

Meeting Date 9/5/2018

DATE: August 16, 2018 File: AR 18-20

TO: Architectural Review and Historic Preservation Board

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

Community Development Department

RE: Architectural Review 18-20 (B4 Thrive Office Building) – Lot B4 Thrive District,

Meriam Park Subdivision S 09-01, (APN 002-180-185 and -186)

#### 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 18-20 (B4 Office Building), subject to the recommended conditions therein.

#### **BACKGROUND**

The applicant proposes to construct an approximately 9,500 square foot building on Lot B4 of Meriam Park Tentative Subdivision Map S 09-01. 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 single-story shell building and surrounding landscaping. Parking is provided in a previously approved shared parking field with trash enclosure (see **Attachment B**, Project Description, and **Attachment C**, Overall Site Plan).

#### **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.

#### **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.

#### **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 Small Single-Story Shopfront Building, designed for occupancy by retail, service, and/or office uses on the ground floor with an optional mezzanine. Consistent with this building type, the proposed building is situated on the site so that the front façade of the building is at the back of the sidewalk.

#### 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 the property line with the building entrance at sidewalk grade and shopfronts feature extensive glazing surrounding entryway doors with an awning that overlaps the sidewalk.

#### **Architecture**

The 9,500-square-foot building would be a simple rectangular shape with a sloping roofline. The building's front elevation would feature horizontal standing-seam metal siding in dark grey ("Cool Old Town Grey"). Two orange-copper ("Pennywise") pop-out masses with a smooth plaster finish would flank the two building entries with parapet walls to screen roof-mounted HVAC units. Side and exterior elevations would feature a smooth plaster finish in grey ("Software" and "Online"). The roof, reaching 22-feet at the highest point, would be vertical standing seam metal in dark grey ("Slate Grey") (see **Attachment D**, Colors and Materials). Window and door trim would be bright yellow ("Cheerful") and canopies over the windows and doors would be anodized aluminum with a clear finish (see **Attachment E**, Exterior Elevations and **Attachment F**, Exterior Rendering).

#### Landscaping

The landscape plan calls for a variety of native shrubs and trees in planter beds surrounding the front and side of the building (see **Attachment G**, Landscape Plan). A row of European hornbeam trees would be planted on the rear side of the building, to buffer the structure from the shared parking filed. Hoop-style bike racks would be located along the easterly elevation of the building.

#### DISCUSSION

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 design promotes pedestrian and bicycle access by directly engaging the public sidewalk, providing safe bike parking, and situating parking toward the side and rear of the site, consistent with policies CD-3.2 and CD-3.3. The native, drought tolerant species selections for the 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 building's design and architectural concept offers articulated elevations and building depth (DG 3.2.22) and the sloped roofline provides visual interest, character and style (DG 1.2.22 and DG 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 H**, 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 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 proposed design promotes pedestrian and bicycle access by directly engaging the public sidewalk, providing safe bike parking, and situating parking toward the side and 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).

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 sidewalk and vehicle parking located to the side and rear of the site, consistent with 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 such as metal awnings and glazed storefronts create a point of interest at building entrances. The proposed materials are rich and interesting, consistent with DGs 3.2.32 and 3.2.31.

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. 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 both native varieties that are carefully located to ensure visual relief and provide an attractive environment around the new building.

#### **RECOMMENDED CONDITIONS OF APPROVAL**

- The front page of all approved building plans shall note in bold type face that the project shall comply with Architectural Review 18-20 (B4 Office Building). No building permits related to this approval shall receive final approval without prior authorization of Community Development Department Planning staff.
- 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. No building permits shall be issued for the project until the Certificate of Compliance for BLM 18-05 (Gonzales) is recorded.
- 6. 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, Assistant Planner

File: AR 18-20

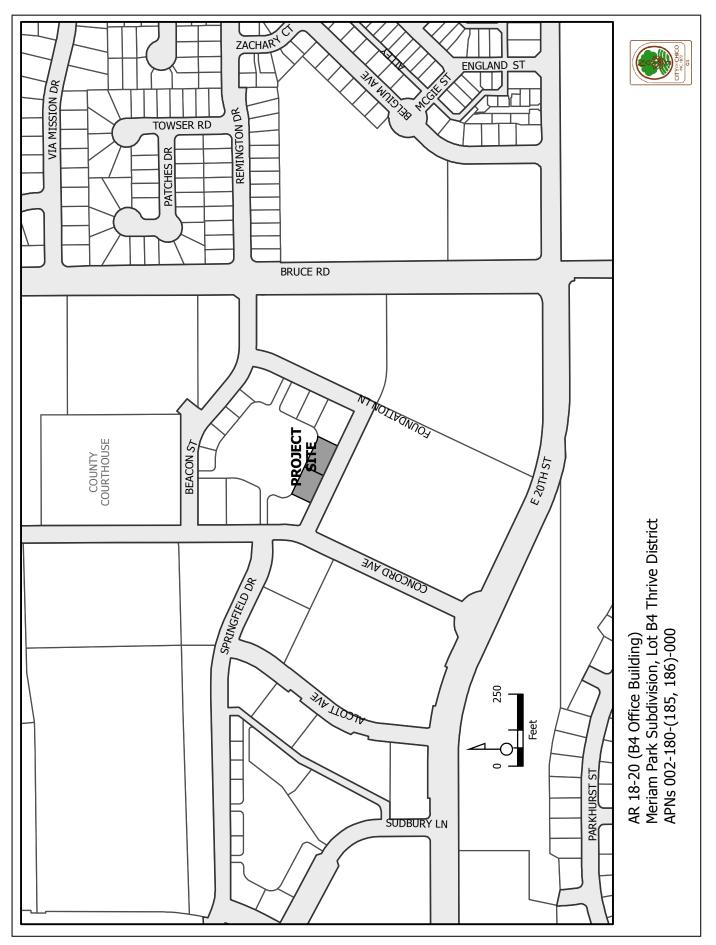
External (2)

RGA, Attn: Kevin Easterling, 115 Meyers Street, suite 110, Chico, CA 95926

Dan Gonzales, PO Box 6744, Chico, CA 95927

#### **ATTACHMENTS**

- A. Location Map
- B. Project Description
- C. Overall Site Plan
- D. Colors and Materials
- E. Exterior Elevations
- F. Exterior Renderings
- G. Landscape Plans
- H. Mitigation Measures







JUL 27 2018

CITY OF CHICO PLANNING SERVICES

July 26, 2018

Plan Reviewer City of Chico Planning Department P.O. Box 3420 Chico, CA 95927

RE:

Office Building Lot B4 in The Thrive 2452 Builders Place Chico, CA 95928 APN 002-180-185

Dear Reviewer.

It is with pleasure that I take this opportunity to provide you the following overview of the new commercial office building constructed at Meriam Park in the Thrive District. The following narrative makes references to the City of Chico Design Guidelines.

#### **Brief History**

This property is currently undeveloped and is in the process of becoming part of a new walkable community development.

#### **Building Program**

The proposed new building will be a single story multiple tenant office building.

#### **Proposed Architectural Elements**

The design and use of building materials and colors were selected to harmonize with the existing neighborhood. Most of which have modern design elements. The first was the courthouse. Then the Foundation Building, North state Foot and Ankle and most recently submitted the Penney Law Offices. All building finishes are following the design lines of a clean, simple, modern look.

#### Applicable City of Chico Design Guidelines Objectives

DG1.1.13-Reinforce a pedestrian-friendly environment regarding building placement and orientation.

115 Meyers Street Suite 110 Chico, California 95928

f 530 342 1882



Consistent with the small shop front prototype from Title 19, building placement provides that all main entrances will be along Builders Place. Rear doors to each suite will be located along the parking lot side of the building.

DG1.1.14 &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.

The drive way to the common parking area occurs at the east side of the retail building. When everything is built out, the common parking will be almost completely hidden from view.

DG1.2.22-Utilize rooflines and exposed (pitched) roofs to add character and style to a building, reinforcing its sense of place.

This building utilizes a shed roof style with the roof element turned vertically to create a soffit at the top of both east and west walls. Pop out elements with parapets help to establish the building's presence along the street.

DG1.2.34-Bicycle parking is located close to main entrances.

Meriam Park provides common area bike parking as part of the master plan. Submittals for common area roadways and the T2 common area have addressed this. Additional parking is provided at the east side of the building to illustrate additional compliance, though it is not required.

DG3.1.35-Screen and buffer trash enclosures, and utility services from public views.

The Common area T2 submittal provides design of trash and utility areas. Please refer to that application dated February 17, 2017 for the appropriate information.

#### DG3.2.21-Design Concept

The composition of this building consists of a single-story mass aligned directly with the adjacent street. Large storefront windows provide a direct connection to the streetscape, and provide light and views between the interior and exterior of the individual suites.

DG3.2.22-Avoid unarticulated elevations and incorporated varied building depth and shadow.

Every elevation offers depth and interest with the use of vertically installed metal wall and roof panels. The addition of metal canopies assist in adding shadowing and depth on the north and west walls. Pop out structures with Parapets assist in breaking up the roof line and concealing HVAC equipment. Finally the use of window box elements in a primary color add energy and highlights to all elevations.

DG3.2.23-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.



The box pop out elements provide additional depth contrast to the recessed main entry doors. These shadows and depth create focus and wayfinding.

DG3.2.25- Avoid continuous flat roofs with monotonous cornices or parapets.

This unique building features shape and roof returns based upon architectural elements established at the B7 and B8 lots in the Thrive. The turned roof is broken up to establish a rhythm of roof and parapets with unique colors that maintain compatibility with the overall color scheme of the Thrive.

DG3.2.28- 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.

Utilities will be painted to match the building color on the west side. Gutters are concealed and downspouts will be used sparingly along the south side only. HVAC equipment is designed to be placed behind the parapets at two locations-completely invisible to street views.

DG3.2.31 & 33- Include variations in the depth of surfaces or changes in surface materials to provide visual interest to walls. Express continuity through all elevations through complementary use of form, materials, color, and detailing.

Using two different metal building colors for the roofs and walls in addition to wall offsets creates the requested articulation. There are repeated materials, colors and features on all elevations.

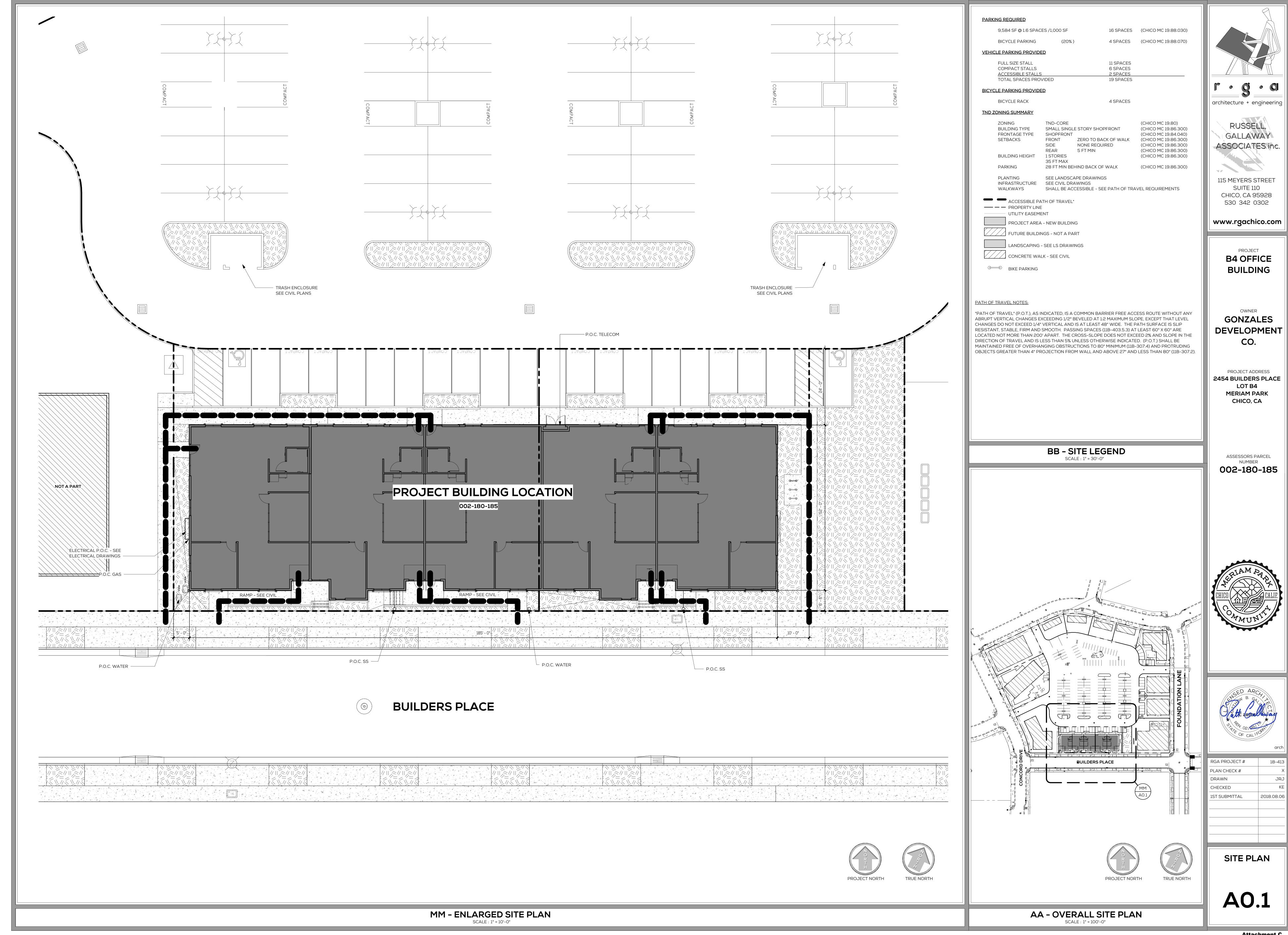
DG3.2.32-Select building colors and accent materials from a rich palette.

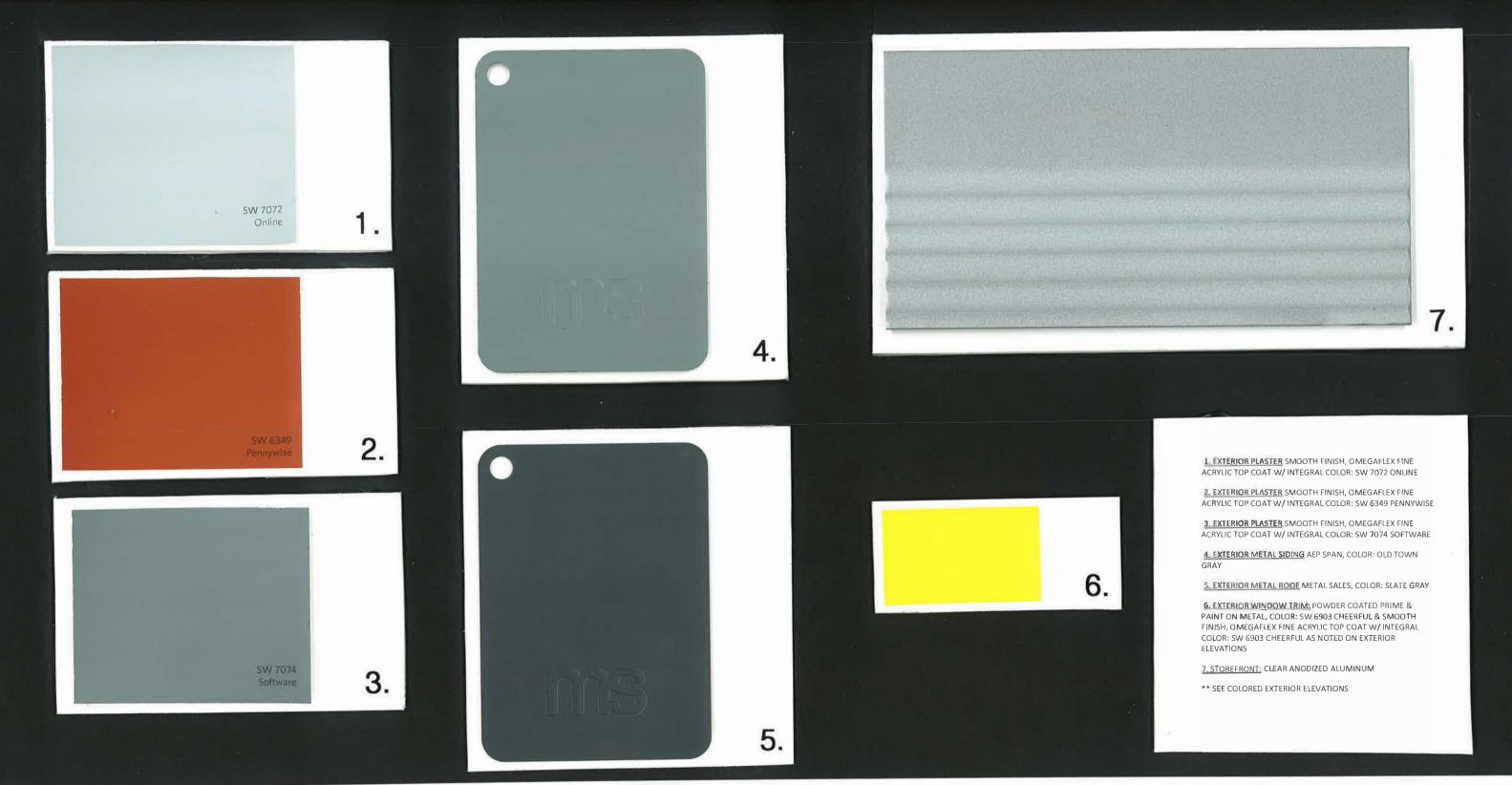
The pallet selected is rich with tones selected primarily from the warm grey-beige ranges. The accent color was selected specifically for this building drawing from a primary color pallet consistent with other buildings in the Thrive.

Sincerely,

Matt Gallaway; AIA, LEED AP

Russell, Gallaway, Associates inc.





# MERIAM PARK BUILDING B4

## ARCHITECTURAL COLOR BOARD

PREPARED FOR:

MERIAM PARK
GONZALES DEVELOPMENT COMPANY
CHICO, CALIFORNIA

PREPARED BY:



ATTACHMENT D





05.01	METAL CANOPY PER EXT. ELEVATIONS			
05.02	METAL CANOPY PER DETAIL SECTION, POWDER COAT FINISH PC-1			
05.03	WINDOW SURROUND TRIM 22 GA. PREFINISHED BRAKE METAL COLOR MTL-2			
05.04	ROOF RAKE, SOFFIT AND PARAPET CAP 22 GA, PREFINISHED BRAKE METAL CÓLOR MTL-J			
07.01	ROOF AND ROOF TURN - 24 GA STANDING SEAM METAL ROOF AS MANUFACTURED BY METAL SALES, 18" MAGNA-LOC PANEL COLOR SHALL BE PVDF W38 SLATEGRAY			
08.01	STOREFRONT WINDOW PER FLOOR PLAN			
08.02	DOOR PER FLOOR PLAN			
09.02	EXTERIOR PLASTER SYSTEM PL-1			
09.03	EXTERIOR PLASTER SYSTEM PL-2			
09.05	WALL PANELS - 24 GA METAL WALL PANELS AS MANUFACTURED BY AEP SPAY 36" REVERSED BOX RIB PANELS, COLOR SHALL BE DURA TECH 5000 COOL OL TOWN GRAY			
9.08	EXTERIOR PLASTER SYSTEM PL-3			
09.07	EXTERIOR PLASTER SYSTEM PL-4			

STOREFRONT, CLEAR ANODIZED ALUMINUM
EXTERIOR HOLLOW METAL DOORS, FACTORY FINISH, COLOR PER ARCHITECT
EXTERIOR GLAZING: COLOR TBD.
EXTERIOR FILETAL SIDING: AEP SPAIN COLOR: COOL OLD TOWN GRAY
EXTERIOR MINIDOW TIME: POWDER COATED PRIME 6 PAINT ON METAL, COLOR
SW 6903 CHEEFFUL
EXTERIOR METAL ROOE, SR2 PROFILE BY METAL SALES COLOR: SLATE GREY
EXTERIOR PLASTER, SMOOTH FINISH, OMEGAFLEX FINE ACRYLIC TOP COAT W/
INTEGRAL COLOR: SW 7074 SOFTWARE
EXTERIOR PLASTER, SMOOTH FINISH, OMEGAFLEX FINE ACRYLIC TOP COAT W/
INTEGRAL COLOR: SW 7072 ONLINE
EXTERIOR PLASTER, SMOOTH FINISH, OMEGAFLEX FINE ACRYLIC TOP COAT W/
INTEGRAL COLOR: SW 6903 CHEERPUL
EXTERIOR PLASTER, SMOOTH FINISH, OMEGAFLEX FINE ACRYLIC TOP COAT W/
INTEGRAL COLOR: SW 6903 CHEERPUL
EXTERIOR PLASTER, SMOOTH FINISH, OMEGAFLEX FINE ACRYLIC TOP COAT W/
INTEGRAL COLOR: SW 6903 CHEERPUL
EXTERIOR PLASTER, SMOOTH FINISH, OMEGAFLEX FINE ACRYLIC TOP COAT W/
INTEGRAL COLOR: SW 6903 CHEERPUL
EXTERIOR CANODIES; POWDERCOAT, CLEAR FINISH

EXTERIOR CANOPIES: POWDERCOAT, CLEAR FIINISH



DRAWING SCALE:





JUL 27 2018

CITY OF CHICO PLANNING SERVICES

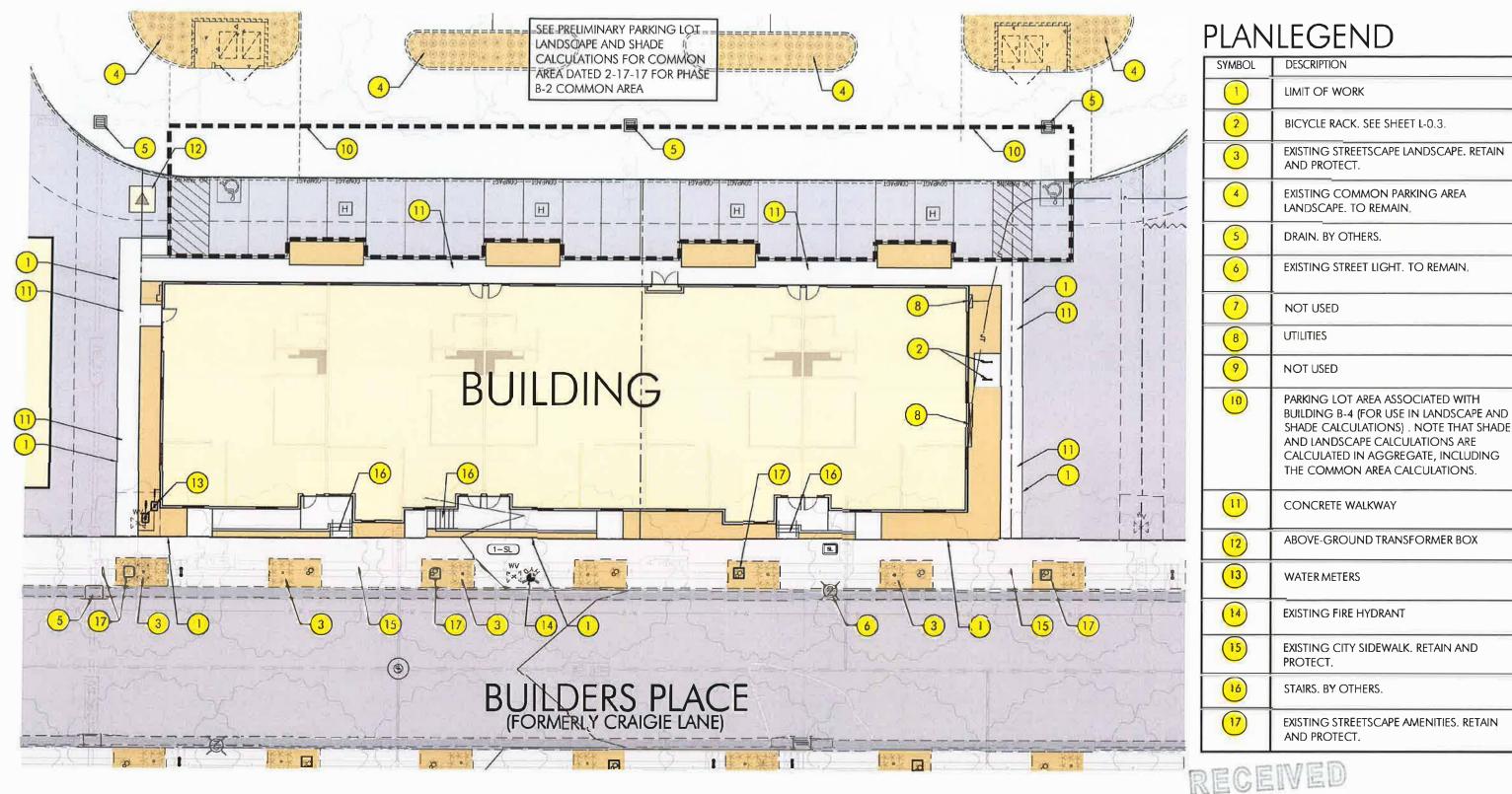


B4 Office Building

ATTACHMENT "C"

Meriam Park

2018.07.25



# **MERIAM PARK BUILDING B4**

UL 27 2018

SHEET L-0.1

NING SERVICES

BFLA PROJECT NUMBER: 2091 JULY 18, 2018

PRELIMINARY LANDSCAPE SITE PLAN

PREPARED FOR:

MERIAM PARK
GONZALES DEVELOPMENT COMPANY
CHICO, CALIFORNIA

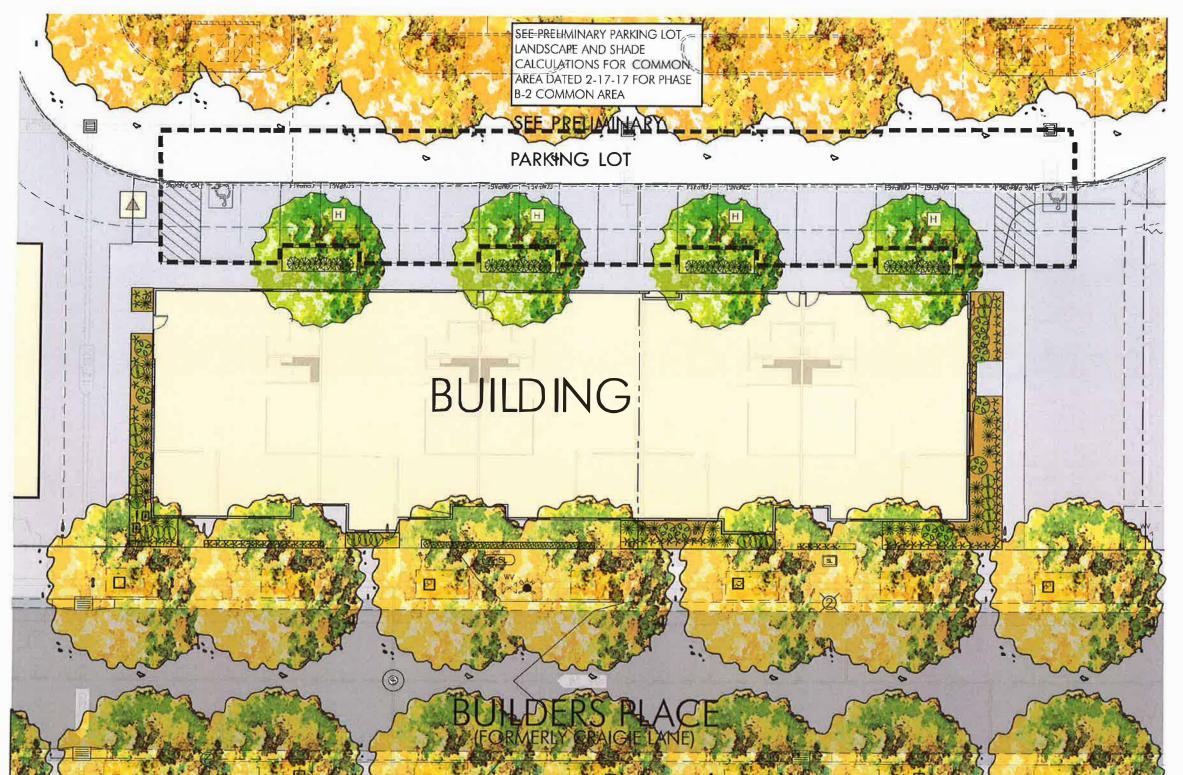












# SYMBOL BOTANICAL NAME/COMMON NAME SIZE QTY TREES CARPINUS BETULA EUROPEAN HORNBEAM

## SHRUB LIST

SYMBOL	BOTANICAL NAME/COMMON NAME	SIZE	QìY
SHRUBS		•	-
P <sub>Q</sub>	LOROPETALUM CHINENSE 'JAZZ HANDS' COMPACT RAZZLEBERRI	5 GAL	12
*	FESTUCA 'SISKIYOU BLUE' SISKIYOU BLUE FESCUE	LINERS	91
	RHAPI IIOLEPIS INDICA 'ENCI IANTRESS' ENCHANTRESS INDIAN HAWTHORN	5 GAL	22
*	AGAPANTHUS AFRICANUS LILY OF THE NILE	1 GAL	24
*	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER' FOERSTER'S FEATHER REED GRASS	1 GAL	29
<b>⊕</b>	ACHILLEA 'MOONBEAM' MOONBEAM YARROW	1 GAL	23

ALL LANDSCAPED AREAS SHALL RECEIVE A 3 INCH LAYER OF 3/8" DIAMETER GRAY ROCK (TO MATCH OTHER PHASES OF QUADRANT) TO ALL SHRUB AND GROUND COVER AREAS. MOISTEN AND TAMP. HOLD FINISH SURFACE  $\frac{1}{2}$ " DOWN FROM ADJACENT HARDSCAPES .

NOTE THAT SHADE AND LANDSCAPE CALCULATIONS ARE CALCULATED IN AGGREGATE, INCLUDING BUILDING B-4 PARKING LOT AND LANDSCAPE AS WELL AS THE COMMON AREA CALCULATIONS.

THIS SITE IS LOCATED IN A REGION KNOWN TO HAVE COMPACTED SOIL. SITE SOILS ARE OF POOR TO AVERAGE QUALITY. SOIL AT LANDSCAPED AREAS SHALL BE DE-COMPACTED AND STANDARD SOIL AMENDMENTS WILL BE APPLIED PER THE RECOMMENDATIONS OF AN ANALYTICAL LABORATORY.

## RECEIVED

SHEET L-0.2

## UL 27 2018

BFLA PROJECT NUMBER: 2091 JULY 18, 2018

CITY OF CHICO PLANNING SERVICES

## PRELIMINARY LANDSCAPE PLANTING PLAN

MERIAM PARK BUILDING B4

PREPARED FOR:

MERIAM PARK
GONZALES DEVELOPMENT COMPANY
CHICO, CALIFORNIA









BRIAN FIRTH LANDSCAPE ARCHITECT, INC.
627 BROADWAY, SUITE 220, CHICO, CALIFORNIA 95928
PHONE: (530) B99-1130

#### 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.
- 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.