




**Community & Economic Development Department
Planning Division**

3900 Main Street, Riverside, CA 92522 | Phone: (951) 826-5371 | RiversideCA.gov

PLANNING COMMISSION HEARING DATE: JUNE 4, 2015

AGENDA ITEM NO.: #3

PROPOSED PROJECT

Case Numbers	P15-0073 (Design Review) and P15-0074 (Conditional Use Permit)	
Request	To construct an approximately 11,738 square foot vehicle repair facility ("Les Schwab Tire Center")	
Applicant	Zach Lauterbach of Evergreen Devco	
Project Location	A vacant site located at the southeast corner of the intersection of Van Buren Boulevard and Colorado Avenue (APN # 191-200-029 and 191-200-030)	
Project area	Approximately 1.72 acre	
Ward	5	
Neighborhood	Arlington	
Specific Plan	N/A	
General Plan Designation	C - Commercial	
Zoning Designation	CR – Commercial Retail Zone	
Staff Planner	Candice Assadzadeh, Assistant Planner; 951-826-5667; cassadzadeh@riversideca.gov	

RECOMMENDATIONS

Pursuant to Chapters 2.40 and 19.050.030 of the Riverside Municipal Code, the Planning Commission shall review the proposed project subject to its consistency with the Zoning Code

(Title 19), which includes the Design Review and Conditional Use Permit. Specifically, Staff Recommends that the City Planning Commission:

1. **RECOMMEND that the City Council DETERMINE** that Planning Cases P15-0073 (Design Review) and P15-0074 (Conditional Use Permit) constitute in-fill development therefore is categorically exempt from the provisions of the California Environmental Quality Act per Section 15332 of the CEQA Guidelines.
2. **RECOMMEND APPROVAL** of Planning Cases Case Numbers: P15-0073 (Design Review) and P15-0074 (Conditional Use Permit), based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions;
3. **RECOMMEND ADOPTION** of attached exhibits 6 - 10 as approved project plans, subject to recommended conditions of approval.

SITE BACKGROUND

As shown on the attached exhibits, the 1.72 acre, two-parcel, vacant site is located at the southeast corner of the intersection of Van Buren Boulevard and Colorado Avenue. A portion of the proposed site was previously occupied by a Stop & Go gas station. Access to the site will be gained from the west via Van Buren Boulevard, and a secondary entrance from the north via Colorado Avenue.

The project site has an average slope of 5.17%, and generally drains generally towards to the north. Attached exhibits 3-5 demonstrate the project site's specific location as well as the subject and surrounding General Plan and Zoning designations.

PROPOSAL

The following applications have been submitted:

- Design Review
- Conditional Use Permit

The applicant has submitted a Design Review and Conditional Use Permit application to construct a new approximately 11,738 square foot vehicle repair facility ("Les Schwab Tire Center"). The proposed building is rectangular in shape and will be approximately 20-feet from the Van Buren Boulevard frontage and approximately 119-feet from the Colorado Avenue frontage. The building has been situated on site, so that the service bays face towards Colorado Avenue, as the Zoning Code requires that service bays are oriented to minimize their visibility from public rights-of-ways and residential areas. The site design for the project includes 37 parking stalls, and 8 service bays. The site is designed to allow for onsite circulation, and entering and exiting the service bays in a safe manner. Additionally, proposed landscaping consists of a series of complementary pedestrian level shrubs and ground covers, as well as sufficient parking lot trees and accent plants. The proposed landscaping will serve to enhance the streetscape and screen the service bays from Colorado Avenue.

The proposed building consists of corporate architecture with significant glazing incorporated into the northern and eastern facades. The building exterior will consist of Polished Ground Face CMU in Rutherford and Mission White, Glazed CMU in Fireweed Mahogany and Colorado Red, Metal Panels in Citadel Colonial Red and Oldcastle Classic Bronze, as well as painted vehicle

roll-up doors in Benjamin Moore Cottage Red and Sailcloth. The combined trash and recycling enclosure will match the building materials. The recycling enclosure will be used for storage of used tires. The recycling will be picked up on a weekly basis to ensure the enclosure and site is maintained.

The proposed Les Schwab Tire Center will have approximately 15 total employees, working various shifts. The Les Schwab Tire Center is anticipated to operate from 7am – 7pm Monday – Saturday, and will be closed on Sundays.

PROJECT ANALYSIS

<i>Authorization and Compliance Summary</i>			
	Consistent	Inconsistent	N/A
General Plan 2025 The proposed project is consistent with the underlying General Plan 2025 land use designation of C - Commercial, which will further the intent of the General Plan by facilitating in-fill development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Specific Plan The project site is not located within a Specific Plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Zoning Code Land Use Consistency (Title 19) The underlying CR – Commercial Retail Zone is consistent with the C - Commercial General Plan land use designation. Proposed Commercial developments are subject to Design Review and the proposed Vehicle Repair Facility requires a Conditional Use Permit.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Compliance with Citywide Design & Sign Guidelines The proposed project substantially meets the objectives of the City's design guidance document, subject to the recommended conditions of approval detailed below.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Compliance with Vehicle Repair Facilities Development Standards The underlying base zone (CR-Commercial Retail) allows for vehicle repair facilities only as a Conditional Use. As is demonstrated in the table below, the project is consistent with all applicable development standards.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Standard			Proposed	Consistent	Inconsistent
<i>Max. Floor Area Ratio</i>	0.50		0.16	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Min. Setbacks</i>	Front	0 feet	North: 119 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Street Side	0 feet	West: 20 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Interior Side	0 feet	East: 25 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear	15 feet	South: 20 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Min. Parking¹</i>	6 spaces on the same lot, plus 2 additional spaces/service bay	22 stalls min.	37 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Vehicle Repair Facility Business Standards					
Standard			Proposed	Consistent	Inconsistent
<i>Minimum Site Area</i>	0.50 acre		1.72 acre	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Landscape Setbacks</i>	Street Frontages	15 foot planter	North: 15 feet West: 15 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

¹ Parking may be provided on the same lot or within 100 feet of the subject site.

Vehicle Repair Facility Business Standards					
Standard			Proposed	Consistent	Inconsistent
	Interior Property Lines	5 foot planter	Refer to site plan, exhibit 7	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Max. Building Height	75 feet		25 feet 4 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DESIGN REVIEW

Site Access

Vehicular access to the project site is proposed from a 40 foot wide driveway off of Van Buren Boulevard. This drive aisle connects to the primary internal drive aisle within the project and the proposed service bays will be accessed from this driveway. Additionally, secondary vehicular access is provided via a 40 foot wide driveway off of Colorado Avenue, to the north.

Architecture

The applicant is proposing a building design that is adequately articulated, consistent with surrounding contemporary architecture, and is appropriate for the neighborhood. The proposed building elevations (Exhibit 6) include a front façade that features significant fenestration. The building will include a black, white, grey, and red color palette to emphasize its corporate identity. The building exterior will consist of Polished Ground Face CMU in Rutherford and Mission White, Glazed CMU in Fireweed Mahogany and Colorado Red, Metal Panels in Citadel Colonial Red and Oldcastle Classic Bronze, as well as painted vehicle roll-up doors in Benjamin Moore Cottage Red and Sailcloth. Staff supports the building elevations as described above, subject to the recommended conditions of approval.

Conceptual Landscaping

The conceptual landscape plan (Exhibit 9) has been designed to provide a variety of landscape materials throughout the project site, including trees, shrubs, and groundcovers. The proposed landscaping will serve to enhance the streetscape and screen the service bays from Colorado Avenue. Staff supports the conceptual landscape plan.

ENVIRONMENTAL REVIEW

This proposal is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15332, as the project constitutes an in-fill development.

NEIGHBORHOOD COMPATIBILITY

The proposed Les Schwab Tire Center will facilitate in-fill development within an established commercial area in the Arlington neighborhood. The use is proposed at a location where adequate parking is available for the use and where the use can be operated in a manner that will not be detrimental to surrounding land uses. The configuration of the building facing north, towards Colorado Avenue, also allows mitigating noise impacts to the adjacent residential. Per a noise study completed by Les Schwab to measure the decibels within the site and along the property lines, at roughly 200 feet from the front of the bays, the noise is comparable to a vacuum cleaner. The impact wrenches are responsible for these sounds but are intermittent as they are used in small bursts as tires are removed and replaced. With the addition of the required 6 feet tall screen wall and height difference with the residential to the east, the impacts will be minimal. Additionally, adequate access to the project site exists via Van Buren Boulevard and Colorado Avenue, and there is sufficient ingress and egress from the site. For these reasons, no neighborhood compatibility impacts are anticipated in conjunction with this use.

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.

EXHIBITS LIST

1. Staff Recommended Findings
2. Staff Recommended Conditions of Approval
3. Aerial Photo/Location
4. General Plan Map
5. Zoning Map
6. Color Building Elevations
7. Site Plan
8. Floor Plan
9. Conceptual Landscape Plan
10. Preliminary Grading Plan
11. Existing Site Photos
12. Correspondence Received

(Color / Material Board to be available at the City Planning Commission Meeting)

Report and Recommendations Prepared by:	Candice Assadzadeh, Assistant Planner
Report and Recommendations Reviewed by:	Gabriel Perez, Principal Planner
Report and Recommendations Approved by:	Emilio Ramirez, Interim Community Development Director



City of Arts & Innovation

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

EXHIBIT 1- STAFF RECOMMENDED FINDINGS

PLANNING CASES: **P15-0073** (Design Review)
 P15-0074 (Conditional Use Permit)

STAFF RECOMMENDED FINDINGS

Design Review & Conditional Use Permit:

- a. The proposed project is consistent with the General Plan 2025 and the intent and purpose of the C - Commercial General Plan land use designation;
 - i. Provide sufficient parking while also maintaining the pedestrian environment (Policy LU-36.5).
- b. The proposed development will not have substantial adverse effects on the surrounding property or uses, and will be compatible with the existing and planned land use character of the surrounding area;
- c. The proposed commercial use 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;
- d. The proposed commercial use 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, with implementation of the recommended conditions of approval;
- e. The proposed commercial use 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.
- f. The proposed development is compliance with the standards applicable to the proposed development.
- g. The project qualifies as an In-fill development project is categorically exempt from the provisions of the California Environmental Quality Act per Section 15332 of the CEQA Guidelines.



City of Arts & Innovation

COMMUNITY DEVELOPMENT DEPARTMENT Planning Division

EXHIBIT 2 - STAFF RECOMMENDED CONDITIONS OF APPROVAL

RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

Case Number: **P15-0073** (Design Review)

CONDITIONS

Case Specific

- **Planning**

1. All conditions of Planning Case P15-0074 (Conditional Use Permit) shall apply to this Project.
2. **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, if necessary prior to any sign permit issuance.

Prior to Grading Permit Issuance

3. 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 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;
 - e. 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:
 - i. 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;

- ii. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
- iii. Wash off trucks and other equipment leaving the site;
- iv. Replace ground cover in disturbed areas immediately after construction;
- v. Keep disturbed/loose soil moist at all times;
- vi. Suspend all grading activities when wind speeds exceed 25 miles per hour;
- vii. Enforce a 15 mile per hour speed limit on unpaved portions of the construction site.

During grading and construction activities:

- 4. 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.
- 5. 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. grading activities shall cease during periods of high winds (greater than 25 mph);
 - c. 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; and
 - d. the contractor shall prepare and maintain a traffic control plan, prepared, stamped and signed by either a licensed Traffic Engineer or a Civil Engineer. The preparation of the plan shall be in accordance with Chapter 5 of the latest edition of the Caltrans Traffic Manual and the State Standard Specifications. The plan shall be submitted for approval, by the engineer, at the preconstruction meeting. Work shall not commence without an approved traffic control plan.
- 6. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- 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.
- 9. The Contractor shall limit all construction-related activities that would result in high noise levels 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.

10. Noise-reducing design features shall be utilized consistent with standards in Title 24 California Code of Regulations and Title 7 of the Municipal Code.

Prior to Building Permit Issuance:

11. The landscaping, irrigation and sign plans shall be submitted for Design Review approval. Design modifications may be required as deemed necessary. Separate applications and filing fees are required. The landscaping and irrigation plans must be submitted prior to building permit issuance.
12. Plans submitted for Design Review staff review should specify the location, design and color of all domestic water meters, backflow preventers and utility cabinets subject to Planning and Public Utilities review and approval. The visibility of such facilities shall be minimized to Planning Department review and approval through means including but not limited to relocation, berming, landscaping, and/or installation of a screen wall.
13. Submit three sets of plans depicting the preferred location for above ground utility transformers of capacity to accommodate the planned or speculative uses within the building(s). 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. If landscape screening is the preferred screening method, no landscaping except ground cover shall be allowed within 10 feet of the transformer. 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.
14. An exterior lighting plan shall be submitted to Design Review 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 provide a minimum intensity of one foot-candle and a maximum 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 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. Additionally, light poles shall not exceed a maximum height of fourteen (14) feet, within 50-feet of a residentially zoned property or residential use.
15. Staff Required Plot Plan Conditions: Revise the submitted plot plan such that the plan provided for building permit plan check incorporates the following changes:
 - a. A minimum 12-inch concrete walkway, including curb width, shall be provided along the sides of landscape planters whenever the side of a parking stall is adjacent to it;
 - b. Provision for handicap accessible parking as deemed necessary by Building and Safety Division;

- c. Provision for screening any ground mounted equipment to the satisfaction of Design Review Staff.
16. Staff Required Building Elevations Conditions: Revise the submitted building elevations such that the plans provided for building permit plan check incorporate the following changes:
- a. Catalog cuts of the decorative sconce lighting and steel canopies shall be submitted for review and approval of Design Review staff; and
 - b. The building elevations submitted for building permits shall clearly specify all building materials and colors to match the materials and colors as approved by the City Planning Commission as applicable.
17. Add details for the enhancement of the proposed trash and recycle enclosure to include colors and materials as those proposed for the vehicle repair facility and a decorative overhead trellis subject to Planning Division staff approval and in accordance with the City's trash enclosure policies and standard drawings (available at the Planning Division) as follows:

REQUIRED TRASH AND RECYCLE ENCLOSURE MATERIALS:

- a. Block color: Polished Ground Face CMU block in Rutherford and Mission White, to match building;
 - b. Cap color: To match exterior of enclosure walls;
 - c. Gate/Gauge Material: 16/ga ribbed metal painted "Oldcastle Classic Bronze";
 - d. Pedestrian access requirement: Yes;
 - e. Decorative overhead trellis requirement: Yes; and
 - f. Overhead cover to prevent contact with storm water: Yes.
18. A sight line study shall be submitted for review and approval of Design Review staff, indicating that any proposed roof mounted mechanical equipment will be completely screened from view of all perimeter streets. Additionally, mechanical equipment screening details shall be provided as follows:
- a. Where exposed pitched roofs are proposed, locate **NO** mechanical equipment on any roof pitch, except as specifically approved by the Planning Commission or Design Review staff;
 - b. Where exposed roof pitches are not proposed (i.e., "flat" roofs) specify all roof mounted equipment for screening on all sides with either separate screens or parapet walls at least as high as the equipment to be screened;
 - c. Specify all electric meters and panels for 1) placement in enclosures or 2) color and materials to match the adjacent building wall surface; and

- d. Indicate all gas meters, pipes and valves, ground mounted AC units, etc., for screening devices indicated materials and design complimentary to building architecture subject to Design Review staff approval.
19. Staff Required Landscape and Irrigation Plans Conditions: The required detailed landscape and irrigation plans shall include the following elements:
 - a. Landscaping to sufficiently screen the service doors located on the street facing side of the building, to the satisfaction of Staff.

Prior to Release of Utilities and/or Occupancy:

20. 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 Kyle Smith at (951) 826-5220 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.

Standard Conditions

• **Planning**

21. 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.
22. The project must be completed per the Design Review 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 changes by Design Review staff. 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.
23. There is a 24-month time limit on this approval, which begins following City Council approval of this case.
24. The subject property shall be developed and operated substantially as described in the text of this report and as shown on the plot plan on file with this case except for any specific modification that may be required by these conditions of approval.

• **Public Works**

25. All Public Works conditions of approval for Planning Case P15-0074 shall apply.

• **Fire Department**

Contact Margaret Albanese at 951-826-5455 for questions regarding Fire conditions or corrections. The following to be met prior to construction permit issuance:

26. An automatic fire sprinkler system is required by City Ordinance 16.32.076. 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 an approved facility. Post Indicator valves, Detector Check control valves and water flow switches are required to be central station monitored. Have 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.
27. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
28. Construction plans shall be submitted and permitted prior to construction.
29. Fire Department access is required to be maintained during all phases of construction.

- **Public Utilities – Water**

30. A Custom Agreement is required; please contact your plan checker for details. Please submit a copy of the Grant Deed in order to facilitate processing.
31. Advisory: All utilities shall be satisfactorily relocated, protected and/or replaced to the specifications of the affected departments and agencies.
32. Advisory: The provision of water facilities in accordance with the City of Riverside Public Utilities Water Rules.
33. Advisory: The provision of utility fees and charges in accordance with the City of Riverside Public Utilities Water Rules.

- **Public Utilities – Electric**

Contact Summer Ayala at 951-826-2129 for questions regarding Public Utilities (Electric) conditions/corrections listed below.

34. All utilities shall be satisfactorily relocated, protected and/or replaced to the specifications of the affected departments and agencies, and easements for such facilities retained as necessary.
35. The provision of utility easements, water, street lights and electrical underground and/or overhead facilities and fees in accordance with the rules and regulations of the appropriate purveyor.

- **Park and Recreation**

36. PRIOR TO BUILDING PERMIT ISSUANCE: Payment of all applicable park development fees (local, regional/reserve, trail and aquatic) as mitigation for the impacts of the project on the park development and open space needs of the City. For questions or concerns regarding this condition, contact Park Planning & Design, 951/826-2000.

- **Riverside Transit Authority (RTA)**

37. Relocate the existing bus stop with 5-foot by 14-foot shelter and associated amenities, to the satisfaction of Riverside Transit Authority.

- **Riverside County Airport Land Use Commission (ALUC)**

38. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage or lumens or reflection into the sky.
39. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FFA-approved navigational signal light or visual approach slope indicator.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area, including but not limited to, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, artificial marshes, incinerators, and fly ash disposal.
 - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
40. The attached notice shall be provided to all potential purchasers of the property and tenants of the proposed buildings, and shall be recorded as a deed notice.
41. Any new detention or retention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention/retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

GENERAL INFORMATION NOTES

Appeal Information:

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

RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

Case Number: **P15-0074** (Conditional Use Permit)

CONDITIONS

Case Specific

- **Planning**

1. All conditions of Planning Case P15-0073 (Design Review) shall apply to this Project.
2. 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 satisfaction of the Planning Division.
3. 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.
4. 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 of urban pollutants, and flooding.
5. Prior to receiving a Building Permit the plot plan, building elevations, landscaping, irrigation and sign plans shall be submitted for Design Review approval. Design modifications may be required as deemed necessary. A separate application and filing fee is required. The plot plan and building elevations must be approved prior to building permit issuance; landscaping and irrigation plans must be submitted prior to building permit issuance.
6. Plans submitted for staff review should 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 to Planning Department review and approval through means including but not limited to relocation, berming, landscaping, and/or installation of a screen wall.
7. The subject property shall be developed and operated substantially as described in the text of this report and as shown on the plot plan on file with this case except for any specific modifications that may be required by these conditions of approval.

Operational Conditions:

8. The applicant shall be responsible for maintaining free of litter, the area adjacent to the premises over which they have control.
9. No outdoor pay phones shall be permitted on the premises.
10. 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.

11. 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.
12. Provisions shall be made for regular on-site maintenance and clean-up of the property.

Standard Conditions

13. There shall be a two-year time limit in which to commence 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.
14. 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.
15. The Project must be completed per the Conditional Use Permit and Design 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 Design Review Staff. 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.
16. 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.
17. 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 satisfaction of the Planning Division.
18. 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.
19. This 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. 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.

21. This permit is issued based upon the business operations plan 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 herein 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 permit shall be cause for revocation.
24. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
25. The subject property shall be developed and operated substantially as described in the text of this report and as shown on the plot plan on file with this case except for any specific modifications that may be required by these conditions of approval.
26. The applicant shall continually comply with all applicable rules and regulations in effect at the time permit is approved and exercised and which may become effective and applicable thereafter.

- **Public Works**

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

27. Installation of curb and gutter at 32 feet from monument centerline, sidewalk and matching paving on Colorado Avenue to Public Works specifications.
28. Relocation of existing Traffic facilities at southeasterly corner of Van Buren Boulevard and Colorado Avenue to accommodate for Colorado Avenue widening to Public Works specifications.
29. Prior to Building Permit Issuance, the Developer shall complete a Lot Line Adjustment to consolidate the project site parcels to the satisfaction of the Planning Division and Public Works Department.
30. Closure of unused driveway opening(s) on Colorado Avenue to Public Works specifications.
31. Off-site improvement plans to be approved by Public Works prior to Construction Permit Issuance.

32. Installation of a sewer lateral to serve this project to Public Works specifications. If an existing sewer lateral is proposed to be reused, the applicant shall perform a video inspection of the lateral to confirm it is suitable for use. A record of the video inspection shall be submitted to Public Works for review and concurrence.
33. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to Building Permit Issuance.
34. Size, number and location of driveways to Public Works specifications. Driveway located on Van Buren Avenue shall be restricted to right turn in and right turn out access only.
35. 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.
36. 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:
 - 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.
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:
 - 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 Department**

Contact Margaret Albanese at 951-826-5455 for questions regarding Fire conditions or corrections. The following to be met prior to construction permit issuance:

41. An automatic fire sprinkler system is required by City Ordinance 16.32.076. 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 an approved facility. Post Indicator valves, Detector Check control valves and water flow switches are required to be central station monitored. Have 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.
42. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
43. Construction plans shall be submitted and permitted prior to construction.
44. Fire Department access is required to be maintained during all phases of construction.

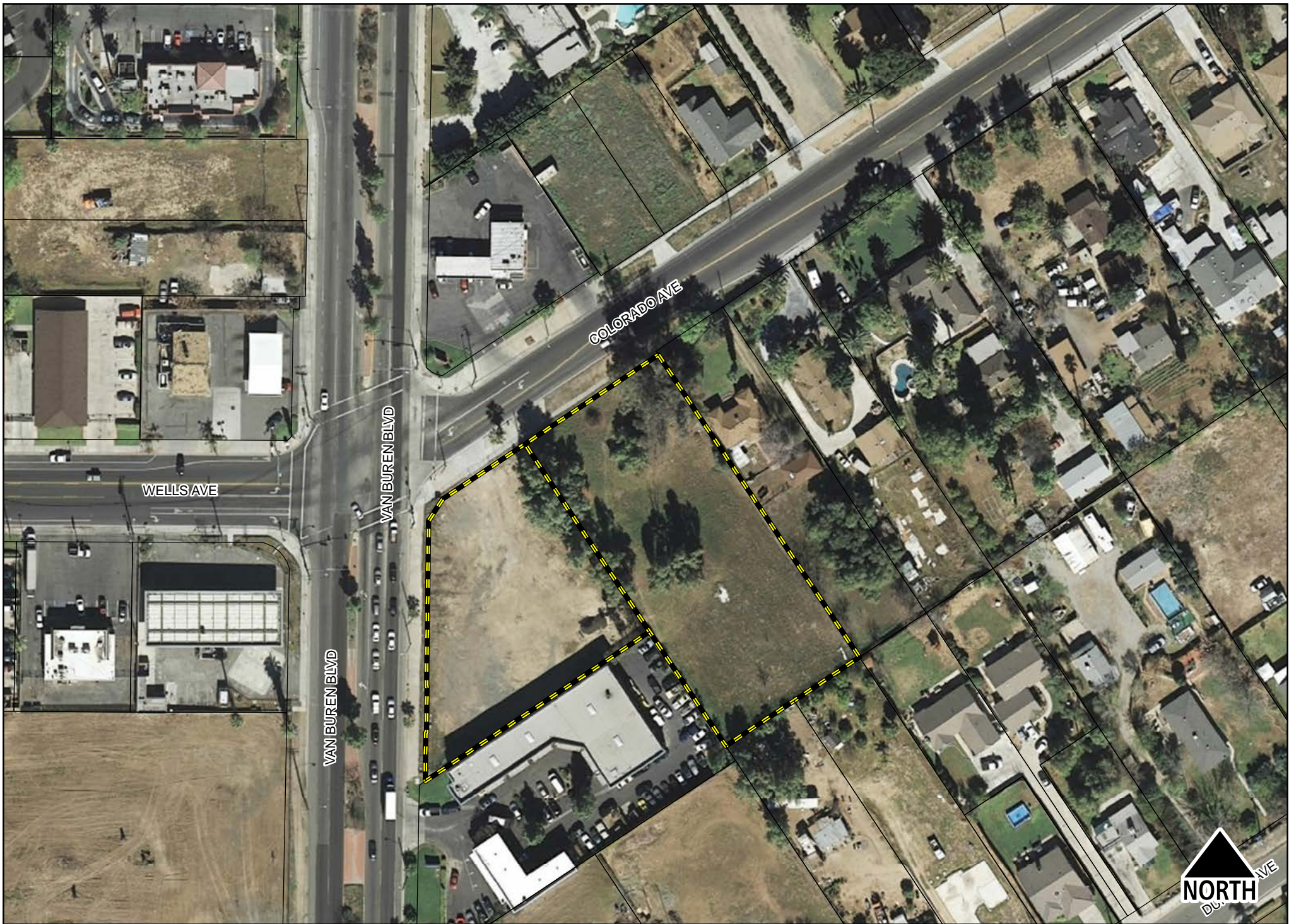
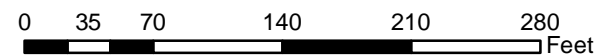


Exhibit 3- P15-0073 & P15-0074, Aerial Photo



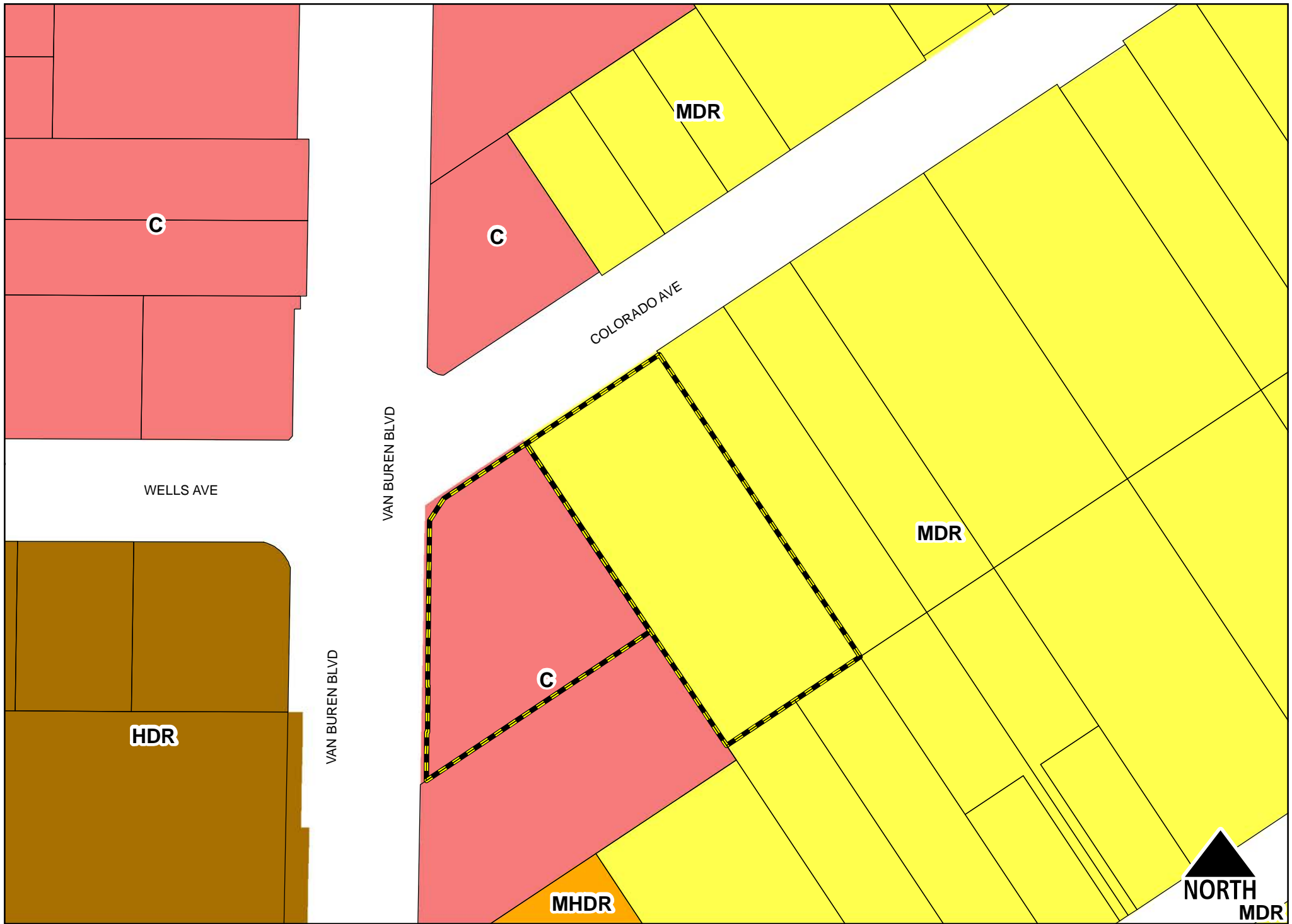


Exhibit 4- P15-0073 & P15-0074, General Plan Map



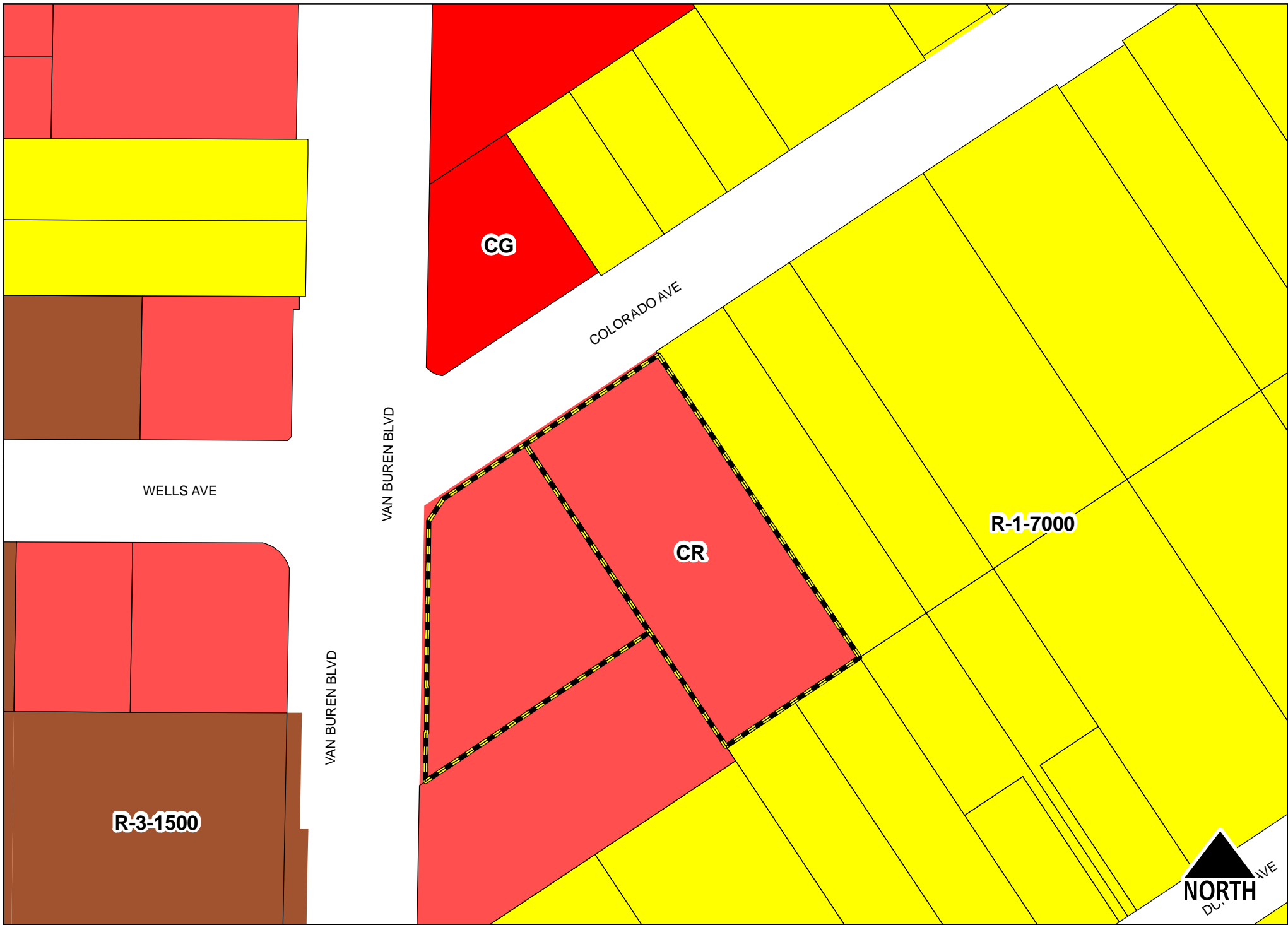
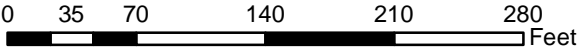


Exhibit 5- P15-0073 & P15-0074, Zoning Map



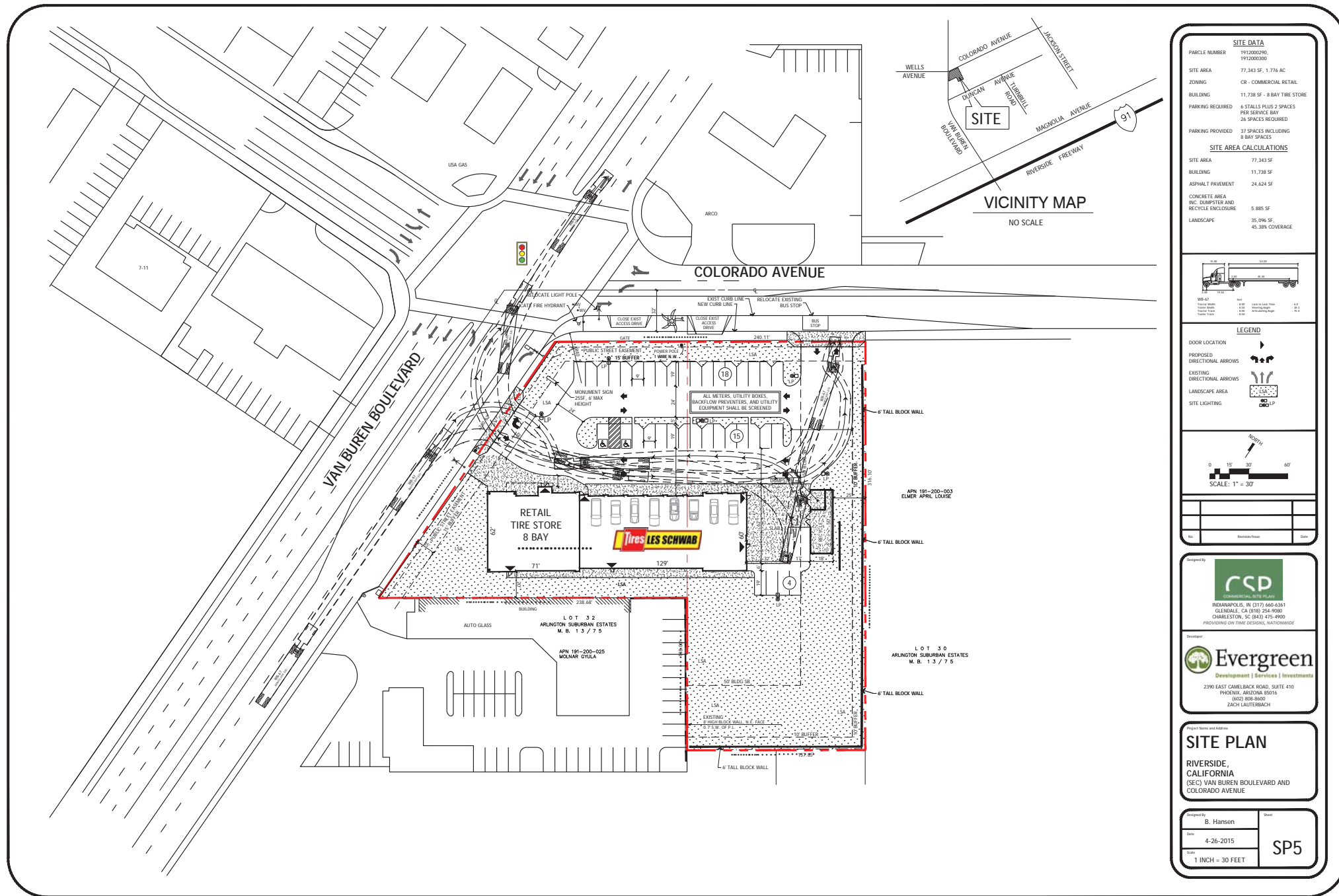
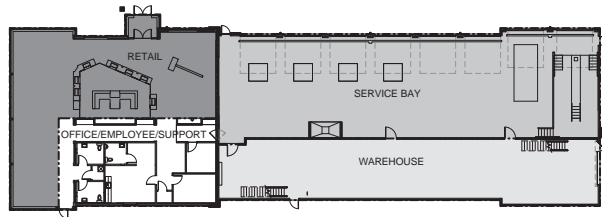
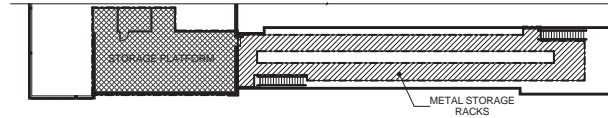


Exhibit 7 - P15-0073 & P15-0074, Site Plan



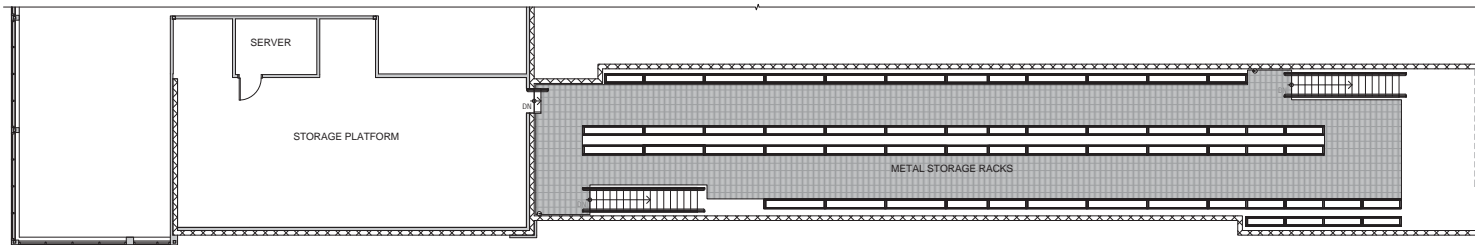
GROUND LEVEL AREA DIAGRAM
SCALE: 1" = 20'-0"



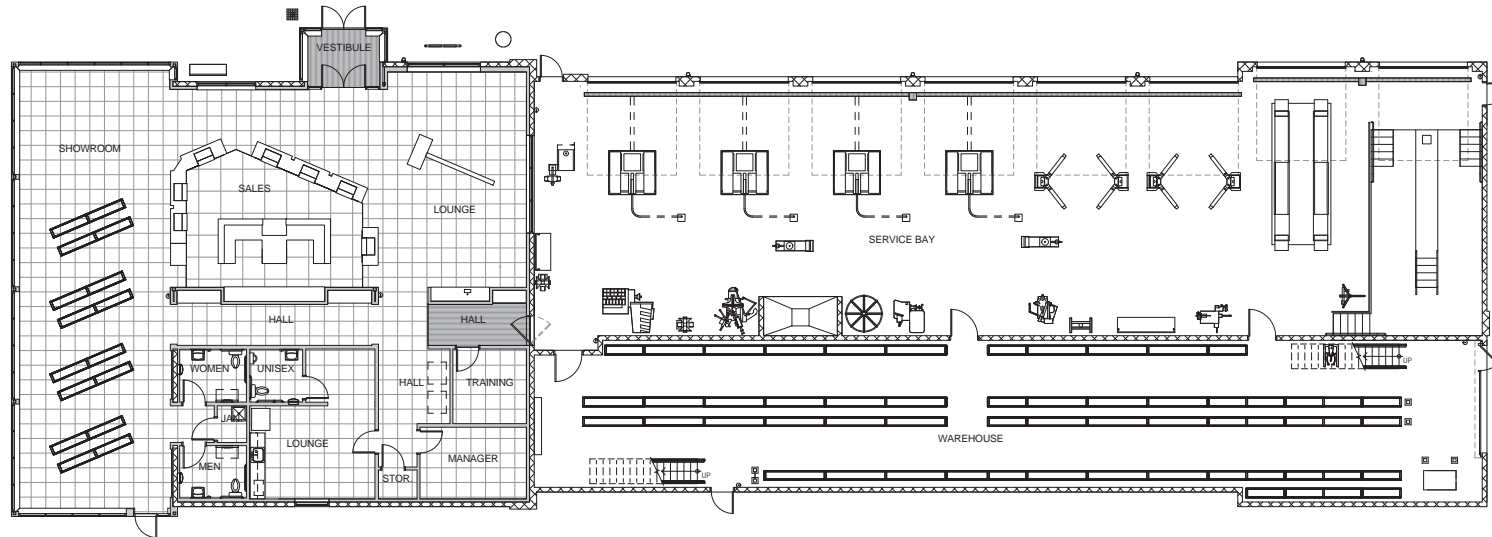
STORAGE LEVEL AREA DIAGRAM
SCALE: 1" = 20'-0"

BUILDING FOOTPRINT AREA	
BUILDING FOOTPRINT	11878 ft ²
	11878 ft ²

FLOOR AREA	
GROUND LEVEL	
OFFICE/EMPLOYEE/SUPPORT	1628 ft ²
RETAIL	2709 ft ²
SERVICE BAY	4747 ft ²
WAREHOUSE	2794 ft ²
STORAGE LEVEL	
METAL STORAGE RACKS	1403 ft ²
STORAGE PLATFORM	1317 ft ²
	14598 ft ²



2 STORAGE LEVEL
SCALE: 1/8" = 1'-0"



1 GROUND LEVEL
SCALE: 1/8" = 1'-0"

No.	Revision	Drawn By	Checked By	Date

Galloway
Planning, Architecture, Engineering
3000 Riverwalk Avenue
Colorado Springs, CO 80901
303.775.8888
www.gallowayusa.com

Tires LES SCHWAB

NOT FOR CONSTRUCTION

**LES SCHWAB TIRE CENTER
RIVERSIDE, CA**
Colorado Ave. & Van Buren Blvd., Riverside, CA 92501

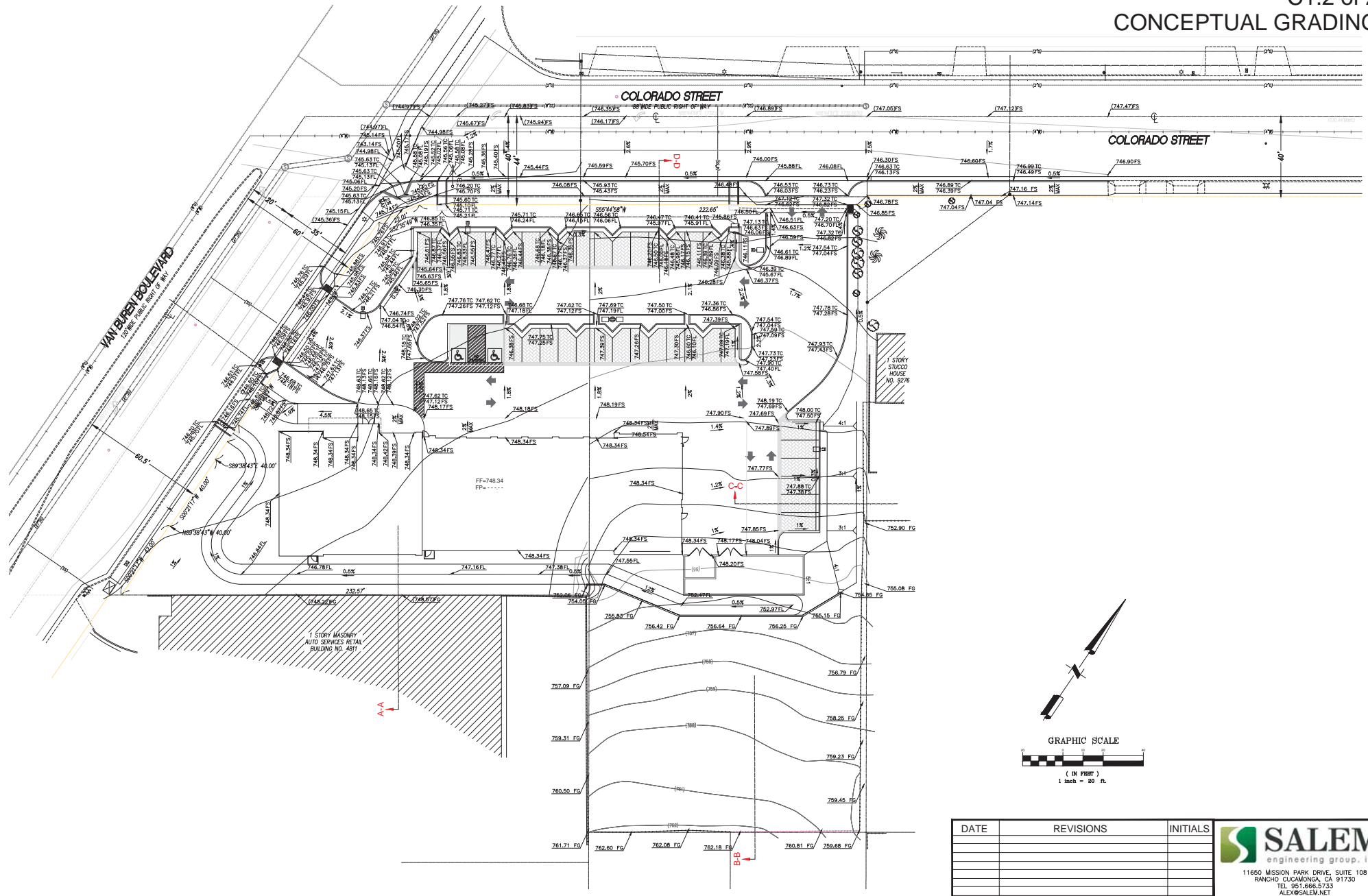
Project No: LSTR00005
Sheet Scale: As Indicated
Designed By: KJR
Drawn By: JSM
Date: 10/2/15

FLOOR PLANS

A1.0



C1.2 of 2
CONCEPTUAL GRADING



DATE	REVISIONS	INITIALS

SALEM
engineering group, inc.
11650 MISSION PARK DRIVE, SUITE 108
RANCHO CUCAMONGA, CA 91730
TEL 951.666.5733
ALEX@SALEM.NET

Exhibit 10 - P15-0073 & P15-0074, Preliminary Grading Plan

Photos of the Site



The SEC of Van Buren & Colorado, looking southeast.



Looking south along the eastern property line.



Looking south along the eastern property line, onsite.



Looking south along the internal property line and existing site wall.



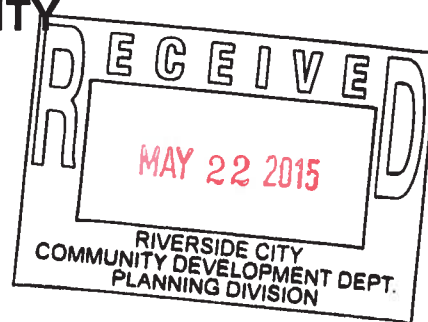
Looking south at the existing building along the southwestern property line.



Looking southeast at the property and existing building along the southern property line.



AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY



CHAIR
Simon Housman
Rancho Mirage

VICE CHAIRMAN
Rod Ballance
Riverside

COMMISSIONERS

Arthur Butler
Riverside

Glen Holmes
Hemet

John Lyon
Riverside

Greg Pettis
Cathedral City

Steve Manos
Lake Elsinore

STAFF

Director
Ed Cooper

John Guerin
Russell Brady
Barbara Santos

County Administrative Center
4080 Lemon St., 14th Floor
Riverside, CA 92501
(951) 955-5132

www.rcaluc.org

May 20, 2015

Mr. Gabriel Perez, Principal Planner
City of Riverside Community Development Department/Planning Division
3900 Main Street, Third Floor
Riverside CA 92522

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW

File No.: ZAP1067RI15
Related File No.: P15-0073 and P15-0074 (Design Reviews)
APNs: 191-200-029 and 191-200-030

Dear Mr. Perez:

Under the delegation of the Riverside County Airport Land Use Commission (ALUC), staff reviewed the above-referenced proposal to develop an 11,738 square foot retail tire store with 8 service bays on 1.77 acres located easterly of Van Buren Boulevard, and southerly of Colorado Avenue, within the City of Riverside.

The site is located within Airport Compatibility Zones D and E of the Riverside Municipal Airport Influence Area (AIA). Compatibility Zone D limits land use intensity to 100 people per average acre and 300 people per single-acre. Land use intensity is not restricted within Compatibility Zone E. Based on the site plan provided, the entire proposed building is located within Compatibility Zone E.

The elevation of Runway 16-32 at Riverside Municipal Airport at its southerly terminus is approximately 747.5 feet above mean sea level (747.5 feet AMSL). At a distance of approximately 4,850 feet from the runway to the property line, any structures at this location with an elevation exceeding 796 feet AMSL would require Federal Aviation Administration (FAA) obstruction evaluation review. The proposed building finished floor elevation is 748.34 feet AMSL and the building height is 25 feet 4 inches for a total elevation of 773.67 feet AMSL. Therefore, FAA review for height/elevation reasons is not required.

As ALUC Director, I hereby find the above-referenced project **CONSISTENT** with the 2005 Riverside Municipal Airport Land Use Compatibility Plan, subject to the following conditions:

CONDITIONS:

1. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.

2. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area, including but not limited to, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, artificial marshes, incinerators, and fly ash disposal.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
3. The attached notice shall be provided to all potential purchasers of the property and tenants of the proposed buildings, and shall be recorded as a deed notice.
4. Any new detention or retention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention/retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

If you have any questions, please contact Russell Brady, Contract Planner, at (951) 955-0549, or John Guerin, Principal Planner, at (951) 955-0982.

AIRPORT LAND USE COMMISSION

May 20, 2015

Sincerely,
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



Edward C. Cooper, Director

RB:bks

Attachments: Notice of Airport in Vicinity

cc: Zach Lauterbach, Evergreen Devco, Inc. (Phoenix office) (representative)
Evergreen Devco, Inc. (Glendale CA office) (payee)
EM-SO UAV Darkco (landowner)
Kim Ellis, Manager, Riverside Municipal Airport
ALUC Case File

Y:\AIRPORT CASE FILES\Riverside\ZAP1067RI15\ZAP1067RI15.LTR.doc

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)(13)(A)

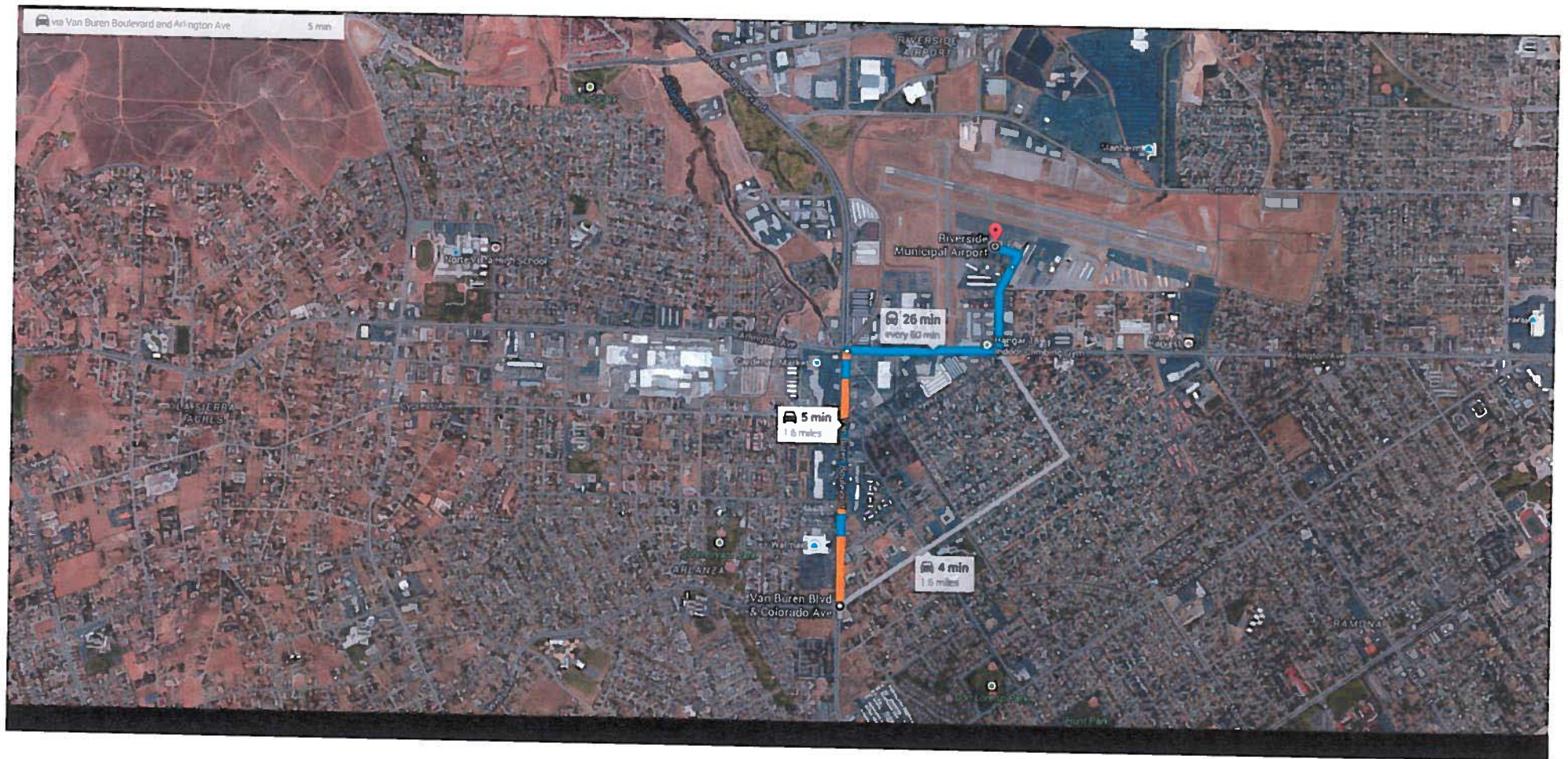
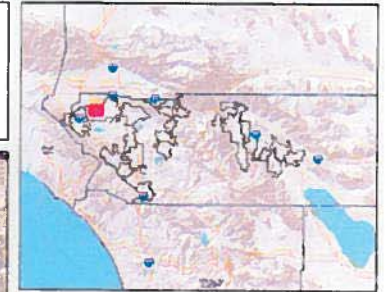
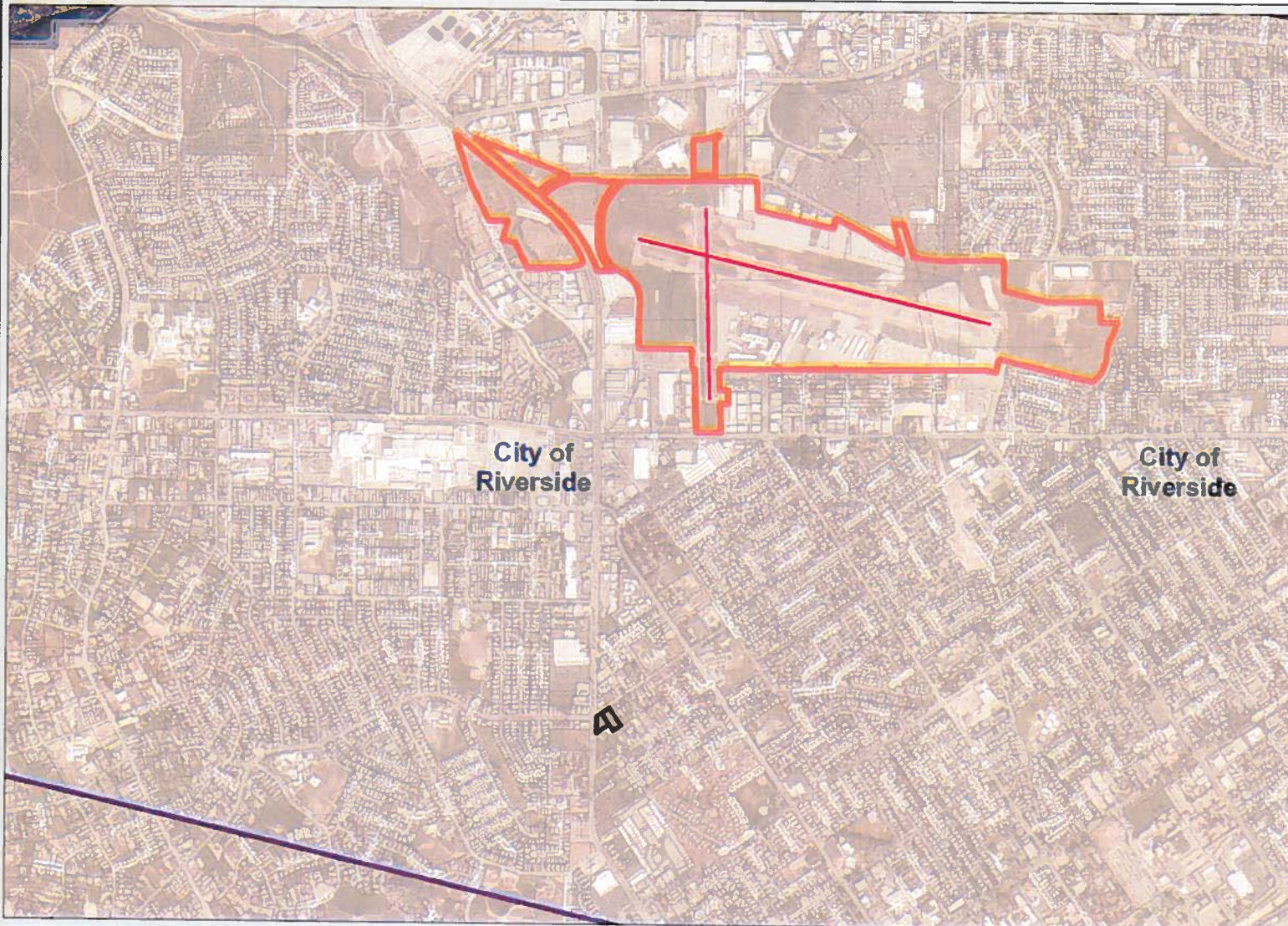


Exhibit 12 - P15-0073 & P15-0074, ALUC Correspondence

My Map



Legend

- Airports
- AIA
- Runways
- City Boundaries
- Cities
- roadsanno
- highways
- HWY
- INTERCHANGE
- INTERSTATE
- OFFRAMP
- ONRAMP
- USHWY
- roads
- Major Roads
- Arterial
- Collector
- Residential
- counties
- cities
- hydrography
- lines
- waterbodies
- Lakes
- Rivers



0 2,772 5,544 Feet



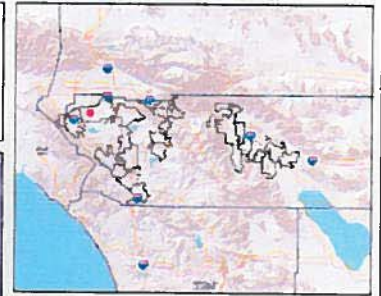
IMPORTANT Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

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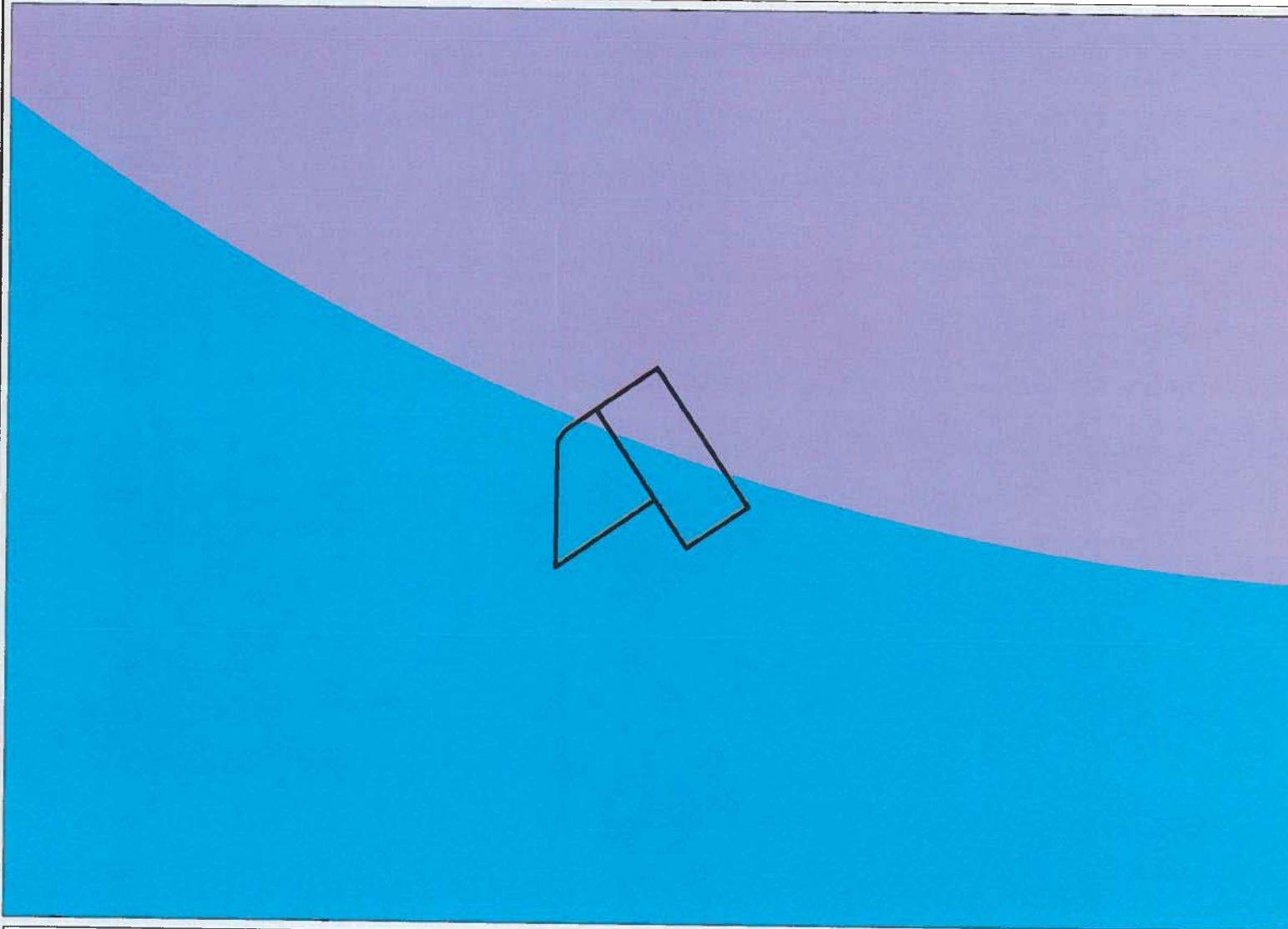
Notes

My Map



Legend

- RCLIS Parcels
- Airports
- AIA
- Airport Compatibility**
 - OTHER ZONES
 - Zone A
 - Zone B1
 - Zone B1 APZ I
 - Zone B1 APZ II
 - Zone B2
 - Zone C
 - Zone C1
 - Zone C2
 - Zone D
 - Zone E
 - Zone M
- Runways
- City Boundaries
- Cities**
- roadsanno**
- highways**
 - HWY
 - INTERCHANGE
 - INTERSTATE
 - OFFRAMP
 - ONRAMP
 - USHWY



0 346 693 Feet



"IMPORTANT" Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

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Notes