



**PLANNING COMMISSION HEARING DATE: FEBRUARY 23, 2017**

**AGENDA ITEM NO.: 2**

**PROPOSED PROJECT**

<b>Case Numbers</b>	P16-0624 (Site Plan Review)
<b>Request</b>	To consider a Site Plan Review for the outdoor storage of vehicles.
<b>Applicant</b>	Ken Gutierrez, representing Walter's Auto Group
<b>Project Location</b>	3203 Harrison Street, situated on the east side of Harrison Street between Indiana Avenue and Fox Street
<b>APN</b>	234-231-048
<b>Project area</b>	3.66 acres
<b>Ward</b>	5
<b>Neighborhood</b>	Arlington South
<b>Specific Plan</b>	Citrus Business Park Specific Plan
<b>General Plan Designation</b>	MDR – Medium Density Residential
<b>Zoning Designation</b>	The west portion of the site is zoned R-1-7000-SP – Single Family Residential Zone and Specific Plan (Citrus Business Park) Overlay Zones, and the east portion of the site is zoned BMP-SP – Business and Manufacturing Park Zone and Specific Plan (Citrus Business Park) Overlay Zones
<b>Staff Planner</b>	Candice Assadzadeh, Associate Planner; 951-826-5667; cassadzadeh@riversideca.gov



## RECOMMENDATIONS

Staff Recommends that the City Planning Commission:

1. **DETERMINE** that this proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) review pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines; and
2. **APPROVE** Planning Case Number P16-0624 (Site Plan Review), based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions.

## SITE BACKGROUND

The 3.66-acre project site is currently undeveloped. The property is surrounded by the Riverside County Flood Control channel and Atchison, Topeka and Santa Fe (AT & SF) Railroad to the north, single family residences to the south, a business office park to the east, and single family residences to the west across Harrison Street.

On May 26, 2009, City Council approved Planning Cases P09-0112 (Rezone) and P09-0113 (General Plan Amendment) to rezone the project site from R-1-7000 – Single Family Residential to BMP – Business and Manufacturing Park and to change the General Plan Land Use designation from MDR – Medium Density Residential to B/OP – Business Office Park. Per the Conditions of Approval of Planning Cases P09-0112 and P09-0113, the final adoption of the rezoning case and the General Plan Amendment is contingent on Planning Commission approval of a specific project.

On April 13, 2010, City Council approved Planning Case P09-0556 (Specific Plan) and adopted the Citrus Business Park Specific Plan. The Specific Plan includes a provision that prohibits the project site from providing vehicular access onto Harrison Street, requiring vehicular access from Myers Street.

As a matter of information, on February 9, 2010, the Zoning Administrator approved Planning Case P09-0817 (Lot Line Adjustment) to adjust the east property line allowing direct access to Myers Street via an access easement established on the immediately adjacent parcels.

## PROPOSAL

The applicant proposes to construct a surface parking lot for the outdoor storage of new vehicles in association with Walter's Auto Group. The vehicles will be stored on the project site on a temporary basis as they are intended to replenish the dealerships vehicle inventory. Employees will drive the vehicles on and off the site. The applicant has indicated that if car carriers are needed in the future, it is anticipated that a maximum of two carriers per day will access the project site. There will be no servicing of vehicles on site. The business will operate seven days a week, between 7:00 a.m. and 8:00 p.m. Access to the site will be provided from Myers Street through the adjacent parcel located southeast of the project site that is under the same ownership.

The conceptual site and grading plan shows an infiltration basin at the northwest corner of the site, and an 8-foot high decorative masonry screen wall around the perimeter of the property. A 20-foot landscaped setback is proposed along Harrison Street, a 3-foot landscaped setback

along the north property line, and a 10- to 15-foot landscaped setback along the south property line, adjacent to the single family residences. The landscape planters adjacent to the single family residences will be planted with Southern Magnolia trees which will adequately screen the project site. A 6-foot high tubular steel pedestrian gate is proposed along the Harrison Street frontage to allow access to the front setback area for maintenance purposes. The proposed pedestrian gate will be opaque and gray in color to match the proposed split-face perimeter wall. Additionally, on-site lighting is proposed within the surface parking lot. The light sources will be shielded and directed away from the single family residences.

## PROJECT ANALYSIS

<i>Authorization and Compliance Summary</i>			
	N/A	Consistent	Inconsistent
<b><i>General Plan 2025</i></b>  On May 26, 2009, the City Council approved a General Plan Amendment to change the General Plan Land Use designation from MDR – Medium Density Residential to B/OP – Business Office Park. Adoption of the General Plan Amendment is contingent on the approval of a development plan. The proposed outdoor storage of vehicles meets the intent of the B/OP land use designation and will further the intent of the General Plan by facilitating in-fill development.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b><i>Citrus Business Park Specific Plan</i></b>  The project site is within the Citrus Business Park Specific Plan. Uses not listed in the Permitted Uses Table of the Specific Plan are prohibited. However, pursuant to the Specific Plan, the Community & Economic Development Director has the discretion to determine that a use not specifically listed as permitted is similar to, and no more detrimental, than a listed permitted or conditional use. Any use on this site is subject to the review and approval of a Site Plan Review.  The proposed outdoor storage of vehicles, although not listed as a permitted primary use in the Citrus Business Park Specific Plan, is no more detrimental than a vehicle repair facility, which is a permitted use in the Citrus Business Park Specific Plan. Furthermore, the project will be consistent with the intent of the objectives and policies of the Specific Plan and will comply with all the requirements and development standards, including compliance with the requirement to prohibit vehicular access onto Harrison Street and to access the site from Myers Street.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p><b><i>Zoning Code Land Use Consistency (Title 19)</i></b></p> <p>The project site is located within the Citrus Business Park Specific Plan and has been previously approved to be rezoned from R-1-7000 Zone – Single Family Residential Zone to BMP – Business and Manufacturing Park Zone. The Specific Plan provides that where land use regulations and/or development standards of the Zoning Code are not consistent with the Specific Plan, the standards and regulations of the Specific Plan will prevail. In this instance, the proposed outdoor storage of vehicles complies with all the standards of the BMP Zone and the Specific Plan.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b><i>Compliance with Citywide Design &amp; Sign Guidelines</i></b></p> <p>The proposed project substantially meets the objectives of the City's Design and Sign Guidelines document. The proposed landscaping will serve to enhance the streetscape and provide a buffer of canopy trees along the south property line, adjacent to the single family residences. The proposed plant materials compliment the installed landscape improvements within the Citrus Business Park Specific Plan Area. Furthermore, the proposed 8-foot high perimeter decorative wall will provide adequate screening of vehicles from the adjacent residences. Therefore, staff supports the Site Plan.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<i>Citrus Business Park Specific Plan Development Standards (For the Parcel Fronting on Harrison Street)</i>					
Standard			Proposed	Consistent	Inconsistent
<b>Min. Landscape Setbacks</b>	Front Landscape Setback	Harrison Street: 20-feet BMP Zone	20-feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Side Landscape Setback	North, adjacent to the Flood Control channel: 3-feet	3-feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		South, adjacent to the single family residences: 10-feet	10 – 15 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Perimeter Wall</b>	A minimum 8-foot high perimeter split-face block wall		8-foot high perimeter split-face block wall	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## ENVIRONMENTAL REVIEW

This proposal is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15332 (In-Fill Development Projects).

## NEIGHBORHOOD COMPATIBILITY

The proposed project involves in-fill development and is compatible with surrounding industrial and residential land uses. Given the location of the project site, and its proximity to the railroad, the proposed outdoor storage will serve as a buffer between the railroad and the existing single family residences. The proposed use is quiet in nature, and will only operate between 7:00 a.m. and 8:00 p.m., in compliance with the Specific Plan. Therefore, this project will not disrupt the character of the existing residential neighborhood.

The Citrus Business Park Specific Plan includes a provision that a community meeting be held with adjacent property owners prior to consideration of a Site Plan at a public hearing. The applicant conducted an informational meeting with property owners within 300-feet of the project site on December 14, 2016. No opposition to the project was expressed by the residents.

## 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 Conditions of Approval
2. Aerial Photo/Location
3. General Plan Map
4. Specific Plan/Zoning Map
5. Conceptual Site and Grading Plans
6. Preliminary Landscape Plan
7. Existing Site Photos

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Prepared by: Candice Assadzadeh, Associate Planner

Reviewed by: Ted White, City Planner

Approved by: Rafael Guzman, Community & Economic Development Director



**EXHIBIT 1 – STAFF RECOMMENDED CONDITIONS OF APPROVAL**

**RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES**

**PLANNING CASES:** P16-0624 (Site Plan Review)

Meeting Date: February 23, 2017

**CONDITIONS**

*The applicant is advised that the business or use for which this conditional use permit is granted cannot be legally conducted on the subject property until all conditions of approval have been met to the approval of the Community & Economic Development Department, Planning Division.*

**Planning**

1. All applicable conditions of related Planning Cases P09-0112 (Rezone) and P09-0113 (General Plan Amendment) shall apply.

*Prior to Grading Permit Issuance:*

2. A 40-scale precise grading plan shall be submitted to the Planning Division and include the following:
  - a. Hours of construction and grading activity are limited to between 7:00 a.m. and 7:00 p.m. weekdays and 8:00 a.m. and 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or federal holidays;
  - b. Compliance with City adopted interim erosion control measures;
  - c. Compliance with all recommendations of the required Project specific Water Quality Management Plan;
  - d. Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems; and
  - e. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement.

*During Grading:*

3. The project shall abide by the SCAQMD's Rule 403 concerning Best Management Practices for construction sites in order to reduce emissions during the construction phase. Measures may include:

- a. Development of a construction traffic management program that includes, but is not limited to, rerouting construction related traffic off congested streets, consolidating truck deliveries, and providing temporary dedicated turn lanes for movement of construction traffic to and from site;
- b. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
- c. Wash off trucks and other equipment leaving the site;
- d. Replace ground cover in disturbed areas immediately after construction;
- e. Keep disturbed/loose soil moist at all times;
- f. Suspend all grading activities when wind speeds exceed 25 miles per hour; and
- g. Enforce a 15 mile per hour speed limit on unpaved portions of the construction site.

4. The applicant shall be responsible for erosion and dust control during both the grading and construction phases of the project.

5. To reduce diesel emissions associated with construction, construction contractors shall provide temporary electricity to eliminate the need for diesel powered generators, or provide evidence that electrical hook ups at construction sites are not cost effective or feasible.

*Prior to Building Permit Issuance:*

6. Planning Case P09-0112 (Rezone) and P09-0113 (General Plan Amendment) shall be adopted.

7. A reciprocal access agreement between the two parcels under the same ownership (APNs: 234-231-048 and 234-240-024) shall be recorded, subject to approval of the City Attorney's Office and Planning Division.

8. The applicant shall prepare and record a Covenant, subject to approval of the Planning Division and City Attorney's Office. The Covenant shall include the following restrictions for the on-going operation of this property:

- a. All outdoor storage shall not extend above the height of the required walls;
- b. No outdoor operation shall take place between the hours of 8 p.m. and 7 a.m.; and
- c. Any future uses or any change in use on the subject property shall be subject to the review and approval of Planning Division, and a separate Site Plan Review shall be required, as necessary; and
- d. All setbacks under the BMP shall be met.

9. **Fence/Wall plans** shall be submitted as part of the construction plans, and shall include the following:

- a. The location, height and materials, including decorative masonry wall and decorative cap for the proposed perimeter wall, to the satisfaction of Planning staff.

10. **Landscaping and Irrigation plans** shall be submitted to the Planning Division. Design modifications may be required as deemed necessary. Separate applications and filing fees are required. Landscaping, irrigation and exterior lighting plans must be submitted prior to building permit issuance.

11. **Photometric/Lighting Plan:** An exterior lighting plan shall be submitted with building permit plans review and approval. Photometric plans shall include the following:

- a. A photometric study and manufacturer's cut sheets of all exterior lighting shall be submitted with the exterior lighting plan. All on-site lighting shall provide a minimum intensity of one foot-candle and a maximum intensity of ten foot-candles at ground level throughout the areas serving the public and used for parking, with a ratio of average light to minimum light of four to one (4:1). The light sources shall be shielded to minimize offsite glare, shall not direct light skyward and shall be directed away from adjacent properties and public right-of-ways. Light poles shall not exceed twenty (20) feet in height, including the height of any concrete or other base material. Freestanding light standards within 50 feet of residentially zoned property shall be no more than 14 feet in height.

12. Plans submitted for Plan check review should specify the location, design and color of all domestic water meters, backflow preventers, and all on- and off-site utility cabinets subject to Planning Division and Public Utilities' review and approval. The visibility of such facilities shall be minimized and include use of the smallest preventer possible, be painted green, and consist of some form of screening including but not limited to berming, landscaping, and/or installation of a screen wall.

13. Submit three sets of plans depicting the preferred location for an above ground utility transformer of capacity to accommodate the planned or speculative uses within the subject site. These plans shall be reviewed and approved by the Planning Division and Public Utilities Department - Electric Division prior to the issuance of a building permit. The proposed location of the transformer shall be level, within 100 feet of the customer's service point, accessible to service trucks and in a location where the transformer can be adequately screened from public view, either by buildings or landscape screening. Transformers shall not encroach onto any sidewalks or pedestrian paths of travel. The applicant is advised to consult with the City of Riverside Public Utilities, Electrical Engineering Division, at (951) 826-5489 prior to preparing these plans.

*During Construction:*

14. The applicant shall be responsible for erosion and dust control during both the grading and construction phases of the project.

15. The project shall comply with all existing State Water Quality Control Board and City storm water regulations, including compliance with NPDES requirements related to construction and operation measures to prevent erosion, siltation, transport or urban pollutants, and flooding.

16. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
17. During all project site construction, the Construction Contractor shall limit all construction-related activities that would result in a noise disturbance to between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays. No construction is permitted on Sundays or federal holidays.
18. The Construction Contractor shall time the construction activities so as to not interfere with peak-hour traffic and minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flag person shall be retained to maintain safety adjacent to existing roadways.
19. If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendants shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98 and the Treatment Agreement described.
20. Should cultural, historical or archeological items be found during grading and construction activity, the construction and grading of this project all activity shall be halted in the vicinity of the find and diverted until a qualified archeologist meeting the Secretary of the Interior standards can evaluate the nature and significance of the find. If human remains are uncovered, the applicant shall contact the County Coroner's Office.

*Prior to Release of Utilities and/or Occupancy:*

21. Install the landscape and irrigation per the approved plans and submit the completed "Certificate of Substantial Completion" (Appendix C of the water Efficient Landscaping and Irrigation Ordinance Summary and Design Manual) signed by the Designer/auditor responsible for the project. Call Candice Assadzadeh at (951) 826-5667 or [cassadzadeh@riversideca.gov](mailto:cassadzadeh@riversideca.gov) to schedule the final inspection at least one week prior to needing the release of utilities. Additional plant material may be required upon final inspection if better coverage is needed.

**Public Works**

*The following Public Works "Engineering" conditions to be met prior to case finalization, unless otherwise noted:*

22. No vehicular access allowed from Harrison Street or Shade Tree Lane.
23. Encroachment permit for connection(s) to Riverside County Flood Controls Arlington Channel prior to issuance of grading permit.

24. Drainage study required. Storm Drain construction will be contingent on engineer's drainage study.
25. Prior to issuance of a building or grading permit, the applicant shall submit to the City for review and approval, a project-specific WQMP that:
  - a. Addresses Site Design BMP's such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas and conserving natural areas;
  - b. Incorporates the applicable Source Control BMP's as described in the Santa Ana River Region WQMP and provides a detailed description of their implementation;
  - c. Incorporates Treatment Control BMP's as described in the Santa Ana River Region WQMP and provides information regarding design considerations;
  - d. Describes the long-term operation and maintenance requirements for BMP's requiring long-term maintenance; and
  - e. Describes the mechanism for funding the long-term operation and maintenance of the BMP's requiring long-term maintenance.
26. Prior to issuance of any building or grading permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument acceptable to the City Attorney to inform future property owners of the requirement to implement the approved project-specific WQMP. Other alternative instruments for requiring implementation of the approved project-specific WQMP include: requiring the implementation of the project-specific WQMP in the Home Owners Association or Property Owners Association Conditions, Covenants and Restrictions (C,C&R's); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the project-specific WQMP; or equivalent may also be considered. Alternative instruments must be approved by the City prior to the issuance of any building or grading permits.
27. If the project will cause land disturbance of one acre or more, it must comply with the statewide General Permit for Storm Water Discharges Associated with Construction Activity. The project applicant shall cause the approved final project-specific WQMP to be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.
28. Prior to building or grading permit closeout or the issuance of a certificate of occupancy or certificate of use, the applicant shall:
  - a. Demonstrate that all structural BMP's described in the project-specific WQMP have been constructed and installed in conformance with approved plans and specifications;
  - b. Demonstrate that applicant is prepared to implement all non-structural BMP's described in the approved project-specific WQMP; and
  - c. Demonstrate that an adequate number of copies of the approved project-specific WQMP are available for the future owners/ occupants.

## **Fire Prevention**

Contact Margaret Albanese at 951-826-5455 for questions regarding fire conditions or corrections.

*The following to be met prior to final Fire inspection:*

29. Provide for Fire Department access to any proposed gates. "Knox" key devices are available for use in the city. Contact the Fire Department for applications and details. Any electric gates shall have in addition to the Knox and automatic inferred gate system.

## **Park and Recreation**

*Prior to Building Permit issuance:*

30. Developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve and trail fees) per RMC Chapters 16.60, 16.44 and 16.76.

## **Standard Conditions**

### **Planning**

31. There shall be a two-year time limit in which to commence construction of the project beginning the day following approval by the Planning Commission unless a public hearing is held by City Council; in that event the time limit begins the day following City Council approval.
32. The Project must be completed per the Site Plan Review approved by the Planning Commission, including all conditions listed in this report. Any substantial changes to the Project must be approved by the Planning Commission or minor modifications by the Community & Economic Development Director. Upon completion of the Project, a Design Review Staff inspection must be requested, and **UTILITIES** will not be released until it is confirmed that the approved plans and all conditions have been implemented.
33. 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.
34. This approval is for design concept only, and does not confirm the project has been thoroughly checked for compliance with all requirements of law. As such, it is not a substitute for the formal building permit plan check process, and other changes may be required during the plan check process.
35. 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.