

RESOLUTION 2019-15
CITY OF PETALUMA PLANNING COMMISSION

**APPROVING SITE PLAN AND ARCHITECTURAL REVIEW FOR
THE DEER CREEK RESIDENTIAL PROJECT AND
INCLUDING CONSTRUCTION OF 134 MULTI-FAMILY UNITS IN FIVE RESIDENTIAL BUILDINGS
AT THE SOUTHWEST CORNER OF RAINIER AVENUE AND NORTH MCDOWELL BOULEVARD
APN: 007-380-034
FILE NO. PLSR-18-0005**

WHEREAS, David E. Geiser of Merlone Geier Management, LLC, submitted on behalf of property owner MGP VIII Properties, LLC, an application for a Conditional Use Permit and Site Plan and Architectural Review for the construction of a 134-unit multi-family development consisting of five residential buildings within the Mixed Use 1B (MUIB) zoning district, located on a 4.71-acre site at the southwest corner of Rainier Ave and North McDowell Boulevard (APN 007-380-034) (the "Project"); and

WHEREAS, the project site was part of the previously approved Deer Creek Village Shopping Center approved by the Planning Commission on April 2, 2012; and

WHEREAS, the project site is designated Mixed Use in the General Plan 2025 which calls for a robust mix of uses including commercial, office, and residential; and

WHEREAS, General Plan Policy 2-P-89 calls for a range of uses, including residential, on the property at the corner of North McDowell and Rainier; and

WHEREAS, the applicant held neighborhood meeting on April 3, 2019 and April 30, 2019 at the community center consistent with the city's Public Outreach Policy as outlined in City Council Resolution No. 2018-107; and

WHEREAS, public notice of the May 14, 2019 Planning Commission meeting was published in the *Petaluma Argus-Courier* and mailed to residents and occupants within 1,000 feet of the Project site in compliance with state and local law; and

WHEREAS, a public hearing sign was posted on site at least 17 days prior to the May 14, 2019 Planning Commission meeting, consistent with the City Council Resolution No. 18-107; and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 14, 2019, at which time all interested parties had the opportunity to be heard; and

WHEREAS, at said hearing, the Planning Commission considered the staff report, dated May 14, 2019, and all public testimony provided prior to and at the public hearing; and

WHEREAS, on May 14, 2019, the Planning Commission adopted Resolution No. 2019-08 approving a Conditional Use Permit to establish multi-family residential use within the MUIB zoning district at the project site; and

WHEREAS, at the May 14, 2019 Planning Commission meeting the Commission provided design feedback to the applicant and continued the SPAR aspect of the project to a date uncertain; and

WHEREAS, public notice of the October 22, 2019 Planning Commission meeting was published in the *Petaluma Argus-Courier* and mailed to residents and occupants within 1,000 feet of the Project site in compliance with state and local law; and

WHEREAS, a public hearing sign was updated on site at least 17 days prior to the October 22, 2019 Planning Commission meeting, consistent with the City Council Resolution No. 18-107; and

WHEREAS, the Planning Commission held a duly noticed public hearing on October 22, 2019, at which time all interested parties had the opportunity to be heard; and

WHEREAS, at said hearing, the Planning Commission considered the staff report, dated October 22, 2019, and all public testimony provided prior to and at the public hearing; and

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION AS FOLLOWS:

1. The foregoing recitals are true and correct and incorporated herein by reference.
2. Based on its review of the entire record herein, the Planning Commission makes the following findings:

California Environmental Quality Act

- a. The project has been reviewed in accordance with the California Environmental Quality Act and found to be categorically exempt under CEQA Guidelines Section 15332 as an infill development project. The project is consistent with the Mixed Use land use designation and regulations of the Mixed Use 1B (MU1B) Zoning District of the Implementing Zoning Ordinance. The project is also located within city limits on a site less than five acres substantially surrounded by urban uses and on a site without value for habitat for endangered, rare, or threatened species. The project would not result in any significant effects related to traffic, noise, air quality, or water quality and is located on a site served by all required utilities and public services.

General Plan

- b. The Project is consistent with the General Plan 2025 Mixed (MU) land use designation in that the MU designation accommodates a combination of uses, including retail, residential, service commercial, and/or offices.
- c. The Project is, for the reasons discussed in the May 14, 2019 Planning Commission staff report, consistent with the following General Plan policies:

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|---------------|---|
| Policy 1-P-2 | Use land efficiently by promoting infill development, at equal or higher density and intensity than surrounding uses. |
| Policy 1-P-7 | Encourage flexibility in building form and in the nature of activities to allow for innovation and the ability to change over time. |
| Policy 1-P-14 | Require provision of street trees, landscaping, parking, and access features to help integrate land uses and achieve an effective transition between uses of disparate intensities. |
| Policy 2-P-1 | As depicted on the Land Use Map allow for urban development at defined densities and intensities to prevent the need to extend outward beyond the Urban Growth Boundary. |
| Policy 2-P-89 | Allow for a range of uses, including commercial, office and residential, in the mixed-use area on the southwest corner of North McDowell and Rainier Avenue |
| Policy 5-P-22 | Preserve and enhance pedestrian connectivity in existing neighborhoods and require a well connected pedestrian network linking new and existing |

developments to adjacent land uses.

Policy 5-P-23 Require the provision of pedestrian site access for all new development.

Policy 5-P-30 Require all new development abutting any public trail to provide access to the trail.

d. The Project is, for the reasons discussed in the May 14, 2019 Planning Commission staff report, consistent with the following Housing Element policies:

Policy 1.1 Promote residential development within the Urban Growth Boundary.

Policy 1.2 Encourage the development of housing on underutilized land that is appropriately zoned.

Policy 2.1 Encourage a mix of housing design types.

Implementing Zoning Ordinance

e. The project is consistent with Implementing Zoning Ordinance §24.010 – Site Plan and Architectural Review, in that all required findings found in §24.010(G) can be made as follows:

i. The appropriate use of quality materials and harmony and proportion of the overall design.

The project incorporates the use of stucco, hardiplank siding and stone tile in a manner that is architecturally harmonious and proportional. Materials and colors are used to establish a hierarchy within the building's architectural form and to emphasize breaks made in the otherwise broad horizontal planes. This is proportionality reinforces the residential nature of the use and is enhanced by changes in planes on all elevations, steps in the roof line and punched, 2-inch recessed, window openings.

ii. The architectural style which should be appropriate for the project in question, and compatible with the overall character of the neighborhood.

The architectural style is appropriate for the proposed residential use and adds harmony across the disparate built forms within the immediate area. The proposed architectural style reads as residential and facilitates connectivity to the smaller scale residential buildings across North McDowell. The architectural form also compliments the site's adjacency to Deer Creek Village by applying notches in the massing and gabled shingle roofs with architectural brackets. The use of stucco and stone tile materials also compliments Deer Creek Village, but the tone and contrast in colors is more subdued and helps to distinguish the residential buildings from the commercial structures.

iii. The siting of the structure on the property, as compared to the siting of other structures in the immediate neighborhood.

Buildings in the surrounding vicinity are set back from the streetscape and buffered from adjacent arterials by sidewalks and landscaped areas. The project is compatible with the siting pattern of other structures on the west side of North McDowell Boulevard, as the placement of the proposed buildings generally aligns with the setbacks of buildings in the Deer Creek Village shopping center. Additionally, with the exception of adding a connecting path from Building 4 to an existing bus stop, the project will not alter the site's existing 10-foot wide sidewalk and landscaping along North McDowell Boulevard. The buildings are also sited in a manner that locates above grade parking and circulation away from the existing pedestrian path along Deer Creek.

- iv. The size, location, design, color, number, lighting, and materials of all signs and outdoor advertising structures.

As noted on the plans the applicant is proposing two monument signs on the residential parcel that will be considered under a separate permit. The Deer Creek Village Master Sign Program includes one monument sign at the entrance of Rainier Avenue, but does not reference a second sign on North McDowell Boulevard near the pedestrian path connection, which is included in the current proposal. The addition of this latter sign will require modifications to the Deer Creek Village Master Sign Program and is conditioned accordingly.

- v. The bulk, height, and color of the proposed structure as compared to the bulk, height, and color of other structures in the immediate neighborhood.

The project is located on a mixed-use site that features tall one- to two-story commercial buildings. Although the proposed structure is four-stories, the proposed height complies with the requirements of the MUIB zoning district and includes an articulation in massing that diminishes broad horizontal or vertical planes. This modulation of the built form also helps to diminish the overall scale of the building mass and improves its overall compatibility with the scale of the neighboring commercial structures. This articulation in massing, paired with the punched window openings, and balconies also reinforces the residential character of the property, relating the project to the dwellings across North McDowell Boulevard and add a more prominent residential typology to the North McDowell Boulevard. For these reasons, the project's bulk, height, and color is compatible with the immediate neighborhood.

- vi. Landscaping to approved City standards shall be required on the site and shall be in keeping with the character or design of the site. Existing trees shall be preserved wherever possible and shall not be removed unless approved by the Planning Commission.

The project includes landscaping to approved city standards and preserves existing trees wherever possible. Landscaping treatments are designed in a manner that both provides privacy and noise screening for the residential uses from the neighboring arterials, yet also promotes pedestrian connectivity and walkability. The proposed landscape plans include low- and medium-water usage tree and shrub species surrounding the development site. All plantings will also be watered by a fully automatic water-conserving irrigation system with weather-based smart controller operation.

- vii. Ingress, egress, internal circulation for bicycles and automobiles, off-street automobiles and bicycle parking facilities and pedestrian ways shall be designed as to promote safety and convenience and shall conform to approved City standards.

The project will maintain the Rainier Avenue access for the Deer Creek Village shopping center across the two existing bridges. The site plan of the proposed development facilitates a circulation plan similar to the previously approved commercial development which also bisected the northern portion of the site. Additionally, the siting of the residential structures locates parking away from the existing pedestrian paths and public art amenities. All other ingress, egress, and internal circulation for bicycles and automobiles, as well as the provision of off-street automobile and bicycle parking facilities, conform to standards Implementing Zoning. Furthermore, the Fire Department has indicated that it will have adequate emergency access to the site. For these reasons, the project provides a safe circulation environment which conforms to city standards.

3. Based on its review of the entire record herein, including the May 14, 2019, and October 22, 2019 Planning Commission staff reports, all supporting, referenced, and incorporated documents, and all comments received, the Planning Commission hereby approves Site Plan and Architectural Review for the Project, subject to the conditions of approval attached hereto as **Exhibit 1**.

ADOPTED this 22nd day of October, 2019, by the following vote:

Commission Member	Aye	No	Absent	Abstain
Councilmember McDonnell	X			
Chair Alonso		X		
Vice Chair Bauer	X			
Gomez			X	
Marzo			X	
Potter	X			
Streeter	X			



Scott Alonso, Chair

ATTEST:



Heather Hines, Commission Secretary

APPROVED AS TO FORM:



Lisa Tennenbaum, Assistant City Attorney

SPAR CONDITIONS OF APPROVAL

**Deer Creek Residential Project
Located at the Southwest Corner of Rainier Avenue and North McDowell Boulevard
APN: 007-380-034
File No. PLSR-18-0005**

Planning Division

1. Plans submitted to the City of Petaluma for purposes of construction shall be in substantial conformance with plans on file with the Planning Division and dated October 9, 2019, except as modified by these conditions of approval.
2. The colors and materials, including the lighting fixtures, shall be in substantial conformance with those noted on the plan set and the color board in the project file and date stamped October 9, 2019.
3. Prior to Building Permit issuance, the applicant shall provide the City with an electronic copy of final/approved plans in PDF format on either a CD or USB drive.
4. This approval is granted for and contingent upon construction of the project as a whole, in a single phase, with the construction and/or installation of all features approved and required herein. Modifications to the project, including but not limited to a change in construction phasing, may require Site Plan and Architectural Review in accordance with IZO §24.010.
5. Prior to building permit issuance, all applicable development impact fees, including the housing in-lieu fees, shall be paid. The project was deemed complete prior to January 1, 2019 and is therefore grandfathered under the policy and fees in place on December 31, 2018.
6. Bicycle racks shall comply with size dimensions and location requirements of the Bicycle and Pedestrian Master Plan. Applicant shall ensure adequate access to each bicycle rack from all sides and avoid placing racks too close to any wall or structure.
7. The project will comply with all applicable solar requirements of the 2020 Building Code.
8. The project will build out EV charging stations to the minimum requirements of the Building Code and provide at least one required station in each garage.
9. Prior to or as part of the issuance of any construction permits, the applicant shall demonstrate compliance with the Deer Creek Village Public Art Master Plan, including installation of public art pedestals along the Deer Creek pathway and procedures for art installation on the pedestals.
10. Prior to the issuance of any construction permits, these conditions of approval shall be included with the plan set. A copy of the approved plans shall be maintained on-site when construction activities are occurring.
11. Both construction and post-construction operations shall comply with all performance standards of Implementing Zoning Ordinance Chapter 21.
12. All lighting shall be glare-free, hooded, and downcast in order to prevent glare into bicyclists' and pedestrians' eyes and/or light pollution onto adjacent properties.
13. Prior to building permit issuance, the permittee shall provide a photometric light plan confirming compliance with Implementing Zoning Ordinance §21.040(D)(Glare). If the light specifications

accompanying this approval do not result in photometric light plan demonstrating conformance with Implementing Zoning Ordinance §21.040(D)(Glare), the permittee shall submit and obtain Planning Manager approval of revised lighting specifications.

14. All plantings shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning of debris and trash, fertilizing and regular watering. Whenever necessary, planting shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements. Required irrigation systems shall be fully maintained in sound operating condition with heads periodically cleaned and replaced when missing to insure continued regular watering of landscape areas, and health and vitality of landscape materials.
15. Herbicides/pesticides shall not be applied in areas used by pedestrians/bicyclists within the project without first providing appropriate signs warning of the use of chemicals. The project shall utilize Best Management Practices (BMPs) regarding pesticide/herbicide use and fully commit to Integrated Pest Management techniques for the protection of bicyclists and pedestrians.
16. All tree stakes and ties shall be removed within one year following installation or as soon as trees are able to stand erect without support.
17. All standpipes, check valves, and other utilities shall be placed underground or fully screened from view by decorative screening structures or landscaping to be reviewed and approved by the Planning Manager.
18. Prior to approval of the second monument sign the applicant must obtain approval of an amendment to the Deer Creek Village Master Sign Program. If said amendment is not approved the additional monument sign for the residential component as designated on the plans dated October 22, 2019 shall not be approved.
19. Prior to the issuance of any development permit, the applicant shall provide documentation demonstrating recordation of a Parcel Map that subdivides the residential portion of the development from the Deer Creek Village parcel.
20. The project applicant shall implement the recommendations in the Moore Twining Associates, Inc., Geotechnical Engineering Investigation Report dated November 1, 2018, related to site grading and drainage, site preparation, engineered fill, foundation support, site seismic characterization, retaining/screen walls, interior slabs-on-grade, concrete slabs-on grade, asphaltic concrete pavements, Portland cement concrete pavements, slopes and temporary excavations, utility trenches, and corrosion protection.
21. If during the course of ground disturbing activities, including, but not limited to excavation, grading and construction, a potentially significant prehistoric or historic resource is encountered, all work within a 100 foot radius of the find shall be suspended for a time deemed sufficient for a qualified and city-approved cultural resource specialist to adequately evaluate and determine significance of the discovered resource and provide treatment recommendations. Should a significant archaeological resource be identified a qualified archaeologist shall prepare a resource mitigation plan and monitoring program to be carried out during all construction activities. Prehistoric archaeological site indicators include: obsidian and chert flakes and chipped stone tools; grinding and mashing implements (e.g., slabs and handstones, and mortars and pestles); bedrock outcrops and boulders with mortar cups; and locally darkened midden soils. Midden soils may contain a combination of any of the previously listed items with the possible addition of bone and shell remains, and fire affected stones. Historic period site indicators generally include: fragments of glass, ceramic, and metal objects; milled and split lumber; and structure and feature remains such as building foundations and discrete trash deposits (e.g., wells, privy pits, dumps).

22. In the event that human remains are uncovered during earthmoving activities, all construction excavation activities shall be suspended and the following measures shall be undertaken:
- a. The Sonoma County Coroner shall be contacted to determine that no investigation of the cause of death is required.
 - b. If the coroner determines the remains to be Native American the coroner shall contact the Native American Heritage Commission within 24 hours.
 - c. The project sponsor shall retain a City-approved qualified archaeologist to provide adequate inspection, recommendations and retrieval, if appropriate.
 - d. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American, and shall contact such descendant in accordance with state law.
 - e. The project sponsor shall be responsible for ensuring that human remains and associated grave goods are reburied with appropriate dignity at a place and process suitable to the most likely descendent.
23. The contractor(s) shall implement basic and additional air quality construction measures set forth by Bay Area Air Quality Management District (BAAQMD), including the following:
- f. Water all active construction areas (staging, parking, soil piles, graded areas, unpaved driveways, etc.) at least twice daily.
 - g. Cover all haul trucks transporting soil, sand, or other loose materials offsite.
 - h. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas. Sweep streets daily (with water sweepers) if visible soil material is deposited onto adjacent roads.
 - i. Limit traffic speeds on any unpaved roads to 15 mph.
 - j. Suspend construction activities that cause visible dust plumes that extend beyond the construction site.
 - k. A certified mechanic shall verify that equipment used for construction purposes is properly tuned and maintained in accordance with manufacturer specifications.
 - l. Idling times shall be limited to 5 minutes or less pursuant to the "no idling" rule for in-use off-road diesel-fueled vehicles. During construction, signage shall be posted at the construction site indicating the idle time limitation.
 - m. All diesel-powered off-road equipment larger than 50 horsepower and operating at the site for more than two days continuously shall meet U.S. EPA particulate matter emissions standards for Tier 2 engine or the equivalent.
 - n. Diesel-powered generators or air compressors shall not be used on-site for more than two days continuously, unless under emergency conditions.
 - o. Post a publicly visible sign with the telephone number of designated person and person to contact at the City of Petaluma regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

24. Prior to issuance of a building permit the construction plans will note compliance with the following air quality measures:
 - a. Install a central heating, ventilation and air conditioning (HVAC) system that includes high efficiency particulate filters (an American Society of Heating, Refrigeration, and Air Conditions Engineers MERV rating of 13 or higher). MERV filters can remove up to 90 percent of the DPM emissions from air filtered through the HVAC system. Include a carbon filter to remove other chemical matter. Design filtration system to maintain positive pressure within the building interior to prevent entrainment of outdoor air indoors.
 - b. Windows and doors shall be fully weatherproofed with caulking and weather-stripping that is rated to last at least 20 years. Weatherproofing shall be maintained and replaced to ensure proper functioning for the life of the project.
 - c. Where appropriate install passive (drop-in) electrostatic filtration systems, especially those with low air velocities (1 mph)
 - d. Ensure ongoing maintenance of the HVAC and filtration systems in accordance with manufacturers recommendation including replacement of filters after two or three months of use.
 - e. The applicant shall inform occupants regarding the proper use and installed air filtration system.
25. Prior to issuance of a building permit, the plan shall note the installation of high efficiency heating equipment (90% or higher heating/furnaces) and low NOx water heaters (40 NOx or less) in compliance with policy 4-P-15D (reducing emissions).
26. Prior to the issuance of a building or grading permit, the applicant shall provide a Construction Phase Recycling Plan that would address the reuse and recycling of major waste materials (soil, vegetation, concrete, lumber, metal scraps, cardboard, packing, etc.) generated by the construction of the project and in compliance with General Plan Policy 2-P-122 for review by the planning staff.
27. Enhanced paving shall be used for all pedestrian walkways and crosswalks to further enhance the pedestrian amenities.
28. All residential units shall be provided with a fresh air supply system or air conditioning to allow for closed window conditions that insulate noise exposure.
29. Residential buildings 1, 4, and 5, that are directly exposed to roadway noise sources including North McDowell Boulevard, U.S. 101, and the planned future Rainier Avenue Crosstown Connector, exterior building materials shall be installed with a Sound Transmission Class (STC) rating of at least 39 to reduce interior noise level in habitable room to below 45 dBA. All residential windows, exterior doors, and exterior wall assemblies shall meet the SCT 39 rating to ensure adequate attenuation of noise.
30. All construction activities shall be limited to 7:00 AM to 6:00 PM Monday through Friday and 9:00 AM to 5:00 PM on Saturdays. Construction shall be prohibited on Sundays and all holidays recognized by the City of Petaluma. There would be no startup of machines nor equipment prior to 8:00 AM, Monday through Friday; no delivery of materials nor equipment prior to 7:30 AM nor past 5:00 PM, Monday through Friday; no cleaning of machines nor equipment past 6:00 PM, Monday through Friday; and no servicing of equipment past 6:45 PM, Monday through Friday. The developer's phone number shall be conspicuously posted at the project site for noise complaints.
31. Prior to commencing construction activities, a sign shall be posted on the site regarding the

allowable hours of construction and contact information for complaints. Proof of sign installation shall be provided to the Planning Manager prior to construction commencing.

32. The Deer Creek Swale and 50-foot development buffer shall be clearly identified on plans and all amenities, including walkway, art installation, benches, water fountains, bike parking, and kiosks shall be outside of said buffer.
33. The applicant shall defend, indemnify, and hold harmless the City or any of its boards, commissions, agents, officers, and employees from any claim, action, or proceeding against the City, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul any of the approvals of the project, when such claim or action is brought within the time period provided for in applicable State and/or local statutes. The City shall promptly notify the applicants/developers of any such claim, action, or proceeding. The City shall coordinate in the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding and if the City chooses to do so appellant shall reimburse City for attorneys' fees by the City.

Fire Department

34. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet approved aerial fire apparatus access road shall be provided. For purpose of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater. CFC Appendix D105.1
35. Approved fire apparatus access road shall be provided for every facility, building or portion of a building hereafter construction or move into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. CFC 503.1.1
 - a. Applicant will need to clarify request, and/or proposal relative to an alternate equivalent means such as a dry standpipe with FDC locations. This shall be done prior to Building Department plan submittal. Request shall be made to the Fire Prevention Bureau.
 - b. Vegetation that is within or will interfere with Fire Department access will not be allowed.
36. The number of fire hydrants available to a building shall be no less than the minimum specification in Table C 105.1. Foot notes (f) and (g) are added to read as follows: For commercial, industrial and multifamily residential dwellings, average spacing shall be no greater than three hundred feet (300'). (g) A fire hydrant shall be located within fifty feet (50') of FDC, or as approved by the Fire Code Official.
 - a. Plans must identify an FDC for Building 4 and 5, and a hydrant within 50' of a FDC.
37. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a group R fire area. CFC 903.2.8
 - a. Installation the fire sprinkler system requires approved plans and permit from the Fire Prevention Bureau prior to work commencing. The owner/contractor shall submit a permit application with three (3) sets of plans, cut sheets, and calculations. This system must comply with NFPA 13.
38. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-2 occupancies where any of the following conditions

apply: ... 3. The building contains more than 16 dwelling units or sleeping units. CFC 907.2.9.1

- a. Installation of the fire alarm system must be conducted with approved plans and permit obtained from the Fire Prevention Bureau prior to work commencing. The fire alarm submittal shall include a permit application with three (3) sets of plans, cut sheets, and calculations for review. This system must comply with NFPA 72.

39. Water supplies for automatic sprinkler systems shall comply with this section and the standards referenced in Section 903.3.1. The potable water supply shall be protected against backflow in accordance with Health and Safety Code 13114.7. For connections to public waterworks systems, the water supply test used for design of fire protection systems shall be adjusted to account for seasonal and daily pressure fluctuations based on information from the water supply authority and as approved by the fire code official. CFC 903.3.5.

- a. Installation the fire service underground requires *separate* approved plans and permit from the Fire Prevention Bureau prior to work commencing. The owner/contractor shall submit a permit application with three (3) sets of plans, cut sheets, and calculations. This system must comply with NFPA 13 & 24.

40. Class I standpipes shall be installed in buildings three stories or over in height... Standpipes will be provided with approved outlets provided on each floor level, including the roof when roof access is provided. PMC 905.3.1

- a. Installation of the standpipe system requires a *separate* approved plan and permit from the Fire Prevention Bureau prior to work commencing. Standpipe system submittal shall include a permit application with three (3) sets of plans, cut sheets, and calculations for review. These systems shall comply with NFPA 14.

Public Works

41. Project shall comply with all previous approved Deer Creek conditions of approval items, and requirements for improvements.

42. The project shall provide an updated traffic study and impacts on the McDowell/Rainier intersection signal timing with revised trips. Construction shall include improvements to signal timing and intersection pedestrian access.

43. A continuous ADA compliant sidewalk shall connect the existing sidewalk at the Rainier intersection to the project sidewalk at the NE end of the main project lane (un-named) from Deer Creek bridge.

44. Groundwater used to dewater the garages shall not be permitted to enter into the sewer or storm collection systems. An engineering discharge of long-term dewatering shall be field injected or releasing on the natural ground per State requirements.

45. City approved Signage shall be provided for parking and access for the Dog park.

46. Vacation and abandonment of easements for watermains and necessary utilities shall be recorded prior to use of new water and utility systems. Easement revisions request for City Council shall include providing an overall exhibit for staff report.

47. Post construction storm water shall be treated per current BASMAA manual and guidelines.

48. All of Rainier Circle street pavement including the North McDowell intersection west to the roundabout shall be micro-sealed and re-stripped after construction. The completed micro-seal and striping shall be completed prior to occupancy at a time approved by the City Engineer.

49. Minor revisions to hydrant and fire service locations are required and will be provided prior to initial site development submittal.
50. With the Building Permit submittal, applicant shall provide a construction level storm water quality report that demonstrates compliance with "BASMAA Post-Construction Manual: Design Guidance for Stormwater Treatment and Control for Projects in Marin, Sonoma, Napa, and Solano Counties", January 2019. (Provision E.12 of the City's storm water permit)
51. The project shall comply with E.10 Construction Erosion and Sediment Control requirements: with the building permit application, applicant shall provide Notice of Intent documentation as well as the Storm Water Pollution Prevention Plan (SWPPP) and erosion and sediment control plan
52. Prior to issuance of a building permit, an Operations & Maintenance Manual is required for any proposed storm water detention and treatment system if used and shall be submitted with the building permit application for review and approval by the City Engineer. The manual shall include annual inspection. Plans prepared by a Civil Engineer registered in the State of California, to ensure the detention and treatment systems are operating as designed and constructed as well as provisions to make any necessary repairs to the system. A signed and sealed copy of the report shall be provided annually to the Office of the City Engineer.
53. The project is responsible for paying water, sewer, and storm drain impact/capacity fees prior to issuance of a building permit.