

## **RESOLUTION NO. ARC-1008-17**

**A RESOLUTION OF THE ARCHITECTURAL REVIEW COMMISSION OF THE CITY OF SAN LUIS OBISPO, CALIFORNIA, APPROVING THE DESIGN OF 1,700-LINEAR FOOT SECTION OF THE RAILROAD SAFETY TRAIL (TAFT TO PEPPER), INCLUDING A BRIDGE OVER THE UNION PACIFIC RAILROAD TRACKS AND ASSOCIATED TREE REMOVALS, AND ADOPTION OF A MITIGATED NEGATIVE DECLARATION, AS REPRESENTED IN THE STAFF REPORT AND ATTACHMENTS DATED MAY 15, 2017 WEST OF CALIFORNIA BOULEVARD, TAFT TO PEPPER (ARCH-0360-2017)**

**WHEREAS**, the Architectural Review Commission of the City of San Luis Obispo conducted a public hearing in the Council Hearing Room of City Hall, 990 Palm Street, San Luis Obispo, California, on May 15, 2017, pursuant to a proceeding instituted under ARCH-0360-2017, City of San Luis Obispo Public Works Department, applicant; and

**WHEREAS**, notices of said public hearing were made at the time and in the manner required by law; and

**WHEREAS**, the Architectural Review Commission of the City of San Luis Obispo has duly considered all evidence, including the testimony of the applicant, interested parties, and evaluation and recommendations by staff, presented at said hearing; and

**NOW, THEREFORE, BE IT RESOLVED** by the Architectural Review Commission of the City of San Luis Obispo as follows:

**SECTION 1. Findings.** The Architectural Review Commission hereby grants approval to application ARCH-0360-2017, based on the following findings:

1. That the project will not be detrimental to the health, safety, and welfare of persons living or working at the site or in the vicinity because the project will be compatible with site constraints and the scale and character of the site and the surrounding neighborhood.
2. The proposed Railroad Safety Trail (Taft to Pepper segment) is consistent with General Plan Circulation Element Policies regarding bicycle transportation by: expanding the bicycle network to encourage bicycle use and making bicycling safe, convenient and enjoyable (Policies 4.1.1 Bicycle Use and 4.1.5 Bikeway Design and Maintenance); encouraging the use of bicycles by students and staff traveling to local educational facilities (Policy 4.1.2 Campus and School Site Trips); by identifying and pursuing the acquisition of right-of-ways needed to implement the Railroad Safety Trail as identified in the Bicycle Transportation Plan (Policy 4.1.10 Right-of-way Acquisition); and by obtaining railroad right-of-way and easements to establish a separated bike path and pedestrian trail through San Luis Obispo (Policy 4.2.5 Railroad Bikeway and Trail).
3. The project implements the Bicycle Transportation Plan (November 2013), which identifies the Railroad Safety Trail as "the top priority project" and calls for safe, reliable, and efficient

connections to all major destinations throughout the City, for both transportation and recreational purposes. The project furthers implementation of bicycling network objectives identified in the Bicycle Transportation Plan, including Objective 3 (increase bicycle use for transportation to a 20% mode share).

**SECTION 2. Environmental Review.** The Architectural Review Commission hereby adopts the proposed Mitigated Negative Declaration and associated Mitigation and Monitoring Program, finding that it adequately addresses the project's potentially significant impacts on the environment, with the incorporation of the following mitigation measures:

**Air Quality**

**Mitigation Measure AQ-1:** During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on grading and building plans. In addition, the contractor shall designate a person or persons to monitor the dust control program and to order increased watering, modify practices as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Community Development and Public Works Departments prior to commencement of construction.

- a. Reduce the amount of disturbed area where possible.
- b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the Project site and from exceeding the APCD's limit of 20 percent opacity for no greater than three minutes in any 60-minute period. Increased watering frequency will be required whenever wind speeds exceed 15 mph and cessation of grading activities during periods of winds over 25 mph. Reclaimed (non-potable) water is to be used in all construction and dust-control work.
- c. All dirt stock pile areas (if any) shall be sprayed daily and covered with tarps or other dust barriers as needed.
- d. Permanent dust control measures identified in the approved Project revegetation and landscape plans shall be implemented as soon as possible, following completion of any soil disturbing activities.
- e. Exposed grounds that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established.
- f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
- g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- i. All trucks hauling dirt, sand, soil, or other loose materials, are to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.

- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.

If drought conditions persist at the time of construction, the following alternative methods for dust control are recommended. The contractor or builder shall implement the use of an APCD-approved dust suppressant(s) to reduce the amount of water used for fugitive dust control. For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook that can be accessed at the following website: [slocleanair.org/business/landuseceqa.php](http://slocleanair.org/business/landuseceqa.php).

**Monitoring Program, AQ-1:** These conditions shall be noted on all Project grading and building plans. Public Works Inspectors shall conduct field monitoring.

**Mitigation Measure AQ-2:** Prior to any construction activities at the site, the Project proponent shall ensure that all equipment and operations are compliant with California Air Resource Board and APCD permitting requirements, by contacting the APCD Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

**Monitoring Program, AQ-2:** These conditions shall be noted on all Project grading and building plans. Public Works Inspectors shall conduct field monitoring.

**Mitigation Measure AQ-3:** To reduce impacts to sensitive receptors as a result of emissions from diesel vehicles and equipment used to construct the Project and export soil from the Project site, the applicant shall implement the following idling control techniques:

1. California Diesel Idling Regulations
  - a. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
    1. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
    2. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than five minutes at any location when within 1,000 feet of restricted area, except as noted in Subsection (d) of the regulation.
  - b. Off-road diesel equipment shall comply with the five-minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board's In-Use Off-Road Diesel regulation.
  - c. Signs must be posted in the designated queuing areas and job sites to remind drivers and operators of the state's 5-minute idling limit.
2. Diesel Idling Restrictions Near Sensitive Receptors (residential homes). In addition to the State required diesel idling requirements, the Project applicant shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors:

- a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors.
  - b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted.
  - c. Use of alternative fueled equipment is recommended.
  - d. Signs that specify the no idling areas must be posted and enforced at the site.
3. Soil Transport. The final volume of soil that will be hauled off-site, together with the fleet mix, hauling route, and number of trips per day will need to be identified for the APCD. Specific standards and conditions will apply.

**Monitoring Program, AQ-3:** These conditions shall be noted on all Project grading and building plans. Public Works Inspectors shall conduct field monitoring.

**Mitigation Measure AQ-4:** Prior to construction, a geological evaluation shall be conducted to determine the presence of NOA. If NOA is not present, an exemption request must be filed with the APCD. If NOA is found, the City must comply with all requirements outlined in the Asbestos Air Toxics Control Measure (ATCM), which may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD.

**Monitoring Program, AQ-4:** These conditions shall be noted on all Project grading and building plans. Public Works Inspectors shall conduct field monitoring. If required, the Asbestos Dust Mitigation Plan and Asbestos Health and Safety Program shall be submitted to APCD prior to grading and construction. A copy of the Asbestos Dust Mitigation Plan and Asbestos Health and Safety Program shall be available onsite during grading and construction, and shall be implemented as necessary.

**Mitigation Measure AQ-5:** If asbestos containing materials are encountered during construction activities, the Project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40 CFR 61, Subpart M – asbestos NESHAP).

**Monitoring Program, AQ-5:** These conditions shall be noted on all Project grading and building plans. Public Works Inspectors shall conduct field monitoring.

**Mitigation Measure AQ-6:** Should hydrocarbon contaminated soil be encountered during construction activities, the APCD must be notified as soon as possible and no later than 48 hours after affected material is discovered to determine if an APCD Permit will be required. In addition, the following measures shall be implemented immediately after contaminated soil is discovered:

1. Covers on storage piles shall be maintained in place at all times in areas not actively involved in soil addition or removal;
2. Contaminated soil shall be covered with at least six inches of packed uncontaminated soil or other TPH-non-permeable barrier such as plastic tarp. No headspace shall be allowed where vapors could accumulate;
3. Covered piles shall be designated in such a way to eliminate erosion due to wind or water. No openings in the covers are permitted;

4. The air quality impacts from the excavation and haul trips associated with removing the contaminated soil must be evaluated and mitigated if total emissions exceed the APCD's construction phase thresholds;
5. During soil excavation, odors shall not be evident to such a degree as to cause a public nuisance; and,
6. Clean soil must be segregated from contaminated soil.

The notification and permitting determination requirements shall be directed to the APCD Engineering & Compliance Division at (805) 781-5912.

Monitoring Program, AQ-6: These conditions shall be noted on all Project grading and building plans. Public Works Inspectors shall conduct field monitoring.

### **Biological Resources**

**Mitigation Measure BIO-1:** In the event that special-status plant species are observed within the Project site, all individuals will be flagged by a qualified biologist prior to construction activities, so that they may be avoided. If special-status plants cannot be avoided by Project activities, the appropriate permits will be obtained prior to the start of construction activities. A restoration plan will be prepared for the Project (BIO-2), and will be implemented as necessary.

Monitoring Program, BIO-1: This condition shall be noted on all Project grading and building plans. City staff will periodically inspect the site regarding continued compliance with the above mitigation measure.

**Mitigation Measure BIO-2:** Prior to construction, the City will prepare a restoration plan that provides for a 1:1 restoration ratio for temporary and permanent impacts, unless otherwise directed by regulatory agencies. Any revegetation will be conducted using only native plant species, and will be conducted outside of the UPRR right-of-way. The restoration plan will include specifications for invasive species abatement and monitoring.

Monitoring Program, BIO-2: This condition shall be noted on all Project grading and building plans. The restoration plan shall be reviewed by the City's Natural Resources Manager. City staff will periodically inspect the site for implementation of the restoration plan and continued compliance with the above mitigation measure.

**Mitigation Measure BIO-3:** Prior to construction, a Storm Water Pollution Prevention Plan or Water Pollution Control Plan for the Project will be prepared. Provisions of this plan shall be implemented during and after construction as necessary to avoid and minimize erosion and storm water pollution in and near the work area.

Monitoring Program, BIO-3: This condition shall be noted on all Project grading and building plans. The Storm Water Pollution Prevention Plan or Water Pollution Control Plan shall be reviewed by the RWQCB and City's Natural Resources Manager. City staff will periodically inspect the site for implementation of the Storm Water Pollution Prevention Plan or Water Pollution Control Plan and continued compliance with the above mitigation measure.

**Mitigation Measure BIO-4:** Prior to construction, all personnel will participate in an environmental awareness training program conducted by a qualified biologist.

**Monitoring Program, BIO-4:** The contractor shall provide City staff proof of compliance regarding implementation of the environmental awareness training program.

**Mitigation Measure BIO-5:** During construction, the cleaning and refueling of equipment and vehicles will occur only within a designated staging area and at least 100 ft from wetlands or culverts that outflow to wetlands. At a minimum, equipment and vehicles will be checked and maintained on a daily basis to ensure proper operation and avoid potential leaks or spills.

**Monitoring Program, BIO-5:** This condition shall be noted on all Project grading and building plans. City staff will periodically inspect the site regarding continued compliance with the above mitigation measure.

**Mitigation Measure BIO 6:** Prior to removal of Eucalyptus tree or other large trees, a qualified biologist will survey the trees to determine presence of roosting monarch butterflies. If roosting is identified (e.g., a visible “clump” over a period of time), tree removal will be scheduled outside of the roosting period (generally November to March).

**Monitoring Program, BIO-6:** This condition shall be noted on all Project grading and building plans. City staff will periodically inspect the site regarding continued compliance with the above mitigation measure.

**Mitigation Measure BIO-7:** If construction activities are proposed during the typical nesting season (February 15 to September 1), a nesting bird survey will be conducted by a qualified biologist no more than two weeks prior to the start of construction to determine presence/absence of nesting birds within the Biological Study Area and immediate vicinity. Caltrans will be notified if nesting birds are observed during the surveys and will facilitate coordination with the USFWS if necessary to determine an appropriate avoidance strategy. Likewise, coordination with CDFW will be facilitated by the City if necessary to devise a suitable avoidance plan. If raptor nests are observed within the Project site during the pre-construction nesting bird surveys, the nest(s) shall be designated an Environmental Sensitive Area and protected by a minimum 500-foot avoidance buffer until the breeding season ends or until a qualified biologist determines that all young have fledged and are no longer reliant upon the nest or parental care for survival. Similarly, if active passerine nests are observed within the Project Site during the pre-construction nesting bird surveys, the nest(s) shall be designated an Environmentally Sensitive Area and protected by a minimum 250-foot avoidance buffer until the breeding season ends or until a qualified biologist determines that all young have fledged and are no longer reliant upon the nest or parental care for survival. Resource agencies may consider proposed variances from these buffers if there is a compelling biological or ecological reason to do so, such as protection of a nest via concealment due to site topography.

**Monitoring Program, BIO-7:** This condition shall be noted on all Project grading and building plans. City staff will periodically inspect the site regarding continued compliance with the above mitigation measure.

**Mitigation Measure BIO-8:** Prior to construction, the City will prepare a Tree Protection and Restoration Plan to be reviewed and approved by the City Arborist and City Natural Resources Manager. Requirements shall include but not be limited to: the protection of trees with construction setbacks from trees; construction fencing around trees; grading limits around the base of trees as required; and a replacement plan for trees removed including replacement at a minimum 1:1 ratio. Removal of native trees shall require a minimum 4:1 replacement ratio. The Tree Protection and Restoration Plan shall include, but not be limited to, the following information:

- a. Specific areas proposed for revegetation and their size.
- b. Implementation plan (rationale for expecting implementation success, responsible parties, schedule, site preparation, and planting plan);
- c. Specific habitat management and protection concepts to be used to ensure long-term maintenance and protection of the trees (i.e.: quarterly and annual surveys to be conducted for a minimum of five years; protection fencing and signage where necessary; and weed abatement);
- d. Contingency measures in the event a planted tree does not survive, including replacement of the tree to ensure no net loss of trees in the long-term;
- e. Reporting requirements to ensure consistent data collection and reporting methods used by monitoring personnel;
- f. Funding mechanism.

**Monitoring Program, BIO-8:** The Tree Protection and Restoration Plan shall be approved by the City Arborist and Natural Resources Manager prior to construction. Compliance with the Plan and submittal of required Monitoring Reports will be verified by the City Arborist and Natural Resources Manager.

### **Cultural Resources**

**Mitigation Measure CR-1:** If, during the course of constructing and implementing the proposed Project, archaeological, paleontological, or cultural resources (i.e., prehistoric sites, historic sites, or isolated artifacts and features) are discovered, the contractor shall halt all ground disturbing activities immediately within 50 feet of the discovery, the City shall be notified, and a professional archaeologist, architectural historian, or paleontologist (depending on the nature of the finding) shall be retained to determine the significance of the discovery. The City shall consider mitigation recommendations presented by the professional, and the City shall consult and agree upon implementation of a measure(s) that they deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The City shall be required to implement any mitigation necessary for the protection of archaeological, paleontological, and cultural resources.

**Monitoring Program, CR-1:** All mitigation measures shall be noted on Project grading and building plans, and be clearly visible to contractor and City inspectors. City staff will periodically inspect the site for continued compliance with the above mitigation measure.

**Mitigation Measure CR-2:** In the event of human burial discovery, no further disturbance shall occur within 100 feet of the finding until the County of San Luis Obispo (County) Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The County Coroner must be notified of the find immediately. If the human remains are determined to be

Native American, the County Coroner will notify the Native American Heritage Commission within 24 hours, which will determine and notify a Most Likely Descendant (MLD). The City shall allow the MLD to complete an inspection of the site (typically within 48 hours of notification) and shall comply with MLD recommendations, which may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Monitoring Program, CR-2: All mitigation measures shall be noted on Project grading and building plans, and be clearly visible to contractor and City inspectors. City staff will periodically inspect the site for continued compliance with the above mitigation measure.

Mitigation Measure CR-3: Additional archaeological surveys will be conducted in association with subsequent environmental review pursuant to the California Environmental Quality Act if Project limits are extended beyond the present survey limits.

Monitoring Program, CR-3: If Project conditions change, additional cultural surveys and reporting will be conducted.

Mitigation Measure CR-4: During removal of vegetation within any areas previously determined to be inaccessible due to vegetation, including an approximately 100-foot segment behind the California Highway Patrol facility, a qualified archaeologist shall monitor vegetation removal and conduct a surface survey to confirm the presence or absence of archaeological resources. In the event of resource discovery during the survey, and at any time during construction, the resource shall be evaluated pursuant to mitigation measure CR-1 and the City of San Luis Obispo *Archaeological Resource Preservation Program Guidelines* (October 2009). Prior to redirecting or resuming construction, a Cultural Resources Monitoring Plan, prepared by a qualified archaeologist, shall be prepared and implemented in the event of resource discovery. The Monitoring Plan shall include at a minimum:

- a. List of personnel involved in the monitoring activities;
- b. Inclusion of involvement of the Native American community, as appropriate;
- c. Description of how the monitoring shall occur;
- d. Description of frequency of monitoring (e.g., full-time, part time, spot checking);
- e. Description of what resources are expected to be encountered;
- f. Description of circumstances that would result in the halting of work at the project site (e.g., What is considered “significant” archaeological resources?);
- g. Description of procedures for halting work on the site and notification procedures; and
- h. Description of monitoring reporting procedures.

Monitoring Program, CR-4: All mitigation measures shall be noted on Project grading and building plans, and be clearly visible to contractor and City inspectors. The City shall oversee survey efforts, and shall review and approve the Monitoring Plan, as required.

### **Hazards and Hazardous Materials**

Mitigation Measure HAZ-1: Prior to construction, as recommended in the Initial Site Assessment (Padre, April 2016), the City shall complete a Preliminary Site Investigation Report including, but not limited to, testing and analysis of soils to be disturbed as a result of grading and construction activities. The Report shall include, but not be limited to: sampling and analysis methodology,

including the advancement of shallow drill holes along the proposed ground disturbance areas, collection of discrete soil samples from shallow soils, and chemical analysis of selected soil samples for presence of total petroleum hydrocarbon constituents, lead, arsenic, and chlorinated herbicides; and identification of the concentration of petroleum hydrocarbons and chlorinated herbicides. In the event that elevated concentrations of suspected contaminants are indicated in shallow soils, the City will prepare a Contaminated Materials Management Plan (CMMP) for implementation during the course of the construction activities. The CMMP shall include but not be limited to detailed procedures to properly manage and dispose contaminated soils disturbed during the course of the Project construction activities, in accordance with local, state, and federal regulations.

**Monitoring Program, HAZ-1:** These conditions shall be noted on all Project grading and building plans. Public Works Inspectors shall conduct field monitoring. If required, the CMMP shall be submitted to the City prior to grading and construction. A copy of the CMMP shall be available onsite during grading and construction, and shall be implemented as necessary.

**Mitigation Measure HAZ-2:** TPH-containing soil, lead-contaminated soil, herbicide-containing soil, and lead-based paint containing building materials demolished as part of the Project will be segregated and properly packaged and disposed of at a licensed facility.

**Monitoring Program, HAZ-2:** These conditions shall be noted on all Project grading and building plans. Public Works Inspectors shall conduct field monitoring.

### **Noise**

**Mitigation Measure N-1:** All equipment will have sound-control devices that are no less effective than those provided on the original equipment. No equipment will have an unmuffled exhaust.

**Monitoring Program, N-1:** These conditions shall be noted on all Project grading and building plans. Public Works Inspectors shall conduct field monitoring.

**Mitigation Measure N-2:** As directed by Caltrans, the contractor will implement appropriate additional noise mitigation measures, including changing the location of stationary construction equipment, turning off idling equipment, rescheduling construction activity, notifying adjacent residents in advance of construction work, and installing acoustic barriers around stationary construction noise sources.

**Monitoring Program, N-2:** These conditions shall be noted on all Project grading and building plans. Public Works Inspectors shall conduct field monitoring.

**Mitigation Measure N-3:** At least twenty (20) days prior to commencement of construction, the contractor shall provide written notice to all property owners, businesses, and residents within 300 feet of the trail alignment. The notice shall contain a description of the Project, the construction schedule, including days and hours of construction, the name and phone number of the City's Project environmental coordinator and contractor(s), site rules and conditions of approval pertaining to construction activities.

**Monitoring Program, N-3:** These conditions shall be noted on all Project grading and building plans.

**Mitigation Measure N-4:** Construction (including preparation for construction work, such as equipment transportation) shall only be permitted Monday through Saturday between the hours of 7:00 a.m. and 7:00 p.m. Construction shall not occur on legal holidays.

**Monitoring Program, N-4:** These conditions shall be noted on all Project grading and building plans. Public Works Inspectors shall conduct field monitoring.

**Mitigation Measure N-5:** All construction equipment, including trucks and stationary equipment, shall be professionally maintained and fitted with standard manufacturers' mufflers, silencing devices and engine covers.

**Monitoring Program, N-5:** These conditions shall be noted on all Project grading and building plans. Public Works Inspectors shall conduct field monitoring.

**Mitigation Measure N-6:** Temporary construction noise barriers (blanket type or non-reflective solid type, minimum 10 feet tall at road grade, rated at STC-25 or better) shall be installed and maintained between pile drilling work areas and affected residences on Pepper Street during bridge construction. Noise levels shall be monitored for compliance.

**Monitoring Program, N-6:** These conditions shall be noted on all Project grading and building plans. Public Works Inspectors shall conduct field monitoring.

### **Transportation/Traffic**

**Mitigation Measure T-1:** Prior to construction, a Traffic Management Plan will be prepared for the Project, which will identify measures to follow during lane closure, reconfiguration, and striping on California Boulevard. The Traffic Management Plan shall include, but not be limited to, the following:

- a. Identified lane closures, including vehicle, bicycle, and pedestrian sidewalk closures or limitations.
- b. Safety measures including signage, safety cones, and temporary lighting.
- c. Use of personnel to direct vehicular traffic, bicycle traffic, and pedestrians.

**Monitoring Program, T-1:** This condition shall be noted on all Project grading and building plans. Public Works Inspectors shall conduct field monitoring.

**SECTION 3. Action.** The Architectural Review Commission hereby grants approval to application ARCH-0360-2017, with incorporation of the following conditions:

### **Conditions**

#### *Planning*

1. The Architectural Review Commission's approval of this project will expire after three years

if construction has not started. On request, the Community Development Director may grant a single, one-year extension.

2. Final project design and construction drawings shall be in substantial compliance with the project plans approved by the ARC. A separate, full-size sheet shall be included in working drawings that lists all mitigation measures and conditions of project approval listed as sheet number 2. Reference shall be made in the margin of listed items as to where in plans requirements are addressed. Any change to approved design, colors, materials, or other conditions of approval must be approved by the Community Development Director or Architectural Review Commission, as deemed appropriate.
3. Final project design and construction drawings shall show the locations of all exterior lighting, including a graphic representation of the proposed lighting fixtures and cut-sheets. The selected fixture(s) shall be shielded to ensure that light is directed downward consistent with the requirements of the City's Night Sky Preservation standards contained in Chapter 17.23 of the Zoning Regulations. Lighting shall be low level (less than four feet in height), bollard style, and continuous (outside of street sources of lighting).
4. Construction plans shall demonstrate the use of high quality materials. Guardrails and railings shall meet minimum City and Union Pacific Railroad standards, and shall emulate materials used around and on the Jennifer Street Bridge. The bridge shall provide at least ten feet of vertical space.
5. Construction plans shall include a landscape plan for review and approval by the Community Development Director. The plans shall incorporate graffiti-deterrents on and around proposed abutments and bridge structures.

Upon motion of Commissioner Beller, seconded by Commissioner Root, and on the following roll call vote:

AYES:	Commissioners Nemcik, Rolph, Root, Starzyk, Beller, Vice-Chair Soll, and Chair Wynn
NOES:	None
ABSENT:	None

The foregoing resolution was adopted this 15<sup>th</sup> day of May, 2017.

  
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Doug Davidson, Secretary  
Architectural Review Commission