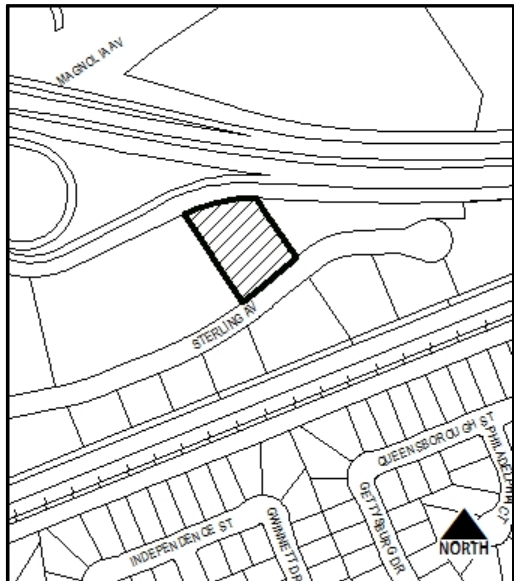




**PLANNING COMMISSION HEARING DATE: JULY 23, 2015**  
**AGENDA ITEM NO.: 4**

**PROPOSED PROJECT**

<i>Case Numbers</i>	<b>P14-0461</b> (Conditional Use Permit)	
<i>Request</i>	Consideration of a Conditional Use Permit to modify existing conditions of approval from Conditional Use Permit, Planning Case P12-0344, to allow for the incidental sale of firearms, in conjunction with an existing indoor shooting range	
<i>Applicant</i>	Tae Sek Ha and Tom Reese, of Riverside Indoor Shooting Range, Inc.	
<i>Project Location</i>	11631 Sterling Avenue, situated on the northerly side of Sterling Avenue, easterly of Merced Drive	
<i>APN</i>	132-020-016	
<i>Project area</i>	1.13 acre site	
<i>Ward</i>	6	
<i>Neighborhood</i>	La Sierra South	
<i>Specific Plan</i>	Magnolia Avenue Specific Plan	
<i>General Plan Designation</i>	B/OP - Business/Office Park	
<i>Zoning Designation</i>	BMP-S-2-X-10-SP – Business Manufacturing Park, Two-Story Height of Buildings, Building Setback (10-foot building setback from Sterling Avenue), Specific Plan (Magnolia Avenue) Overlay Zones	
<i>Staff Planner</i>	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 is asked to review the proposed project subject to its consistency with the Zoning Code (Title 19), which includes the Conditional Use Permit. Specifically, Staff Recommends that the City Planning Commission:

1. **RECOMMEND** that the City Council **DETERMINE** that this proposal is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15301 (Existing Facilities);
2. **RECOMMEND APPROVAL** of Planning Case Number P14-0461 based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions; thereby eliminating condition #14 of Planning Case P12-0344 (Conditional Use Permit); and
3. **RECOMMEND ADOPTION** of attached exhibit 6-7 as approved project plans, subject to recommended conditions of approval.

Pursuant to Riverside Municipal Code (RMC) Sections 19.650.020 and 19.760.050, the decision of Planning Commission to grant a Conditional Use Permit shall require an affirmative vote of 2/3 of the Commission membership present and voting at the public hearing.

## SITE BACKGROUND

The subject approximately 20,838 square-foot single story tilt-up concrete industrial building is situated on an approximately 1.13-acre parcel near the cul-de-sac terminus of Sterling Avenue, a local industrial street. The project site is part of a larger 11-acre business office park originally constructed in the late 1970's, under Planning Case DR-050-789.

The applicant obtained a Conditional Use Permit in 2012 (Planning Case P12-0344) to establish an indoor recreation facility (indoor shooting range) within an existing approximately 20,838 square foot building. For reference, the Staff Report for Planning Case P12-0344 is attached (exhibit 8).

## PROPOSAL

The applicant is requesting consideration of a Conditional Use Permit (CUP) to modify existing conditions of approval from Conditional Use Permit, Planning Case P12-0344, to allow for the incidental sale of firearms, in conjunction with an existing indoor shooting range.

### *Proposed Operations*

Riverside Indoor Shooting Range plans to carry pistols, rifles and shotguns, along with archery bows, and accessories to meet the needs of their customers, within an approximately 4,000 square foot sales area. The incidental sales area will be made up of a dedicated waiting area for the shooting range, and kiosks that will display accessories for purchase. The available rifles for purchase will be mounted on a wall for display, and the pistols will be in a locked display case. The firearms for purchase will not be accessible to a customer, without the assistance of an employee. All firearms will only be sold during the business hours of operation (Monday – Thursday from 11am – 8pm, Friday – Saturday from 10am – 8pm, and Sunday from 10am – 6pm). Additionally, all firearms will be secured in safes, afterhours. All employees dealing with the firearms will go through proper Department of Justice (DOJ) certification procedures and training programs.

The applicant has already obtained a Federal Firearms License, provided by the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives, to allow for firearm sales on premises.

With the addition of the incidental sale of firearms, the applicant is proposing to install bars, or security fencing, on the windows within the sales area, at the interior side, to provide additional security. The bars, or security fencing, will not be visible from the exterior of the building. Additionally, vehicle stops, in the form of steel bollards, will be installed inside the sales area, specifically in front of the roll-up doors, for added security, against cars maliciously driving into the sales area. There are proposed no exterior improvements associated with this Conditional Use Permit.

## PROJECT ANALYSIS

<i>Authorization and Compliance Summary</i>			
	Consistent	Inconsistent	N/A
<b><i>General Plan 2025</i></b> While the project site is designated as B/OP - Business/Office Park pursuant to the Land Use Element of the General Plan, the proposed use is conditionally permitted at the subject site pursuant to the Zoning Code.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b><i>Specific Plan</i></b> The subject site is within the Magnolia Avenue Specific Plan area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b><i>Zoning Code Land Use Consistency (Title 19)</i></b> The underlying BMP – Business Manufacturing Park Zone conditionally permits indoor recreation facilities. As is detailed in this report, the existing facility meets all applicable site location, operation and development standards for indoor recreation facilities. While “retail” sales are not permitted in the BMP Zone, except under certain circumstances, this proposal involves the <i>incidental</i> sales of firearms within the subject facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b><i>Compliance with Citywide Design &amp; Sign Guidelines</i></b> There are no exterior improvements proposed with the existing building.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## PROPOSED INCIDENTAL SALES

As mentioned above, the proposed request involves a modification of an existing condition of approval to permit incidental sales of firearms within the existing indoor shooting range. The sales of firearms will be provided as a convenience to shooting range customers, and will not attract volume of customers similar to a traditional retail establishment. Should the indoor shooting range cease operations at this location, the sales of firearms would not be permitted.

The Riverside Police Department conducted a thorough review of the proposed modification of conditions allowing the incidental sales of firearms in conjunction with the existing indoor shooting range. Based on that review, the Riverside Police Department had no objections to the requested modification of the conditions of approval.

## ENVIRONMENTAL IMPACTS

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

## NEIGHBORHOOD COMPATIBILITY

Based on the operational characteristics of the proposed use, the project can be operated in a manner that will not be detrimental to surrounding land uses, including the surrounding business/office park uses. Furthermore, the project site is located over 350 feet from the nearest single-family residence.

## 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 Findings
2. Staff Recommended Conditions of Approval
3. Aerial Photo/Location
4. General Plan Map
5. Zoning Map
6. Site Plan
7. Floor Plan
8. Existing Site Photos
9. City Council Report, P12-0344

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Report and Recommendations Prepared by:

Report and Recommendations Reviewed by:

Report and Recommendations Approved by:

Candice Assadzadeh, Assistant Planner

Kyle Smith, AICP, Senior Planner

Jay Eastman, AICP, Interim City Planner

Emilio Ramirez, Interim Community &  
Economic Development Deputy Director



*EXHIBIT 1 – STAFF FINDINGS*

**PLANNING CASE:**      **P14-0461** (Conditional Use Permit)

**STAFF FINDINGS**

- a. The proposed project is consistent with the General Plan 2025 and the intent and purpose of the B/OP - Business/Office Park General Plan land use designation;
- b. The proposed use, as conditioned, 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 development is appropriate for the site and location by fostering a mixture and variety of land uses within the zone and the general vicinity and contributing to a synergistic relationship between uses;
- d. The proposed use, as conditioned, will be 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;
- e. The proposed 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;
- f. The proposed use, as conditioned, 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;
- g. The proposed use is consistent with the Objective LU-65 of the Land Use and Urban Design Element of the General Plan 2025. Objective LU-65 states "improve the La Sierra South neighborhood, balancing the needs and interests of residents and businesses"; and
- h. The proposed use is exempt from the California Environmental Quality Act (CEQA) review pursuant to Section 15301 for Existing Facilities and no further environmental review is required.



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

**RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES**

Case Numbers: **P14-0461** (Conditional Use Permit)

**CONDITIONS**

**Case Specific**

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

• **Planning**

1. All Conditions of P12-0344 (Conditional Use Permit) shall apply, as modified by the following Conditions of Approval.
2. Advisory: Should the indoor shooting range cease operations at this location, the sales of firearms would not be permitted.

Operational Conditions:

3. The incidental sales of firearms shall be permitted on site.

• **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:

4. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
5. Construction plans shall be submitted and permitted prior to construction.
6. Plans shall be submitted to Building and Safety for the change in use to add an M occupancy prior to operation.

## Standard Conditions

- **Planning**

7. The Project must be completed per the Site Plan Review 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.
8. 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.
9. 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.
10. There is a 24 month time limit on this approval. Should the applicant or designee not obtain necessary Building permits or initiate operation within 24 months following the CUP approval date, the CUP shall become null and void.
11. 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.
12. 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.
13. 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.
14. 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 and Economic 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.

15. 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.
16. Failure to abide by all conditions of this permit shall be cause for revocation.
17. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
18. 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.
19. 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.
20. 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.
21. 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.

#### **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, 3<sup>rd</sup> Floor, City Hall.





Exhibit 3 - P14-0461, Aerial Photo





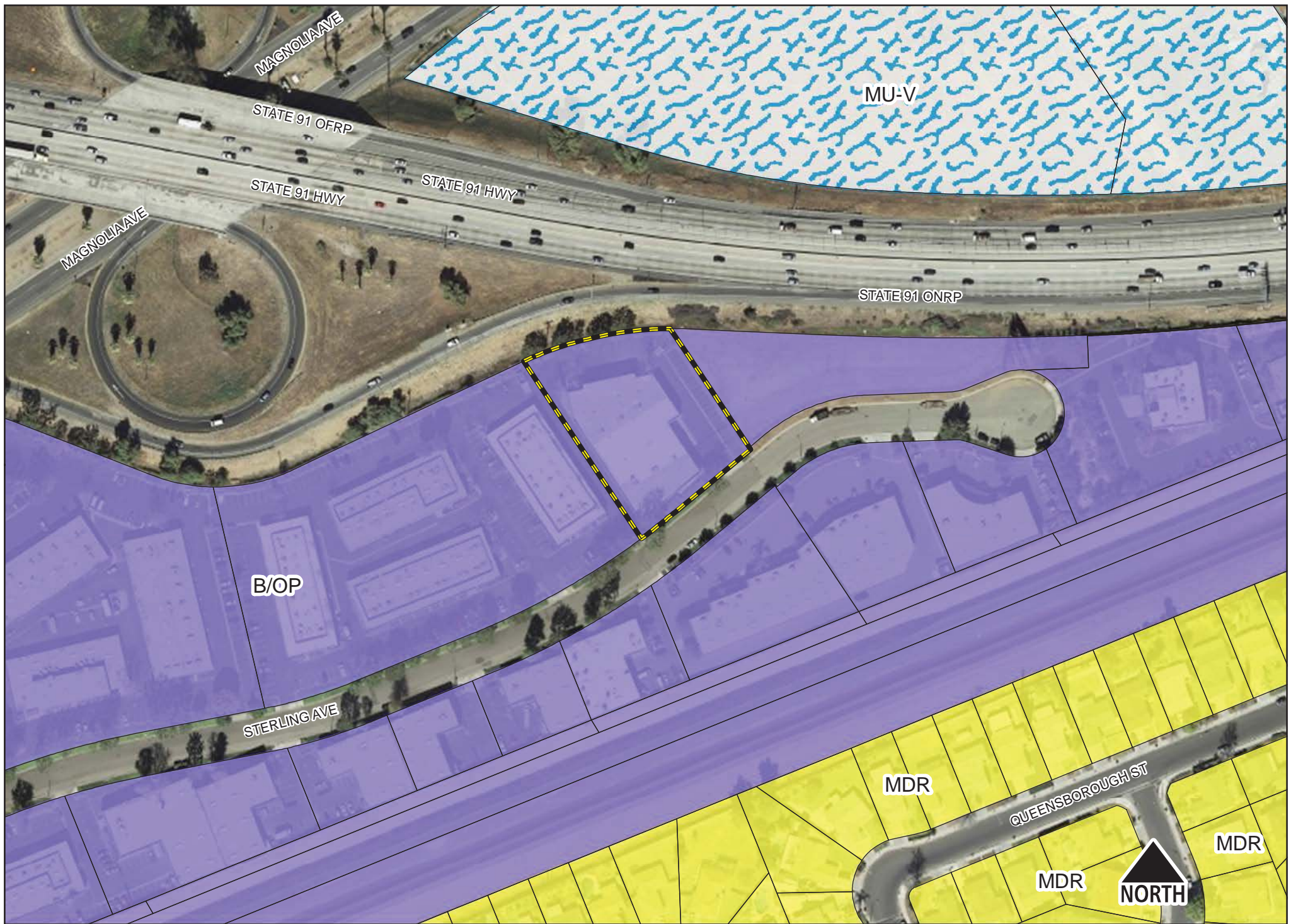


Exhibit 4 - P14-0461, General Plan Land Use Map





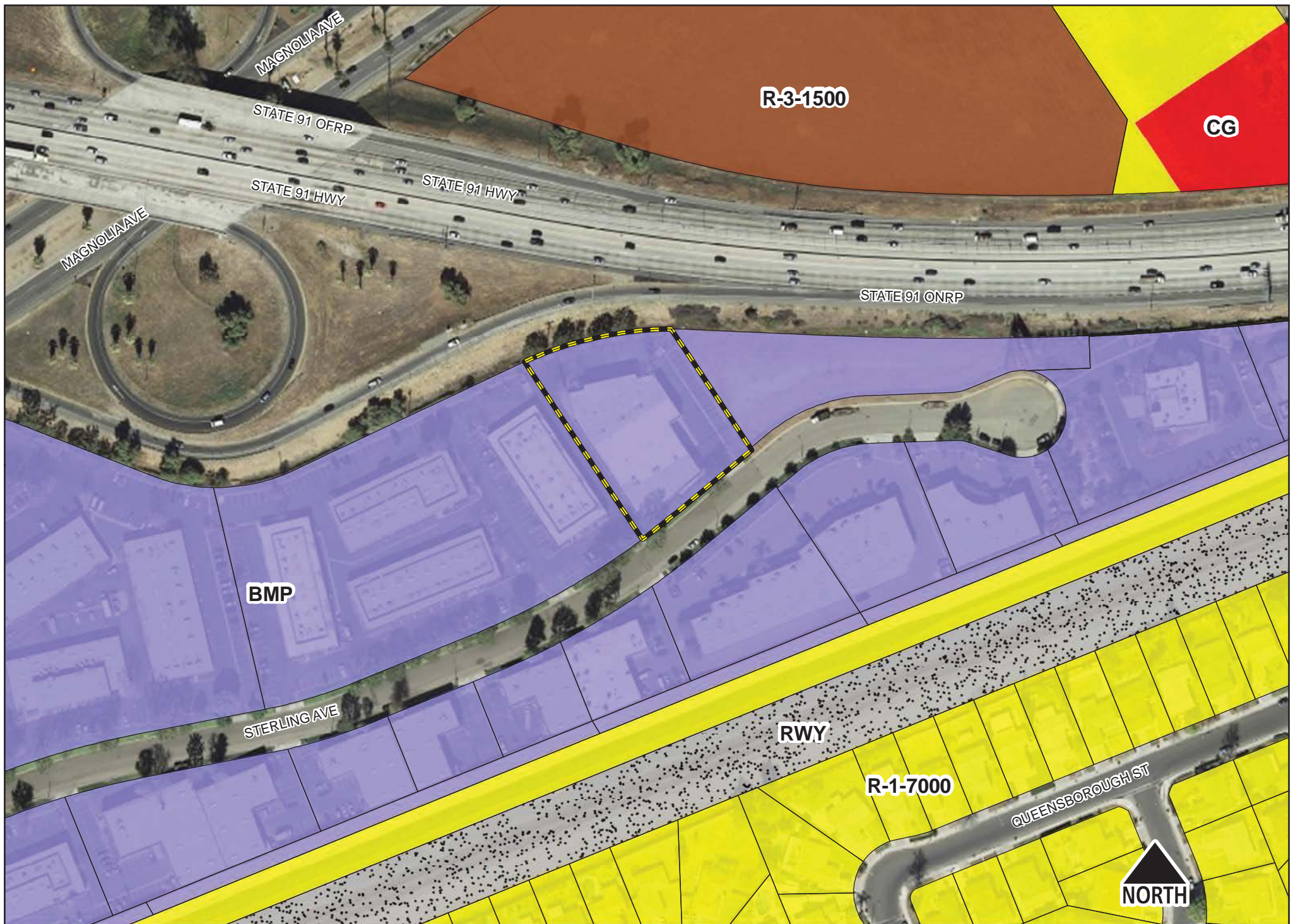


Exhibit 5 - P14-0461, Zoning Map





## TENANT IMPROVEMENT

## GENERAL NOTES

- THE CONTRACT DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE, UNLESS OTHERWISE SHOWN. THEY DO NOT INDICATE THE METHOD OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR WORK AND MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SELECTION OF METHODS, MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES, IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES. THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING THE COURSE OF THE WORK. THIS CONTRACT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
- THE DUTY OF THE ARCHITECT TO CONDUCT A CONSTRUCTION REVIEW OF THE CONTRACTOR'S PERFORMANCE AND TO REPORT THE SAME TO THE AGENCY OF THE CONTRACTOR'S SAFETY VIOLATIONS AND TO REPORT THE SAME TO THE AGENCY OF THE CONTRACTOR'S SAFETY VIOLATIONS AND TO REPORT THE SAME TO THE AGENCY OF THE CONTRACTOR'S SAFETY VIOLATIONS.
- THE CONTRACTOR SHALL CAREFULLY REVIEW THE DRAWINGS, SPECIFICATIONS, AND SITE, AND VERIFY ALL DIMENSIONS AND SITE CONDITIONS PRIOR TO BEGINNING THE WORK. THE CONTRACTOR SHALL REPORT ANY INCONGRUENCIES TO THE ARCHITECT IMMEDIATELY FOR RESOLUTION, BEFORE BEGINNING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SELECTION OF METHODS, MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES, IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES. THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING THE COURSE OF THE WORK. THIS CONTRACT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
- THE CONTRACTOR SHALL REPORT ANY INCONGRUENCIES BETWEEN DRAWINGS AND SITE CONDITIONS TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. HE SHALL VERIFY AND COORDINATE ALL INFORMATION PROVIDED WITH OTHER PLANS AND SHALL BE RESPONSIBLE FOR PROPER EXECUTION OF ALL WORK.
- OPEN EXTERIOR JOINTS AROUND WINDOW AND DOOR FRAMES, BETWEEN WALLS AND FOUNDATIONS, BETWEEN WALLS AND ROOFS, BETWEEN WALLS AT PENETRATIONS OR UTILITIES THRU THE WALLS, SHALL BE SEALED, GULCHED, OR WEATHERSTRIPPED TO PREVENT AIR LEAKAGE.
- INSULATE WALLS WITH NON-COMBUSTIBLE INSULATION, WITH ALL EXTERIOR JOINTS. GENERAL CONTRACTOR IS RESPONSIBLE FOR COORDINATING JOINTS WITH CUSTOM MILLWORK CONTRACTOR AND THE OWNER'S REQUIREMENTS.
- GENERAL CONTRACTOR TO MAKE ALL REQUIRED UTILITY CONNECTIONS.
9. FLOOR AND WALL OPENINGS, BLEDGES, VARIATION IN THE STRUCTURAL SLAB LEVELS, OVERSTRESS, DRAINAGE, AND ALL OTHER ARCHITECTURAL, MECHANICAL, ELECTRICAL AND / OR CIVIL REQUIREMENTS MUST BE COMPLETED PRIOR TO THE BEGINNING OF CONSTRUCTION.
10. PROVIDE GALVANIC SEPARATION BETWEEN ALL METALS.
11. PROVIDE JAIL TANKS TO ARREST SEDIMENT OF DUST, DEBRIS AND MOISTURE FROM WORK AREAS TO OCCUPY AREAS.
12. ALL RUBBER AND DEBRIS RESULTING FROM DEMOLITION AND / OR NEW WORK IS THE PROPERTY OF THE LANDOWNER AND SHALL BE DEPOSITED OF OFF-SITE. MAINTAIN BUILDING AREA CLEAN AND FREE OF ACCUMULATED DIRT AND DEBRIS.

ADJACENT PROPERTY

- 

SCALE :	1
1/16"=1' 0"	

This is a high-contrast, black and white aerial photograph of a city. A wide river flows diagonally from the upper left towards the lower right. The city is densely packed with buildings, streets, and infrastructure. A large, dark, irregularly shaped area, possibly a park or a large body of water, is visible in the lower center. The overall image has a grainy, high-contrast quality, typical of older aerial photography.

**RIVERSIDE INDOOR SHOOTING RANGE  
TENANT IMPROVEMENT**  
11631 STEELING AVE. RIVERSIDE, CA 92503

PROJECT INFO.  
VICINITY MAP  
GENERAL NOTES  
AND SITE PLAN



A-1.0

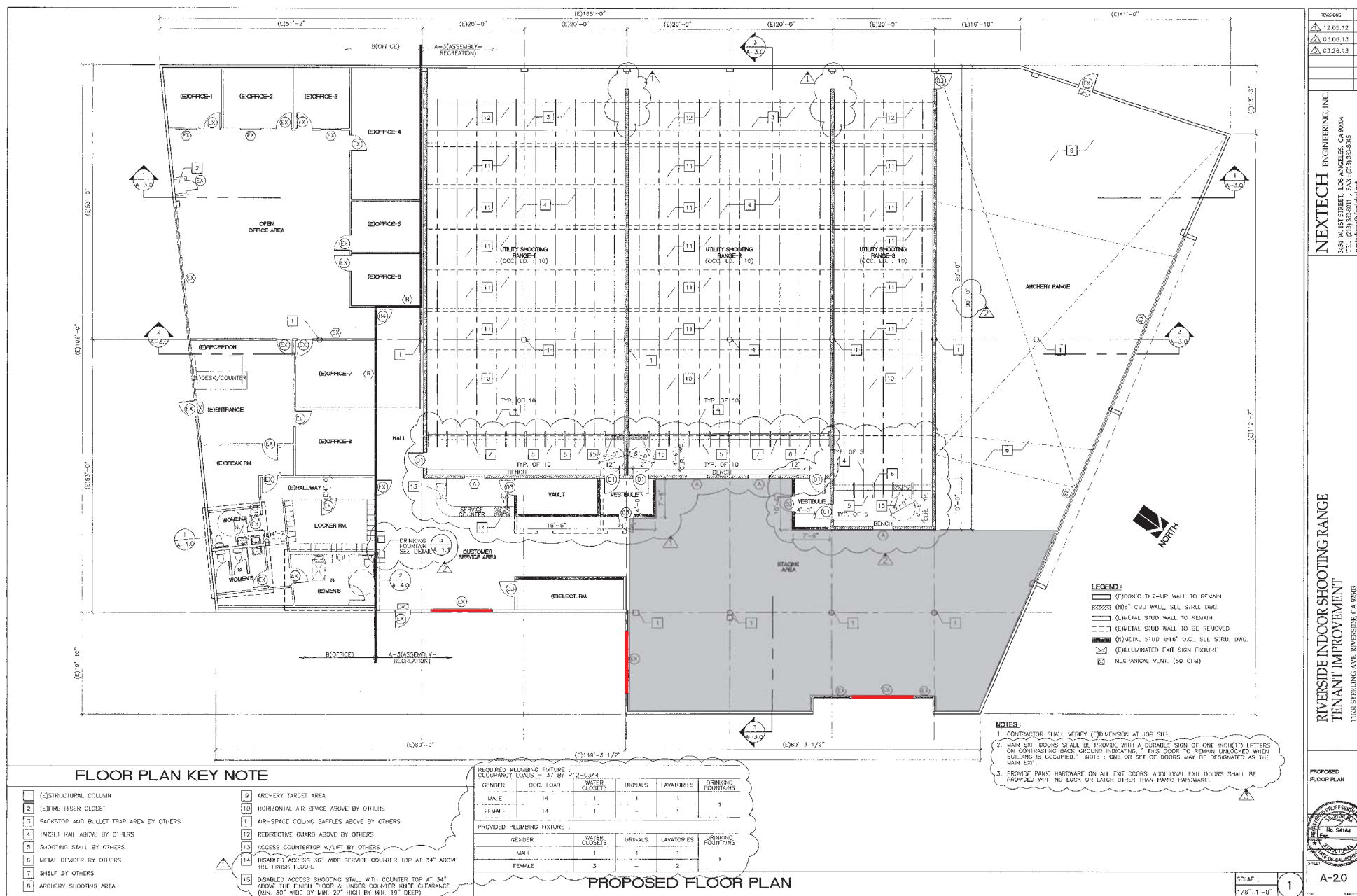


Exhibit 7 - P14-0461, Floor Plan



East elevation, from Sterling Avenue.



East elevation

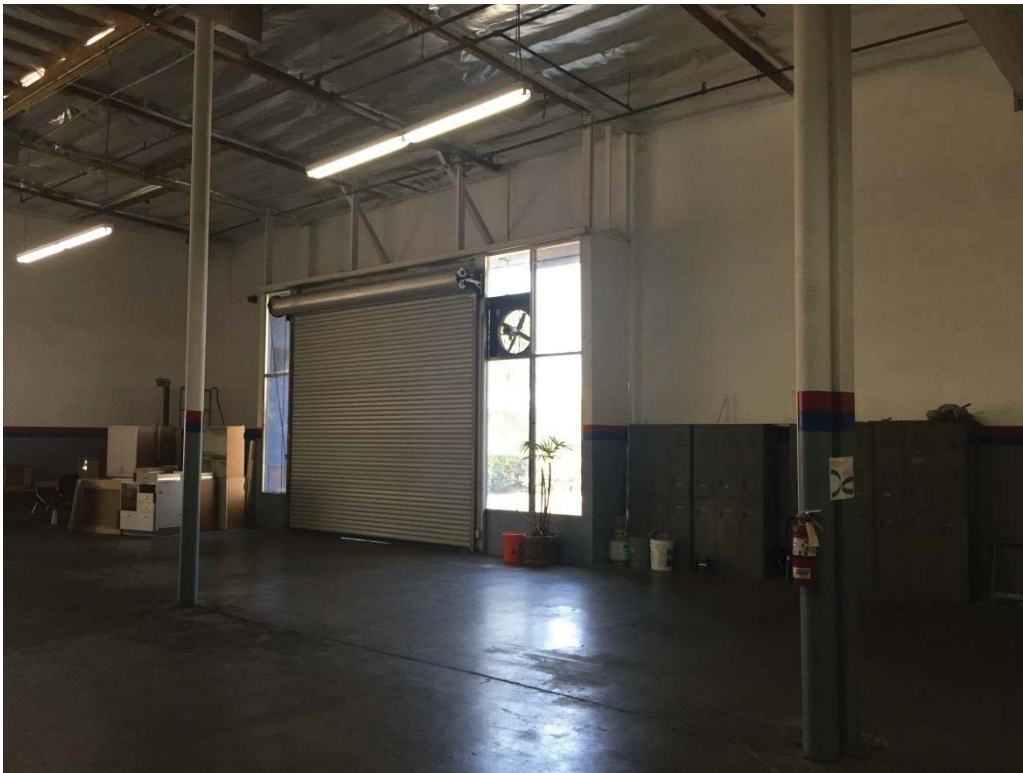




North elevation, from the parking lot.



Interior of the proposed sales area.

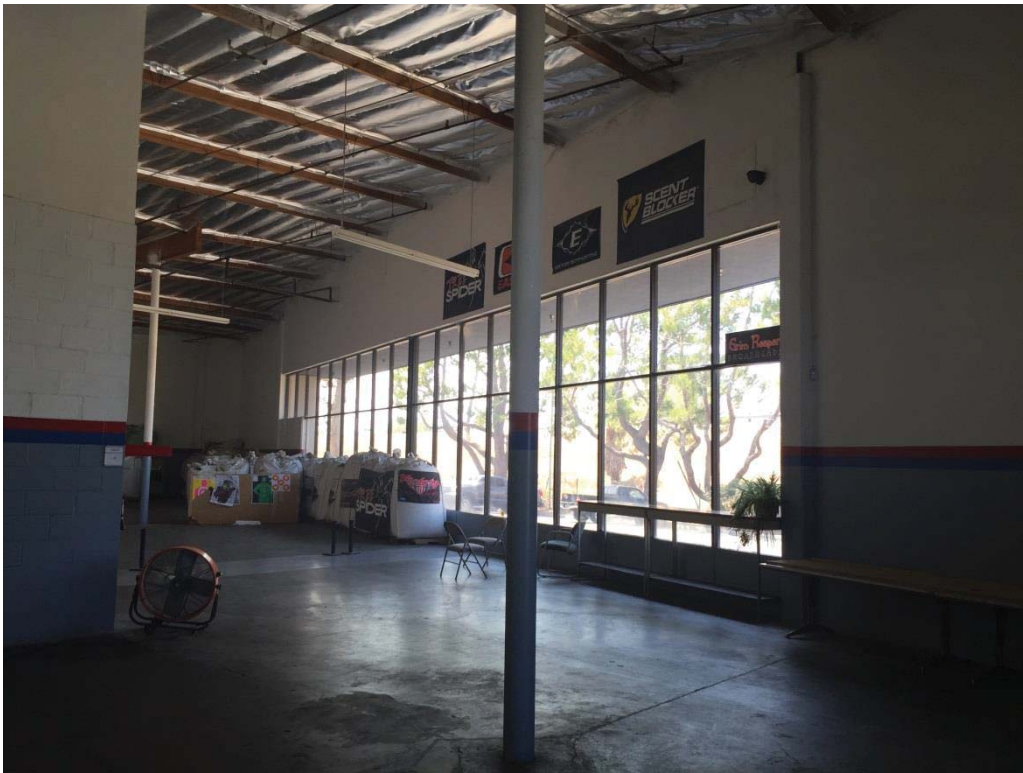


Interior of the proposed sales area.



Interior of the proposed sales area.





Interior of the proposed sales area.



*City of Arts & Innovation*

# City Council Memorandum

**TO:** HONORABLE MAYOR AND CITY COUNCIL      **DATE:** October 23, 2012

**FROM:** COMMUNITY DEVELOPMENT DEPARTMENT      **ITEM NO:** 26

**WARD:** 6

**SUBJECT:** PLANNING CASE P12-0344 (CU) – RIVERSIDE INDOOR SHOOTING RANGE – 11631 STERLING AVENUE

## **ISSUE:**

The issue for City Council consideration is a proposal by Riverside Indoor Shooting Range on behalf of Biltmore Riverside I, LLC, for consideration of a Conditional Use Permit to establish an indoor recreation facility (indoor shooting range) within an existing approximately 20,838 square foot warehouse building, situated on the northerly side of Sterling Avenue, easterly of Merced Drive in the BMP-S-2-X-10-SP – Business Manufacturing Park, Two-Story Height of Buildings, Building Setback (10-foot building setback from Sterling Avenue), Specific Plan (Magnolia Avenue) and WC - Watercourse Overlay Zones.

## **RECOMMENDATIONS:**

That the City Council:

1. Determine the proposed project constitutes a minor alteration to an existing facility and a tenant occupancy permit, and therefore is categorically exempt from the provisions of the California Environmental Quality Act per Section 15301 of the CEQA Guidelines; and
2. Approve Planning Case P12-0344 based on and subject to the Planning Commission findings and recommended conditions found in the attached staff report.

## **STAFF/PLANNING COMMISSION RECOMMENDATIONS:**

Staff recommended approval subject to recommended conditions of approval. On September 20, 2012, the City Planning Commission recommended approval of Planning Case P12-0344 by a vote of 6 ayes, 0 noes and 0 abstentions, with modifications to the staff recommended conditions.

## **BACKGROUND:**

Please refer to the September 20, 2012 City Planning Commission staff report, recommended conditions and draft minutes.

**FISCAL IMPACT:**

There is no impact to the General Fund All project costs are borne by the applicant.

Prepared by: Steve Hayes, AICP, City Planner  
for Al Zelinka, FAICP, Community Development Director

Certified as to  
availability of funds: Brent A. Mason, Finance Director/Treasurer

Approved by: Deanna Lorson, Assistant City Manager  
for Scott C. Barber, City Manager

Approved as to form: Gregory P. Priamos, City Attorney

Attachments:

1. City Planning Commission Recommended Conditions
2. City Planning Commission Report - September 20, 2012
3. City Planning Commission Draft Minutes - September 20, 2012

**PLANNING COMMISSION**  
**RECOMMENDED CONDITIONS**

Case No.: P12-0344

PLANNING COMMISSION HEARING DATE: September 20, 2012

Case Number: P12-0344 (Conditional Use Permit)

Meeting Date: September 20, 2012

**CONDITIONS**      *All mitigation measures are noted by an asterisk (\*).*

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

**Case Specific**

- **Planning**

*Prior to Occupancy:*

1. Tenant Improvement Plans shall be submitted and building permits secured from the City's Building and Safety Division for any interior improvements that require building permits.
2. Manufacturer's Cut sheets of the exterior lighting shall be submitted for Planning Division Staff for review and approval and new required exterior lighting shall be installed to the satisfaction of Planning Division staff.
3. To the satisfaction of the Police Department and Planning Division, signage shall be posted both inside the facility and on the main entry door clearly stating firearms regulations, including that persons who do meet the minimum age requirements prescribed by law, convicted felons or persons otherwise prohibited from operating a firearm shall not be granted entry to the facility. Additionally, signage shall indicate that ID's will be checked for all customers prior to entry.
4. A sign shall be posted in the front of the business indicating that no loitering is permitted per the Riverside Municipal Code.
5. The premises on which the business is located shall be posted to indicate that it is unlawful for any person to drink or consume any alcoholic beverage on the premises in accordance with Section 9.05.020 of the Municipal Code. Additionally, any person appearing to be under the influence shall be denied entry to the facility.
6. A written security plan shall be provided to the Riverside Police Department and Planning Division for review and approval. Security elements such as, but not limited to, exterior mounted security cameras, exterior security lighting, as well as staff training provisions for the security guard and staff shall be incorporated into a written Security Plan. Once approved, a copy of the approved written security plan shall be kept on file with the Planning Division.

7. The existing chain link fencing and gate in the parking area shall be removed.
8. **The applicant is advised to provide Manufacturer's Cut Sheets of the interior containment walls, and ammunition backstop for staff review. Cut Sheets should include details as to sound transmission ratings.**

*Operational Conditions:*

9. *Advisory:* Any special event requests are subject to the approval of a Temporary Use Permit (TUP) that involves a separate application and fee.
10. The facility shall be occupied and operated as generally described in the body of the accompanying City Planning Commission staff report dated September 20, 2012, including:
  - a. The facility shall be limited to a maximum of 37 persons (customers and employees) at any given time. A modification to increase the maximum occupancy shall be subject to the Zoning Administrator approval by up to a maximum of 25 percent upon submittal of empirical parking related data demonstrating that adequate parking will be available and/or evidence of shared parking agreement with a property owner within 300 feet;
  - b. All activities shall be conducted indoors;
  - c. Hours of operation shall be limited to 10:00 a.m. to 8:00 p.m., seven days a week
  - d. The use shall be operated in compliance with the provisions of Title 7, the City's Noise Code for exterior noise levels;
  - e. The site shall be fully landscaped and maintained and kept in clean, weed and graffiti free condition at all times; and
  - f. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot. The lighting in the parking lot of the premises shall be directed, positioned and shielded in such a manner so as not to unreasonably illuminate the area or adjacent properties.
11. The indoor shooting range shall be developed and operated substantially as described in the text of this staff 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. Modifications to these operational characteristics are subject to Zoning Administrator approval.
12. Building Signage shall comply with Chapter 19.620 of the Zoning Code.
13. *Advisory:* The business shall comply with all applicable requirements of the South Coast Air Quality Management District



14. No retail sales of firearms shall be permitted on site
15. The facility shall provide an operating telephone available to range participants and spectators inside the building for the purpose of contacting emergency medical services.
16. A first-aid kit containing the items recommended by a certified expert in emergency medical treatment shall be readily available at the shooting sports facility for emergency treatment or care of minor injuries.
17. Storage and handling of explosive materials, including ammunition when applicable, shall be accordance with the International Fire Code. Unless exempt, storage and handling shall be permit issued.
18. The use of steel targets at this facility is strictly prohibited.
19. Ventilation shall be provided in accordance with industry design standards, as well as, all applicable State and Federal Guidelines.
20. 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 Division, upon request. Failure to have the latest approved conditions available upon request will be grounds for revocation.
21. A staff review occurring six and twelve months after the commencement of operations shall be conducted by the Planning Division. Information from the Police Department and Code Enforcement Division shall be considered to determine the operational impacts on the surrounding area and adherence to the approved conditions of approval. If any identified issues cannot be resolved at the staff level, the Zoning Administrator may set the matter for public hearing before the City Planning Commission for further review and appropriate action.

- **Planning Division and Police Department**

22. The business owner shall sign a trespass authority letter authorizing the Riverside Police Department to enforce trespass law. A copy of this letter shall be provided to the Planning Division.
23. 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. Should there be three or more verified complaints or service calls related to the operations of indoor shooting range within any six month period, the use shall be automatically scheduled for a revocation hearing before the City Planning Commission.
24. Management of the shooting range shall actively participate in the Business Watch Program through the Riverside Police Department.
25. There shall be no coin-operated games maintained upon the premises at any time.

26. Exterior doors of the facility and doors accessing the range area shall not be propped open during the operation of the firing range.
27. A log of customers shall be retained and provided to Police Department Staff upon request.
28. A management guidebook shall be maintained that includes procedures for operations, maintenance, and lead ammunition management and recovery. The management guidebook shall be kept on-site and shall be accessible at all times to those using the shooting facility. Disposal and/or recycling of lead, brass and other materials shall be in accordance with federal and local law.
29. This facility, its plans, its rules, its procedures, and its management and staff shall comply with the applicable safety guidelines found in state and federal law.
30. This facility shall have a designated range master or masters. A designated range master must be present whenever the shooting facility is open for shooting activities. The Range master shall be required to have clear visibility of all firing stations in use and be in a position to halt operations if necessary. The range master shall be trained in shooting safety, the safe operation of shooting facilities, first aid, and the facilities' emergency response procedures. Signage shall be inside the facility during all operational hours displaying the certification of the range master on duty.
31. The facility operator shall report in writing to the Riverside Police Department all known on-site weapons injuries resulting from activity at this facility and any measures that are proposed to address any deficiencies that may have contributed to the wounds. The report shall be made immediately after the existence of the gunshot wound or wounds become known to the operator.
32. All firearms and ammunition will be secured as specified in compliance with PC 12071(b) 14).
33. The business shall be alarmed and the alarm monitored by an alarm monitoring company. The alarm shall protect the business itself and locations inside the business where firearms and ammunition are stored while the business is closed as well as include a panic alarm.
34. The exterior and interior of the business shall be monitored and recorded by video monitoring equipment. Locations monitored shall include but not be limited too; exterior parking areas, primary exterior approaches to the business, range areas, reception areas, and points of entry including loading doors. Security camera footage shall be retained for at least 14 days.
35. Emergency phone numbers for responsible parties shall be kept current during the building phase of the project so Riverside Police Department can properly contact those parties in the event of thefts and/or emergencies occurring on the property.
36. Rear and side doors to the building (if applicable) shall be equipped with peepholes, providing views for a 180 degree angle.

37. Ammunition shall be limited by the construction material limitations. This may be modified subject to the approval of the Range Master of the Riverside Police Department.

### **Standard Conditions**

- **Planning**

38. There shall be a two-year time limit in which to commence construction of the project beginning the day following approval by the Planning Commission unless a public hearing is held by City Council; in that event the time limit begins the day following City Council approval.
39. 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.
40. 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.
41. This use permit may be modified or revoked by the City Planning Commission or the City Council should they determine that the proposed uses 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.
42. 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.
43. 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.



44. 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.
45. Failure to abide by all conditions of this permit shall be cause for revocation.
46. If necessary, the plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
47. 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.
48. 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.
49. 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**

50. Prior to final inspection for the development project, the applicant may be required to pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of payment.

- **Fire Department**

51. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
52. Construction plans shall be submitted and permitted prior to construction.
53. Any required fire hydrants shall be installed and operational prior to Fire Department release of permit.
54. Fire Department access is required to be maintained during all phases of construction.

- **Public Utilities**

55. No requirements.



City of Arts & Innovation

# COMMUNITY DEVELOPMENT DEPARTMENT

## Planning Division

### Conditional Use Permit

AGENDA ITEM NO.: 2

WARD NO: 6

NEIGHBORHOOD: La Sierra South

PLANNING COMMISSION HEARING DATE: September 20, 2012

#### I. CASE NUMBER(S): P12-0344 (Conditional Use Permit)

#### II. PROJECT SUMMARY:

- 1) **Proposal:** To establish an indoor recreation facility (indoor shooting range) within an existing approximately 20,838 square foot building.
- 2) **Location:** 11631 Sterling Avenue, situated on the northerly side of Sterling Avenue, easterly of Merced Drive in the BMP-S-2-X-10-SP-WC – Business Manufacturing Park, Two-Story Height of Building, Building Setback (10-foot building setback from Sterling Avenue), Specific Plan (Magnolia Avenue) and Watercourse Overlay Zones
- 3) **Applicant:** Tom Reese & Tae Sek Ha of Riverside Indoor Shooting Range  
11631 Sterling Ave.  
Riverside, CA 92503
- 4) **Case Planner:** Kyle Smith, Associate Planner  
(951) 826-5220  
[kjsmith@riversideca.gov](mailto:kjsmith@riversideca.gov)

#### III. RECOMMENDATION:

##### That the City Planning Commission:

1. **DETERMINE** that Planning Case **P12-0344** (Conditional Use Permit) constitutes a minor alteration to an existing facility and a tenant occupancy permit, and therefore is categorically exempt from the provisions of the California Environmental Quality Act per Section 15301 of the CEQA Guidelines;
2. **RECOMMEND APPROVAL** of Planning Case **P12-0344** (Conditional Use Permit) to the City Council, based on the findings outlined in the staff report and summarized in the following findings and subject to the recommended conditions attached:
  - a. The proposed 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;

- b. The proposed 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;
- c. The proposed 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;
- d. The proposal is in compliance with all development standards set forth in the Zoning Code;
- e. The proposed use will not negatively impact onsite parking or create a parking deficit, as sufficient parking is provided to accommodate the proposed use; and
- f. The proposed development will contribute to Riverside's diverse economy and recreational assets, furthering the objectives of Seizing Our Destiny, Strategic Route 1: Strong Innovative Economy that Builds Community and Route 8: Big City Recreation with a Hometown Feel.

#### **IV. BACKGROUND/HISTORY:**

The subject approximately 20,838 square-foot single story tilt-up concrete industrial building is situated on an approximately 1.13-acre parcel near the cul-de-sac terminus of Sterling Avenue, a local industrial street. The project site is part of a larger 11-acre business office park originally constructed in the late 1970's under Planning Case DR-050-789.

The site contains 37 parking spaces with vehicular access off of Sterling Avenue. The existing building is oriented with a storefront entrance facing Sterling Avenue. A loading area and a grade level roll-up access door are located on the easterly side the building. The development is well maintained with sufficient landscaping, including moderately sized trees along the street frontage, and along the rear property line adjacent to State Route 91 (the Riverside Freeway). See Exhibit 7 for a series of photographs of the existing site.

#### **V. PROJECT DESCRIPTION:**

The applicant is requesting approval of a Conditional Use Permit (CUP) to establish a shooting range facility inside the subject building. The facility will offer a total of 30 indoor range stations for firearm and archery activities in a controlled environment. The floor plan includes a customer service lobby, a vault for ammunition and firearms, a large staging area for participants to prepare for shooting activities, and several offices. The firearm range areas will be located in secure areas accessible only by reinforced doors and viewable through bulletproof glass windows. The range area will contain an industry standard reinforced backstop, modified ventilation systems, and ballistic-grade rubber paneling.

The applicant has indicated in the submitted project description (Exhibit 4) that the range will serve walk-up customers and offer firearm rentals for on-site use only. The facility is proposed to be open from 10:00 a.m. to 8:00 p.m., seven days a week. The applicant has indicated that no less than 4 and up to a maximum of 7 employees will be on site at a given time, including a

certified "range master" who is qualified in firearm instruction, safety and range management. No exterior modifications to the building or site are proposed.

In terms of proposed site operations, all participants will be required to show photo identification and sign a safety waiver. Participants believed to be under the influence of drugs or alcohol, under the age of 12 (or under 18 without a parent or guardian), or otherwise prohibited by law to operate or possess a firearm (i.e. convicted felons) will be denied entry to the facility. Range staff will be required to post signage specifically detailing the above mentioned restrictions, and retain a written log of participants. Participants are required by law to enter the facility with their firearms in a secure locked case. Once inside the range facility, ammunition will be distributed by range staff, and participants will enter a containment area to the secured range chamber at the direction of the range master. All participants will be required to wear safety glasses and ear protection prior to entering the range containment area. All participants will shoot down range from a fixed firing position at a target that is directly in front of the shooter. The range master will not allow for any "cross range shooting." Additionally, the targets will be moved up and down range by an automated target carrier. This allows shooters to always remain behind the firing line without having to cross the firing line to move or replace targets. The archery range is located between the contained shooting range area and the northerly building wall. Participants of archery will be positioned at one of five stations and will be required to aim downrange at various archery specific targets. Due to the nature of archery activities, a containment wall or area is not necessary, however range master supervision will be required at all times. The only retail sales proposed at the facility will be ammunition, targets and similar items. No firearms will be sold at the facility. However, gun rental (for use at the facility only) is proposed. The applicant has indicated that the disposal and/or recycling of all hazardous materials, such as lead and brass, will be facilitated by an outside contractor.

## VI. LOCATION/SURROUNDING LAND USES:

	Existing Land Use	General Plan Designation	Zoning Designation
<b>Project Site</b>	Existing vacant industrial building	<b>B/OP</b> – Business Office Park	<b>BMP-S-2-X-10-SP</b> – Business Manufacturing Park, Height of Building (Two stories), Building Setback (10 foot building setback from Sterling Ave.), and Specific Plan (Magnolia Avenue) Overlay Zones, and <b>BMP-S-2-X-10-SP-WC</b> – Business Manufacturing Park Height of Building (Two stories), Building Setback (10 foot building setback from Sterling Ave.), Specific Plan (Magnolia Avenue), and Water Course Overlay Zones
<b>North</b>	<b>State Highway 91 (Riverside Freeway)</b>		
<b>East</b>	Multiple tenant business office park	<b>B/OP</b> – Business Office Park	<b>BMP-S-2-X-10-SP</b> – Business Manufacturing Park, Height of Building (Two stories), Building Setback (10 foot building setback from Sterling Ave.), and Specific Plan (Magnolia Avenue) Overlay Zones, and <b>BMP-S-2-X-10-SP-WC</b> – Business Manufacturing Park Height of Building (Two stories), Building Setback (10 foot building setback from Sterling Ave.), Specific Plan (Magnolia Avenue), and Water Course Overlay Zones
<b>South</b> (across Sterling Ave.)	Multiple tenant business office park	<b>B/OP</b> – Business Office Park	<b>BMP-S-2-X-10-SP</b> – Business Manufacturing Park, Height of Building (Two stories), Building Setback (10 foot building setback from Sterling Ave.), and Specific Plan (Magnolia Avenue) Overlay Zones
<b>West</b>	Vacant Land	<b>B/OP</b> – Business Office Park	<b>BMP-SP</b> – Business Manufacturing Park and Specific Plan (Magnolia Avenue) Overlay Zones



## VII. PROJECT ANALYSIS:

- **General Plan/ Zoning/Specific Plan Conformance:**

	<b>Existing</b>	<b>Proposed</b>
<b>General Plan</b>	B/OP – Business Office Park	Not proposed to change
<b>Specific Plan</b>	Magnolia Avenue Specific Plan (La Sierra District)	
<b>Zoning</b>	<b>BMP-S-2-X-10-SP</b> – Business Manufacturing Park, Height of Building (Two stories), Building Setback (10 foot building setback from Sterling Ave.), and Specific Plan (Magnolia Avenue) Overlay Zones, and <b>BMP-S-2-X-10-SP-WC</b> – Business Manufacturing Park Height of Building (Two stories), Building Setback (10 foot building setback from Sterling Ave.), Specific Plan (Magnolia Avenue), and Water Course Overlay Zones	

The B/OP- Business/Office Park General Plan 2025 land use designation and La Sierra District of the Magnolia Avenue Specific Plan are intended to allow for single and mixed light industrial uses which do not create nuisances due to odor, dust, noise or traffic. As set forth in Section 19.150.020 of the Zoning Code, indoor recreation facilities, such as the proposed shooting range, are allowed in the BMP Zone subject to the granting of a CUP. As the proposed, project is consistent with the General Plan 2025, Magnolia Avenue Specific Plan, and the Zoning Code; there are no major issues associated with this proposal. Additionally, no variances are required in conjunction with this project.

The subject property is within the BMP – Business Manufacturing Park Zone, and contains a number of overlay zones that are intended to regulate development on the site. Namely, the site contains the S-2 Height of Building Overlay Zone that limits development to two stories; the X-10 Building Setback Overlay Zone requires a 10-foot building setback from Sterling Avenue and the rear portion of the site (approximately 11,000 square feet) is within the WC – Water Course Overlay Zone adjacent to a natural drainage course. This portion of the site is a completely paved parking lot with landscaping. As the indoor shooting range would occupy the existing building with no exterior alterations to the site the project is consistent with each of the applicable overlay zones.

When the Riverside Business Center was initially developed in the late 1970's under Planning Case DR-050-789, a covenant was recorded that restricted the uses to those which are allowed in the C-2 and M-1, now the CR- Commercial Retail and BMP – Business Manufacturing Park Zones, respectively. As the proposed indoor shooting range is classified as an "other" indoor recreational use pursuant to the Zoning Code and permitted with approval of a Conditional Use Permit in either the CR or BMP Zones, the proposed use is consistent with the covenant agreement and zoning use restrictions specific to this site.

The Planning Division remains committed to upholding the policies of the General Plan 2025 related to attracting and retaining industrial uses within industrially zoned areas of the City. While the proposed indoor recreation use could preclude a traditional industrial user from purchasing or leasing the subject site, the establishment of the indoor shooting range will not dramatically decrease the stock of available industrial property in the vicinity and will be conditionally compatible with other uses currently existing within the business park. Equally as

important, this facility will further the job creation goals within the City. The proposed interior structural alterations are reversible should the indoor shooting range no longer occupy the building in the future. It should be noted that, the proposed indoor shooting range will contribute to Riverside's diverse economy and recreational assets, furthering the objectives of Seizing Our Destiny, Strategic Route 1: Strong Innovative Economy that Builds Community and Route 8: Big City Recreation with a Hometown Feel.

- **Proposed Operations**

Indoor firing ranges are popular among law enforcement and recreational shooters because they offer a controlled environment where a greater degree of operational control and safety enforcement. In completing due diligence on this request, staff reached out to other communities in the immediate area and worked closely with the City's Police Department to craft a set of conditions that would minimize any potential impacts associated with this proposal. As such, the proposed operational plan submitted by the applicant can be supported by staff, subject to implementation of the recommended conditions of approval. Interior improvements that include installation of the reinforced backstop to collect bullets, modifications to the ventilation system, installation of containment walls and ballistic-grade rubber paneling will be subject to the California Building Code (CBC) and other applicable regulations.

In addition to the activity description summarized earlier in this report, the applicant has expressed a desire to have the option to hold special events at the facility in the future and has requested that they not be prohibited to have special events. Staff is not opposed to the concept; however, because it is unknown what the future events may entail and there are no immediate plans for any special events, a condition requiring consideration of a Temporary Use Permit (TUP) by the Planning Division, Police Department and any other applicable agency prior to an event has been incorporated into the recommended conditions of approval. The TUP process, which includes a separate fee and application, will ensure that a specific event is acceptable to the Police Department, all necessary safety precautions are implemented, that sufficient parking is provided and all operational characteristics of the event are consistent with the conditions of approval of this CUP.

No exterior site improvements are proposed in conjunction with this project. As depicted in the site photos (Exhibit 7), the exterior of the building, the parking lot and the site in general are well maintained with no improvements recommended. Further, no exterior improvements are necessary to attenuate noise generated by the proposed use. The noise produced from the firing of guns inside the building will not adversely affect surrounding properties since the building has been designed with a second internal solid masonry wall enclosing the range area within the existing concrete tilt-up building shell ensuring that bullets and noise will be contained within the building.

#### *Police Department*

The Riverside Police Department recommends conditions aimed at ensuring secure and proper operations. Specifically, the submittal of a detailed written security plan for Planning Division and Police Department approval will be required. Security elements such as, but not limited to, exterior and interior mounted video security cameras, exterior security lighting, as well as staff training provisions for the security guard and staff shall be incorporated into a written Security Plan. As conditioned, locations monitored by security cameras shall include but not be limited to;

exterior parking areas, primary exterior approaches to the business, range areas, reception areas, and points of entry (including roll up/loading doors). Security camera footage shall be retained for at least 14 days. Once open and operational, the facility will be subject to staff review at six and twelve months after occupancy to insure that the site is being operated in a manner that is not detrimental to surrounding businesses. Information from the Police Department and Code Enforcement Division will be considered to determine the operational impacts on the surrounding area and adherence to the approved conditions of approval. If any identified issues cannot be resolved at the staff level, the Zoning Administrator may set the matter for public hearing before the City Planning Commission for further review and appropriate action.

- **Parking:**

The Zoning Code allows the approving authority (e.g. the City Planning Commission) to determine the appropriate parking demand for indoor recreation facilities. In this case, the proposed indoor recreation facility is an indoor shooting range consisting of 30 range stations. As noted earlier, 4 and 7 employees will be at the facility at any given time.

The applicant has indicated that range activities will be on a walk-in basis, between the hours of 10:00 a.m. to 8:00 p.m., seven days a week. Based on the site characteristics and proposed operations of the facility, contained in the submitted project description (Exhibit 4), it is recommended that a parking ratio of one parking space per employee on the largest shift and one parking space per each range station be applied for this use. Assuming these ratios are acceptable to the Planning Commission, a maximum occupancy of 37 persons (30 guests and 7 employees) would be acceptable for this facility. As there are 37 on-site parking spaces, the application of this ratio will be sufficient with three surplus parking spaces. Therefore, staff recommends a condition of approval limiting the maximum number of people inside the indoor shooting range at a given time to 37 persons. If, in the future, the applicant can produce evidence (i.e. empirical parking studies/counts, shared parking agreements with adjacent property owners) to justify a parking surplus based on the conditioned maximum occupancy of 37 persons, the Zoning Administrator can consider a request to increase the occupancy of the facility, up to a maximum of 25 percent.

The submitted site plan (Exhibit 5) shows an existing chain link fence and gate precluding access into the parking areas on the northerly and westerly side of the building. The existing chain link fencing is such that it precludes parking within three parking stalls. In order for the parking lot to be accessible and all parking available for customers, employees and emergency access, a condition of approval is included requiring the chain link security fence and gates to be removed prior to occupancy of the building.

- **Neighborhood Compatibility Considerations:**

The proposed indoor shooting range facility is proposed in a building that is part of a larger and established business/office park predominately surrounded by business/office park uses that operate primarily during regular weekday business hours. No compatibility issues are anticipated, as, based on the applicant's experience, peak usage will generally occur during weekday evenings and weekend afternoons, which will not conflict with surrounding existing uses. The noise produced from the firing of guns will not adversely affect surrounding properties since the building has been designed with a second internal solid masonry wall enclosing the range area within the existing concrete tilt-up building shell ensuring that bullets and noise will

be contained within the building. Furthermore, the project site is located over 350 feet from the nearest single-family residence. In the judgment of staff, there are no major issues associated with this proposal. For these reasons, no detrimental impacts are anticipated in conjunction with this use and the CUP can be supported.

#### **VIII. PUBLIC NOTICE AND COMMENTS:**

Public notices have been sent out to property owners and occupants within 300 feet of the project site. As of the writing of this staff report, no comments have been received by staff. Any comments received after the writing of this staff report will be forwarded to the Planning Commission for consideration.

#### **IX. EXHIBITS:**

1. Location/Zoning Map
2. General Plan Map
3. Aerial Photo
4. Project Description
5. Site Plan
6. Proposed Floor Plan
7. Site Photographs
8. Police Department Memorandum



## **RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES**

Case Number: P12-0344 (Conditional Use Permit)

Meeting Date: September 20, 2012

**CONDITIONS**      *All mitigation measures are noted by an asterisk (\*).*

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

### **Case Specific**

- **Planning**

*Prior to Occupancy:*

1. Tenant Improvement Plans shall be submitted and building permits secured from the City's Building and Safety Division for any interior improvements that require building permits.
2. Manufacturer's Cut sheets of the exterior lighting shall be submitted for Planning Division Staff for review and approval and new required exterior lighting shall be installed to the satisfaction of Planning Division staff.
3. To the satisfaction of the Police Department and Planning Division, signage shall be posted both inside the facility and on the main entry door clearly stating firearms regulations, including that persons who do meet the minimum age requirements prescribed by law, convicted felons or persons otherwise prohibited from operating a firearm shall not be granted entry to the facility. Additionally, signage shall indicate that ID's will be checked for all customers prior to entry.
4. A sign shall be posted in the front of the business indicating that no loitering is permitted per the Riverside Municipal Code.
5. The premises on which the business is located shall be posted to indicate that it is unlawful for any person to drink or consume any alcoholic beverage on the premises in accordance with Section 9.05.020 of the Municipal Code. Additionally, any person appearing to be under the influence shall be denied entry to the facility.
6. A written security plan shall be provided to the Riverside Police Department and Planning Division for review and approval. Security elements such as, but not limited to, exterior mounted security cameras, exterior security lighting, as well as staff training provisions for the security guard and staff shall be incorporated into a written Security Plan. Once approved, a copy of the approved written security plan shall be kept on file with the Planning Division.
7. The existing chain link fencing and gate in the parking area shall be removed.

*Operational Conditions:*

8. *Advisory:* Any special event requests are subject to the approval of a Temporary Use Permit (TUP) that involves a separate application and fee.
9. The facility shall be occupied and operated as generally described in the body of the accompanying City Planning Commission staff report dated September 20, 2012, including:
  - a. The facility shall be limited to a maximum of 37 persons (customers and employees) at any given time. A modification to increase the maximum occupancy shall be subject to the Zoning Administrator approval by up to a maximum of 25 percent upon submittal of empirical parking related data demonstrating that adequate parking will be available and/or evidence of shared parking agreement with a property owner within 300 feet;
  - b. All activities shall be conducted indoors;
  - c. Hours of operation shall be limited to 10:00 a.m. to 8:00 p.m., seven days a week
  - d. The use shall be operated in compliance with the provisions of Title 7, the City's Noise Code for exterior noise levels;
  - e. The site shall be fully landscaped and maintained and kept in clean, weed and graffiti free condition at all times; and
  - f. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot. The lighting in the parking lot of the premises shall be directed, positioned and shielded in such a manner so as not to unreasonably illuminate the area or adjacent properties.
10. The indoor shooting range shall be developed and operated substantially as described in the text of this staff 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. Modifications to these operational characteristics are subject to Zoning Administrator approval.
11. Building Signage shall comply with Chapter 19.620 of the Zoning Code.
12. *Advisory:* The business shall comply with all applicable requirements of the South Coast Air Quality Management District
13. No retail sales of firearms shall be permitted on site
14. The facility shall provide an operating telephone available to range participants and spectators inside the building for the purpose of contacting emergency medical services.

15. A first-aid kit containing the items recommended by a certified expert in emergency medical treatment shall be readily available at the shooting sports facility for emergency treatment or care of minor injuries.
16. Storage and handling of explosive materials, including ammunition when applicable, shall be accordance with the International Fire Code. Unless exempt, storage and handling shall be permit issued.
17. The use of steel targets at this facility is strictly prohibited.
18. Ventilation shall be provided in accordance with industry design standards, as well as, all applicable State and Federal Guidelines.
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 Division, upon request. Failure to have the latest approved conditions available upon request will be grounds for revocation.
20. A staff review occurring six and twelve months after the commencement of operations shall be conducted by the Planning Division. Information from the Police Department and Code Enforcement Division shall be considered to determine the operational impacts on the surrounding area and adherence to the approved conditions of approval. If any identified issues cannot be resolved at the staff level, the Zoning Administrator may set the matter for public hearing before the City Planning Commission for further review and appropriate action.

- **Planning Division and Police Department**

21. The business owner shall sign a trespass authority letter authorizing the Riverside Police Department to enforce trespass law. A copy of this letter shall be provided to the Planning Division.
22. 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. Should there be three or more verified complaints or service calls related to the operations of indoor shooting range within any six month period, the use shall be automatically scheduled for a revocation hearing before the City Planning Commission.
23. Management of the shooting range shall actively participate in the Business Watch Program through the Riverside Police Department.
24. There shall be no coin-operated games maintained upon the premises at any time.
25. Exterior doors of the facility and doors accessing the range area shall not be propped open during the operation of the firing range.
26. A log of customers shall be retained and provided to Police Department Staff upon request.

27. A management guidebook shall be maintained that includes procedures for operations, maintenance, and lead ammunition management and recovery. The management guidebook shall be kept on-site and shall be accessible at all times to those using the shooting facility. Disposal and/or recycling of lead, brass and other materials shall be in accordance with federal and local law.
28. This facility, its plans, its rules, its procedures, and its management and staff shall comply with the applicable safety guidelines found in state and federal law.
29. This facility shall have a designated range master or masters. A designated range master must be present whenever the shooting facility is open for shooting activities. The Range master shall be required to have clear visibility of all firing stations in use and be in a position to halt operations if necessary. The range master shall be trained in shooting safety, the safe operation of shooting facilities, first aid, and the facilities' emergency response procedures. Signage shall be inside the facility during all operational hours displaying the certification of the range master on duty.
30. The facility operator shall report in writing to the Riverside Police Department all known on-site weapons injuries resulting from activity at this facility and any measures that are proposed to address any deficiencies that may have contributed to the wounds. The report shall be made immediately after the existence of the gunshot wound or wounds become known to the operator.
31. All firearms and ammunition will be secured as specified in compliance with PC 12071(b) 14).
32. The business shall be alarmed and the alarm monitored by an alarm monitoring company. The alarm shall protect the business itself and locations inside the business where firearms and ammunition are stored while the business is closed as well as include a panic alarm.
33. The exterior and interior of the business shall be monitored and recorded by video monitoring equipment. Locations monitored shall include but not be limited too; exterior parking areas, primary exterior approaches to the business, range areas, reception areas, and points of entry including loading doors. Security camera footage shall be retained for at least 14 days.
34. Emergency phone numbers for responsible parties shall be kept current during the building phase of the project so Riverside Police Department can properly contact those parties in the event of thefts and/or emergencies occurring on the property.
35. Rear and side doors to the building (if applicable) shall be equipped with peepholes, providing views for a 180 degree angle.
36. Ammunition shall be limited by the construction material limitations. This may be modified subject to the approval of the Range Master of the Riverside Police Department.

## **Standard Conditions**

- **Planning**

37. There shall be a two-year time limit in which to commence construction of the project beginning the day following approval by the Planning Commission unless a public hearing is held by City Council; in that event the time limit begins the day following City Council approval.
38. 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.
39. 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.
40. This use permit may be modified or revoked by the City Planning Commission or the City Council should they determine that the proposed uses 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.
41. 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.
42. 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.
43. 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.

44. Failure to abide by all conditions of this permit shall be cause for revocation.
45. If necessary, the plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
46. 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.
47. 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.
48. 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**

49. Prior to final inspection for the development project, the applicant may be required to pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of payment.

- **Fire Department**

50. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
51. Construction plans shall be submitted and permitted prior to construction.
52. Any required fire hydrants shall be installed and operational prior to Fire Department release of permit.
53. Fire Department access is required to be maintained during all phases of construction.

- **Public Utilities**

54. No requirements.

## **GENERAL INFORMATION NOTES**

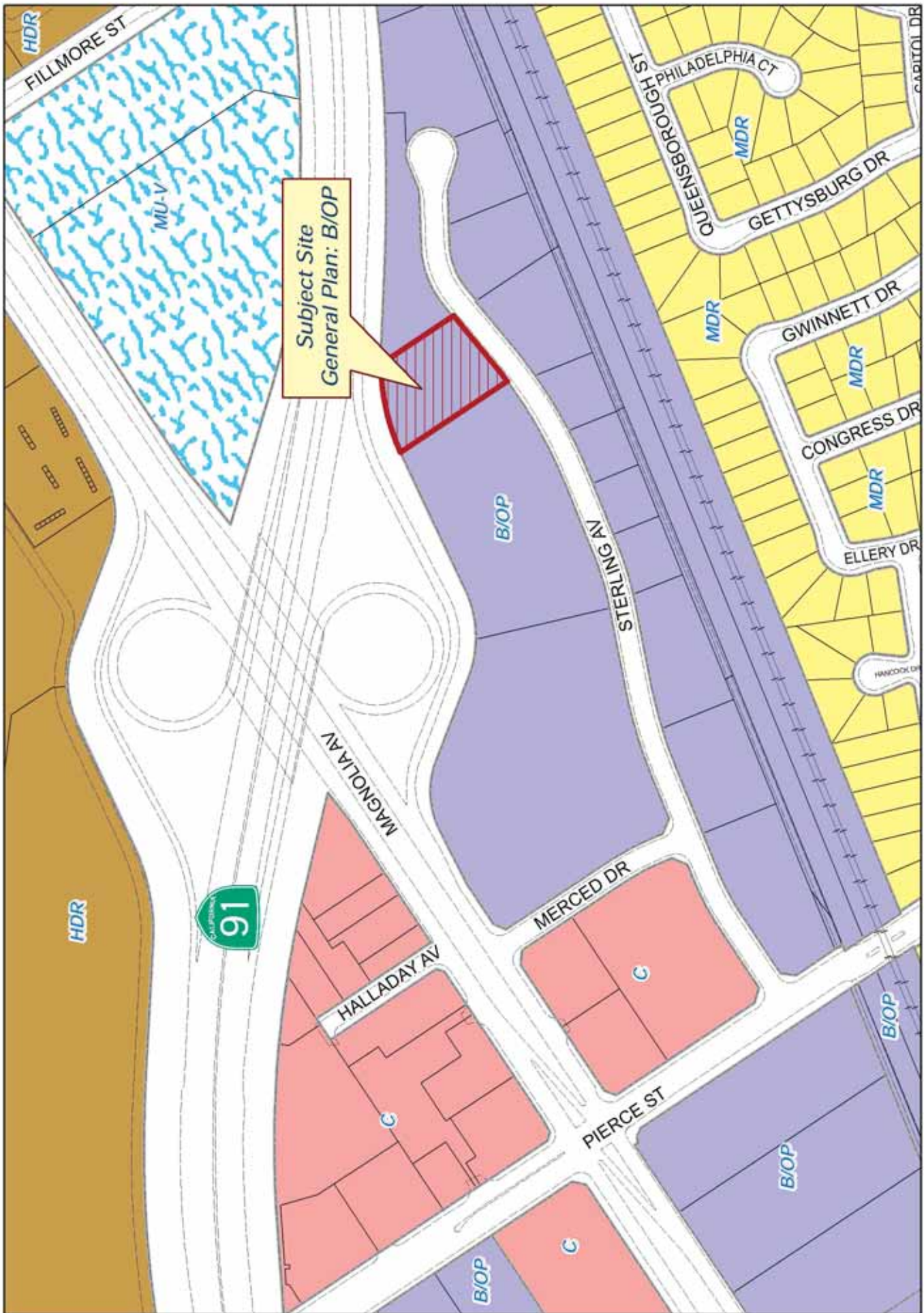
- I. Appeal Information
  - a. Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within ten calendar days after the decision.
  - b. Appeal filing and processing information may be obtained from the Community Development Department, Planning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





P12-0344, Exhibit 1 - Zoning





P12-0344, Exhibit 2 - General Plan







**ATTACHMENT 2**

P12-0344, Exhibit 3 - 2012 Aerial Photo



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# RIVERSIDE INDOOR SHOOTING RANGE

July 5, 2012

City of Riverside  
Community Development Department  
Planning Division

To whom it may concern,

We are planning on doing a tenant improvement within an existing vacant industrial building in Riverside for a new indoor shooting range. The proposed facility can host and cater to shooters of all sports (pistols, rifles, shotguns and archery) in a safe and controlled environment. This will require a Conditional Use Permit to introduce this business use within this location. All of the state required environmental controls will be addressed through our mechanical ventilation systems. The exhaust system will filter and contain all contaminants generated within the facility. In addition all state-of-the-art safety precautions are being incorporated into the facility to prevent any munitions from accidentally leaving the existing structure. Protective backdrops, added masonry walls and steel baffles under the roof structure will be used to prevent bullets from accidentally penetrating the existing building. The added insulation in the walls and roof will serve for both sound control and mitigation as well as thermal values.

We chose this Riverside facility for its size, location, and it's more than adequate parking accommodations. From our past history with our previous range, most of our clients came to the facility in the same vehicle in groups of two or three. Our previous shooting range had thirteen lanes and only six on-site parking stalls (which actually served the needs of that location very well). There are currently 37 assigned on-site parking stalls provided. We feel this will provide more than ample parking spaces to support all current and any future potential growth that we may anticipate.

Our facility will have 3 full time employees working at one time. We anticipate hiring more employees to accommodate the facility staying open 12 hrs a day and 7 days a week. This indoor shooting facility will be able to host 30 customers at any given time. This will be the maximum anticipated at one time. The facility will have a shooting range that will accommodate thirty lanes, 25 for shooting firearms as well as an area for up to 5 lanes for archery. The 25 lanes for firearms will be divided into two parts. One side will have ten lanes for rifles and shotguns and the other side will provide 15 lanes for pistols. Guests will also have a staging area directly behind of the range that will allow shooters to view other shooter while waiting for their turn to shoot. This will be separated by a masonry sound/security wall with bullet resistant glass.

This facility will be open to the public, but at this time we anticipate no retail component or special event functions taking place within the premises, since there is no shared parking agreement with the adjacent properties.

The existing office/administration area of the existing building will serve our current and anticipated future needs with only minor modifications.



Sincerely,  
Riverside Indoor Shooting Range

11631 Sterling Ave  
Riverside, Ca  
92503

PHONE 714-381-7842  
EMAIL [tomreese.risr@hotmail.com](mailto:tomreese.risr@hotmail.com)  
WEB SITE  
[www.RiversideIndoorShootingRange.com](http://www.RiversideIndoorShootingRange.com)

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P12-0344, Exhibit 4 - Project Description

EXHIBIT 9 - P14-0461, City Council Report P12-0344

**ATTACHMENT 2**

# Riverside Indoor Shooting Range

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## Check-In Process (both ranges)

- Shooters will be required to sign up and check in with the office staff or RSO.
- All shooters will be required to have valid CDL to enter the range.
- All shooter will be required to read and sign a copy of the range rule.

## RANGE RULES:

- ALWAYS POINT THE MUZZLE IN A SAFE DIRECTION.
- b. KEEP YOUR FINGER OFF THE TRIGGER, and outside the trigger guard, until ready to fire or until the command "Commence Firing" has been given.
- c. KEEP THE ACTION OPEN AND FIREARM UNLOADED UNTIL READY TO USE. On a firing range this means the shooters are in a position on the firing line and the range has been cleared for live firing.
- d. KNOW HOW THE FIREARM OPERATES.
- e. BE SURE THE FIREARM AND AMMUNITION ARE COMPATIBLE.
- f. CARRY ONLY ONE GAUGE/CALIBER OF AMMUNITION WHEN SHOOTING. When at a shooting range with more than one firearm, use one at a time and when complete, store that firearm and its ammunition before using the next one.
- g. BE SURE OF THE TARGET AND WHAT IS BEYOND. When on shooting ranges, be mindful also of adjacent areas and act accordingly.
- h. WEAR EAR AND EYE PROTECTION.
- DO NOT MIX ALCOHOL OR DRUGS WITH SHOOTING ACTIVITIES.
- Minimum age to use the range is 12 - with adult supervision.
- If you have never shot a gun before - please let us know so we can assist you.
- If you are pregnant or believe you may be pregnant, you can not shoot on the range.
- If you have consumed any alcoholic beverages or have been using any other substances within the last 8 hours, you may not shoot on the range.
- If you are a felon you are not permitted on the range for any reason nor may you be in possession of a firearm under Federal Law.
- If you intend to do bodily harm to yourself or others you are not permitted on the range.

# Riverside Indoor Shooting Range

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## Firearms Brought Into Riverside Indoor Shooting Range

- All Firearms brought into Range must be unloaded, and encased in a gun case, bag, box, etc... NOT Just a holster. Except for full time law enforcement.
- All guns must remain cased in the lobby unless handled by RISR personnel

### Range officers:

- The range officer on duty is in direct charge of the range during all times the range is in use.
- The range officer will eject from the range any person handling a firearm in an unsafe or careless manner.
- The range officer has the authority to and will inspect all firearms and ammunition and will ban their use if in their judgment they are unsafe, not in good working order, or "just because"
- Any person who subjects the range officer to harassment verbal or otherwise will be ejected from the range.

## Vandalism

- Any person found to be firing at lights, baffles, carriers, or any other range property or equipment will be held financially and criminally responsible and if need be reported to the proper authorities for the appropriate action.
- Targets will be mounted only on target frames provided.
- Firing at boxes cans or any other foreign object not previously approved is prohibited.
- Only targets provided by the range or approved by the range officer are permitted
- Only shoot at the target in your lane.

## Firearms/weapons

- All firearms and weapons should be in good working order and may be checked and approved by RISR staff.

## Ammunition

- Any reloaded or other ammunition may be barred from the range at the discretion of the management.



# Riverside Indoor Shooting Range

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- No lead projectiles are permitted.
- Any ammunition that is designed to penetrate steel is prohibited.
- No steel shot, including BB's is permitted.
- No tracers, incendiary gas, or explosive ammunition is permitted.
- Reloaders: see management for details on the use of personal reloads
- Absolutely no surplus or foreign military ammunition is permitted.
- Shot guns may only use Bird Shot (7 ½ & 8 shot)

## In the range

- All persons utilizing the range facilities are required to read the range rules. and sign all columns of the sign in sheet before being permitted on the range.
- A responsible adult must accompany persons under the age of 21. This adult shall act as a coach and must remain with the minor at all times while the minor is utilizing the range.
- No food or drink is permitted in the range area (this also includes chewing gum)
- No smoking is permitted in the building ( this also includes smokeless tobacco products)
- Only one shooter and one coach, or only 2 shooters are permitted at one shooting station.
- Do not pass firearms between booths the firearm must remain in the booth and persons can change booths.
- Persons not shooting or coaching are not permitted in the range facility
- Persons utilizing the range facilities are not permitted forward of the firing line.
- All equipment in the shooting point left unattended is left at the owner's expense

## Firing Line Procedures

- You will shoot only from the position assigned to you.
- The muzzle must be pointed down range at all times.
- The gun must remain level while shooting
- Shooters must load and unload their own firearms keeping the muzzle down range

P12-0344, Exhibit 4 - Project Description

## Riverside Indoor Shooting Range

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- No firearms are permitted to be handed to another person.
- Only one firearm should be loaded at a time.
- Firearms must be unloaded and cased to move between positions.
- Only line-of-site shooting is permitted. No hip or snap shooting
- No uncontrolled rapid fire is permitted.
- When leaving the firing line at any time, unload the firearm, lock the action open, and lay it with the muzzle pointing down range.
- When you are completely finished shooting and wish to leave, all of your firearms must be unloaded and securely encased before leaving the shooting position.
- If your firearm malfunctions, becomes jammed, or if you require assistance of any type from the range officer; lay the firearm down with the muzzle pointed down range, step back from the shooting point, raise your hand, and wait for assistance from the range officer. If needed you may come out to the lobby, leaving the gun at your shooting position and retrieve a range officer to help you (Or clear the jam yourself keeping the muzzle pointed down range) At no time should you attempt to remove the firearm from the firing line.
- The shooters are responsible for cleaning up all empty cases and trash from their shooting position and directly behind it; placing trash in the trash can and brass in the brass can. Or please sweep your brass forward of the firing line. You may pick up your brass and take it with you.
- All targets will be adjusted so that they are at eye level to the shooter. No shooting at targets while they are moving or unlevel. No shooting from rests, stands, or bipods.

### Rental Guns

- Rental guns require you leave a photo ID and fill out the required renter qualification form.
- Action must be open with the magazine removed, placed in the plastic carrier when leaving the firing line. All rental guns must be returned in this condition.
- All rental guns use Firing Line ammo only
- When the gun is returned your drivers license will be returned

Ear and Eye Protection and Clothing

## Riverside Indoor Shooting Range

- It is obligatory that all persons on the range wear approved safety glasses and full hearing protection.(muffs only no plugs unless under muffs)
- For your own safety, no tank tops, shorts, sandals, or high heels should be worn on the range.

### Miscellaneous

- Your range fee and time runs out when you leave the Firing Line property.
- Feel free to ask the range officers any questions. They are here for your safety and your assistance.
- All guns are always considered loaded.
- Never allow the muzzle to point at anything that you are not willing to see destroyed.
- Keep your finger off the trigger unless your sights are on the target and the gun is level.
- Be sure of your target.
- eyes and ears must be worn
- Standing shooters only
- Shooters under 18 must be chaperoned on the range at all times

**\*\*Unfailing obedience will entirely eliminate firearm accidents. We can not achieve such discipline, but each of us can make sure by religiously obeying them, that no accidental shooting shall ever be attributable to him/her and that is no small matter.**

Gun safety is in your control only with proper handling and use.

You must sign all columns of the sign in sheet before entering the range.

Failure to obey these rules may result in an ejection from the range.

Rules are strictly enforced.

Rules subject to change and modification at any time In store rules preside over these in case any changes have been made and the web page not updated. Thank Riverside Indoor Shooting Range staff.

Print Name \_\_\_\_\_

Sign Name \_\_\_\_\_ Date \_\_\_\_\_

P12-0344, Exhibit 4 - Project Description

EXHIBIT 9 - P14-0461, City Council Report P12-0344

2031

**ATTACHMENT 2**











RIGHT SIDE ELEVATION



**BLDG. SOUTHWEST ELEVATION**

BLDG. NORTH ELEVATION  
REAR ELEVATION

BLDG. SOUTHEAST ELEVATION



**EAST STREET VIEW**



**B&B CONSULTANTS, INC.**  
1000 BROADWAY, SUITE 200  
NEW YORK, NY 10018  
P: 212.261.1100



**CITY OF LOS ANGELES**  
DEPARTMENT OF PUBLIC WORKS  
OFFICE OF THE CITY ENGINEER

PROJECT: RIVERSIDE INDOOR SHOOTING RANGE  
TENANT IMPROVEMENT  
1000 BROADWAY, SUITE 200  
NEW YORK, NY 10018  
P: 212.261.1100

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EXISTING BLDG. EXTERIOR & SURROUNDINGS PHOTOGRAPHS



ADJACENT SOUTHEAST BLDG.



ADJACENT EAST SIDE LOT



ADJACENT EAST SIDE LOT



ADJACENT WEST SIDE BLDG.

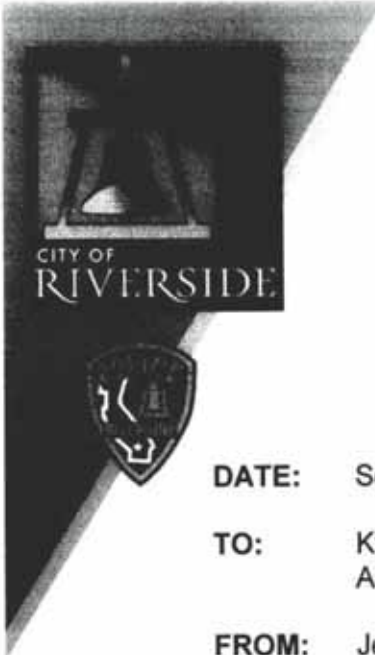


ADJACENT WEST SIDE BLDG.



ADJACENT SOUTH SIDE BLDG.





## MEMORANDUM

Police Department

Office of the Chief

**DATE:** September 7, 2012

**TO:** Kyle Smith  
Associate Planner

**FROM:** Jeffrey L. Greer  
Deputy Chief, Operations *JL Greer*

**RE:** Planning Case P12-0344  
11631 Sterling Ave – Indoor Shooting Range

RD J07  
West NPC

This letter is pursuant to your correspondence requesting comment regarding Planning case P12-03444. The Riverside Police Department conducted a thorough review of the proposed request for a Conditional Use Permit associated with establishing an indoor recreation facility (indoor shooting range) within an existing warehouse building located at 11631 Sterling Avenue. Based on that review, the Riverside Police Department has no objections pertaining to the pending application.

However, should this Conditional Use Permit be granted by the Planning Commission or City Council, the Riverside Police Department would require the following conditions be applied in addition to any requirements made by the Planning Division:

1. The business owner shall sign a trespass authority letter authorizing the Riverside Police Department to enforce trespass law. A copy of this letter shall be provided to the Planning Division
2. 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.
3. Management shall actively participate in Business Watch through the Riverside Police Department.
4. There shall be no coin-operated games maintained upon the premises at any time.
5. Exterior doors of the business shall not be propped open during the operation of the firing range.
6. A log of customers shall be retained and provided to Police Department Staff upon request.

P12-0344, Exhibit 8

7. A management guidebook shall be maintained that includes procedures for operations, maintenance, and lead management and recovery. The management guidebook shall be kept on-site and shall be accessible at all times to those using the shooting facility.
8. This facility, its plans, its rules, its procedures, and its management and staff shall comply with the applicable safety guidelines and provisions in the latest edition of The Range Source Book National Rifle Association of America: Fairfax, Virginia) or its successor, as appropriate to the type of facility involved.
9. This facility shall have a designated range master or masters. A designated range master must be present whenever the shooting facility is open for shooting activities. The range master shall be trained in shooting safety, the safe operation of shooting facilities, first aid, and the facilities' emergency response procedures. Signage shall be inside the facility during all operational hours displaying the certification of the range master on duty.
10. The facility operator shall report in writing to the Riverside Police Department all known onsite weapons injuries resulting from activity at this facility and any measures that are proposed to address any deficiencies that may have contributed to the wounds. The report shall be made immediately after the existence of the gunshot wound or wounds become known to the operator.
11. All firearms and ammunition will be secured as specified in compliance with PC 12071( b) 14).
12. The business shall be alarmed and the alarm monitored by an alarm monitoring company. Alarm shall protect the business itself and locations inside the business where firearms and ammunition are stored while the business is closed as well as include a panic alarm. Security camera footage shall be retained for at least 14 days.
13. The exterior and interior of the business shall be monitored and recorded by video monitoring equipment. Locations monitored shall include but not be limited too; exterior parking areas, primary exterior approaches to the business, range areas, reception areas, and points of entry.
14. Emergency phone numbers for responsible parties shall be kept current during the building phase of the project so Riverside Police Department can properly contact those parties in the event of thefts and/or emergencies occurring on the property.
15. Rear and side doors to the building (if applicable) shall be equipped with peepholes, providing views for a 180 degree angle.
16. Ammunition shall be limited by the construction material limitations.

If you require further information regarding this review, please contact Traci Dosé, Supervising Crime Analyst, at (951) 353-7620.

JLG:td

P12-0344, Exhibit 8



## PLANNING COMMISSION DRAFT MINUTES – September 20, 2012

### 9 A.M.--PUBLIC HEARINGS

1. **PLANNING CASE P12-0344:** Proposal by Riverside Indoor Shooting Range on behalf of Biltmore Riverside I, LLC, for consideration of a Conditional Use Permit to establish an indoor recreation facility (indoor shooting range) within an existing approximately 20,838 square foot warehouse building at 11631 Sterling Avenue, situated on the northerly side of Sterling Avenue, easterly of Merced Drive in the BMP-S-2-X-10-SP – Business Manufacturing Park, Two-Story Height of Buildings, Building Setback (10-foot building setback from Sterling Avenue), Specific Plan (Magnolia Avenue) and WC - Watercourse Overlay Zones, in Ward 6. **Contact Planner:** Kyle Smith (951) 826-5220 [kjsmith@riversideca.gov](mailto:kjsmith@riversideca.gov)

Kyle Smith, Associate Planner, presented the staff report.

Tom Reese, Partner in the build of the Riverside Indoor Shooting Range, stated that the range they owned previously had only 15 lanes and was run down as it had been here almost 30 years and no longer met the current standards. He stated their goal is to bring to Riverside something more up-to-date and safer for the environment and that can accommodate a larger number of the public. He explained that the new design will provide local and/or outside law enforcement their own private place to shoot or train their staff at any given time. The range will be divided so as to avoid any worrying about mingling with the public and also allows the public to come in and do anything they want to do in a safe environment including archery. He noted that archery is growing more now because of the hunting season and there really are no other archery ranges around here that offer this much of a controlled environment. He stated that they are bringing to the table something they think is really needed and will establish an archery and shooting range in a safe environment all in one location. He believes it will also bring a lot of business to the City of Riverside.

Chairman Allen asked Mr. Reese if he concurs with the conditions of approval.

Mr. Reese stated yes.

Ray Mayo spoke in support of the project. He stated he is an avid shooter and gun collector and has used the indoor range Mr. Reese referred to. He stated there were times when he could not get in to shoot because it was overcrowded and also stated that it was not as controlled and he was not as comfortable shooting there. He stated that there are so many young people into shooting today as reflected in gun sales and he feels there needs to be a facility where these people can be trained. He stated that He knows Mr. Reese and sends people there to be trained in the use of firearms. He commented that he has no problem with firearms, but does have a problem when someone purchases a firearm and they are handed the firearm and sent out the door. He stated that he recommends to everyone to go to a facility where they can be properly trained and Mr. Reese offers this. He stated that he works with a friend that has a gun store and he recommends to everyone who looks at a gun to have training; he even brings people in to buy guns and takes them out to shoot his own guns. He stated that he needs a place where he can take these individuals in an atmosphere other than BLM land where people are shooting in different directions and it is not truly safe. He stated they need an indoor range where people can come home from work at 5:00, clean up and go out at 6:00 or so and go shoot for an hour or so and have an instructor available especially a range master to control the situation. He stated that he has complete confidence in not only this facility, but the people who are running it. He wants people to learn that part of the training is not to just grab your gun in an emergency and go running, but to still use their telephones and dial 911 as their gun is not the answer to everything.

James Broeski of Broeski Architects, the architect on the project, referred to Condition 49, which addresses possible TUMF fees. He stated that the building is almost 30 years old and has paid its dues. He explained



that the building has had about five or six previous projects within it that have been higher and far more intensively used than this particular project and the trips generated by this project will be far fewer than the trips generated by previous ones. He stated there is an exemption in the TUMF opportunities that allow them to state that they may not need to pay the TUMF fees. He stated that they have letters requesting that exemption apply to this particular project. He asked that the TUMF fee not be associated with this particular project.

Chairman Allen stated that he happens to agree with Mr. Broeski, but it will still be left up to the Public Works Department because the City could end up getting stuck with the TUMF fee down the road.

Steve Hayes, City Planner, stated that he will defer to the Public Works Department, but he recalled that the Commission had this same conversation a few months back with the trampoline facility on the other side of the freeway.

Rob Van Zanten, Principal Engineer with the Public Works Department, stated that he agrees with what Mr. Broeski is saying in terms of the rationale and justification, but the program itself is a little awkward as to how it is written. He stated it makes reference to new development throughout the TUMF manuals and this is clearly not a new development, yet there is still the implication that change of use can be subject to it. He referred to Municipal Code 1668, stating there is an exemption that states something similar to, "reconstruction or rehabilitation of an existing structure would not be subject to TUMF as long as the trip generation is equal or less to the previous use." He stated that, intuitively, and in looking at some quick research on ITE Manuals, he would say that an indoor recreation facility is a less-intensive use than other uses that can be allowed as a matter of right in a BMP Zone such as this. He stated that he thinks this project should not be subject to TUMF, yet like the Chair stated, the City does not want to be caught in the "crosshairs" with this project and WRCOG and stuck with the \$30,000 bill. He stated that he did want to have this dialog before this approving authority in order to try to shed some light on this situation because this is not the first time this has occurred, as Steve mentioned, and will not be the last. He thinks with some quick back-up information along the lines that Jim provided or through his testimony, those findings can be made. He commented that in looking through the IT manuals, he believes this project is not a heavy trip generator.

Chairman Allen inquired as to what body relieves the applicant from his TUMF duty, regardless of what the Commission decides today.

Mr. Van Zanten explained that there is a process. He believes the initial determination is made by Public Works under his supervision. If in an audit WRCOG sees differently, then the City would have to go through negotiations and discussions with them. If the City determines that it is applicable, the applicant would have appeal rights through the City and there is a myriad of steps between the City and WRCOG staff. It eventually goes through City Council and even the executive board of WRCOG.

Chairman Allen asked Mr. Van Zanten what would happen if the Commission struck the condition.

Mr. Van Zanten stated he feels the condition should stay; however, with some quick back up information and some data that supports Mr. Broeski's testimony he could possibly make those findings. He stated that he thinks it would be prudent to leave the condition in absent that information.

Mr. Broeski stated that he concurs. He stated that they have letters from the landlord that give a history as to what was previously there. He stated that the allowable uses that could potentially have been there or could be there in the zone and implies that TUMF gave that permission for those facilities to be there along with traffic from those uses and that the fees were paid when it was originally constructed. He stated with Rob's assistance, he thinks they can justify that the TUMF fees will not apply.

Commissioner Riggle stated that it is his understanding, too, that with tenant improvements existing buildings are "grandfathered" in, for lack of a better term. He commented that maybe they can discuss this later. He referred to the wall they are building inside to buffer the sound and asked Mr. Broeski if they did a sound study.

Mr. Broeski stated they did not. He explained that, acoustically, no one will hear anything outside of the building because they are doing a masonry building inside a concrete building.

Commissioner Riggle stated that he is less concerned with the outside of the building; however, he just noticed they are not connected with the guy next door.

Mr. Broeski stated no and pointed out there is an alley 20-30 feet between the two. He noted that everybody wears headphones.

Commissioner Riggle asked if they would be opposed to doing a study on the one side over to the adjacent owner. He explained that he does not want the neighbor coming back and complaining that all he hears all day are guns going off and he's unable to make a phone call. He stated the way to do that would be to have a sound transmission study done that would emulate their construction and determine whether or not they may need to insulate that one wall for sound to buffer from the neighbor.

Mr. Broeski reminded the Commission that they are having a concrete wall with a masonry wall in addition to a rubber baffle.

Commissioner Riggle stated that they are sort of making a speaker box inside of the building as they are creating a chamber that is going to contain the sound. He stated the sound is going to go somewhere and steel plates on top are going to transmit that very well.

Mr. Broeski stated we could try and find an acoustic engineer that could emulate the set-up and generate an electronic version, but he believes it will be a waste of money.

Mr. Reese stated that even their last range was set up building-to-building with one divided wall from the people next to them and there were no issues there either. He explained that this was just a cement wall in the back and the back stop that fills that is over 10 feet of rubber. He stated from the back to the front is almost ten feet from the top to bottom. He also stated that on the current cement walls there is a rubberized baffle that actually attaches to the cement walls that also kills the sound. He explained that normally if a bullet hits a cement wall, it could potentially ricochet; however, by adding this rubber baffle to it, it actually catches and encases the bullet so that it goes nowhere. He stated that this stuff has a testing of 1000 rounds in the same hole and not a bullet leaves that baffling with a back stop. He noted that the sound deadening that is also going into it will really shut this down and quiet it up very fast.

Commissioner Riggle commented that the barrels of the guns are pointing at the next door neighbor. He agrees with what is being said, he just does not want a problem down the road. He commented that he realizes there is a lot of ambient noise anyway coming from the freeway.

Mr. Broeski clarified that the noise is generated by the explosion, which is at the farthest end of the building because there is no noise where the bullets hit. He also noted it is 75 feet away from the neighbor.

Commissioner Riggle commented that there is a carport on the back of the building shown in Google Earth; however, he does not see it on the aerial. He asked if the carport has been taken down.

Mr. Reese stated yes. He explained that it was there previously before the body shop detail center was removed.

Commissioner Riggie asked if the chain link fence is still there.

Mr. Reese stated that was part of the previous owners' body shop.

Mr. Smith referred to Condition 7, which requires the fence to be removed. He stated that if the applicant desires parking lot fencing for security purposes, they can come in for an administrative design review. They would then be required to do something more decorative than the chain link that is out there now; however, the fencing currently out there is taking away two or three parking spaces. He noted that it does need to be removed in its current configuration.

Commissioner Riggie asked the applicant if he is okay with that.

Mr. Reese stated absolutely.

Commissioner Riggie referred to the parkway landscaping, noting that there is no landscaping along the curved street on back.

Mr. Reese stated that belongs to the adjacent property.

Commissioner Riggie referred to screening of the HVAC and noted that in the picture it looks as though there are a couple pieces of equipment up there. He asked if they are adding additional ventilation, noting that the parapet is pretty low.

Mr. Reese stated what was put on there was solar panels to help with energy.

Commissioner Riggie asked if they will be adding some additional ventilation.

Mr. Broeski stated their units are anticipated on the roof of the inner structure and it is all contained inside.

Commissioner Riggie stated he likes this and commented that his wife's dad holds a record for shooting the largest wild boar (600 pounds) with a bow and arrow and his daughter also shoots bows and arrows. He stated they will most likely be there practicing and look forward to it.

Commissioner Kain referred to the tilt-up masonry wall and asked if it is grouted.

Mr. Broeski stated yes, it will be structural.

Commissioner Kain asked for clarification that it is as dense as it will ever get.

Mr. Broeski stated yes; it is intended to be a secure solid wall.

Commissioner Kain stated one will not hear anything outside of that wall.

Chairman Allen asked if the design of this range is something that has been done before.

Mr. Reese stated yes. He explained that the company specializes in shooting range designs. He stated that the back stop itself is the newest creation. He does not know exactly how many years it has been out, but all of the ranges now are going to this super drive system. He noted that no one uses ricochet catches anymore as everything is this rubber now. The rubber keeps the bullet in tact so there is no dust and no breakdown of the bullet and it actually stays solid as if it came out of the barrel. He stated that this also makes clean-ups much

easier as one does not have to sweep up dust or melt lead into a pile then put it into the drums. A machine comes out, rakes the entire rubber hill down (this machine actually has enough suction to blow the rubber up and leaves the lead on the ground), scoops it up and puts it in drums and the company comes and hauls it away.

The public hearing was officially closed.

Commissioner Riggle stated with the research done on that system, there may be some sound transmission ratings on it. He stated if the transmission ratings are available, he would suggest they get the system and the cut sheets they had and submit them to the City for staff to look at. He stated if there was something out of place there (although he does not expect that), they should take some review of the construction drawings. He anticipates everything to be fine, but recommends requirement of the cuts sheets on the system.

Commissioner Stosel asked if it would be worthwhile for the Commission to make a recommendation or issue an advisory opinion to WRCOG on the TUMF fees.

Commissioner Riggle stated that this is a global discussion he wanted to bring up after this item. He suggested that the Commission discuss it after so that they do not flag this item so that it just moves on through at risk; the applicant knows the risk, but on a global issue he thinks they should address that and ask the Public Works Department to give a ruling from WRCOG.

Commissioner Stosel agreed.

**MOTION MADE** by Commissioner Wade, **SECONDED** by Commissioner Riggle, **TO DETERMINE** that the proposed project constitutes a minor alteration to an existing facility and a tenant occupancy permit, and therefore is categorically exempt from the provisions of the California Environmental Quality Act per Section 15301 of the CEQA Guidelines; **AND TO RECOMMEND APPROVAL** of Planning Case P12-0344, subject to the findings and recommendations of staff, **WITH MODIFICATION** to add the following condition: **"The applicant is advised to provide Manufacturer's Cut Sheets of the interior containment walls, and ammunition backstop for staff review. Cut Sheets should include details as to sound transmission ratings."**

**MOTION CARRIED** unanimously.

AYES: Allen, Kain, Riggle, Stockton, Stosel, Wade

NOES: None

DISQUALIFIED: None

ABSTAINED: None

ABSENT: Maloney, Tavaglione, Zaki

Chairman Allen advised of the appeal procedure.