

# Planning Commission Memorandum

Community & Economic Development Department Planning Division

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

PLANNING COMMISSION HEARING DATE: JUNE 18, 2015

**AGENDA ITEM NO.: 6** 

### PROPOSED PROJECT

Case Numbers	P14-1021 (Conditional Use Per	mit)				
Request	Consideration of a Conditional Use Permit to operate a Charter School within an existing 25,586 square foot building.					
Applicant	Russell Rumansoff of Herron + Rumansoff Architects					
Project Location	4260 Tequesquite	/2/				
Project area	Approximately 1.5 acre site					
Ward	1					
Neighborhood	Woods Streets	TEQUEOUTE A.E.				
Specific Plan	None					
General Plan Designation	PF-Public Facility	A SON SHARE				
Zoning Designation	CR- Commercial Retail	NORTH				
Staff Planner	Gaby Adame, Assistant Planner; 951-826-5933; gadame@riversideca.gov					

### **RECOMMENDATIONS**

Pursuant to Chapters 2.40 and 19.050.030 of the Riverside Municipal Code, the Planning Commission shall review the proposed project subject to its consistency with the Zoning Code (Title 19) and Subdivision Code (Title 18). Specifically, Staff Recommends that the City Planning Commission:

- RECOMMEND that the City Council DETERMINE that this proposal is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15301 as the project constitutes an existing facility;
- RECOMMEND APPROVAL of Planning Case P14-1021 (Conditional Use Permit) based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions; and
- 3. **RECOMMEND ADOPTION** of attached exhibits 6-10 as approved project plans, subject to recommended conditions of approval.

### SITE BACKGROUND

As shown on the attached exhibits, the 1.5 acre site features a 25,586 square foot structure. The building, constructed in 1961, was originally used as a roller rink. It was later remodeled in 1980 into office space and for a period was leased to the County of Riverside Social Services (lease ended in 2010). The 6,322 square foot second floor was added in 1984. Attached exhibits 3-5 demonstrate the project site's specific location, as well as the existing General Plan and Zoning designations.

### **PROPOSAL**

The applicant proposes a Conditional Use Permit for a new charter school at 4260 Tequesquite Avenue. The new charter school, River Spring Public Charter School (RSCS), proposes to use an existing two story vacant building. No exterior improvements to the building are proposed as a part of the project. Student class by grade level is as follows:

- one 5th grade class
- two classes for each grade from grade levels 6-10
- one class each for grades 11 and 12.

There will be a total of 13 classrooms of approximately 32 students each for a total of 416 students onsite at any given day.

The first floor will have three "Flexible Collaborative Learning Spaces" for students, separated by portable, rolling partitions (Exhibit 7). Flexible Learning Space 1 will have six "Learning Areas" that allow up to 210 students. Flexible Learning Space 2 will have four Learning Areas and will allow up to 147 students. Learning Space 3 will have two Learning Areas and allow up to 70 occupants. Two "Accessory Classrooms" that measure 820 and 743 square feet, will be a space used by teachers and students for special projects.

The second floor will feature the same learning area design. Three learning areas will be fitted into the second floor, allowing 117 students to occupy the space (Exhibit 8). An existing elevator is located on the southern end of the building. Stairs are located on the eastern portion of the building as well as the southern portion, adjacent to the elevator.

#### **Proposed Operations**

The new school will have up to maximum enrollment of 750 students (5-12); however, not all students will be onsite at one time. The charter school is a hybrid of conventional classroom instruction and home schooling, therefore maximum daily student occupancy will not exceed

415. There will be a maximum of 32 daily staff. Bell times are proposed at 8:30 a.m. start and 3:30 p.m. end with the main student population meeting Tuesday-Friday. The Monday student population will consist of 175 students, including a few students who need tutoring for only a portion of the day.

### PROJECT ANALYSIS

Authorization and Compliance Summary					
	Consistent	Inconsistent	N/A		
General Plan 2025  While the project site is designated as PF – Public Facilities 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. Further, the project will serve to further Objective ED-3 of the Education Element, which states the City's intent to "plan proactively for all education needs."					
Specific Plan  The project site is not located within a Specific Plan boundary.			☑		
Zoning Code Land Use Consistency (Title 19)  The underlying CR- Commercial Retail Zone is consistent with the proposed charter school with the approval of a Conditional Use Permit.	Ø				
Compliance with Citywide Design & Sign Guidelines  There are no exterior improvements proposed with the existing building.			☑		

### COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Site Plan Review & Design Review (Title 19)						
Standard			Proposed	Consistent	Conditionally Consistent	Inconsistent
	6 High School Classrooms	42	42			
Min. Parking <sup>1</sup>	9 Elementary & Middle School Classrooms	18	18			
	Total	60	61			

### **Parking**

As table above demonstrates, a total of 61 parking slots will be provided onsite. The existing site has a total of 83 parking spaces, though after restriping, 61 parking spaces will be provided, of which 60 are required parking. There are sufficient onsite parking spaces to meet the parking requirements per section 19.580 of the Zoning Code. As conditioned, the school will be required to sign and stripe the parking area per California Manual on Uniform Traffic Control Devices 2014.

### Traffic and Circulation

Traffic impacts related to the proposed school use were evaluated as follows: (1) Traffic during pick-up and drop-off times that impact the surrounding intersections, (2) Cars stacking up onto Tequesquite while dropping off or picking up students.

To address the first concern, starting times for school instruction for the Charter School will be staggered so as not coincide with nearby schools.

Magnolia Elementary: Mon, Tue, Thu, Fri 8:10 – 2:30 Wed 8:10 – 1:15

Central Middle: Mon, Tue, Thu, Fri 7:55 – 2:25 Wed 7:55 – 12:35

Schools within proximity of the site begin at 7:55 a.m. - 8:10 a.m. The proposed Charter school could start after 8:30 giving a 20 minute period for the traffic from the other schools to clear before starting.

The schools in the vicinity dismiss students between 2:25 p.m. – 2:50 p.m. The proposed charter school will dismiss students at approximately 3:20 p.m. for grades 5-8 and 3:40 p.m. for grades 9-12, which will reduce traffic in the area before the Charter School students are picked-up.

<sup>&</sup>lt;sup>1</sup> Minimum parking requirements for high schools is 7 spaces per classroom, middle schools is 2 spaces per classroom.

The intersection traffic has been analyzed in Traffic Impact Analysis (TIA) report by LOS Engineering. To avoid the encroachment of stacking vehicles into Tequesquite Avenue, the school proposes the following:

- 1. The existing parking lot will be organized so that cars will arrive at both driveways with queuing onsite to drop off students at the furthest Southwest point. This will allow more space for cars waiting to pick-up students and avoid cars stacking up and overflowing the parking lot onto Tequesquite Avenue. The proposed on-site restripe will provide 835 lineal feet for vehicle stacking, that was shown in the TIA to provide sufficient on-site stacking for the drop-off and pick-up routine.
- 2. Picking up students is more time consuming than dropping-off. To facilitate a more efficient connection of student to a specific car, the school will utilize a color card with the student's name on it. That card will be placed on the dashboard of the pick-up vehicle. A staff member will stand at the driveway entrance and phone the office with the vehicle information so that the students can be queued in the same order as the vehicles picking them up.
- 3. The school will use 2 lanes of traffic within the school parking lot for pick-up and drop-off if necessary, thus increasing the queue length.

There are two proposed points of ingress for vehicles to the site. One driveway will be located on the northwest end of the site and the second on the northeast end of the site. There will be a single point of egress located on the northeast portion of the site where an ingress and egress easement extends onto the adjacent parcel. The designated drop off zone will be located on the easterly side of the structure.

### **ENVIRONMENTAL IMPACTS**

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

### **NEIGHBORHOOD COMPATIBILITY**

The proposed school will be located in a developed site surrounded by residential neighborhoods, and commercial and medical offices. Based on the operational characteristics of the school, the site can be operated in a manner that will not be detrimental to surrounding land uses. Adequate access to the subject site exists from Tequesquite Avenue, which will adequately accommodate traffic from the site. For these reasons, no detrimental impacts are anticipated in conjunction with this use and the Conditional Use Permit can be supported.

### **PUBLIC NOTICE AND COMMENTS**

Public hearing notices were mailed to property owners within 300 feet of the site. As of the writing of this report, no responses have been received by Planning Staff.

### **EXHIBITS LIST**

- 1. Staff Recommended Findings
- 2. Staff Recommended Conditions of Approval
- 3. Aerial Photo/Location
- 4. Zoning Map
- 5. General Plan Map
- 6. Site Plan
- 7. Floor Plans, First Floor
- 8. Floor Plans, Second Floor
- 9. On-site Stacking and Parking Plans
- 10. Existing Site Photos

Report and Recommendations Prepared by: Report and Recommendations Reviewed by: Report and Recommendations Approved by: Gaby Adame, Assistant Planner
Gabriel Perez, Principal Planner
Emilio Ramirez,
Interim Community & Economic

Development Director



# COMMUNITY DEVELOPMENT DEPARTMENT

# **Planning Division**

# EXHIBIT 1 - STAFF RECOMMENDED FINDINGS

PLANNING CASES: P14-1021 (Conditional Use Permit)

### STAFF RECOMMENDED FINDINGS

#### Conditional Use Permit:

- The proposed project is consistent with the General Plan 2025 and the intent and purpose of the PF-Public Facilities General Plan land use designation;
- The proposed development, 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;
- 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;
- 4. The proposed school will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area, with implementation of the recommended conditions of approval;
- 5. The proposed school, 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.
- 6. The proposal meets all of the applicable development standards contained in Chapter 19.395 (Schools) of the Zoning Code.
- 7. The proposed use is consistent with the Objective ED-1 and Objective ED-3 of the Education Element of the General Plan 2025. Objective ED-1 states "accommodate the growth of all educational facilities" and Objective ED-3 states "plan proactively for all education needs." A charter school for 5-12 grades will meet these objectives.
- 8. The project qualifies as an "Existing Facility" project and is categorically exempt from the provisions of the California Environmental Quality Act per Section 15301 of the CEQA Guidelines.



# COMMUNITY DEVELOPMENT DEPARTMENT

# **Planning Division**

### EXHIBIT 2 - STAFF RECOMMENDED CONDITIONS OF APPROVAL

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

Case Numbers: P14-1021 (Conditional Use Permit)

### CONDITIONS

### Case Specific

### Planning

 Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. Any new signs shall be subject to separate review and assessment, including any required variances. A separate sign application, including fees and additional sets of plans, will be necessary prior to sign permit issuance.

Prior to the issuance of Tenant Improvement Permits:

- A site maintenance and operations plan for ongoing and continuous property cleaning, noise control, and odor, dust and litter control, shall be submitted for review and approval of the Planning Division prior to the commencement of operations.
- Landscaping, irrigation, exterior lighting, and sign plans shall be submitted for Design Review staff approval. Design modifications may be required as deemed necessary. Separate applications and filing fees are required.
- 4. Staff Required Plot Plan Conditions: Revise the submitted plot plan such that the plan provided for building permit plan check incorporates the following changes:
  - Verify that all internal drive aisles have a minimum width of 24 feet and all parking stalls are a minimum 9 feet in width by 18 feet in depth;
  - b. A minimum 12-inch concrete walkway, including curb width, shall be provided along the sides of landscape planters whenever the side of a parking stall is adjacent to it;
  - c. Provision for handicap accessible parking as deemed necessary by Building and Safety Division;
  - d. Provision for screening any ground mounted equipment to the satisfaction of Design Review Staff;
  - e. Provision for wheel stops where parking spaces are adjacent to pedestrian walkways, screen walls or building walls;

Exhibit 2 - Staff Recommended Conditions of Approval

City Planning Commission - June 18, 2015 P14-1021 CUP

- Landscape/irrigation plans submitted for Design Review staff review and approval shall include the following elements:
  - Existing Landscape planters shall be refurbished and/ or replanted with new plant materials where appropriate.
  - b. Lawn / Turf areas shall be minimized to the extent possible;

### Prior to occupancy

- 6. Install the landscape and irrigation per the approved plans and submit the completed "Certificate of Substantial Completion" (Appendix C of the water Efficient Landscaping and Irrigation Ordinance Summary and Design Manual) signed by the Designer/auditor responsible for the project. Call Gaby Adame, at 951-826-5933 to schedule the landscape inspection at least a week prior to needing the release of utilities.
- 7. The applicant shall obtain all licenses and permits required by State law for operation of the facility. The applicant shall keep all State licenses or permits valid and current. Failure to comply will result in revocation of this Conditional Use Permit.

### Operational Conditions:

- 8. Parking areas shall have lighting capable of providing adequate illumination for security and safety. The minimum requirement is 1-foot candle, maintained across the surface of the parking area. Lighting shall be arranged and designed so as to be directed onto parking, loading or sales areas and away from residential use and motorists
- 9. The charter school shall be limited to a maximum of 415 students and 32 employees onsite at any given time. Any additional students above and beyond this number shall be subject to consideration by the Zoning Administrator.
- 10. Hours of operation for instruction shall be limited 8:30 a.m. to 3:30 a.m. Monday through Friday. The Zoning Administrator is authorized to consider a request to modify this condition in the future at the request of the applicant.
- 11. All instructional activities associated with the use shall be conducted inside the building.
- 12. The use shall be operated in compliance with the provisions of Title 7, the City's Noise Code.
- 13. The facility shall be occupied and operated as generally described in the body of this report. Any increase in the number of students, employees, or changes to the hours of operation shall be subject to consideration by the Zoning Administrator.
- 14. The parking lot and all outdoor areas shall remain clean and orderly at all times and shall be sufficiently lighted.

### Public Works

THE FOLLOWING PUBLIC WORKS "ENGINEERING" CONDITIONS TO BE MET PRIOR TO CASE FINALIZATION:

Traffic Impact Analysis Canditians:

- 15. To best avoid interference with surrounding schools, the River Springs Charter School shall make use of bell times as listed in section 1D.1 (page 2), "Bell times are proposed at 8:30 a.m. start and 3:30 p.m. end."
- 16. The applicant shall conform to Circulation Recommendations listed in Section 5C of the report (page 25). The school shall conform to Circulation Recommendations listed in Section 5C of the report (page 25). The school shall ensure that the central driveway along the north end of the parking lot shall be coned off by staff prior to the drop-off and pick-up windows.
- 17. School staff shall monitor circulation as detailed in the report, with staff assisting in the drop-off and pick-up and ensuring flow continues through the lot.
- The applicant shall propose and install signing and striping appropriate for the school per CA MUTCD 2014 as approved by the City of Riverside Traffic Division.

### Public Utilities – Electric

CONTACT SUMMER AYALA AT 951-826-2129 FOR QUESTIONS REGARDING PUBLIC UTILITIES (ELECTRIC) CONDITIONS/CORRECTIONS LISTED BELOW.

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

### Public Utilities – Water

21. No Water Division requirements.

### 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:

- 22. Construction plans shall be submitted and permitted prior to construction.
- 23. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
- 24. An automatic fire sprinkler system will be required for a group E occupancy per the 2013 California Fire Code, Section 903.2.3.
- 25. An automatic, manual and voice evacuation fire alarm system will be required for a graup E occupancy per the 2013 California Fire Code, Section 907.2.3.
- 26. Advisory; property currently has an existing 1.5" domestic water service. Please contact the Water Department at 951-826-5285 if a fire service or additional services are required.

Exhibit 2 - Staff Recommended Conditions of Approval

City Planning Commission - June 18, 2015 P14-1021 CUP

### Parks and Recreation

27. No Parks and Recreation requirements.

### **Standard Conditions**

### Planning

- 28. 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.
- 29. 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.
- 30. 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.
- 31. There is a 24 month time limit on this approval.
- 32. 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.
- 33. 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.
- 34. 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.
- 35. 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.
- 36. 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.
- 37. Failure to abide by all conditions of this permit shall be cause for revocation.
- 38. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
- 39. 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.
- 40. 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.
- 41. 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.
- 42. 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.

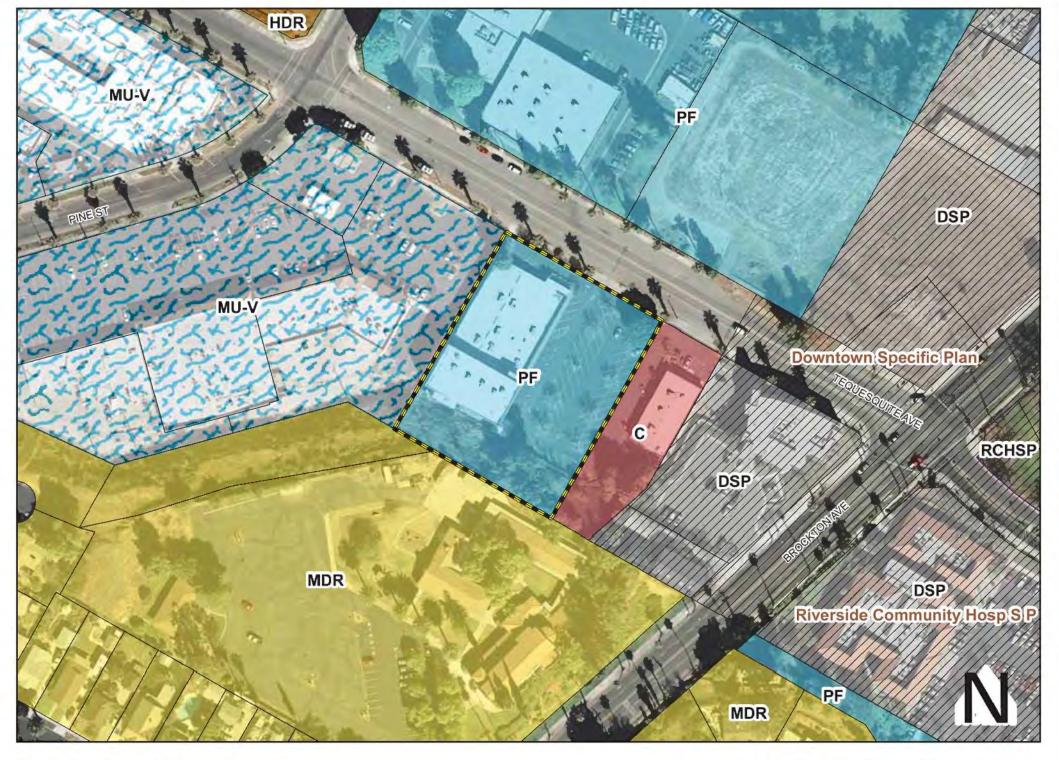
### GENERAL INFORMATION NOTES

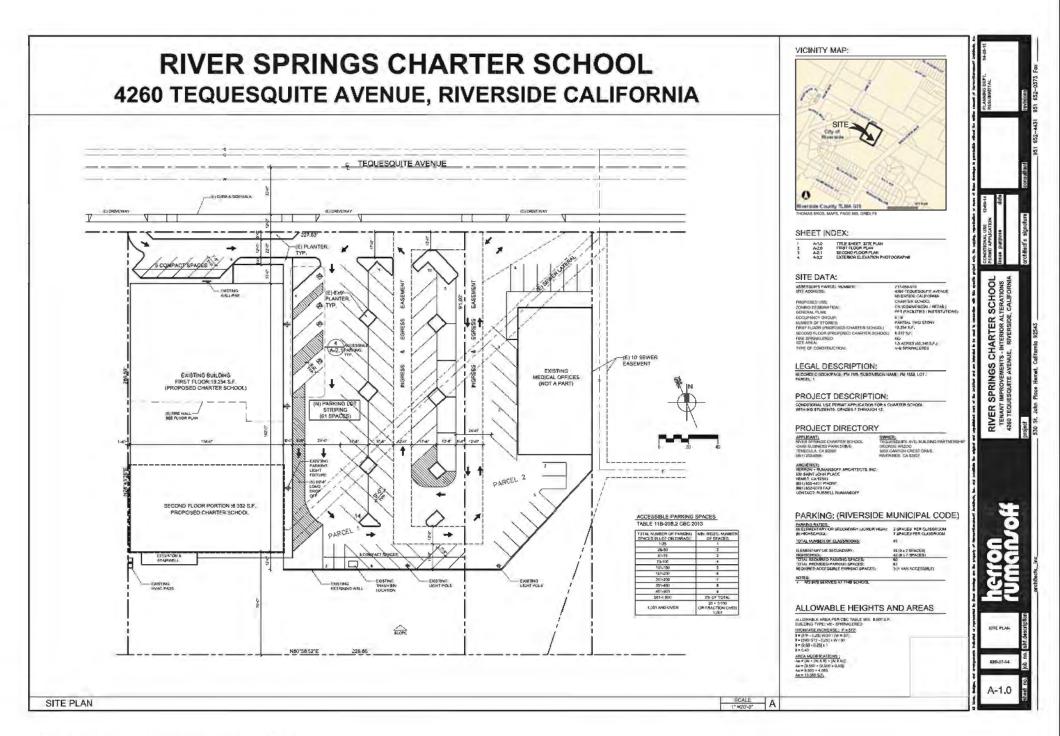
- 1. Appeal Information
  - Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within ten calendar days after the decision.
  - b. Appeal filing and processing information may be obtained from the Planning Department Public Information Section,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

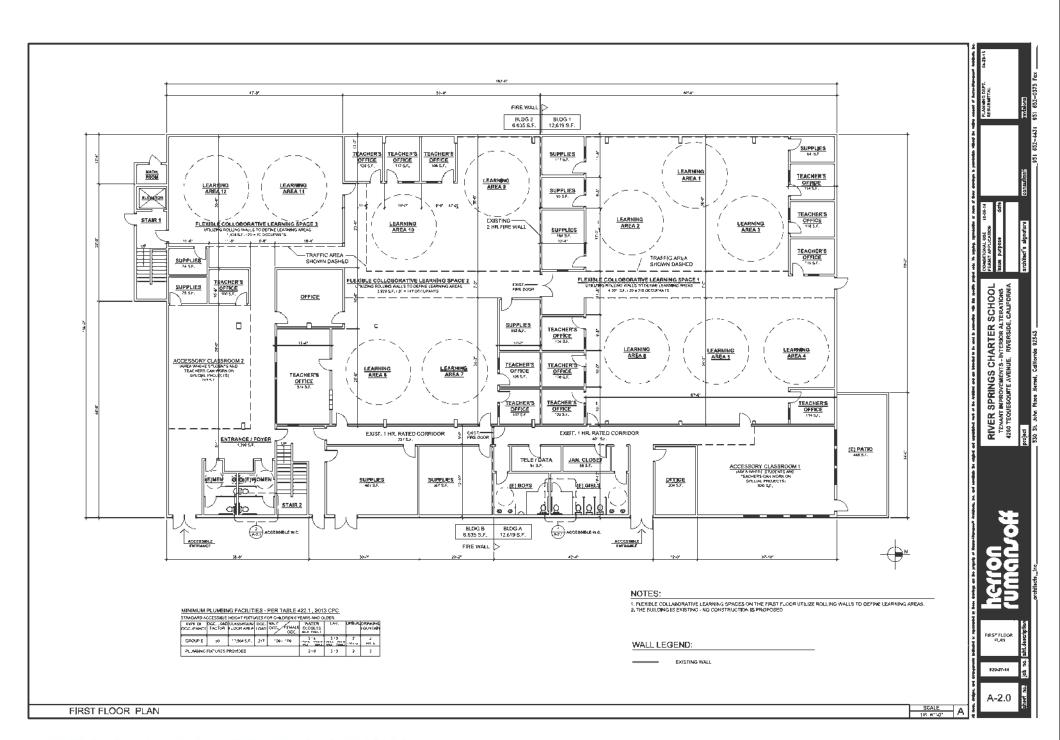


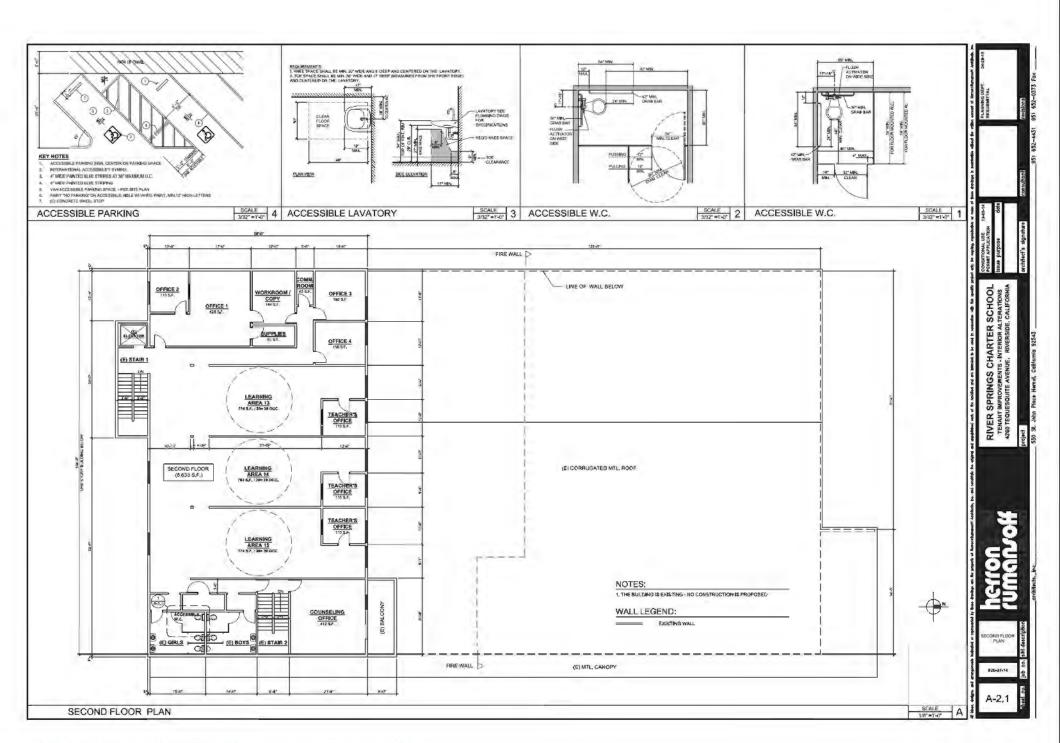
Exhibit 3- P14-1021, Aerial View of Site and Neighborhood



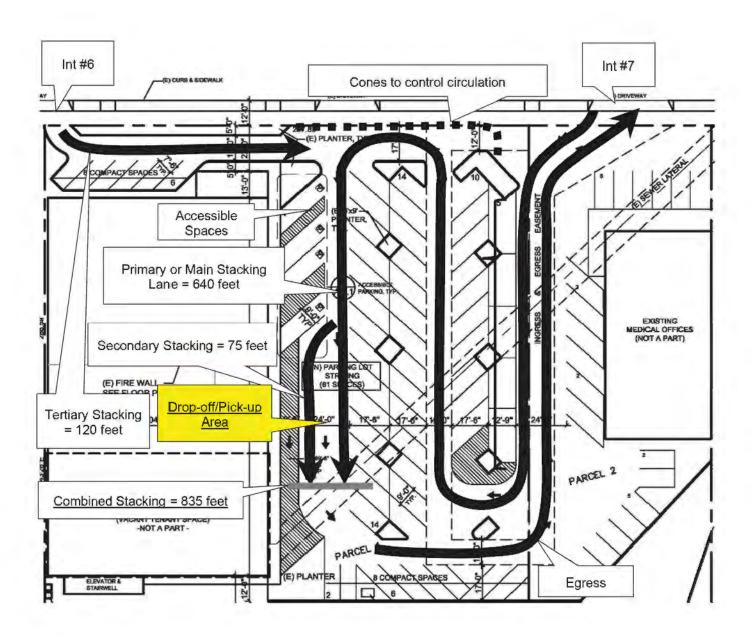








# On-site Circulation and Parking Plan for River Springs Charter School - Tequesquite Also included as Exhibit 14 within Traffic Study LOS Engineering, Inc. (4-15-15)



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300,0100		parkinger	carterels Closifican	4260 TEQUESQUITE AVENUE, RIVERSIDE, CALIFORNIA
			elab exoquing euzzi	RIVER SPRINGS CHARTER SCHOOL TENANT IMPROVEMENTS - INTERIOR ALTERATIONS
51-92-90	PLANNING DEPT. RESUBMITTAL		PERMIT APPLICATION 12-06-14	DIVER SPRINGS CHARTER SCHOOL





WEST SIDE ELEVATION





NORTH ELEVATION







SOUTHEAST CORNER ELEVATION

EAST SIDE ELEVATION



NORTH SIDE ELEVATION (TEQUESQUITE AVE.)

NORTHEAST CORNER ELEVATION

PHOTOGRAPH EXTERIOR ELEVATIONS