




**PLANNING COMMISSION HEARING DATE: DECEMBER 18, 2025
AGENDA ITEM NO.: 3**

PROPOSED PROJECT

Case Number	PC-2025-00155 (Conditional Use Permit)	
Request	To consider a Conditional Use Permit to permit the establishment of a childcare facility for up to 16 children (ages 0 – 5 years old) within an existing single story 1,480-square-foot structure.	
Applicant	Wilton Kimbrough	
Project Location	3557 Arlington Avenue, situated on the northeast corner of Arlington Avenue and Mount Diablo Avenue.	
APNs	225-323-033	
Project Area	0.17-acre	
Ward	3	
Neighborhood	Magnolia Center	
General Plan Designation	O - Office	
Zoning Designation	O – Office	
Staff Planner	Calora Boyd, Assistant Planner 951-826-2371 cboyd@riversideca.gov	

RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **DETERMINE** that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines, as the proposed project will not have a significant effect on the environment; and
2. **APPROVE** Planning Case PC-2025-00155 (Conditional Use Permit) based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions (Exhibits 1 and 2).

SITE BACKGROUND

The 0.17-acre project site is developed with a 1,480-square-foot single-story structure that was previously used as an office and a 5-stall surface parking lot. Surrounding uses include commercial to the south (across Arlington Avenue), office and single-family residential to east, single-family residential to the north and retail and single-family residential to the west (across Mount Diablo Avenue)(Exhibit 3 and 4).

PROPOSAL

The applicant is requesting approval of a Conditional Use Permit to permit a childcare facility (Arlington Angels Childcare), within an existing commercial building. The facility will accommodate up to 16 children, ages 0-5 years, with a potential mix of 12 pre-school students, and 4 infants to toddler aged children.

Exterior modifications to the site include installation of a 1,611-square-foot outdoor playground area on the south side of the building, secured with a five-foot-tall wrought iron fence. Fencing will also be wrapped with a hedge consisting of Japanese Mock Orange bushes on Arlington and Mount Diablo Avenues to provide screening of the outdoor play area from the public right-of-way. Bollards will be added along the entire length of the 5-foot wrought iron fence to provide safety measures for the children and staff. The applicant does not propose changes to the exterior of the existing building.

Parking is accessed via an existing two-way driveway located on Mount Diablo Avenue. A designated parking area with 5 parking spaces is located on the north side of the project site to allow parents to walk children into the building for drop-off/pick up. Drop-off and pick-up consist of parents parking their vehicles and walking children into/out the building for checking-in and check-out. Pedestrian access is provided via a pathway from Mount Diablo Avenue.

The childcare facility will operate Monday through Friday from 6:30 a.m. to 6:00 p.m. and will be staffed by 4 employees.

PROJECT ANALYSIS

Authorization and Compliance Summary

	Consistent	Inconsistent
<p>General Plan 2025</p> <p>The proposed project is consistent with the underlying General Plan 2025 Land Use Designation of O – Office, which provides for community serving services, including child day care facilities, that serve the neighborhood (Exhibit 5). The proposed project is located within an established neighborhood and will provide childcare service to accommodate the needs of families in the local community.</p> <p>The proposed project is consistent with the following Objectives and Policies of the General Plan 2025:</p> <ul style="list-style-type: none"> • <u>Objective LU-67</u>: Revitalize Magnolia Center in its role as a subregional retail and business center, while maintaining and preserving the low-scale character of surrounding residential areas. • <u>Objective LU-68.1</u>: Ensure that Magnolia Center's residential areas are adequately protected from operational impacts of new commercial and mixed-use development in the neighborhood. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Zoning Code Land Use Consistency (Title 19)</p> <p>The site is Zoned O - Office, which is consistent with the O - Office Land Use Designation (Exhibit 6). Child day care centers are permitted subject to the granting of a Conditional Use Permit and compliance with Site Location, Development, and Operational Standards. The proposed project is consistent with all applicable development standards for a childcare facility.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Compliance with Citywide Sign and Design Guidelines</p> <p>The proposed project substantially meets the objectives of the Citywide Design Guidelines, subject to the recommended conditions of approval detailed below.</p> <p>The subject project proposes a new 5-foot-tall wrought iron fence, landscape hedges, and bollards along Arlington Avenue and Mount Diablo Avenue to provide screening and safety measures to the outdoor playground area. In addition, the bollards will have playful designs to enhance the aesthetic of the site.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<i>Chapter 19.290 - Day Care Center Standards</i>				
<i>Standard</i>		<i>Proposed</i>	<i>Consistent</i>	<i>Inconsistent</i>
Site Location Standards	Minimum 600-foot separation from existing day care center	6,700 feet – (TEMPLE BETH EL CHILD DEVELOPMENT CENTER, 2675 Central Avenue)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Access from a public street	Arlington Avenue and Mount Diablo Avenue	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Screening	Outdoor play areas shall be enclosed by a natural barrier or minimum 5-foot fence or wall.	5-foot wrought iron fence and ornamental bush around outdoor play area perimeter	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Chapter 19.580 – Parking and Loading Development Standards</i>					
<i>Standard</i>		<i>Required</i>	<i>Proposed</i>	<i>Consistent</i>	<i>Inconsistent</i>
Minimum Parking	Day Care Centers – 1 space/employee	4	5	<input checked="" type="checkbox"/>	<input type="checkbox"/>

FINDINGS SUMMARY

Conditional Use Permit

The proposed childcare facility will be compatible with the surrounding commercial and residential uses to provide childcare service to the surrounding community. Site location, development, and operational standards comply with the development standards set forth in the Zoning Code (RMC Chapter 19.100 and Chapter 19.290). The improvements to the site and building comply with Citywide Design Guidelines. The site provides adequate access, circulation and parking for employees and visitors (Exhibit 7). To further ensure the use is compatible with the surrounding area, the applicable site and operation standards relative to day care centers have been incorporated into the recommended conditions of approval. The proposed project will not be detrimental to the health, safety, or general welfare of the public or surrounding area.

ENVIRONMENTAL DETERMINATION

The Planning Division of the Community & Economic Development Department has determined that this project is categorically exempt from further California Environmental Quality Act (CEQA) review pursuant to Section 15301 (Existing Facilities), Article 19 of the CEQA Guidelines.

PUBLIC NOTICE AND COMMENTS

Public notices were mailed to properties within 300 feet of the project site. As of the writing of this report, Staff has not received any written comments regarding this project.

APPEAL INFORMATION

Actions by the City Planning Commission, including any environmental findings, 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. Findings
2. Conditions of Approval
3. Existing Site Photos
4. Location Map
5. General Plan Map
6. Zoning Map
7. Project Plans

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Reviewed by: Judy Egüez, Senior Planner

Approved by: Brian Norton, Principal Planner



CITY OF RIVERSIDE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

PLANNING DIVISION

EXHIBIT 1 – FINDINGS

PLANNING CASE: PC-2025-00155 (Conditional Use Permit)

Conditional Use Permit Findings Pursuant to Chapter 19.760.040, as outlined in the Staff Report

1. The proposed day care facility 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 day care facility 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 day care facility will be consistent with the purposes of the Zoning Code, and the application of any required development standards is in the furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.



EXHIBIT 2 – CONDITIONS OF APPROVAL

PLANNING CASE: PC-2025-00155 (Conditional Use Permit)

Planning Division

1. Plans shall conform to the exhibits attached to this report. Proposed modifications to the approved design shall be submitted to the Planning Division and shall include revised exhibits and a narrative description of the proposed modifications. The applicant is advised that an additional application and fee may be required.
2. The subject property shall be developed and operated substantially as described in the text of this report and as shown on the project plans on file with this case except for any specific modifications that may be required by these conditions of approval.
3. **Advisory:** Signs and murals shall be permitted in accordance with Chapter 19.620 of the Zoning Code. Any signs shall be subject to separate review and assessment, including any required variances. A separate sign application, including fees and additional sets of plans, is necessary prior to any sign permit issuance.

Prior to Building Permit Issuance:

4. **Landscape:** Hedge shrubs, that grow up to the height of the fence, shall be planted and maintained along the project frontage where the proposed fence is to be installed to provide additional screening to the proposed outdoor play area and the fence.
5. Bollards shall be shown on construction documents along the property line from Arlington Avenue to the proposed end of the play area on Mount Diablo Avenue.

During Construction Activities:

6. Construction and operation activities on the property shall be subject to the City's Noise Code (Title 7), which limits construction noise to 7:00 a.m. to 7:00 p.m. weekdays, and 8:00 a.m. to 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or federal holidays.
7. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
8. The Construction Contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.

Prior to Final Occupancy:

9. Bollards shall be installed and finished with an artistic design.

Site Operation Standards:

10. The applicant is required to obtain all licenses, waivers, and permits required by State law for operation of the facility. The applicant shall keep all State licenses or permits valid and current.

11. All operations shall comply with Title 7 (Noise Control) of the Riverside Municipal Code.
12. 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.
13. The applicant shall be responsible for maintaining site landscaping and irrigation.
14. The owner and/or occupant shall be liable for the cost of excessive police service or response in accordance with Chapter 9.60 of the Riverside Municipal Code.
15. The applicant will be required to remove any graffiti on the project site within 48 hours of the incident being reported to City of Riverside Code Enforcement.

Standard Conditions

16. 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 unless a public hearing is held by City Council; in that event the time limit begins the day following City Council approval.
17. The Conditional Use Permit may be granted time extensions by the Community & Economic Development Director, or their designee, up to a total of two years beyond the original approval expiration date prior to issuance of any building permits. Once a building permit has been issued, the development will be considered vested and time extensions are no longer needed.

Prior to **December 18, 2026**, if building permits have not been obtained, a time extension request shall be submitted to the Planning Division. The request shall include a letter stating the reasons for the extension of time and associated fee shall be submitted to the Planning Division. **PLEASE BE ADVISED THAT THE APPLICANT WILL NOT BE NOTIFIED BY THE PLANNING DIVISION ABOUT THE PENDING EXPIRATION OF THE SUBJECT ENTITLEMENT.**

18. 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.
19. 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.
20. 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.
21. 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.

22. The Applicant of the business subject to this Conditional Use Permit acknowledges all of the 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.
23. Failure to abide by all conditions of this Conditional Use Permit shall be cause for revocation.
24. 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.

Fire Department

Prior to Building Permit Issuance

25. The proposed project shall comply with the 2022 Edition Cal. Code of Regs., Title 24, the California Building Standards Code, to include the California Existing Building Code, as adopted and amended by the City of Riverside, or the version of these codes in effect at the time a building permit application is received.
26. Required fire protection systems, to include a building fire alarm system, shall be installed in accordance with the California Fire Code as adopted and amended by the City of Riverside.
27. The proposed facility's maximum capacity shall not exceed the licensed capacity as recorded on the applicable State of California Fire Clearance Inspection Report.
28. Fire Department approval and support of above-referenced planning case does not constitute a local fire authority clearance of, or a license to operate, a daycare facility.

Public Works – Land Development

Prior to Building Permit Issuance

29. Protect In place existing Street Trees in public right-of-way along Mount Diablo Avenue. If existing street trees are found by the Tree Inspector at the time of the scheduled site inspection (after fine grading and hardscape installation is complete), to be missing, dead, damaged or in poor condition, they will be required to be removed and/or replaced with 24" box size trees to Tree Inspector's specification.

Public Works – Traffic

Prior to Certificate of Occupancy Issuance

30. Applicant shall construct a bike rack that can accommodate a minimum of two bikes. The installation of the bike racks shall be completed to the satisfaction of the Director of Public Works. The applicant is solely responsible for the procurement and installation of this infrastructure improvement.
31. Applicant shall:
 - a. Construct a stop sign (R1-1), stop bar, stop legend, at the project driveways. Stop signs must conform to City Standard 664 and the stop bar and legends must conform to the City standard 650.

All signage and striping improvements must comply with the most current California Manual of Uniform Traffic Control Devices (MUTCD) standards and should be per City of Riverside, Public Works requirements. The applicant shall hire a contractor to complete the work. The contractor shall complete the construction work with an approved Public Works Permit. The installation of the signage and striping shall be completed to the satisfaction of the Director of Public Works. The applicant is solely responsible for the procurement and installation of this infrastructure improvements.

Signing & striping improvements in this memo shall be shown on traffic design plans signed by a licensed civil or traffic engineer and to the satisfaction of the Director of Public Works.