



**Community & Economic Development Department**

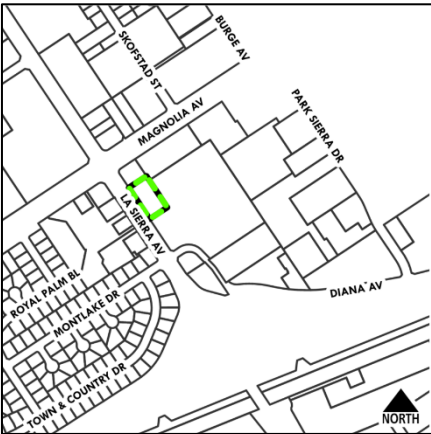
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**Planning Division**

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**PLANNING COMMISSION HEARING DATE: JULY 18, 2024  
AGENDA ITEM NO.: 5**

**CONDITIONAL USE PERMIT AND DESIGN REVIEW**

Case Number	PR-2021-001049 (Conditional Use Permit and Design Review)	
Request	To consider the following entitlements to construct a 2,350 square foot drive-thru restaurant (Ono Hawaiian BBQ): 1) Conditional Use Permit to allow a drive-thru business; and 2) Design Review of project plans	
Applicant	David Gilmore of GRAE La Sierra, LLC	
Project Location	3765 La Sierra Avenue, situated on the southeast corner of La Sierra and Magnolia Avenues	
APN	138-470-030	
Project Area	0.85-acres	
Ward	6	
Neighborhood	La Sierra	
General Plan Designation	MU-U – Mixed Use - Urban	
Specific Plan	Magnolia Avenue – La Sierra District	
Zoning Designation	CG-X-SP – Commercial General, Building Setback and Specific Plan (Magnolia Avenue) Overlay Zones	
Staff Planner	Winnie Liang 951-826-5933 <a href="mailto:wliang@riversideca.gov">wliang@riversideca.gov</a>	

**RECOMMENDATIONS**

Staff recommends that the Planning Commission:

1. **DETERMINE** that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures), as the project will not have a significant effect on the environment; and
2. **APPROVE** Planning Case PR-2021-001049 (Conditional Use Permit and Design Review) based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions of approval (Exhibits 1 & 2).

## SITE BACKGROUND AND PROPOSAL

The project site consist of a 0.85-acre parcel that is located within a 30.55-acre commercial shopping center (Park Sierra Dining and Entertainment Park). The project site is currently developed with an approximately 6,000 square foot vacant commercial building to be demolished to allow development of the proposed drive-thru building. Surrounding land uses include restaurant, retail, and office uses to the north, east, south and west (Exhibit 4).

The applicant is requesting approval of a Conditional Use Permit and Design Review to facilitate the construction of a 2,350-square-foot restaurant building (Ono Hawaiian BBQ) with 30 surface parking stalls and landscape improvements.

The drive-thru restaurant provides indoor and outdoor dining areas, and a single 12-foot-wide drive-thru lane with stacking for up to 10 vehicles.

Building elevations reflect a contemporary architectural style, consisting of stucco, wood cladding, and metal canopies. The conceptual landscape design features a variety of trees and water efficient shrubs. A three-foot-tall masonry screen wall with an arbor trellis and tiered landscaping is proposed to screen the drive-thru lane from La Sierra and Magnolia Avenues.

Vehicle access to the project site will be provided via two existing two-way 24-foot-wide driveways along La Sierra Avenue. The project provides pedestrian pathways throughout the site with connectivity to public sidewalks.

The drive-thru restaurant is anticipated to operate seven days a week, 11:00 a.m. to 9:30 p.m. Up to 8 employees are expected per shift for the drive-thru restaurant.

## PROJECT ANALYSIS

### *Authorization and Compliance Summary*

	Consistent	Inconsistent
<p><b>General Plan 2025</b></p> <p>The project, in combination with other surrounding commercial/office, retail, and residential uses, result in a mix of uses consistent with the underlying General Plan 2025 land use designation of MU-U – Mixed Use-Urban (Exhibit 5). The MU-U designation generally provides for commercial uses such as restaurant, retail, office, and service uses. Plazas, courtyards, outdoor dining and other public gathering spaces and other community amenities are strongly encouraged. The proposed development also furthers the Objectives and Policies of the General Plan 2025, specifically:</p> <p><u>Objective LU-61:</u> Enhance the economic vitality of the neighborhood and rejuvenate older commercial centers.</p> <p><u>Objective LU-59:</u> Maintain and enhance the quality of life in the La Sierra neighborhood.</p> <p><u>Policy LU-58.6:</u> Allow for increased residential and commercial densities to bring more people to the neighborhood, support transit and complement the scale of the Kaiser facility.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p><b>Specific Plan (Magnolia Avenue)</b></p> <p>The project site is in the La Sierra District area of the Magnolia Avenue Specific Plan (MASP) (Exhibit 7), which allows for a number of uses including drive-thru businesses, commercial shopping centers, residential development, community services, and medical uses.</p> <p>The proposed drive-thru will be adequately screened by masonry screen walls, arbor trellis, and landscaping along La Sierra and Magnolia Avenues. The order pick-up window will be screened by a trellis structure to minimize the visibility from La Sierra, which will serve to promote increased appeal along the streetscape. The proposed project was analyzed for compliance with the development standards and is consistent with the standards established in the Specific Plan.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Zoning Code Land Use Consistency (Title 19)</b></p> <p>The project site is zoned CG-X-SP – Commercial General, Building Setback (10-feet) and Specific Plan (Magnolia Avenue) Overlay Zones (Exhibit 6), which is consistent with the MU-U – Mixed Use - Urban General Plan land use designation. The CG – Commercial General Zone allows for drive-thru restaurants subject to approval of a Conditional Use Permit and compliance with the Site Location, Operation, and Development Standards.</p> <p>As designed, the project meets all applicable development standards for a drive-thru restaurant.</p> <p><i>Parking</i></p> <p>The project is located in a high-quality transit corridor. Assembly Bill 2097 (AB 2097) restricts public agencies from imposing minimum automobile parking requirements on residential, commercial, or other development projects located within a 1/2 mile of a high-quality transit corridor. The proposed project meets the criteria defined in AB 2097 and is exempt from the minimum parking requirements provided in the Riverside Municipal Code (RMC).</p> <p>Although the project is exempt from the City's parking requirements the project is located within a multi-tenant commercial shopping center with shared parking, circulation and ingress/egress. The shopping center provides a total of 2,059 parking spaces with 30 parking stalls directly available to the project site.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Compliance with Citywide Design &amp; Sign Guidelines</b></p> <p>The proposed project substantially meets the objectives of the Citywide Design Guidelines for commercial development related to architectural treatment and landscaping. The proposed buildings incorporate a variety of colors and materials, such as stucco, wood cladding, and metal canopies. The drive-thru lanes are adequately screened from the public right-of-way through a combination of three-foot block wall, arbor trellis, and tiered landscaping. As</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

proposed, the project is consistent with the Citywide Design Guidelines.

## COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<b>Chapter 19.475</b> <b>Drive-Thru Business Site Location, Operation, and Development Standards</b>				
<b>Standard</b>		<b>Proposed</b>	<b>Consistent</b>	<b>Inconsistent</b>
<b>Frontage</b>	100 feet	256-foot frontage	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Located on Arterial Street	La Sierra Avenue: 110-foot arterial	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Drive-Thru Lane Standards</b>	Length: 180 feet	194 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Stacking: 10 vehicles	10 vehicles	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Width: 12 feet	12 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Drive-thru lane screening	3-foot screen wall and arbor trellis; Tiered planting between drive-thru lane and public right-of-way	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Chapter 19.110.030</b> <b>Commercial Development Standards for the CG-Commercial General Zone</b>				
<b>Standard</b>		<b>Proposed</b>	<b>Consistent</b>	<b>Inconsistent</b>
<b>Building Height</b>	75 feet	27 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Yard Setbacks</b>	Front	10 feet (X – Building Setback Overlay along La Sierra)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Interior Side	0 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear	0 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Landscape Setback</b>	15 feet	15 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## FINDINGS SUMMARY

The proposed drive-thru restaurant will complement surrounding commercial uses and serve nearby residents and employees. The site has been designed with adequate vehicular access and internal circulation. The drive-thru lane has been designed to meet stacking standards and drive-thru queuing length required by the Zoning Code. The commercial drive-thru restaurant building adequately screens the drive-thru operations along La Sierra and Magnolia Avenues

using three-foot tall screen walls, arbor trellis and tiered landscaping. The project 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. The project complies with the standards of the Zoning Code, Magnolia Avenue Specific Plan, and Citywide Design Guidelines.

## STRATEGIC PLAN

This project contributes to the Envision Riverside 2025 City Council Strategic Priority 3 – Economic Opportunity (Goal 3.3 – Cultivate a business climate that welcomes innovation, entrepreneurship and investment and Goal 3.4 - Collaborate with key partners to implement policies and programs that promote local business growth and ensure equitable opportunities for all).

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 and will increase business tax revenue to the City when the drive-thru restaurant is open for business.
4. Innovation: The proposed project revitalizes a portion of an existing shopping center in the CG zone and contributes to a mix of uses in the neighborhood.
5. Sustainability and Resiliency: All new construction will meet the most up-to-date Building Codes.

## ENVIRONMENTAL REVIEW

This proposal is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, as the project will not have a significant effect on the environment.

## 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. Findings
2. 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, Overall Shopping Center Site Plan, Preliminary Grading Plan, Fire

Access Plan, Preliminary Landscape Plan, Floor Plan, Roof Plan, Building Elevations, Renderings)

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Prepared by: Regine Kennedy, Senior Planner

Reviewed by: Brian Norton, Principal Planner

Approved by: Maribeth Tinio, City Planner



*EXHIBIT 1 – FINDINGS*

**PLANNING CASE:** PR-2021-001049 (Conditional Use Permit and Design Review)

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

1. The proposed drive-thru 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 drive-thru 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 drive-thru 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.

**Drive-Thru Business Findings pursuant to Chapter 19.475.050:**

1. The proposed drive-thru will not substantially increase vehicular traffic on streets in a residential zone.
2. The proposed drive-thru will not substantially lessen the usability of adjacent or nearby commercially zoned property or commercial use by interfering with pedestrian traffic.
3. The proposed drive-thru will not create increased traffic hazards to pedestrians.
4. The site will be adequate in size and shape to accommodate said use and to accommodate all yards, walls, parking, landscaping and other required improvements.
5. The proposed drive-thru will not substantially lessen the usability and suitability of adjacent or nearby residentially zoned property for residential use.



*EXHIBIT 2 – CONDITIONS OF APPROVAL*

**PLANNING CASE:**      **PR-2021-001049** (Conditional Use Permit and Design Review)

**Planning**

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 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.

*Prior to Issuance of Grading Permit:*

4. A 40-scale precise grading plan shall be submitted to Public Works 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 any applicable recommendations of qualified soils engineer to minimize potential soil stability problems;
  - d. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement; and
  - e. Identification of location, exposed height, material, and finish of any proposed retaining walls.

*During Grading and Construction Activities:*

5. 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.
6. To reduce construction related particulate matter air quality impacts of projects the following measures shall be required:
  - a. The generation of dust shall be controlled as required by the AQMD;
  - b. Trucks hauling soil, dirt or other emissive materials shall have their loads covered with a tarp or other protective cover as determined by the City Engineer;



- c. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards;
  - d. Streets shall be swept at the end of the day if visible soil material is carried onto adjacent paved public roads;
  - e. Trucks and other equipment leaving the site shall be washed off;
  - f. Disturbed/loose Soils shall be kept moist at all times.
  - g. All grading activities shall be suspended when wind speeds exceed 25 miles per hour; and
  - h. A 15 mile per hour speed limit shall be enforced on unpaved portions of the construction site.
7. The applicant shall be responsible for erosion and dust control during construction phases of the project.
  8. To reduce diesel emissions associated with construction, construction contractors shall provide temporary electricity to the site to eliminate the need for diesel-powered electric generators or provide evidence that electrical hook ups at construction sites are not cost effective or feasible.

*Prior to Issuance of Building Permit:*

9. **Building Elevations:** Revise the building elevations and construction plans to incorporate the following:
  - a. Tower elements or walls that project above the parapet shall be finished/enclosed on both sides.
  - b. The electrical cabinet located on the northwest elevation shall be architecturally integrated with the building.
10. Landscaping and Irrigation plans shall be submitted to the Planning Division for review. Separate applications and filing fees are required.
11. Plans submitted for plan check review shall specify the location, design and color of all domestic water meters, backflow preventers and utility cabinets subject to the Planning and Public Utilities review and approval. The visibility of such facilities shall be minimized through means including but not limited to relocation, berms, landscaping, and/or installation of a screen wall subject to Planning Division review and approval.
12. An exterior lighting plan shall be submitted to staff for review and approval. A photometric study and manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas and in the parking lot shall be submitted with the exterior lighting plan. All on-site lighting shall comply with Chapter 19.566 of the Zoning Code (Outdoor Lighting). The light sources shall be shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties and public rights-of-ways. If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed twenty (20) feet in height, including the height of any concrete or other base material. Light poles within fifty (50) feet of residences are limited to fourteen (14) feet in height.
13. Roof and building mounted equipment shall be fully screened from the public right-of-way. Screening material shall be integrated with the design of the building and be at least as high as the proposed roof mounted equipment.
14. Ground mounted equipment shall be fully screened from the public right-of-way.

*During Construction:*

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. 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.

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

17. 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. Contact the Case Planner, at (951) 826-5371 to schedule the final inspection at least one week prior to needing the release of utilities.

*Site Operation Standards:*

18. All operations shall comply with Title 7 (Noise Control) of the Riverside Municipal Code.
19. 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
20. The applicant shall be responsible for maintaining free of litter, the area adjacent to the premises over which they have control.
21. 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.
22. 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:*

23. 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.
24. The Conditional Use Permit and Design Review 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.**

25. 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.
26. 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.
27. 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.
28. 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.
29. 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.
30. 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.
31. Failure to abide by all conditions of this Conditional Use Permit shall be cause for revocation.
32. 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.

#### **Public Works – Land Development**

Conditions to be fulfilled prior to permit issuance unless otherwise noted

33. Installation of sewer lateral to serve this project to Public Works specifications. If existing lateral is to be utilized, a video inspection will be required to be approved by public works department.
34. Storm Drain construction will be contingent on engineer's drainage study.
35. Add the following notes to the site/plot or landscape plans and email PDF to [gtnaka@riversideca.gov](mailto:gtnaka@riversideca.gov) for review and approval:
- Remove any palms located in public right-of-way along La Sierra Avenue; plant 24-inch box size Cascabela Thevetia in public right-of-way along La Sierra Avenue. Typical spacing 20 feet O.C. Prior to any planting, Tree Inspector to determine precise locations at time of scheduled site inspection after fine grading and any hardscape installation is complete. Planting, staking, irrigation, root barriers to Landscape & Forestry specifications
36. Prior to final inspection for the development project, the applicant shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of payment. If the project improvements include qualifying right-of-way dedications and/or street improvements to a TUMF regional arterial roadway as identified on the Regional System of Highways and Arterials, the developer may have the option to enter into a Credit/ Reimbursement Agreement with the City and Western Riverside Council of Governments (WRCOG) to recover costs for such work based on unit costs as determined by WRCOG.
- The terms of the agreement shall be in accordance with the RMC Chapter 16.68 and the TUMF Administrative Plan requirements. Credit/reimbursement agreements must be fully executed prior to receiving any credit/reimbursement. An appraisal is required for credit/reimbursement of right of way dedications and credit/reimbursement of qualifying improvements requires the public bidding and payment of prevailing wages in accordance with State Law. For further assistance, please contact the Public Works Department.
37. 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:
- 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;
- Incorporates the applicable Source Control BMP's as described in the Santa Ana River Region WQMP and provides a detailed description of their implementation;
- Incorporates Treatment Control BMP's as described in the Santa Ana River Region WQMP and provides information regarding design considerations;
- Describes the long-term operation and maintenance requirements for BMP's requiring long-term maintenance; and
- Describes the mechanism for funding the long-term operation and maintenance of the BMP's requiring long-term maintenance.
38. 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.

39. 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.
40. Prior to building or grading permit closeout or the issuance of a certificate of occupancy or certificate of use, the applicant shall:  
  
Demonstrate that all structural BMP's described in the project-specific WQMP have been constructed and installed in conformance with approved plans and specifications;  
  
Demonstrate that applicant is prepared to implement all non-structural BMP's described in the approved project-specific WQMP; and  
  
Demonstrate that an adequate number of copies of the approved project-specific WQMP are available for the future owners/ occupants.
41. Double trash enclosure required per public works specifications.

#### **Public Works - Traffic**

42. Project has conducted a trip generation assessment which includes that the restaurant will open at 11:00 a.m. which is outside the morning peak hour of traffic 7:00 a.m. to 9:00 a.m.. The trip generation assessment does not include assessment for morning peak hour traffic. Therefore, should the hours of operations be extended to include the morning a.m. peak hours of 7:00 a.m. to 9:00 a.m. in the future, a planning application shall be submitted to the Public Works Department and Planning Division for review, and may require a revision to this Planning entitlement.
43. Operation of the drive-through shall not result in stacking of vehicles in such a manner that would result in obstruction to any access aisle or parking spaces for other tenants in the retail center, the main drive aisles for the retail center, or public streets. If the drive-through operation affects traffic for other tenants, the main drive aisles of the retail center, or any public street, design or operational alternatives to remedy the issue, such as modifying the parking lot signage and striping and / or temporarily closing the ingress portion of internal drive aisles shall be presented to the City for review and approval.

#### **Fire Prevention**

44. 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.
45. 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.
46. Comply with all applicable requirements per CFC, Chapter 33 (Fire Safety During Construction and Demolition).
47. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.

48. Construction plans shall be submitted and permitted prior to construction.
49. Fire Department access shall be maintained during all phases of construction.

**Public Utilities – Electric**

50. Applicant is responsible for all costs associated with relocations of existing facilities.
51. A slab box will be required in addition to new conduits to serve proposed switchgear.
52. Plot existing electrical distribution facilities on the original site plan.

**Public Utilities – Water**

53. Project is required to install a separate dedicated water meter for landscape irrigation.
54. Project is required to install a new fire service lateral to serve the proposed building.
55. New water service installations are processed under a separate plan and permit submitted directly to the Public Utilities Department. Water plan must be submitted prior to issuance of building permit.

**Environmental Compliance**

56. A Wastewater Discharge Survey for restaurants must be submitted to Environmental Compliance (EC) for approval.
57. The Wastewater Survey and Menu will help to determine if you need an interceptor and what size. Plans will need to be modified to reflect the interceptor location.
58. Plumbing plan details must be submitted during the Building and Safety Plan Check submittal and obtain EC approval.
59. All corrections to plans must be completed in order for Environmental Compliance Section to issue a Will-Serve Letter. Will-Serve Letter shall be sent to County of Riverside DEH by Environmental Compliance inspector.
60. Other items for correction may need to be completed after actual plans are submitted for a formal review.
61. Proposed trash enclosures with drains to sanitary sewer or grease interceptor must have cover to control rainwater intrusion.