



CITY OF MURRIETA

July 26, 2006

Mr. Peter Minegar  
Minegar and Shook Company  
27705 Commerce Center Drive  
Temecula, CA 92590

Subject: Substantial Conformance (SCO 005-1813) to DPO 004-219

Dear Mr. Minegar:

The City would like to inform that the above referenced project was approved by the Planning Director on July 24, 2006, subject to the attached conditions for SCO 005-1813. The conditions of approval for DPO 004-219 shall be complied with, unless superseded by the conditions for SCO 005-1813.

If you have any questions, or comments, please do not hesitate to contact me at (909) 461-6414.

Sincerely,

Greg Smith,  
Associate Planner

APPROVED

JUL 26 2006

BY: B. Smith

CONDITIONS OF APPROVAL  
FOR

Substantial Conformance (SC0 005-1813) for Development Plan 004-219  
July 24, 2006

**PLANNING:**

1. The applicant shall defend (with attorneys approved by the City), indemnify and hold harmless the City of Murrieta, its agents, officers, and employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning this approval for Substantial Conformance 005-1813. The City will promptly notify the permittee of any such claim, action, or proceeding against the City and will cooperate fully in the defense.
2. Any fees due the City of Murrieta for processing this project shall be paid to the City within thirty (30) calendar days of final action by the approval authority. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted. No permits, site work, or other actions authorized by this action shall be processed by the City, nor permitted, authorized or commenced until all outstanding fees are paid to the City
3. The project approval is for a Development Plan for the Madison and Golden Gate Business Park, two 7,368 sq. ft., single story, industrial buildings, within the Multiple Use -2 (MU-2) zone and all associated parking, access, and landscaping. All construction shall be in substantial conformance with approved plans, elevations and floor plans dated May 16, 2006
4. This substantial conformance (SC0 005-1813) shall comply with all of the approved conditions for Development Plan 004-219, unless superseded by the conditions of this Substantial Conformance.
5. Parking for this project was determined primarily on the basis of Development Code Section 16.34 and requires thirty-one (31) parking spaces. Thirty-eight (32) spaces are provided with this Plan.

**LANDSCAPING:**

6. The original landscape conditions of approval are still in effect. Submit landscape construction plans for the substantial conformance area only.

## ENGINEERING DEPARTMENT:

The Engineering Division has completed our review of the project and provides the following conditions:

7. The applicant shall ensure that all design guidelines and infrastructure requirements as defined in the Jefferson Avenue Business Corridor Master Plan (JABCMP) are implemented with this development, except for the prevalence of the latest GPAC requirements.
8. Prior to issuance of any building permit, the applicant shall dedicate the ultimate frontage right-of-way and construct or secure the construction of the following streets fronting and adjacent to the project to ultimate Major specifications per City Standard 103 and Circulation Element of GPAC (Madison Avenue), and City Standard 111 (Golden Gate Circle):

Madison Avenue; 38' of AC pavement; street curb and gutter; sidewalk; street lighting; parkway landscaping, irrigation and appurtenances; necessary striping (including bicycle lane); ROW dedication: 50' half-street. Due to the proximity of the project driveway access to Madison Avenue from the intersection of Golden Gate Circle, at the time of construction of ultimate improvements for the Major-classified street, access shall be restricted to "right-in, right-out".

Golden Gate Circle; additional right-of-way and improvements may be necessary above the current Industrial Collector build-out along property frontage for transitional improvements related to the future Major classification enhancements at the intersection at Madison Avenue

9. Prior to issuance of any building permit for Phase 1, the applicant shall pay a fair-share contribution as determined by the City Engineer to Line H master plan storm drain as depicted in Exhibit III-3 of the Jefferson Avenue Business Corridor Master Plan.
10. Prior to issuance of any building permit for Phase 1, the applicant shall pay fair-share mitigation fees for the following offsite improvements as recommended in the approved traffic study for the project and/or as required by the City Traffic Engineer:

- Warm Springs Creek Bridge Overcrossing

## STANDARD CONDITIONS OF APPROVAL

### PAVING

11. On site parking and drive areas shall be paved in conformance with the approved site plan and shall have a structural section recommended by a licensed civil or soil engineer. The engineer's recommendation shall be submitted with the grading plan submittal.

#### TRAFFIC

12. Monument signs and landscaping shall be located so as not to interfere with sight distance from proposed driveways.
13. All mitigation measures as recommended in the approved traffic study and approved by the City Traffic Engineer shall be implemented prior to any occupancy within any phase of the development.

#### REQUIRED FEES AND PERMITS

14. The applicant shall pay all applicable Development Mitigation Impact Fees, including but not limited to;
  1. Development Impact Fees, per Ordinance 196-98, and payable prior to issuance of building permit.
  2. Kangaroo Rat Fee, payable at issuance of grading permit
  3. Riverside County Area Drainage Fees, payable at issuance of grading permit.
  4. TUMF, payable at issuance of building permit
  5. MSHCP, payable at issuance of building permit.

Fees shall be based upon Commercial Use Development Rates.

15. Prior to any work being performed in the public right of way, fees shall be paid and an encroachment permit shall be obtained from the Engineering Division. The applicant shall apply for an encroachment permit from the City for utility trenching, utility connection or any other encroachment onto public right-of-way. The applicant shall be responsible for the associated costs and arrangements with each public utility.

#### DRAINAGE

16. The applicant shall provide a drainage study prepared by registered Civil Engineer identifying storm water runoff quantities expected from the site and upstream of the site. The study shall show all existing or proposed off-site public or private drainage facilities intended to discharge this runoff. The study shall include a capacity analysis verifying the adequacy of the facilities. The study

shall show existing and developed 10-year and 100-year storm peak flows. Development shall detain the 10-year and incremental developed increased storm water runoff by means of on-site detention.

17. Runoff from the development of the property shall not exceed the existing natural discharge quantities with respect to the following criteria:
  - i. Detention shall not be required for developments of less than one acre if the development uses volume based water quality measures.
  - ii. Project of less than 10-acres, including those less than one acre NOT using volume based water quality measures shall analyze and mitigate the difference in developed and undeveloped runoff. A simplified hydrograph method shall be used that simulates the hydrograph with a triangle. The rational method flow rate shall be top value of triangle and the base width shall be 2-times the time of concentration ( $T_c$ ). The difference in area between the developed condition triangle and the existing condition triangle represents the required storage volume. Base upon the storage volume head, the outlet structure shall have an outlet flow no larger than the existing flow rate. This analysis shall be based on the 1-hour duration of the 10-year and 100-year intensity storm and detention shall be based on the greater of the two volumes.
  - iii. Projects that are 10-acres or greater shall analyze for the 1, 3, 6 and 24-hour duration for the 2, 5 and 10-year frequency storms.

The design of the detention basins shall provide for the detention of nuisance flow. Development shall detain the year and duration incremental storm runoff developed increased by means of on-site detention. Detention techniques shall include, but not be limited to: Parking lot detention or on-site detention basin or other methods approved by the City Engineer. Detention shall not be required in the event facilities down stream from the point of discharge are shown to be designed for and have been constructed to convey the 100-year storm event.

18. The applicant shall protect all downstream properties from damages caused by alteration of the drainage patterns, i.e., concentrations or diversion of flow. Protection shall be provided by constructing adequate drainage facilities including enlarging existing facilities and/or by securing a drainage easement. A maintenance mechanism shall be in place for any private drainage facilities constructed on-site or off-site. Any grading or drainage onto private off site or adjacent property shall require a written permission to grade and/or a permission to drain letter from the affected landowner.
19. All construction equipment shall be properly maintained and tuned to reduce air emissions, and prevent disposition of vehicle fluids on the ground.

## GRADING

20. Prior to issuance of a grading permit, the applicant shall obtain, if required, a Notice of Intent from the Regional Water Quality Control Board (RWQCB) and provide to the City of Murrieta and receive approval of an adequate Storm Water Pollution Prevention Plan (SWPPP) pursuant to the RWQCB (San Diego Region, tel. #858-467-2952) and the City of Murrieta's ordinance establishing storm water/urban runoff management discharge controls. The permit requires the applicant to develop adequate Storm Water Pollution Prevention Plan (SWPPP) prior to commencement of construction activities. The applicant shall be responsible for implementation, monitoring, operation, and maintenance of the SWPPP until the construction is complete and a Notice of Termination (NOT) is filed with the State Water Resources Control Board. A copy of the SWPPP shall be provided to the City prior to issuance of grading permits and maintained on site for the duration of construction.
21. All grading activities shall minimize dust through compliance with AQMD Rule 403 which requires watering during earth moving operations, and the prevention of fugitive dust generated by the operations.
22. A preliminary soils and geologic report shall be completed and approved prior to issuance of a grading permit. The geologic report shall be subject to independent third party review at the expense of the applicant. All recommended measures identified in the report shall be incorporated into the project design. Any seismic faults located within the project as identified in the report shall be clearly delineated on the grading plans.
23. Prior to commencing of any grading in excess of 50 cubic yards or paving in excess of 3,000 square feet, the applicant shall obtain a grading permit and approval prior to issuance of a building permit. The developer shall have an approved permit prior to the commencement of any clearing or grading of the site.
24. Prior to hauling dirt or construction materials to any proposed construction site within this project, the developer shall submit to and receive approval from the City Engineer for the proposed haul route. The developer shall comply with all conditions and requirements the City Engineer may impose with regards to the hauling operation.
25. In instances where a grading permit involves import or export, prior to obtaining a grading permit, the applicant shall obtain approval of the import/export location by the City Engineer.
26. Evidence of permission from property owners shall be required for any work located on adjacent properties.

## CLEAN WATER RUNOFF

27. Prior to issuance of a grading permit or other construction activities, the applicant shall provide both of the following to City staff:
  - a. A copy of a Notice of Intent (NOI) and Waste Discharge Identification (WDID) number from the Regional Water Quality Control Board.
  - b. An approved final project-specific Water Quality Management Plan (WQMP), if applicable to the project. The final project-specific WQMP shall be consistent with the City-approved development plans. Copies of the final project-specific WQMP shall be maintained by the applicant.
  - c. An adequate Storm Water Pollution Prevention Plan (SWPPP) shall be available to state and city inspectors at the job site prior to commencing construction. The applicant shall be responsible for implementation, monitoring, operation, and maintenance of the SWPPP until construction is complete and a Notice of Termination has been filed with the State Water Resources Control Board.

## EARTHQUAKE

28. On the grading plan, plot plan and street improvement plans; any seismic faults located within the project shall be identified as determined from the approved geologic report.

## LANDSCAPING

29. All slopes greater than or equal to 3 feet in vertical height with grass or ground cover shall be planted and irrigated to the satisfaction of the City Engineer. Slopes that exceed 15 feet in vertical height are to be planted with shrubs and/or trees.

## UNDERGROUNDING

30. The applicant shall provide for the under grounding of all existing and proposed utility distribution facilities fronting and within the project unless exempt per Development Code. The applicant shall be responsible for the associated costs and arrangements with each public utility.

## WATER AND SEWER

31. The applicant shall install all required water and sewer systems necessary to serve the project, including master plan trunk lines and offsite connections in conformance with the JABCMP.

## MONUMENTS

32. All existing street and property monuments within or abutting this project site shall be preserved consistent with Section 8771 of the California Business and Professions Codes. If during construction of onsite or offsite improvements monuments are damaged or destroyed, the applicant/developer shall retain a qualified licensed land surveyor or civil engineer to reset those monuments per City Standards and file the necessary information with the County Surveyor's office as required by Section 8771.

## BUILDING & SAFETY DEPARTMENT:

### General:

33. All structures shall comply with the current 2001 California Building Codes (CBC), and related Codes and Ordinances of the City of Murrieta. Three (3) sets of plans shall be submitted for a building permit, and shall include building data, building use/occupancy, construction type, allowable area increases and actual building square foot area, building setbacks, related building means of egress and ensuing egress discharge to the public right-of-way.
34. Required CBC, site facility accessibility components and details, unload areas, striping and HC parking symbol, accessible exterior routes of travel, as defined in Sec.1127B of the 2001 California Building Code (CBC), transition components etc., shall be provided between all commercial buildings, and at least one exterior route shall be from the project site, to the public right-of-way; and shall be provided on an architectural site plan, shall correlate with the civil designed precise grade plan, and shall comply with California State guidelines as outlined in Title 24 California Building Code. The property owner shall be responsible for Federal ADA compliance.
35. Plans submitted during the permitting process, including but not limited to, site plan, precise grade plans and building architectural features, shall not vary substantially, from plans previously reviewed and Approved by the Planning, Engineering or other City Departments, without prior authorization from the Planning Manager, Public Works Director and/or Building and Safety Manager.

36. All exterior lighting shall be shown on building permit plans and shall comply with the City of Murrieta's MMC Sec.16.18.110, Mt. Palomar Lighting Pollution Control Standards.

**Building Permit Application:**

37. Two sets of signed soil reports shall be submitted and correlate with building foundation design by reference. The report shall be from a individual licensed by the state to prepare such report, including compaction test results and verification of satisfactory placement, of any fill material used to support the foundation of any building or structure, in accordance with accepted engineering practice or, as recommended in any engineering geology preliminary report for any engineered grading design.
38. A sewer/ water permit shall be obtained from the City of Murrieta Building & Safety Department, for on-site (private) underground "wet" utilities for multi-building parcel development, unless dedicated easements and conveyance to local water/sewer districts is proposed. A deposit shall be paid to the Building and Safety Department at the time civil plans are submitted for plan review. Three (3) sets of civil plans shall be submitted for review, prior to grading permit Final. Maintenance agreements and/or easements shall be recorded and verified prior to a Final building inspection and/or a building occupancy.
39. Separate permits shall be obtained from the City of Murrieta Building & Safety Department, for individual structures e.g., trash enclosures, monument signs, retaining walls, parking lot light standards etc., and for temporary power. Temporary power and temporary wiring shall comply with Articles 230 and 305 of the 2001 California Electrical Code.

**Prior To Building Final:**

40. Final permit approvals shall be obtained, and any outstanding fees shall be paid to all City Departments/Divisions which may include Fire, Planning, Engineering, Building & Safety, and the City Landscape Architect, prior to a tenant occupancy of a building permitted as a "shell only" building, a building shell "Notice of Inspection Completion", and the issuance of a Certificate of Occupancy from the City of Murrieta Building & Safety Division.

**LANDSCAPE:**

**Prior to the issuance of building permits:**

41. Three copies of construction landscaping plans shall be submitted to the Planning Division and approved. A licensed Landscape Architect shall prepare the plans.

42. The above-described plans shall be in substantial conformance with the plans approved by the City Landscape Architect, City Administrative Staff, Planning Commission and/or City Council. Notes, details, and specifications shall be included.
43. All landscape and irrigation plans shall be consistent with Title 16.28 of the Murrieta Municipal Code and the "Planting Guide For Jefferson Avenue Business Corridor Master Plan" guide.
44. All parking lot planting areas, curbing, irrigation, and bumper overhang shall be consistent with Title 16.34.070-H. of the Murrieta Municipal Code. Parking spaces shown at less than 18 feet in length require additional dedication of landscape area for required bumper overhang. The additional landscape area will not count towards satisfying parking lot landscaping requirements.
45. Landscape plans shall be drawn at a scale of 20 feet equal to 1 foot or larger. The City Landscape Architect will not accept plans drawn in 30 feet scale or smaller without prior approval.
46. No light fixture shall be designed for any location in a planting area, which would make it necessary to eliminate a tree. All overhead light fixtures shall be identified on the site plan prior to approval of the site plan.
47. Plant materials shall be installed from container sizes consistent with Murrieta Municipal Code, 16.28.080, Table 3-5, Minimum Required Mix of Plant Materials.
48. All ground covers shall be installed from living plant materials. Spacing shall be such that 100% coverage is achieved within 2 years of the installation.
49. All planter areas shall be a minimum of 5 feet wide excluding wall footings, building footings, curbs, and required concrete strip adjacent to parking spaces (12" wide plus 6" wide curb or 12" wide integrally poured curb).
50. Permanent, evergreen shrubs capable of mature growth to between 36 inches and 42 inches high shall be designed to screen the perimeter parking, walls and fencing.
51. All trash enclosures shall be covered with a wood arbor or other approved architectural treatment to blend with the buildings. Flowering vines shall be trained on to the walls. Trees, shrubs and ground covers shall be included within planters located adjacent to all exposed walls (excluding gate wall). Planters adjacent to trash enclosures shall contain at least a 5 feet wide area designated for planting, excluding wall footings, curbs and other paving.
52. Planting areas adjacent to Madison Avenue and Golden Gate Circle shall have trees provided at the rate of one for each 20 lineal feet of landscaped area. Street trees on Madison Avenue shall be informal groupings of Lagerstroemia indica 'Biloxi' and Arbutus 'Marina'. Street trees on Golden Gate Circle shall be informal groupings of Pinus eldarica and Lagerstroemia indica 'Natchez'. All street trees shall be installed from 24" box containers or larger.

53. Mature specimen trees in 36-inch and 48-inch boxes shall be supplied in sufficient quantity to provide variety and emphasis at the entry driveways off Madison Avenue and at the corner of Madison Avenue and Golden Gate Circle, and other main focal areas.
54. Above ground utility locations shall be approved with prior permission of the Planning Division. Building backflow prevention units shall be located in shrub areas outside of the City right-of-way. All double detector check and backflow assemblies shall be located in shrub beds clearly identified on the grading plan prior to approval of the grading plan. The detector check/backflow devices shall be painted a neutral/earth tone color and any pipes extending above ground shall be finished and painted to match the device.
55. No required canopy shade tree planting area or shrub planting bed shall be narrower than 5 feet wide without permission from the City Landscape Architect.
56. Canopy shade trees shall be located directly adjacent to public parking spaces without walkways or paving between the tree and parking space (wherever feasible) to provide the required percentage of parking spaces shaded at 15 years growth. The trees shall be located no farther than 25 to 30 feet on center (depending on the canopy spread of the species) in continuous planting areas.
57. Landscaping shall encompass a minimum of 15% of the total site.
58. All areas of the site not intended for a specific use and for future development or phasing, shall be landscaped with at least a temporary hydro-seed mix and sub-grade irrigation system approved by the City Landscape Architect.
59. No building roof drain shall daylight into a planter area or splash block. Roof drains located at planter areas shall be adapted to convey excess water through the planter via drain pipes, which daylight through the curb into the adjacent gutter.
60. Landscaping shall be incorporated and planned as an integral part of the overall project design around the building. Landscaping should not interfere with pedestrian or handicap accessibility. Pedestrian and handicap accessibility shall be designed not to interfere with landscaping required around the building.
61. All trees shall be double staked with rubber type ties nailed to the lodge pole stakes in at least two vertical locations. Trunk protection devices shall be provided to all trees located in turf grass areas.
62. A weather based ("e.t.") controller shall be provided. Drip irrigation is required in shrub areas.
63. A rain shut off device shall be installed connected with the irrigation controller.
64. All plantings shall be hydrozoned according to WUCOL's or the "City of Murrieta Guide To Trees, Shrubs, and Ground Covers." The maximum applied water allowance shall not exceed 25 percent of the local annual mean precipitation.
65. The corner of Madison Avenue and Golden Gate Circle shall incorporate the design of accent plantings utilizing specialty plants in specimen sizes.

**Prior to Construction:**

66. The City Landscape Architect shall meet with the job site superintendent and the landscape contractor for a pre-job meeting. A copy of the soil fertility recommendations shall be submitted to the City Landscape Architect prior to the meeting. No landscaping shall occur prior to the meeting.

**Prior to the issuance of occupancy permits:**

67. Performance securities, in the amount determined by the City to guarantee the adequate maintenance of the landscaping materials and irrigation system in accordance with the approved plans for a period of one (1) year from the date of final clearance of the installed landscaping by the City, shall be posted with the Planning Department. Acceptable forms of security shall be limited to cash deposit, cash bonds, or irrevocable letters of credit. The performance securities shall be released one (1) year after final clearance of the installed landscaping by the City, upon written request by the owner, if the landscaping has been adequately maintained. A deposit to cover re-inspection of the landscape, at the current City rate shall be posted with the Planning Department prior to re-inspection for maintenance bond release.
68. All required landscaping and irrigation systems shall be installed in a condition acceptable to the City. The owner's Landscape Architect shall provide inspection of the landscaping. The owner's Landscape Architect shall provide the City with a Certificate of Compliance stating that the landscaping was installed per the approved plans. The City will review the Certificate of Compliance and conduct inspections to ensure that the landscape installation is in compliance with the approved landscape plans.

**COMMUNITY SERVICES DISTRICT:**

69. The applicant shall pay all applicable fees to the Murrieta Community Services Department per City policies and ordinances before issuance of any permits.

**FIRE DEPARTMENT:**

70. The applicant shall comply with all conditions as outlined in the Fire Departments letter dated **February 8, 2005 for DP0 004-219**, attached.

**MURRIETA VALLEY UNIFIED SCHOOL DISTRICT:**

71. Prior to the issuance of building permits, the applicant shall pay the school district the required mitigation fee in effect at the time of request.

**END CONDITIONS**



## CITY OF MURRIETA

DATE: February 8th, 2005

TO: CITY OF MURRIETA

ATTN: PLANNING DEPARTMENT/ Dennis Watts

RE: DPO 004-219 - Minegar and Shook

Ladies and Gentlemen:

Fire Prevention has reviewed the plans submitted to our department. The following fire protection requirements must be provided in accordance with The City of Murrieta Ordinances and/or recognized fire protection standards.

### **BUILDING PLAN SUBMITTAL**

1. City of Murrieta Ordinance No. 546 establishes the installation of a fire protection sprinkler system in all buildings with fire flows calculated with a base of 1500 GPM or greater. The sprinkler system post indicator valve and fire department connection shall be located to the front of the project and no further than 40 feet from a super fire hydrant and on the same geographical side of any drive aisles. These appliances shall be located at a minimum of 25 feet from any building. A statement that the building(s) will be automatically fire sprinklered must appear on the title page of the building plans.
2. Fire sprinkler density minimum of .33 gpm / 3500 SF is required.
3. Comply with all conditions for explosion venting and dust collecting addressed in the Uniform Building Code Section # 910. If applicable.
4. Plans must illustrate designated location of fire lanes. Contact Fire Prevention for recommended designations.

5. Applicant must comply with conditions addressed in the California Administrative Code Titles 19 & 24.
6. Occupancy separation may be required as per the Uniform Building Code, Section 302.
7. All buildings within the City of Murrieta shall have fire retardant roofing with a Class "B" minimum rating. The developer must submit documented fire rated listings, supplied by the manufacturer, to the Fire Marshal if he/she chooses to use wood shingles.

**PRIOR TO BUILDING PLAN RELEASE**

8. A looped combination of an on-site/off-site fire protection water systems is required with (6" x 4" x 2-1/2" x 2-1/2") super fire hydrants. This system shall be designed and installed with no hydrant closer than 25 feet or no further than 165 feet from any portion of exterior walls as measured along vehicular travelways.
9. Fire Prevention has established a required minimum fire flow for protection of the above referenced project. Using UFC Table III-A for determining fire flows, 2825 GPM for a 2 hour duration at 20 PSI residual operating pressure must be available before any combustible material is placed on the job site. This fireflow is all inclusive of fire sprinkler system and inside / outside hose demand.
10. Fire Flow Requirements have been based on UFC guidelines for the determination of fire flow requirements. Factors considered were Type V construction.
11. Applicant/Developer shall furnish one copy of the water system plans to the Fire Department for review. Plans shall conform to fire hydrant types, location and spacing, and, the system shall meet the fire flow requirements. Plans shall be signed/approved by the water company having jurisdiction and a registered engineer must provide the following certification statement: