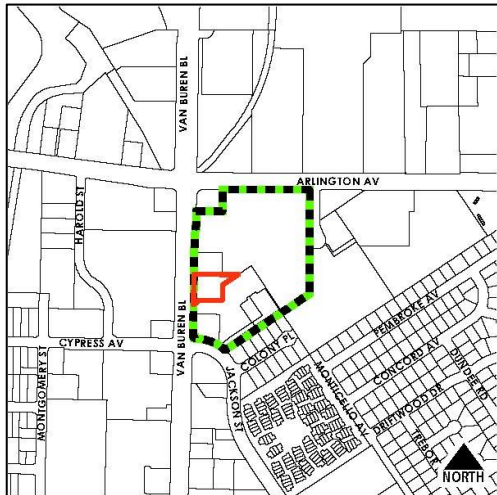




**PLANNING COMMISSION HEARING DATE: JUNE 24, 2021**

**AGENDA ITEM NO.: 3**

**PROPOSED PROJECT**

<b>Case Number</b>	<b>PR-2020-000143</b> (Conditional Use Permit and Design Review)	
<b>Request</b>	To consider the following entitlements for an existing 6,058-square-foot commercial building to establish a fast-food drive-thru restaurant:  1) Conditional Use Permit to permit a drive-thru business; and  2) Design Review of project plans.	
<b>Applicant</b>	Todd Huber, on behalf of CCF PCG Riverside Plaza, LLC	
<b>Project Location</b>	6161 Van Buren Boulevard, situated on southeast corner of Van Buren Boulevard and Arlington Avenue	
<b>APN</b>	191-020-013	
<b>Project Area</b>	0.86-acre parcel within a 15.45-acre shopping center	
<b>Ward</b>	6	
<b>Neighborhood</b>	Ramona	
<b>General Plan Designation</b>	MU-V – Mixed Use - Village	
<b>Zoning Designation</b>	CR – Commercial Retail Zone	
<b>Staff Planner</b>	Regine Osorio, Associate Planner (951) 826-5712 <a href="mailto:rosorio@riversideca.gov">rosorio@riversideca.gov</a>	

## RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **DETERMINE** that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines, as the project will not have a significant effect on the environment; and
2. **APPROVE** Planning Case PR-2020-000143 (Conditional Use Permit and Design Review) based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions (Exhibits 1 & 2).

## SITE BACKGROUND

The project site consists of 0.86 acres and is part of a larger 15.45-acre commercial shopping center (former K-Mart Shopping Center). The site is currently developed with a 6,058-square-foot commercial building (former Title Max Loan Company), surface parking lot, and landscaping. Access to the project site is provided by an existing 35-foot driveway off Van Buren Boulevard (Exhibit 3).

Surrounding land uses include commercial uses to the north, south, and east, and a commercial shopping center (Arlington Plaza) to the west, across Van Buren Boulevard.

Renovations of the commercial shopping center is planned in four phases. Phase I, including façade modifications to the former K-Mart building and parking lot improvements, was approved by the Development Review Committee on January 27, 2021 (PR-2020-000143). Phase II includes the current request. Future phases will be entitled separately.

## PROPOSAL

The applicant is requesting approval of a Conditional Use Permit to permit the construction of a drive-thru lane for the existing 6,058 square-foot commercial building to establish a fast-food restaurant on the project site. Design Review approval of project plans for site design and building elevation modifications is also requested.

Phase II includes the following commercial shopping center renovations:

- Construction of a 12-foot wide drive-thru lane with stacking for 10 vehicles, located on the north and east sides of the building.
- Construction of a 64 square foot addition to the north side of the building to facilitate the drive-thru pick up window.
- Conversion of the building into a multi-tenant building for restaurant, retail, and dental office uses.
- Demolition of an existing 191 square-foot utility room on the east side of the building and replacement with a 160 square-foot electrical room.
- Enhancement of the building elevations with building materials that include wood siding, metal panels, stucco, and metal canopies.
- Pedestrian connections to other uses within the center.
- Landscaping to adequately screen the existing parking lot and proposed drive-thru lane from Van Buren Boulevard.

Access to the project site will be provided from two existing driveways along Van Buren Boulevard and an existing driveway along Arlington Avenue.

As part of the proposed project, a Lot Line Adjustment is being processed by the Public Works Department to increase the parcel size from 0.86 to 1.33 acres to meet the density threshold requirements of the Riverside Airport Land Use Compatibility Plan (ALUC).

## PROJECT ANALYSIS

### Authorization and Compliance Summary

	Consistent	Inconsistent
<p><b>General Plan 2025</b></p> <p>The proposed project, in combination with other surrounding commercial/office, retail, and residential uses, result in a mix of uses consistent with the underlying General Plan 2025 land use designation of MU-V – Mixed Use-Village (Exhibit 4). The MU-V designation generally provides medium to high density residential development with commercial, office, and service uses. Plazas, courtyards, outdoor dining and other public gathering spaces and other community amenities are strongly encouraged. The proposed development also furthers the Objectives and Policies of the General Plan 2025, specifically:</p> <p><u>Policy LU-8.3:</u> Allow for mixed-use development at varying intensities at selected areas as a means of revitalizing underutilized urban parcels.</p> <p><u>Policy LU-9.5:</u> Encourage the design of new commercial developments as “integrated centers,” rather than as small individual strip development. Integrate pedestrian access, parking, access, building design and landscape themes across all parcels in the commercial center to unify the development.</p> <p><u>Policy LU-9.6:</u> Discourage strip commercial development and encourage a pattern of alternating land uses along major arterials with “nodes” of commercial development separated by other uses such as residential, institutional or office.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Zoning Code Land Use Consistency (Title 19)</b></p> <p>The project site is zoned CR – Commercial Retail Zone (Exhibit 5), consistent with the MU-V – Mixed Use-Village General Plan land use designation. The CR – Commercial Retail Zone allows for drive-thru businesses subject to approval of a Conditional Use Permit and compliance with the Site Location, Operation, and Development Standards. The proposed project is consistent with the applicable development standards for drive-thru businesses.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Compliance with Citywide Design &amp; Sign Guidelines</b></p> <p>The proposed project substantially meets the objectives of the Citywide Design Guidelines for commercial development related to architectural treatment and landscaping. The proposed building renovations incorporate colors and materials that complement the renovations recently approved for the former K-mart building to achieve a unified architectural theme. Enhanced pathways are proposed to improve pedestrian connections in the commercial shopping center, and landscaping is proposed throughout the project site, specifically around the drive-thru lane to ensure adequate screening. As proposed and conditioned, the proposed project is consistent with the Citywide Design Guidelines.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Consistent	Inconsistent
<b>Riverside County Airport Land Use Compatibility Plan</b> The project site is located within Zone C (Extended Approach/Departure Zone) of the Riverside County Airport Land Use Compatibility Plan (RCALUCP). Zone C limits the people/average acre to 75 people and the people/single acre to 150 people. As proposed, the project will result in 73 people/average acre and 97 people/single acre. The proposed project is consistent with the RCALUCP.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<b>Chapter 19.475</b> <b>Drive-Thru Business Site Location, Operation, and Development Standards</b>				
Standard		Proposed	Consistent	Inconsistent
<b>Frontage</b>	100 feet	264-foot frontage	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Located on Arterial Street	Van Buren Boulevard: 120-foot arterial	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Drive-Thru Lane Standards</b>	Length: 180 feet	197 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Stacking: 10 vehicles	10 vehicles	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Width: 12 feet	12 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Drive-thru lane screening	Tiered Planting along drive-thru lane/landscaping	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Landscape Setbacks</b>	Van Buren Boulevard: 15 feet	15 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Between Drive-Thru and Parking Lot: 5 feet	8 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Chapter 19.110.030</b> <b>Commercial Development Standards for the CR-Commercial Retail Zone</b>					
Standard			Proposed	Consistent	Inconsistent
<b>Floor Area Ratio</b>	0.50		0.11	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Lot Requirements</b>	Lot Size	20,000 square feet	57,935 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Lot Width	60 feet	264 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Lot Depth	100 feet	250 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Building Height</b>	75 feet		27 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Yard Setbacks</b>	Front	0 feet	95 feet (west)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Interior Side	0 feet	42 feet (North) 27 feet (South)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear	0 feet	25 feet (East)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Chapter 19.110.030</b> <b>Commercial Development Standards for the CR-Commercial Retail Zone</b>				
<b>Standard</b>		<b>Proposed</b>	<b>Consistent</b>	<b>Inconsistent</b>
<b>Landscape Setback</b>	15 feet	Van Buren Boulevard: 15 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Chapter 19.580 Parking and Loading Development Standards</b>					
<b>Standard</b>		<b>Required</b>	<b>Proposed</b>	<b>Consistent</b>	<b>Inconsistent</b>
<b>Multi-Tenant Commercial Building</b>	Restaurant (1 space per 100 sf)	2,275 sf 23 spaces	59 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Retail (1 space/250 sf)	1,090 sf 4 spaces			
	Dental Office (1 space per 180 sf)	2,757 sf 15 spaces			
<b>Total</b>		42 spaces	59 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## FINDINGS SUMMARY

### Conditional Use Permit

The proposed drive-thru restaurant will complement proposed and existing surrounding commercial uses to serve nearby residents. The site has been designed with adequate vehicular access and internal circulation. The commercial multi-tenant building includes screening of the drive-thru operations by placing the drive-thru in the rear and side of the restaurant tenant space and providing landscaping on the north and east (interior) sides of the project site.

## ENVIRONMENTAL REVIEW

This proposed project is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines, as the proposed project will not have a significant effect on the environment.

## PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners within 300 feet of the site. As of the writing of this report, no responses have been received by Planning Staff.

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

## EXHIBITS LIST

1. Staff Recommended Findings
2. Staff Recommended Conditions of Approval
3. Location Map
4. General Plan Map

5. Zoning Map
  6. Project Plans (*Demolition Plan, Site Plan, Grading Plan, Landscape Plan, Onsite Circulation Plans, Floor Plans, Elevations, and Color Material Board*)
  7. Existing Site Photos
- 

Prepared by: Regine Osorio, Associate Planner  
Reviewed by: Patricia Brenes, Principal Planner  
Approved by: Mary Kopaskie-Brown, City Planner



*EXHIBIT 1 – STAFF RECOMMENDED FINDINGS*

**PLANNING CASE:** PR-2020-000143 (Conditional Use Permit and Design Review)

**Conditional Use Permit Findings pursuant to Chapter 19.760.040**

1. The proposed drive-thru is substantially compatible with other existing and proposed uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts;
2. The proposed drive-thru 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; and
3. The proposed drive-thru will be consistent with the purpose of the Zoning Code and the application of any required development standards in the furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.

**Drive-Thru Business Findings pursuant to Chapter 19.475.050:**

1. The proposed drive-thru will not substantially increase vehicular traffic on streets in a residential zone.
2. The proposed drive-thru will not substantially lessen the usability of adjacent or nearby commercially zoned property or commercial use by interfering with pedestrian traffic.
3. The proposed drive-thru will not create increased traffic hazards to pedestrians.
4. The site will be adequate in size and shape to accommodate said use and to accommodate all yards, walls, parking, landscaping and other required improvements.
5. The proposed drive-thru will not substantially lessen the usability and suitability of adjacent or nearby residentially zoned property for residential use.



*EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL*

**PLANNING CASES:**     **PR-2020-000143** (Conditional Use Permit and Design Review)

**Planning Division**

1. Plans shall conform to the exhibits attached to this report. Proposed modifications to the approved design shall be submitted to the Planning Division and shall include revised exhibits and a narrative description of the proposed modifications. The applicant is advised that an additional application and fee may be required.
2. 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.
3. *Advisory:* Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. Any new signs shall be subject to separate review and assessment. A separate sign application, including fees and additional sets of plans, will be necessary prior to sign permit issuance.

*Prior to Issuance of Grading Permit:*

4. A 40-scale precise grading plan shall be submitted to Public Works 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; and
  - e. Identification of location, exposed height, material, and finish of any proposed retaining walls.

*During Grading and Construction Activities:*

5. During all project site construction, the Construction Contractor shall limit all construction-related activities that would result in a noise disturbance 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.
6. To reduce construction related particulate matter air quality impacts of projects the following measures shall be required:
  - a. The generation of dust shall be controlled as required by the AQMD;
  - b. Trucks hauling soil, dirt or other emissive materials shall have their loads covered with a tarp or other protective cover as determined by the City Engineer;



- c. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards;
  - d. Streets shall be swept at the end of the day if visible soil material is carried onto adjacent paved public roads;
  - e. Trucks and other equipment leaving the site shall be washed off;
  - f. Disturbed/loose Soils shall be kept moist at all times.
  - g. All grading activities shall be suspended when wind speeds exceed 25 miles per hour; and
  - h. A 15 mile per hour speed limit shall be enforced on unpaved portions of the construction site.
7. The applicant shall be responsible for erosion and dust control during construction phases of the project.
  8. 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 Issuance of Building Permit:*

9. **Staff Required Building Elevation Condition:** Revise the submitted building elevations such that the plan provided for building permit plan check incorporates the following changes:
  - a. Roof elements extending beyond the main roof line of the building shall be enclosed on all four sides.
10. **Staff Required Landscape and Irrigation Condition:** Revise the submitted landscape and irrigation plans such that the plan provided for Planning Staff review incorporates the following changes:
  - a. Landscaping along the Van Buren Boulevard frontage shall consist of tiered plant materials; and
  - b. Landscaping along Van Buren Boulevard shall be designed to include plant materials three feet in height for partial screening of vehicles.
11. Landscaping and Irrigation plans shall be submitted to the Planning Division for review. Separate applications and filing fees are required.
12. Plans submitted for plan check review shall specify the location, design and color of all domestic water meters, backflow preventers and utility cabinets subject to the Planning and Public Utilities review and approval. The visibility of such facilities shall be minimized to Planning Division review and approval through means including but not limited to relocation, berms, landscaping, and/or installation of a screen wall.
13. 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 comply with Chapter 19.566 of the Zoning Code (Outdoor Lighting). 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. Light poles within fifty (50) feet of residences are limited to fourteen (14) feet in height.

14. Roof and building mounted equipment shall be fully screened from the public right-of-way. Screening material shall be integrated with the design of the building and be at least as high as the proposed roof mounted equipment.
15. Ground mounted equipment shall be fully screened from the public right-of-way.

*During Construction:*

16. 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 or urban pollutants, and flooding.
17. If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendants shall then make recommendations within 48 hours and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98 and the Treatment Agreement described.

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

18. Install the landscape and irrigation per the approved plans and submit the completed "Certificate of Substantial Completion" (Appendix C of the Water Efficient Landscaping and Irrigation Ordinance Summary and Design Manual) signed by the Designer/auditor responsible for the project. Contact the Case Planner, at (951) 826-5371 to schedule the final inspection at least one week prior to needing the release of utilities.

*Site Operation Standards:*

19. All operations shall comply with Title 7 (Noise Control) of the Riverside Municipal Code.
20. A copy of the Conditional Use Permit and the final Conditions of Approval 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
21. The applicant shall be responsible for maintaining free of litter, the area adjacent to the premises over which they have control.
22. The owner and/or occupant shall be liable for the cost of excessive police service or response in accordance with Chapter 9.60 of the Riverside Municipal Code.

*Standard Conditions:*

23. There shall be a one-year time limit in which to commence construction of the project beginning the day following approval by the Planning Commission unless a public hearing is held by City Council; in that event the time limit begins the day following City Council approval.

24. The Conditional Use Permit and Design Review may be granted time extensions by the Community & Economic Development Director, or their designee, up to a total of five years beyond the original approval expiration date prior to issuance of any building permits. At the exhaustion of Community & Economic Development Director approved extensions, the original Approving or Appeal Authority may grant one final permit extension of up to two years following a public hearing noticed pursuant to Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing). A public hearing notification fee is required of the applicant in such case in addition to a time extension fee. Once a building permit has been issued, the development will be considered vested and time extensions are no longer needed.

**Please be advised that the applicant will not be notified by the Planning Division about the pending expiration of the subject entitlement.**

25. 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.
26. The Conditional 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.
27. 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.
28. 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.
29. This permit is issued based upon the plans 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.
30. The Applicant 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.

31. Failure to abide by all conditions of this Conditional Use Permit shall be cause for revocation.
32. 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 Department**

33. Fire sprinkler, fire alarm, fixed extinguishing system, emergency radio systems, standpipes or any other type of fire protection systems that are required by the California Fire Code, California Building Code or City Ordinance, shall be submitted by a California Licensed contractor, under separate permit to Riverside Fire Department for approval and permit issuance prior to any work on such systems.
34. 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.
35. To comply with all applicable requirements per CFC, Chapter 33 (Fire Safety During Construction and Demolition).
36. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
37. Construction plans shall be submitted and permitted prior to construction.
38. Fire Department access shall be maintained during all phases of construction.
39. Submit Fire Sprinkler remodel plan for the tenants.
40. Submit Fixed Extinguishing system for your Kitchen Type 1 hood if a restaurant is proposed.

#### **Public Utilities – Electric**

41. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site. In addition to the cost of the relocation of existing structures.
42. Plot existing electrical distribution facilities on the original site plan.
43. Relocation of transformer and secondary conduits are the developer's responsibility.

#### **Public Works – Land Development**

*Prior to Occupancy unless otherwise noted:*

44. Storm Drain construction will be contingent on engineer's drainage study.
45. Connection to existing sewer lateral to serve this project to Public Works specifications. of sewer lateral to serve this project to Public Works specifications.
46. PRIOR TO PERMIT ISSUANCE, add the following notes to the site/plot or landscape plans and email PDF to gtanaka@riversideca.gov for review and approval:
  - a. REMOVE all existing palms and trees in PUBLIC RIGHT-OF-WAY along VAN BUREN BLVD and ARLINGTON AVE; PROTECT IN PLACE existing palms along JACKSON ST; PLANT 24" box size Cercis canadensis 'Oklahoma' in PUBLIC RIGHT-OF-WAY along VAN BUREN BLVD, ARLINGTON AVE, and PEGASUS DR. Typical spacing 20' O.C. Prior to any planting, Tree Inspector to determine precise locations at time of scheduled site inspection after fine grading and any hardscape installation is complete. Planting, staking, irrigation, root barriers to Landscape & Forestry specifications
47. Trash enclosures required per Public Works standards.
48. 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.

49. Prior to issuance of a building or grading permit, the applicant shall submit to the City for review and approval, a project-specific WQMP that:
  - a. Addresses Site Design BMP's such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas and conserving natural areas;
  - b. Incorporates the applicable Source Control BMP's as described in the Santa Ana River Region WQMP and provides a detailed description of their implementation;
  - c. Incorporates Treatment Control BMP's as described in the Santa Ana River Region WQMP and provides information regarding design considerations;
  - d. Describes the long-term operation and maintenance requirements for BMP's requiring long-term maintenance; and
  - e. Describes the mechanism for funding the long-term operation and maintenance of the BMP's requiring long-term maintenance.
50. 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.
51. Prior 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.
52. Prior to building or grading permit closeout or the issuance of a certificate of occupancy or certificate of use, the applicant shall:
  - a. Demonstrate that all structural BMP's described in the project-specific WQMP have been constructed and installed in conformance with approved plans and specifications;

- b. Demonstrate that applicant is prepared to implement all non-structural BMP's described in the approved project-specific WQMP; and
  - c. Demonstrate that an adequate number of copies of the approved project-specific WQMP are available for the future owners/ occupants.
- 53. Intersection of Van Buren Boulevard at Arlington Avenue:
  - a. Modify the existing traffic signal to eliminate the eastbound right-turn overlap phase. Remove the existing No U-Turn sign on the traffic signal mast arm that faces northbound left-turning vehicles. These modifications will enable vehicles in the northbound left-turn lane to make a U turn at the intersection and travel south on Van Buren Boulevard. Install LED Blankout Sign(s) as deemed appropriate to manage right turn traffic on the eastbound approach during the left turn movement. The Traffic Engineering Division will finalize the improvements plans during final plan check process. Project shall provide 100% participation.
- 54. Project Driveway No. 1 at Arlington Avenue:
  - a. The intersection of Project Driveway No.1 at Arlington Avenue currently operate at unacceptable levels of service during the AM and PM peak hour. Project is anticipated to cumulatively contribute to the deficient intersection. Project shall install no left turn during the weekday peak periods sign (R33A (CA)) for northbound and southbound left-turns at the intersection Arlington Avenue and Project Driveway No. 1. Project shall provide 100% participation.