



MITIGATION MONITORING & REPORTING PROGRAM (MMRP) FOR CEQA COMPLIANCE

DATE: August 24, 2018	ASSESSORS PARCEL NO.: 436-360-009				
CASE NO.: SPDR-17-15 – Site Plan Design Review GPA-17-05 – General Plan Amendment to CC – Community Commercial ZC-17-04 – Zone Change to CG – Commercial General TPM-37231 – Tentative Parcel Map – to Create Four Parcels CUP-17-07 – Conditional Use Permit – Service Station w/Convenience Store VAR-18-03 – Alcohol Sales within 100-feet of Residentially Zoned Property MUP-18-07 – Minor Use Permit Fast Food with Drive-Through MUP-18-08 – Minor Use Permit Fast Food with Drive-Through	PROJECT LOCATION: Northeast corner of Seventh Street and Sanderson Avenue, in the City of San Jacinto, California.				
SCH NO: N/A	APPROVAL DATE: In Process				
APPLICANT: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Applicant/Developer</td> <td style="width: 50%;">Property Owner</td> </tr> <tr> <td>Panorama Development, LLC 2005 Winston Court Upland, CA 91784 (909) 931-3363</td> <td>Karl Hauser, Trustee 773 Nyes Place Laguna Beach, CA 92651</td> </tr> </table>	Applicant/Developer	Property Owner	Panorama Development, LLC 2005 Winston Court Upland, CA 91784 (909) 931-3363	Karl Hauser, Trustee 773 Nyes Place Laguna Beach, CA 92651	PROJECT MANAGER: Same as Applicant
Applicant/Developer	Property Owner				
Panorama Development, LLC 2005 Winston Court Upland, CA 91784 (909) 931-3363	Karl Hauser, Trustee 773 Nyes Place Laguna Beach, CA 92651				

THE FOLLOWING REPRESENTS THE CITY'S MITIGATION MONITORING PROGRAM FOR THE MITIGATED NEGATIVE DECLARATION FOR THE ABOVE CASE NUMBER(S)

MITIGATION MEASURES	RESPONSIBLE PARTY	TIMING	TYPE OF VERIFICATION	VERIFIED BY	DATE
I. AESTHETICS					
MM AES-1: Outdoor lighting shall maintain a minimum of one-foot candle illumination for all parking and pedestrian areas and shall not exceed one-half foot candle along property lines of the subject site. A photometric plan shall be submitted for Planning review and approval. The plan must include details such as beam spreads and/or photometric calculations, location and type of fixtures, and arrangement of exterior lighting that does not create glare or hazardous interference to adjacent streets or properties.	Project Proponent	A photometric shall be submitted prior to Building Permit Issuance	Planner will review and approve		
MM AES-2: The design of the buildings shall reduce the number of reflective surfaces used in the construction to minimize new sources of glare. Exterior building materials shall use earth tone light colors with a low-reflectance. Any bare metallic surfaces found on infrastructures such as pipes and poles shall be painted to minimize reflectance and glare.	Project Proponent	The Elevations of the proposed building shall be submitted for this review	Planner will review and approve		
IV. BIOLOGICAL RESOURCES					
MM BIO-1: Prior to any ground disturbance: <ul style="list-style-type: none"> A pre-construction burrowing owl breeding bird survey following the recommended guidelines of the MSHCP will be required to determine if nesting is occurring. Occupied nests will not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist verifies through non-invasive methods that either (a) the adult birds have not begun egg-laying and incubation; or (b) the juveniles from the occupied nests are foraging independently and are capable of independent survival. 	Project Proponent	30-days prior to ground disturbance (demolition, grading and/or construction)	Report by qualified biologist.		

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<p>al.</p> <ul style="list-style-type: none"> If the biologist is not able to verify one of the above conditions, then no disturbance shall occur during the breeding season within a distance determined by the qualified biologist for each nest or nesting site. For the burrowing owl, the recommended distance is a minimum of 160 feet. <p>Mitigation requirements under the MSHCP are not clear for species, such as these, which are not within conserved areas for Criteria Cells. For the burrowing owl, it may be sufficient to passively relocate burrowing owls after nesting. If mitigation is required, a Determination of Biological Equivalent or Superior Preservation Plan (DBESP) must be prepared that includes suitable mitigation and project measures to ensure proper implementation of the mitigation.</p>					
<p>MM BIO-2: Prior to any ground disturbance:</p> <ul style="list-style-type: none"> A breeding bird survey will be required to determine if nesting is occurring. Occupied nests will not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist verifies through non-invasive methods that either (a) the adult birds have not begun egg-laying and incubation; or (b) the juveniles from the occupied nests are foraging independently and are capable of independent survival. If the biologist is not able to verify one of the above conditions, then no disturbance shall occur during the breeding season within a distance determined by the qualified biologist for each nest or nesting site. 	Project Proponent	7-days prior to ground disturbance (demolition, grading and/or construction)	Report by qualified biologist.		

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This work can be done in conjunction with the burrowing owl survey.						
V. CULTURAL RESOURCES						
MM CR 1:	The developer shall retain a qualified archaeologist and a Native American Monitor to prepare an Archaeological Mitigation and Monitoring Plan (AMMP). The AMMP shall include the monitoring of all ground disturbing activities and shall include protocol for the mitigation and significance testing of inadvertent archaeological finds. The archaeologist shall draft the AMMP for the City and Soboba Band of Luiseño Indians review. Treatment and disposition information for tribal artifacts shall be referenced in the Treatment and Disposition Agreement (TDA) with the Soboba Band of Luiseño Indians.	Project Proponent Riverside County Qualified Archaeologist	Prior to any earthmoving activity.	Provide the City with a Copy of AMMP		
MM CR-2:	The developer shall enter into a Treatment and Disposition Agreement (TDA) with the Soboba Band of Luiseño Indians to address treatment and disposition of archaeological/cultural resources and human remains associated with Soboba Band of Luiseño Indians that may be uncovered or otherwise discovered during ground disturbing activities related to the Project and provide the City with a copy of the executed agreement. The TDA will establish provisions for tribal monitors.	Project Proponent	Prior to any earthmoving activity (demolition, grading and/or construction)	Provide the City with a copy of the executed agreement.		
MM CR-3:	In the event that any archaeological material is encountered during the monitoring, the archaeologist and Native American Monitor shall have the authority to halt and redirect earthmoving activities within 50-feet of the find, so that appropriate mitigation measures can be undertaken in order to test and evaluate the significance of the find in accordance with MM CR-1 .	Planning Department Project Proponent Archaeologist Native American Monitor	During earthmoving activities	Notification to the Planning Department.		
MM CR-4:	In the event of the discovery of human remains, the County coroner shall be immediately notified. If human remains of Native American origin are discovered during ground-disturbing activities, the applicant shall comply with the state relating to the disposition of Native American burials that fall within the jurisdiction of the	Planning Department Project Proponent Archaeologist Native American Monitor	During earthmoving activities	Notification to the County Coroner and Planning Department.		

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<p>NAHC (PRC Section 5097). According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). Section 7050.5 requires that excavation is stopped near discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the California Native American Heritage Commission, Morongo Band of Mission Indians and the Soboba Band of Luiseño Indians shall be notified, and appropriate measures provided by State law shall be implemented to determine the most likely living descendant(s). Disposition of the remains shall be overseen by the most likely living descendants to determine the most appropriate means of treating the human remains and any associated grave artifacts.</p>					
<p>MM PALEO-1: If paleontological resources are encountered during demolition and/or grading, ground disturbance activities shall cease so a qualified paleontological monitor can evaluate any paleontological resources exposed during the grading activity. If paleontological resources are encountered, the developer shall provide adequate funding to collect, curate and report on these resources to ensure the values inherent in the resources are adequately characterized and preserved. Collected specimens will be sent to the appropriate authorities for collection.</p>	<p>Planning Department Project Proponent Archaeologist Native American Monitor</p>	<p>During earthmoving activities</p>	<p>Contact Planning Department and Project Proponent. Project Proponent will hire a qualified palaeontologist to prepare report for the Planning Department on required mitigation.</p>		
<p>VI. GEOLOGY & SOILS</p>					
<p>MM GEO-1: The recommendations of the Geotechnical Report prepared by Sladden Engineering, shall be followed through site preparation and building construction. A Geotechnical Engineer shall be present at the site during site demolition and preparation to observe site clearing/demolition, preparation of exposed surface after clearing, and placement, treatment, and compaction of fill material.</p>	<p>Project Proponent</p>	<p>During earthmoving activities</p>	<p>Engineering will verify during inspections</p>		

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MM GEO-2:	Submit an updated geotechnical soils reports covering the imported soils to the site, to the Engineering Department for review and approval prior to issuance of a grading permit.	Project Proponent	Prior to Grading Permit Issuance	Engineering will review and approve		
VII. GREENHOUSE GAS EMISSIONS						
MM GHG-1:	The Project applicant shall require that: all faucets, toilets, and showers installed in the proposed structures utilize low-flow fixtures that would reduce indoor water demand by 20% per CalGreen Standards and that water-efficient landscaping practices are employed on-site.	Project Proponent	Prior to Building Permit Issuance	Project Planner will verify through Plan Check		
MM GHG-2:	The Project applicant shall require recycling programs that reduce waste to landfills by a minimum of 75 percent (per AB 341).	Project Proponent	Prior to Building Permit Issuance	Project Planner will verify through Building Inspection		
MM GHG-3:	The Project applicant shall provide sidewalks that connect on and offsite.	Project Proponent	Prior to Grading Permit Issuance	Project Planner will verify through Grading Plan review		
MM GHG-4:	The Project applicant will ensure that Energy Star appliances are used onsite, wherever appliances are required.	Project Proponent	Prior to Building Permit Issuance	Project Planner will verify through Building Inspection		
XII. NOISE						
MM NOI-1:	A minimum eight-foot high wall is required along the northern and eastern property line to shield existing and future residences from onsite noise.	Project Proponent	Prepare wall plans for Building Permit, under a separate application	Planning Department will review the wall plans prior to permit issuance		
MM NOI-2:	Project shall incorporate an eight-foot-high wall along the loading/unloading area of the loading docks at the commercial/retail store.	Project Proponent	Prepare wall plans for Building Permit, under a separate application	Planning Department will review the wall plans prior to permit issuance		
MM NOI-3:	Ensure fast food speakerphones are positioned in a direction facing away from residences to the north. The Project shall incorporate a speakerphone system that incorporates automatic volume control (AVC). The AVC will adjust the outbound volume based on the outdoor ambient noise level. When ambient noise levels naturally decrease at night, the AVC will reduce the outbound volume on the system. HM Electronics has a speaker system that is capable of said	Project Proponent	Show on plans for Plan Check	Planning Department will verify during Plan Check		

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	technology. During nighttime operation, speakerphones can be turned off, and ordering can occur at the drive-through window which will further reduce noise.					
MM NOI-4:	Trash collection shall occur during daytime hours.	Project Proponent	During Project Operation	Should complaints arise the City will ask for verification of equipment		
MM NOI-5:	Truck deliveries should occur during daylight hours.	Project Proponent	Show on plans for Plan Check	Planning Department will verify during Plan Check		
MM NOI-6:	Any rooftop or ground mounted HVAC units should be positioned at a physical distance as far as plausible from adjacent residences. In addition, the equipment should be shielded by a parapet wall with a height equal to or greater than the equipment. The height of the wall must be taller than HVAC and be designed to completely shield any noise that may be able to flank around the wall.	Project Proponent	Show on plans for Plan Check	Planning Department will verify during Plan Check		
MM NOI-7:	Construction shall occur during the permissible hours as defined in Section 8.40.090, that is Monday through Saturday between the hours of 7:00 a.m. and 7:00 p.m. No construction shall take place on Sundays or any Federal holiday.	Project Proponent	Prior to Grading permit provide this note on Grading Plan	Planning Department will verify during Grading Plan Review		
MM NOI-8:	During construction, the contractor shall ensure all construction equipment is equipped with appropriate noise attenuating devices.	Project Proponent	During Construction	Engineering will verify during Inspections		
MM NOI-9:	The contractor shall locate equipment staging areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the Project site during all Project construction.	Project Proponent	During Construction	Engineering will verify during Inspections		
MM NOI-10:	Idling equipment shall be turned off when not in use.	Project Proponent	During Construction	Should complaints arise the City will ask for verification of equipment		
MM NOI-11:	Equipment shall be maintained so that vehicles and their loads are secured from rattling and banging.	Project Proponent	During Construction	Should complaints arise the City will ask for verification of equipment		
MM NOI-12:	The day-to-day operation of the uses proposed	Project	During Construc-	Should complaints		

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for the Project site shall not exceed a VdB greater than 50.	Proponent	tion	arise the City will ask for verification of equipment		
XVI. TRANSPORTATION/TRAFFIC					
MM TRAF-1: Lyon Avenue/Seventh Street – Improve the westbound 7th Street approach from one left-turn/through/right-turn lane to one left-turn lane and one through/right-turn lane. Improve the eastbound 7th Street approach from one left-turn lane and one through/right-turn lane to consist of one left-turn/through lane and one through/right-turn lane. Roadway widening would be needed on the eastbound and westbound approaches to accommodate the recommended lane configuration. The additional eastbound through lane would drop at the driveway to the 412 Church. Signalize the intersection.	Project Proponent	Prior to Grading Permit Issuance	Street Improvement plan to be reviewed and approve by Engineering		
MM TRAF-2: Sanderson Avenue/Esplanade Avenue – Improve the northbound Sanderson Avenue approach from one left-turn lane, one through lane and one through/right-turn lane to consist of one left-turn lane, two through lanes and one right-turn lane.	Project Proponent	Prior to Grading Permit Issuance	Street Improvement plan to be reviewed and approve by Engineering		
MM TRAF-3: Palm Avenue/Seventh Street – Install stops signs on the northbound and southbound Palm Avenue approaches, converting the intersection to all-way stop-control operation. Signalize intersection of Palm Avenue/7th Street.	Project Proponent	Prior to Grading Permit Issuance	Street Improvement plan to be reviewed and approve by Engineering		
MM TRAF-4: The applicant shall submit a Trip Reduction Program (TRP) for Planning approval prior to building permit issuance. Once approved the program shall be used by all owners/tenants as stated in a covenant on the land.	Project Proponent	Prior to Building Permit	Planning will review and approve the TRP and Covenant		
MM TRAF-5: The site plan shall provide ten percent of all required parking stalls designated as parking for any combination of low-emitting, fuel efficient and carpool/vanpool vehicles in compliance with table A5.106.5.1.1 of the CalGreen Code.	Project Proponent	Prior to Grading Permit	Planning will review and approve the revised site plan		
MM TRAF-6: The site plan shall provide four percent of all required parking stalls with electric vehicle charging stations pursuant to Chapter	Project Proponent	Prior to Grading Permit Issuance	Planning will review and approve the revised site plan		

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	17.430.361 of the Development Code and 5.106.5.3 of the CalGreen Code.					
MM TRAF-7:	The site plan shall be redesigned prior to grading permit approval, for Planning approval, to provide decorative walkways with appropriate signage throughout the site.	Project Proponent	Prior to Grading Permit Issuance	Planning will review and approve the revised site plan		
MM TRAF-8:	The site plan shall provide long-term and short-term bicycle parking in accordance with Chapter 17.330.110 of the Development Code and Section 5.710.6.2 of the Cal Green Code.	Project Proponent	Prior to Grading Permit Issuance	Planning will review and approve the revised site plan		
MM TRAF-9:	Prior to grading permit issuance the applicant shall submit a Construction Haul Route Plan per the California Manual on Uniform Traffic Control Devices, for review and approval by the City Engineer. The plan shall include, but not be limited to, signing, truck routes, dirt hauling hours, and start/end dates.	Project Proponent	Prior to Grading Permit Issuance	Planning & Engineering will review Route		
MM TRAF-10:	<p>Prior to the occupancy of each building the applicant shall pay the Project's fair share contribution toward improvements to the following intersections:</p> <ul style="list-style-type: none"> • Sanderson Avenue/Esplanade Avenue • Lyon Avenue/7th Street • Palm Avenue/7th Street 	Project Proponent	Prior to Building Occupancy	Planning & Engineering will review		
XVII. TRIBAL CULTURAL RESOURCES						
See MM CR-1 through MM CR-5 and MM PALEO-1 above.						