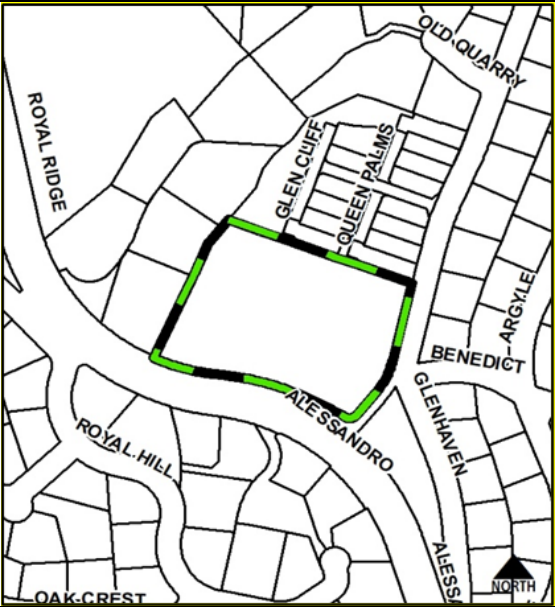




**PLANNING COMMISSION HEARING DATE: JULY 22, 2021
AGENDA ITEM NO.: 3**

PROPOSED PROJECT

Case Number	PR-2021-000770 (Conditional Use Permit, Design Review, Grading Exception)	
Request	To consider the following entitlements to permit the construction of a phased church campus: 1) Conditional Use Permit for the development of a worship building, children's ministry building, youth ministry building, administrative building, nursery building, and a surface parking lot; 2) Design Review of project plans; and 3) Grading Exception to allow retaining wall height up to 5 feet visible from the public right-of-way (Alessandro Boulevard), where the Grading Code allows a maximum height of 3 feet.	
Applicant	Jon McWhorter of Orangecrest Community Church	
Project Location	5695 Glenhaven Avenue, on the northwest corner of Glenhaven Avenue and Alessandro Boulevard	
APN	222-250-006	
Project area	5.27-acres	
Ward	3	
Neighborhood	Victoria	
General Plan Designation	LDR – Low Density Residential	
Zoning Designation	R-1-13000 – Single Family Residential Zone	
Staff Planner	Danielle Harper-Scott, Assistant Planner 951-826-5933 Dharper-scott@riversideca.gov	

RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **DETERMINE** that the proposed project will not have a significant effect on the environment based on the findings set forth in the case record and adopt a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) pursuant to Sections 15074 and 21081.6 of the California Environmental Quality Act (CEQA) Guidelines; and
2. **APPROVE** Planning Case PR-2021-000770 (CUP, DR, GE), based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions (Exhibits 1 and 2).

SITE BACKGROUND

The subject 5.27-acre project site is located on the northwest corner of Glenhaven Avenue and Alessandro Boulevard. It is currently developed with an abandoned recreational tennis/swim club (Riverside Swim and Tennis Club), consisting of two vacant administrative buildings (Building A and Building B), eight tennis courts, and a parking lot along the Alessandro Boulevard site frontage.

The Riverside Swim and Tennis Club was established in 1961. The facility hosted swim and tennis teams, which competed with clubs from neighboring communities and cities in the Inland Empire until 2016, when the facility ceased operations.

Surrounding development consists of condominiums to the north and single-family residences to the south, east and west (Exhibit 3).

PROPOSAL

The applicant is requesting approval of the following entitlements to facilitate the development of a church campus (Orangecrest Community Church):

- Conditional Use Permit to permit the development of a church campus, consisting of a worship building, children's ministry building, youth ministry building, administrative building, nurse building, and a surface parking lot;
- Design Review of project plans; and
- Grading Exception to allow the height of a retaining wall visible from the public right-of-way (Alessandro Boulevard) to be up to 5 feet, where the Grading Code allows a maximum height of 3 feet.

The proposed church will be constructed in four phases. Following is a summary of each proposed phase:

- Phase I:

Phase I consists of the renovation of two existing administrative buildings (Building A and Building B). Building A is 2,449 square-feet and will be used as an office/meeting space. Building B is 1,583 square-feet and will be used as a religious meeting hall.

Indoor Church activities include services and Bible studies in Building B up to three times a week from 6:00 p.m. to 8:00 p.m. Outdoor activities will include the use of eight existing tennis courts and patio area. Proposed activities on the tennis courts include, recreational activities for team building, such as pickleball, dodgeball and tennis and gatherings for crafts. Courtyard activities include but are not limited to educational assembly, table games, or outdoor worship services. The Church anticipates retaining six full-time employees and seven part-time employees for Phase I.

The existing parking lot will be resurfaced and restriped with 45 parking spaces. Vehicle access will remain the same. No grading is proposed during Phase I.

- Phase II:

Phase II consists of the demolition of the eight existing tennis courts and the construction of an 8,394 square-foot Worship Building (Building C), parking lot expansion to provide 244 additional parking spaces, outdoor event lawn area, associated hardscape, and landscaping.

Worship services will be relocated to Building C. Services will occur up to three times on Sundays from 9:00 a.m. to 1:00 p.m. with a 30-minute intermission between each service. Outdoor activities include religious related festivities such as wedding ceremonies, receptions for congregants, praise and worship services, and educational assemblies. These events are proposed to occur on the new event lawn and courtyard with amplified sound system.

The church expects to increase the total number of employees to 15 upon completion of Phase II.

- Phase III:

Phase III consists of the construction of a 3,688 square foot Nursery Building (Building D), a 730 square foot building addition to Building A, and a 1,587 square foot building addition to Building B. Building A will operate as an Administrative/Cafe Building and Building B will operate as the Children's Ministry Building.

The nursery will operate during service hours and will be available for members children, ages 0-5 years old. The Children's Ministry will serve members children between the ages 6-11. The Children's Ministry will also be used for bible study on Wednesdays from 6:30 p.m. to 8:30 p.m. Indoor and outdoor events included in Phase II will also occur during this Phase.

- Phase IV:

Phase IV consists of the construction of a 1,474 square foot Youth Ministry Building (Building E). The Youth Ministry Building will serve members between the ages of 12-17 and will primarily operate during service hours. In addition, the Youth Ministry Building will hold weekly Bible studies on Wednesdays from 6:30 p.m. to 8:30 p.m. Indoor and outdoor events included in Phase II will also occur during this Phase.

All grading for the proposed project will occur in Phase II and will include building pads for all proposed and future phased buildings, the parking lot expansion and water quality treatment areas. Vehicle access during Phases II through IV will be provided via two driveways along Glenhaven Avenue.

PROJECT ANALYSIS

Authorization and Compliance Summary

	Consistent	Inconsistent
<p>General Plan 2025</p> <p>The General Plan 2025 Land Use designation of the project site is LDR – Low Density Residential (Exhibit 4). The proposed project is consistent with the Objectives and Policies of the General Plan 2025, specifically:</p> <ul style="list-style-type: none"> • <u>Objective LU-26</u>: Ensure that a network of modern, effective, and adequate community facilities are equitably distributed across the entire City. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Zoning Code Land Use Consistency (Title 19)</p> <p>The project site is zoned R-1-13000 – Single-Family Residential Zone, which permits the establishment of an Assembly of People Non-Entertainment use (places of worship) subject to the granting of a Conditional Use Permit and compliance with applicable Site Location, Operation and Development Standards (Exhibit 5). The proposed project is consistent with the applicable development standards of the Zoning Code.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Compliance with Citywide Design & Sign Guidelines</p> <p>The proposed project substantially meets the objectives of the Citywide Design Guidelines for new development related to building siting and orientation, massing, articulation and architectural treatment, parking layout, landscaping, and lighting. Building elevations demonstrate a modern contemporary architectural style with design elements such as store-front windows, wood siding, metal awnings, and art murals incorporated to create visual interest. As proposed, the proposed project is consistent with the Citywide Design Guidelines.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Grading Code Consistency (Title 17)</p> <p>The proposed project is generally consistent with the grading standards and general requirements established in the Grading Code, except for the proposed retaining wall, open to public view, that is higher than permitted by Code. To facilitate construction of the southern portion of the parking lot, the applicant is proposing a geo-grid retaining wall, up to 5-feet in height, visible to the public right-of-way. The Grading Code allows for consideration of Grading Exceptions to deviate from the development standards. The applicant is requesting Grading Exceptions and provide justifications to facilitate implementation of the proposed project (Exhibit 8).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Chapter 19.100 – R-1-13000 – Single Family Residential Zone					
Standard		Proposed		Consistent	Inconsistent
Maximum Lot Coverage	30 percent	11.5%		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maximum Building Height	35 feet	<u>Building A</u> - Administrative/Cafe Building	15-feet, 6-inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<u>Building B</u> - Children's Ministry Building	20-feet, 6-inches		
		<u>Building C</u> – Worship Building	Top of Building: 32-feet, 6-inches Top of Tower: 40-feet ¹		
		<u>Building D</u> – Nursery Building	20-feet		
		<u>Building E</u> – Youth Ministry Building	16-feet		

¹ 19.560.030(A) - Uninhabited architectural design features such as towers, spires, steeples, domes, and cupolas may exceed the specified height limit by a maximum of ten feet, subject to approval by the appropriate Approving or Appeal Authority.

Chapter 19.255 – Assemblies of People – Non-Entertainment					
Standard			Proposed	Consistent	Inconsistent
Setback for Assemblies of People – Non-Entertainment	North	20 feet	77-feet, 2-inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	South (Alessandro Boulevard)	20 feet	125 feet, 4-inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	East (Glenhaven Avenue)	20 feet	30 feet, 1-inch	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	West	20 feet	267 feet, 3 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Chapter 19.580 – Parking and Loading						
Use	Standard		Parking Required	Parking Provided	Consistent	Inconsistent
Assemblies of People-Non-Entertainment	1 space/30 square feet of main assembly area	Phase I: 1,282 square-feet of main assembly area	Phase I: 43 spaces	Phase I: 45 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Phase II-IV: 4,300 square-feet of main assembly area	Phase II-IV: 143 spaces	Phase II-IV: 244 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Chapter 19.550 – Fences, Walls, and Landscape Materials				
	Standard	Proposed	Consistent	Inconsistent
Maximum Retaining Wall Height – Open to Public View	3-feet	5 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>

FINDINGS SUMMARY

Conditional Use Permit

The proposed project site design, and associated operations, has been designed to be compatible with the adjoining residential neighborhood by providing adequate circulation, high quality building design, and landscaping/gathering areas generally located away from existing residential uses. The proposed project will not have a substantial adverse effect on the surrounding properties or uses. The proposed project complies with the development standards of the Zoning Code, established for a Church.

Grading Exception

The Grading Code establishes a maximum retaining wall height of 3 feet when visible from the public right-of-way. The project proposes a retaining wall up to 5 feet in height visible from the public right-of-way (Alessandro Boulevard). The applicant is requesting a Grading Exception to facilitate construction of the portion of the retaining wall above 3-feet in height. The construction of the proposed retaining wall will allow for level pads for the construction of the proposed buildings, a portion of the parking lot, and drive-aisles for the proposed project. The applicant provided justifications in support of the Grading Exception (Exhibit 8).

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration (MND) have been prepared for this project in accordance with Section 15074 and 21081.6 of the California Environmental Quality Act (CEQA) Guidelines. The CEQA document states the proposed project will not have a significant effect on the

environment, subject to implementation of the Mitigation Monitoring and Reporting Program (MMRP).

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, staff has received a petition of support with 203 signatures and one correspondence in support of the proposed land use and maintenance of the site (Exhibit 11).

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. Location Map
4. General Plan Map
5. Zoning Map
6. Applicant Prepared Project Description
7. Project Plans (Site Plan, Floor Plans, Building Elevations, Color and Material Sample Board, Conceptual Landscape Plan, Preliminary Grading Plan)
8. Applicant Prepared Grading Exception Justifications
9. Existing Site Photos
10. Draft Initial Study and Mitigated Negative Declaration
11. Comment Letters

Prepared by: Danielle Harper-Scott, Assistant Planner

Reviewed by: Brian Norton, Senior Planner, and Patricia Brenes, Principal Planner

Approved by: Mary Kopaskie-Brown, City Planner



EXHIBIT 1 – STAFF RECOMMENDED FINDINGS

PLANNING CASE: **PR-2021-000770** (Conditional Use Permit, Design Review, Grading Exception)

A. Conditional Use Permit Findings Pursuant to Chapter 19.760.040

1. The proposed project is substantially compatible with other existing and proposed uses in the area, including the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts;
2. The proposed project 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 project will be consistent with the purposes 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.

B. Grading Exception Findings Pursuant to Chapter 17.32

Grading Exception Request: To allow a 5-foot high retaining wall visible from the public right-of-way (Alessandro Boulevard), where the Grading Code allows a maximum height of 3 feet.

1. *That the strict application of the provisions of this title would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this title.*

The proposed project **complies** with this finding. The proposed 144.5-foot long retaining wall varies in height from 0 to 5 feet in height. A segment of 80-feet of the 144.5 lineal foot of the retaining wall is above the maximum allowable height of 3-feet. The design of the retaining wall enables the proposed project to create a level grade on the south side of the retaining wall in order to construct a pedestrian walkway, parking spaces and a two way drive aisle to access the western portion of the site. The strict application of the Grading Code would require moving the retaining wall further into the proposed parking lot, impacting parking spaces, the proposed drive aisle, and pedestrian access. Requiring the retaining wall to meet the standards of the Grading Code could pose practical difficulties or unnecessary hardships in meeting other development standards.

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

The proposed project **complies** with this finding. The project site fronts onto both Alessandro Boulevard to the south and Glenhaven Avenue to the east. The property has over 553-feet of street frontage along Alessandro Boulevard and 428-feet of street frontage along Glenhaven Avenue, with varied topography. The large street frontages, coupled with portions of the site that sit lower than street level create an exceptional circumstance in which a large portion of the site is visible from the public right-of-way, including the location of the proposed over height retaining wall. The proposed retaining wall is setback 85-feet from front the front property line along Alessandro Boulevard. Given the distance separation between the retaining wall and the public-right of way, there will

be minimal visibility of the wall. The unique grade of the project site creates an exceptional circumstance that do not apply generally to other property in the same zone or neighborhood. The highest point of the proposed retaining wall is lower than the elevation of Alessandro Boulevard. There are exceptional circumstances to the intended development of the property that do not apply to surrounding properties. The site is proposing a church, which requires infrastructure, such as parking lots and pedestrian paths of travel, whereas the surrounding development primarily consists of single family residential developments on small lots, which do not require the type of infrastructure the proposed development requires. To facilitate development, and include parking, circulation and pedestrian access, the proposed retaining wall needs to exceed the maximum allowed height of 3 feet.

3. *That 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 proposed project **complies** with this finding. The proposed retaining wall will not result in the obstruction of views from the public right-of-way. The applicant is proposing a planted geo-grid retaining wall to soften and reduce potential visual impacts of the retaining wall. Tiered landscaping and 24-inch evergreen street trees are proposed along Alessandro Boulevard, which will provide additional screening of the retaining wall. As proposed, the granting of the grading exception 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.



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

PLANNING CASE: PR-2021-000770 (Conditional Use Permit, Design Review, Grading Exception)

All mitigation measures are noted by an asterisk (*).

• **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. During each phase, the subject property shall be developed as shown on the plans, including the development of vehicular and pedestrian access, landscaping, water quality treatment facilities, and infrastructure.
3. 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.
4. 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 plans, will be required prior to sign permit issuance.

Operational Conditions

5. 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.
6. All operations shall comply with Title 7 (Noise Control) of the Riverside Municipal Code.
7. Locations of the amplified sound systems (speakers) shall be limited to the boundaries analyzed in the Noise Memorandum at all phases.
8. All outdoor events/activities shall cease at 10:00 p.m.

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 all recommendations of the required Project specific Water Quality Management Plan;

- d. Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems; and
 - e. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement.
10. 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 consulting tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City, developer/applicant, and consulting 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. In the event of inadvertent discoveries of archaeological resources, work shall temporarily halt until agreements are executed with consulting tribe, to provide tribal monitoring for ground disturbing activities.
11. ***MM BIO 1:** The Applicant or Project/construction manager shall have a qualified biologist prepare a Worker Environmental Awareness Program (WEAP), at start of construction activities. The WEAP is to inform all on-site construction workers of techniques being implemented during construction to avoid impacts to species, consequences of killing or injuring an individual of a listed species, and reporting procedures when encountering listed or sensitive species. The WEAP training shall be implemented on the first day of work and periodically throughout construction as needed.
12. ***MM BIO 2:** Burrowing Owl. All project sites containing suitable habitat for burrowing owls, whether owls were found or not, require a 30-day preconstruction survey that shall be conducted within 30 days prior to ground disturbance to avoid direct take of burrowing owls. If burrowing owls are found to be present or nesting on-site during the preconstruction survey, then the following recommendations must be adhered to: Exclusion and relocation activities may not occur during the breeding season, which is defined as March 1 through August 31, with the following exception: From March 1 through March 15 and from August 1 through August 31 exclusion and relocation activities may take place if it is proven to the City and appropriate regulatory agencies (if any) that egg laying or chick rearing is not taking place. This determination must be made by a qualified biologist
13. On call Project Archaeologist: Prior to the issuance of a grading permit, the Property Owner/Developer shall provide a letter from a County certified Archaeologist and Paleontologist stating that the Property Owner/Developer has retained these individuals, and that the Archaeologist and Paleontologist shall be on call during all grading and other significant ground-disturbing activities in native sediments.
14. 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.

During Grading and Construction Activities:

15. 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.
16. To reduce construction related particulate matter air quality impacts of projects the following measures shall be required:
 - a. The generation of dust and fugitive dust shall be controlled as required by SCAQMD Rule 403;
 - b. Grading activities shall cease during period of high winds (greater than 25mph);
 - 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;
 - d. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
 - e. All trucks and other equipment shall be washed before leaving the site;
 - f. The ground cover in disturbed areas shall be replaced immediately after construction;
 - g. Disturbed/loose soil shall always be kept moist; and
 - h. A 15 mile per hour speed limit shall be enforced on unpaved portions of the construction site.
17. The applicant shall be responsible for erosion and dust control during both the grading and construction phases of the project.
18. To reduce diesel emissions associated with construction, construction contractors shall provide temporary electricity to eliminate the need for diesel powered generators or provide evidence that electrical hook ups at construction sites are not cost effective or feasible.
19. 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:
 - a. Consulting Tribes Notified: within 24 hours of discovery, the consulting tribe(s) shall be notified via email and phone. The developer shall provide the city evidence of notification to consulting tribes. Consulting tribe(s) will be allowed access to the discovery, in order to assist with the significance evaluation.
 - b. 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
 - c. 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 a consensus as to the disposition of cultural materials, they shall be curated at the Western Science Center or Museum of Riverside 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 consulting tribes.

Prior to Building Permit Issuance:

- 20. Landscape and Irrigation Plans shall be submitted for Design Review approval. Separate applications and filing fees are required. Design modifications may be required as deemed necessary. Landscape and Irrigation Plans shall be revised to include the following:
 - a. Plantings within the landscape setback shall be designed for partial screening of vehicles to a minimum height of three feet, measured from the finished grade of the parking lot;
 - b. One tree is required every four parking spaces;
 - c. The water quality basins shall be planted with diverse plantings, to the satisfaction of staff;
 - d. Ground mounted equipment, including but not limited to backflow and FDC devices shall be adequately screened with landscaping, to the satisfaction of staff; and
 - e. Landscape plans shall provide a concrete mow strip to separate the ground cover from the shrubs.
- 21. Submit three sets of plans depicting the preferred location for above ground utility transformer of capacity to accommodate the planned or speculative uses within the building(s) or subject site. 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.

22. Plans submitted for Plan check review shall 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.
23. Photometric/Lighting Plan: An exterior lighting plan shall be submitted with building permit plans review and approval. A photometric study and manufacturer's cut sheets of all exterior lighting shall be submitted with the exterior lighting plan. The exterior lighting plan shall be permitted in accordance with Chapter 19.556. 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.

Prior to Release of Utilities:

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

Standard Conditions

25. There shall be a one-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.
26. The Conditional Use Permit, Grading Exception, 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.

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. 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.
 29. 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.
 30. 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. The Applicant 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.
 31. 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.
 32. Failure to abide by all conditions of this Conditional Use Permit shall be cause for revocation.
 33. 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.
 34. 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.
 35. 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**
36. Storm Drain construction will be contingent on engineer's drainage study.
 37. Deed for widening Alessandro Blvd. along project frontage to 55' from monument centerline to Public Works specifications.
 38. Rehabilitation of existing pavement required along Glenhaven Avenue to Public Works specifications. Limits of paving will be a 0.12' deep grind and overlay from gutter lip to

centerline along project frontages. Additional paving may be required depending on the extent of utility trenching/potholing.

39. Installation of sewer lateral to serve this project to Public Works specifications. If existing lateral to be utilized a video inspection will be required to be submitted to Public Works for review and approval.
40. Size, number and location of driveways to Public Works specifications.
41. Closure of unused driveways to Public Works specifications.
42. On all plans, provide linear footage labels along all parcel lines. Please add the following notes to all landscape plans: Remove any existing trees/palms located in the Public Right-Of-Way. Plant 24" box size Pistacia atlantica 'Red Push' along GLENHAVEN AVE and Cascabela thevetia along Alessandro Blvd in Public Right-Of-Way. Prior to any planting in PUBLIC RIGHT-OF-WAY submit proposed tree planting plan to street trees for review and approval and schedule site inspection for Tree Inspector to determine precise planting locations after fine grading and hardscape installation is complete. Planting, staking, irrigation, root barriers to Landscape & Forestry specifications.
43. Trash enclosures per Public Works specifications.
44. 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.
 - a. 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.
45. 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.
46. 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.
47. 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.
48. 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.

- **Fire Department**

49. An automatic fire sprinkler system is required by City Ordinance 16.32.335. 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.
- a. 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.
 - b. Contact the Riverside Public Utilities Department at (951) 826-5285 for the requirements for the dedicated fire service and backflow requirements.
50. 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.
51. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.

52. Construction plans shall be submitted and permitted prior to construction.
53. Fire Department access shall be maintained during all phases of construction.
54. 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.
55. Existing public fire hydrant shall provide the minimum fire flow of 1,500 gpm @ 20 psi for 2 hours.
56. Scaled drawing shall identify the fire access roadway with minimum 20' roadway and 28' inside radius turn and 48' outside radius turn.
- **Public Utilities – Water**
 57. Prior to issuance of building permit for the new worship center applicant shall submit plans to upgrade the existing 6" water main that passes through the site to 12" and relocate off of the property and into Public Right of Way.
 58. Prior to occupancy of the new worship center applicant shall construct the upgrade of the existing 6" water main that passes through the site to 12" and relocate off of the property and into Public Right of Way.
- **Park and Recreation**
 59. Developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve and trail fees) for privately developed areas