



Community & Economic Development Department

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Planning Division

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**PLANNING COMMISSION HEARING DATE: JANUARY 11, 2018**

**AGENDA ITEM NO.: 2**

**PROPOSED PROJECT**

<b>Case Numbers</b>	<b>P17-0228</b> (Rezone), <b>P17-0097</b> (Design Review), <b>P17-0098</b> (Variance), and <b>P17-0099</b> (Variance)		
<b>Request</b>	To consider the following entitlements for the construction of a 97,435 square foot self-storage facility on 3.02 acres: 1) a Zoning Code Amendment to rezone the project site from R-1-7000 - Single-Family Residential Zone to R-1-7000-CS - Single Family Residential and Commercial Storage Overlay Zones; 2) a Design Review of project plans; 3) Variances to allow a lot coverage greater than required by Code, and buildings up to two stories and a building height higher than required by Code.		
<b>Applicant</b>	David Peery, on behalf of Kingsfield Development Corporation		
<b>Project Location</b>	6289 Palm Avenue, situated on the west side of Palm Avenue between Dewey Avenue and Gardena Drive		
<b>APN</b>	226-332-022 and 226-332-023		
<b>Project area</b>	3.02 acres		
<b>Ward</b>	3		
<b>Neighborhood</b>	Magnolia Center		
<b>General Plan Designation</b>	MDR - Medium Density Residential		
<b>Zoning Designation</b>	R-1-7000 - Single Family Residential		
<b>Staff Planner</b>	Sean P. Kelleher Associate Planner; 951-826-5712; <a href="mailto:skelleher@riversideca.gov">skelleher@riversideca.gov</a>		

## RECOMMENDATIONS

Staff recommends that the City Planning Commission:

1. **RECOMMEND that the City Council DETERMINE** the proposed project will not have a significant effect on the environment based on the findings set forth in the case record; **ADOPT** a Mitigated Negative Declaration; and **ADOPT** the Mitigation Monitoring and Reporting Program (MMRP) pursuant to CEQA Section 21081.6; and
2. **RECOMMEND APPROVAL** of Planning Cases P17-0228, (Rezone), P17-0097 (Design Review), P17-0098 (Variance), and P17-0099 (Variance) based on the findings outlined in the staff report and subject to the recommended conditions.

## SITE BACKGROUND

The subject 3.02 acre project site consists of two contiguous parcels that have been vacant since the 1940's. Surrounding land uses include single family residences to the north, east, and west and the Union Pacific Railroad Company railway to the south.

## PROPOSAL

The applicant is requesting a Rezone to apply the Commercial Storage (CS) Overlay Zone to the underlying R-1-7000 - Single-Family Residential Zone, and a Design Review for the construction of a 97,435 square foot self-storage facility, consisting of 707 storage units, a 1,353 square foot management office, and fourteen parking spaces. Two Variances have been submitted to allow lot coverage, building height, and number of building stories higher than required by Code.

The self-storage facility is comprised of five buildings, ranging in size from 4,080 to 39,150 square feet. Individual storage units will range in size from 25 square feet to 250 square feet. A total of 707 units are proposed, 541 units will be climate controlled and accessible through interior hallways and 166 units will not be climate controlled and will be accessible with metal roll up doors, facing the internal drive aisle. In addition to the storage units, five parking spaces for the storage of recreational vehicles are proposed on the southwest portion of the site.

Building elevations depict a contemporary architecture. The project has been designed to incorporate multiple tower elements up to 39 feet in height, incorporating glass windows, hipped roofs, rafter tails, and slate tile roofs. The south façade, facing the Union Pacific Railroad, provides an articulated façade with a modulated roof line and include material finishes in smooth and rough stucco, decorative masonry block, metal and wood trellis's and tile slate roofing. The north façade facing single family residential structures has been designed to incorporate decorative masonry block on the lower two-thirds portion of the wall and stucco on the upper portion of the wall.

A total of fourteen parking spaces will be provided on-site for customers. Four spaces closest to the management office will be reserved for customers and the other ten spaces provided behind the gate, will be for customer loading and unloading. Vehicular access to the storage units will be provided from Palm Avenue. A second emergency access will be provided on Arch Way and will be secured by a vehicle gate and knox box.

A six foot high perimeter wall is proposed along portions of the projects perimeter where self-storage building are not located on the property line. Retaining walls up to 1 foot 8 inches in height

are proposed along the northern property line, adjacent to the residences. Both perimeter and retaining walls will be constructed of a combination of brown split face block and gray shot blast block. Wrought iron vehicle gates are proposed at the Palm Avenue vehicle and pedestrian entrance and a wrought iron vehicle gate is proposed for the emergency vehicle access point to Arch Way. Access will be provided by either a key card or touchpad access system. Surveillance cameras and an alarm system will be provided.

The facility will operate from 7:00 a.m. to 7:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday, Sunday, and Federal holidays.

## PROJECT ANALYSIS

### AUTHORIZATION AND COMPLIANCE SUMMARY

	Consistent	Inconsistent
<p><b>General Plan 2025</b></p> <p>The proposed project is consistent with the underlying General Plan 2025 land use designation of MDR – Medium Density Residential. The project is consistent with the intent of General Plan Policy LU-68.1 as the project has been designed to be compatible with the existing residential uses surrounding the project site by not creating new operational impacts.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Zoning Code Land Use Consistency (Title 19)</b></p> <p>The proposed R-1-7000-CS – Single-Family Residential and Commercial Storage Overlay Zones is consistent with the MDR - Medium Density Residential General Plan Land Use designation. Self-storage facilities are permitted in the R-1-7000 – Single-Family Residential Zone, subject to the approval of the CS – Commercial Storage Overlay Zone. The CS Overlay Zone is established to permit self-storage uses in areas that are particularly difficult to develop due to parcel shape, access, or in areas where parcels are needed to form a buffer between incompatible uses, such as railroad right-of-way and single family residences, as is the case with the proposed project. The facility as proposed is compatible with surrounding single-family residential uses and railroad operations.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Compliance with Citywide Design &amp; Sign Guidelines</b></p> <p>The proposed building elevations, site design and conceptual landscaping are consistent with the applicable provisions of the Citywide Design and Sign Guidelines for new commercial development.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Compliance with the Riverside County Airport Land Use Compatibility Plan</b></p> <p>The site is located within Zones D and E of the 2005 Riverside Municipal Airport Land Use Compatibility Plan. On May 19, 2017 the Riverside County Airport Land Use Commission (ALUC) determined the proposed project to be consistent with the 2005 Riverside Municipal Airport Land Use Compatibility Plan.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS**

<b>Chapter 19.190 - Commercial Storage Overlay Zone Site Development Standards</b>				
	<b>Standard</b>	<b>Proposed</b>	<b>Consistent</b>	<b>Inconsistent</b>
<b>Minimum Lot Area</b>	1.0 acre	3.02 acres	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Minimum Frontage on and Arterial or Collector Street</b>	100 feet	100 feet (Palm Avenue - 88 foot Arterial)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Maximum Building Height (Maximum Number of Stories)</b>	20 feet (1 story)	39 feet-9 inches (2 stories)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Minimum building Setback from any Street</b>	20 feet	20 feet (Palm Avenue) 103 feet (Arch Way)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Minimum building Setback for buildings used as the perimeter wall</b>	0 feet	0 feet (North) 3 feet (South)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Chapter 19.100 - R-1-7000 – Single Family Residential Zone Development Standards</b>				
	<b>Standard</b>	<b>Proposed</b>	<b>Consistent</b>	<b>Inconsistent</b>
<b>Minimum Lot Width</b>	60 feet	100 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Minimum Lot Depth</b>	100 feet	1,290 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Maximum Lot Coverage</b>	40 percent	43.4 percent	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>Chapter 19.580 – Parking and Loading Standards</b>				
	<b>Standard</b>	<b>Proposed</b>	<b>Consistent</b>	<b>Inconsistent</b>
<b>Minimum Parking</b>	Office (1,350 sq. ft.) 1 space/250 sq. ft. (6 spaces)	14 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## VARIANCES

Two variances are requested to allow the maximum lot coverage higher than required by Code, and to allow the maximum building height and number of building stories higher than required by Code. The applicant has provided variance justification findings in support of the variance request. Staff has also prepared supplemental justification findings in support of the variance given the unique shape of the site, its adjacency to an active rail line, and a deed restriction prohibiting and limiting specific uses on the project site.

## DESIGN REVIEW

### *Site Plan*

The proposed self-storage facility has been designed in a manner that is sensitive to and compatible with existing surrounding single family residences. The site has been designed to locate the two story self-storage buildings closer to the rail lines, along the south property line, while proposing single story self-storage buildings adjacent to residential properties, along the north property line.

As designed the facility creates a sound buffer from the rail lines, to the single family residences to the north. Further, adequate access and circulation will be provided via Palm Avenue. An Emergency access is also provided via Arch Way to the west of the site. Staff supports the site plan as it has been designed to comply with the development standards and design guidelines for the R-1-7000 - Single Family Residential Zone and the CS - Commercial Storage Overlay Zone, with the exception of the requested variances as previously discussed.

### *Conceptual Landscape*

The conceptual landscape plan reflects multiple species of trees, shrubs and groundcovers to complement and accent the proposed architecture. The landscaping palette is consistent with landscaping in the immediate area and will serve to enhance the streetscape and project. In addition to landscaping along the project street frontages, landscaping is proposed along the south property line adjacent to the rail line. The landscaping along the south property line consists of a combination of shrubs, green screens, and ground cover to break up the southern façade of the buildings. Staff supports the conceptual landscape plan.

### *Fences and Walls*

The conceptual fence and wall plan has been designed to be consistent with the development standards of the Code. Six foot high split face block walls are proposed to screen the exterior storage unit doors. A condition of approval has been added, requiring a decorative metal screen be added to both wrought iron rolling gates on Palm Avenue and Arch Way to adequately provide screening of the interior of the project. Additionally, a condition of approval is recommended to increase the height of the block wall to ten feet in height, along the south property line, adjacent to the recreational vehicle parking area, to provide adequate screening from the public right-of-way, consistent with the Zoning Code.

## **NEIGHBORHOOD COMPATIBILITY**

The project, as proposed, is compatible with surrounding development. Staff supports the proposed project as the proposed site access, internal circulation, overall architectural design and operational characteristics have been designed to be sensitive to surrounding single family residential neighborhood. The overall site design internalizes all self-storage units and drive-aisles, reducing operational noise and the massing of the two story component of the project has been placed along the south property line furthest from single family residences. Vehicular access to the site has been limited to Palm Avenue, eliminating project generated traffic from the surrounding neighborhood. Additionally, with construction of the proposed project, the development will reduce existing noise associated with railway operations. In summary, staff supports the proposed project as it is consistent with the Citywide Design Guidelines and the intent, goals, and policies of the General Plan 2025.

## **ENVIRONMENTAL REVIEW**

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

## **PUBLIC NOTICE AND COMMENTS**

Public hearing notices were mailed to property owners within 300 feet of the site. In addition, a 20-day review and comment period was provided, pursuant to CEQA, from December 15, 2017 to January 4, 2018 to comment on the project specific MND. Lastly, a notice of hearing regarding this project was published in the Press Enterprise. As of the writing of this staff report, Staff received two phone calls, one requesting additional information on the project and the second expressing a desire for a different use other than a commercial self-storage facility.

## **APEAL 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 Community & Economic Development Department, Public Information Section, 3rd Floor, City Hall.

## EXHIBITS LIST

1. Findings
2. Staff Recommended Conditions of Approval
3. Aerial Photo
4. General Plan Map
5. Existing and Proposed Zoning Maps
6. Project Plans (Plot Plan, Floor Plans, Roof Plan, Building Elevations, Rendering, Circulation Plans, Conceptual Landscape Plan, Conceptual Fence and Wall Plan, Line of Sight Exhibit, and Grading Plan)
7. Applicant Prepared Variance Justifications
8. CEQA Document (Initial Study/Mitigated Negative Declaration)
9. Airport Land Use Commission (ALUC) Development Review – File No. ZAP1085RI17
10. Existing Site Photos

(Material and Color Sample Board and Technical Studies are available for viewing at the Planning Division upon request.)

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Prepared by: Sean P. Kelleher, Associate Planner

Reviewed by: Patricia Brenes, Principal Planner

Approved by: Rafael Guzman, Director of Community & Economic Development Department





*EXHIBIT 1 – FINDINGS*

**PLANNING CASES: P17-0228** (Rezone)

**P17-0097** (Design Review)

**P17-0098** (Variance)

**P17-0099** (Variance)

**Zoning Code Amendment Findings Pursuant to Section 19.810.040**

- a. The proposed R-1-7000-CS - Single Family Residential and Commercial Storage Overlay Zones are consistent with the goals, policies, and objectives of the General Plan;
- b. The proposed R-1-7000-CS - Single Family Residential and Commercial Storage Overlay Zones will not adversely affect surrounding properties; and
- c. The proposed R-1-7000-CS - Single Family Residential and Commercial Storage Overlay Zones promote public health, safety, and general welfare and serves the goals and purposes of the Zoning Code.

**Variations Findings Pursuant to Section 19.720.040**

**Variance A:** To allow a lot coverage greater than required by Code.

**Variance B:** To allow buildings up to two stories and a building height higher than required by Code.

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

**Variance A:** The proposal **complies** with this finding. Strict application of the Zoning Code would require a substantial reduction of the proposed self storage facility to comply with the maximum allowable lot coverage of 40 percent; however, as this project necessitates the application of the CS – Commercial Storage Overlay Zone to the existing R-1-7000 - Single Family Residential Zone for the establishment of the proposed self storage facility, it would not be practical to apply a standard intended for residential uses. In addition, the CS Overlay zone is silent regarding either a maximum Floor Area Ratio (FAR) or Lot Coverage. Therefore, the R-1-7000 - Single Family Residential Zone development standards for lot coverage apply. Strictly applying a residential development standard to a commercial use is counterintuitive. Residential development standards, in particular lot coverage is intended to balance on-site development with private open space, an amenity that is not required for commercial self-storage facilities.

Additionally, practical difficulties exist due to the shape of the site which limits developable area. As such, staff can support the requested variance and determine that application of

the provisions of the Zoning Code regulations would result in practical difficulties or unnecessary hardships in the development of this property.

**Variance B:** The proposal **complies** with this finding. Strict application of the Zoning Code would require the commercial storage facility be substantially reduced in overall size to a maximum of one story with a maximum building height of 20 feet. The purpose of the Commercial Storage Overlay Zone is to permit storage facilities on parcels that are difficult to develop due to parcel shape. Due to the unique shape and lot width of this parcel, the proposal would incur practical difficulties and unnecessary hardships if the development was required to strictly comply with the scope of the defined development standards. As such, staff can support the requested variance based on the provisions of the Zoning regulations that would result in practical difficulties or unnecessary hardships in the development of this property.

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

**Variances A and B:** The proposal **complies** with this finding. There are three exceptional circumstances associated with this site that do not generally apply to other properties in the same zone: 1) its unique shape; 2) adjacency to an active rail line; and 3) a deed restriction.

The site's shape is unique, as compared to surrounding properties, in that the project site is, 100 feet wide by 1,290 feet deep with limited frontage to public streets. The existing zoning and shape of the project site severely limit development with uses permitted in the R-1-7000 - Single Family Residential Zone.

The site is located adjacent to an active rail line. Self-storage facilities are generally compatible with active rail lines due to their operational characteristics. The project site has been designed with the operations of the rail line in mind, orienting buildings onsite, to create a noise barrier, reducing existing noise impacts from rail operations to the residential neighborhood to the north.

Finally, the site is unique in that there is a deed restriction placed on the site by the railroad company that prohibits the site from being developed with certain uses as noted below:

"Restriction of Use. Grantee (Project Applicant) its successors and assigns, may use the Property for industrial, office, and retail oriented commercial business (for example, shopping center, filling station, restaurant) purposes, only, and for no other purposes whatsoever. Without limitation the foregoing, the Property must not be used for any of the following purposes: (i) residential, (ii) lodging or accommodations (including, without limitation, hotels, motels, boarding houses, dormitories, hospitals, nursing homes, or retirement centers), or (iii) cultural, educational, care centers gymnasiums, athletic fields, picnic grounds, or parks)."

Based on the three exceptional circumstances discussed above, the proposed variances to allow a lot coverage greater than required by Code, and allow buildings up to two stories and a building height higher than required by Code will allow for the site to be developed as a self-storage facility.

- c. *The granting of this request will not prove materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located.*

**Variance A:** The proposal **complies** with this finding. The granting of the request to allow for lot coverage greater than required by Code will not prove materially detrimental to the public welfare. The project has been designed to be compatible with surrounding residential development. The proposed increase in lot coverage from 40 percent to 43.4 percent will not be perceptible due to the orientation of the buildings and perimeter walls on-site. Moreover, the development of the self-storage buildings will reduce ambient noise generated by the rail line for residences north of the project. Furthermore, the development of the site will not be injurious to the property or improvements in the neighborhood as adequate privacy is provided by the existing development. Therefore, no detrimental effect is expected with the approval of this request.

**Variance B:** The proposal **complies** with this finding. The granting of the request to allow buildings up to two stories and a building height higher than required by Code will not prove materially detrimental the public welfare. The project has been designed to place the two story buildings along the south side of the property, at the point furthest away from single family residences to the north. The proposed design of the self-storage buildings include architectural characteristics that are consistent with existing architectural styles within the surrounding neighborhoods. Although the overall height is greater than 20-feet, the buildings architecture has incorporated multiple elements to reduce the overall mass of the building through the use of decorative trellises, green screens, roofline modulation and material changes that break up the façade into smaller segments and emphasize an overall reduced scale in line with surrounding development. Therefore, no detrimental effect is expected with the approval of this request.

d. *The granting of this request will not be contrary to the objectives of the General Plan.*

**Variances A and B:** The proposal **complies** with this finding. The proposal to allow for lot coverage greater than required by Code and request to allow buildings up to two stories and a building height higher than required by Code do not conflict with the objectives and policies of the General Plan 2025. Specifically, the project is consistent with the intent of General Plan Policy LU-68.1, "Ensure that Magnolia Center's residential areas are adequately protected from the operational impacts of new commercial and mixed use development in the neighborhood."



*EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL*

**RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES**

**PLANNING CASES:** P17-0228 (Rezone)  
P17-0097 (Design Review)  
P17-0098 (Variance)  
P17-0099 (Variance)

**CONDITIONS**

**Planning**

1. The subject property shall be developed and operated substantially as described in the text of this report and as shown on the project plans on file with this case except for any specific modifications that may be required by these conditions of approval.
2. The applicant shall comply with conditions of approval of the Riverside County Airport Land Use Commission Development Review Number ZAP1085R117.

*Prior to Grading Permit Issuance:*

3. **MM-CUL-1:** Prior to grading permit issuance, if there are any changes to project site design and/or proposed grades, the Applicant and the City shall contact interested tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City, developer/applicant, and interested tribes to discuss any proposed changes and review any new impacts and/or potential avoidance/preservation of the cultural resources on the project site. The City and the developer/applicant shall make all attempts to avoid and/or preserve in place as many cultural and paleontological resources as possible that are located on the project site if the site design and/or proposed grades should be revised.
4. **MM-CUL-2: Archaeological and Paleontological Monitoring:** At least 30 days prior to application for a grading permit and before any grading, excavation and/or ground disturbing activities take place, the developer/applicant shall retain a Secretary of Interior Standards qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources.
  - The project archaeologist, in consultation with interested tribes, the Developer, and the City, shall develop an Archaeological Monitoring Plan to address the details, timing, and responsibility of all archaeological and cultural activities that will occur on the project site. Details in the plan shall include:
    - i. Project grading and development scheduling;
    - ii. The development of a rotating or simultaneous schedule in coordination with the developer/applicant and the project archaeologist for designated Native American

Tribal Monitors from the consulting tribes during grading, excavation, and ground-disturbing activities on the site, including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all project archaeologists;

- iii. The protocols and stipulations that the Applicant, tribes, and project archaeologist/paleontologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits, or nonrenewable paleontological resources that shall be subject to a cultural resources evaluation;
  - iv. Treatment and final disposition of any cultural and paleontological resources, sacred sites, and human remains if discovered on the project site; and
  - v. The scheduling and timing of the Cultural Sensitivity Training noted in mitigation measure MM-CUL-4.
5. **MM-CUL-4: Cultural Sensitivity Training:** The Secretary of Interior Standards County certified archaeologist and Native American monitors shall attend the pre-grading meeting with the developer/permit holder's contractors to provide Cultural Sensitivity Training for all construction personnel. This shall include the procedures to be followed during ground disturbance in sensitive areas and protocols that apply in the event that unanticipated resources are discovered. Only construction personnel who have received this training can conduct construction and disturbance activities in sensitive areas. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.
6. Vegetation-clearing and rough grading should be completed outside of bird breeding season (typically February 1 through August 31). If vegetation-clearing and rough grading cannot be conducted outside the bird breeding season, a pre-construction nesting bird survey shall be required prior to the issuance of any grading or demolition permit and within 30 days of commencement of construction. The pre-construction nesting bird survey may be conducted concurrent with the pre-construction burrowing owl/Initial Take and Avoidance Survey.

The pre-construction nesting bird survey shall consist of full coverage of the on-site trees and project site. If no active nests are found, no further work in this regard is required. If active nests are found, the nest locations shall be mapped by the biologist utilizing GPS equipment. The nesting bird species and, to the degree feasible, the nesting stage (e.g., incubation of eggs, feeding of young, near fledging) shall be documented. Additionally, an exclusionary buffer shall be established by the project biologist. The buffer may be up to 500 feet in diameter depending on the species of nesting bird found. This buffer must be clearly marked in the field by construction personnel under guidance of the biologist, and construction and/or vegetation clearing shall not occur within this zone until the biologist determines the young have fledged, or the nest is no longer active. This measure shall be implemented to the satisfaction of the City of Riverside.

7. A 40-scale precise grading plan shall be submitted to the Planning Division and include the following:
- 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;
  - Compliance with City adopted interim erosion control measures;

- Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems; and
- Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement.
- 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. Suspend all grading activities when wind speeds exceed 25 miles per hour.
  - iii. 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;
  - iv. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
  - v. Wash off trucks and other equipment leaving the site;
  - vi. Replace ground cover in disturbed areas immediately after construction; and
  - vii. Keep disturbed/loose soil moist at all times.

*During Grading and Construction Activities:*

8. **MM-CUL-3: Treatment and Disposition of Cultural Resources:** In the event that Native American cultural resources are inadvertently discovered during the course of grading for this project, the following procedures will be carried out for treatment and disposition of the discoveries:
  - **Temporary Curation and Storage:** During the course of construction, all discovered resources shall be temporarily curated in a secure location on site or at the offices of the project archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with tribal monitor oversight of the process; and
  - **Treatment and Final Disposition:** The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The Applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Riverside Community and Economic Development Department with evidence of same:
    - i. Accommodate the process for on-site reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed;

- ii. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore will be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation;
  - iii. If more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center or Riverside Metropolitan Museum by default; and
  - iv. At the completion of grading, excavation, and ground-disturbing activities on the site, a Phase IV Monitoring Report shall be submitted to the City documenting monitoring activities conducted by the project archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the City of Riverside, Eastern Information Center, and interested tribes.
9. Construction and operation activities on the property shall be subject to the City's Noise Code (Title 7), which limits construction noise to 7:00 a.m. to 7:00 p.m. weekdays, and 8:00 a.m. to 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or federal holidays.
10. The project shall comply with all existing State Water Quality Control Board and City storm water regulations, including compliance with NPDES requirements related to construction and operation measures to prevent erosion, siltation, transport of urban pollutants, and flooding.
11. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
12. The Construction Contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
13. To reduce construction related particulate matter air quality impacts of projects the following measures shall be required:
  - the generation of dust shall be controlled as required by SCAQMD Rule 403;
    - i. 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;
    - ii. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards;
    - iii. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;

- iv. Wash off trucks and other equipment leaving the site;
  - v. Keep disturbed/loose soil moist at all times;
  - vi. Suspend all grading activities when wind speeds exceed 25 miles per hour; and
  - vii. Enforce a 15 mile per hour speed limit on unpaved portions of the construction site.
14. The applicant shall be responsible for erosion and dust control during construction phases of the project.
15. To reduce diesel emissions associated with construction, construction contractors shall provide temporary electricity to the site to eliminate the need for diesel-powered electric generators, or provide evidence that electrical hook ups at construction sites are not cost effective or feasible.

*Prior to Building Permit Issuance*

16. Plans submitted for Plan Check review should specify the location, design and color of all domestic water meters, backflow preventers, and all on- and off-site utility cabinets subject to Planning Division and Public Utilities' review and approval. The visibility of such facilities shall be minimized and include use of the smallest preventer possible, be painted green, and consist of some form of screening including but not limited to berming, landscaping, and/or installation of a screen wall.
17. **Landscape and Irrigation Plans:** Separate applications and filing fees are required. Revise the submitted Landscape plan such that the plan provided incorporates the following change:
- A two foot wide landscape planter shall be installed along the northern wall located across from the office. A combination of shrubs, ground cover, and climbing vines shall be planted;
  - Landscaping shall be installed, permanently irrigated, and maintained within the public right-of way along the projects frontages on Palm Avenue and Arch Way; and
  - The building setback along Arch Way shall be fully landscaped with the exception of the required driveway.
18. **Fence and Wall Plan:** Revise the submitted fence and wall plan such that the plan provided incorporates the following changes:
- Decorative solid metal rolling gates or a perforated metal screen installed on the wrought iron, adjacent to Palm Avenue and Arch Way shall be provided in place of the proposed wrought iron gates in order to screen the storage units;
  - The segment of the block wall immediately south of the recreational vehicle parking spaces shall be increased in height to 10 feet. The segment of the wall extending from the most western recreational vehicle parking space and the 20 foot building setback on Arch Way shall gradually step down from 10 feet to 6 feet in height;
  - The 3 foot high wall along the north property line adjacent to the residence at 6267 Palm Avenue shall be increased to 6 feet in height;



- Walls along the project perimeter shall include a decorative masonry cap; and
- Retaining walls shall match the materials of the block walls along the sides and front of the project site.

19. An exterior lighting plan shall be submitted to 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 twenty (20) feet in height, including the height of any concrete or other base material. Freestanding light standards within 50 feet of residentially zoned property shall be no more than 14 feet in height.

20. Roof and building mounted equipment shall be fully screened from the public right-of-way. Screening material shall be at least as high as the proposed roof mounted equipment and shall be architecturally integrated with the proposed structure.

21. Ground mounted equipment shall be fully screened from the public right-of-way.

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

22. 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/auditory responsible for the project. Contact Sean P. Kelleher, Associate Planner at (951) 826-5712 or skelleher@riversideca.gov to schedule the final inspection at least one week prior to needing the release of utilities.

*Site Operation Standards:*

23. All operations shall be in compliance with Title 7 (Noise Control) of the Riverside Municipal Code.

*Standard Conditions:*

24. There shall be a two-year time limit in which to commence construction of the project beginning the day following approval by the City Council. Subsequent one-year time extensions may be granted upon request by the applicant. Any extension of time beyond five years may only be granted after an advertised public hearing by the City Council.

25. The Zoning Code Amendment, Design Review, and Variances, may be granted time extensions by the Community & Economic Development Director or their designee up to a total of five years beyond the original approval expiration date prior to issuance of any building permits. Once a building permit has been issued the development will be considered vested and time extensions are no longer needed. At the exhaustion of Community & Economic Development Director approved extensions, the original Approving or Appeal Authority following a public hearing noticed pursuant to Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing), may grant one final permit extension of

up to two years. A public hearing notification fee is required of the applicant in such case in addition to a time extension fee.

26. All necessary parcel description describing the exact area to be rezoned shall be prepared, signed and sealed by a licensed Land Surveyor or Civil Engineer authorized to practice Land Surveying in the State of California for the area of the property to be rezoned. Descriptions are required to be on 8 1/2 inch by 11 inch paper with the title "Attachment A" at the top.
27. 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.
28. 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.
29. 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.

## **Fire**

30. 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.

31. The minimum width through the gates is 12 feet clear width with a minimum 13 foot 6 inch vertical clearance.
32. Provide for fire department access to the gate. "Knox" key devices are available for use in the city. Contact the Fire Department for applications and details.

An "Infrared Automatic Gate System" is required for all electric gates. Contact the Fire Prevention Division for information.

33. Provide for fire department access to the facility. "Knox" key devices are available for use in the city. Contact the Fire Department for applications and details.
34. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
35. Construction plans shall be submitted and permitted prior to construction.
36. Fire Department access shall be maintained during all phases of construction.

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

37. The 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.

#### **Public Works**

38. Completion of cul-de-sac improvements (curb and gutter) at terminus of Arch Way to Public Works specifications.
39. Deed for widening Arch Way cul-de-sac to Public Works specifications.
40. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to issuance of a building permit.
41. Installation of sewer lateral(s) to serve this project to Public Works specifications.
42. Project ingress shall be restricted to right turn only.
43. Storm Drain construction will be contingent on engineer's drainage study.
44. Driveway(s) size and location to Public Works specifications.
45. Prior to Building Permit Issuance, the Developer shall complete a lot line adjustment to consolidate the project site parcels to the satisfaction of the Planning Division and Public Works Department.
46. 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.
47. 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.

48. Prior to issuance of a building or grading permit, the applicant shall submit to the City for review and approval, a project-specific WQMP that:

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;

Incorporates the applicable Source Control BMP's as described in the Santa Ana River Region WQMP and provides a detailed description of their implementation;

Incorporates Treatment Control BMP's as described in the Santa Ana River Region WQMP and provides information regarding design considerations;

Describes the long-term operation and maintenance requirements for BMP's requiring long-term maintenance; and

Describes the mechanism for funding the long-term operation and maintenance of the BMP's requiring long-term maintenance.

49. Prior to issuance of any building or grading permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument acceptable to the City Attorney to inform future property owners of the requirement to implement the approved project-specific WQMP. Other alternative instruments for requiring implementation of the approved project-specific WQMP include: requiring the implementation of the project-specific WQMP in the Home Owners Association or Property Owners Association Conditions, Covenants and Restrictions (C,C&R's); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the project-specific WQMP; or equivalent may also be considered. Alternative instruments must be approved by the City prior to the issuance of any building or grading permits.

50. 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.

51. Prior to building or grading permit closeout or the issuance of a certificate of occupancy or certificate of use, the applicant shall:

Demonstrate that all structural BMP's described in the project-specific WQMP have been constructed and installed in conformance with approved plans and specifications;

Demonstrate that applicant is prepared to implement all non-structural BMP's described in the approved project-specific WQMP; and

Demonstrate that an adequate number of copies of the approved project-specific WQMP are available for the future owners/ occupants.

### **Public Works - Solid Waste Division**

52. Trash Enclosures shall be designed consistent with City Standards.

### **Public Works - Street Trees Division**

53. Existing California Fan Palm located within right of way will need to be protected in place or relocated to a new location at the expense of the developer. No additional new street trees will be required.

### **Public Utilities – Electric**

54. 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.

55. Blanket Public Utility Easement required on all parcels.

56. 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 surveyor.

57. Provisions for electrical Utility equipment to provide power to the site is the responsibility of the developer. Please make sure that all clearances are maintained and location of the equipment is approved by the Utility.

58. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site.

59. Plot existing electrical distribution facilities on the original site plan.

60. Verify the height of buildings with the existing utilities.

### **Public Utilities – Water**

61. Water fees approximately \$35,000-\$45,000 assuming 1" commercial domestic meter, 1" Landscape meter, and 6" fire service. This amount does not include any public fire hydrants that may need to be installed to serve the project, as required by the fire department.

62. Property will be served from Palm frontage, as far north as possible.

63. Separate water meters are required for the commercial use and landscape irrigation.