



**PLANNING COMMISSION HEARING DATE: MARCH 16, 2023**

**AGENDA ITEM NO.4**

**PROPOSED PROJECT**

<b>Case Number</b>	<b>PR-2022-001372</b> (Conditional Use Permit)	
<b>Request</b>	To consider a Conditional Use Permit to establish a church (South Hills Church) within an existing business park development.	
<b>Applicant</b>	Ozzie Vaca on behalf of South Hills Church	
<b>Project Location</b>	1737 Atlanta Avenue	
<b>APN</b>	249-100-045	
<b>Project area</b>	2.61 acres within a 25.23-acre business office complex	
<b>Ward</b>	1	
<b>Neighborhood</b>	Hunter Industrial Park	
<b>General Plan Designation</b>	B/OP – Business/Office Park	
<b>Zoning Designation</b>	BMP-SP – Business and Manufacturing Park and Specific Plan (Hunter Business Park) Overlay Zones	
<b>Staff Planner</b>	Lisette Sanchez-Mendoza, Consultant Planner; 951-787-9222 lsmendoza@migcom.com	

**RECOMMENDATIONS**

Staff Recommends that the City Planning Commission:

1. **DETERMINE** that the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) review pursuant to Section 15301 (Existing Facilities); and
2. **APPROVE** Planning Case PR-2022-001372 (Conditional Use Permit) based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions.

## SITE BACKGROUND

The 2.6-acre project site is developed with a 41,000 square foot multi-tenant business office park building and is part of a larger nine-parcel, 25.23-acre business office complex (Commerce Square Business Park).

The site takes access from Marlborough Avenue to the north via a shared concrete driveway and along Atlanta Avenue via a shared concrete driveway. The project site is surrounded by industrial uses to the north, south, east, and west and is located directly southwest of Hunter Hobby Park.

## PROPOSAL

The applicant is requesting a Conditional Use Permit to permit the establishment of a church in an existing multi-tenant business office park building. The suite is 5,245 square feet of which the floor plan identifies 2,115 square feet of sanctuary area. The remainder of the suites square footage will include a lobby, three Sunday school rooms, a coffee break room and restrooms for the church.

Minor tenant improvements are proposed as part of the project, including the addition of partition walls to separate the sanctuary space and the designated lobby area and updates to the restrooms.

Church offices, staffed by three employees, will be open Monday thru Saturday from 8:00 a.m. to 5:00 p.m. The church will host small group meetings Tuesday and Thursdays from 6:00 p.m. to 9:00 p.m. These small group are anticipated to be comprised of 8 members. Sunday Service will occur between the hours of 10:00 a.m. and 2:00 p.m. Approximately 50 members are anticipated during Sunday Service. In addition, monthly team meetings will take place during the week, and these are anticipated to occur twice a month between the hours of 6:00 p.m. and 9:00 p.m. These meetings will host 20 members.

## PROJECT ANALYSIS

<i>Authorization and Compliance Summary</i>		
	Consistent	Inconsistent
<b>General Plan 2025</b> The proposed project is consistent with the underlying General Plan 2025 land use designation of Business Office Park. This proposed church furthers the General Plan Objective LU-9 by including uses that will serve with surrounding neighborhoods while minimizing impacts.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Hunter Business Park Specific Plan/Zoning Code (Title 19)</b> The proposed site is within the General Industrial District of the Hunter Business Park Specific Plan and is zoned BMP – Business and Manufacturing Park. Pursuant to the Specific Plan, all uses permitted within the Hunter Business Park are uses permitted in the area by the Zoning Code.  Assembly of People – Non- Entertainment (church or religious assembly) are subject to the granting of a Conditional Use Permit (CUP) and compliance with Site Location, Operation and Development Standards in Chapter 19.255 (Assemblies of People-	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Non-Entertainment) of the Zoning Code. The project is consistent with development standards established in the Zoning Code.		
<b>Compliance with Citywide Design &amp; Sign Guidelines</b> The proposed project meets the objectives of the Citywide Design and Sign Guidelines. The church will be established in an existing multi-tenant industrial building, no exterior changes are proposed as part of this project.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Compliance with the Riverside County Airport Land Use Compatibility Plan</b> The project site is located within Zone E of March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan. Staff has determined the proposed project to be consistent with the 2005 Riverside Municipal Airport Land Use Compatibility Plan.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<b>Chapter 19.255 – Assemblies of People – Non-Entertainment Development Standards</b>				
<b>Standard</b>		<b>Proposed</b>	<b>Consistent</b>	<b>Inconsistent</b>
<b>Setback for Assemblies of People – Non-Entertainment</b>	20 feet from all property lines	Greater than 20 feet from all property lines	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Chapter 19.580 – Parking and Loading Minimum Parking Requirement</b>						
<b>Use</b>	<b>Standard</b>	<b>Area of Main Assembly</b>	<b>Parking Required</b>	<b>Parking Provided</b>	<b>Consistent</b>	<b>Inconsistent</b>
<b>Assemblies of People-Non-Entertainment</b>	1 space/30 square feet of floor area in the main assembly area	2,115 square feet	71 spaces	71 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Chapter 19.580 – Parking and Loading Standards</b>				
<b>Building</b>	<b>Tenant</b>	<b>Use/S.F.</b>	<b>Standard</b>	<b>Parking Req.</b>
<b>1737 Atlanta</b>	<b>South Hills Church</b>	Assemblies of People Non-Entertainment/2,115	1 space/ 30 S.F. of floor area in the main assembly area for non-fixed seats.	71
	<b>Office Use (Multiple Suites)</b>	24,500 SF	1 space/ 250 S.F.	98

<i>Chapter 19.580 – Parking and Loading Standards</i>				
<b>Building</b>	<b>Tenant</b>	<b>Use/S.F.</b>	<b>Standard</b>	<b>Parking Req.</b>
	<i>Wholesale and Distribution</i>	10,000 S.F.	1 space /1000 S.F.	10
	<i>Adult Day Care</i>	4,000 S.F.	1 space / 10 adults in care + 1 space /employee	4
<i>1777 Atlanta</i>	<i>State of Ca.</i>	Office/18,716 S.F.	1 space/ 250 S.F.	75
	<i>CEO Works</i>	Office/7,080 S.F.	1 space/ 250 S.F.	28
	<i>Vacant</i>	Office/3,365 S.F.	1 space/ 250 S.F.	13
<i>1989 Atlanta</i>	<i>Vacant</i>	Office/16,888 S.F.	1 space/ 250 S.F.	68
<i>1550 Marlborough</i>	<i>T Mobile</i>	Warehouse/17,000 S.F.	1 space/ 1,000 S.F.	17
	<i>Level 3 Communications</i>	Warehouse/23,000 S.F.	1 space/ 1,000 S.F.	23
<i>1827 Atlanta</i>	<i>Vacant</i>	Office/30,000 S.F.	1 space/ 250 S.F.	120
<i>1565 Eastwood</i>	<i>Sigma Plastics</i>	Warehouse/44,000	1 space/1000 S.F.	44
<i>1576 Omaha</i>	<i>Sigma Plastics</i>	Warehouse/41,500 S.F. Manufacturing/40,000 S.F.	1 space/ 1000 S.F. 1space/500 S.F.	122
<i>1575 Omaha</i>	<i>B &amp;B Plastics</i>	Warehouse/60,000 S.F.	1 space/ 1000 S.F.	60
<i>2059 Atlanta</i>	<i>Vacant</i>	Distribution/ 45,000 S.F. and Office/5,000 S.F.	1 space/1000 S.F. 1 space/250 S.F.	65
<b>Total Parking Required</b>				818
<b>Total Parking Provided</b>				891
<b>Parking Surplus</b>				+73

## FINDINGS SUMMARY

### Conditional Use Permit

The proposed church will be located within an existing multi-tenant industrial building that is setback approximately 90 feet from Atlanta Avenue and 60 feet from Marlborough Avenue. The project provides adequate parking, ingress and egress and the project can be operated in a manner that will not be detrimental to surrounding land uses. Based on the analysis in this staff report and the recommended conditions of approval, neighborhood compatibility impacts are not anticipated in conjunction with this use.

## STRATEGIC PLAN

This project contributes to the Envision Riverside 2025 City Council Strategic Priority 2 – Community Well Being (Goal 2.3 – Strengthen neighborhood identities and improve community health and the physical environment through amenities and programs that foster an increased sense of community and enhanced feelings of pride and belonging citywide; and Goal 2.4 - Support programs and innovations that enhance community safety, encourage neighborhood engagement and build public trust).

This item aligns with the following Cross-Cutting Threads:

1. Community Trust: The proposed project will be reviewed at a public meeting held by the City Planning Commission and the public is able to provide comments.
2. Equity: The proposed project will provide a service available to all residents and visitors of the City.
3. Fiscal Responsibility: All project costs are borne by the applicant.
4. Innovation: The proposed project activates the business office park during off-peak hours.
5. Sustainability and Resiliency: All new construction will meet the most up-to-date Building Codes.

## ENVIRONMENTAL REVIEW

This project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities).

## PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners within 300-feet of the site. As of the writing of this report, no responses have been received by Planning Staff.

## APPEAL INFORMATION

Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within ten calendar days after the decision. Appeal filing and processing information may be obtained from the Planning Department Public Information Section, 3rd Floor, City Hall.

## EXHIBITS LIST

1. Staff Recommended Findings
2. Staff Recommended Conditions of Approval
3. Existing Site Photos
4. Location Map
5. General Plan Map
6. Zoning Map
7. Specific Plan Map
8. Project Plans (Site Plan, Floor Plan, Parking Analysis)

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Prepared by: Lisette Sanchez-Mendoza, Consultant Planner  
Approved by: Brian Norton, Principal Planner



*EXHIBIT 1 – STAFF RECOMMENDED FINDINGS*

**PLANNING CASE: PR-2022-001372** (Conditional Use Permit)

***Conditional Use Permit Findings pursuant to Chapter 19.760 (Zoning Code)***

1. The proposed church is substantially compatible with other existing and proposed uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts;
2. The proposed church will not be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area; and
3. The proposed church will be consistent with the purpose of the Zoning Code and the application of any required development standards in the furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.

***Conditional Use Permit Findings pursuant to Section III C (Hunter Business Park Specific Plan)***

1. That the proposed church will comply with the purposes of the General Land Use designation in which it is located including all provisions of the General Plan and Specific Plan, if applicable; and
2. That the proposed church, together with conditions applicable thereto, will not be detrimental to the public health, safety and welfare or injurious to properties or improvements in the area.



# CITY OF RIVERSIDE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

PLANNING DIVISION

## EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

Meeting Date: March 16, 2023

**PLANNING CASE: PR-2022-001372** (Conditional Use Permit)

### Case Specific

#### **Planning**

1. The subject property shall be developed and operated substantially as described in the text of this report and as shown on the site plan and floor plan on file with this case except for any specific modifications that may be required by these conditions of approval.
2. **Advisory:** Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. Any new signs shall be subject to separate review and assessment. A separate sign application, including fees and additional sets of plans, will be necessary prior to sign permit issuance.

#### *During Business Operations:*

3. A copy of the Conditional Use Permit and the final Conditions of Approval shall be available at the site and presented to City staff, including the Police Department and Code Enforcement, upon request. Failure to have the latest approved conditions available upon request will be grounds for revocation.
4. All operations shall comply with Title 7 (Noise Control) of the Riverside Municipal Code.

### Standard Conditions

5. There shall be a one-year time limit in which to commence construction of the project beginning the day following approval by the Planning Commission.
6. The Conditional Use Permit may be granted time extensions by the Community & Economic Development Director, or their designee, up to a total of five years beyond the original approval expiration date prior to issuance of any building permits. At the exhaustion of Community & Economic Development Director approved extensions, the original Approving or Appeal Authority may grant one final permit extension of up to two years following a public hearing noticed pursuant to Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing). A public hearing notification fee is required of the applicant in such case in addition to a time extension fee. Once a building permit has been issued, the development will be considered vested and time extensions are no longer needed.

**Please be advised that the applicant will not be notified by the Planning Division about the pending expiration of the subject entitlement.**

Within 30 days of approval of this case by the City, the developer shall execute an agreement approved by the City Attorney's Office to defend, indemnify, including reimbursement, and hold harmless the City of Riverside, its agents, officers and employees from any claim, action, or proceeding against the City of Riverside, its agents, officers, or employees to attack, set aside, void, or annul, an approval by the City's advisory agency, appeal board, or legislative body concerning this approval, which action is brought within the time period provided for in Section 66499.37 of the



Government Code. The City will promptly notify the developer of any such claim, action or proceeding and the City will cooperate in the defense of the proceeding.

7. The Conditional Use Permit may be modified or revoked by the City Planning Commission, or the City Council should they determine that the proposed use or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to public safety, property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
8. This project shall fully and continually comply with all applicable conditions of approval, State, Federal and local laws in effect at the time the permit is approved and exercised, and which may become effective and applicable thereafter, and in accordance with the terms contained within the staff report and all testimony regarding this case. Failure to do so will be grounds for Code Enforcement action, revocation, or further legal action.
9. The applicant shall comply with all federal, state, and local laws and shall cooperate with the Riverside Police Department (RPD) in the enforcement of all laws relating to this permit. Material violation, as determined by the City Planning Commission, of any laws in connection with this use or failure to cooperate with RPD will be cause for revocation of this permit.
10. This permit is issued based upon the plans and information submitted by the applicant, which has been used as the basis for evaluation of the proposed use in this staff report and for the conditions of approval herein. Permittee shall notify Community Development Department, Planning Division, of any change in operations and such change may require a revision to this permit. Failure to notify the city of any change in operations is material grounds for revocation of this conditional use permit.
11. The Applicant of the business subject to this Conditional Use Permit acknowledges all conditions imposed and accepts this permit subject to those conditions and with the full awareness of the provisions of Title 19 of the Riverside Municipal Code. The Applicant shall inform all its employees and future operators of the business subject to this permit of the restrictions and conditions of this permit as they apply to the business operations.
12. Failure to abide by all conditions of this Conditional Use Permit shall be cause for revocation.
13. Enumeration of the conditions herein shall not exclude or excuse compliance with all applicable rules and regulations in effect at the time this permit is exercised.

### **Building & Safety**

14. The proposed project is a change in use from B to A-3 occupancy and as such, the building shall be brought into compliance with all current codes related to the A-3 occupancy in accordance with CBC 3408. Plans shall show in detail how the building will be altered to comply with code to include but not be limited to the type of construction, exiting, fire resistive design when applicable, mechanical, plumbing and electrical systems, number of plumbing fixtures and accessibility.

### **Fire Department**

#### **Prior to Building Permit Issuance**

15. An automatic fire sprinkler system is required by City Ordinance 16.32.335. Under separate cover, submit plans for the automatic fire sprinkler system(s) and obtain approval from the Fire Department prior to installation. Systems exceeding 20 sprinkler heads shall be provided with supervisory service and shall be monitored by a UL Central Station (UUFX) and shall be UL, FM or ETL certificated for the life of the system. Post Indicator valves, Detector Check control valves and water flow switches are required to be supervised by an UL listed central station. Have a UL, FM or ETL listed and licensed C10 fire alarm contractor submit plans and obtain approvals prior to installation. Alarm contractor shall provide a copy of a maintenance contract complying with N.F.P.A. 72. Contact the Riverside Public

Utilities Department at (951) 826-5285 for the requirements for the dedicated fire service and backflow requirements.

16. Provide for fire department access to the facility. "Knox" key devices are available for use in the city. Contact the Fire Department for applications and details.
17. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
18. Construction plans shall be submitted and permitted prior to construction.
19. Fire Department access shall be maintained during all phases of construction.
20. Fire sprinkler, fire alarm, fixed extinguishing system, emergency radio systems, standpipes or any other type of fire protection systems that are required by the California Fire Code, California Building Code or City Ordinance, shall be submitted by a California Licensed contractor, under separate permit to Riverside Fire Department for approval and permit issuance prior to any work on such systems. Access roadways shall be a minimum of twenty (20) feet in unobstructed width with a minimum vertical clearance of thirteen feet, six inches (13'6"). Grade differential shall not exceed twenty (20) percent. Fire access shall comply with our required turning radius.
21. To comply with all applicable requirements per CFC, Chapter 33 (Fire Safety During Construction and Demolition).
22. Assembly Group A occupancies shall be provided with a manual fire alarm system having an occupant load of 300 or more. See C.F.C. exceptions and specific requirements for occupant loads of 1000 or more. Submit plans and obtain approvals from the Fire Department prior to installation. New fire alarm systems shall be UL, FM or ETL certificated for the life of the system. Central Station shall be UL UUFX. (CFC, Sec. 907.4.2, 907.1.2)