible from the public right of way.

## ENVIRONMENTAL REVIEW

A Project EIR has been prepared for the proposed project pursuant to Sections 15161 and 15126.6 of the California Environmental Quality Act (CEQA) and City of Riverside CEQA Resolution No. 21106. These sections indicate a Project EIR should focus primarily on the changes in the environment that would result from the project and describe a range of reasonable alternatives to the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. The Draft EIR includes 3 alternatives to the project, Alternative 1—No-Project Alternative, Alternative 2—No Project/Specific Plan Build Alternative, and Alternative 3—Reduced Density Alternative, analyzed in the DEIR.

The EIR includes an analysis of potential effects associated with aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, transportation/traffic, utilities and service systems.

In addition the project was analyzed for compliance with the City's Good Neighbor Guidelines, adopted in 2008, and it complies. In compliance with the Good Neighbor Guidelines, a Health Risk Assessment was completed for this project to estimate the health risks to surrounding sensitive receptors from Project-generated diesel particulate matter (DPM). The South Coast Air Quality Management District (SCAQMD) considers a sensitive receptor to be a location where a sensitive individual could remain for 24 hours, such as residences, hospitals, or convalescent facilities. The HRA evaluated cancer and non-cancer health risks associated with project construction and operation. Cancer risks are based upon mathematical calculations which estimate the probability of the number of people who will develop cancer after exposure to DPM. This probability is generally expressed in terms of the number of people who will develop cancer per one million people who are exposed. It is important to understand that this cancer risk represents the probability that a person develops some form of cancer; the estimated risk does not represent actual mortality rates. The SCAQMD threshold of significance for cancer risk is a maximum individual cancer risk (MICR) of 10 in one million. The results of the HRA indicate the MICR is 8.3 in one million during Project construction and 5.3 in one million during Project operation.

Non-cancer risks are described as acute (short-term, generally one-hour peak exposures) or chronic (long-term exposure) health impacts. Exceeding the acute or chronic reference exposure levels (REL) does not necessarily indicate that an adverse health impact will occur; however, levels of exposure above the REL have an increasing but undefined probability of resulting in an adverse health impact, particularly in sensitive individuals. For non-cancer risks, the SCAQMD threshold of significance is a non-cancer index of 1. The results of the HRA indicate the chronic hazard index (HIC) will be 0.0093 during Project construction and 0.0014 during Project operation. SCAQMD also has thresholds for 24-hour exposure to incremental concentrations of particulate matter less than 2.5 microns in diameter (PM-2.5) of 10.4 and 2.5 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) for constructions and operation, respectively. Project construction and operation will result in a 24-hour PM-2.5 concentration of 2.4  $\mu\text{g}/\text{m}^3$  and 0.4  $\mu\text{g}/\text{m}^3$ , respectively.

As indicated above, none of the cancer or non-cancer thresholds are exceeded as a result of Project construction or operation for workers or residents within the proposed Project vicinity.

The EIR concludes that with the exception of Air Quality, Transportation/Traffic, and Noise, all other impacts have been identified as less than significant or have been reduced to below the level of significance with mitigation. Notwithstanding the implementation of mitigation measures, the following impacts would remain significant and unavoidable and a Statement of Overriding Considerations is required to be adopted by the City Council:

Air Quality:

- o Nox emissions of 339.39 lbs/day (winter) during Project operation will exceed the SCAQMD threshold of 55 lbs/day. (Project-specific and cumulative impact).

Noise:

- o Construction noise of up to 80 dBA Leq at the westerly property line will exceed the City's daytime exterior standard for residential property of 55 dBA Leq and the standard for public recreational facilities of 65 dBA Leq. (Project-specific and cumulative impact).
- o Operational noise of up 52 dBA Leq (without mitigation) will exceed the City's nighttime exterior standard for residential property of 45 dBA Leq for certain sensitive receptors west of the Project site. (Project-specific).

Transportation/Traffic:

Project traffic will contribute to an exceedance of LOS at:

- o I-215 Northbound off-ramp at Eastridge-Eucalyptus during the PM peak hour for the Existing plus Ambient Growth plus Project condition (Project-specific and cumulative).
- o I-215 Northbound on-ramp at Fair Isle-Box Springs during the AM and PM Peak hours for the Existing plus Ambient Growth plus Cumulative Development plus Project condition (Cumulative).

The LOS will be exceeded at these ramps as a result of ambient growth and cumulative development (i.e., without the Project).

## PUBLIC NOTICE AND COMMENTS

On August 26, 2015, staff held a public scoping meeting to determine the topics to be analyzed in the Environmental Impact Report (EIR) for the Sycamore Canyon Business Park. In addition, the applicants have reached out to the community adjacent to the site and have held two community meetings, the first one on May 18, 2016 and a second one on August 31, 2016. The applicants have also contacted multiple individual property owners to answer questions or provide clarification regarding aspects of the project.

Pursuant to CEQA, a 45-day review and comment period was provided from August 10, 2016 to September 23, 2016. Upon request by Abigail Smith from Johnson & Sedlack Attorneys at Law, the City extended the comment period an additional 14 days to October 7, 2016. A Notice of Availability was mailed to property owners within 300 feet of the project site and to various Federal, State, regional, and local government agencies and other interested parties, including the agencies/interest groups that commented on the Notice of Preparation. Additionally, a 1/8 page

ad was published in the Press Enterprise. During this period, staff received written comments from the following agencies:

1. State of California Department of Transportation – Requested additional clarification and further analysis be included in the Traffic Impact Analysis.
2. Moreno Valley Unified School District – Provided information on school fees.
3. City of Moreno Valley – Provided comments regarding air quality and transportation and recommendations for mitigation measures.
4. South Coast Air Quality Management District – Provided recommendations for revisions to the methodology used for the preparation of the Health Risk Assessment and provided recommendations for mitigation measures.
5. Governor's Office of Planning and Research – Indicated that no State agencies submitted comments. It also acknowledges the City has complied with the State Clearinghouse requirements for draft environmental documents, pursuant to CEQA.

Staff received a total of 38 comment letters, which include the five letters from the agencies mentioned above. One of the letters was received after the DEIR comment period. Staff has reviewed all submitted comments where residents expressed concerns with impacts to their quality of life including but not limited to: noise, traffic, loss of views, and pollution associated with the operation and construction of the proposed industrial business center and consider inappropriate the siting of the project in close proximity to residences. Written responses to all comments received by staff will be addressed in the Final EIR. Staff will commence contact and dialogue with the agencies requesting further information or mitigation measures.

## NEIGHBORHOOD COMPATIBILITY CONSIDERATIONS

The proposed project has been designed with sensitivity to the adjacent land uses, particularly Sycamore Canyon Wilderness Park to the west, and the existing residential neighborhood to the north and west. The project includes a biological Mitigation Conservation Area and landscaping along its western boundary to transition from the docks and trailer parking area to the Wilderness Park. The project also includes a trail to provide controlled access for pedestrians and bicyclists to the park and a fire access/parks maintenance road so emergency vehicles can access the park when needed. With regard to the adjacent residential neighborhood, the project proposes a 64 foot wide landscaped buffer between Building 2 and the residences to the north and a minimum 100 feet of landscaping along the western boundary adjacent to the residences. Additionally, Building 2 does not propose any dock doors or parking on the north side of the building, so as to locate activities associated with loading areas away from the Sycamore Highlands residential neighborhood.

In summary, staff supports the proposed project because is consistent with the intent of the B/OP General Plan land use designation, the Industrial Subarea of the Sycamore Canyon Business Park Specific Plan, and the underlying BMP Zone, which anticipate and permit the site to be developed with industrial uses. The General Plan and Specific Plan Amendments are related solely to map changes for the removal of planned streets that have not been constructed. Furthermore, the project, as conditioned and mitigated, will be compatible to surrounding uses by providing adequate buffer between them, provide infrastructure to improve circulation in the area, and allow for extension of the trail system and connection to the Sycamore Wilderness Park consistent

with the goals and policies of the General Plan and the Sycamore Canyon Business Park Specific Plan.

## 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 Department Public Information Section, 3rd Floor, City Hall.

## EXHIBITS LIST

1. Staff Recommended Findings
2. Staff Recommended Conditions of Approval
3. Aerial Photo/Location
4. General Plan Map
5. Specific Plan Map
6. Existing /Proposed General Plan/Specific Plan Amendment
7. Zoning Map
8. Jurisdictional Delineation Map
9. Project Plans (Tentative Parcel Map, Site Plan, Building Elevations, Photo Simulations, Conceptual Landscape Plan, Preliminary Grading Plan, Line of Sight Plans, and Grading Exceptions Plan)
10. Existing Site Photos
11. Applicant Prepared Variance Justifications
12. Applicant Prepared Grading Exceptions
13. Comment Letters
14. Draft EIR - City's Website <https://riversideca.gov/static/planning/>

Draft EIR – Also on File with the City's Community & Economic Development Department, 3900 Main Street, Riverside, CA 92522, Riverside Main Public Library, 3581 Mission Inn Avenue, Riverside, CA 92501 and Riverside Public Library, Orange Terrace Branch, 20010-B Orange Terrace Parkway, Riverside, CA 92508.

Color / Material Board to be available at the City Planning Commission Meeting

Full sized plans are available for inspection at the Planning Division Office.

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Prepared by: Patricia Brenes, Principal Planner

Reviewed by: Ted White, City Planner

Approved by: Rafael Guzman, Community Development Director





**EXHIBIT 1 –REQUIRED FINDINGS**

**PLANNING CASES:** P16-0101 (General Plan Amendment/Specific Plan Amendment), P16-0102 (Tentative Parcel Map No. 36879), P14-1082 (Minor Conditional Use Permit), P16-0103 – (Variance/Grading Exceptions), P14-1081 (Design Review) and P14-1072 (Environmental Impact Report)

**FINDINGS:**

***Minor Conditional Use Permit Findings pursuant to Chapter 19.730.040***

- a. The proposed use is substantially compatible with other uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts.
- b. The proposed industrial business center 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.
- c. The proposed use will be consistent with the purposes of the Zoning Code.
- d. The proposed use is in conformance with specific site location, development; and operation standards as may be established in the Zoning Code for the particular use.

**Variance - Recommended Justification Findings**

Variance - to allow 446 spaces where 1,043 spaces are required for Parcel 1 and 143 spaces where 393 spaces are required for Parcel 2.

1. *The strict application of the provisions of the Zoning Regulations would result in practical difficulties or unnecessary hardships in the development of this property.*

The proposal complies with this finding. Strict application of the provisions of the Zoning Code would require the applicant to provide the required parking on site or reduce the area of both buildings to meet the required parking. The applicant has indicated the facility operates 24 hours/7 days a week. The project is anticipated to generate 860 to 1,335 jobs for both buildings, spread over a 24-hour period, resulting in approximately 445 employees per shift for both buildings. A total of 589 passenger parking spaces are proposed to serve Buildings 1 and 2; thus, there would be 144 unoccupied parking spaces. Second, minimal visitors are anticipated to come to the site on a daily basis, such that the remaining spaces will be more than sufficient to accommodate visitors. Due to the minimal number of employees needed for the operation of the proposed industrial warehouse distribution center, it would be an unnecessary hardship to require unnecessary parking. Additionally, the applicant will be required to record a covenant agreeing to restrict the buildings to be used for industrial warehouse distribution. Further, as part of the covenant the applicant will be required to provide all of the required parking in the event the proposed use is discontinued and a new user takes over the project.

2. *There are exceptional circumstances or conditions applicable to this property or to the intended use or development of this property that do not apply generally to other property in the same zone or neighborhood.*

The proposal complies with this finding. The proposed business utilizes automated material handling system, in which a large number of employees for manual labor are not necessary to operate this business. Out of the 1,375,169 square foot buildings, only 20,000 square feet will be used for office. The remaining floor area will be used for warehousing. Furthermore, the applicant has indicated that the facility operates 24 hours/7days a week and it is anticipated that there will be approximately 445 employees per shift. Additionally, as noted above, ample space will exist on-site to provide the required parking should the building be reused in a manner that requires more parking to accommodate more employees and/or visitors and less trailer parking. These are considered exceptional conditions applicable to the intended use/development of this property.

In addition, there are features unique to the project site (i.e., the adjacent residences, the adjacent park and the onsite mitigation area) that did not impede development of adjacent industrial properties. The proximity of the project to the residences, the park and the onsite mitigation area is unique to this project and despite these constraints, the applicant has provided parking that would accommodate more than the anticipated number of employees and sufficient trailer parking for the number of dock-doors.

3. *The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which the property is located.*

The proposal complies with this finding. The proposed number of parking spaces for the overall project, although less than required by the Zoning Code, will not be detrimental to property or improvements in the neighborhood since the number of proposed parking spaces will be more than sufficient and suitable for the number of anticipated employees and visitors to the facility. Furthermore, the applicant will be required to record a covenant and agreement, subject to the review and approval of the Planning Division and the City Attorney's Office, restricting the buildings to be used for industrial warehouse distribution. Additionally, the Covenant and Agreement will be required to include language that stipulates that parking in compliance with the Zoning Code will be required to be provided in conjunction with a substantial change of the use of the building (e.g. larger work shifts, conversion of a substantial amount of warehousing space to manufacturing space) or a new variance granted that justifies any level of parking shortage.

The parking layout would allow separation of trailer parking spaces and automobile parking spaces and provide a safe parking area that meets the intent of the City's parking standard, while providing sufficient parking for all anticipated employees to park. The proposed trailer parking capacity would allow trucks entering the facility to park the trailers being delivered and immediately hook-up to another trailer and leave the facility. Separation of the automobile parking spaces and trailer parking spaces would also provide increased safety at the facility, as well as adequate room for trucks to maneuver on-site.



4. *The granting of the variance will not be contrary to the objectives of any part of the General Plan and Specific Plan.*

The granting of a variance would not be contrary to the objectives of the General Plan or the Sycamore Canyon Business Park Specific Plan. In fact, several General Plan Objectives support the use of alternative development standards, to match changing trends and to promote economic development in the City. The approval of a variance would promote the development of the Sycamore Canyon Business Park, as a center for economic growth in the City, consistent with Objective LU-80 of the Land Use and Urban Design Element. Specifically, Objective LU-80 focuses on promoting economic growth in the Sycamore Canyon Business Park. Objective LU-80 provides: Establish Sycamore Canyon Business Park and Canyon Springs as a center for economic growth. Additionally, the goal of the Sycamore Canyon Business Park Specific Plan is to encourage and facilitate high quality industrial development in the subject area through compliance with specific design standards.

#### **Grading Exceptions – Recommended Justifications Findings:**

1. To permit a five-foot bench, approximately 550-feet long at the western property line boundary and a 2:1 and 3:1 slope between 20-feet and 35-feet in height, with a ten-foot wide bench between the 2:1 and 3:1 slopes approximately 1,550-feet long along the westerly property line adjacent to Sycamore Canyon Wilderness Park (Area 1 on Grading Exception Exhibit), where maximum 20-foot high slopes are permitted (Riverside Municipal Code § 17.28.020(10)) and where benches are not normally permitted;
2. To permit a 3-1 slope between 20-feet and 34-feet in height and approximately 220-feet long adjacent to the proposed on-site park trail along the southerly property boundary (Area 2 on Grading Exception Exhibit), where maximum 20-foot high slopes are permitted (Riverside Municipal Code § 17.28.020(10)) and where benches are not normally permitted; and
3. To permit a 2:1 slope between 20-feet and 24-feet in height and approximately 250-feet long adjacent to the proposed driveway at the knuckle of Lance Drive and Dan Kipper Drive (Area 3 on Grading Exception Exhibit), where maximum 20-foot high slopes are permitted (Riverside Municipal Code § 17.28.020(10)) and where benches are not normally permitted.

#### **FINDINGS**

1. *The strict application of Title 17 of the Riverside Municipal Code would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of Title 17 of the Riverside Municipal Code.*

The proposal complies with this finding. The general purpose of the Title 17 Grading Ordinance is to regulate hillside and arroyo grading in a manner which minimizes the adverse effects of grading on natural landforms, soil erosion, dust control, water runoff and construction equipment emissions.

Section 17.28.020(10) provides "Slopes having a ratio of 3.9:1 or steeper shall not exceed 20 feet in vertical height. Slopes having a 4:1 or flatter ratio may be up to twenty five feet in vertical height." Section 17.28.020(11) provides "Slopes requiring benches shall not normally be permitted." The Project proposes slopes exceeding 20 feet in vertical height

in three areas of the site, as well as limited benches in Area 1, requiring an exception. Slopes on the property which exceed 20' in height or where a bench is proposed are depicted on the Grading Exception Exhibit.

"An 'unnecessary hardship' occurs where the natural condition or topography of the land places the landowner at a disadvantage vis-à-vis other landowners in the area, such as peculiarities of the size, shape or grade of the parcel." Committee to Save Hollywoodland Specific Plan v. City of Los Angeles (2008) 161 Cal.App.4th 1168, 1183.

As set forth below, limiting slopes to 20 feet in height and/or eliminating the proposed benches along the western site boundary would result in practical difficulties and unnecessary hardships that are inconsistent with the general purpose and intent of the Title 17 Grading.

**Westerly property line adjacent to Sycamore Canyon Wilderness Park (Area 1):** The Project proposes 2:1 and 3:1 slopes ranging from 20 feet to 35 feet, as well as a 5-foot and 10 foot bench for a 550-foot long area of the western boundary of the site, adjacent to the Sycamore Canyon Wilderness Park. The existing site consists of primarily vacant and hilly land traversed by a blue line stream across the central portion of the site. Natural features including the existing blue line stream and the adjacent Sycamore Canyon Wilderness Park on the western boundary of the site, coupled with the site's proximity to residential uses on its northern property line are not considered typical of most industrial zoned land in the area. These features and associated project design features, including the 2.96 acre Mitigated Conservation Area along the west side of the site, will enhance the visual appearance of the Project consistent with the intent of the Grading Ordinance make necessary the proposed 20-35 foot slopes and benches on the western boundary of the Project site.

The subject slopes and benches are also necessary in order to accommodate important Project design features that will minimize the visual appearance of the Project and help maintain the aesthetic quality of the surrounding area. Specifically, the applicant revised the Site Plan to substantially lower the building pads to provide a better viewshed for residential properties north and northeast of the site. In addition, the Project increased Building 2's northerly landscaped setback area to 64 feet to further buffer and provide a more natural transition to the adjacent residential uses to the north.

Overall, the proposed 2:1 and 3:1 slopes, as well as the 5-foot and 10-foot wide benches are required to accommodate both the natural conditions of and required modifications to the land, as well as other important project design features that help enhance the visual appearance of the project consistent with the intent of the Grading Ordinance. As an industry standard, warehouse facilities are required to provide building slabs at no greater than a 0.50 percent slope. Additionally, truck access is required to be as flat as possible, in most conditions between a 1.5 to 2.5 percent cross-fall. Due to the existing terrain both on and surrounding the site, which consists of rolling hills, large cut and fill slopes are required to join the existing terrain along the boundary lines, while still providing for the required building slabs for the project. In addition, creating these slopes will reduce impacts from importing or exporting soil to or from the site.

Further, granting the exception is consistent with the purpose of the Grading Ordinance to minimize the adverse effects of grading on natural landforms, as it helps mitigate the loss of the blue line stream, while at the same time, minimizing views of the site from neighboring residences and the Sycamore Canyon Wilderness Park. The slopes also help

to create a natural transition from the project site to the surrounding Park area by maintaining the rolling hills aspect of the existing terrain.

**Southerly property line adjacent to proposed Park trail (Area 2):** The Project proposes maintaining a 3:1 slope ranging from 20 to 34 feet along the southern boundary of the site, adjacent to the proposed park trail. As stated above, the requested slope is required in order to lower the building pad areas to minimize views of the Project buildings from surrounding residential uses. Further, the Project is required to construct a an approximately 1,270 foot long, 12 foot wide trail to provide visitor access to the Sycamore Canyon Wilderness Park adjacent to the site. The trail spans from the proposed parking area at the southeast corner of the site, along the southerly property line, ending at the westerly property line. The provision of a 3:1 slope ranging from 20 to 34 feet along the southern boundary of the site will allow a leveled surface, thereby improving the accessibility and functionality of the public trail amenity provided by the Project. As such, denying the grading exception would cause practical difficulties and unnecessary hardships inconsistent with general purpose and intent of the Grading Ordinance because it would preclude development of a safe and accessible trail for visitors to access the Sycamore Canyon Wilderness Park, which is required as a condition of approval for the Project.

**Adjacent to proposed driveway at intersection of Lance Drive and Dan Kipper Drive (Area 3):** The Project proposes a 2:1 slope between 20 feet and 24 feet along the knuckle of Lance Drive and Dan Kipper Drive. Due to the existing terrain of the Project site having a grade difference of 45 to 50 feet from the existing Dan Kipper Drive street elevations to the west of Building 2, a fill slope is created along the street frontage and a cut slope is created along the westerly property line. The creation of these slopes allows for onsite grades to be within industry standards for warehouses.

The Grading Ordinance permits the Zoning Administrator to increase vertical slope height by up to 25% without a grading exception depending on the sensitivity of the site. Regarding site sensitivity, there are three prehistoric bedrock milling sites located on the Project site; however, none were found to constitute historic properties under the National Historic Preservation Act or constitute historical resources under CEQA. The Project will be required to pay the MSHCP fee to offset any potential impacts to species and habitats covered by the MSHCP. Moreover, the DBESP required by the MSHCP determined that the habitat created in the Project's Conservation Area is considered biologically superior in comparison to the existing drainage.

While the slope would be visible from both Lance Drive and Dan Kipper Drive, which are public rights-of-way, both of these streets end at the Project site and would largely only be accessed by those traveling to the Project site and not by the general public or adjacent industrial properties in the Sycamore Canyon Business Park.

The topography of the Project site requires 20 to 24 foot slopes at this location. The Project is zoned Business and Manufacturing Park (BMP). Development of a logistics facility, in accordance with the zoning of the site, requires a flat surface in order to protect cargo within transport vehicles. As stated above, the existing site terrain has a grade difference of 45 to 50 feet from the east (along Dan Kipper Drive) to the west. This grade difference creates the need for sloping along the exterior in order to develop a flat site.

Denial of an exception would result in practical difficulties and unnecessary hardships as it would impact site layout which is necessary for compatibility with neighboring residences as well as impede site development according to industry standards.

2. *There are exceptional circumstances or conditions applicable to the property involved or the intended use or development of the property that do not apply generally to other properties in the same zone or neighborhood.*

The proposal complies with this finding. The exceptional circumstances and conditions applicable to the property and its intended development that do not apply generally to other Industrial-zoned properties in the area include: the site's location adjacent to the Sycamore Canyon Wilderness Park; the existence of the blue line stream that is proposed to be relocated to the western boundary; the requirement to provide for a trail easement; the requirement to provide a 3-acre conservation area on the western site boundary adjacent to the Sycamore Canyon Wilderness Park; and the site's vicinity to neighboring residences and associated Project features (like lowering the building pads) that are designed to minimize the Project's visual appearance and help maintain the aesthetic quality of the surrounding area.

**Westerly property line adjacent to Sycamore Canyon Wilderness Park (Area 1):** The Project site is consistent with the Riverside General Plan and Sycamore Canyon Business Park Specific Plan Land Use Designation as well as Zoning Designation, and is adjacent to other industrial uses to the south and east, located within the Sycamore Canyon Business Park Specific Plan. However, the site is adjacent to the Sycamore Canyon Wilderness Park to the west and single-family residential uses to the north and northwest. These circumstances do not generally apply to the majority of properties located within the Sycamore Canyon Business Park area, as many of the properties are not adjacent to residential uses. The benches along the western perimeter of the Project site, as well as slopes ranging from 20 to 35 feet are required to support the relocation of the blue line stream to the western perimeter of the site, as well as to keep consistency with the slopes of adjacent residences. Accordingly, an exception is necessary to move the blue line stream to the western boundary of the site, maintain a conservation area along the western boundary, and provide for a natural transition from the site to the surrounding terrain.

**Southerly property line adjacent to proposed Park trail (Area 2):** The Project site is immediately adjacent to the Sycamore Canyon Wilderness Park, located on the western boundary of the Project site. The Project also requires a trail to be constructed on site in order to allow recreational visitors to access the Wilderness Park. The trail will be constructed in a 20-33 foot wide easement area to be dedicated to the City. The trail is required to have a 2 percent maximum cross slope pursuant to Mitigation Measure REC 2. A 3:1 slope between 20-feet and 34-feet in height and approximately 220-feet long is required to support the trail.

The trail easement is required as a condition of approval in order to continue to allow the public to access the park legally. As such, grading must be done in order to accommodate and stabilize the proposed trail to protect the general public.

**Adjacent to proposed driveway at intersection of Lance Drive and Dan Kipper Drive (Area 3):** The slopes proposed at this location range from 20 to 24 feet, which generally could be approved without a grading exception, so long as the site is not sensitive. As stated above, the only reason this slope requires a grading exception is due to the location of a blue line

stream on site. This is unique to the Project site and did not impact other properties within the Sycamore Canyon Business Park Specific Plan, sharing a Business Manufacturing Park Zone.

3. *The granting of a waiver will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which the property is located.*

The proposal complies with this finding. Section 17.28.020(10) permits the Zoning Administrator to increase vertical slope height by up to 25% without a grading exception depending on the sensitivity of the site. Sensitivity is determined by such factors as the slope's visibility from the public right-of-way, its location on a ridge line, the presence of habitat for sensitive species including rare, threatened, or endangered species, or the presence of unique topographic features such as knolls, valleys, rock outcroppings or other features or views. As discussed above, there are three prehistoric bedrock milling sites located on the Project site, however, none were found to constitute historic properties under the National Historic Preservation Act or constitute historical resources under CEQA. The Project will be required to pay the MSHCP fee to offset any potential impacts to species and habitats covered by the MSHCP. Further, a Project-level Determination of Biologically Equivalent or Superior Preservation (DBESP) is required by the MSHCP. As part of the DBESP, the Project proposes an approximately three acre Conservation Area along the western edge of the Project site. The DBESP determined that the habitat that will be created in the Project's Conservation Area is considered biologically superior in comparison to the existing drainage.

The proposed exceptions would not be injurious to adjacent property or improvements because they would provide a benefit to the public by facilitating the connection of existing roadways, and allowing for the provision of a conservation area and relocation of a blue line stream. In addition, the exceptions would allow for a site layout that is more compatible with neighboring residences and will better protect neighboring viewsheds as discussed above.

**Westerly property line adjacent to Sycamore Canyon Wilderness Park (Area 1):** The proposed 20 to 35 foot slopes as well as the 5-foot and 10 foot benches located along the western boundary of the Project site are necessary in order to support the relocation of the blue line stream on site. Due to the elevation difference in the existing property line grades along the westerly property line and the proposed grades of the onsite truck yard, there is a 25 to 30 foot elevation difference. To properly provide a swale within the grade difference that provides the required depth needed to handle the existing project flows within the swale, the swale depth is controlled by the site grades (low side of the grade difference). This in turn increases the grade difference from 30 feet maximum height to a total of 35 feet maximum height in some areas. California Building Code Section J109 requires benching or terracing whenever a 2:1 slope is greater than 30 feet in vertical height. Benches are therefore required in order to comply with the California Building Code, and the site has been conservatively designed to provide benching in 25 foot vertical height intervals. Also after the 10' bench is provided, the slope changes from a 2:1 slope to a 3:1 slope within the swale area, minimizing slope heights.

Slopes in this area are adjacent to the Sycamore Canyon Wilderness Park, limiting the view of the slopes by residents. The single-family residential units to the west also contain slopes ranging from 20 to 25 feet and the Project slopes enable the neighboring residences to maintain their viewsheds. Specifically, the last house at the beginning of the requested

exception area is located at 1,630 feet where the northernmost corner of the building is at 1,568 feet. This is a 62 foot difference in an area where the building is only 41 feet in height. The slopes in this area, along with landscaping along the bench, will also help shield the Wilderness Park from the Project site, creating a public benefit. The bench will allow for the maintenance of the stream consistent with the purpose of the Grading Ordinance.

**Southerly property line adjacent to proposed Park trail (Area 2):** The 20 to 34 foot slopes located on the southern portion of the site, adjacent to the proposed park trail will not be materially detrimental to the public welfare because it will largely not be seen by the public. Building 1 and Building 2 will block the view of this slope from the view of surrounding residential uses to the north. Uses to the east and west include other industrial uses within the Sycamore Canyon Business Park Specific Plan, and the Sycamore Canyon Wilderness Park is located to the west. The slope would be visible by members of the public utilizing the trail to the Wilderness Park; however, the slope has been designed to be gradual and serves a public benefit by stabilizing the site to permit the trail.

**Adjacent to proposed driveway at intersection of Lance Drive and Dan Kipper Drive (Area 3):** As discussed above, slopes ranging from 20 to 24 feet are required at the knuckle of Lance Drive and Dan Kipper Drive in order to facilitate street improvements and circulation. This allows for the Project site to utilize existing infrastructure and not require additional grading, particularly adjacent to the Sycamore Canyon Wilderness Park. The slopes proposed at this location are also within the height permitted by the Zoning Administrator on non-sensitive sites, and as such, are generally consistent with the Grading Ordinance and would not require a grading exception but for the presence of a blue line stream on site.

Extending Lance Drive to connect with Dan Kipper Drive to allow site access enables the blue line stream to be relocated adjacent to the Sycamore Canyon Wilderness Park, maintaining open space and wildlife communities, as well as preserving biologic and hydrologic features of public value. The exception also allows for development of an industrial use, consistent with the City of Riverside General Plan and Sycamore Canyon Business Park Specific Plan and zoning. The slopes at this location also would not impact major hillside views, as this portion of the site is surrounded by industrial uses to the east and the Project will provide landscaping to buffer the slope area from residential uses to the north.



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

**RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES**

**PLANNING CASES:** P14-1072 (Environmental Impact Report), P14-1081 (Design Review), P14-1082 (Minor Conditional Use Permit), P16-0101 (General Plan and SP Amendments), P16-0102 (Tentative Parcel Map) and P16-0103 (Variance and Grading Exceptions)

**Case Specific**

• **Planning**

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. Approval of this project is contingent upon the Certification of the Environmental Impact Report associated with this project.
3. 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.
4. ***Advisory:*** Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. Any signs shall be subject to separate review and assessment, including any required variances. A separate sign application, including fees and additional sets of plans, if necessary prior to any sign permit issuance.

*Prior to Map Recordation*

5. General Plan Amendment and Specific Plan Amendment (P16-0101) shall be finalized and/or adopted.
6. The General Plan Amendment and Specific Plan Amendment shall be finalized and adopted concurrently with the development of this site.

*Prior to Grading Permit Issuance:*

7. General Plan Amendment and Specific Plan Amendment (P16-0101) shall be finalized and/or adopted.
8. The applicant shall offer to remove the existing fence north of the property at the discretion of the property owner.

*Prior to Grading Permit Issuance:*

9. A 40-scale precise grading plan shall be submitted to the Planning Division and include the following:
  - a. Hours of construction and grading activity are limited to between 7:00 a.m. and 7:00 p.m. weekdays and 8:00 a.m. and 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or Federal Holidays;
  - b. Compliance with City adopted interim erosion control measures;
  - c. Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems;
  - d. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement;
  - e. The project shall abide by the SCAQMD's Rule 403 concerning Best Management Practices for construction sites in order to reduce emissions during the construction phase. Measures may include:
    - i. Development of a construction traffic management program that includes, but is not limited to, rerouting construction related traffic off congested streets, consolidating truck deliveries, and providing temporary dedicated turn lanes for movement of construction traffic to and from site;
    - ii. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
    - iii. Wash off trucks and other equipment leaving the site;
    - iv. Replace ground cover in disturbed areas immediately after construction;
    - v. Keep disturbed/loose soil moist at all times; and
    - vi. Suspend all grading activities when wind speeds exceed 25 miles per hour.

*During grading and construction activities:*

10. 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.
11. To reduce construction related particulate matter air quality impacts of projects the following measures shall be required:
  - a. the generation of dust shall be controlled as required by the AQMD;
  - b. grading activities shall cease during periods of high winds (greater than 25 mph);



- c. trucks hauling soil, dirt or other emissive materials shall have their loads covered with a tarp or other protective cover as determined by the City Engineer; and
  - d. the contractor shall prepare and maintain a traffic control plan, prepared, stamped and signed by either a licensed Traffic Engineer or a Civil Engineer. The preparation of the plan shall be in accordance with Chapter 5 of the latest edition of the Caltrans Traffic Manual and the State Standard Specifications. The plan shall be submitted for approval, by the engineer, at the preconstruction meeting. Work shall not commence without an approved traffic control plan.
12. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
  13. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
  14. 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.
  15. The Contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays. No construction is permitted on Sundays or federal holidays.
  16. 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*

17. The landscaping, irrigation and sign plans shall be submitted for Design Review approval. Design modifications may be required as deemed necessary. Separate applications and filing fees are required. The landscaping and irrigation plans must be submitted prior to building permit issuance.
18. Plans submitted for Design Review staff review should 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.
19. 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.

20. An exterior lighting plan shall be submitted to Design Review staff for review and approval. A photometric study and manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas and in the parking lot shall be submitted with the exterior lighting plan. 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). The light sources shall be shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties and public rights-of-ways. If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed 14 feet in height, including the height of any concrete or other base material, adjacent to north property line and 20 feet elsewhere on the property.
21. **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 handicap accessible parking as deemed necessary by Building and Safety Division.
22. **Staff Required Building Elevations Conditions:** Revise the submitted building elevations such that the plans provided for building permit plan check incorporate the following changes:
  - a. Catalog cuts of the decorative sconce lighting and steel canopies shall be submitted for review and approval of Design Review staff; and
  - b. The building elevations submitted for building permits shall clearly specify all building materials and colors to match the materials and colors as approved by the City Planning Commission as applicable.
23. Add details for the enhancement of the existing trash enclosure to include colors and materials as those proposed for the industrial warehouse buildings and a decorative overhead trellis subject to Planning Division staff approval and in accordance with the City's trash enclosure policies and standard drawings (available at the Planning Division).

#### *Operational Conditions*

24. A copy of the Minor Conditional Use Permit, the final Conditions of Approval and Mitigation Measures shall be available at the site and presented to City staff, including the Police Department and Code Enforcement, upon request. Failure to have the latest approved conditions available upon request will be grounds for revocation.

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

25. 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 Patricia Brenes at (951) 826-2307 to schedule the final inspection at least one week prior to needing the release of utilities. Additional plant material may be required upon final inspection if better coverage is needed.

### **Standard Conditions**

26. 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.
27. 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.
28. The Project must be completed per the Minor 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 Staff. Upon completion of the Project, 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.
29. 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.
30. 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.
31. 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.
32. 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.
33. 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.

34. 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.
35. 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.
36. Failure to abide by all conditions of this permit shall be cause for revocation.
37. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
38. 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.
39. 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.

- **Public Works**

*Prior to Map Recordation Unless Otherwise Noted:*

40. Lot A (Lance Drive) to be dedicated to City of Riverside on Parcel Map for street and highway purposes.
41. Full street improvements on Lot A (Lance Drive), total R/W = 74 feet, curb and gutter at 26 feet from monument centerline and sidewalk to Public Works specifications.
42. Project egress shall be restricted to right turn only. In order to maximize use of the existing signal and roadway facilities, the project site access points shall be constructed with physical obstructions (islands) to prevent the egress of project traffic through Dan Kipper Drive.
43. Storm Drain construction will be contingent on engineer's drainage study. All required public storm drain easements necessary to complete 60" storm drain construction from project site south to existing 120" storm drain (City Plan D-615) shall be recorded prior to map recordation.
44. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to map recordation.
45. Lot C to be retained by owner/HOA. A covenant and agreement shall be recorded for installation and maintenance of landscape and irrigation facilities. Covenant to be recorded concurrent with Parcel Map.

46. Lot B to be conveyed to City in fee title concurrent with Parcel Map Recordation.
47. A sewer extension within Lance Drive will be required to serve this project.
48. Installation of sewer laterals to serve this project to Public Works specifications.
49. Size, number and location of driveways to Public Works specifications.
50. All security gates or facilities proposed now or in the future will be located on-site and adequate stacking space and vehicle turn-around area will have to be provided to Public Works specifications.
51. A "FINAL MAP" shall be processed with the Public Works Department and recorded with the County Recorder. The "FINAL MAP" shall be prepared by a Land Surveyor or Civil Engineer authorized to practice Land Surveying in the State of California and shall comply with the State Subdivision Map Act and Title 18 of the Riverside Municipal Code. All applicable checking and recording fees are the responsibility of the applicant.
52. Planting of 24" Box Size Street Trees required along public street frontage.
53. Installation of automatic irrigation system to provide deep-root watering to trees is required.

*Prior to Case Finalization:*

54. 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.

*Prior to Issuance of a Building or Grading Permit:*

55. 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.
56. 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.
57. 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.

*Prior to Building or Grading Permit Closeout or the Issuance of a Certificate of Occupancy or Certificate of Use:*

58. 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.

- **Fire Department**

*Prior to Building Permits Issuance:*

59. 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.

60. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
61. Construction plans shall be submitted and permitted prior to construction.
62. Fire Department access shall be maintained during all phases of construction.
63. 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.
64. 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. Fire access shall comply with our required turning radius.
65. 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.
  - d. The required fire access to the Sycamore Canyon Park shall be a minimum of 12 feet in width with a minimum of 13 feet 6 inch vertical clearance. Both gates shall be provided with a Knox padlock. The access road shall be designed to support 36,000 pounds based on our fire apparatus weight.
  - e. At the point when the fire access road meets the entrance to Sycamore Canyon Park the grade shall not exceed 15% and shall connect to the park trail.

- **Public Utilities – Electric**

66. BLANKET PUBLIC UTILITY EASEMENTS ON ALL PARCELS.

67. CONTACT SUMMER AYALA AT 951-826-2129 FOR QUESTIONS REGARDING PUBLIC UTILITIES (ELECTRIC) CONDITIONS/CORRECTIONS LISTED BELOW.
68. 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.
69. 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**

*Prior to Map Recordation:*

70. Modify Parcel Map :
  - a. Include the condition for maintenance by property owner/entity for Trail and Sycamore Canyon Park access road easements;
  - b. Properly identify dedicated Multi-purpose Recreational Trail Easement and Road Access Easement for Fire and maintenance Vehicles in favor of the City of Riverside, Parks, Recreation and Community Services;
  - c. Include trail easement cross section and access road cross section as required to clearly identify boundaries of each easement;
  - d. Width of trail tread easement (max 2% cross slope) shall be a minimum of 10' clear surface including mow curbs with an additional 12" wide level shoulder on each side of trail;
  - e. Width of fire and maintenance access road easement shall be a minimum of 12' wide with a maximum of 2% cross slope;
  - f. Modify "Lot B" boundary to include parking lot surface and driveway entry only. Landscape and lighting shall be outside of dedicated lot and maintained by developer. Paved area shall be maintained by City. Identify dedication of "Lot B" for parking lot trail head to be in favor of City of Riverside.
71. Developer shall make payment of regional/reserve and trail development Impact fees for dedicated ROW streets.
72. A surety shall be prepared by Public Works or PRCSD to be posted to guarantee the turnkey sycamore canyon wilderness standard iron fence at western property line, trail head parking lot, multi recreational trail, fire access road and associated improvements.
73. Trail head parking lot dedication (Lot B) shall be dedicated to the City for incorporation into the Sycamore Canyon Wilderness Park site, with such lands being eligible for waiver of Regional Reserve Park fees, up to but not exceeding amounts applicable to the project. All lands as may be dedicated to the City shall be free and clear of all encumbrances, including any manufactured cut and/or fill slopes, and unpaid taxes or assessments.



*Prior to Grading/Street Improvement Permit Issuance*

74. Obtain Separate Public Park Improvement Permit. Public Park Permit Requirements:

- a. Permit scope of work includes all Improvements constructed by Developer on public park land, trail easements, dedications or other PRCSD conditioned improvements.
- b. A Temporary construction boundary fence shall be required along the common boundary between the project and the public lands/landscape. This fence shall be sufficiently designed to prevent any entry of construction equipment and worker's onto the public lands/landscape.
- c. Access to park land requires Right of Entry agreement and mitigation of impact to park land. Including but not limited to re-vegetation, and minimum of 18 month maintenance and establishment period.
- d. Protect park infrastructure and temporary fence from graffiti and remove graffiti within 72 hours of notification.
- e. Grade trails 2%-7% where feasible with 2% cross slope. No trail slope shall exceed 10% longitudinal slope.
- f. Cut and/or fill slopes facing natural open spaces shall be designed using "contour grading".
- g. All improvements shall be constructed per CBC, City Public Park Improvement Standard specifications and details and Standard Specifications for Public Works Construction.

Grading Plans and Improvement Plans shall be submitted to PRCSD, in PDF format, for review, approval and permit issuance.

*Prior to Grading / Street Improvement permit closeout and release of surety*

75. Developer shall construct and demonstrate that all public trailhead parking lot, trail and fire access scope of work has been installed in conformance with the approved Building permit plans and public park improvement permit and signed off by PRCSD.

*Prior to Building Permit Issuance*

- 76. Modify Building Site Plan, Site Sections and landscape plan to incorporate mitigation measures for the Parks, Recreation and Community Service Department Approval.
- 77. Developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve and trail fees) per RMC Chapters 16.60, 16.44 and 16.76.
- 78. Obtain a separate Public Park Improvement Permit to construct turnkey public trail, Fire access road, trail head parking lot, standard sycamore iron fence and associated improvements. Public Park Permit Requirements:

- a. Permit scope of work includes all Improvements constructed by Developer on public park land, trail easements or any improvement to be turned over to PRCSD for maintenance.
- b. All improvements shall be constructed per CBC, City Public Park Improvement Standard specifications and details and Standard Specifications for Public Works Construction.
- c. Install parking lot lighting, at a level no less than one foot candle of lighting throughout public parking lots.
- d. Protect park infrastructure from graffiti and remove graffiti within 72 hours of notification.

Construction documents and specifications shall be submitted to PRCSD, in PDF format, for review, approval and permit issuance.

- 79. Obtain and execute Right of Entry Agreement with the City of Riverside as required. Right of Entry Requirements:
  - a. Maintain minimum City insurance policies naming the City of Riverside as additionally insured.
  - b. Refer to City standard ROE agreement for additional requirements.

*Prior to all Occupancy, certificate of use or building permit closeout*

- 80. Construct public trail, Fire access road, trail head parking lot, standard sycamore iron fence and associated improvements and obtain PRSCD approval that all turnkey improvements have been constructed in conformance with the approved plans, specifications and public park improvement permit.

*Operational Conditions:*

- 81. Owner or occupant shall maintain dedicated recreational trail easement and maintenance fire access road easement improvements in perpetuity, at no cost to the City. Including at a minimum, fencing, landscape, walls, curb, signage and surface paving, and including all graffiti removal within 72 hours.
- 82. Owner or occupant shall maintain in perpetuity (including graffiti removal), at no cost to the City, all property line fencing, landscape buffers, walls and fencing installed between development and public park.