DATE: May 30, 2019

TO: Architectural Review and Historic Preservation Board

FROM: Shannon Costa, Associate Planner, (879-6807, shannon.costa@chicoca.gov) Community Development Department

RE: Architectural Review 19-12 (Boulevard Building), Lot A22 and A23, Meriam Park, APN 002-069-010 and 002-069-011

RECOMMENDATION
Staff recommends that the Architectural Review and Historic Preservation Board adopt the required findings contained in the agenda report and approval of the project, subject to conditions.

Proposed Motion:
I move that the Architectural Review and Historic Preservation Board adopt the required findings contained in the agenda report and approve Architectural Review 19-12 (Boulevard Building) subject to the recommended conditions therein.

BACKGROUND
The applicant proposes to construct an approximately 32,000 square foot building (10,600 footprint) on Lots A22 and A23 of Meriam Park Tentative Subdivision Map S 09-01. The site is bounded by Notre Dame Boulevard to the east, Springfield Drive to the north, Market Place to the south and a shared parking lot to the west. The site is designated Special Mixed Use on the City of Chico General Plan Land Use Diagram, zoned TND (Traditional Neighborhood Development), and designated TND “CORE” by the approved Regulating Plan (see Attachment A, Location Map).

The proposed project includes a new three-story, mixed-use building with retail, restaurant, office and residential components. Site improvements include outdoor seating areas, landscaping and sidewalk improvements. Parking is provided in a previously approved shared parking lot.

TND REGULATIONS
The Traditional Neighborhood Development (TND) zone is designed to encourage the positive design features of traditional neighborhoods. The purpose of the TND zones is to create compact neighborhoods with defined neighborhood centers, encourage a mixture of residential and non-residential land uses, promote a mixture of housing types and create a pedestrian friendly environment. TND land use designations provide for the allocation of building types, street types, development and land use to the subzones. Designations are intended to accommodate a diverse mixture of building and housing types and land uses (see Attachment B, Project Description and Attachment C, TND Analysis).
TND Designation

The site is located within the CORE designation. The CORE designation is intended for the most urban conditions within the TND zone. It is intended to accommodate a mixture of land uses emphasizing ground-floor retail with offices and residential above, and to provide for lodging, restaurant, entertainment, and civic uses. Street frontages are pedestrian-oriented and defined by building facades at the back of the sidewalk, with off-street parking provided in structures or located away from street frontages, behind buildings and includes on-street parking as a component of the total parking program. The project as proposed implements the intended purpose of the CORE designation.

Building Type

The building type standards determine the allowed building disposition and massing, frontage design, primary pedestrian access, vehicle access, parking and services, and open space and landscaping design requirements for each of the building types allowed in the TND zone. The building type for the proposed project is Large Mixed-Use Building, designed for occupancy by retail, service, and/or office uses on the ground floor with upper floors also used for those uses or for dwelling units. Consistent with this building type, the proposed building is situated on the site so that the front façade faces the public right-of-way and is accessed directly from the sidewalk. The building is three-stories tall and within the allowed height limit of three- to four-stories tall. The building provides space for retail and service uses on the first floor, with office and residential uses above.

Frontage Type

The proposal utilizes the Shopfront frontage type. This frontage type is conventional for retail use and requires substantial glazing at the sidewalk level. Consistent with this frontage type, the proposed building is aligned close to the property line with access to individual suites directly from the sidewalk. The building features expansive glazing surrounding entryway doors with an awning that overlaps the entryway sidewalk.

Site Plan and Architecture

The proposed building is situated to engage the Notre Dame Boulevard, Springfield Drive and Market Street frontages, occupying lots A22 and A23 of Meriam Park (see Attachment D, Overall Site Plan and Attachment E, Enlarged Site Plan). On February 14, 2019, the Map Advisory Committee voted to approve a Certificate of Merger to merge lots A22 and A23 into a single lot. The building would be aligned close to the public sidewalk, with outdoor seating areas at the parcel corners. Parking would be provided in an existing, previously approved parking lot located interior to the site. Two new covered trash enclosures are located within the parking area. A total of 24 bicycle parking spaces are proposed, situated around the site, but predominantly along the front of the building.

The proposed architecture for the building is a simple contemporary design with a variety of masses, materials and colors (see Attachment F, Building Elevations and Attachment G, Renderings). The building would reach 49-feet-tall at its highest point, with roof-mounted equipment screened from view by parapet walls. The main body of the L-shaped building would be finished with cement plaster in earth tones including grey, taupe, brown and green. The building’s first floor, which would accommodate retail and restaurant space, would be finished
in primarily grey cement plaster. First-floor northeasterly and southwesterly corner awnings would feature corrugated metal panels and second- and third-story building corners would feature metal trellis awnings. Ground-floor retail and restaurant suites would feature large storefront window and door systems in dark bronze, flanked by ceramic wall tiles in green. Second- and third-story building details would include building pop-outs and articulations, fiber cement wall panels with a wood-grain finish, and a variety of window systems in dark bronze. Third-floor residential units would feature French doors, providing access to metal Juliet balconies. Building-mounted lighting would be minimal but would include gooseneck fixtures in black.

Outdoor Areas and Landscaping

The proposed project would feature three main outdoor seating and dining areas. The northwesterly patio would accommodate adjacent restaurant space and would be visible from Springfield Drive (see Attachment H, North Terrace Plan). The patio area would be enclosed within a low decorative fence with gates providing pedestrian access. Seating options include low seat-walls, outdoor tables and chairs and casual seating around a fire pit. The southwest terrace would be visible from the intersection of Notre Dame Boulevard and Market Street, setback from the street by an expansive sidewalk (see Attachment I, South Terrace Plan). The patio would feature an outdoor dining area to serve the corner restaurant space, detailed with accent paving, prefabricated planters, and low metal fencing. The southeast terrace, located between the proposed building and the existing adjacent retail building, would provide outdoor seating areas and serve as a “pass through” common area. Terraces would be detailed with accent paving, living walls, lounging area and decorative trellis and screen walls. The building’s frontage on Notre Dame Boulevard would feature wide pedestrian sidewalks with low walls, planters, bollard lighting and extensive landscaping.

Consistent with previous proposals in Meriam Park, the landscape plan calls for a variety of native shrubs, accent trees, and groundcover (see Attachment J, Overall Landscape Plan). Landscaping is provided in large planters on the Notre Dame Boulevard frontage and near entry points to the shared parking field. Outdoor seating areas would feature prefabricated planter boxes and accent trees such as date palm and hornbeam. Vehicle parking areas aligned closest to the building would be shaded by three new gingko trees.

DISCUSSION

The proposal is compatible with the existing development, and the CORE area of Meriam Park. The building is thoughtfully placed on the site to engage all street frontages and extensive outdoor seating areas engage the public sidewalk. The architectural design elements and color palette are attractive and modern, complimenting previously approved buildings in the same block, such as the Maker Building and existing retail building on lot A24.

The proposal is consistent with General Plan goals and policies that encourage architectural designs that exhibit timeless character with lasting materials and reinforce the distinct character of the neighborhood with design elements (CD-3.1 and CD-4.1). The proposal emphasizes landscape as a fundamental design component (CD-1.1.2), strengthens the positive qualities of the neighborhood (CD 1.2.1), and is a positive contribution to the neighborhood (LU-4.3).
The project is consistent with Design Guidelines (DGs) that call for commercial buildings to use appropriate massing, fenestration, and materials to provide a pedestrian-level scale (DG 2.2.11). The project overall implements DGs that encourage harmonious relationships with surrounding buildings while minimizing trademark building design (DG 2.2.12 and 2.2.13). The building’s design and architectural concept offers articulated elevations and building depth (DG 3.2.22). Enlarged sidewalks, bicycle parking and bollard lighting provide transportation amenities, provide safe pedestrian access and create a sense of focus so people may easily find the entrance (DGs 2.1.21, 2.1.22, 2.1.23, 2.1.24, 2.1.32 and 2.2.23). Additional consistency analysis with the City’s Design Guidelines is provided in the applicant’s project description, Attachment B.

REQUIRED FINDINGS FOR APPROVAL

Environmental Review

The project falls within the scope of the Environmental Impact Report (EIR) for the Meriam Park Master Plan, which was certified by the City Council on June 19, 2007. The EIR included several mitigation measures that apply to the proposed development, which are provided as Attachment K, and referenced in the recommended conditions of approval.

Pursuant to Section 15162 of the California Environmental Quality Act, no subsequent environmental review is necessary, as there have been no substantial changes to the project which would require revisions of the EIR, no substantial changes have occurred with respect to the circumstances under which the project is being undertaken which would require major revisions of the EIR, and no new information has become available which was not known and could not have been known at the time the EIR was completed.

Architectural Review

According to the Chico Municipal Code Section 19.18.060, the Architectural Review and Historic Preservation Board shall determine whether or not a project adequately meets adopted City standards and design guidelines, based upon the following findings:

1. *The proposed development is consistent with the General Plan, any applicable specific plan, and any applicable neighborhood or area plans.*

   The proposal is consistent with General Plan goals and policies that encourage architectural designs that exhibit timeless character with lasting materials and reinforce the distinct character of the neighborhood with design elements (CD-3.1 and CD-4.1). The proposal emphasizes landscape as a fundamental design component (CD-1.1.2), strengthens the positive qualities of the neighborhood (CD 1.2.1) and is a positive contribution to the neighborhood (LU-4.3).

2. *The proposed development, including the character, scale, and quality of design are consistent with the purpose/intent of this chapter and any adopted design guidelines.*

   The project is consistent with Design Guidelines (DGs) that call for commercial buildings to use appropriate massing, fenestration, and materials to provide a pedestrian-level scale (DG 2.2.11). The project overall implements DGs that encourage harmonious relationships with surrounding buildings while minimizing trademark building design (DG 2.2.12 and 2.2.13). The building’s design and architectural concept offers articulated elevations and
building depth (DG 3.2.22). Enlarged sidewalks with accent paving, bicycle parking and bollard lighting provide transportation amenities, provide safe pedestrian access and create a sense of focus so people may easily find the entrance (DGs 2.1.21, 2.1.22, 2.1.23, 2.1.24, 2.1.32 and 2.2.23).

3. The architectural design of structures, including all elevations, materials and colors are visually compatible with surrounding development. Design elements, including screening of equipment, exterior lighting, signs, and awnings, have been incorporated into the project to further ensure its compatibility with the character and uses of adjacent development.

The design, materials and colors of the proposed new building is anticipated to be visually compatible with future surrounding development in the CORE area of Meriam Park. Exterior equipment will be properly screened from view by parapet walls. Vehicle parking is located interior to the site and future development will further block views of the parking area from the street.

4. The location and configuration of structures are compatible with their sites and with surrounding sites and structures, and do not unnecessarily block views from other structures or dominate their surroundings.

The proposal is consistent with the anticipated development in the CORE area of Meriam Park. The architectural style and material choices are consistent with previously approved buildings in the same block, such as the Maker Building and existing retail building on lot A24.

5. The general landscape design, including the color, location, size, texture, type, and coverage of plant materials, and provisions for irrigation and maintenance, and protection of landscape elements, have been considered to ensure visual relief, to complement structures, and to provide an attractive environment.

Consistent with previous proposals in Meriam Park, the landscape plan calls for a variety of native shrubs, accent trees, and groundcover surrounding. The proposed landscaping will provide a variety of seasonal color, while minimizing irrigation demands. The proposed landscaping offers both native varieties that are carefully located to ensure visual relief and provide an attractive environment around the new building.

RECOMMENDED CONDITIONS OF APPROVAL

1. The front page of all approved building plans shall note in bold type face that the project shall comply with Architectural Review 19-12 (Boulevard Building). No building permits related to this approval shall receive final approval without prior authorization of Community Development Department Planning staff.

2. All development shall comply with all other State and local code provisions, including those of the City of Chico Community Development and Public Works Departments. The permittee is responsible for contacting these offices to verify the need for compliance.

3. All wall-mounted utilities and roof or wall penetrations, including vent stacks, utility boxes, exhaust vents, gas meters and similar equipment, shall be screened by appropriate materials and colors. Adequate screening shall be verified by Planning staff prior to issuance of a certificate of occupancy.
4. All new electric, telephone, and other wiring conduits for utilities shall be placed underground in compliance with CMC 19.60.120.

5. The applicant shall comply with all applicable mitigation measures from the Meriam Park Environmental Impact Report and Mitigation Monitoring Program. These include, but are not limited to AES-1, AIR-1a, AIR-1b, AIR-1c, AIR-1d, AIR-2, BIO-8, CUL-2a, CUL-2b, CUL-3, CUL-4, HYDRO-3, and UTIL-1b which are incorporated herein by reference.

PUBLIC CONTACT
A 10-day public hearing notice was mailed to all landowners and residents within 500 feet of the site, a legal notice was published in the Chico Enterprise Record and a notice was posted on the project site at least 10 days prior to this ARHPB meeting. As of the date of this report no comments have been received in response to the public notice.

DISTRIBUTION
Internal (3)
Mike Sawley, Senior Planner
Shannon Costa, Associate Planner
File: AR 19-12

External (3)
Scott Gibson, 2540 Zanella Way, suite 60, Chico, CA 95926 (scottg@sgarchitect.net)
Gonzales Development, PO Box 6744, Chico, CA 95927 (dan@5sun.com) and (brian@gonzalesdevco.com)

ATTACHMENTS
A. Location Map
B. Project Description
C. TND Analysis
D. Overall Site Plan
E. Enlarged Site Plan
F. Building Elevations
G. Renderings
H. North Terrace Plan
I. South Terrace Plan
J. Overall Landscape Plan
K. Mitigation Measures
April 30th, 2019

Plan Reviewer
City of Chico ~ Planning Services Dept.
POB 3420
Chico, CA 95927

Re: Tank District at Meriam Park
The Boulevard Building
Lots A22 & A23
Chico, California 95928
SGA # 18.054

To whom it may concern,

We are pleased to submit the design documents for the proposed Boulevard Building, a mixed-use building, located along the east side of Notre Dame Blvd, bounded by Market Street to the south and Springfield Drive to the north. Within the Meriam Park project, a part of a new walkable community development.

Introduction:
This will be a three (3) story, Mixed-Use Building, comprised of the following uses and areas:
1. Restaurant - First Floor only
2. Retail/Commercial – First Floor
3. Office/Professional – Second Floor
4. Residential – Third Floor
5. Public & private Outdoor Patio areas – Ground level
6. Private Decks – Third Floor Only

Land Use Designations:
1. General Plan: SPECIAL MIXED USE
2. Zoning: TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND)
3. TND Designation: CORE

Building Areas:
1. Ground Floor:
   a. Restaurant  5,680 sq.ft.
   b. Retail/Commercial  4,997 sq.ft.
   c. Total Ground Floor  10,677 sq.ft.
2. Second Floor: Office  10,819 sq.ft.
3. Third Floor: Residential  10,648 sq.ft.
4. TOTAL BUILDING AREA  32,144 sq.ft.
**Architectural Design:**

The façade has a simple contemporary design, with varied and articulated building massing; which includes soft muted colors that harmonize with the existing neighborhood. The building is accented with a mixture of varied building massing elements that move forward & back, up and down with color changes & material changes. The parapet offsets, architectural pop outs, mixture of wall finishes, including Fiberon wood finishes, cement plaster, Glass roll-up garage style doors, pivoting awning doors, metal awnings, Juliette balconies, storefront outdoor patio areas and articulated entries.

A mixture of metal awnings and canopies is used throughout the facade and along the pedestrian pathway to provide shade and interesting play of light & shadow.

The building will also include "Way Finding" iconic elements for the visitor/worker/resident, such as planters with seating benches, shade trees and other various pedestrian amenities that will provide relief, security and interest at the pedestrian level.

The color palette features contemporary earth tones, and multi-color accent walls will be used to create visual interest to the building. To further enhance the building design, the project screens outdoor storage & delivery areas at the rear of the building.

Rooftop equipment will be fully screened from off-site views by the building’s parapet walls and architectural screening as required.

There will be a small delivery staging area at the rear of the building will be semi enclosed for delivery staging. Two trash enclosures with roofs will be provided at the rear area as well, they will compliment other trash enclosures in Meriam Park neighborhood.

The proposed development will be in compliance with the underlying TND – CORE designation zoning and not exceed the 65 foot height restriction.

Our intention is to create sight lines that facilitate an attractive and inviting presentation to the streets - for both pedestrians and vehicular traffic. We look to develop a high quality building with a simplified edifice with a sophisticated architectural style which complements Chico’s visual character.

**City of Chico DESIGN GUIDELINES:**

Chapters 1 & 2 of The City of Chico Design Guidelines Manual were extensively utilized throughout the design process:

- Building materials such as Fiberon Synthetic Wood sheathing, Cement Plaster, Ceramic Tile, Corrugated and other metals were selected to complement existing aesthetics in the immediate vicinity, but also reinforce a sense of permanence. [DG 1.1.1, 1.2.13, 1.2.21, 1.2.32]

- The various levels of both private (business) and public outdoor patios will reinforce a pedestrian-friendly environment by adding outdoor sitting areas all with nearby bicycle parking. [DG 1.1.13]

- The proposed landscape design softens and screen views from the public right-of-way towards the building frontage with multilayered, varied and articulated spaces. [DG 1.1.14, 2.1.26, 2.1.27]

- Driveways to the common parking areas are primarily hidden from street side viewing. [DG 1.1.14]

- The patio’s are situated on the south, west & north sides of the building which allows various levels of interaction to the street and quitter secondary streets, in some cases the building serves as a noise buffer between the busier Notre Dame Blvd. and the patio occupants. [DG 1.1.15]

- Decorative paving is utilized to define pedestrian gathering areas [DG 1.1.33]
• The open, well-lit site layout enhances safety, security, and surveillance [DG 1.1.35]

• Decorative goose-neck style building lights in addition to recessed under-awning lights provide effective, aesthetic lighting while minimizing glare [DG 1.5.1]

• Shade trees and energy-efficient fixtures are utilized to minimize wasted energy in all 4 seasons. The west elevation is well shaded from mature shade trees. [DG 1.7.1]

• Shop and Restaurant tenants will be consulted throughout the design process to ensure the tenant infills meets both their requirements while also embracing Chico’s visual character. [DG 1.8.1]

• Multiple and varied rooflines add character and style to the building so as to reinforce the sense of place. [DG 1.2.22]

• The bicycle racks are located in multiple locations and are in close proximity to the building entrances and provide shade so as to comply with sections [DG 2.1.21, 2.1.31 2.1.32].

• Electrical service, fire riser, and roof ladder are located within the building ensure adequate screening [DG 2.1.38 & 2.2.28]

• Building design subtlety complements surrounding architecture while also taking on its own unique identity by utilizing building materials such as Fiberon Synthetic Wood sheathing, Cement Plaster, Ceramic Tile, Corrugated, goose-neck lighting and other metals. [DG 2.2.1]

• Varying building materials, colors, and awnings at the façade create a sense of focus at building entrances and avoid monotony. [DG 2.2.2 & 2.2.3]

• Trash Enclosures are placed behind the building, all utility structures will be screened with landscape planting [DG 3.1.35]

• Building elevations are articulated in height, setback and color & finishes to create varied building depth and shadow. [DG 3.2.22]

Compatibility:

The proposed project would provide the following mitigations:
1. All HVAC units will be completely screened from view with high parapets
2. Outdoor public patios and business entrance shall be located street side(s) of the building.
3. Trash enclosures shall be placed to the rear of the building in the interior parking areas.
4. All Site and Street trees and plantings shall be drought tolerant and meet the approval of the City of Chico Forrester.

Scott G. Gibson
California License: C18327
Hello Shannon,

Brian Klinginsmith asked that I provide some clarity for the TND Frontage & Building Type:

1. **CORE** Designation
2. Frontage Type: **SHOPFRONT**
3. Building Type: **LARGE MIXED USE**

(see attached 7 page excerpt from TND code)

1. (Table 6-2 Maximum Building Height for TND Designations) **TND Designation:** CORE
2. (Table 6-3 Frontage Types allowed by TND Designation) **Frontage Type:** SHOPFRONT
3. (19.84.040 Frontage type designation) 19.84.040.F Shopfront Frontage type description:
4. (19.86.050 Allowed Building Types)
5. (Table 6-4 ALLOWED BUILDING TYPES) ~ **Large Mixed Use Building** (19.86.260)
6. (19.86.260 Large Mixed-Use Building)
7. Table 6-25 Building Placement

Please let us know if there is additional information needed.

Best regards,
WEST EXTERIOR ELEVATION  (Facing Notre Dame Blvd.)

EAST EXTERIOR ELEVATION  (Facing Parking Lot A24)
Facing Southwest View (From Parking Lot)

Facing Southeast View (Notre Dame and SpringField Drive)
NORTH WEST PATIO PLAN NOTES:
A. ENHANCED PAVING AT INTERSECTION
B. STEP UP TO ACTIVATE PROMENADE SPACE ALONG STORE FRONTS
C. ADA ACCESSIBLE SLOPED WALK WAY UP TO PROMENADE TO PROVIDE A LEISURELY WALK ALONG THE PUBLIC PLACE FOR PLEASURE OR RETAIL DISPLAY.
D. SEAT WALL 18" ABOVE THE PROMENADE FOR CASUAL SEATING AND GRADE SEPARATION
E. STEPS TO ACCESS PARKING
F. EXISTING STREET LIGHT
G. 30" MIN HEIGHT DECORATIVE FENCING AROUND THE PERIMETER OF THE PATIO FOR ABC CONTROL
H. PEDESTRIAN GATE TO ACCESS PATIO
I. OUTDOOR DINING OPPORTUNITIES
J. CASUAL SEATING AREAS WITH FIRE PIT FOR AMBIENCE
K. ACCENT TREES TO PROVIDE BACKDROP FOR THE PATIO SPACE
L. 6' HIGH DECORATIVE SCREEN TO OBSCURE UTILITIES
M. ELEVATED WATER TANK & STAGE AREA FOR IDENTIFICATION AND ENTERTAINMENT
N. ACCENT PAVING
O. EXISTING STREET TREES AND PLANTINGS TO REMAIN
P. NEW PLANTINGS, EXISTING TREES TO REMAIN
Q. CONCRETE WALKWAYS
R. SCREEN THE BACK FLOW AND UTILITIES WITH PLANT MATERIAL
S. PLANTINGS WITHIN THE NEW PARKING ISLANDS TO MATCH THE EXISTING PLANTINGS
SOUTH WEST PATIO PLAN NOTES:
A. ENHANCED PAVING AT INTERSECTION
B. ADA ACCESSIBLE SLOPED WALK WAY FROM PROMENADE DOWN TO STREET LEVEL
C. SEAT WALL 18" ABOVE THE PROMENADE FOR CASUAL SEATING AND GRADE SEPARATION
D. SEAT WALL ACCESSIBLE FROM THE STREET SIDE WILL ALSO ALLEVIATE GRADE TRANSITION FOR PEDESTRIAN ACCESS TO SW PATIO AND STOREFRONT
E. EXISTING STREET LIGHT TO BE RELOCATED
F. 30" MIN HEIGHT DECORATIVE FENCING AROUND THE PERIMETER OF THE PATIO FOR ABC CONTROL
G. PREFABRICATED PLANTERS
H. OUTDOOR DINING OPPORTUNITIES
I. ACCENT PAVING
J. EXISTING STREET TREES AND PLANTINGS TO REMAIN
K. NEW PLANTINGS, EXISTING TREES TO REMAIN
L. CONCRETE WALK WAYS
M. SPECIMEN PALM TREES WITH DECORATIVE TREE WELLS
N. DECORATIVE VEHICULAR SAFETY BOLLARDS
O. SLOPED WALK WAY FROM SW PATIO LEVEL DOWN TO STREET LEVEL

SOUTH EAST PATIO PLAN NOTES:
A. OUTDOOR PATIO WITH STRING LIGHTS AND NIGHT TIME ACTIVITIES (MOVIES, EVENTS, ETC.)
B. ADA ACCESSIBLE SLOPED WALK WAY FROM PATIO DOWN TO STREET LEVEL
C. PATIO AREA AT FFE OF BUILDING
D. SEAT WALL ACCESSIBLE FROM THE STREET SIDE WILL ALSO ALLEVIATE GRADE TRANSITION FOR PEDESTRIAN ACCESS TO SE PATIO AND STOREFRONT
E. 30" MIN HEIGHT DECORATIVE FENCING AROUND THE PERIMETER OF THE PATIO FOR ABC CONTROL
F. PREFABRICATED PLANTERS
G. OUTDOOR DINING OPPORTUNITIES
H. ACCENT PAVING
I. EXISTING STREET TREES AND PLANTINGS TO REMAIN
J. CONCRETE WALK WAYS
K. LIVING GREEN WALL
L. RELOCATED COMMUNITY MAIL BOX
M. 6' HIGH DECORATIVE SCREEN WITH AN 8' HIGH VINE TRELLIS ABOVE SEATING AREA
N. CASUAL DINING SEATING AREA
Mitigation Measures Applicable to Site Design and Architectural Review Projects
From the Meriam Park Environmental Impact Report and Mitigation Monitoring Program

AESTHETICS
AES-1: In order to minimize impacts of new sources of light and glare:

1. All new lighting shall be designed to eliminate direct light spilling onto adjacent properties.
2. Lighting for new development within Meriam Park, including parking areas, shall be designed to include shields, ranging from 120-180 degrees and cut-offs that minimize light spillage onto unintended surfaces and minimize atmospheric light pollution, use minimal wattage.
3. Exterior surfaces should not be reflective glass or other reflective materials.
4. As part of the Architectural Review process, light and glare should be given specific consideration and measures incorporated into project design to minimize both.
5. Where possible, limit height of light standards to 12 feet.

AIR QUALITY
AIR-1a: All construction plans and documents for construction projects in the TND zone shall include the measures set forth below to reduce construction-related air quality impacts.

1. All active construction areas shall be watered at least twice daily. The frequency shall be based on the type of operation, soil conditions, and wind exposure.
2. Apply chemical soil stabilizers to inactive construction areas (disturbed areas that are unused for at least four consecutive days) to control dust emissions. Dust emission shall be controlled at the site for both active and inactive construction areas throughout the entire construction period (including holidays).
3. Storage piles shall be controlled for dust emissions as needed by covering the storage pile, application of chemical soil stabilizers, or other technique acceptable to the City.
4. Vehicle speeds shall be limited to 15 mph on unpaved roads and areas.
5. Land clearing, grading, earth moving, or excavation activities shall be suspended when wind speeds exceed 20 mph.
6. Non-toxic binders (e.g. latex acrylic copolymer) shall be applied to exposed areas after cut and fill operation and the area hydroseeded when the area becomes inactive for 10 days or more.
7. Prior to any grading or construction taking place, the developer shall consult with the Butte County Air Quality Management District regarding the application of a paved (or dust palliative treated) apron onto the Meriam Park site.
8. Inspect adjacent streets at least once per day and sweep or wash paved streets adjacent to the site where visible silt or mud deposits have accumulated due to construction activities.
9. Building and Engineering Division staff shall review final improvement plans for all construction projects to ensure that the above notes are included on such plans. Building and Engineering Division staff shall inspect the property for compliance with the above air quality measures.

**AIR-1b:** One or more publicly-visible signs shall be posted at each construction site with the name and telephone number of the developer representative to contact regarding dust complaints. Complaints received about dust shall be responded to, and corrective action taken, immediately. The telephone number of the BCAQMD shall be included on the signs and visible to ensure compliance with BCAQMD Rules 201 and 207.

**AIR-1c:** Construction shall be phased so that only a portion of the Meriam Park site is graded at a time. Areas in which one large piece of earth-moving equipment is working shall not exceed 10 acres on a daily basis, and areas in which two or more large pieces of earth-moving equipment are working simultaneously shall not exceed 4 acres per day.

**AIR-1d:** Prior to final occupancy, all exposed ground surfaces shall be landscaped, seeded or chemically treated to minimize fugitive dust emissions (dust clouds caused by wind, traffic, or other disturbances to exposed ground surfaces).

**AIR-2:** The following measures would reduce diesel particulate matter and NOx emissions from construction equipment, and represent a level of reasonable control that would reduce these emissions to a less-than-significant level.

1. Prior to commencement of any grading or construction, a NOx reduction plan shall be prepared and submitted for approval by the City and BCAQMD demonstrating that heavy-duty (> 50 horsepower) off-road vehicles to be used during construction, including owned, leased and subcontracted vehicles, will achieve a project-wide fleet-average NOx reduction equivalent to or exceeding the most recent CARB fleet average at the time of construction. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.

2. The NOx reduction plan shall include a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that would be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. The inventory shall be updated on a monthly basis throughout the duration of the grading portion of construction.

3. Opacity is an indicator of exhaust particulate emissions from off-road diesel powered equipment. The Meriam Park project shall ensure that emissions from all construction diesel powered equipment used on the Meriam Park site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately.

4. The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g. compressors).

5. Diesel equipment standing idle for more than two minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials.
Rotating drum concrete trucks could keep their engines running continuously as long as they were on-site and away from residences.

6. Properly tune and maintain equipment for low emissions.

**BIOLOGICAL RESOURCES**

**BIO-8:** Adequate measures shall be taken to avoid inadvertent take of loggerhead shrike, raptors, and nests of other birds protected under the Migratory Bird Treaty Act when in active use. This shall be accomplished by taking the following steps.

1. If construction is proposed during the nesting season (March - August), a focused survey for nesting raptors and other migratory birds shall be conducted by a qualified biologist within 30 days prior to the commencement of construction, in order to identify any active nests on the proposed project site and the vicinity of proposed construction.

2. If no active nests are identified during the survey period, or if construction is initiated during the non-breeding season (September - February), grading and construction may proceed.

3. If active raptors nests are found, an adequate setback shall be established around the nest location and construction activities restricted within this no-disturbance zone until the qualified biologist has confirmed that any young birds have fledged and are able to function outside the nest location. Required setback distances for the no-disturbance zone shall be determined in consideration with the CDFG and/or USFWS, and may vary depending on species and sensitivity to disturbance. The no-disturbance zone shall be fenced with temporary orange construction fencing.

4. A report of findings shall be prepared by the qualified biologist and submitted to the City for review and approval prior to initiation of grading and construction during the nesting season (March - August). The report shall either confirm absence of any active nests or shall confirm establishment of a designated no-disturbance zone for any active nests. Supplemental reports shall be submitted to the City for review and approval where no-disturbance zones have been required to allow construction to proceed within these zones after any young birds have fledged.

**CULTURAL RESOURCES**

**CUL-2a:** In the event any cultural materials are discovered or unearthed during the course of grading or construction activities, all work shall cease within 100 feet of the discovered site and a qualified archeologist shall be retained by the project applicant to evaluate the significance of the site. If the archeologist determines that the materials represent a potentially-significant resource, the project proponent, archeologist, City Planning Director, and local tribal coordinator shall begin a consultation process to determine a plan of action either for: 1) total data recovery, as a mitigation; 2) tribal cultural resource monitoring; 3) displacement protocol; or 4) total avoidance of the resource, if possible.

**CULT-2b:** A note shall be placed on all construction plans which informs the construction contractor that if any bones, pottery fragments or other potential cultural resources are encountered during construction, all work shall cease within the area of the find pending an
examination of the site and materials by a professional archaeologist. The Planning Division and Engineering Division staff will verify that this wording is included in project grading plans.

**CUL-3:** In the event that human remains are discovered during the course of grading or construction activities, all work shall cease within 100 feet of the find and the construction supervisor must immediately notify the Butte County Coroner pursuant to Section 7050.5 of California's Health and Safety Code, and the City Planning Director. The construction supervisor shall also take appropriate action to ensure that the discovery is protected from further disturbance and vandalism. If the remains are of a Native American, the coroner must notify the California Native American Heritage Commission within 24 hours, which in turn will inform a most likely descendent pursuant to Section 5097.98 of the State Resources Code. The designated descendant would then negotiate with the land owner for final disposition of identified remains, which may include reburial within an appropriate location within the project area.

**CUL-4:** In the event that paleontological resources are encountered during construction activities, consultation with a professional paleontologist, geologist or archaeologist, as appropriate, shall be undertaken immediately, and the significance of the find evaluated. Appropriate specific mitigation measures would be recommended, based on the finding of significance of the discovery. The project proponent shall implement recommended mitigation measures.

**HYDROLOGY AND DRAINAGE**

**HYDRO-3:** The developer shall develop a stormwater master plan and a SWPPP for the Project site. No grading permits or other construction permits for the Project site shall be issued until the developer prepares a SWPPP and the SWPPP is reviewed and approved by the City of Chico and reviewed by the Caltrans District 3 office and the Central Valley Regional Water Quality Control Board (Redding office). The SWPPP shall describe the construction-phase and post-construction control measures to improve water quality of runoff. Selection and design of the water quality BMPs shall be reviewed and approved by City staff and operations and maintenance considerations shall be described in the SWMP or Operations and Maintenance Manual (OMM) prepared for the treatment facilities.

**UTILITIES**

**UTIL-1b:** At least 75 percent of the remaining project-related construction and demolition waste shall be diverted to an approved facility or by salvage. The City shall give the applicant a list of approved facilities or reuse options. A Waste Diversion Plan including the total weight or volume of demolition and construction waste and the plan for diverting the waste shall be provided to and approved by the City pursuant to commencement of construction.