



REPORT TO PLANNING COMMISSION

To: Honorable Chairman and Members of the Planning Commission

From: Justin Kirk, Assistant Community Development Director

Prepared by: Damaris Abraham, Senior Planner

Date: November 5, 2019

Subject: **Planning Application No. 2019-03 (RD Construction)** – Proposal to expand an existing construction company by adding a building with 14,282 sq. ft. warehouse and a 3,810 sq. ft. office/mezzanine area.

Applicant: Peter Delatorre, RD Construction

Recommendation

adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADOPTING FINDINGS THAT PLANNING APPLICATION NO. 2019-03 (CONDITIONAL USE PERMIT NO. 2019-02 AND COMMERCIAL DESIGN REVIEW NO. 2019-01) IS CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP); and,

adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 2019-02 TO EXPAND AN EXISTING CONSTRUCTION COMPANY BY ADDING A 14,282 SQUARE FOOT WAREHOUSE AREA AND 3,810 SQUARE FOOT OFFICE AREA LOCATED AT APN: 370-080-019 AND 027; and,

adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING COMMERCIAL DESIGN REVIEW NO. 2019-01 PROVIDING BUILDING DESIGN AND RELATED IMPROVEMENTS FOR THE 14,282 SQUARE FOOT WAREHOUSE AND 3,810 SQUARE FOOT OFFICE ADDITION LOCATED AT APN: 370-080-019 AND 027.

Background

The Project site has received previous approvals (Conditional Use Permit No. 2004-41 and Industrial Design Review No. 2004-04) on July 12, 2005 for the construction of a 10,270 sq. ft. industrial building with a 4,000 sq. ft. office on the mezzanine level and 30 parking spaces. The applicant is proposing to expand this facility with this application.

Project Request and Location

The applicant is requesting approval of Planning Application No. 2019-03 (Conditional Use Permit No. 2019-02 and Commercial Design Review No. 2019-01) to expand an existing construction company by adding a 14,282 sq. ft. warehouse and 3,810 sq. ft. office/mezzanine, and outside

storage area on an approximately 3.23-acre site (Project). The Project site currently has an existing 10,270 sq. ft. warehouse building with a 4,000 sq. ft. office/mezzanine. The Project will provide 49 total parking spaces.

The Project is located within the East Lake Specific Plan (ELSP), northerly of Palomar Street, southerly of Cereal Street, and on the westerly side of Corydon Street, more specifically 32097 Corydon Street (APNs: 370-080-019 and 027).

Environmental Setting

	EXISTING LAND USE	ESLP No. 11	GENERAL PLAN
Project Site	Vacant/Industrial	Action Sports, Tourism, Commercial & Recreation	Specific Plan
North	Industrial	Action Sports, Tourism, Commercial & Recreation	Specific Plan
South	Industrial	Action Sports, Tourism, Commercial & Recreation	Specific Plan
East	Vacant	City of Wildomar	Wildomar
West	Vacant	Action Sports, Tourism, Commercial & Recreation	Specific Plan

Table 1: Environmental Setting

Analysis

The Project is located within Planning Area 3 of the ELSP, No. 11 and has an Action Sports, Tourism, Commercial and Recreation Land Use designation. This designation provides for a wide range of extreme action sports and accessory manufacturing, service and retail uses. The proposed Project is an infill development project that is proposing to expand an existing construction facility, which is supportive and compatible with other intended uses in this designation. The original ELSP and the subsequent amendments were subject to a consistency finding with the General Plan prior to adoption. Therefore, the Project is consistent with the General Plan.

In accordance with Section 2.5.1.b.10 of ELSP, No. 11, the Community Development Director has deemed the proposed construction facility compatible with the intent of the Action Sports, Tourism, Commercial and Recreation Land Use category as requiring a Conditional Use Permit.

Staff has reviewed the proposed Project with respect to the relevant development standards as identified in Table 2-4 of the ELSP, No. 11 and the Lake Elsinore Municipal Code (LEMC) and has detailed the requirements and the proposed development standards as follows:

Development Standard	Required	Proposed
<i>Setbacks:</i>		
Front (Public Right of Way)	15 ft.	89.5 ft.
Parking – Front	Ave. 25 ft. min. 20 ft.	20 ft. min
<i>Landscape improvements:</i>		
Adjacent to Street	Min. 15 ft.; Average 20 ft.	20 ft.
Landscape Coverage	15%	15.7%
Building Height	45 ft.	35 ft.

Table 2: Development Standards

The Project also complies with the onsite parking standards listed in Section 17.148.030.C of the LEMC as outlined in Table 3 below:

Parking Standard	Required	Proposed
1 per 500 SF Unit area, up to 20,000 SF, 1 per 1,000 SF Unit area over 20,000 SF, and 1 per 1,000 SF warehousing floor area	7,810 SF/500 SF = 16 24,552 SF/1,000 SF = 25 Total = 41	 Total = 49

Table 3: Parking Standard

The architectural design of the proposed building complies with the Architectural Guidelines & Development Standards of the ELSP, No. 11 and the Nonresidential Development Standards (Chapter 17.112) of the LEMC. The architecture of the building has been designed to achieve harmony and compatibility with surrounding area. The colors and materials proposed will assist in blending the architecture into the existing landscape and are compatible with other colors and materials used on other properties near the Project site. The proposed landscaping improvements serve to enhance the building designs and soften portions of building elevations, provide shade and break-up expanses of pavement.

The Design Review Committee that includes staff from Planning, Building and Safety, Fire, and Engineering have reviewed the proposed Project, and have conditioned the Project so as to mitigate any potential concerns.

Environmental Determination

The proposed Project is exempt from the California Environmental Quality Act (Cal. Pub. Res. Code §§21000 et seq.: "CEQA") and the CEQA Guidelines (14 C.C.R. §§ 15000 et seq.) pursuant to CEQA Guidelines Section 15332 In-Fill Development Projects:

- a) The Project is located within Planning Area 3 of the ELSP, No. 11 and has an Action Sports, Tourism, Commercial and Recreation Land Use designation. The proposed Project, expansion of an existing construction facility, is a permitted use subject to a Conditional Use Permit. The Project also complies with all applicable development standards of Action Sports, Tourism, Commercial and Recreation Land Use designation. The original ELSP and the subsequent amendments were subject to a consistency finding with the General Plan prior to adoption. Therefore, the Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b) The proposed Project occurs within city limits, is located on a Project site of no more than five acres (approximately on a 3.23-acre site), and is substantially surrounded by urban uses.
- c) The Project site has no value, as habitat for endangered, rare or threatened species. A portion of the Project site (APN: 370-080-027) has been previously disturbed and developed with a 10,270 sq. ft. industrial building with a 4,000 sq. ft. office. A General Biological Assessment and Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) report dated November, 2018 prepared by Hernandez Environmental Services was prepared for the remainder portion (APN: 370-080-019) of the project site. The report found that the site has been completely disturbed with no native vegetation or sensitive habitats. The report recommended that a pre-construction nesting bird survey to be performed if vegetation removal is to occur during the bird-nesting season. Condition of Approval No. 21 has been added to ensure that the project complies with requirement. In addition, the Project site is not located within a Criteria Cell of the MSHCP and was not required to be processed through the Lake Elsinore Acquisition Process (LEAP) and Joint Project Review (JPR) processes. The

Project complies with the MSHCP and is consistent with all applicable requirements of the MSHCP.

- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. A Traffic Scoping Agreement (prepared by Overland Traffic Consultants dated July 17, 2019), found that the proposed project would only generate additional 3 AM daily vehicle trips and additional 3 PM daily vehicle trips. Due to the low trip generation, no traffic impact is anticipated for the proposed Project. A Preliminary Water Quality Management Plan (PWQMP 2019-01) that addresses water quality impacts has been submitted and approved for the proposed Project. The proposed facility is also subject to the noise standards of LEMC Chapter 17.176.

- (e) The site can be adequately served by all required utilities and public services.

Correspondences

On October 29, 2019, staff received an email correspondence from Paul Pribble raising concerns regarding the Project's impacts to water quality (See attached Exhibit H). Staff has reviewed and addressed the issues raised in the email and has provided responses in the attached exhibit I.

Exhibits

- A – MSHCP Resolution
- B – CUP Resolution
- C – CDR Resolution
- D – Conditions of Approval
- E – Vicinity Map
- F – Aerial Map
- G – Design Review Package
- H – Email Correspondence from Paul Pribble dated 10.29.19
- I – Staff Response to the Email Correspondence dated 10.29.19

RESOLUTION NO. 2019-__

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADOPTING FINDINGS THAT PLANNING APPLICATION NO. 2019-03 (CONDITIONAL USE PERMIT NO. 2019-02 AND COMMERCIAL DESIGN REVIEW NO. 2019-01) IS CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP)

Whereas, Peter Delatorre, RD Construction, has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2019-03 (Conditional Use Permit No. 2019-02 and Commercial Design Review No. 2019-01) to expand an existing construction company by adding a 14,282 sq. ft. warehouse and 3,810 sq. ft. office/mezzanine, and outside storage area on an approximately 3.23-acre site (Project). The Project site currently has an existing 10,270 sq. ft. warehouse building with a 4,000 sq. ft. office/mezzanine. The Project will provide 49 total parking spaces. is located within the East Lake Specific Plan (ELSP), northerly of Palomar Street, southerly of Cereal Street, and on the westerly side of Corydon Street, more specifically 32097 Corydon Street (APNs: 370-080-019 and 027); and,

Whereas, Section 6.0 of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) requires that all discretionary projects within a MSHCP Criteria Cell undergo the Lake Elsinore Acquisition Process (LEAP) and Joint Project Review (JPR) to analyze the scope of the proposed development and establish a building envelope that is consistent with the MSHCP criteria; and,

Whereas, Section 6.0 of the MSHCP further requires that the City adopt consistency findings demonstrating that the proposed discretionary entitlement complies with the MSHCP Criteria Cell, and the MSHCP goals and objectives; and,

Whereas, pursuant to Section 17.415.070 (Conditional Use Permits) and Section 17.415.050 (Major Design Review) of the Lake Elsinore Municipal Code (LEMC), the Planning Commission (Commission) has been delegated with the responsibility of reviewing and approving, conditionally approving, or denying conditional use permits and design review applications; and,

Whereas, on November 5, 2019 at a duly noticed Public Hearing the Commission has considered evidence presented by the Community Development Department and other interested parties with respect to this item.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1: The Commission has considered the Project and its consistency with the MSHCP prior to adopting Findings of Consistency with the MSHCP.

Section 2: That in accordance with the MSHCP, the Commission makes the following findings for MSHCP consistency:

1. The Project is a project under the City's MSHCP Resolution, and the City must make an MSHCP Consistency finding before approval.

Pursuant to the City's MSHCP Resolution, the Project is required to be reviewed for MSHCP consistency, including consistency with other "Plan Wide Requirements." A

portion of the Project site (APN: 370-080-027) has been previously disturbed and developed with a 10,270 sq. ft. industrial building with a 4,000 sq. ft. office. A General Biological Assessment and Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) report dated November, 2018 prepared by Hernandez Environmental Services (Biological Report) has been prepared for the remainder portion (APN: 370-080-019) of the project site. The Project site is not located within a MSHCP Criteria Cell. Based upon the Biological Report, there are no issues regarding consistency with the MSHCP's other "Plan Wide Requirements." The only requirement potentially applicable to the Project were the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pool Guidelines (Section 6.1.2 of the MSHCP) and payment of the MSHCP Local Development Mitigation Fee (Section 4 of the MSHCP Ordinance).

2. The Project is subject to the City's LEAP and the Western Riverside County Regional Conservation Authority's (RCA) Joint Project Review processes.

As stated above, the Project is not located within a Criteria Cell and therefore the Project was not processed through the City's LEAP and JPR processes.

3. The Project is consistent with the Riparian/Riverine Areas and Vernal Pools Guidelines.

According to the Biological Report prepared for the project, the project site contains approximately 0.19 acres of man-made channel. The channel was created to divert drainage runoff. The man-made channel is not connected to a natural stream, or does not divert natural flow from any river, stream or lake and is not considered jurisdictional under the California Department of Fish and Wildlife Lake and Streambed Alteration Program. There is no riparian vegetation present. No impacts are expected to riparian/riverine habitat. In addition, the project site is developed and actively maintained to control non-native vegetation establishment. No depressions or areas where water would pool were observed within the project site. No vernal pools or suitable habitat for fairy shrimp occur on the site. As such, the Riparian/Riverine Areas and Vernal Pool Guidelines as set forth in Section 6.1.2 of the MSHCP are not applicable.

4. The Project is consistent with the Protection of Narrow Endemic Plant Species Guidelines.

The Project site is located within the Narrow Endemic Plant Species Survey Area (NEPSSA) for any narrow endemic species. According to the Biological Report, habitat assessments were conducted specifically for California Orcutt grass, Coulter's goldfields. Little mousetails, paniculate tarplant, and smooth tarplant. It was determined that no habitat is present to support any Narrow Endemic Plant Species. The proposed Project is therefore consistent with the Protection of Narrow Endemic Plant Species Guidelines.

5. The Project is consistent with the Additional Survey Needs and Procedures.

The MSHCP only requires additional surveys for certain species if the Project is located in Criteria Area Species Survey Areas, Amphibian Species Survey Areas, Burrowing Owl Survey Areas, and Mammal Species Survey Areas of the MSHCP. The Project site is not located additional survey areas for amphibians, mammals, or any special linkage areas; however, the Project site is located within the burrowing owl survey area. A habitat assessment for burrowing owl determined that there is no suitable habitat present that can support this species. Therefore, the subject project is consistent with the Additional Survey Needs and Procedures of the MSHCP.

6. The Project is consistent with the Urban/Wildlands Interface Guidelines.

The Project site is not within or adjacent to any MSHCP criteria or conservation areas. Therefore, the Urban/Wildlands Interface Guidelines of MSHCP Section 6.1.4 are not applicable.

7. The Project is consistent with the Vegetation Mapping requirements.

There are no resources located on the Project site, requiring mapping as set forth in MSHCP Section 6.3.1.

8. The Project is consistent with the Fuels Management Guidelines.

The Project site is not within or adjacent to any MSHCP criteria or conservation areas. Therefore, the Fuels Management Guidelines of MSHCP Section 6.4 are not applicable.

9. The Project will be conditioned to pay the City's MSHCP Local Development Mitigation Fee.

As a condition of approval, the Project will be required to pay the City's MSHCP Local Development Mitigation Fee at the time of issuance of building permits.

10. The Project is consistent with the MSHCP.

As described above, the Project complies with all applicable MSHCP requirements.

Section 3: Based upon the evidence presented, both written and testimonial, and the above findings, the Commission hereby finds that the Project is consistent with the MSHCP.

Section 4: This Resolution shall take effect immediately upon its adoption.

Passed and Adopted on this 5th day of November, 2019.

Myles Ross, Chairman

Attest:

Justin Kirk,
Assistant Community Development Director

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LAKE ELSINORE)

I, Justin Kirk, Assistant Community Development Director of the City of Lake Elsinore, California, hereby certify that Resolution No. 2019-__ was adopted by the Planning Commission of the City of Lake Elsinore, California, at a regular meeting held on the 5th day of November, 2019 and that the same was adopted by the following vote:

AYES

NOES:

ABSTAIN:

ABSENT:

Justin Kirk,
Assistant Community Development Director

RESOLUTION NO. 2019-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 2019-02 TO EXPAND AN EXISTING CONSTRUCTION COMPANY BY ADDING A 14,282 SQUARE FOOT WAREHOUSE AREA AND 3,810 SQUARE FOOT OFFICE AREA LOCATED AT APN: 370-080-019 AND 027

Whereas, Peter Delatorre, RD Construction, has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2019-03 (Conditional Use Permit No. 2019-02 and Commercial Design Review No. 2019-01) to expand an existing construction company by adding a 14,282 sq. ft. warehouse and 3,810 sq. ft. office/mezzanine, and outside storage area on an approximately 3.23-acre site (Project). The Project site currently has an existing 10,270 sq. ft. warehouse building with a 4,000 sq. ft. office/mezzanine. The Project will provide 49 total parking spaces. is located within the East Lake Specific Plan (ELSP), northerly of Palomar Street, southerly of Cereal Street, and on the westerly side of Corydon Street, more specifically 32097 Corydon Street (APNs: 370-080-019 and 027); and,

Whereas, Section 17.415.070 of the Lake Elsinore Municipal Code (LEMC) provides that certain uses are desirable but may have operational characteristics that disproportionately impact adjoining properties, businesses, or residents. Accordingly, such uses require a more comprehensive review and approval procedure, including the ability to condition the project in order to mitigate significant impact; and,

Whereas, pursuant to Section 17.415.070 (Conditional Use Permits) of the LEMC, the Planning Commission (Commission) has been delegated has been delegated with the responsibility of reviewing and approving, conditionally approving, or denying conditional use permits; and,

Whereas, on November 5, 2019 at a duly noticed Public Hearing the Commission has considered evidence presented by the Community Development Department and other interested parties with respect to this item.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1: The Commission has considered the Project and has found it acceptable.

Section 2: The Commission finds that the proposed Project is exempt from the California Environmental Quality Act (Cal. Pub. Res. Code §§21000 et seq.: "CEQA") and the CEQA Guidelines (14 C.C.R. §§ 15000 et seq.) pursuant to CEQA Guidelines Section 15332 In-Fill Development Projects. The Project is consistent with the applicable General Plan designation and policies, as well as zoning designation and regulations, and is within the City's boundaries on a site less than five acres surrounded by urban uses. The subject property has no value as habitat for endangered, rare or threatened species. Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality and the Project is adequately served by all required utilities and public services.

Section 3. That in accordance with LEMC Section 17.415.070.C. Findings, the Commission makes the following findings regarding Planning Application No. 2019-03 (Conditional Use Permit No. 2019-02):

1. That the proposed use, on its own merits and within the context of its setting, is in accord with the objectives of the General Plan and the purpose of the planning district in which the site is located.

The Project is located within Planning Area 3 of the ELSP, No. 11 and has an Action Sports, Tourism, Commercial and Recreation Land Use designation. This designation provides for a wide range of extreme action sports and accessory manufacturing, service and retail uses. The proposed Project is an infill development project that is proposing to expand an existing construction facility, which is supportive and compatible with other intended uses in this designation. The original ELSP and the subsequent amendments were subject to a consistency finding with the General Plan prior to adoption. Therefore, the Project is consistent with the General Plan. Further, the proposed commercial Project will assist in achieving the development of a well-balanced and functional mix of residential, commercial, industrial, open space, recreational and institutional land uses.

2. The proposed use will not be detrimental to the general health, safety, comfort or general welfare of persons residing or working within the neighborhood of the proposed use or the City, or injurious to property or improvements in the neighborhood or the City.

The proposed use does not propose either directly or indirectly any detrimental effects to the existing surrounding community. The Project has been conditioned as such to avoid any possible negative impacts associated with the proposed Project.

3. The Site for the intended use is adequate in size and shape to accommodate the use, and for all the yards, setbacks, walls or fences, landscaping, buffers and other features required by this title.

The proposed use has been analyzed and staff has determined that the proposed use meets all applicable sections of the LEMC and will complement the existing uses, based on the submitted plans and the conditions of approval imposed on the Project.

4. The Site for the proposed use relates to streets and highways with proper design both as to width and type of pavement to carry the type and quantity of traffic generated by the subject use.

The proposed use is located within an existing built environment, inclusive of streets. The existing streets are of adequate size to facilitate safe and convenient transportation to and from the site.

5. In approving the subject use at the specific location, there will be no adverse effect on abutting properties or the permitted and normal use thereof.

The Conditional Use Permit has been thoroughly reviewed and conditioned by all applicable City departments thereby eliminating the potential for any adverse effects.

6. Adequate conditions and safeguards pursuant to LEMC 17.415.070.B, including guarantees and evidence of compliance with conditions, have been incorporated into the approval of the subject project to ensure development of the property in accordance with the objectives of this chapter and the planning district in which the site is located.

Pursuant to Section 17.415.070.B of the LEMC, the Project was considered by the Planning Commission at a duly noticed Public Hearing on November 5, 2019, appropriate and applicable conditions of approval have been included to protect the public health, safety and general welfare.

Section 4: Based upon the evidence presented, the above findings, and the Conditions of Approval imposed upon the Project, the Commission hereby approves Planning Application No. 2019-03 (Conditional Use Permit No. 2019-02).

Section 5: This Resolution shall take effect immediately upon its adoption.

Passed and Adopted on this 5th day of November, 2019.

Myles Ross, Chairman

Attest:

Justin Kirk,
Assistant Community Development Director

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LAKE ELSINORE)

I, Justin Kirk, Assistant Community Development Director of the City of Lake Elsinore, California, hereby certify that Resolution No. 2019-__ was adopted by the Planning Commission of the City of Lake Elsinore, California, at a regular meeting held on the 5th day of November, 2019 and that the same was adopted by the following vote:

AYES
NOES:
ABSTAIN:
ABSENT:

Justin Kirk,
Assistant Community Development Director

RESOLUTION NO. 2019-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING COMMERCIAL DESIGN REVIEW NO. 2019-01 PROVIDING BUILDING DESIGN AND RELATED IMPROVEMENTS FOR THE 14,282 SQUARE FOOT WAREHOUSE AND 3,810 SQUARE FOOT OFFICE ADDITION LOCATED AT APN: 370-080-019 AND 027

Whereas, Peter Delatorre, RD Construction, has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2019-03 (Conditional Use Permit No. 2019-02 and Commercial Design Review No. 2019-01) to expand an existing construction company by adding a 14,282 sq. ft. warehouse and 3,810 sq. ft. office/mezzanine, and outside storage area on an approximately 3.23-acre site (Project). The Project site currently has an existing 10,270 sq. ft. warehouse building with a 4,000 sq. ft. office/mezzanine. The Project will provide 49 total parking spaces. is located within the East Lake Specific Plan (ELSP), northerly of Palomar Street, southerly of Cereal Street, and on the westerly side of Corydon Street, more specifically 32097 Corydon Street (APNs: 370-080-019 and 027); and,

Whereas, the proposed Project is exempt from the California Environmental Quality Act (Cal. Publ. Res. Code §§21000 et seq.: "CEQA") and CEQA Guidelines (14. Cal. Code Regs §§15000 et seq.), specifically pursuant to Section 15332 (*Class 32 – In-Fill Development Projects*); and,

Whereas, pursuant to Section 17.415.050 (Major Design Review) of the Lake Elsinore Municipal Code (LEMC), the Planning Commission (Commission) has been delegated with the responsibility of reviewing and approving, conditionally approving, or denying design review applications; and,

Whereas, on November 5, 2019 at a duly noticed Public Hearing the Commission has considered evidence presented by the Community Development Department and other interested parties with respect to this item.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1: The Commission has reviewed and analyzed the proposed Project pursuant to the California Planning and Zoning Laws (Cal. Gov. Code §§ 59000 et seq.), the Lake Elsinore General Plan (GP), the East Lake Specific Plan, Amendment No. 11 (ELSP#11), and the LEMC and finds and determines that the proposed Project is consistent with the requirements of California Planning and Zoning Law and with the goals and policies of the GP, ELSP#11, and the LEMC.

Section 2: The Commission finds that the proposed Project is exempt from the California Environmental Quality Act (Cal. Pub. Res. Code §§21000 et seq.: "CEQA") and the CEQA Guidelines (14 C.C.R. §§ 15000 et seq.) pursuant to CEQA Guidelines Section 15332 In-Fill Development Projects. The Project is consistent with the applicable General Plan designation and policies, as well as zoning designation and regulations, and is within the City's boundaries on a site less than five acres surrounded by urban uses. The subject property has no value as habitat for endangered, rare or threatened species. Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality and the Project is adequately served by all required utilities and public services.

Section 3: That in accordance with Section 17.415.050.G of the LEMC, the Commission makes the following findings regarding Planning Application No. 2019-03 (Commercial Design Review No. 2019-01):

1. The Project, as approved, will comply with the goals and objectives of the General Plan and the zoning district in which the project is located.

The Project is located within Planning Area 3 of the ELSP#11 and has an Action Sports, Tourism, Commercial and Recreation Land Use designation. This designation provides for a wide range of extreme action sports and accessory manufacturing, service and retail uses. The proposed Project is an infill development project that is proposing to expand an existing construction facility, which is supportive and compatible with other intended uses in this designation. The original ELSP and the subsequent amendments were subject to a consistency finding with the General Plan prior to adoption. Therefore, the Project is consistent with the General Plan. Further, the proposed commercial Project will assist in achieving the development of a well-balanced and functional mix of residential, commercial, industrial, open space, recreational and institutional land uses.

2. The Project complies with the design directives contained in the LEMC and all applicable provisions of the LEMC.

The Project is appropriate to the site and surrounding developments. The architectural design of the proposed building complies with the Architectural Guidelines & Development Standards of the ELSP#11 and the Nonresidential Development Standards (Chapter 17.112) of the LEMC. The architecture has been designed to achieve harmony and compatibility with the surrounding area. The colors and materials proposed will assist in blending the architecture into the existing landscape and are compatible with other colors and materials used on other properties near the Project site. In addition, safe and efficient circulation has been achieved onsite.

3. Conditions and safeguards pursuant to Section 17.415.050.G.3 of the LEMC, including guarantees and evidence of compliance with conditions, have been incorporated into the approval of the Project to ensure development of the property in accordance with the objectives of Section 17.415.050.

Pursuant to Section 17.415.050.E of the LEMC, the Project was considered by the Planning Commission at a duly noticed Public Hearing held on November 5, 2019. The Project, as reviewed and conditioned by all applicable City divisions, departments and agencies, will not have a significant effect on the environment.

Section 4: Based upon all of the evidence presented, the above findings, and the conditions of approval imposed upon the Project, the Commission hereby approves Planning Application No. 2019-03 (Commercial Design Review No. 2019-01).

Section 5: This Resolution shall take effect immediately upon its adoption.

Passed and Adopted on this 5th day of November, 2019.

Myles Ross, Chairman

Attest:

Justin Kirk,
Assistant Community Development Director

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LAKE ELSINORE)

I, Justin Kirk, Assistant Community Development Director of the City of Lake Elsinore, California, hereby certify that Resolution No. 2019-__ was adopted by the Planning Commission of the City of Lake Elsinore, California, at a regular meeting held on the 5th day of November, 2019 and that the same was adopted by the following vote:

AYES
NOES:
ABSTAIN:
ABSENT:

Justin Kirk,
Assistant Community Development Director

CONDITIONS OF APPROVAL

PROJECT: PA 2019-03/CUP 2019-02/CDR 2019-01
PROJECT NAME: RD Construction
PROJECT LOCATION: APNs: 370-080-019 and 027
APPROVAL DATE:
EFFECTIVE DATE:
EXPIRATION DATE:

GENERAL

1. Planning Application No. 2019-03 (Conditional Use Permit No. 2019-02 and Commercial Design Review No. 2019-01) is proposing to expand an existing construction company by adding a 14,282 sq. ft. warehouse and 3,810 sq. ft. office/mezzanine, and outside storage area on an approximately 3.23-acre site (Project). The Project site currently has an existing 10,270 sq. ft. warehouse building with a 4,000 sq. ft. office/mezzanine. The Project will provide 49 total parking spaces. The Project is located within the East Lake Specific Plan (ELSP), northerly of Palomar Street, southerly of Cereal Street, and on the westerly side of Corydon Street, more specifically 32097 Corydon Street (APNs: 370-080-019 and 027).
2. The applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City, its Officials, Officers, Employees, Agents, and its Consultants (Indemnitees) from any claim, action, or proceeding against the Indemnitees to attack, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning approval, implementation and construction of CUP 2019-02 and CDR 2019-01, which action is bought within the time period provided for in California Government Code Sections 65009 and/or 66499.37, and Public Resources Code Section 21167, including the approval, extension or modification of CUP 2019-02 and CDR 2019-01 or any of the proceedings, acts or determinations taken, done, or made prior to the decision, or to determine the reasonableness, legality or validity of any condition attached thereto. The Applicant's indemnification is intended to include, but not be limited to, damages, fees and/or costs awarded against or incurred by Indemnitees and costs of suit, claim or litigation, including without limitation attorneys' fees, penalties and other costs, liabilities and expenses incurred by Indemnitees in connection with such proceeding. The City will promptly notify the applicant of any such claim, action, or proceeding against the City. If the project is challenged in court, the City and the applicant shall enter into formal defense and indemnity agreement, consistent with this condition.
3. Within 30 days of project approval, the applicant shall sign and complete an "Acknowledgment of Conditions" and shall return the executed original to the Community Development Department for inclusion in the case records.

PLANNING DIVISION

4. Commercial Design Review No. 2019-01 shall lapse and become void two years following the date on which the design review became effective, unless one of the following: (1) prior to the expiration of two years, a building permit related to the design review is issued and construction commenced and diligently pursued toward completion; or (2) prior to the expiration of two years, the applicant has applied for and has been granted an extension of the design review approval pursuant to subsections (1) and (2) of Lake Elsinore Municipal Code (LEMC) Section 17.415.050.I.1. Notwithstanding conditions to the contrary, a design

review granted pursuant to LEMC Section 17.415.050.I.2 shall run with the land for this two-year period, subject to any approved extensions, and shall continue to be valid upon a change of ownership of the site, which was the subject of the design review application.

5. Conditional Use Permit No. 2019-02 shall lapse and become void two years following the date on which the conditional use permit became effective, unless one of the following: (1) prior to the expiration of two years, a building permit related to the conditional use permit is issued and construction commenced and diligently pursued toward completion; or (2) prior to the expiration of two years, the applicant has applied for and has been granted an extension of the conditional use permit approval pursuant to subsections (a), (b), and (c) of Lake Elsinore Municipal Code (LEMC) Section 17.415.070.D.2. Subject to the provisions of LEMC Section 17.415.070.I, a conditional use permit granted pursuant to the provisions of this section shall run with the land and shall continue to be valid upon a change of ownership of the site or structure, which was the subject of the Conditional Use Permit application.
6. An application for modification, expansion or other change in a Conditional Use Permit shall be reviewed according to the provisions of the Section 17.415.070 of the LEMC, in a similar manner as a new application
7. An application for modification, expansion or other change in a Conditional Use Permit shall be reviewed according to the provisions of the Section 17.415.070 of the LEMC, in a similar manner as a new application.
8. If operation of this use triggers concerns related to parking, noise, traffic, or other impacts, at the discretion of the Community Development Director, this Conditional Use Permit may be referred back to the Planning Commission for subsequent review at a Public Hearing. If necessary, the Commission may modify or add conditions of approval to mitigate such impacts, or may revoke said Conditional Use Permit.
9. All Conditions of Approval shall be reproduced on page one of building plans prior to their acceptance by the Building and Safety Division, Community Development Department. All Conditions of Approval shall be met prior to the issuance of a Certificate of Occupancy and release of utilities.
10. All future development proposals shall be reviewed by the City on a project-by-project basis. If determined necessary by the Community Development Director or designee, additional environmental analysis will be required.
11. Any proposed minor revisions to approved plans shall be reviewed and approved by the Community Development Director or designee. Any proposed substantial revisions to the approved plans shall be reviewed according to the provisions of the Municipal Code in a similar manner as a new application. Grading plan revisions shall be reviewed by the City Engineer.
12. The applicant shall provide all project-related on-site and off-site improvements as required by these Conditions of Approval.
13. Provisions of the City's Noise Ordinance (LEMC Chapter 17.176) shall be satisfied during all site preparation and construction activity. Site preparation activity and construction shall not commence before 7:00 AM and shall cease no later than 5:00 PM, Monday through Friday. Only finish work and similar interior construction may be conducted on Saturdays

and may commence no earlier than 8:00 am and shall cease no later than 4:00 p.m. Construction activity shall not take place on Sunday, or any Legal Holidays.

14. No individual signs are approved as part of this approval. The applicant or designee shall submit an application for a sign permit, pay appropriate fees and receive approval from the Community Development Department for any sign(s) installed at the project site. **OR** The applicant shall submit a sign program for review and approval of the Planning Commission prior to installation.
15. Graffiti shall be removed within 24 hours.
16. All materials and colors depicted on the approved plans shall be used. If the applicant wishes to modify any of the approved materials or colors depicted on the plans, the applicant shall submit a proposal setting forth the modifications for review by the Community Development Director or his designee
17. The entire site shall be kept free from trash and debris at all times and in no event shall trash and debris remain for more than 24 hours.
18. The applicant shall comply with all applicable City Codes and Ordinances.

Prior to Issuance of Grading Permits/Building Permits

19. The applicant shall pay all applicable City fees, including but not limited to: Development Impact Fees (DIF), Fire Facilities Fees, and Traffic Infrastructure Fees (TIF) per LEMC Section 16.74, Transportation Uniform Mitigation Fees (TUMF) per LEMC Section 16.83, Area Drainage Fees per LEMC Section 16.72, MSHCP Fee per LEMC Section 16.85, Capital Improvement Impact/Mitigation Fees, Stephens Kangaroo Habitat Fee (K-Rat) per LEMC Section 19.04, and Plan Check fees, at the rate in effect at the time of payment.
20. In order to avoid violation of the federal Migratory Bird Treaty Act (MBTA) and California Fish and Wildlife Code, site-preparation activities (removal of trees and vegetation) shall be avoided to the greatest extent possible during the nesting season (generally February 1 and September 15). If site-preparation activities are to occur during the nesting season, a pre-construction nesting survey shall be conducted within 30 days prior to the commencement of construction (if February 1 and September 15). A qualified biologist shall perform the nesting survey that will consist of a single visit to ascertain whether there are active raptor nests within 500 feet of the project footprint or other protected bird nests within 200 feet of the project footprint. Nests will be searched for in the trees and shrubs. This survey shall identify the species of nesting bird and to the degree feasible, nesting stage (e.g., incubation of eggs, feeding of young, near fledging). Nests shall be mapped (not by using GPS because close encroachment may cause nest abandonment). The follow-up nesting survey shall be conducted for five (5) consecutive days and no more than three (3) days prior to clearing. If an active nest is observed, the nest location shall be fenced off surrounding an adequate radius buffer zone as determined by biological monitor. The buffer zone shall not be disturbed until the nest is inactive. Biological monitoring shall occur during vegetation removal activities.
21. All roof mounted or ground support air conditioning units or other mechanical equipment incidental to development shall be architecturally screened or shielded by landscaping so that they are not visible from neighboring property or public streets. Any roof mounted

- central swamp coolers shall also be screened, and the Community Development Director, prior to issuance of building permit shall approve screening plan.
22. The applicant shall pay School Mitigation Fees to the Lake Elsinore Unified School District prior to issuance of a building permit.
 23. The project shall meet all requirements of the Elsinore Valley Municipal Water District (EVMWD). The applicant shall submit water and sewer plans to the EVMWD and shall incorporate all district conditions and standards.
 24. The property address (in numerals at least six inches high) shall be displayed near the entrance and be easily visible from the front of the subject property and public right-of-way.
 25. The applicant shall construct trash enclosure(s) with a decorative roof to match the colors, materials and design of the project architecture.
 26. A uniform hardscape and street furniture design including seating benches, trash receptacles, free-standing potted plants, bike racks, light bollards, etc., shall be utilized and be compatible with the architectural style. Detailed designs shall be submitted for Planning Division review and approval prior to the issuance of building permits.
 27. Prior to issuance of a building permit, one (1) set of the Final Landscaping / Irrigation Detail Plans along with a digital copy (i.e. PDF format) shall be submitted to the Community Development Department with appropriate fees, for review and approval by the Community Development Director or designee.
 - a. All planting areas shall have permanent and automatic sprinkler system with 50% plant coverage using a drip irrigation method.
 - b. All planting areas shall be separated from paved areas with a six inch (6") high and six inch (6") wide concrete curb. Runoff shall be allowed from paved areas into landscape areas.
 - c. Planting within fifteen feet (15') of ingress/egress points shall be no higher than twenty-four inches (24").
 - d. Landscape planters shall be planted with an appropriate parking lot shade tree pursuant to the LEMC and Landscape Design Guidelines.
 - e. No required tree planting bed shall be less than 5 feet wide.
 - f. Root barriers shall be installed for all trees planted within 10 feet of hardscape areas to include sidewalks.
 - g. Any transformers and mechanical or electrical equipment shall be indicated on landscape plan and screened as part of the landscaping plan.
 - h. The landscape plan shall provide for ground cover, shrubs, and trees and meet all requirements of the City's adopted Landscape Guidelines.
 - i. All landscape improvements shall be bonded 100% for material and labor for two years from installation sign-off by the City. Release of the landscaping bond shall be requested by the applicant at the end of the required two years with approval/acceptance reviewed by the Landscape Consultant and approved by the Community Development Director or Designee.
 - j. All landscaping and irrigation shall be installed within affected portion of any phase at the time a Certificate of Occupancy is requested for any building.
 - k. Final landscape plan must be consistent with approved site plan.
 - l. Final landscape plans to include planting and irrigation details.

- m. Final landscape plans shall include drought tolerant planting consistent with Elsinore Valley Municipal Water District standards subject to plan check and approval by the City's landscape plan check consultant.
 - n. No turf shall be permitted.
28. Landscaping installed for the project shall be continuously maintained to the reasonable satisfaction of the Community Development Director. If it is determined that the landscaping is not being maintained, the Director of Community Development shall have the authority to require the property owner to bring the landscaping into conformance with the approved landscape plan. The continued maintenance of all landscaped areas shall be the responsibility of the developer or any successors in interest.
29. The proposed location of on-site construction trailers shall be approved by the Community Development Director or designee. A cash bond of \$1,000 shall be required for any construction trailers placed on the site and used during construction. Bonds will be released after removal of trailers and restoration of the site to an acceptable state, subject to approval of the Community Development Director or designee. Such trailer(s) shall be fully on private property and outside the public right of way.
30. If any of the conditions of approval set forth herein fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny or further condition issuance of all future building permits, deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted; record a notice of violation on the property title; institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation.

BUILDING DIVISION

General Conditions

31. Final Building and Safety Conditions. Final Building and Safety Conditions will be addressed when building construction plans are submitted to Building and Safety for review. These conditions will be based on occupancy, use, the California Building Code (CBC), and related codes which are enforced at the time of building plan submittal.
32. Compliance with Code. All design components shall comply with applicable provisions of the 2016 edition of the California Building, Plumbing and Mechanical Codes: 2016 California Electrical Code; California Administrative Code, 2016 California Energy Codes, 2016 California Green Building Standards, California Title 24 Disabled Access Regulations, and Lake Elsinore Municipal Code.
33. Green Measures. The application shall provide 10% voluntary green measures on the project, as stipulated by the 2016 California Green Building Standards.
34. Disabled Access. Applicant shall provide details of all applicable disabled access provisions and building setbacks on plans to include:
- a. All ground floor units to be adaptable.
 - b. Disabled access from the public way to the entrance of the building.

- c. Van accessible parking located as close as possible to the main entry.
 - d. Path of accessibility from parking to furthest point of improvement.
 - e. Path of travel from public right-of-way to all public areas on site, such as club house, trash enclosure, tot lots and picnic areas.
35. Street Addressing. Applicant must obtain street addressing for all proposed buildings by requesting street addressing and submitting a site plan for commercial or multi-family residential projects or a recorded final map for single-family residential projects. It takes 10 days to issue address and notify other agencies.
36. Clearance from LEUSD. A receipt or clearance letter from the Lake Elsinore School District shall be submitted to the Building and Safety Department to ensure the payment or exemption from School Mitigation Fees.
37. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
38. Obtaining Separate Approvals and Permits. Trash enclosures, patio covers, light standards, and any block walls will require separate approvals and permits.
39. Sewer and Water Plan Approvals. On-site sewer and water plans will require separate approvals and permits. Septic systems will need to be approved from Riverside County Environmental Health Department before permit issuance.
40. House Electrical Meter. Applicant shall provide a house electrical meter to provide power for the operation of exterior lighting, irrigation pedestals and fire alarm systems for each building on the site. Developments with single user buildings shall clearly show on the plans how the operation of exterior lighting and fire alarm systems when a house meter is not specifically proposed.

At Plan Review Submittal

41. Submitting Plans and Calculations. Applicant must submit to Building and Safety four (4) complete sets of plans and two (2) sets of supporting calculations for review and approval including:
- a. An electrical plan including load calculations and panel schedule, plumbing schematic, and mechanical plan applicable to scope of work.
 - b. A Sound Transmission Control Study in accordance with the provisions of the Section 1207, of the 2016 edition of the California Building Code.
 - c. A precise grading plan to verify accessibility for the persons with disabilities.
 - d. Truss calculations that have been stamped by the engineer of record of the building and the truss manufacturer engineer.

Prior to Issuance of Grading Permit(s)

42. Onsite Water and Sewer Plans. Onsite water and sewer plans, submitted separately from the building plans, shall be submitted to Building and Safety for review and approval.
43. Demolition Permits. A demolition permit shall be obtained if there is an existing structure to be removed as part of the project. Asbestos report and lead base paint reports are required

before demo permit will be issued.

Prior to Issuance of Building Permit(s)

44. Plans Require Stamp of Registered Professional. Applicant shall provide appropriate stamp of a registered professional with original signature on the plans. Provide C.D. of approved plans to the Building Division.

Prior to Beginning of Construction

45. Pre-Construction Meeting. A pre-construction meeting is required with the building inspector prior to the start of the building construction.

ENGINEERING DIVISION

General

46. All slopes and landscaping within public right-of-way shall be maintained by the property owner or property owner's association or another maintenance entity approved by the City Council. All open space and slopes except for public parks and schools and flood control district facilities, outside the public right-of-way shall be owned and maintained by property owner or property owner's association.
47. In accordance with the City's Franchise Agreement for waste disposal & recycling, the developer shall be required to contract with CR&R Inc. for removal and disposal of all waste material, debris, vegetation and other rubbish generated during cleaning, demolition, clear and grubbing or all other phases of construction.
48. Developer shall mitigate to prevent any flooding and/or erosion downstream caused by development of the site and or diversion of drainage.
49. Any grading that affects "waters of the United States", wetlands or jurisdictional streambeds, shall require approval and necessary permits from respective Federal and/or State agencies.
50. The developer shall provide a copy of an encroachment permit or any approval documents from the Riverside County Flood Control District for connecting to, encroaching, grading, or discharging into County flood control facilities.
51. All required hydrology and hydraulic reports shall be prepared by a Registered Civil Engineer. All required soils, geology, and seismic reports shall be prepared by a Registered Geotechnical Engineer.

FEES

52. The developer shall pay all Engineering Division assessed, Development Impact Fees, Plan Check and Permit fees (LEMC 16.34). Applicable Development Impact Fees include: Traffic Infrastructure Fee (TIF), Transportation Uniform Mitigation Fee (TUMF), and Riverside County Flood Control Sedco Area Drainage Fees.
53. Mitigation Fees will be assessed at the prevalent rate at time of payment in full.

FLOOD PLAIN

54. Project lies partially within a FEMA mapped special flood hazard zone and within the Floodplain Management area as defined at LEMC 15.68.
55. Meet all requirements of LEMC 15.68 regarding floodplain management. Finish floor elevation of all buildings shall be a minimum of three feet above the base flood elevation. Any fill (includes pavement, structures, etc.) placed in the 100-year flood plain for the purposes of elevating the building floor out of the flood plain shall require a CLOMR/CLOMR-F and LOMR/LOMR-F to be processed with FEMA.
56. The CLOMR/CLOMR-F shall be approved prior to issuance of ANY PERMIT.
57. Elevation Certificates shall be prepared and submitted to the City upon completion of the foundation and again prior to certificate of occupancy.
58. No improvement shall be made upon all lands below the 1265 ft elevation level in the FEMA mapped Lake Elsinore flood plain southeasterly of the Lake levee and no artificial change in the topography in the surface of said lands shall be made (except terracing and soil conservation measures) without first complying with all applicable local, State and Federal laws, rules and regulations and Section 404 of the Clean Water Act. LEMC 15.68.052
59. Projects proposed in the back basin (elevation below 1260 ft) shall receive a non-jurisdictional confirmation from the U.S. Army Corps of Engineers prior to any commencement of work.
60. Projects in the back basin shall comply with the special conditions to US Army Corps Permit No. 2004-00748-RRS, Permit Modification 5.

STORM WATER MANAGEMENT / POLLUTION PREVENTION / NPDES

Design:

61. The project is responsible for complying with the Santa Ana Region NPDES Permits as warranted based on the nature of development and/or activity. These Permits include:
 - General Permit -Construction
 - General Permit - Industrial
 - Scrap Metal
 - Deminimus Discharges
 - MS4
62. The WQMP shall be designed to provide treatment for both APN 370-080-019 and 370-080-027.
63. The project shall complete and submit for review and approval to the Engineering Division BOTH a preliminary and final WQMP that includes both APN 370-080-019 and 370-080-027. The WQMP shall be designed to reflect the 'highest and best use' exemption for discharges to the Lake.
64. Prior to or concurrent with any submittal for land use (i.e. Final Map, Design Review, Grading

Permit, etc.), the applicant shall have prepared and submitted to the City Engineering Department for review and approval a Preliminary Water Quality Management Plan (PWQMP). The PWQMP shall be prepared and designed in accordance with the requirements in effect at the time of its submittal. Approval of the PWQMP shall be required prior to scheduling the land use application for action by Planning Commission.

65. The final WQMP shall be approved **prior to issuance of any encroachment, grading or building permit.**
66. The applicant shall use the Water Quality Management Plan for the Santa Ana Region of Riverside County guidance document and template for WQMP preparation.
67. WQMP – The Water Quality Management Plan (WQMP) specifically identifying Best Management Practices (BMPs) that will be used onsite to control identified pollutants of concern. The applicant shall utilize the MS4 Permittee Drainage Area Management Plan (DAMP), Model WQMP, and LID Guidance Manual for reference, and the MS4 Permittee's WQMP template for submittal. This WQMP shall include the following:
 - Detailed site and project description
 - Potential stormwater pollutants
 - Post-development drainage characteristics
 - Low Impact Development (LID) BMP selection and analysis
 - Structural and Non-Structural source control BMPs
 - Site design and drainage plan (BMP Exhibit)
 - Vector issues are addressed in the BMP design, operation and maintenance.
 - GIS coordinates for all LID and Treatment Control BMPs
 - HCOC - demonstrate that discharge flow rates, velocities, duration and volume for the post construction condition from a 2 year and 10 year 24 hour rainfall event will not cause significant adverse impacts on downstream erosion and receiving waters, or measures are implemented to mitigate significant adverse impacts to downstream public facilities and water bodies. Design goal to replicate pre-development hydrologic regime.
68. The 2010 SAR MS4 Permit specifies a highest and best use exception for discharges to the Lake. The project qualifies for that exception. The project shall biotreatment all flows prior to discharge from the site.
69. Parking lot landscaping shall be designed to with concave landscape grading and provide for treatment, retention or infiltration of runoff.
70. Project hardscape areas shall be designed and constructed to provide for drainage into adjacent landscape and permeable surfaces in low traffic roads and parking lots.
71. Trash enclosures shall be bermed and covered.
72. Water Quality Facilities that service more than one parcel shall be placed in an easement to provide for maintenance and prevent obstruction.
73. Hydromodification / Hydraulic Conditions of Concern – The project shall identify potential Hydraulic Conditions of Concern (HCOC) and implement measures to limit disturbance of natural water bodies and drainage systems; conserve natural areas; protect slopes,

channels and minimize significant impacts from urban runoff.

74. CEQA – If CEQA identifies resources requiring Clean Water Act Section 401 Permitting, the applicant shall obtain certification through the Santa Ana Regional Water Quality Control Board and provide a copy to the Engineering Division.
75. The project shall use either volume-based and/or flow-based criteria for sizing BMPs in accordance with NPDES Permit Provision XII.D.4.
76. The project shall implement full trash capture.

Construction:

77. A Stormwater Pollution Prevention Plan (SWPPP) is required for this project. A copy of the current SWPPP shall be kept at the project site and be available for review upon request.
78. A copy of the NOI and waste discharge identification number document (WDID) shall be provided to the City prior to issuance of ANY Permit.
79. Erosion & Sediment Control - **Prior to the issuance of any grading or building permit**, the applicant shall submit for review and approval by the City Engineer, an Erosion and Sediment Control Plan as a separate sheet of the grading plan submittal to demonstrate compliance with the City's NPDES Program, California Building Code, and state water quality regulations for grading and construction activities.

Post Construction:

80. Recorded Operation and Maintenance (O&M) Plan that (1) describes the long-term operation and maintenance requirements for BMPs identified in the BMP Exhibit; (2) identifies the entity that will be responsible for long-term operation and maintenance of the referenced BMPs; (3) describes the mechanism for funding the long-term operation and maintenance of the referenced BMPs, and (4) provides for annual certification of water quality facilities by a registered civil engineer and/or the City for a fee if the service is available.
81. All storm drain inlet facilities shall be appropriately marked "Only Rain in the Storm Drain" using the City authorized marker to prevent illegal dumping in the drain system.
82. Prior to the issuance of a certificate of use and/or occupancy, the applicant shall demonstrate compliance with applicable NPDES permits for construction, industrial/commercial, MS4, etc. to include:
 - Demonstrate that all structural Best Management Practices (BMP's) described in the BMP Exhibit from the project's approved WQMP have been implemented, constructed and installed in conformance with approved plans and specifications.
 - Demonstrate that the project has complied with all non-structural BMPs described in the project's WQMP.
 - Provide signed, notarized certification from the engineer of work that the structural BMP's identified in the project's WQMP are installed and operational.
 - Submit a copy of the fully executed, recorded Operations and Maintenance (O&M) Plan for all structural BMPs.

- Provide documentation of annexation into a CFD for funding of facilities to be maintained by the City.
 - Demonstrate that copies of the project's approved WQMP (with recorded O&M Plan attached) are available for each of the initial occupants (commercial/industrial) or Owner's Association as appropriate.
 - Agree to pay for a Special Investigation from the City of Lake Elsinore for a date twelve (12) months after the issuance of a Certificate of Use and/or Occupancy for the project to verify compliance with the approved WQMP and O&M Plan. A signed/sealed certification from the engineer of work dated 12 months after C of O will be considered in lieu of a Special Investigation by the City.
 - Provide a recorded copy of one of the following:
 1. CC&R's (they must include the approved WQMP and O&M Plan) for the project's Owners Association.
 2. A water quality implementation agreement with the approved WQMP and O&M Plan attached; or
 3. The final approved Water Quality Management Plan and Operations and Maintenance Plan.
83. Industrial Facilities - For industrial facilities subject to California's General Permit for Stormwater Discharges Associated with Industrial Activity as defined by Standard Industrial Classification (SIC) Code.
- Prior to grading or building permit close-out and/or the issuance of a certificate of use and occupancy, the applicant shall demonstrate that compliance with the permit has been obtained by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing to the satisfaction of the NPDES Coordinator.
84. Chemical management - Prior to the issuance of building permits for any tank or pipeline, the uses of said tank or pipeline shall be identified and the applicant shall submit a Chemical Management Plan in addition to a WQMP with all appropriate measures for chemical management (including, but not limited to, storage, emergency response, employee training, spill contingencies and disposal).

UTILITIES:

85. All arrangements for relocation of utility company facilities (power poles, vaults, etc.) out of the roadway shall be the responsibility of the property owner or his agent.
86. All overhead utilities shall be undergrounded in accordance with Chapter 12.16 of the Lake Elsinore Municipal Code (LEMC)
87. Underground water rights shall be dedicated to the City pursuant to the provisions of Section 16.52.030 (LEMC), and consistent with the City's agreement with the Elsinore Valley Municipal Water District.
88. The developer shall apply for, obtain and submit to the City Engineering Division a letter from Southern California Edison (SCE) indicating that the construction activity will not interfere with existing SCE facilities (aka SCE NIL).

89. The developer shall submit a copy of the "Will Serve" letter to the City Engineering Division from the applicable water agency stating that water and sewer arrangements have been made for this project and specify the technical data for the water service at the location, such as water pressure and volume etc.

IMPROVEMENTS

Design

90. Sight distance into and out of the project location shall comply with CALTRANS Standards.
91. The developer shall install blue dot markers in the roadway at a right angle to Fire Hydrant locations per Lake Elsinore Standards.
92. The developer shall coordinate with Riverside Transit Authority for location and installation of bus transit facilities.
93. 10 year storm runoff shall be contained within the curb and the 100 year storm runoff shall be contained within the street right-of-way. When either of these criteria are exceeded, drainage facilities shall be provided.
94. All drainage facilities in this project shall be constructed to Riverside County Flood Control District Standards.
95. A drainage study shall be provided. The study shall identify the following: identify storm water runoff from and upstream of the site; show existing and proposed off-site and onsite drainage facilities; and include a capacity analysis verifying the adequacy of the facilities. The drainage system shall be designed to ensure that runoff from a 10-yr storm of 6 hours or 24 hours duration under developed condition is equal or less than the runoff under existing conditions of the same storm frequency. Both 6 hour and 24hour storm duration shall be analyzed to determine the detention basin capacities necessary to accomplish the desired results.
96. All natural drainage traversing the site shall be conveyed through the site, or shall be collected and conveyed by a method approved by the City Engineer. All off-site drainage, if different from historic flow, shall be conveyed to a public facility.
97. Roof drains shall not be allowed to outlet directly through coring in the street curb. Roofs should drain to a landscaped area.
98. The site shall be planned and developed to keep surface water from entering buildings (California Green Building Standards Code 4.106.3).
99. All existing storm drain inlet facilities adjacent to the subject properties shall be retrofitted with a storm drain filter; all new storm drain inlet facilities constructed by this project shall include a storm drain filter.
100. All Public Works requirements shall be complied with as a condition of development as specified in the Lake Elsinore Municipal Code (LEMC) and Lake Elsinore Public Works Standard Plans.

101. The developer shall construct half width street improvements such that the ultimate right-of-way width conforms to General Plan right-of-way cross sections. The cross section of roadway improvements with a raised median (if applicable and if applicable, developer shall pay cash-in-lieu of construction of ½ the raised median), parkway, street lights, and shall be consistent with other development on Corydon Street, as recommended by the City. The road improvements for Corydon Street shall be consistent with the General Plan Circulation Element.
102. Street improvement plans shall be prepared by a Registered Civil Engineer and the plans shall include commercial driveway approach, curb and gutter, sidewalk, ac pavement, street lighting, median, and drainage improvements.
103. The developer shall provide signing and striping plans for the required improvements of this project.
104. If existing improvements are to be modified, the existing improvement plans on file shall be modified accordingly and approved by the City Engineer **prior to issuance of building permit.**

Permitting/Construction

105. An Encroachment Permit shall be obtained prior to any work on City and/or State right-of-way. The developer shall submit the permit application, required fees and executed agreements, security and other required documentation prior to issuance.
106. All compaction reports, grade certifications, monument certifications (with tie notes delineated on 8 ½" x 11" Mylar) shall be submitted to the Engineering Division before final inspection of public works improvements will be scheduled and approved.
107. All streets shall be constructed per Lake Elsinore City Standards and/or applicable specific plan.

Acceptance of Improvements

108. A portion of the required improvements for this development may be covered under the Traffic Impact Fee (TIF) or Area Drainage Fee program. Request for reimbursement or credits shall be approved by the City Engineer and based on allowable costs in the fee program and availability of funds.
109. The developer shall submit a written request for acceptance to the City Engineer.
110. As-built plans shall be completed and signed by the City Engineer.

GRADING

Design:

111. A grading plan signed and stamped by a California Registered Civil Engineer shall be submitted for City review and approval for all addition and/or movement of soil (grading) on the site. The plan shall include separate sheets for erosion control, haul route and traffic control. The grading submittal shall include all supporting documentation and be prepared

using City standard title block, standard drawings and design manual (available at www.lake-elsinore.org).

112. All grading plan contours shall extend to minimum of 50 feet beyond property lines to indicate existing drainage pattern.
113. The grading plan shall show that no structures, landscaping, or equipment are located near the project entrances that could reduce sight distance.
114. Plant and irrigate all manufactured slopes equal to or greater than 3 feet in vertical height with drought tolerant grass or ground cover; slopes 15 feet or greater in vertical height shall also be planted with drought tolerant shrubs or trees in accordance with the requirements of Ordinance 457.
115. If the grading plan identifies alterations in the existing drainage patterns as they exit the site, a Hydrology and Hydraulic Report for review and approval by City Engineer shall be required prior to issuance of grading permits. All grading that modifies the existing flow patterns and/or topography shall be approved by the City Engineer.
116. A seismic study shall be performed on the site to identify any hidden earthquake faults, liquefaction and/or subsidence zones present on-site. A certified letter from a registered geologist or geotechnical engineer shall be submitted confirming the absence of this hazard.
117. The developer shall obtain all necessary off-site easements and/or permits for off-site grading and drainage, via a signed, notarized letter from the receiving property owner, and the applicant shall accept drainage from the adjacent property owners.

Permit/Construction:

118. Developer shall execute and submit grading and erosion control agreement, post grading security and pay permit fees as a condition of grading permit issuance.
119. A preconstruction meeting with the City Public Works Inspector (Engineering Division) is required prior to commencement of ANY grading activity.
120. Developer shall provide the city with a copy of the Notice of Intent (NOI) and Waste Discharge Identification (WDID) letter issued by the Regional Water Quality Control Board for the National Pollutant Discharge Elimination System (NPDES) program
121. Prior to commencement of grading operations, developer is to provide to the City with a map of all proposed haul routes to be used for movement of export material. All such routes shall be subject to the review and approval of the City Engineer. Haul route shall be submitted prior to issuance of a grading permit. Hauling in excess of 5,000 cy shall be approved by City Council. (LEMC 15.72.065)
122. Export sites located within the Lake Elsinore City limits must have an active grading permit.
123. Applicant to provide to the City a video record of the condition of all proposed public City haul roads. In the event of damage to such roads, applicant shall pay full cost of restoring public roads to the baseline condition. A bond may be required to ensure payment of damages to the public right-of-way, subject to the approval of the City Engineer.

124. All grading shall be done under the supervision of a geotechnical engineer. Slopes steeper than 2 to 1 shall be evaluated for stability and proper erosion control and approved by the City.
125. Review of the project Storm Water Pollution Prevention Plan (SWPPP) and sediment and erosion control plan shall be completed. A copy of the current SWPPP shall be kept at the project site and be available for review upon request.
126. Approval of the project Water Quality Management Plan (WQMP) for post construction shall be received prior to issuance of a grading permit.
127. Submit an approved environmental clearance document to the Engineering Division. This approval shall identify and clear all proposed grading activity anticipated for this project.
128. Developer shall pay all grading permit applicable processing, permit, security and development fees including those fees identified in an applicable development agreement, Stephens Kangaroo Rat Habitat.

PRIOR TO ISSUANCE OF BUILDING PERMIT

129. Provide final soils, geology and seismic report, including recommendations for parameters for seismic design of buildings, and walls prior to building permit.
130. Approval of a letter of map revision (LOMR) or letter of map revision based on fill (LOMR-F) must be received from FEMA.
131. A copy of the recorded Parcel Merger, and subsequent perfecting grant deed must be submitted to the City.
132. All required public right-of-way dedications, drainage acceptance letters and easements shall be prepared by the developer or his agent and shall be submitted to the Engineering Division for review and approval prior to issuance of building permit.
133. Prior to issuance of certificates of use and occupancy or building permits for individual tenant improvements or construction permits for a tank or pipeline, uses shall be identified and, for specified uses (where the proposed improvements will store, generate or handle hazardous materials in quantities that will require permitting and inspection once operational), the developer shall propose plans and measures for chemical management (including, but not limited to, storage, emergency response, employee training, spill contingencies and disposal) to the satisfaction of the County/City Building Official(s).
134. All street improvement plans shall be completed and approved by the City Engineer.
135. The developer shall pay all Capital Improvement TIF and Master Drainage Fees and Plan Check fees (LEMC 16.34).

PRIOR TO OCCUPANCY

136. All signing and striping and traffic control devices for the required improvements of this development shall be installed.

137. All public improvements shall be completed in accordance with the approved plans or as condition of this development to the satisfaction of the City Engineer.
138. All water and sewer improvements shall be completed in accordance with Water District requirements.
139. Proof of acceptance of maintenance responsibility of slopes, open spaces, landscape areas, and drainage facilities shall be provided.
140. TUMF fees shall be paid. The TUMF fees shall be the effective rate at the time of payment in full in accordance with the LEMC.
141. As-built plans for all approved plan sets shall be submitted for review and approval by the City. The developer/developer/owner is responsible for revising the original mylar plans. .
142. In the event of damage to City roads from hauling or other construction related activity, applicant shall pay full cost of restoring public roads to the baseline condition.
143. All final studies and reports, grade certifications, monument certifications (with tie notes delineated on 8 ½ x 11" mylar) shall be submitted in .tif format on a CD/DVD. Studies and reports include, Soils, Seismic, Hydrology, Hydraulics, Grading, SWPPP, WQMP, etc.
144. All plan sets and recorded maps shall be digitized and provided on CD/DVD as follows:
 - Final Map(s) - GIS Shape files* and .tif of recorded map.
 - Improvement Plans – GIS Shape files* and .tif of approved as built mylar.
 - Grading Plans - .tif of approved as built mylar.*GIS Shape files must be in projected Coordinate System: NAD 83 State Plane California Zone VI U.S. Fleet.
145. Developer shall provide FEMA elevation certificates for all buildings (includes trailers and storage facilities) prior to final approvals. If a LOMR-F has been processed and approved by FEMA, the letter of determination and certification may be in the form of a letter signed and sealed by a licensed civil engineer.
146. All required public right-of-way dedications, easements, dedications and vacations and easement agreement(s) not processed on the final map for ingress and egress through adjacent property(ies) shall be recorded with a recorded copy provided to the City prior to building permit issuance..
147. The developer shall pay fee in-lieu of construction fee for future median improvements on Corydon Street. The fee shall be equal to current cost estimate for improvements (including contingency) plus an additional 15% of the total construction cost estimate to cover design and administrative costs. The cost estimate shall be approved by City staff.
148. Prior to grading or building permit close-out and/or the issuance of a certificate of use or a certificate of occupancy, developer shall:
 - Demonstrate that all structural BMPs have been constructed, installed and are functioning in conformance with approved plans and specifications and the WQMP;

- Demonstrate that they are prepared to implement all non-structural BMPs included in the conditions of approval or building/grading permit conditions;
 - Demonstrate that an adequate number of copies of the approved project specific WQMP are available for the future owners/occupants; and
 - The developer shall provide all education guidelines for Water Quality Management Practices to the tenants, operators and owners of the businesses of the development, regarding the environmental awareness on good housekeeping practices that contribute to protection of storm water quality and meet the goals of the approved WQMP in the Riverside County NPDES Drainage Area Management Plan. Contact the City NPDES Coordinator for handout/guideline information.
149. Chemical management plans shall be approved by the County/City and other appropriate agencies such as County/City Fire Department, the Health Services Agency's Department of Environmental Health, and sewerage and/or water agencies to ensure implementation of each agency's respective requirements. Approval by the appropriate agencies shall be furnished to the Engineering Division, prior to the issuance of any certificates of use and/or occupancy.
150. Certificates or permits may be ministerially withheld if features needed to properly manage chemicals cannot be incorporated into a previously completed building, center, or complex.
151. The property owner (aka Legally Responsible Party) shall execute and cause to be recorded a "Covenant and Agreement" in the form provided by the City to inform future property owners of the requirement to implement the approved final project-specific WQMP.
152. Developer shall pay all outstanding applicable processing and development fees including but not all inclusive: TUMF, MSHCP, TIF, Stephens Kangaroo Rat Habitat and area drainage prior to occupancy/final approval.

CITY OF LAKE ELSINORE FIRE MARSHAL

The Fire Department recommends the following measures be provided:

153. Gates: Gates must meet Fire Department standards at the time of building permit issuance. Current standards require gates be equipped with a Knox Rapid Entry System and an Infrared Automatic Gate Opening system.
154. Fire hydrants and fire flow: Prior to building permit issuance, the applicant or developer shall install a water system capable of providing the required fire flow in accordance with the California Fire Code and City of Lake Elsinore standards in effect at the time of building permit application. The required fire flow is estimated to be 1,500 GPM at 20 PSI for 2 hours based 18,092 square-foot Type III-B construction, the building having a fire sprinkler system, and current standards. This estimate assumes the proposed building will be separated from the existing building in accordance with applicable building standards.
155. Public/private fire hydrants: current Elsinore Valley Municipal Water District standards require onsite fire hydrants to be publicly supplied and maintained. It is noted that the existing fire hydrant is privately supplied and maintained. Prior to building permit issuance, coordinate with the Fire Department and EVMWD on the proposed hydrant installation.
156. Prior to building permit issuance, install the approved water system, approved access roads,

and contact the Fire Department for a verification inspection.

These comments are preliminary; further review will occur when the applicant submits building plans. Additional conditions may be necessary at that time.

I hereby state that I acknowledge receipt of the approved Conditions of Approval for the above named project and do hereby agree to accept and abide by all Conditions of Approval as approved by the Planning Commission of the City of Lake Elsinore on _____. I also acknowledge that all Conditions shall be met as indicated.

Date: _____

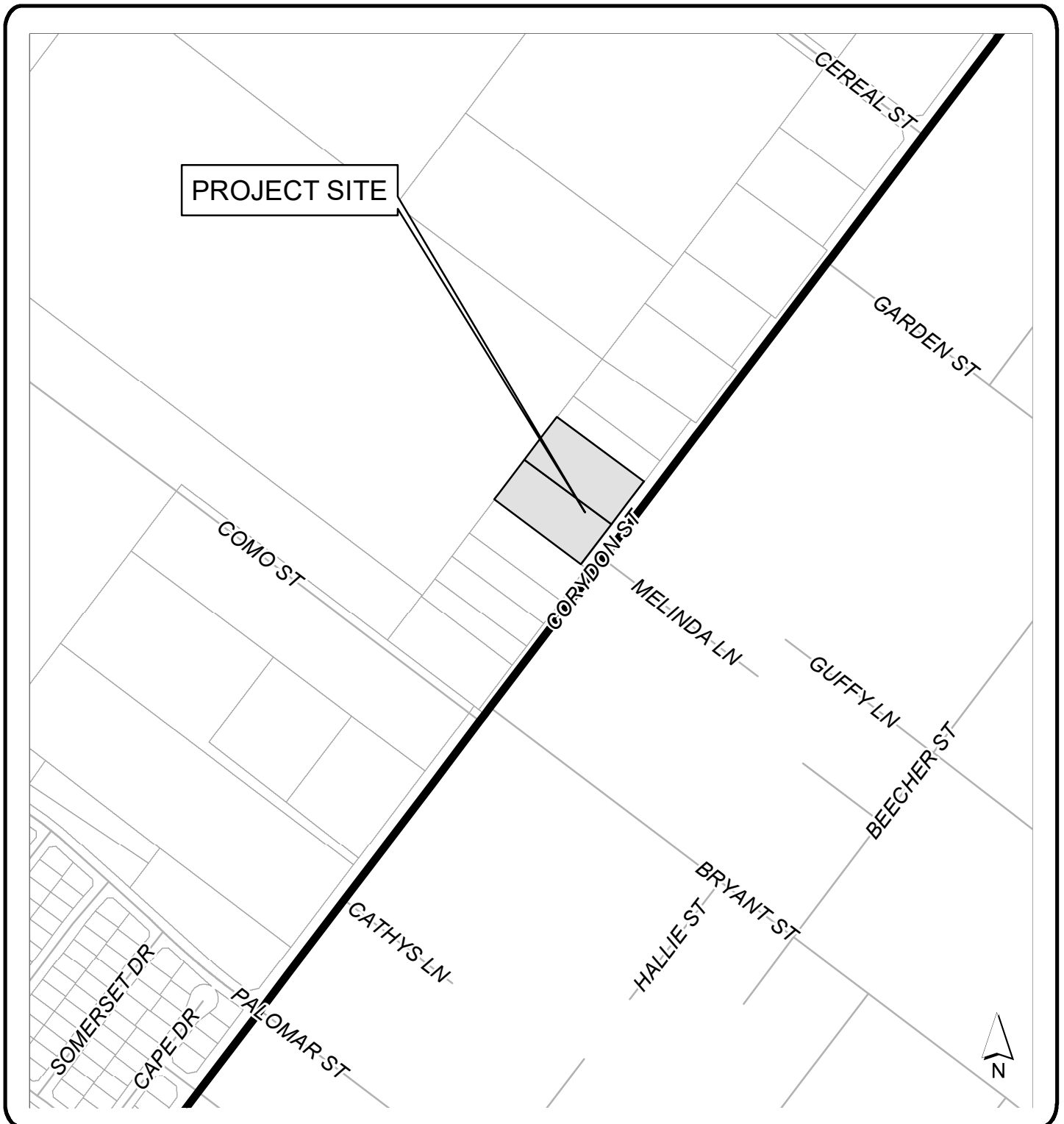
Applicant's Signature: _____

Print Name: _____

Address: _____

Phone Number: _____

Planning Application No. 2019-03
APNs: 370-080-019 and 027
AERIAL MAP



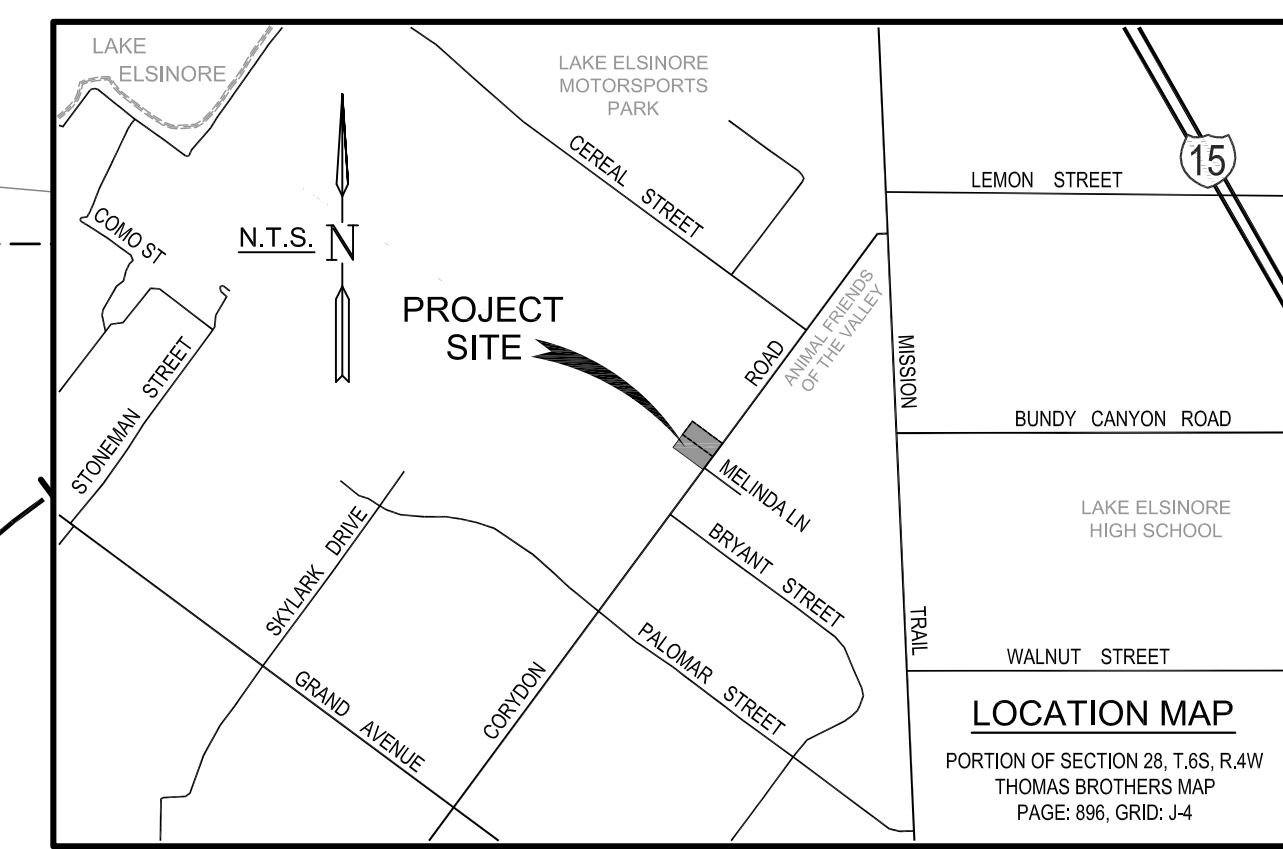
Planning Application No. 2019-03
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AERIAL MAP



PA 2019-03 PRELIMINARY GRADING & DRAINAGE PLAN

RD CONSTRUCTION CORP, CORYDON STREET / PARCEL MAP 6972, PARCELS 3 & 4, P.M. 21/82

BLOCK D ELSINORE M.B. 6/296



AREA & DENSITY CALCULATIONS

ITEMS	PROPOSED	EXISTING
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BMP AREAS:	3,071 S.F. 5%	730 S.F. 1%
DRIVES, PARKING, WALKS*	19,950 S.F. 29%	22,710 S.F. 31%
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LANDSCAPE (LS) AREAS:	5,766 S.F. 8%	7,055 S.F. 10%
TOTAL:	(1.57 ACRES) 68,460 S.F. 100%	(1.66 ACRES) 72,270 S.F. 100%
*IMPERVIOUS AREAS:	(0.80 ACRES) 34,995 S.F. 51%	(0.76 ACRES) 33,045 S.F. 46%

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APPLICANT & PROPERTY OWNER:

PETER DELATORRE
RD CONSTRUCTION CORP
32097 CORYDON ROAD
LAKE ELSINORE, CA 92530
EMAIL: PETER@RDCONSTRUCTIONCORP.COM
PHONE: (951) 245-0777

CITY OF LAKE ELSINORE
PLANNING DEPARTMENT

PA 2019-03 PRELIMINARY GRADING & DRAINAGE
PARCEL MAP 6972, PARCELS 3 & 4, P.M. 21/82
RD CONSTRUCTION CORP, CORYDON STREET

DATE: 31-JULY-2019
CASE NUMBER: PA 2019-03
JOB NUMBER: 2018-023

CONSTRUCTION NOTES

- PERIMETER WALL (BY SEPARATE PLAN AND PERMIT).
- PARKING LOT AND DRIVE AREAS - A.C. PAVEMENT OR CONCRETE PAVEMENT (PAVEMENT THICKNESS & AGGREGATE BASE DEPTH PER SOILS REPORT).
- STREET LANE WIDENING - ASPHALT CONCRETE (A.C.) PAVEMENT (PAVEMENT THICKNESS & AGGREGATE BASE DEPTH PER SOILS REPORT).
- 30" RCP STORM DRAIN PIPE (D-LOAD CLASS: 2000) OR APPROVED EQUIVALENT.
- RIP RAP EROSION PROTECTION (1/4 TON; 21" AVERAGE ROCK SIZE) AT A MINIMUM DEPTH OF 32" (LENGTH & WIDTH PER PLAN) PER CALIFORNIA STORMWATER BMP HANDBOOK STANDARD NO. EC-10.
- BMP AREA PER RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT'S LID BMP DESIGN HANDBOOK, SECTION 3.5
- TYPE 6 CURB AND GUTTER PER CITY OF LAKE ELSINORE STANDARD DRAWING NO. 200.
- TYPE 6A CURB PER CITY OF LAKE ELSINORE STANDARD DRAWING NO. 202.
- ASPHALT CONCRETE (A.C.) CURB PER CITY OF LAKE ELSINORE STANDARD DRAWING NO. 207.
- 8" x 8" x 6" STORM DRAIN JUNCTION BOX (OLDCASTLE MODEL JB-680, JENSEN MODEL 880, OR APPROVED EQUIVALENT) WITH MANHOLE ACCESS.
- CONCRETE SIDEWALKS INCLUDING 1' WIDE PARKING SPACE STEP-OUTS PER CITY OF LAKE ELSINORE STD. DRAWING NO. 210.
- TRASH ENCLOSURE AS REQUIRED BY CITY OF LAKE ELSINORE ORD. 17.112.120.

PRELIMINARY EARTHWORK ESTIMATE:

155 C.Y. EXCAVATION / 7,235 C.Y. FILL
IMPORT REQUIRED = 7,080 C.Y.

SQUARE FOOTAGE TOTALS:

FIRST FLOOR	
S-1 (WAREHOUSE)	10,270 + 14,282 = 24,552 S.F.
B (OFFICE)	0 S.F.
	24,552 S.F.
SECOND FLOOR	
S-1 (WAREHOUSE)	0 S.F.
B (OFFICE)	4,000 + 3,810 = 7,810 S.F.
	7,810 S.F.

PARKING CALCULATIONS

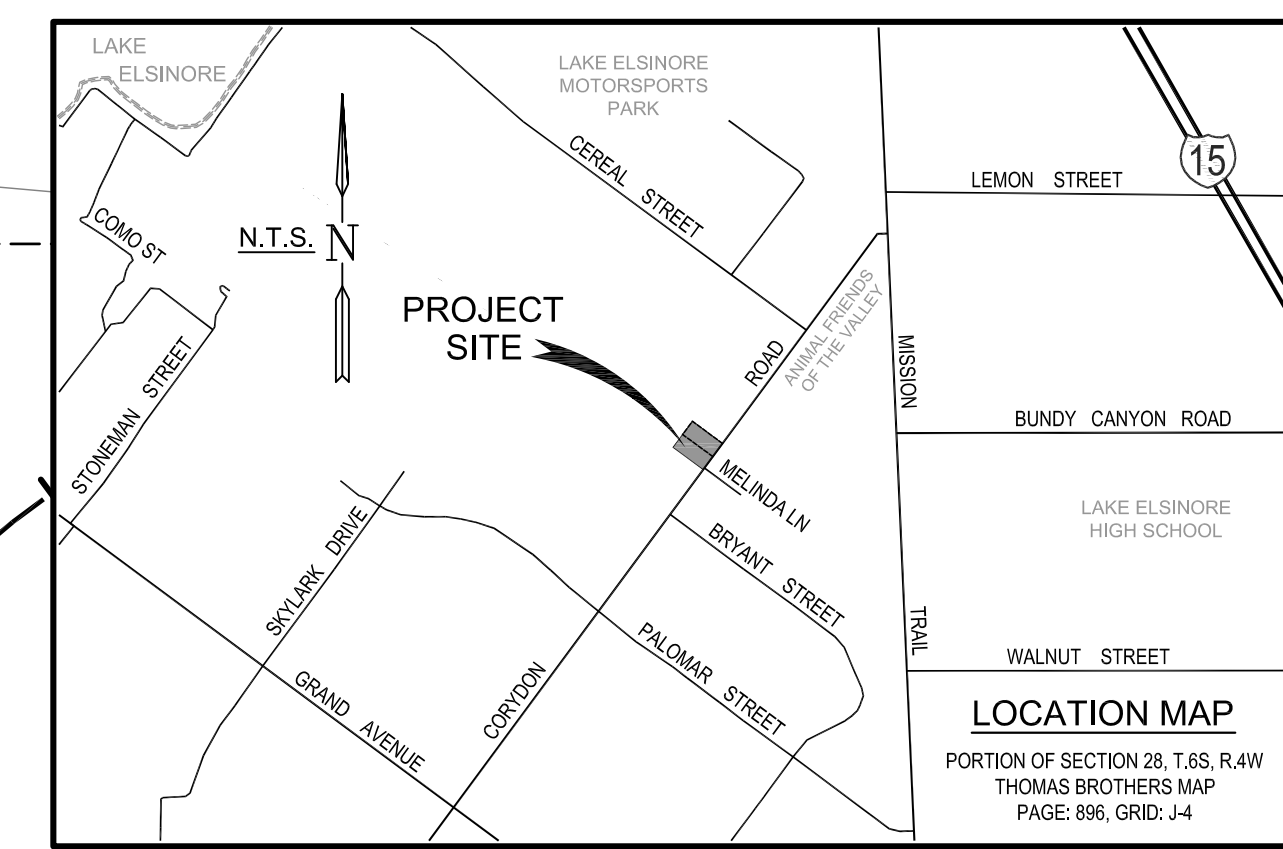
(PER SECTION 17.148.030.C OF LEMC)

OFFICE: 1 SPACE / 500 SF x 7,810 SF =	16
WAREHOUSE: 1 SPACE / 1,000 SF x 24,552 SF =	25
TOTAL SPACES REQUIRED =	41
EXISTING SPACES: 28 REGULAR + 2 ADA =	30
PROPOSED SPACES: 17 REGULAR + 2 ADA =	19
TOTAL SPACES PROVIDED =	49

PA 2019-03 PRELIMINARY GRADING & DRAINAGE PLAN

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BLOCK D ELSINORE M.B. 6/296



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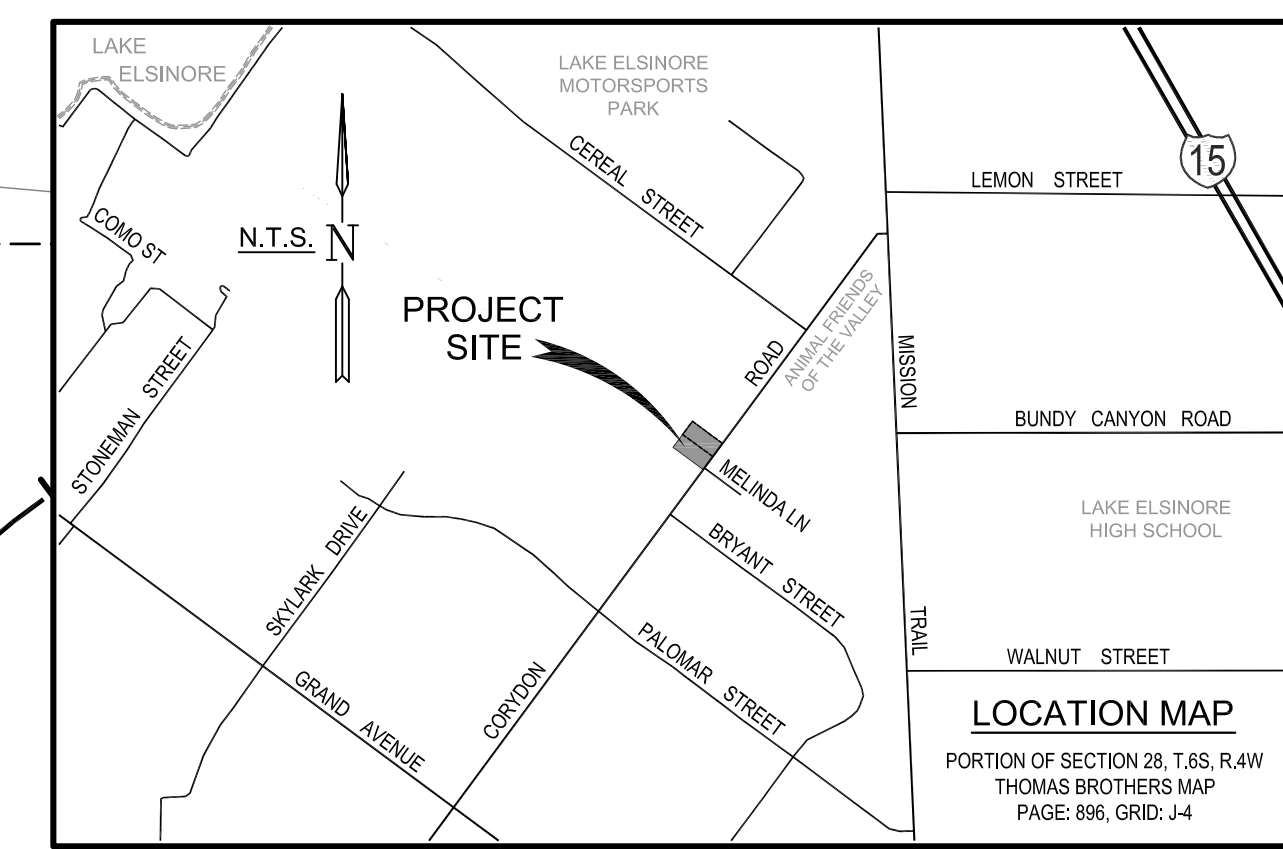
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APPLICANT & PROPERTY OWNER:

PETER DELATORRE
RD CONSTRUCTION CORP
32097 CORYDON ROAD
LAKE ELSINORE, CA 92530
EMAIL: PETER@RDCONSTRUCTIONCORP.COM
PHONE: (951) 245-0777

CITY OF LAKE ELSINORE
PLANNING DEPARTMENT

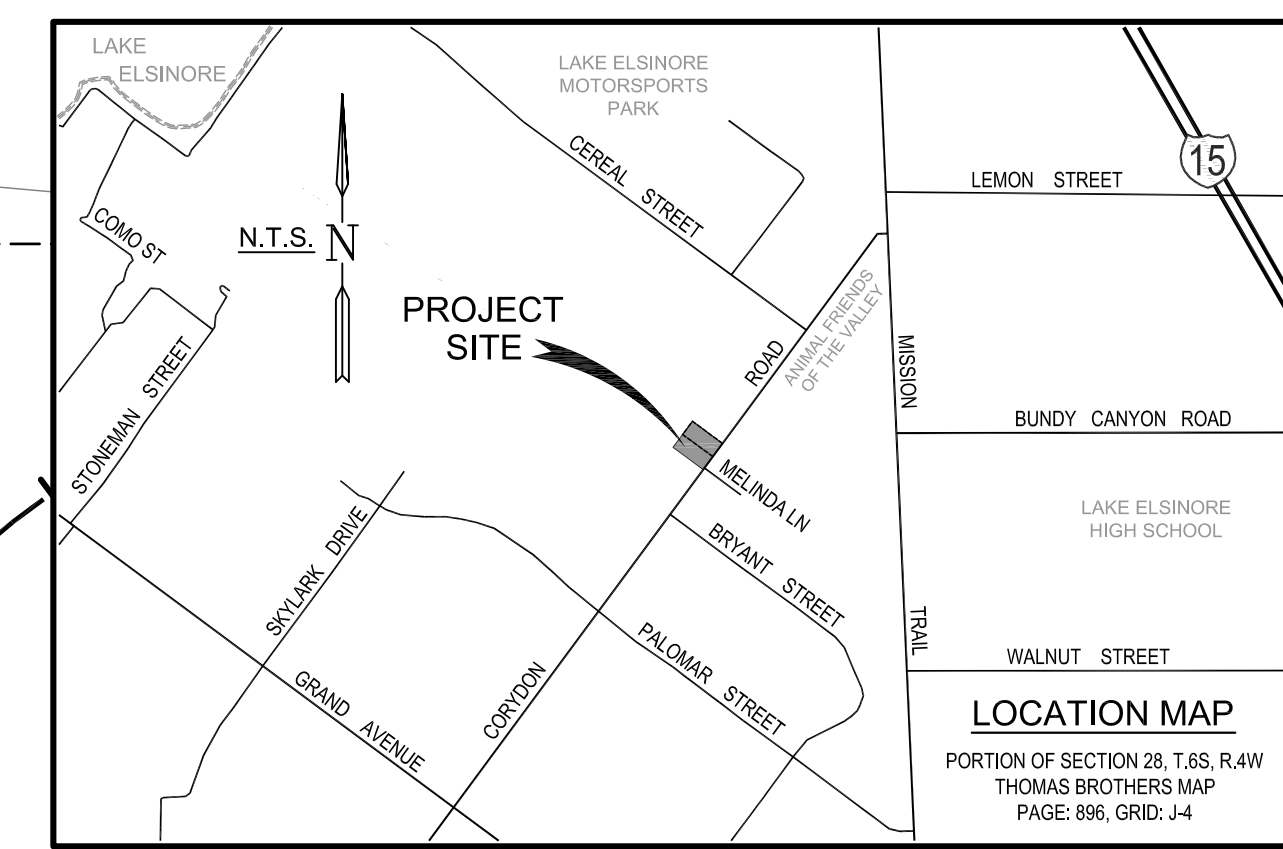
PA 2019-03 PRELIMINARY GRADING & DRAINAGE
PARCEL MAP 6972, PARCELS 3 & 4, P.M. 21/82
RD CONSTRUCTION CORP, CORYDON STREET

DATE: 31-JULY-2019
CASE NUMBER: PA 2019-03
JOB NUMBER: 2018-023

PA 2019-03 PRELIMINARY GRADING & DRAINAGE PLAN

RD CONSTRUCTION CORP, CORYDON STREET / PARCEL MAP 6972, PARCELS 3 & 4, P.M. 21/82

BLOCK D ELSINORE M.B. 6/296



AREA & DENSITY CALCULATIONS

ITEMS	PROPOSED	EXISTING
BUILDINGS*	15,045 S.F. 22%	10,335 S.F. 14%
CHANNEL AREA:	4,870 S.F. 7%	0 S.F. 0%
BMP AREAS:	3,071 S.F. 5%	730 S.F. 1%
DRIVES, PARKING, WALKS*	19,950 S.F. 29%	22,710 S.F. 31%
STORAGE YARDS:	19,758 S.F. 29%	31,440 S.F. 44%
LANDSCAPE (LS) AREAS:	5,766 S.F. 8%	7,055 S.F. 10%
TOTAL:	(1.57 ACRES) 68,460 S.F. 100%	(1.66 ACRES) 72,270 S.F. 100%
*IMPERVIOUS AREAS:	(0.80 ACRES) 34,995 S.F. 51%	(0.76 ACRES) 33,045 S.F. 46%

ABBREVIATIONS LEGEND

FL..... FLOW LINE	MH..... MAN HOLE
LP..... LOW POINT	WV..... WATER VALVE
HP..... HIGH POINT	VLT..... VAULT
TW..... TOP OF WALL	BF..... BACKFLOW CHECK VALVE
GB..... GRADE BREAK	ICV..... IRRIGATION CONTROL VALVE
FS..... FINISHED SURFACE	ICB..... IRRIGATION CONTROL BOX
TC..... TOP CURB	TPB..... TRAFFIC PULL BOX
FF..... FINISHED FLOOR	EDC..... ELECTRIC PULL BOX
PROP..... PROPOSED	FDC..... FIRE DEPARTMENT CONNECTION
SWR..... SEWER	APN..... ASSESSOR'S PARCEL NUMBER
PM..... PARCEL MAP	PVI..... POST INDICATOR VALVE
AC..... ASPHALTIC CONCRETE	WM..... WATER METER
AB..... AGGREGATE BASE	MB..... MAIL BOX
RW..... RIGHT OF WAY	CL..... CENTERLINE
OR..... OFFICIAL RECORDS	BW..... BOTTOM OF WALL
CY..... CURB YARDS	LF..... LINEAR FEET
PMB..... PARCEL MAP BOOK	LS..... LANDSCAPE AREAS
SCE..... SOUTHERN CALIFORNIA EDISON	
INST..... INSTRUMENT	MIN..... MINIMUM
DOC..... DOCUMENT	MAX..... MAXIMUM
FH..... FIRE HYDRANT	FG..... FINISHED GRADE
PL..... PROPERTY LINE	INV..... INVERT
SD..... STORM DRAIN	EX..... EXISTING

SYMBOLS LEGEND

1263	EXISTING MAJOR CONTOURS
1265	EXISTING MAJOR CONTOURS
	CENTERLINE
	BOUNDARY
	CHAIN LINK FENCE
	ELECTRICAL LINE
	2:1 SLOPE (UNLESS OTHERWISE NOTED)
1265	PROPOSED FINISHED GRADE CONTOURS
(TBR)	TO BE REMOVED

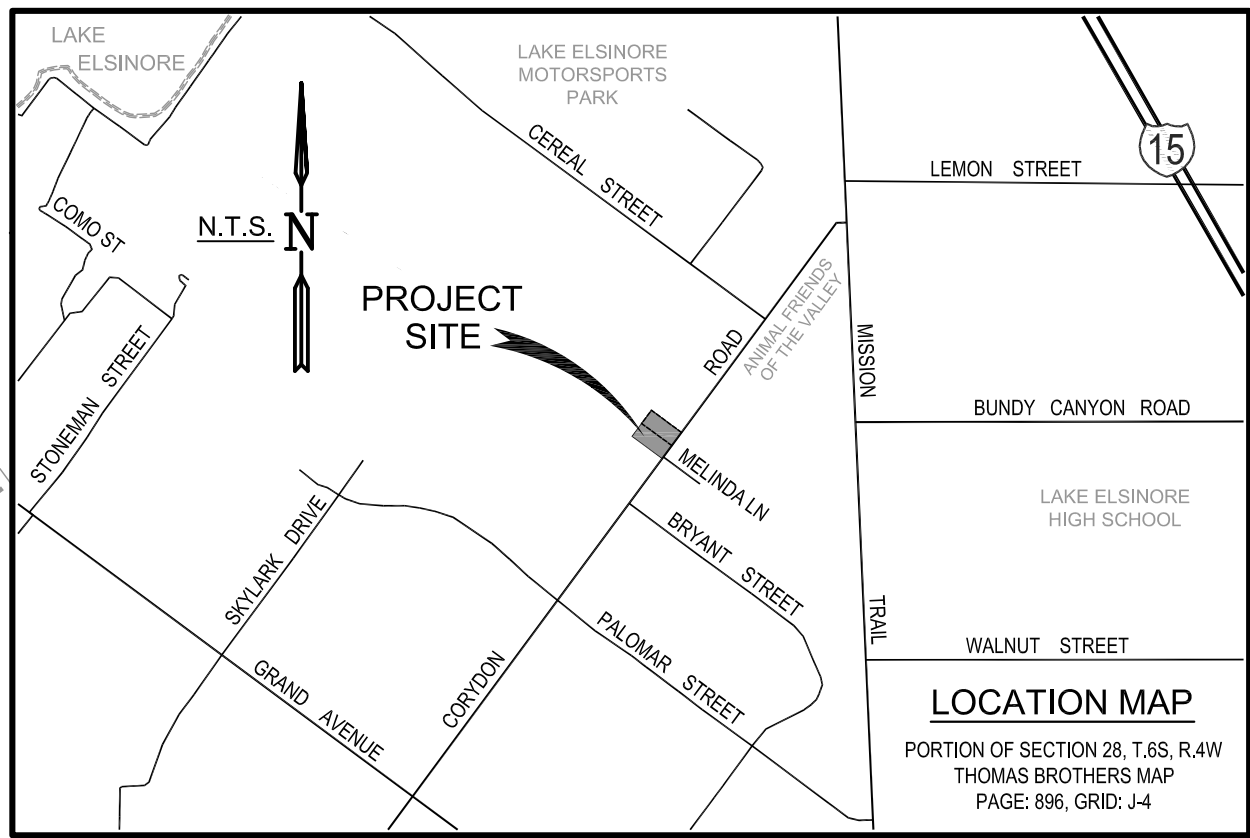
EASEMENT NOTES:

- 8 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, RECORDED MARCH 18, 1976 PER INSTRUMENT NO. 34407 OF OFFICIAL RECORDS, RIVERSIDE COUNTY, CALIFORNIA.
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APPLICANT & PROPERTY OWNER:

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32097 CORYDON ROAD
LAKE ELSINORE, CA 92530
EMAIL: PETER@RDCONSTRUCTIONCORP.COM

DESIGN REVIEW - UTILITIES CONCEPTUAL PLAN
RD CONSTRUCTION CORP, CORYDON STREET / PARCEL MAP 6972, PARCELS 3 & 4, P.M. 21/82



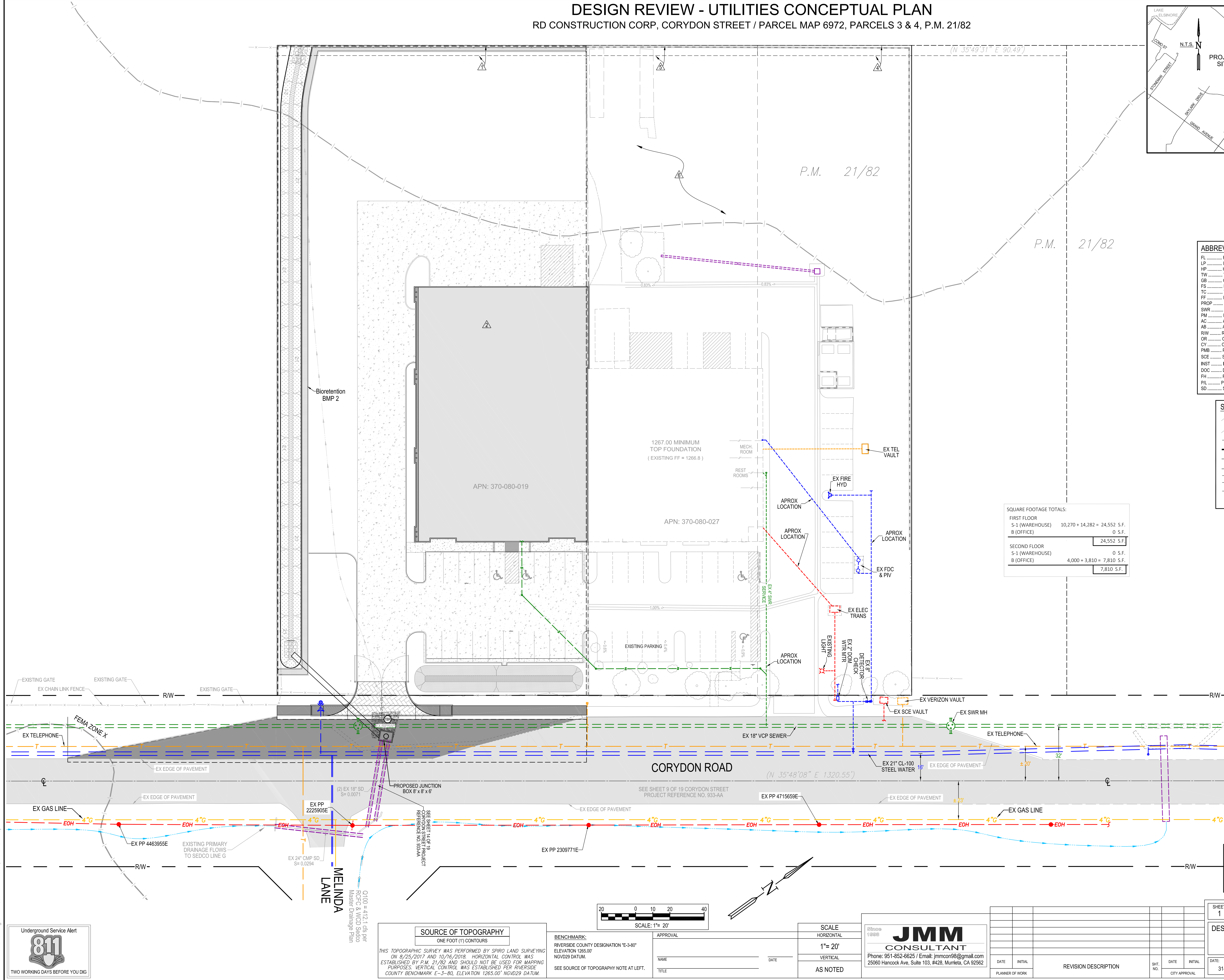
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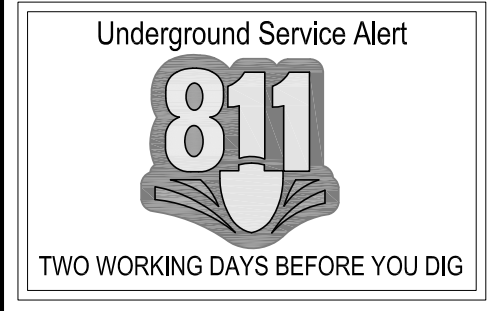
SQUARE FOOTAGE TOTALS:	
FIRST FLOOR	
S-1 (WAREHOUSE)	10,270 + 14,282 = 24,552 S.F.
B (OFFICE)	0 S.F.
	24,552 S.F.
SECOND FLOOR	
S-1 (WAREHOUSE)	0 S.F.
B (OFFICE)	4,000 + 3,810 = 7,810 S.F.
	7,810 S.F.

- EASEMENT NOTES:**
- 8 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, RECORDED MARCH 16, 1976 PER INSTRUMENT NO. 34407 OF OFFICIAL RECORDS, RIVERSIDE COUNTY, CALIFORNIA.
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32097 CORYDON ROAD
LAKE ELSINORE, CA 92530
EMAIL: PETER@RDCONSTRUCTIONCORP.COM
PHONE: (951) 245-0777



DWG: RDCONST.dwg SHEET: LUP DATE: JUL 31, 2019 - 3:44:15pm



SOURCE OF TOPOGRAPHY
ONE FOOT (1') CONTOURS
THIS TOPOGRAPHIC SURVEY WAS PERFORMED BY SPIRO LAND SURVEYING ON 8/25/2017 AND 10/16/2018. HORIZONTAL CONTROL WAS ESTABLISHED BY P.M. 21/82 AND SHOULD NOT BE USED FOR MAPPING PURPOSES. VERTICAL CONTROL WAS ESTABLISHED PER RIVERSIDE COUNTY BENCHMARK E-3-80, ELEVATION 1265.00' NGVD29 DATUM.
SEE SOURCE OF TOPOGRAPHY NOTE AT LEFT.

BENCHMARK:
RIVERSIDE COUNTY DESIGNATION "E-3-80"
ELEVATION 1265.00'
NGVD29 DATUM.
SEE SOURCE OF TOPOGRAPHY NOTE AT LEFT.

APPROVAL
NAME _____ DATE _____
TITLE _____

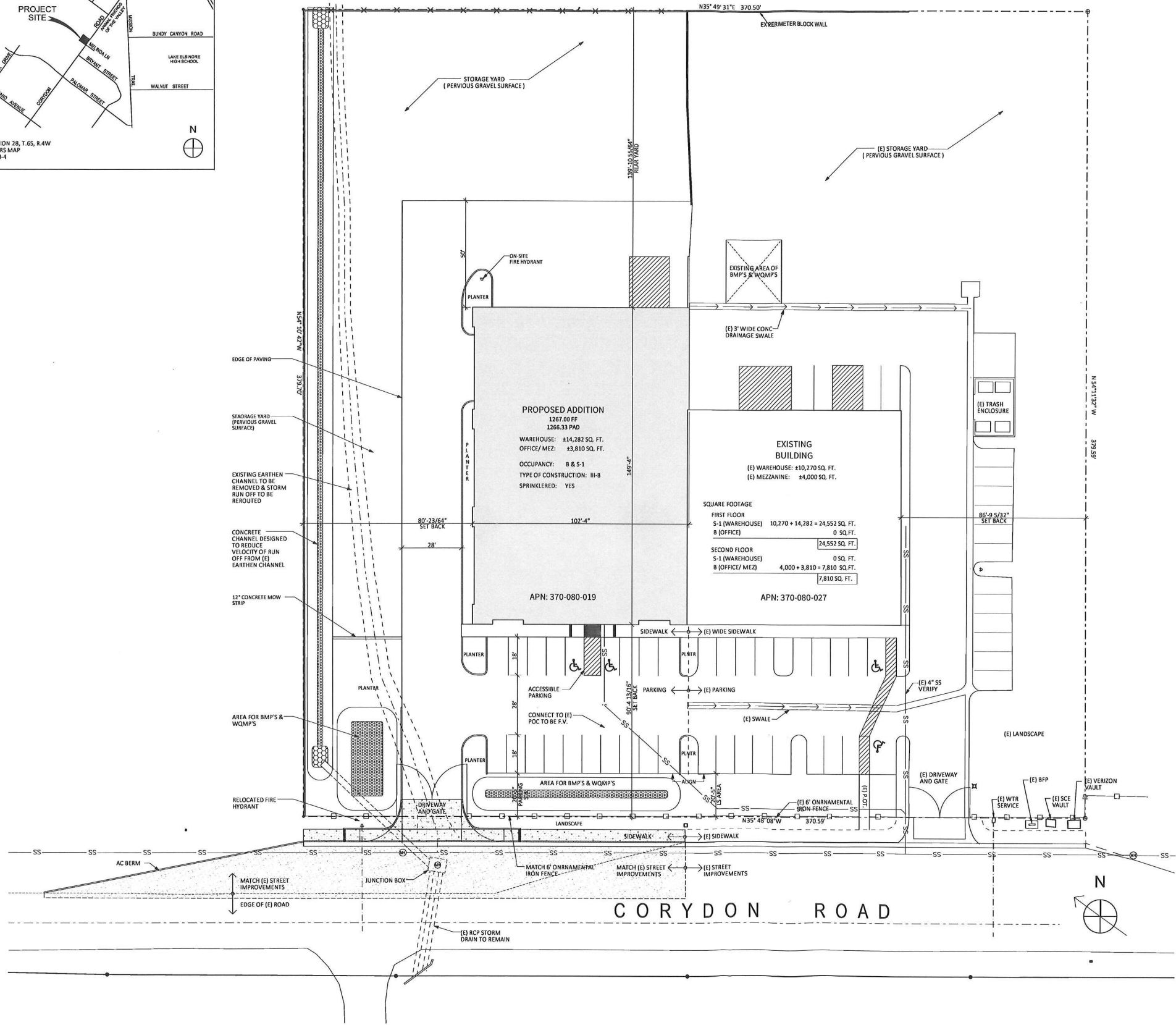
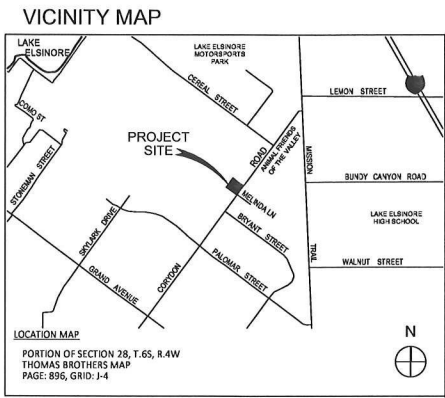
SCALE
HORIZONTAL
1" = 20'
VERTICAL
AS NOTED

JMM CONSULTANT
Phone: 951-852-6625 / Email: jmmcon98@gmail.com
25060 Hancock Ave, Suite 103, #428, Murrieta, CA 92562

DATE	INITIAL	REVISION DESCRIPTION	SHT. NO.	DATE	INITIAL
PLANNER OF WORK					

SHEET 1		CITY OF LAKE ELSINORE PLANNING DEPARTMENT		SHEETS 1	
DESIGN REVIEW - UTILITIES CONCEPTUAL PLAN					
PARCEL MAP 6972, PARCELS 3 & 4, P.M. 21/82					
RD CONSTRUCTION CORP, CORYDON STREET					
DATE: 31-JULY-2019		CASE NUMBER _____		JOB NUMBER 2018-023	

Project Name: RPR: A1 - SITE PLAN | SCHEMATIC DESIGN
FOR ANY PURPOSE WITHOUT THE WRITTEN PERMISSION OF BEING DESIGN STUDIO, INC.



PROJECT DATA

ASSESSORS PARCEL NUMBER	370-080-019 & 370-080-027
LEGAL DESCRIPTION	PARCEL MA- 6972 PARCELS: 3 & 4 P.M.: 21 82
LOT SIZE	3.23 ACRES 140,730 SQ. FT.
GENERAL LAND USE	LAKE ELSINORE SPECIFIC PLAN: PLANNING AREA 2 OF THE EAST LAKE SPECIFIC PLAN, AMENDMENT NO. 11. LAND USE DESIGNATION: ACTION SPORTS, TOURISM AND COMMERCIAL AND RECREATIONAL.

CODE ANALYSIS

OCCUPANCY	B & S-1
CONSTRUCTION TYPE	III-B
SPRINKLERED	REQUIRED
ALLOWABLE AREA PER TABLE 503:	17,500 SQ. FT.
ALLOWABLE STORIES PER TABLE 503:	2
BUILDING AREA MODIFICATION PER CBC SECTION 506 AUTOMATIC SPRINKLER SYSTEM INCREASE PER CBC SECTION 506.3 200% FOR 2 STORIES ABOVE GROUND PLANE: ALLOWABLE AREA W/ INCREASE OCCUPANCY: S-1 200% X 17,500 = 35,000 SQ. FT. PER STORY FIRST FLOOR: 24,552 ≤ 35,000 SQ. FT. SECOND FLOOR: 0 ≤ 35,000 SQ. FT. B 200% X 19,000 = 38,000 SQ. FT. PER STORY FIRST FLOOR: 0 ≤ 38,000 SQ. FT. SECOND FLOOR: 7,810 ≤ 38,000 SQ. FT. ALLOWABLE AREA W/ INCREASE OKAY	
MIXED USE OCCUPANCY SEPARATION REQUIREMENTS PER CBC TABLE 508.4 NOT REQUIRED BETWEEN S-1 & B OCCUPANCIES	
FIRE RESISTANCE RATING REQUIREMENTS FOR BUILDING ELEMENTS (CBC TABLE 601): TYPE III-B PRIMARY STRUCTURAL FRAME # 0 BEARING WALLS #4 2 EXTERIOR 0 INTERIOR 0 NON-BEARING INTERIOR WALLS & PARTITIONS 0 FLOOR CONSTRUCTION 0 ROOF CONSTRUCTION 0	
FIRE RESISTANCE RATING REQUIREMENTS FOR EXTERIOR WALLS BASED ON FIRE SEPARATION DISTANCES (CBC TABLE 602): TYPE III-B X ≤ 5' 2 1 5 ≤ X ≤ 10 1 1 10 ≤ X ≤ 30 1 1 X ≥ 30 0 0	

PARKING

PARKING IN ACCORDANCE WITH SECTION 17.148.030.C OF LEMC
MANUFACTURING DISTRICTS SHALL PROVIDE ONE PARKING SPACE FOR EACH 500 SQUARE FEET OF UNIT AREA FOR UP TO 20,000 SQ. FT., PLUS ONE SPACE EACH 1,000 SQ. FT. OF UNIT AREA OVER 20,000 AND ONE PARKING FOR EVERY 1,000 SQ. FT. OF WAREHOUSING FLOOR AREA.

OFFICE	7,810 / 500 = 16
WAREHOUSE	24,552 / 1000 = 25
TOTAL SPACES REQUIRED	41

ACCESSIBLE STALL REQUIRED PER CBC TABLE 118-208.2
21 TO 50 2 REQUIRED
TOTAL ACCESSIBLE STALLS PROVIDED 2

TOTAL PARKING STALLS FOR THIS PROJECT
STANDARD STALLS 45
ACCESSIBLE STALLS 4
TOTAL 49

49 ≥ 41 - PARKING OKAY

AREA & DENSITY CALCULATIONS

IMPERVIOUS AREA	EXISTING	PROPOSED	TOTAL
BUILDING	10,960 SQ. FT.	15,045 SQ. FT.*	26,005 SQ. FT.
DRIVES, PARKING, WALKS	22,710 SQ. FT.	16,510 SQ. FT.	39,220 SQ. FT.
TOTAL IMPERVIOUS AREA			65,225 SQ. FT.
PERCENTAGE OF LOT COVERAGE → 46.3%			
PERVIOUS AREA	EXISTING	PROPOSED	TOTAL
PLANT GROUNDSCAPE	6,430 SQ. FT.	4,711 SQ. FT.	11,141 SQ. FT.
CHANNEL AREA		4,370 SQ. FT.	4,370 SQ. FT.
BMP AREAS	730 SQ. FT.	5,844 SQ. FT.	6,574 SQ. FT.
STORAGE YARDS	31,440 SQ. FT.	19,568 SQ. FT.	53,420 SQ. FT.
TOTAL PERVIOUS AREA			75,505 SQ. FT.
PERCENTAGE OF LOT COVERAGE → 53.7%			

NOTES
a) FOR PURPOSES OF THE AREA AND DENSITY CALCULATIONS, THE AREA OF THE BUILDING HAS BEEN MEASURED TO THE EXTERIOR SIDE OF THE WALLS AND THEREFORE WILL DIFFER FROM THE BUILDING AREA CALCULATION AS INDICATED IN THE 2016 CBC SECTION 202 (DEFINITIONS FOR "AREA, BUILDING").

LANDSCAPE CALCULATIONS

LANDSCAPED AREAS	EXISTING	PROPOSED	TOTAL
PLANT GROUNDSCAPE	6,430 SQ. FT.	4,711 SQ. FT.	11,141 SQ. FT.
CHANNEL AREA	0 SQ. FT.	4,370 SQ. FT.	4,370 SQ. FT.
BMP AREA	730 SQ. FT.	5,844 SQ. FT.	6,574 SQ. FT.
TOTAL LANDSCAPED AREA INCLUDED IN CALCULATION			22,085 SQ. FT.
15% MINIMUM REQUIRED LANDSCAPED AREA REQUIRED			
LANDSCAPED AREA ≥ 15%	SO:	22,085 SQ. FT. = 15.7% OKAY	
TOTAL PARCEL SIZE		140,730 SQ. FT.	

BEING
DESIGN STUDIO

133 W. PECK STREET
LAKE ELSINORE, CA 92530

Contact: JORGE PEREZ CUETO
Telephone: (951) 285-5477
Email: jorge@beingdesignstudio.com

RD CONSTRUCTION

32097 CORYDON ROAD
LAKE ELSINORE, CALIFORNIA 92530

Client Information:
DATE
SUBMITTAL
NO.

Revision:
1
2
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PROPOSED ADDITION FOR RD CONSTRUCTION
32097 CORYDON ROAD
LAKE ELSINORE, CALIFORNIA 92530

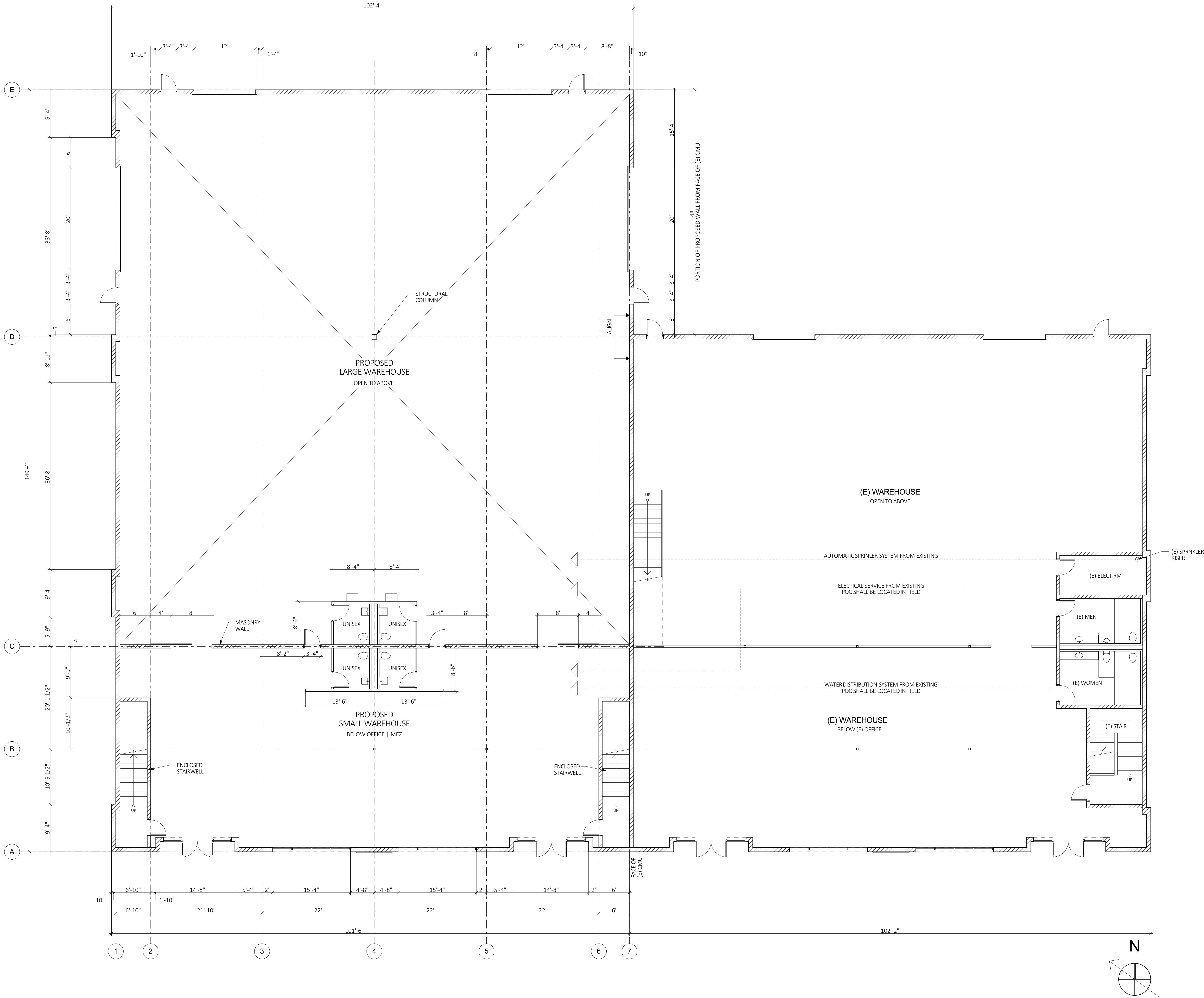
Project Title & Address:
Project No:
#Project Code

SITE PLAN | SCHEMATIC
DESIGN

Drawing Title
Drawing Number:
AI

Drawing: 1 of 8

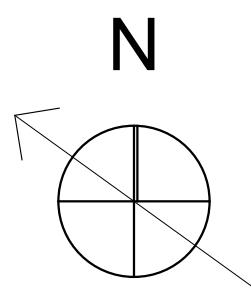
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COPYRIGHT: OWNERSHIP OF THIS DOCUMENT: ALL IDEAS, DESIGNS, ARRANGEMENTS, ENGINEERING AND PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM, OR CORPORATION FOR ANY PURPOSE WITHOUT THE WRITTEN PERMISSION OF BEING DESIGN STUDIO, INC.

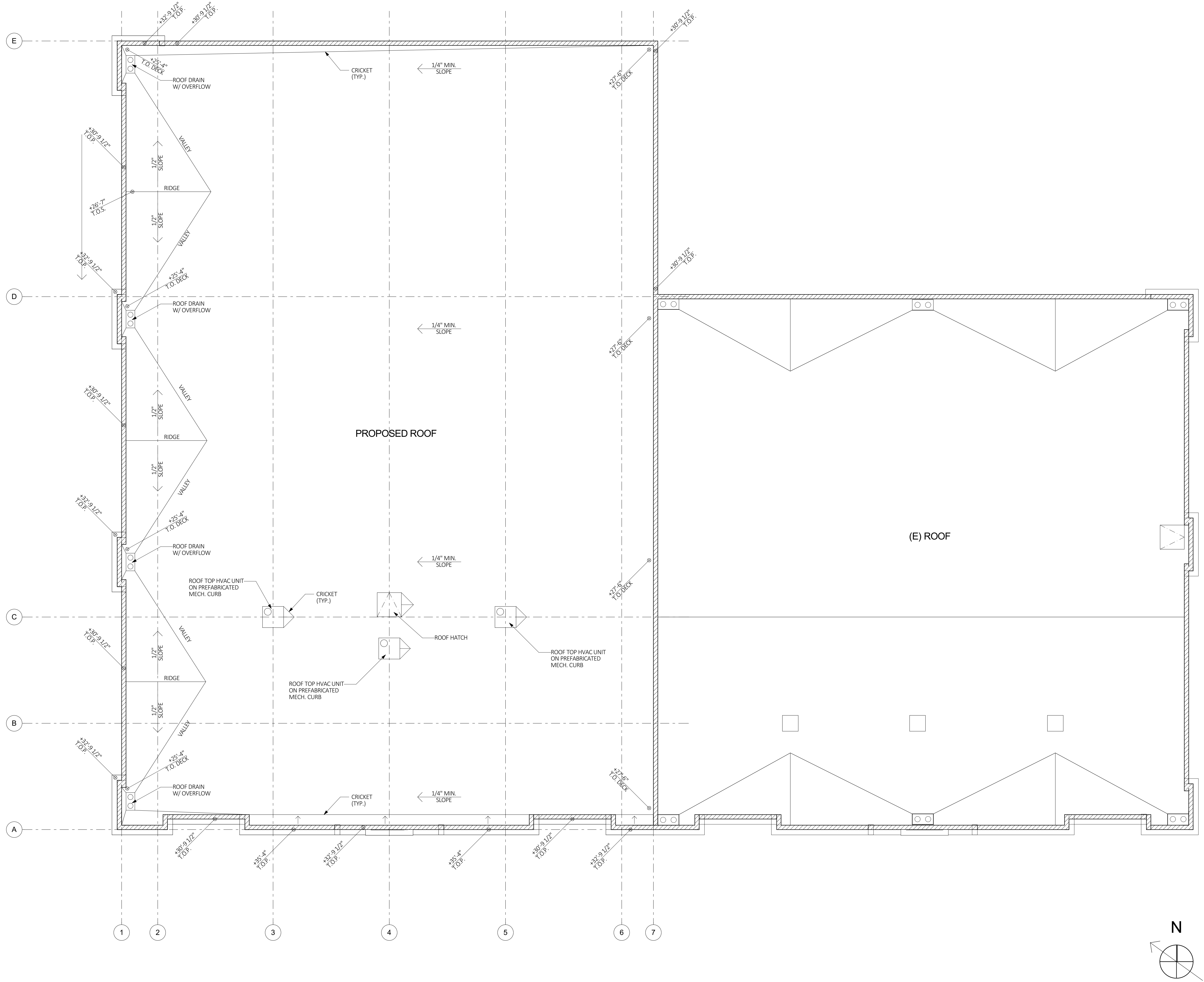


Stamp:

Client Information:		RD CONSTRUCTION	
DATE		32097 CORYDON ROAD LAKE ELSINORE, CALIFORNIA 92530	
SUBMITTAL REVISION		Contact: DAN WOOD	
NOI		Tel: 951 745 6559 Email: dan@rdconstructioncorp.com	
CUPM		CUP MODIFICATION & DRC	
		1/20/18	

Project Title & Address		PROPOSED ADDITION FOR RD CONSTRUCTION	
Project No:		32097 CORYDON ROAD	
#Project Code		LAKE ELSINORE, CALIFORNIA 92530	





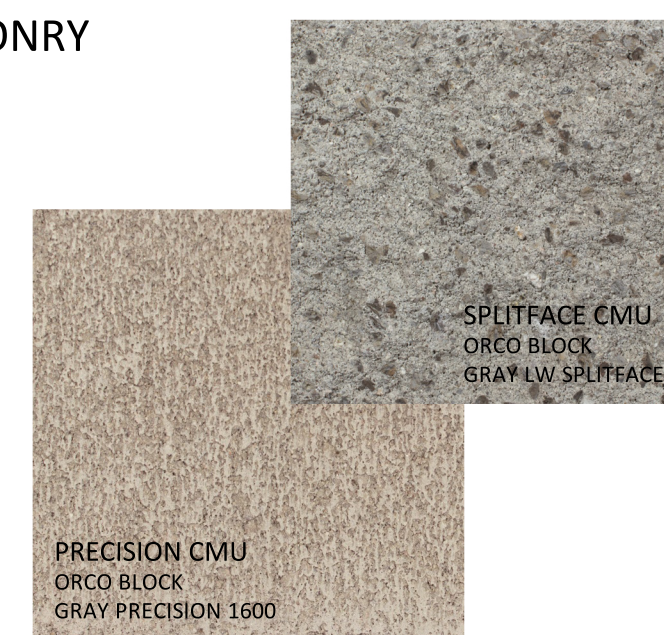




SAMPLE MATERIALS AND COLORS

SAMPLE MATERIALS AND CO.
FOR RD CONSTRUCTION ADDITION | EXPANSION
32081 CORYDAN ROAD | LAKE ELSINORE, CALIFORNIA
(NOTE: ALL MATERIALS, COLORS AND FINISHES SHALL
MATCH THE EXISTING PORTION OF THE BUILDING.)

MASONRY


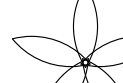



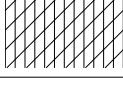
STOREFRONT GLAZING



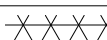



DATE: 11.18.2018

BEING DESIGN STUDIO, INC.,
133 W. PECK STREET
LAKE ELSINORE, CA. 92530
TEL: 951.265.5477

SYMBOL	TREE NAME	QTY	WUCOLS
	CERCIS OCCIDENTALIS WESTERN REDBUD 36" BOX SIZE MINIMUM ROOT AREA : 3' - 0" HIGH BRANCHING DOUBLE STAKE. PLANT WITH DEEP ROOT BARRIER PANEL	2	LOW
	PHOENIX DACTYLIFERA MEDJOOUL TRUE DATE PALM 18 FT. BTH. PLANT WITH DEEP ROOT BARRIER PANELS. NOTE: CONTACTOR SHALL PLANT PER GROWER'S SPEC.	4	LOW
	RHUS LANCEA AFRICAN SUMAC 24" BOX HIGH BRANCHING DOUBLE STAKE. PLANT WITH DEEP ROOT BARRIER PANEL	5	LOW

SYMBOL	SHRUB & GROUND COVER NAME	QTY	WUCOLS
●	ALOË STRIATA CORAL ALOË SIZE: 1 GAL SPACING: 24" O.C.	28	LOW
⊕	HELIOTRICHON SEMPERVIRENS BLUE OAT GRASS SIZE: 5 GAL SPACING: 36" O.C.	24	LOW
⊙	PEROVSKIA ATRIPLICIFOLIA RUSSIAN SAGE SIZE: 5 GAL SPACING: 48" O.C.	72	LOW
③	SALVIA LEUCANTHA MEXICAN SAGE SIZE: 5 GAL SPACING: 36" O.C.	29	LOW
Ⓐ	SALVIA LEMONI LEMON'S SAGE SIZE: 5 GAL SPACING: 42" OC	112	LOW
☼	YUCCA FILAMENTOSA ADAM'S NEEDLE SIZE: 5 GAL SPACING: 42" OC	87	LOW
	SENECIO SERPENS BLUE CHALK STICKS SIZE: 1 GAL SPACING: 12" OC	1,177 SQ. FT.	LOW

SYMBOL	BMP BIO-SWALE AREA	QTY	WUCOLS
	CARELX COMOSA LONGHAIR SEDGE SIZE: 1 GAL SPACING: 36" O.C.	380 SQ. FT.	MODERATE
	CAREX PANSA CALIFORNIA MEADOW SEDGE SIZE: 4 POTS SPACING: 12" O.C.	4,979 SQ. FT.	MODERATE
	JUNCUS EFFUSUS COMMON RUSH SIZE: 1 GAL SPACING: 36" O.C.	424 SQ. FT.	LOW
	PANICUM VIRGATUM 'ROTSTRAHLBUSCH' RED SWITCH GRASS SIZE: 1 GAL SPACING: 36" O.C.	391 SQ. FT.	LOW

- 1 THE PLANTING PLAN IS DIAGRAMATIC AND FOR PRELIMINARY REVIEW BY THE APPLICABLE PERMITTING AGENCIES. TREE AND PLANT LOCATIONS ARE APPROXIMATE.
- 2 TREE AND PLANT SYMBOLS TAKE PRECEDENCE OVER TREE AND PLANT QUANTITIES SPECIFIED. CONTRACTOR TO REVIEW PLANS, VERIFY SITE CONDITIONS AND PLANT QUANTITIES PRIOR TO INSTALLATION. IN CONFLICT OF THE ABOVE, THE TREE AND PLANT QUANTITIES OR WITHIN THESE PLANS SHALL BE BROUGHT UP TO THE ATTENTION OF THE OWNER AND LANDSCAPE ARCHITECT PRIOR TO THE PURCHASING AND INSTALLATION OF THE LANDSCAPE.
- 3 DIVISION FORM THE PLANS OR SPECIFICATIONS REQUIRE REVIEW FROM THE LANDSCAPE ARCHITECT AND WRITTEN APPROVAL FROM THE OWNER.
- 4 TREE AND PLANTING QUANTITIES GIVEN IN THE LEGEND ARE APPROXIMATE AND ARE FOR THE CONVENIENCE OF THE OWNER.
- 5 ALL LARGE TREES SHALL HAVE A MINIMUM OF 3" CALIPER AT A POINT OF 6 INCHES ABOVE ROOT BALL. OTHER MEASUREMENTS SUCH AS NUMBER OF CANES, BALL SIZES, QUALITY, DESTINATIONS, ETC. SHALL BE IN ACCORDANCE WITH THE CURRENT EDITION OF "HORTICULTURAL STANDARDS OF THE AMERICAN ASSOCIATION OF NURSERYMEN, INC."
- 6 FERTILIZER FOR ALL GROUND COVER AREAS SHALL BE AS SPECIFIED WITHIN THE SPECIFICATIONS.
- 7 LANDSCAPE ARCHITECT SHALL APPROVE PLANT MATERIAL PLANTING BY CONTRACTOR PRIOR TO INSTALLATION.
- 8 LANDSCAPE DETAIL FOR PLANTING, STAKING AND GUYING REQUIREMENTS.
- 9 FOR BIDDING PURPOSES, FERTILIZER FOR ALL GROUND COVERED AREAS SHALL BE AS SPECIFIED WITHIN THE LANDSCAPE SPECIFICATIONS. CONTRACTOR SHALL RETAIN A LICENSED SOILS AGRONOMY LAB TO TAKE SOIL SAMPLES AND ADHERE TO THE AMENDING, PLANT BACKFILL AND MAINTENANCE REQUIREMENTS. INFORMATION SHALL BE SUBMITTED TO, REVIEWED AND APPROVED BY THE LANDSCAPE ARCHITECT.
- 10 THE LANDSCAPE CONTRACTOR SHALL MAINTAIN ALL PLANTED AREAS BY MEANS OF CONTINUOUS WATERING, FERTILIZING, RAISING TREE BALLS (WHICH SETTLE BELOW GRADE), REMOVAL OF SPRAYS (NECESSARY TO KEEP PLANTINGS FREE OF INSECTS & DISEASE), FERTALIZING, WEEDING ROLLING, MOWING, EDGING, RESEEDING AND OTHER OTHER CONSTRUCTION NECESSARY FOR PROPER CARE AND UPKEEP OF LANDSCAPE, THE LANDSCAPE CONTRACTOR SHALL MAINTAIN THE LANDSCAPED AREAS AS SPECIFIED FOR A PERIOD OF NINETY (90) DAYS.
- 11 THE CONTRACTOR SHALL SUBMIT PRIOR TO SUBSTANCIAL COMPLETION A ONE (1) YEAR SERVICE AGREEMENT TO THE OWNER TO MAINTAIN THE ENTIRE LANDSCAPE AND IRRIGATION SYSTEM.
- 12 3 DAYS MINIMUM PRIOR TO FINAL COMPLETION, THE CONTRACTOR SHALL WALK THE SITE WITH THE OWNER TO ENSURE THAT EVERYTHING IS IN PROPER WORKING ORDER AND THAT THE LANDSCAPED AREAS ARE HEALTHY AND READY TO BE TURNED OVER TO THE OWNER. DURING THIS SITE WALK, THE CONTRACTOR SHALL PROVIDE THE OWNER WITH ALL SYSTEM AND EQUIPMENT WARRANTIES, INSTRUCTIONS AND OPERATIONAL MANUALS.
- 13 MULCHING AND FERTILIZATION REQUIREMENTS FOR STANDARDS OF MATERIALS AND WORKMANSHIP. CONTRACTOR SHALL APPLY A 3 INCH LAYER OF MULCH WITHIN THE PLANTING AREAS. SAMPLES OF MULCH WILL BE REQUIRED PRIOR TO APPLICATION. MULCH SHALL BE APPROVED BY LANDSCAPE ARCHITECT.
- 15 FINISH GRADE TO BE 3 INCHES BELOW TOP OF CURB OR WALKS FOR GROUND COVER AREAS.
- 16 CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIR EXISTING LANDSCAPE, IRRIGATION AND UTILITIES WHICH ARE DAMAGED DURING CONSTRUCTION PHASE. ALL DAMAGED MATERIALS SHALL BE REPLACED WITH MATCHING MATERIALS OF SIMILAR SIZE AND CALIBER.
- 17 TREES WITHIN SEVEN (7) FEET OR LESS OF HARDSCAPE (CURBS, WALKS, STAIRS, RAILINGS, BUILDING OR OTHER AREA) SHALL BE INSTALLED WITH DEEP ROOT BARRIERS OR DEEP TREES ON APPROVED ELEVATION.
- 18 ALL PLANTING AND IRRIGATION ON THIS PROJECT SHALL COMPLY WITH THE CITY OF LAKE ELSINORE GUIDE LINES AND ALL APPLICABLE GOVERNING AGENCY STANDARDS AND CODES.

Damaris Abraham

From: menavint <menavint@verizon.net>
Sent: Tuesday, October 29, 2019 9:30 AM
To: Damaris Abraham
Subject: [External]Fwd: Planning application

Message from external sender. Use Caution.

ADDENDUM:

For your information, If you wish to review the text of the Flood Easement (Eminent Domain proceedings. This information is provided in the public record as Superior court case No. 214517 and is presented as the notice of Les Pendens (Eminent Domain) dated October 2, 1991, Riverside Superior court, and the Order of Possession, which restricts the use of the flood plain flood easement parcels as shown in item 5, of the Order of possession. "Plaintiff is hereby authorized to enter upon and take possession of the easements in real property described in the First Amended complaint hereon on September 10, 1993 in accordance with this order. Plaintiff is empowered to remove therefrom any persons, obstacles, improvements or structures of any kind or nature thereon situated" The act of digging a drainage channel across APN 370-080-027 without the benefit a permit or WQMP plan to preserve the water quality on the site and the protection of downstream properties from erosion and is our main concern, as it directly impacts our downstream properties and specific development plans for our downstream properties.

The constraints placed on any lands located within the Lake Elsinore Back Basin floodplain clearly precludes the use of any lands so identified as lands conserved in perpetuity as flood water detention and long term storage areas and restricts any such properties for any use other than open space, flood storage areas. Included within the text and exhibits section of the order of possession you will find Exhibit B of the order for possession which is a map illustration showing portions of parcels APN 370-080-019 and APN 370-080-027 as being taken by Eminent Domain for detention of and the long term storage of of random stormwater and water conservation measures, at any time and for any duration, no other land use is expressed or implied with the following exception. This restriction is in perpetuity or until such time that the property elevation is altered to an elevation above 1263.3 feet MSI or higher. and the City of Lake Elsinore has added further restrictions to allow for 2 feet of wave action disturbances of the lands in question. However no soils may be imported from offsite locations outside of the back basin floodplain for relocation and deposit in those portions of APN 370-080-019 and APN 370-080-027 which would remove the constraints imposed on the land use. It appears that there is insufficient onsite soils which would allow any major change in those portions of APN 370-080-019 and APN 370-080-027 which would allow any other land use, other than those expressed in the Floodplain Easements.

-----Original Message-----

From: menavint <menavint@verizon.net>
To: dabraham <dabraham@lake-elsinore.org>
Cc: gtaylor <gtaylor@lake-elsinore.org>
Sent: Tue, Oct 29, 2019 1:09 am
Subject: Planning application

Dear Ms. Abraham:

We have today received a notice for Planning application 2019-03, regarding APN 370-080-019 (32191 Corydon Rd.) and APN 370-080-027 (32097 Corydon Rd.) after reviewing the statements in the notice, we must take exception to the statement concerning (approval of this project will not result in any significant effects relating to WATER QUALITY.) Obviously you are not aware that these two parcels or portions of them to elevation 1263.3 -1265 feet MSL, as well as many more parcels are located in what is called the Lake Elsinore Back Basin Floodplain and are encumbered by a Department of the Interior, Bureau of reclamation Flood Easement, in perpetuity, which restricts these parcels to a protocol which must address these flooding event issues and their development.

My interest regarding this issue has nothing to do with the project development per se, it concerns the off site discharge of storm water runoff across APN 370-080-027, which requires that the increased flow and velocity of such flows of storm water runoff be mitigated and discharges of uncontrolled storm water runoff onto down stream properties be mitigated. Since our downstream property and its development can be negatively impacted by this random and uncontrolled discharge of storm water runoff we must object to approval of any plan which does not address these issues. In conversations with the Riverside County Flood Control Agency they have indicated that they intend to increase the historical volume of stormwater runoff from upstream properties across APN 370-080-019 on then into the Back Basin Floodplain, which includes portions of these two parcels. APN 370-080-019 and APN 370-080-027.

Further there are other issues concerning these two parcels which must be addressed, in accordance with the Floodplain Easement. I have on hand and will submit to the planning commission, documentation prior to November 5, 2019 providing the Flood Easement Parameters, original photographs of the parcels in question and the inundation of portions of the parcels in question during one of the numerous flood events of the Lake Elsinore Back Basin Floodplain, which clearly indicates that the parcels in question were at an elevation that places them both partially within the Lake Elsinore Back Basin floodplain. Since the parcel elevations have obviously been altered over a period of time with no permit, a simple core drilling of the site will identify the original elevations subjected to the development parameters of the flood easement. I have advised Grant Taylor sometime back of these issues and asked if a WQMP inspection and proposed plan for the drainage channel had ever been processed for APN 370-080-027. I have not yet received a reply.

Since I will not be able to attend the November 5, 2019 public hearing in person, do to a medical problem resulting in my hospitalization, If you have any questions I will provide any additional information requested you might require by E. Mail

Sincerely

Paul Pribble
Managing Director
Pribble Family Trust



STAFF RESPONSE TO EMAIL CORRESPONDENCE FROM PAUL PRIBBLE DATED 10.29.19:

(1) The City is aware of the temporary flood storage easements obtained in conjunction with the Lake Elsinore Management Project (LEMP) back in the early 1990's. Additionally, as a condition of entitlement, the project is conditioned to comply with local, state and federal regulations as they relate to development in general and specifically the back basin. Those regulations include:

Santa Ana Regional Board Order No. R8-2010-0033, NPDES No. CAS 618033 as well as any other applicable State Water Board issued permits and requirements. In the permit, flows to the lake are given the 'highest and best use' exemption. It is held that treatment for pollutants and then release of treated flows is a priority for lake recharge. Flows leaving the new development are held to that standard. Additionally, the permit requires that flows leaving a site be evaluated for the potential for detrimental downstream impacts, if noted discharges from the site must be mitigated to prevent potential damage. To that end, the project has submitted a preliminary water quality management plan to address the new development on APN 370-080-019 and has an existing water quality management plan for APN 370-080-027.

Lake Elsinore Municipal Code 15.68, which addresses Flood Plain Management in the back basin and include the following requirements:

No new residential or non-residential structures shall be constructed with the foundation or basement below 1267 feet msl, except as specifically permitted By the City Council on a case-by-case review. LEMC 15.68.010, 020

No additions, alterations, repairs, nor rehabilitation or restoration activities upon existing structures with the foundation or basement below 1267 feet, except as specifically permitted By the City Council on a case-by-case review. LEMC 15.68.030

No person shall import fill material within the "Lake Area" in FEMA designated flood plain without first complying with all applicable local, State and Federal laws and regulations and section 404 of the Clean Water Act. LEMC 15.68.040 (protect flood volume storage capacity of "Lake Area").

Southeast of Lake Levee, no buildings, structures, or improvements shall be erected or used for human occupancy upon all lands below 1265 feet, and no artificial change of the topography of the soil without first complying with all applicable local, State, and Federal Laws, rules and regulations. LEMC 15.68.052

(2) No new or redevelopment is proposed for APN 370-080-027 (32097 Corydon Road); the project does not propose to increase existing flows from the site.

(3) The alleged proposed increase in flows by Riverside County Flood Control and Water Conservation District (RCFCD) is not under the control of the proposed development of APN 370-080-019. Any issues with RCFCD actions should be addressed with them.

(4) Copies of the flood easements are provided for dissemination. They are easements for the temporary storage of flood waters. Since the early 1990's construction of the Lake Elsinore Management Project (LEMP), which improvements included the Levee and Outflow Channel,

there have been no flood events of the like referred to by Mr. Pribble; that was the intent of the LEMP.

The easements state:

Recorded: 10/4/1991

Record No. 345392

Notice of Lis Pendens (Eminent Domain)

Page 1, Line 21–25: “The purpose of the proceeding is the condemnation and taking, under the laws of eminent domain, of temporary flood easements in real property as hereinafter described for the public purpose of the temporary storage and conservation of storm, stream and surface waters.”

Recorded: 9/2/1993

Order for Possession

Page 3, Line 2-5: 3. Plaintiff has an urgent need for the possession of the said easements, and possession of them by plaintiff will not displace or unreasonably affect any person in actual and lawful possession of the real property;

EXHIBIT E

(SPACE BELOW FOR FILING STAMP ONLY)

LAW OFFICES
AKLUF AND WYSOCKI
3403 TENTH STREET, SUITE 610
RIVERSIDE, CALIFORNIA 92501
(714) 682-5480

NO RECORDING FEE REQUIRED PER
GOVERNMENT CODE SECTION 27383

Attorneys for Plaintiff, SANTA ANA WATERSHED
PROJECT AUTHORITY

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF RIVERSIDE

SANTA ANA WATERSHED PROJECT
AUTHORITY, a public agency
of the State of California,

Plaintiff,

vs.

BONGIOVANNI CONSTRUCTION COMPANY,
FAY M. BOWSMAN, GLADYS M. BOWSMAN,
CEREAL PARTNERSHP DEVELOPMENT, HON
FAN CHANG, LING LING CHANG,
YOGESHWAR CHATURVEDI, KUSUM
CHATURVEDI, ORACE A. "NICK"
CHILDRESS, TRUSTEE OF THE CHILDRESS)
FAMILY TRUST DATED SEPTEMBER 28,
1990, ROGER DARBY, CHRISTINE
MERRIKEN, ROSE DEITCH, HOWARD B.
DOBYNS, 80 ACRES PARTNERSHIP,
BEVERLY FABEN, HAROLD B. JACOBS AND)
GERALDINE JACOBS, CO-TRUSTEES UNDER)
TRUST AGREEMENT DATED FEBRUARY 25,
1987, BERNARD DEUTCH AND CAROL
DEUTCH, TRUSTEES OF THE DEUTCH
TRUST, FRED FEINBERG, A. ELAINE
FEINBERG, FORTUNE LAKEVIEW - 45,
FORTUNE STONEMAN 9.13, BILLY G.
HALL, LAVERNE M. HALL, EDITH V.
HAMILTON, GLENN MARTIN HAWK AND
BETTY L. HAWK, TRUSTEES UNDER
DECLARATION OF TRUST DATED
JANUARY 16, 1990, ERIC HERTLE,
VICKI RACITI JOHNSON, LAM YOU JONG,
ELY KASS, THOMAS KOVACICH, SHERRY
KOVACICH, STEVEN ATKINSON, CHERI
ATKINSON, KRISHAN S. KRISHNA, ABHA
KRISHNA, ANAT KRISHNA,

CASE NO. 24517
NOTICE OF LIS PENDENS
(EMINENT DOMAIN)

RECEIVED FOR RECORD
AT 8:30 O'CLOCK

OCT - 4 1991

Recorded in Official Records
of Riverside County, California

W. J. [Signature] Recorder
Fees \$ [Signature]

1 LAKE ELSINORE AIRPORT PARTNERSHIP,)
 2 RUY TSUN LEE, SUI PI LEE, GREGORIO)
 3 LINSANGAN, CHRISTINA B. LINSANGAN,)
 4 PHILIP A. MANUELL, DEBORAH ANN)
 5 MANUELL, GEORGE C. LANE AS TRUSTEE)
 6 UNDER THE LANE TRUST DATED)
 7 AUGUST 19, 1982, RUDOLPH R. MARTIN,)
 8 JANICE MARTIN, STEWART MILLER,)
 9 NORMAN INDUSTRIES, INC., LARRY)
 10 PERKINS, PATRICIA PERKINS,)
 11 LEONARD PETTY, DONELDA LORRAINE)
 12 PETTY, T. KEITH POCOCK, PAUL)
 13 PRIBBLE, GIRDHARI S. PUROHIT,)
 14 SHANTI PUROHIT, RATAN L. TIWARI,)
 15 NIRMALA TIWARI, SREENIVASA R.)
 16 NAKKA, HEMALATHA NAKKA, KALI P.)
 17 CHAUDHURI, SUNANDA CHAUDHURI,)
 18 MICHAEL DALE REDMEIER, CATHRINE I.)
 19 REDMEIER, NASEEM RIZVI, DARWIN L.)
 20 ROGERS, SAYKR INC., ANIL SHAH,)
 21 SOUTH LAKE ESTATES JOINT VENTURE,)
 22 OLIVER SPRENGER, SUNNY SPRENGER,)
 23 DONALD F. SPRENGER, JOANN M.)
 24 SPRENGER, MARIE ANN TRUDEAU, AS)
 25 TRUSTEE UNDER DECLARATION OF TRUST)
 26 DATED: OCTOBER 26, 1984, ROBERT A.)
 27 VERMILLION, and DOES 1 through 100,)
 28 inclusive, and ALL PERSONS UNKNOWN)
 CLAIMING AN INTEREST IN THE SAID)
 PROPERTY,)
 Defendants.)

18 NOTICE IS HEREBY GIVEN that the SANTA ANA WATERSHED PROJECT
 19 AUTHORITY, plaintiff, has commenced a proceeding in the above-
 20 named Court against the above-named defendants.

21 The purpose of the proceeding is the condemnation and taking,
 22 under the laws of eminent domain, of temporary flood easements in
 23 real property as hereinafter described for the public purpose of
 24 the temporary storage and conservation of storm, stream and
 25 surface waters.

26 The real property which is subject to and affected by this
 27 proceeding is situated in Riverside County, California and is
 28 described in Exhibit "A" attached hereto and by this reference

1 made a part hereof. The names of the parties who may have an
2 interest in the said real property are:

3	<u>Name</u>	<u>Interest</u>
4	BONGIOVANNI CONSTRUCTION COMPANY	Owner of Record
5	FAY M. BOWSMAN, GLADYS M. BOWSMAN	Owners of Record
6	CEREAL PARTNERSHP DEVELOPMENT	Owners of Record
7	HON FAN CHANG, LING LING CHANG	Owners of Record
8	YOGESHWAR CHATURVEDI, KUSUM CHATURVEDI	Owners of Record
9	ORACE A. "NICK" CHILDRESS, TRUSTEE 10 OF THE CHILDRESS FAMILY TRUST DATED SEPTEMBER 28, 1990	Owner of Record
11	ROGER DARBY, CHRISTINE MERRIKEN	Owners of Record
12	ROSE DEITCH	Owner of Record
13	HOWARD B. DOBYNS	Owner of Record
14	80 ACRES PARTNERSHIP	Owner of Record
15	BEVERLY FABEN, HAROLD B. JACOBS AND 16 GERALDINE JACOBS, CO-TRUSTEES UNDER TRUST AGREEMENT DATED 17 FEBRUARY 25, 1987	Owners of Record
18	BERNARD DEUTCH AND CAROL DEUTCH, TRUSTEES OF THE DEUTCH TRUST	Owner of Record
19	FRED FEINBERG, A. ELAINE FEINBERG	Owners of Record
20	FORTUNE LAKEVIEW - 45	Owner of Record
21	FORTUNE STONEMAN 9.13	Owner of Record
22	BILLY G. HALL, LAVERNE M. HALL	Owners of Record
23	EDITH V. HAMILTON	Owner of Record
24	GLENN MARTIN HAWK AND BETTY L. HAWK, 25 TRUSTEES UNDER DECLARATION OF TRUST DATED JANUARY 16, 1990	Owner of Record
26	ERIC HERTLE	Owner of Record
27	VICKI RACITI JOHNSON	Owner of Record
28		

LAW OFFICES
AKLUF AND WYSOCKI
3403 TENTH STREET, SUITE 810
RIVERSIDE, CALIFORNIA 92501
(714) 682-5480

1	LAM YOU JONG	Owner of Record
2	ELY KASS	Owner of Record
3	THOMAS KOVACICH, SHERRY KOVACICH, STEVEN ATKINSON, CHERI 4 ATKINSON	Owners of Record
5	KRISHAN S. KRISHNA, ABHA KRISHNA, ANAT KRISHNA	Owners of Record
6	LAKE ELSINORE AIRPORT PARTNERSHIP	Owner of Record
7	RUY TSUN LEE, SUI PI LEE	Owners of Record
8	GREGORIO LINSANGAN, CHRISTINA B. 9 LINSANGAN	Owners of Record
10	PHILIP A. MANUELL, DEBORAH ANN MANUELL, GEORGE C. LANE AS 11 TRUSTEE UNDER THE LANE TRUST DATED AUGUST 19, 1982	Owners of Record
12	RUDOLPH R. MARTIN, JANICE MARTIN	Owners of Record
13	STEWART MILLER	Owner of Record
14	NORMAN INDUSTRIES, INC.	Owner of Record
15	LARRY PERKINS, PATRICIA PERKINS	Owners of Record
16	LEONARD PETTY, DONELDA LORRAINE 17 PETTY	Owners of Record
18	T. KEITH POCOCK	Owner of Record
19	PAUL PRIBBLE	Owner of Record
20	GIRDHARI S. PUROHIT, SHANTI PUROHIT, RATAN L. TIWARI, NIRMALA TIWARI, 21 SREENIVASA R. NAKKA, HEMALATHA NAKKA, KALI P. CHAUDHURI, 22 SUNANDA CHAUDHURI	Owners of Record
23	MICHAEL DALE REDMEIER, CATHRINE I. REDMEIER	Owners of Record
24	NASEEM RIZVI	Owner of Record
25	DARWIN L. ROGERS	Owner of Record
26	SAYKR INC.	Owner of Record
27	ANIL SHAH	Owner of Record
28		

LAW OFFICES
AKLUF AND WYSOCKI
3403 TENTH STREET, SUITE 610
RIVERSIDE, CALIFORNIA 92501
(714) 632-5480

1 SOUTH LAKE ESTATES JOINT VENTURE

Owner of Record

2 OLIVER SPRENGER, SUNNY SPRENGER,
3 DONALD F. SPRENGER, JOANN M.
SPRENGER

Owners of Record

4 MARIE ANN TRUDEAU, AS TRUSTEE UNDER
5 DECLARATION OF TRUST DATED:
OCTOBER 26, 1984

Owner of Record

6 ROBERT A. VERMILLION

Owner of Record

7 Dated: October 2, 1991

8 AKLUFİ AND WY SOCKI

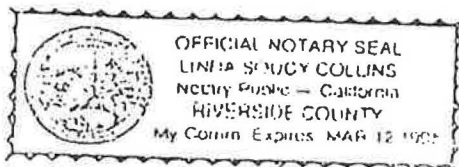
9
10 By Joseph S. Aklu fi

JOSEPH S. AKLUFİ, Attorneys for
11 Plaintiff

12
13
14
15 STATE OF CALIFORNIA)
16 COUNTY OF RIVERSIDE) SS.

17 On October 2, 1991, before me, the undersigned, a Notary
18 Public in and for said State, personally appeared JOSEPH S.
19 AKLUFİ, personally known to me (or proved to me on the basis of
20 satisfactory evidence) to be the person whose name is subscribed
21 to the within instrument and acknowledged that he executed the
22 same.

23 WITNESS my hand and official seal.



(S E A L)

27
28
Linda Shucy Collins
Notary Public

EXHIBIT "A"

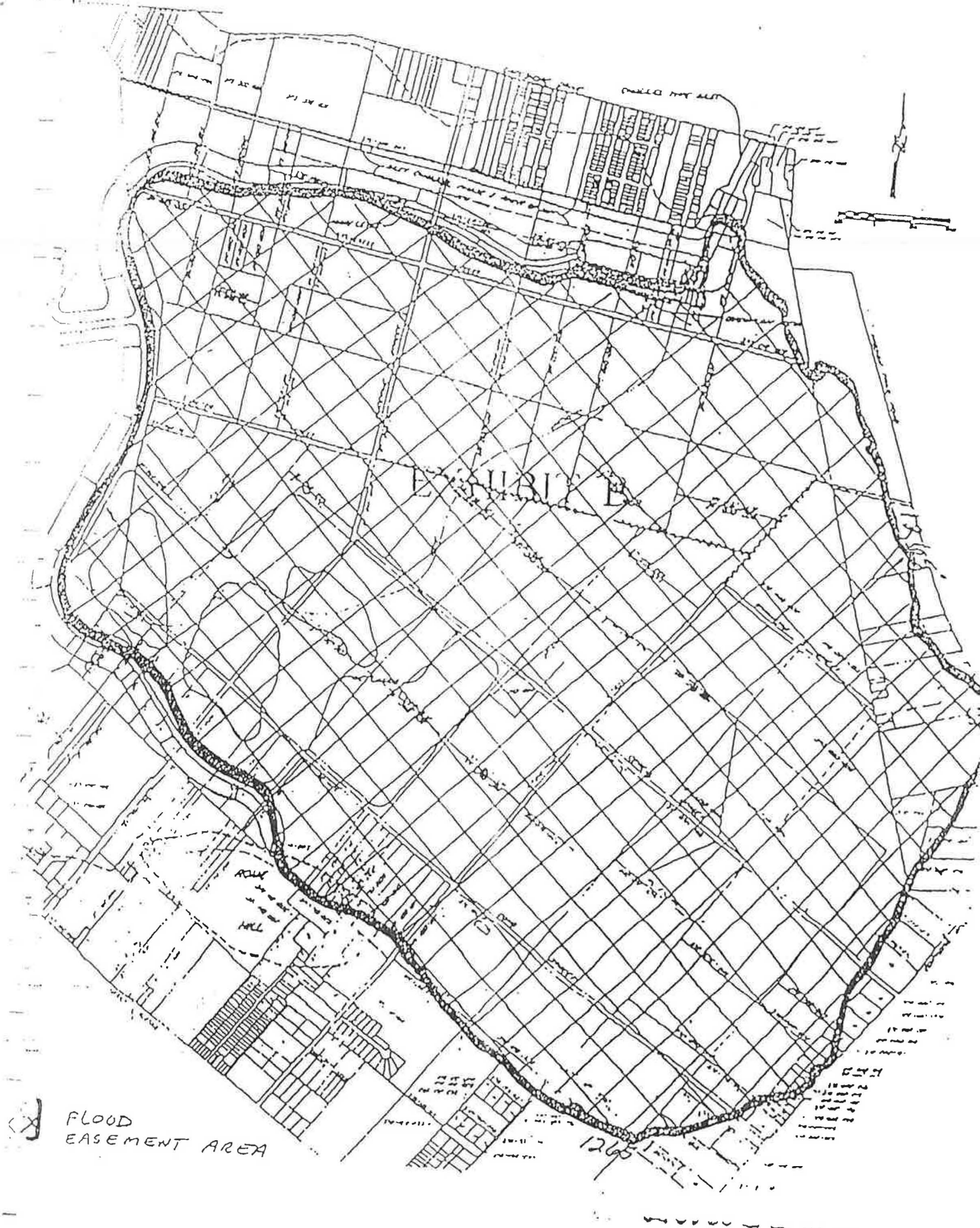
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371-020-007	370-040-027	373-234-002	373-234-003	373-234-004
373-235-017	373-238-019	373-239-001	373-239-002	373-239-003
373-239-011	371-100-003	371-020-008	371-020-015	370-080-017
371-020-014	370-080-019	365-030-024	370-070-003	370-120-002
371-040-028	370-070-001	370-370-006	370-070-002	370-070-004
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370-040-020	370-040-027	370-040-029	370-040-035	365-030-041
365-030-040	370-080-020	370-080-006	370-120-006	370-080-016
371-020-004	365-030-002	370-120-036	370-120-021	365-030-006
365-030-007	365-030-008	365-030-009	365-030-014	365-030-015
365-030-016	365-030-017	365-030-018	365-030-019	365-030-020
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365-030-034	365-030-035	365-030-036	365-030-037	371-100-007
371-060-002	371-020-003	370-120-001	370-120-017	370-040-034
370-040-001	370-040-004	370-030-005	370-040-006	370-040-007
370-040-030	370-040-031	370-030-010	365-030-011	365-030-012
365-030-013	365-030-042	371-050-003	371-050-004	371-050-005
370-080-007	370-120-012	370-120-041	370-120-042	370-120-043
370-120-044	371-020-012	365-030-001	370-080-011	370-120-022
371-020-010	371-020-011	373-320-12	373-320-013	371-060-005


NOTE: PARCEL NUMBER CHANGES

NEW NUMBERS:

370120057-7

370120058-8



 FLOOD
EASEMENT AREA

1 JOSEPH S. AKLUFİ (Bar #68619)
2 AKLUFİ AND WYSOCKI
3 3403 Tenth Street, Suite 610
4 Riverside, California 92501
5 909-682-5480

NO FILING FEE REQUIRED PER
GOVERNMENT CODE SECTION 6103

6 Attorneys for Plaintiff,
7 SANTA ANA WATERSHED PROJECT AUTHORITY

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF RIVERSIDE

10
11 SANTA ANA WATERSHED PROJECT
12 AUTHORITY, a public agency of the
13 State of California,

14 Plaintiff,

15 vs.

16 (BONGIOVANNI CONSTRUCTION COMPANY,,)
17 FAY M. BOWSMAN, GLADYS M. BOWSMAN,)
18 CEREAL PARTNERSHP DEVELOPMENT, HON)
19 FAN CHANG, LING LING CHANG,)
20 YOGESHWAR CHATURVEDI, KUSUM)
21 CHATURVEDI, ORACE A. "NICK")
22 CHILDRESS, TRUSTEE OF THE CHILDRESS)
23 FAMILY TRUST DATED SEPTEMBER 28,)
24 1990, ROGER DARBY, CHRISTINE)
25 MERRIKEN, ROSE DEITCH, HOWARD B.)
26 DOBYNS, 80 ACRES PARTNERSHIP,)
27 BEVERLY FABEN, HAROLD B. JACOBS AND)
28 GERALDINE JACOBS, CO-TRUSTEES UNDER)
TRUST AGREEMENT DATED FEBRUARY 25,)
1987, BERNARD DEUTCH AND CAROL)
DEUTCH, TRUSTEES OF THE DEUTCH)
TRUST, FRED FEINBERG, A. ELAINE)
FEINBERG, FORTUNE LAKEVIEW - 45,)
FORTUNE STONEMAN 9.13, BILLY G.)
HALL, LAVERNE M. HALL, EDITH V.)
HAMILTON, GLENN MARTIN HAWK AND)
BETTY L. HAWK, TRUSTEES UNDER)
DECLARATION OF TRUST DATED)
JANUARY 16, 1990, ERIC HERTLE,)
VICKI RACITI JOHNSON, LAM YOU JONG,)
ELY KASS, THOMAS KOVACICH, SHERRY)
KOVACICH, STEVEN ATKINSON, CHERI)
ATKINSON, KRISHAN S. KRISHNA, ABHA)
KRISHNA, ANAT KRISHNA,)

CASE NO. 214517

ORDER FOR POSSESSION

LAW OFFICES
AKLUFİ AND WYSOCKI
3403 TENTH STREET, SUITE 610
RIVERSIDE, CALIFORNIA 92501
(714) 682-5480

LAKE ELSINORE AIRPORT PARTNERSHIP,)
RUY TSUN LEE, SUI PI LEE, GREGORIO)
LINSANGAN, CHRISTINA B. LINSANGAN,)
PHILIP A. MANUELL, DEBORAH ANN)
MANUELL, GEORGE C. LANE AS TRUSTEE)
UNDER THE LANE TRUST DATED)
AUGUST 19, 1982, RUDOLPH R. MARTIN,)
JANICE MARTIN, STEWART MILLER,)
NORMAN INDUSTRIES, INC., LARRY)
PERKINS, PATRICIA PERKINS,)
LEONARD PETTY, DONELDA LORRAINE)
PETTY, T. KEITH POCOCK, PAUL)
PRIBBLE, GIRDHARI S. PUROHIT,)
SHANTI PUROHIT, RATAN L. TIWARI,)
NIRMALA TIWARI, SREENIVASA R.)
NAKKA, HEMALATHA NAKKA, KALI P.)
CHAUDHURI, SUNANDA CHAUDHURI,)
MICHAEL DALE REDMEIER, CATHRINE I.)
REDMEIER, NASEEM RIZVI, DARWIN L.)
ROGERS, SAYKR INC., ANIL SHAH,)
SOUTH LAKE ESTATES JOINT VENTURE,)
OLIVER SPRENGER, SUNNY SPRENGER,)
DONALD F. SPRENGER, JOANN M.)
SPRENGER, MARIE ANN TRUDEAU, AS)
TRUSTEE UNDER DECLARATION OF TRUST)
DATED: OCTOBER 26, 1984, ROBERT A.)
VERMILLION, and DOES 1 through 100,)
inclusive, and ALL PERSONS UNKNOWN)
CLAIMING AN INTEREST IN THE SAID)
PROPERTY,)

Defendants.)

Based upon the Declaration of Richard Smith and other documents filed in support of plaintiff's Application for Prejudgment Possession, including the First Amended Complaint on file in this proceeding,

IT IS HEREBY ORDERED AND DETERMINED:

1. Plaintiff has made a deposit of the probable amount of just compensation to be awarded herein and filed a Summary of the Basis for Appraisal Opinion, both of which meet the requirements of Code of Civil Procedure, Section 1255.010;

2. Plaintiff is entitled to acquire the easements in real property, as more particularly described in the First Amended

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1 Complaint on file herein, by eminent domain;

2 3. Plaintiff has an urgent need for the possession of the
3 said easements, and possession of them by plaintiff will not
4 displace or unreasonably affect any person in actual and lawful
5 possession of the real property;

6 4. Plaintiff may have possession of the easements described
7 in the First Amended Complaint herein without prior service of
8 this Order for Possession. Plaintiff, however, is to either mail
9 or serve personally a copy of this Order with the Notice of
10 Deposit and Summary of Basis for Appraisal Opinion and the Notice
11 of Lis Penden to the owners of the said real property at their
12 last known address within 30 days from the date this Order is
13 executed;

14 5. Plaintiff is hereby authorized to enter upon and take
15 possession of the easements in real property described in the
16 First Amended Complaint herein on September 10, 1993 in accordance
17 with this Order. Plaintiff is empowered to remove therefrom any
18 persons, obstacles, improvements or structures of any kind or
19 nature thereon situated.

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21 Dated: SEP 2 1993

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JUDGE OF THE SUPERIOR COURT