DATE: July 21, 2017

TO: Architectural Review and Historic Preservation Board

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

RE: Architectural Review 17-25 (Thrive Park Lawyer’s Office) – Meriam Park
Subdivision S09-01, Lot B7 and B8 (APN 002-180-157, portion)

RECOMMENDATION
Staff recommends that the Architectural Review and Historic Preservation Board adopt the required findings contained in the agenda report and approve 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 17-25 (Thrive Lawyer’s Office), subject to the recommended conditions therein.

BACKGROUND
The applicant proposes to construct two 3,500 square-foot commercial office buildings on lots Lot B7 and B8 of Tentative Subdivision Map S09-01 in Meriam Park. Fronting on Carlisle Lane, 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 two new, single story commercial shell buildings, and surrounding landscaping (see Attachment B, Project Description, and Attachment C, Overall Site Plan).

The identical buildings would mirror one another along a central corridor that would provide main entry from the street frontage to the buildings. The proposed “Shopfront” frontage type would be situated at the back of the walkway, along the front property line.

Vehicle access to the site is provided by three drive aisles serving the common parking field from Concord Avenue (west), Beacon Avenue (north), and Carlisle Lane (east). Inverted “U” style bike parking is proposed within the central corridor (see Attachment D, Enlarged Site Plan). Four trash enclosures would be located within the common parking field.

The landscape plan mostly calls for native shrubs and trees which complement the existing aesthetics natural to Northern California. Parking lot shading for on-site parking is estimated to reach 86 percent at tree maturity (see Attachment E, Preliminary Landscape Plan). The central corridor would feature raised planting containers and benches, as well as decorative concrete paver bands. Steel-mesh vine trellises are proposed on the front elevation (see Attachment F, Design Development Images).
The single-story buildings would be 27 feet in height at the tallest point with roof pitches sloping down and away from the central corridor. Simple light-to-metallic building materials and colors give the building an industrial appearance. Exterior elevations feature alternating corrugated metal walls (Cool Zactique) with corrugated metal pop-outs (Cool Metallic Silver). Large pop-out storefront windows are trimmed in bright red (see Attachment G, Exterior Color Elevations and Attachment H, Color Sample Board). Wall-mounted sconces are proposed on the east and west building elevations (see Attachment I, Lighting Specs). Ground-mounted utility systems are located on the north and south side of the site and would be screened from view by a metal panel wall, matching the exterior of the buildings.

DISCUSSION

The proposal is consistent with General Plan goals and policies that encourage architectural designs that exhibit timeless and distinctive character (CD-3.1 and CD-4.1). The proposed design promotes pedestrian and bicycle access by directly engaging the building frontage with the public sidewalk, providing safe bike parking, and situating parking toward the rear of the site, consistent with policies CD-3.2 and CD-3.3. The native, drought tolerant species selections for the proposed landscaping are consistent with sustainability policies that promote water conservation and energy efficiency (SUS-4.2).

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 unique roof pitch of the buildings is consistent with design guidelines that encourage exposed (pitched) roofs to add character and style (DG 1.2.22). Additional consistency analysis with the City’s Design Guidelines is provided in the applicant’s project description, Attachment B.

The proposed development uses the “Small Single Story Shopfront Building” TND building type and “Shopfront” frontage type. The site is designated CORE on the Regulating Plan, which sets forth form-based development criteria for the site, including buildings aligned close to the front property line and building entrances at sidewalk grade (see Attachment J, Small Single Story Shopfront Building).

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.

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 several General Plan goals and policies, including those that encourage architectural designs that create a culturally relevant sense of place, and promote pedestrian-oriented development (CD-3.1, CD-4.1.3, CD-3.2 and CD-3.3). Further, the native, drought tolerant species selections for the proposed landscaping are consistent with sustainability policies that promote water conservation and energy efficiency (SUS-4.2). The site is not located within the bounds of a Neighborhood Plan or area plan.

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 pedestrian-friendly design with the building located at the back of public sidewalk and vehicle parking located to the side and rear of the site (DGs 1.1.14, 1.1.15, 2.1.25, 2.1.26 and 2.1.27). Building massing and scale are layered, and design elements create a point of interest at building entrances. The proposed materials are rich and interesting, consistent with DGs 3.2.32, 3.2.31, and 3.2.

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 are 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 metal screen walls matching the building exterior. Vehicle parking at the 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. As few buildings currently exist on the site, the structures will appear to dominate the surroundings, however, this effect will diminish over time with additional surrounding development. The building would not unnecessarily block views from other existing structures.

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.

The proposed landscaping will provide a variety of seasonal color, while minimizing irrigation demands. The proposed landscaping offers native plant 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 17-25 (Thrive Lawyer’s Office). 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. The applicant shall comply with all applicable mitigation measures from the Meriam Park Environmental Impact Report and Mitigation Monitoring Program. These include 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

Public notice requirements were fulfilled by placing a notice on the project site and by posting of the agenda at least 10 days prior to this ARHPB meeting.

DISTRIBUTION

Internal (3)
Mike Sawley, Senior Planner
Shannon Costa, Assistant Planner
File: AR 17-25

External (2)
Russell Gallaway Associates, Inc. Attn.: Matt Gallaway, 115 Meyers Street, Suite 110, Chico, CA 95928
Dan Gonzales, PO Box 6744, Chico, CA 95927

ATTACHMENTS

A. Location Map
B. Project Description
C. Overall Site Plan
D. Enlarged Site Plan
E. Preliminary Landscape Plan
F. Design Development Images
G. Color Exterior Elevations (2 pages)
H. Color Sample Board
I. Lighting Specs (2 pages)
J. Small Single Story Shopfront Building
K. Mitigation Measures
Notre Dame Blvd

Parkhurst St

Towers Rd

Remington Dr

E 20th St

Grafton Ln

Belgium Ave

Carlisle Ln

Keller Williams Real Estate

Bedford Dr

Springfield Dr

Bedford Apts

United Healthcare

Keller Williams Real Estate

Springfield Apts

Huntington Dr

Huntington Apts

AR 17-25 (Thrive Lawyer's Office)
Meriam Park Subdivision S 09-01, Lot B7 and B8
APN 002-180-157-000 (portion)
May 24, 2017

Planning Reviewer
City of Chico Planning Department
P.O. Box 3420
Chico, Ca. 95924

RE:  
Thrive Lawyer’s Office  
The Thrive at Meriam Park  
Chico CA  
APN: 002-180-157

Dear Reviewer,

It is with pleasure that I take this opportunity to provide you the following overview of the new commercial building constructed at Meriam Park between Concord Drive and Bruce Road. Where appropriate, the following narrative references to the City of Chico Design Guidelines.

Brief History
This property currently is undeveloped but is in the process of becoming a set of commercial business suites for attorney’s offices. There will be several commercial buildings with a shared parking lot that is screened by the new buildings.

Building Program
The proposed new building will be single story and will have four commercial business suites. Two of the four suites have been designed in coordination with two separate attorney firms. The remaining two suites will be available for future tenants.

Proposed Architectural Elements
The design and use of the building materials and colors were selected to harmonize with the existing neighborhood. Most of which are residences and the courthouse with modern design elements. The “Thrive” building finishes are following the design lines of a modern industrial look.
Applicable City of Chico Design Guidelines Objectives
DG 1.1.13- Reinforce a pedestrian-friendly environment regarding building placement and orientation.
   The placement of the main entrance and sidewalk create easy connection between the four suites. Large sidewalk areas cross in front of the building and the rear for pedestrian-friendly access to building, parking, and nearby businesses.

DG 1.1.14 & 3.1.25- Minimize views of automobiles from the public right-of-way by locating the majority of parking areas and major driveways to the rear or side of sites wherever feasible.
   Major driveways occur at the front of the building, allowing for parallel street parking, and along the side of the building where there is limited public access. The majority of parking areas occur on the rear of the building, to minimize automobiles from the public right-of-way.

DG 1.2.22- Utilize rooflines and exposed (pitched) roofs to add character and style to a building, reinforcing its sense of place.
   The new building utilizes two separate single sloping roofs that angle toward one another. The exterior doors are located on the sides and middle of the building which helps to feature the unique roof slopes and building design. Large steel storefront windows and doors highlight design and allow access to the business.

DG 3.1.34- Bicycle parking is located close to main entrances.
   The bicycle parking is located between buildings in order to maintain pedestrian safety and keep bicyclists at a distance from heavy automobile traffic.

DG 3.1.35- Screen and buffer trash enclosures, and utility services from public views.
   The trash enclosure is enclosed and located at the south-west corner of the property away from public view and is screened with landscaping.

DG 3.2.21- Design Concept
   Along with an intriguing roofline design, we have put in to place metal wall panel systems alternating in direction, several metal “pop-out” features around large steel storefront windows, and a decorative metal entry arch.
DG 3.2.22- Avoid unarticulated elevations and incorporate varied building depth and shadow.
   We have been able to add interest, depth and shadowing to each elevation of the building with the addition of:
   - Standing Seam double gables.
   - Canopies at entrances.
   - Recessed entry.

DG 3.2.23- Design and locate building entries to create a sense of focus so people may easily find the entrance. Roof overhangs and wall recesses, are two examples of features which help define a sense of entry for a building.
   We have designed two separate entry arches at either side of the building leading pedestrians into the main entrance.

DG 3.2.25- Avoid continuous flat roofs with monotonous cornices or parapets.
   This unique building design incorporates two separate single sloped roofs slanting towards one another in an attempt to avoid a continuous flat roof.

DG 3.2.28- Minimize the appearance of wall mounted utility equipment, including electrical panels, gas meters, conduit, plumbing or downspouts, by integrating with in the building structure or by screening and buffering techniques.
   The electrical panels are located on the north and south sides of the building outside of plain sight and will be hidden by metal pop-out features.

DG 3.2.31 and 33- Include variations in the depth of surfaces or changes in surface materials to provide visual interest to walls. Express continuity thought all elevations.
   Through the use of four separate metal colors and alternating corrugated metal direction we have provided visually interesting walls. We have also incorporated multiple architectural techniques such as decorative metal entry arches, metal pop-outs around windows and storefronts, as well as pop-out address numbers along the front of the building.

DG 3.2.32- Select building colors and accent materials from a rich palette.
   The Palette selected is light to metallic modern with mostly grey colors and a slight accent of red.
Thank-you for your thoughtful consideration.

Sincerely,

Matthew B. Gallaway, A.I.A.; LEED AP
President - Russell Gallaway Associates, Inc.
PARKING CALCULATION:
7,000 S.F. @ 1.6/1,000 S.F. = 11.2 STALLS REQUIRED
10 PARKING STALLS PROVIDED ON WESTSIDE OF BUILDING.
AND ADDITIONAL STREET PARKING PROVIDED ON EASTSIDE
OF BUILDING
BUILDINGS WILL ALSO HAVE SHARED PARKING WITH
NEIGHBORING LOTS AND BUSINESSES
PARKING CALCULATION PER TITLE 19 LAND USE AND
DEVELOPMENT REGULATIONS CHAPTER 19.88

ADA PARKING CALCULATION:
1 ACCESSIBLE PARKING STALL IS REQUIRED PER CBC 11B
206 C
2 ACCESSIBLE PARKING STALLS ARE PROVIDED

BICYCLE PARKING CALCULATION:
10 PARKING STALLS @ 1.5 (206) = 2 BICYCLE STALLS
2 REQUIRED
3 BICYCLE STALLS PROVIDED BETWEEN THE TWO
BUILDINGS
BICYCLE PARKING CALCULATION PER TITLE 19 LAND USE
AND DEVELOPMENT REGULATIONS CHAPTER 19.89.070

ALL VEHICLE AND BICYCLE PARKING WILL BE DESIGNED IN
ACCORDANCE WITH TITLE 19 LAND USE AND DEVELOPMENT
REGULATIONS DIVISION VI, TND REGULATIONS.
ALL ADA VEHICLE PARKING STALLS WILL BE DESIGNED IN
ACCORDANCE WITH CBC CHAPTER 11B.

PATH OF TRAVEL
PARKING LOT LIGHTING
PROJECT AREA
FUTURE DEVELOPMENTS
LANDSCAPE AREA
CONCRETE WALK-WAY
NEW TREES
FUTURE PROPERTY LINES
ROAD CENTER LINES

0 40’ 80’ 160’
SCALE: 1” = 80’-0”

JUN 06 2017
CITY OF CHICO
PLANNING SERVICES

Attachment C
ZONING: TND-CORE (B.BD CMC)

BUILDING TYPE: SMALL SINGLE STORY SHOP FRONT BUILDING (19.88-220 CMC)

FRONT SET BACK: 2' TO PROPERTY LINE. 0' (ZERO FEET) TO THE BACK OF THE SIDEWALK (19.86-220 CMC)

FRONTAGE TYPE: "SHOP FRONT" (19.84-040 CMC)

ENCROACHMENT: NOT REQUIRED FOR THIS PROJECT. (19.84-220 CMC)

SIDE YARD SETBACK: THIS PROJECT PROVIDES 10' SIDE YARD SETBACKS AT ALL SIDE YARD LOCATIONS. (19.84-220 CMC)

REAR SETBACK: THIS PROJECT DOES NOT PROVIDE AN ALLEY AS IT BACKS UP TO A PARKING LOT. THIS PROJECT PROVIDES A 25'-1' SETBACK TO THE PROPERTY LINE. 0' SETBACK TO WALK. (19.84-220 CMC)

BUILDING HEIGHT: PROPOSED BUILDING HEIGHT IS 27'-0". (19.84-220 CMC)

PARKING: THIS PROJECT PROVIDES PARKING AT 78'-6" FROM BACK OF SIDEWALK. (19.84-220 CMC)

RECEIVED
JUN 06 2017
CITY OF CHICO
PLANNING SERVICES
THRISE-BUILDING B7 & B8

PRELIMINARY LANDSCAPE PLAN

PREPARED BY:
MERIAM PARK
GONZALEZ DEVELOPMENT COMPANY
CHICO, CALIFORNIA

PREPARED BY:
BRIAN FISHER-LANDSCAPE ARCHITECT, INC.
627 BROADWAY, STE 200, CHICO, CALIFORNIA 95928
PHONE: (530) 899-1130 / FAX: (530) 899-1920
www.brianfishe.com www.facebook.com/BFLAdesign

attachment E

See landscape plans for common area dated 4-24-17 for parking lot landscape.

Parking Lot Landscape

Shade Calculations

Plan Legend

Shrub List

Tree List

See Sheet L-0.2 for design development images.

Sheet L-0.1

May 24, 2017

City of Chico Planning Service

BFLA Project Number: 1993
May 22, 2017

Attachment E
NEW STANDING SEAM METAL ROOF BY METAL SALES. PROFILE: SR2, COLOR SLATE: GREY #W38.

NEW METAL SIDING #1 BY AEP SPAN. PROFILE: HORIZONTAL REVERSED BOX RIB WALL PANEL SYSTEM. COLOR: COOL ZACTIQUE II.

NEW METAL SIDING #2 BY AEP SPAN. PROFILE: HORIZONTAL REVERSED BOX RIB WALL PANEL SYSTEM. COLOR: COOL METALLIC METALLIC SILVER.

WINDOW POP-OUT TRIM BY AEP SPAN. COLOR COOL BRIGHT RED.

NEW ALUMINUM STOREFRONT SYSTEM. COLOR CHARCOAL. WINDOWS WITH ZIPPY GRID.

Attachment H
### Product Specs

**Optical**
- BOS rating of U-0.
- IP55 rated optic module.
- Available in IES Types 2, 3, 3R, 4 and 5 distribution.
- Utilizes high output, high brightness LEDs.
- Typical CRI of 70, CCT 2700, 3500, and 4500. Cold factory for custom CCT.
- LM-79 and LM-80 tests in accordance with IESNA standards.
- Lumen depreciation rating L70b>100,000 hrs. projected per TM-21 guidelines using 525mA drive at 25°C ambient.
- RoHS Compliant.

**Electrical**
- 120-277 volt and 347-480 volt available.
- Minimum drivers power factor: 0.9.
- Electrical surge protection in accordance with IEEE/ANSI C62.41.2 guidelines.
- UL listed in U.S. and Canada.

**Mechanical**
- All cast aluminum housing.
- Tool-less driver access and removable driver tray.
- AAD **Advanced Airflow Dynamics** maximizes heat sink expulsion.

**Controls**
- Supplied with a dimmable driver.
- Optional electronic button photocell PEC (120-277V), PEC4 (480V).

**Finish**
- Durable, color resistant powder coat finish.

**Warranty & Standards**
- LED Systems and Drivers – 7 years.

**Motion Sensors**
- MOT1: 360° lens, maximum coverage 45° diameter from 20’ height.
- MOT2: 360° lens, maximum coverage 70° diameter from 20’ height.

**Colors**
- UGMT: Urban Gunmetal Textured
- UBT: Urban Bronze Textured
- ULBT: Urban Light Bronze Textured
- USLT: Urban Silver Textured
- UWHT: Urban White Textured
- UCHS: Urban Champagne Satin Smooth
- UGM: Urban Gun Metal Matte
- UN: Urban Bronze Matte
- ULB: Urban Light Bronze Matte
- USL: Urban Silver Matte
- UWH: Urban White Matte

**Performance** (Based on FG Lens)

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800-621-3376 | 555 Lawrence Ave., Roselle, IL 60172 | info@sternberglighting.com | www.sternberglighting.com | 4/17 STERNBERG LIGHTING. ALL RIGHTS RESERVED. PRINTED IN THE USA.

Attachment 1
Product Dimensions and Features

Mounting Configurations

Mounting Details

Other Options

ISO Footcandle Plots

All published luminaire photometric testing performed to ESMA LM-70 standards by WLAP certified laboratory. ISO footcandle plots above demonstrate the luminaire's light patterns only. Not for total fixture output. For complete specifications and IES files, see website.
19.86.220 Small Single-Story Shopfront Building

A. A building designed for occupancy by retail, service, and/or office uses on the ground floor with an optional mezzanine. A small single-story shopfront building shall be placed on a site as set forth in Table 6-21.

Table 6-21

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<td>Front build-to-line: The front façade of the building shall be placed at the back of the sidewalk.</td>
<td>Building height: Buildings shall be one story with a maximum building height of 35 feet.</td>
<td>On-site parking shall be located a minimum of 28 feet behind the back of the sidewalk.</td>
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<td>Encroachment over the sidewalk may be allowed for some frontage types.</td>
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<tr>
<td>Side setbacks: None required. 10 feet minimum if provided.</td>
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<tr>
<td>Rear setback: 5 feet from alley.</td>
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<tr>
<td>B. Groups of shopfront buildings shall be from three to six units, allowing pedestrian access to parking at the block interior.</td>
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<td>C. Frontage types of shopfronts, galleries and arcades are preferred.</td>
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<tr>
<td>D. The main entrance to a shopfront building shall be directly from the street.</td>
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<tr>
<td>E. On-site parking may be in a surface lot, parking structure, tuck-under parking, or a combination of any of the above.</td>
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(Ord. 2358 §22)
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.