

# Planning Commission Memorandum

## Community & Economic Development Department

#### **Planning Division**

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

# GGPLANNING COMMISSION HEARING DATE: OCTOBER 8, 2015 AGENDA ITEM NO.: 5

## PROPOSED PROJECT

Case Numbers	P15-0075 (Design Review), P15-0076 (Conditional Use Permit), and P15-0819 (Conditional Use Permit)				
Request	To construct an approximately 11,738 square foot vehicle repair facility ("Les Schwab Tire Center") and a 2,200 square foot drive-thru restaurant ("Dunkin Donuts"), with an approximately 450 square feet outdoor dining area, on an approximately 2.11 acre vacant site				
Applicant	Zach Lauterbach of Evergreen Devco				
Project Location	A vacant site situated on the northerly side of Van Buren Boulevard, easterly of Prairie Way (APN # 280-270-024)				
Project area	Approximately 2.11 acres				
Ward	4				
Neighborhood	Orangecrest				
Specific Plan	Orangecrest Specific Plan				
General Plan Designation	C - Commercial				
Zoning Designation	CR-S-2-X-15/50-SP – Commercial Retail Zone within a Building Stories Overly Zone (maximum of 2 stories), a Building Setback Overlay Zone (a minimum setback of 15 feet from Van Buren Boulevard, and 50 feet from adjacent residential properties), and a Specific Plan Overlay Zone (Orangecrest Specific Plan)	VIAN SLIREN SL			
Staff Planner	Candice Assadzadeh, Assistant Planne cassadzadeh@riversideca.gov	er; 951-826-5667;			

#### RECOMMENDATIONS

Pursuant to Chapters 2.40 and 19.050.030 of the Riverside Municipal Code, the Planning Commission shall review the proposed project subject to its consistency with the Zoning Code (Title 19), which includes the Design Review and Conditional Use Permit. Specifically, Staff Recommends that the City Planning Commission:

- 1. **RECOMMEND that the City Council DETERMINE** that Planning Cases P15-0075 (Design Review), P15-0076 (Conditional Use Permit) and P15-0819 (Conditional Use Permit) constitute in-fill development and categorically exempt from the provisions of the California Environmental Quality Act, pursuant to Section 15332 of the CEQA Guidelines.
- 2. **RECOMMEND APPROVAL** of Planning Cases Case Numbers P15-0075 (Design Review), P15-0076 (Conditional Use Permit) and P15-0819 (Conditional Use Permit), based on the findings outlined in the staff report and summarized in the attached findings, and subject to the recommended conditions;
- 3. **RECOMMEND ADOPTION** of attached exhibits 6 11 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 the Planning Commission to grant a Conditional Use Permit shall require an affirmative vote of two-thirds (2/3) of the Commission membership present and voting at the public hearing.

#### SITE BACKGROUND

As shown on the attached exhibits, the 2.11 acre vacant site is generally situated on the northerly side of Van Buren Boulevard, easterly of Prairie Way. Access to the site will be taken from Van Buren Boulevard. Attached exhibits 3-5 demonstrate the project site's specific location, as well as the subject and surrounding General Plan and Zoning designations.

#### PROPOSAL

The following applications have been submitted:

- Design Review
- Conditional Use Permit to construct an approximately 11,738 square foot vehicle repair facility ("Les Schwab Tire Center")
- Conditional Use Permit to construct an approximately and a 2,200 square foot drive-thru restaurant ("Dunkin Donuts"), with an approximately 450 square feet outdoor dining area

#### Les Schwab

The applicant has submitted a Design Review and Conditional Use Permit application to construct a new approximately 11,738 square foot vehicle repair facility ("Les Schwab Tire Center"). The proposed building is rectangular in shape and will be approximately 66-feet from the Van Buren Boulevard frontage. The building has been situated on site, so that the service bays face easterly, as the Zoning Code requires that service bays are oriented to minimize their visibility from public rights-of-ways and residential areas. The site design for the project includes

30 parking stalls, and 8 service bays. The site is designed to allow for on-site circulation, and entering and exiting the service bays in a safe manner. Additionally, proposed landscaping consists of a series of complementary pedestrian level shrubs and ground covers, as well as sufficient parking lot trees and accent plants. The proposed landscaping will serve to enhance the streetscape and screen the service bays from Van Buren Boulevard.

The proposed building consists of corporate architecture with significant glazing incorporated into the southern and eastern facades. The building exterior will consist of Polished Ground Face CMU in Rutherford and Mission White, Glazed CMU in Fireweed Mahogany and Colorado Red, Metal Panels in Citadel Colonial Red and Oldcastle Classic Bronze, as well as painted vehicle roll-up doors in Benjamin Moore Cottage Red and Sailcloth. The combined trash and recycling enclosure will match the building materials. The recycling enclosure will be used for storage of used tires. The recycling will be picked up on a weekly basis to ensure the enclosure and site is maintained.

The proposed Les Schwab Tire Center will have approximately 15 total employees, working various shifts. The Les Schwab Tire Center is anticipated to operate from 7:00 AM to 7:00 PM, Monday – Saturday, and will be closed on Sundays.

### Dunkin Donuts

The applicant has submitted a Conditional Use Permit application to construct a new 2,200 square foot (approximate) drive-thru restaurant ("Dunkin Donuts"), with an 450 square feet (approximate) outdoor dining area. The proposed building is rectangular in shape and will be approximately 85-feet from the Van Buren Boulevard. The site design for the project includes 29 parking stalls for Dunkin Donuts.

The proposed Dunkin Donuts building consists of corporate architecture (Exhibit 9). Dunkin Donuts will be required to submit a formal Design Review application, subject to the conditions of approval.

The proposed Dunkin Donuts drive-thru will have approximately 9 employees, per shifts. Dunkin Donuts is anticipated to operate from 4:30 AM to 11:00 PM every day.

## PROJECT ANALYSIS

Authorization and Compliance Summary						
	Consistent	Inconsistent	N/A			
<i>General Plan 2025</i> The proposed project is consistent with the underlying General Plan 2025 land use designation of C - Commercial, which will further the intent of the General Plan by facilitating in-fill development.						
<i>Specific Plan</i> The subject site is within the Orangecrest Specific Plan area.	$\checkmark$					
<b>Zoning Code Land Use Consistency (Title 19)</b> The underlying CR – Commercial Retail Zone is consistent with the C - Commercial General Plan land use designation. Proposed Commercial developments are subject to Design Review and the proposed Vehicle Repair Facility and Drive-						

thru Restaurant requires a Conditional Use Permit.		
<i>Compliance with Citywide Design &amp; Sign Guidelines</i> The proposed project substantially meets the objectives of the City's design guidance document, subject to the recommended conditions of approval detailed below.	V	

# COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Section 19.110.030 (Commercial Development Standards)							
Standard Proposed Consistent Inconsiste							
Max. Floor Area Ratio	0.50		0.15	$\checkmark$			
Min. Setbacks	Front	0 feet	South: 15 feet				
	Interior Side	0 feet	East: 8 feet West: 10 feet	V			
	Rear	15 feet	North: 75 feet	$\checkmark$			

Section 19.420.030 (Vehicle Repair Facilities)							
Standard			Proposed	Consistent	Inconsistent		
Minimum Site Area	0.50 acre		1.35 acre	$\checkmark$			
Landscape Setbacks	Street Frontages	15 foot planter	South: 15 feet	$\checkmark$			
	Interior Property Lines	5 foot planter	Refer to site plan, exhibit 6	V	$\checkmark$		
Max. Building Height	75 feet		25 feet 4 inches	$\checkmark$			

Section 19.475.040 (Drive-Thru Business)							
Standard			Proposed	Consistent	Inconsistent		
Minimum Frontage	100 teet		258 feet	$\checkmark$			
	Street Frontages	15 foot planter	15 feet	$\checkmark$			
Landscape Setbacks	Interior Property Lines	5 foot planter	Refer to site plan, exhibit 6	$\checkmark$			
	Between Drive-Thru and Parking Lot	5 foot planter	Refer to site plan, exhibit 6	$\checkmark$			

Section 19.475.040 (Drive-Thru Business)							
Standard Proposed Consistent Inc							
Building Height	35 feet max	21 feet 3 inches	$\checkmark$				
Drive-Thru Lane Standards	Minimum Length: 180 feet	Approximately 200 feet	V				
	Minimum Stacking: 10 vehicles	10 vehicles	$\checkmark$				
	Minimum Width: 12 feet	12 feet	$\checkmark$				

Section 19.580.060 (Parking Requirements)							
	Parking Spaces Re	quired	Parking Spaces Provided	Consistent	Inconsistent		
Min. Parking	Vehicle Repair: 6 spaces on the same lot, plus 2 additional spaces/service bay	22 stalls min.	30 spaces	V			
5	Restaurant (2,200 SF + 450 SF outdoor patio): 1 space/100 square feet of floor area + 1 space/100 square feet of outdoor seating	27 stalls min.	29 spaces	V			

#### **DESIGN REVIEW**

#### Site Access

Vehicular access to the project site is proposed from a 40 foot wide driveway off of Van Buren Boulevard. This drive aisle connects to the primary internal drive aisles within the project, in which the proposed service bays and drive-thru lane will be accessed from this driveway. Furthermore, reciprocal access will be provided on the adjacent parcel to the east when it is developed, providing for a comprehensive commercial development.

#### Architecture

The applicant is proposing a building design for Les Schwab that is adequately articulated, consistent with surrounding contemporary architecture, and is appropriate for the neighborhood. The proposed building elevations (Exhibit 8) include a front façade that features significant fenestration. The building will include a black, white, grey, and red color palette to emphasize its corporate identity. The building exterior will consist of Polished Ground Face CMU in Rutherford and Mission White, Glazed CMU in Fireweed Mahogany and Colorado Red, Metal Panels in Citadel Colonial Red and Oldcastle Classic Bronze, as well as painted vehicle roll-up

doors in Benjamin Moore Cottage Red and Sailcloth. Staff supports the building elevations as described above, subject to the recommended conditions of approval.

The proposed Dunkin Donuts building consists of corporate architecture (Exhibit 9). Dunkin Donuts will be required to submit a formal Design Review application, subject to the conditions of approval, at which time the proposed colors/materials, and signage will be reviewed by Staff.

#### Conceptual Landscaping

The conceptual landscape plan (Exhibit 10) has been designed to provide a variety of landscape materials throughout the project site, including trees, shrubs, and groundcovers. The proposed landscaping will serve to enhance the streetscape and screen the service bays from Van Buren Boulevard. Staff supports the conceptual landscape plan.

#### ENVIRONMENTAL REVIEW

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

#### NEIGHBORHOOD COMPATIBILITY

The proposed Les Schwab Tire Center and Dunkin Donuts drive-thru will facilitate in-fill development within an established commercial area in the Orangecrest neighborhood. The use is proposed at a location where adequate parking is available for the use, and where the use can be operated in a manner that will not be detrimental to surrounding land uses. Additionally, adequate access to the project site exists via Van Buren Boulevard, and there is sufficient ingress and egress from the site. For these reasons, no neighborhood compatibility impacts are anticipated in conjunction with this use.

#### PUBLIC NOTICE AND COMMENTS

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

## **EXHIBITS LIST**

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

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 Jay Eastman for Emilio Ramirez, Interim Community & Economic Development Deputy Director



PLANNING DIVISION

#### COMMUNITY & ECONOMIC DEVELOPMENTDEPARTMENT

## EXHIBIT 1 – STAFF RECOMMENDED FINDINGS

PLANNING CASES: P15-0075 (Design Review) P15-0076 (Conditional Use Permit) P15-0819 (Conditional Use Permit)

#### STAFF RECOMMENDED FINDINGS

#### Design Review & Conditional Use Permit:

- 1. The proposed project is consistent with the City's General Plan 2025 and the intent and purpose of the C Commercial General Plan land use designation;
- 2. The proposed commercial use is appropriate for the site and location by fostering a mixture and variety of land uses within the general vicinity, contributing to a beneficial relationship between uses;
- 3. The proposed commercial use is substantially compatible with other existing and proposed uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts;
- 4. The proposed commercial use will not be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area;
- 5. The proposed commercial 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;
- 6. As conditioned and approved, the proposed development is compliance with the standards applicable to the proposed development;
- 7. The project qualifies as an In-fill development project is categorically exempt from the provisions of the California Environmental Quality Act per Section 15332 of the CEQA Guidelines.



COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

PLANNING DIVISION

# EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

Case Numbers: P15-0075 (Design Review) P15-0076 (Conditional Use Permit) P15-0819 (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. The applicant is advised that the business or use for which this conditional use permit is granted cannot be legally conducted on the subject property until all conditions of approval have been met to the satisfaction of the Planning Division.
- Construction and operation activities on the property shall be subject to the City's Noise Code (Title 7), which limits construction noise to 7:00 a.m. to 7:00 p.m. weekdays, and 8:00 a.m. to 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or federal holidays.
- 3. The project shall comply with all existing State Water Quality Control Board and City storm water regulations, including compliance with NPDES requirements related to construction and operation measures to prevent erosion, siltation, transport of urban pollutants, and flooding.
- 4. Prior to receiving a Building Permit the plot plan, building elevations, landscaping, irrigation and sign plans shall be submitted for Design Review approval. Design modifications may be required as deemed necessary. A separate application and filing fee is required. The plot plan and building elevations must be approved prior to building permit issuance; landscaping and irrigation plans must be submitted prior to building permit issuance.
- 5. Plans submitted for staff review should specify the location, design and color of all domestic water meters, backflow preventers and utility cabinets subject to the Planning and Public Utilities review and approval. The visibility of such facilities shall be minimized to Planning Department review and approval through means including but not limited to relocation, berming, landscaping, and/or installation of a screen wall.
- 6. 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.

- 7. All conditions of Riverside County Airport Land Use Commission case ZAP1117MA15 shall apply.
- 8. Advisory: Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. Any new signs shall be subject to separate review and assessment, 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 Grading Permit Issuance:

- 9. A 40-scale precise grading plan shall be submitted to the Planning Division and include the following:
  - a. Hours of construction and grading activity are limited to between 7:00 a.m. and 7:00 p.m. weekdays and 8:00 a.m. and 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or Federal Holidays;
  - b. Compliance with City adopted interim erosion control measures;
  - c. Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems;
  - d. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement;
  - e. The project shall abide by the SCAQMD's Rule 403 concerning Best Management Practices for construction sites in order to reduce emissions during the construction phase. Measures may include:
    - i. Development of a construction traffic management program that includes, but is not limited to, rerouting construction related traffic off congested streets, consolidating truck deliveries, and providing temporary dedicated turn lanes for movement of construction traffic to and from site;
    - ii. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
    - iii. Wash off trucks and other equipment leaving the site;
    - iv. Replace ground cover in disturbed areas immediately after construction;
    - v. Keep disturbed/loose soil moist at all times;
    - vi. Suspend all grading activities when wind speeds exceed 25 miles per hour;
    - vii. Enforce a 15 mile per hour speed limit on unpaved portions of the construction site.

#### During Grading and Construction Activities:

10. To reduce diesel emissions associated with construction, construction contractors shall provide temporary electricity to the site to eliminate the need for diesel-powered electric generators, or provide evidence that electrical hook ups at construction sites are not cost effective or feasible.

- 11. To reduce construction related particulate matter air quality impacts of projects the following measures shall be required:
  - a. the generation of dust shall be controlled as required by the AQMD;
  - b. grading activities shall cease during periods of high winds (greater than 25 mph);
  - c. trucks hauling soil, dirt or other emissive materials shall have their loads covered with a tarp or other protective cover as determined by the City Engineer; and
  - d. the contractor shall prepare and maintain a traffic control plan, prepared, stamped and signed by either a licensed Traffic Engineer or a Civil Engineer. The preparation of the plan shall be in accordance with Chapter 5 of the latest edition of the Caltrans Traffic Manual and the State Standard Specifications. The plan shall be submitted for approval, by the engineer, at the preconstruction meeting. Work shall not commence without an approved traffic control plan.
- 12. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- 13. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- 14. The Construction Contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- 15. The Contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays. No construction is permitted on Sundays or federal holidays.
- 16. Noise-reducing design features shall be utilized consistent with standards in Title 24 California Code of Regulations and Title 7 of the Municipal Code.

#### Prior to Building Permit Issuance:

- 17. The landscaping, irrigation and sign plans shall be submitted for Design Review approval. Elevations for Dunkin Donuts shall be submitted for Design Review approval. Design modifications may be required as deemed necessary. Separate applications and filing fees are required. The landscaping and irrigation plans must be submitted prior to building permit issuance.
- 18. Building elevations and trash enclosure elevations for Dunkin Donuts shall be submitted for Design Review approval. Design modifications may be required as deemed necessary. Separate applications and filing fees are required.
- 19. Plans submitted for Design Review staff review should specify the location, design and color of all domestic water meters, backflow preventers and utility cabinets subject to Planning and Public Utilities review and approval. The visibility of such facilities shall be minimized to Planning Department review and approval through means including but not limited to relocation, berming, landscaping, and/or installation of a screen wall.

- 20. Submit three sets of plans depicting the preferred location for above ground utility transformers of capacity to accommodate the planned or speculative uses within the building(s). These plans shall be reviewed and approved by the Planning Division and Public Utilities Department Electric Division prior to the issuance of a building permit. The proposed location of the transformer shall be level, within 100 feet of the customer's service point, accessible to service trucks and in a location where the transformer can be adequately screened from public view, either by buildings or landscape screening. If landscape screening is the preferred screening method, no landscaping except ground cover shall be allowed within 10 feet of the transformer. The applicant is advised to consult with the City of Riverside Public Utilities, Electrical Engineering Division, at (951)826-5489 prior to preparing these plans.
- 21. An exterior lighting plan shall be submitted to Design Review staff for review and approval. A photometric study and manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas and in the parking lot shall be submitted with the exterior lighting plan. All on-site lighting shall provide a minimum intensity of one foot-candle and a maximum of ten foot-candles at ground level throughout the areas serving the public and used for parking, with a ratio of average light to minimum light of four to one (4:1). The light sources shall be shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties and public rights-of-ways. If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed twenty (20) feet in height, including the height of any concrete or other base material. Additionally, light poles shall not exceed a maximum height of fourteen (14) feet, within 50-feet of a residentially zoned property or residential use.
- 22. Staff Required Plot Plan Conditions: Revise the submitted plot plan such that the plan provided for building permit plan check incorporates the following changes:
  - a. Required 10-foot right-of-way dedication along Van Buren Boulevard;
  - b. Minimum 15-foot wide landscape shall be provided along Van Buren Boulevard;
  - c. 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;
  - d. Provision for handicap accessible parking as deemed necessary by Building and Safety Division;
  - e. Provision for screening any ground mounted equipment to the satisfaction of Design Review Staff.
- 23. Staff Required Building Elevations Conditions for Les Schwab: Revise the submitted building elevations such that the plans provided for building permit plan check incorporate the following changes:
  - a. Catalog cuts of the decorative sconce lighting and steel canopies shall be submitted for review and approval of Design Review staff; and
  - b. The building elevations submitted for building permits shall clearly specify all building materials and colors to match the materials and colors as approved by the City Planning Commission as applicable.

24. Add details for the enhancement of the proposed trash and recycle enclosure to include colors and materials as those proposed for the vehicle repair facility and a decorative overhead trellis subject to Planning Division staff approval and in accordance with the City's trash enclosure policies and standard drawings (available at the Planning Division) as follows:

#### REQUIRED TRASH AND RECYCLE ENCLOSURE MATERIALS FOR LES SCHWAB:

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

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

26. 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 Candice Assadzadeh at (951) 826-5667 to schedule the final inspection at least one week prior to needing the release of utilities. Additional plant material may be required upon final inspection if better coverage is needed.

#### **Operational Conditions:**

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

- 29. 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.
- 30. 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.
- 31. Provisions shall be made for regular on-site maintenance and clean-up of the property.

#### Public Works

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

- 32. Deed for widening Van Buren Boulevard to 60-feet from monument centerline to Public Works specifications.
- 33. The project shall be responsible for the design and construction of all necessary signal and street modifications to accommodate the fourth leg of the intersection (project access driveway) and changes to the signal operation.
- 34. Storm Drain construction will be contingent on engineer's drainage study. Project shall be required to contain incremental storm water flow. Project shall not concentrate drainage onto adjacent properties.
- 35. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to building permit issuance.
- 36. Off-site improvement plans to be approved by Public Works prior to permit issuance.
- 37. Cash payment for the cost of future Van Buren Boulevard street widening improvements prior to case finalization.
- 38. Installation of approximately 900 lineal feet of sewer main to serve this project to Public Works specifications. Construction of sewer main will require acquisition of a 20' Sewer Easement from easterly adjacent property owner. Easement acquisition to be secured prior to issuance of any Public Works permits.
- 39. Size, number and location of driveways to Public Works specifications.
- 40. ADVISORY Project site is currently configured as 1 Parcel. Any future subdivision will require a Parcel Map.
- 41. Prior to final inspection for the development project, the applicant shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of payment. If the project improvements include qualifying right-of-way dedications and/or street improvements to a TUMF regional arterial roadway as identified on the Regional System of Highways and Arterials, the developer may have the option to enter into a Credit/ Reimbursement Agreement with the City and Western Riverside Council of Governments (WRCOG) to recover costs for such work based on unit costs as determined by WRCOG.
  - a. The terms of the agreement shall be in accordance with the RMC Chapter 16.68 and the TUMF Administrative Plan requirements. Credit/reimbursement agreements must be fully executed

prior to receiving any credit/reimbursement. An appraisal is required for credit/reimbursement of right of way dedications and credit/reimbursement of qualifying improvements requires the public bidding and payment of prevailing wages in accordance with State Law. For further assistance, please contact the Public Works Department.

- 42. Prior to issuance of a building or grading permit, the applicant shall submit to the City for review and approval, a project-specific WQMP that:
  - a. Addresses Site Design BMP's such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas and conserving natural areas;
  - b. Incorporates the applicable Source Control BMP's as described in the Santa Ana River Region WQMP and provides a detailed description of their implementation;
  - c. Incorporates Treatment Control BMP's as described in the Santa Ana River Region WQMP and provides information regarding design considerations;
  - d. Describes the long-term operation and maintenance requirements for BMP's requiring long-term maintenance; and
  - e. Describes the mechanism for funding the long-term operation and maintenance of the BMP's requiring long-term maintenance.
- 43. Prior to issuance of any building or grading permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument acceptable to the City Attorney to inform future property owners of the requirement to implement the approved projectspecific WQMP. Other alternative instruments for requiring implementation of the approved projectspecific WQMP include: requiring the implementation of the project-specific WQMP in the Home Owners Association or Property Owners Association Conditions, Covenants and Restrictions (C,C&R's); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the project-specific WQMP; or equivalent may also be considered. Alternative instruments must be approved by the City prior to the issuance of any building or grading permits.
- 44. If the project will cause land disturbance of one acre or more, it must comply with the statewide General Permit for Storm Water Discharges Associated with Construction Activity. The project applicant shall cause the approved final project-specific WQMP to be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.
- 45. Prior to building or grading permit closeout or the issuance of a certificate of occupancy or certificate of use, the applicant shall:
  - a. Demonstrate that all structural BMP's described in the project-specific WQMP have been constructed and installed in conformance with approved plans and specifications;
  - b. Demonstrate that applicant is prepared to implement all non-structural BMP's described in the approved project-specific WQMP; and
  - c. Demonstrate that an adequate number of copies of the approved project-specific WQMP are available for the future owners/ occupants.

#### Fire Department

CONTACT MARGARET ALBANESE AT 951-826-5455 FOR QUESTIONS REGARDING FIRE CONDITIONS OR CORRECTIONS.

THE FOLLOWING TO BE MET PRIOR TO CONSTRUCTION PERMIT ISSUANCE:

- 46. All required fire hydrants shall be in service and fire flow available prior to building permit release by the Fire Department. Violation of this requirement may result in citations that require a court appearance to be issued.
- 47. Any required public fire hydrants shall be spaced a maximum of 350 feet. With the median, the fire hydrants on the opposite side of Van Buren do not serve this project.
- 48. An automatic fire sprinkler system is required by City Ordinance 16.32.076. Under separate cover, submit plans for the automatic fire sprinkler system(s) and obtain approval from the Fire Department prior to installation. Systems exceeding 20 sprinkler heads shall be provided with supervisory service and shall be monitored by an approved facility. Post Indicator valves, Detector Check control valves and water flow switches are required to be central station monitored. Have alarm contractor submit plans and obtain approvals prior to installation. Alarm contractor shall provide a copy of a maintenance contract complying with N.F.P.A. 72.
- 49. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
- 50. Construction plans shall be submitted and permitted prior to construction.
- 51. Fire Department access is required to be maintained during all phases of construction.

#### • Public Utilities – Electric

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

- 52. 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.
- 53. 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.

#### Public Utilities – Water

- 54. A Custom Agreement is required; please contact your plan checker for details. Please submit a copy of the Grant Deed in order to facilitate processing.
- 55. Advisory: Water utility provisions to the specifications of the Western Municipal Water District of Riverside County.

#### • Park and Recreation

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

#### Standard Conditions

#### • Planning

- 57. 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.
- 58. 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.
- 59. 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.
- 60. 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.
- 61. 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.
- 62. 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.
- 63. 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.
- 64. 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.

- 65. 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.
- 66. Failure to abide by all conditions of this permit shall be cause for revocation.
- 67. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
- 68. 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.
- 69. 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.
- 70. 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.
- 71. 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.

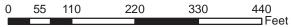


Exhibit 3 - P15-0075, P15-0076 & P15-0819, Aerial Photograph

<sup>0 55 110 220 330 440</sup> Feet



Exhibit 4 - P15-0075, P15-0076 & P15-0819, General Plan Map



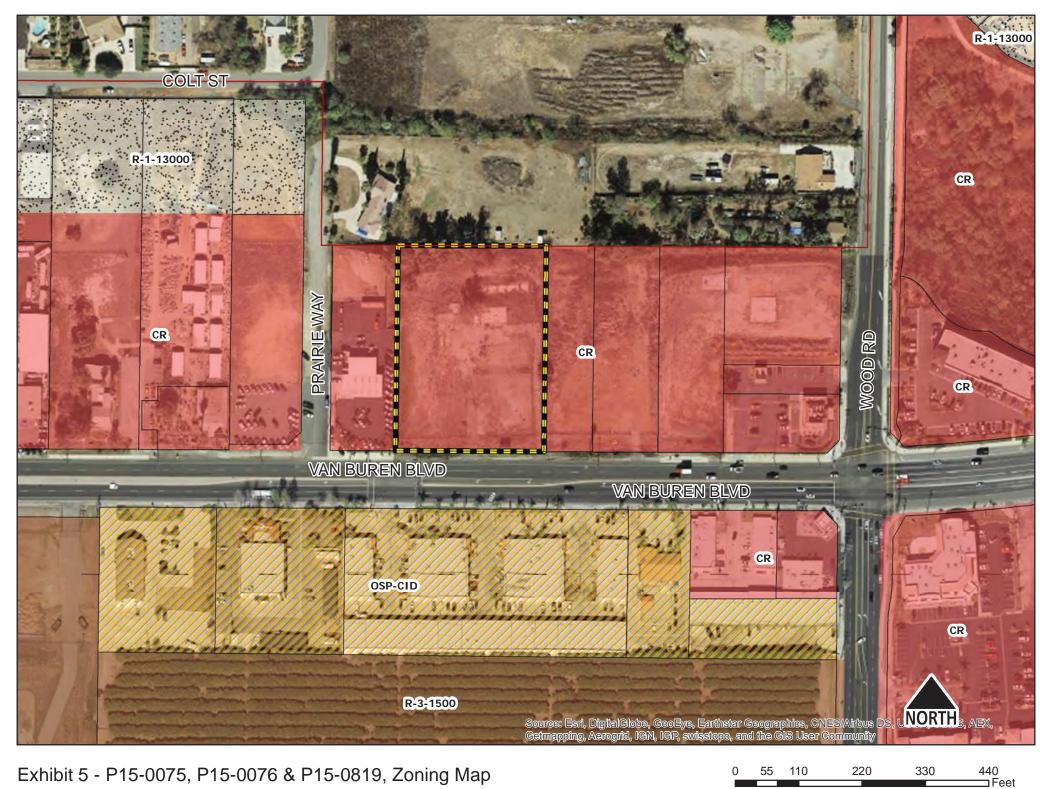


Exhibit 5 - P15-0075, P15-0076 & P15-0819, Zoning Map

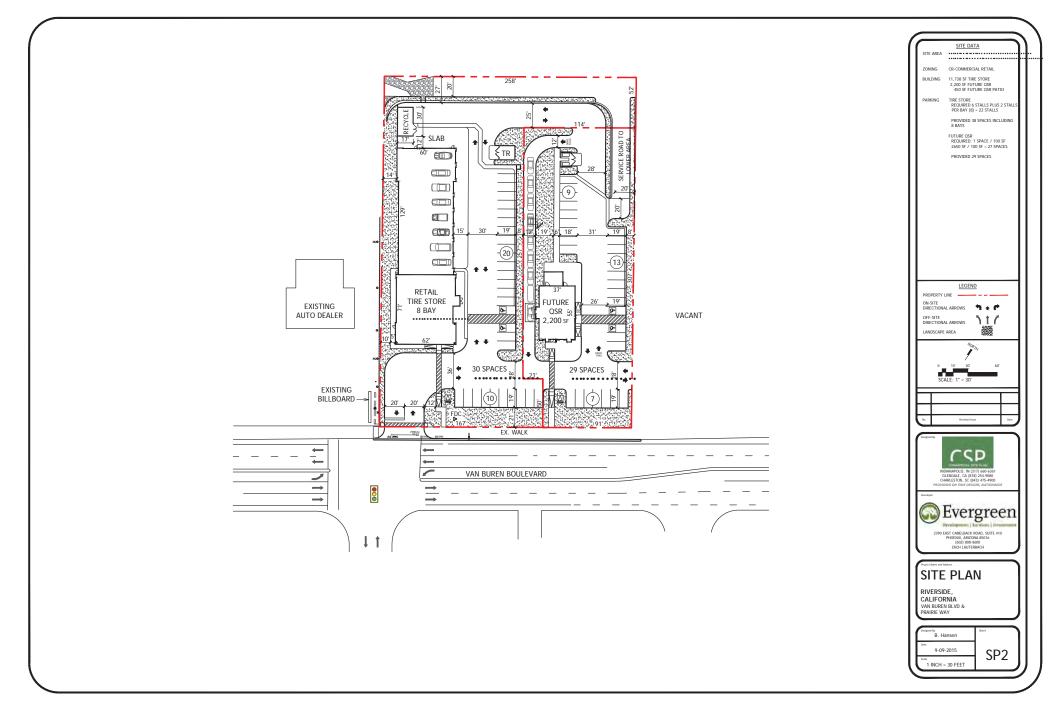


Exhibit 6 - P15-0075, P15-0076 & P15-0819, Site Plan

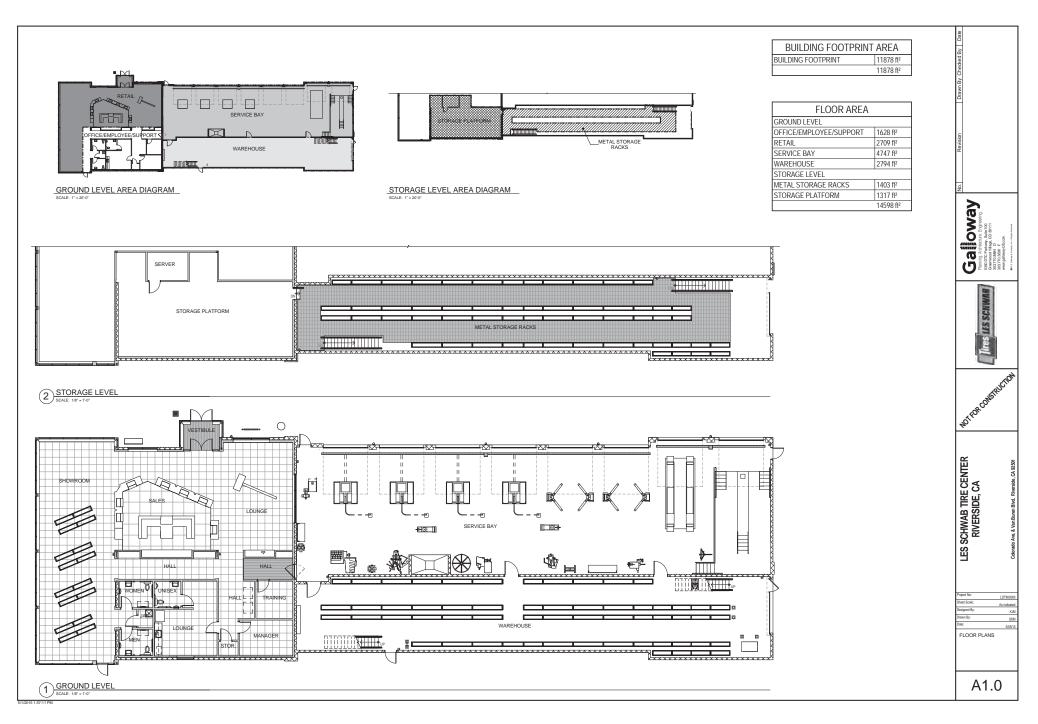


Exhibit 7 - P15-0075, P15-0076 & P15-0819, Les Schwab Floor Plan



Exhibit 8 - P15-0075, P15-0076 & P15-0819, Les Schwab Elevations

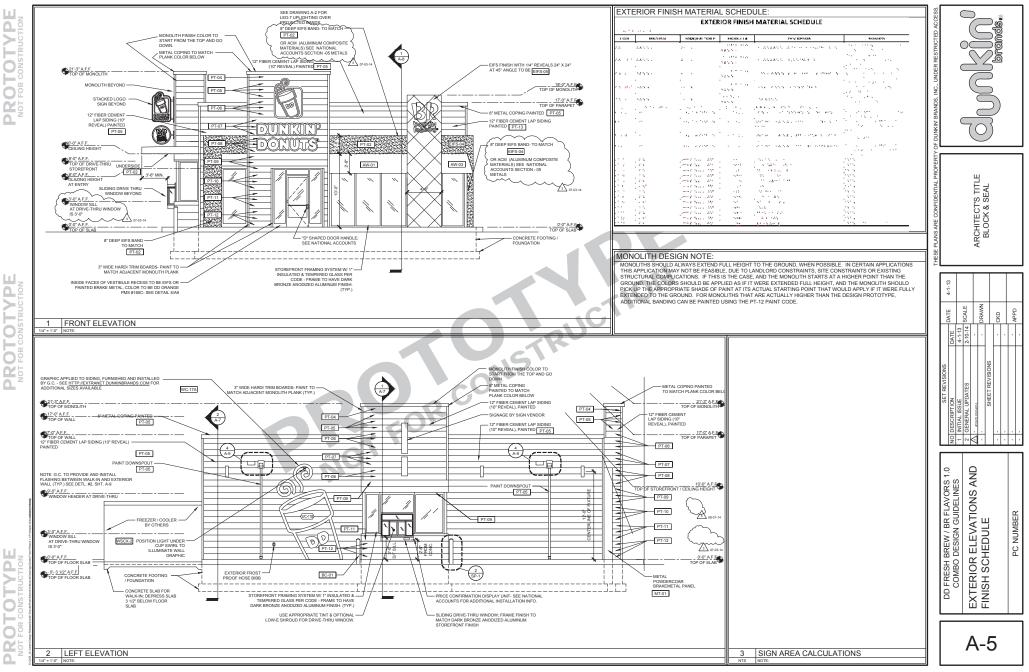
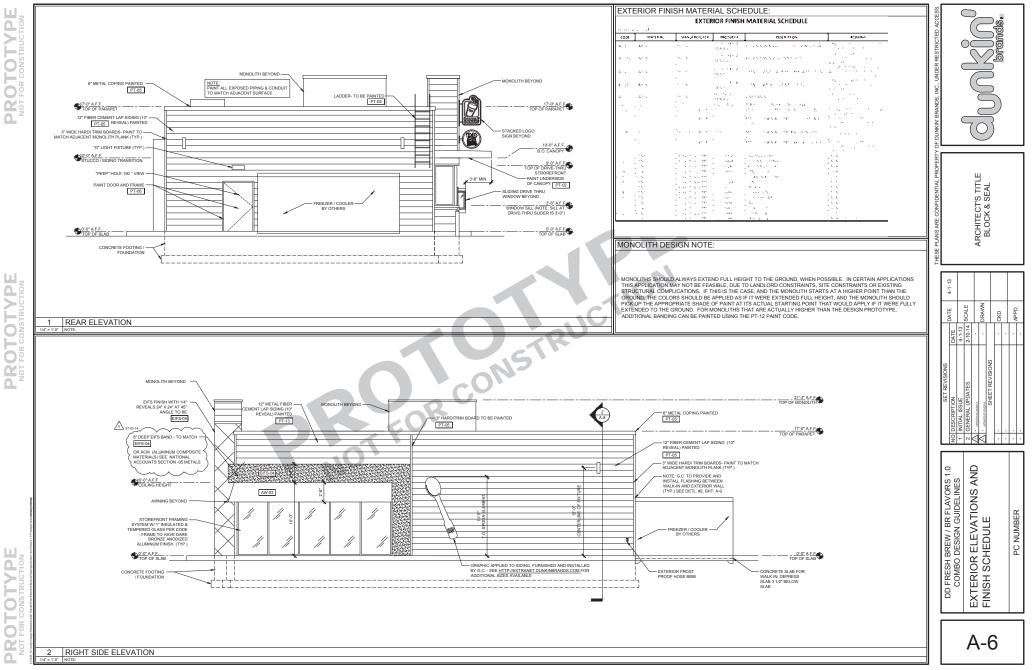


Exhibit 9 - P15-0075, P15-0076 & P15-0819, Dunkin Donuts Elevations



# Exhibit 9 - P15-0075, P15-0076 & P15-0819, Dunkin Donuts Elevations

PROTOTYPE NOT FOR CONSTRUCTION

PROTOT NOT FOR CONSTRL

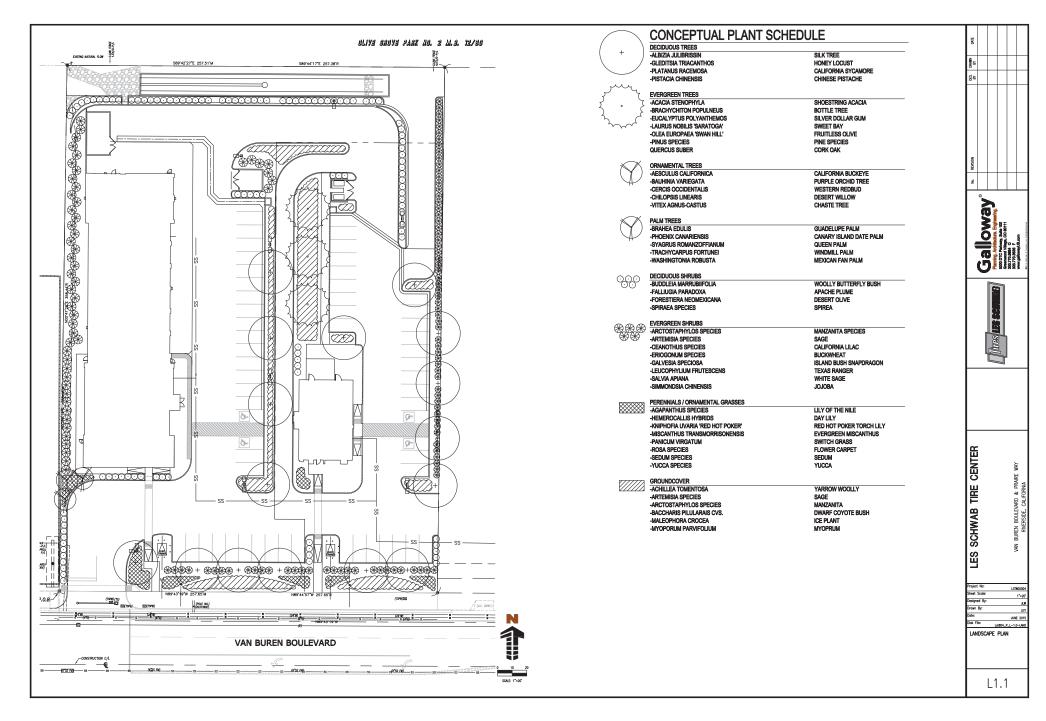
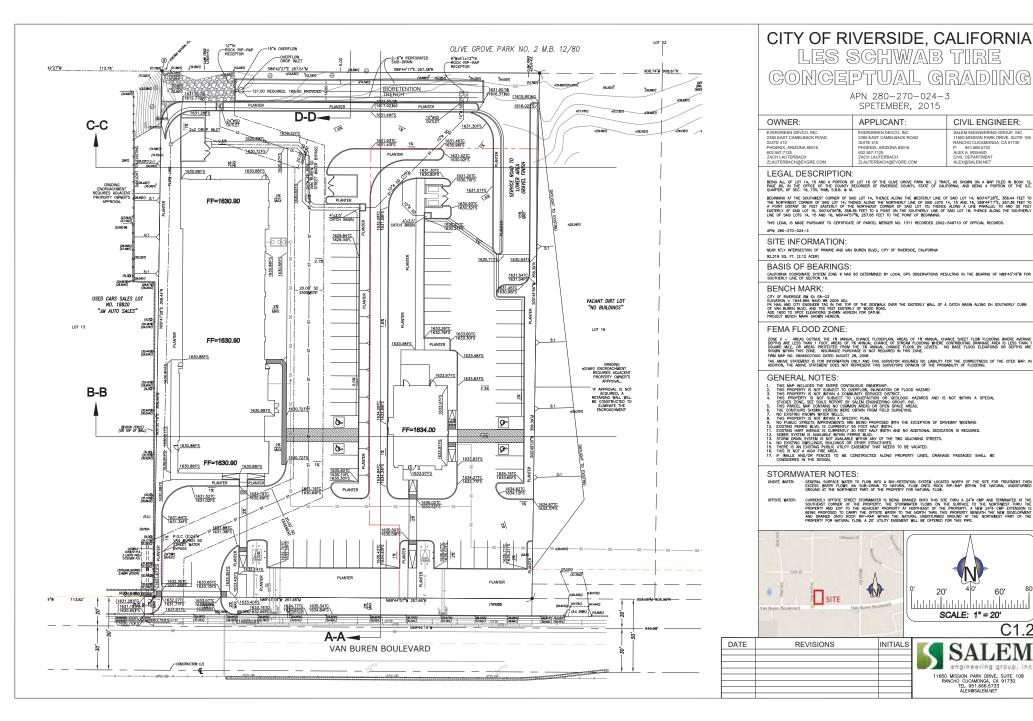


Exhibit 10 - P15-0075, P15-0076 & P15-0819, Conceptual Landscape Plan



CIVIL ENGINEER:

SALEM ENGINEERING GROUP, INC. 11650 MISSION PARK DRIVE, SUITE RANCHO CUCAMONGA, CA 91730

951.666.5733

WITHIN A SPECIA

40

SCALE: 1" = 20'

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

60'

C1.2

20'

ALEX A. IRSHAID CIVIL DEPARTMEN ALEX@SALEM.NE

Exhibit 11 - P15-0075, P15-0076 & P15-0819, Conceptual Grading Plan

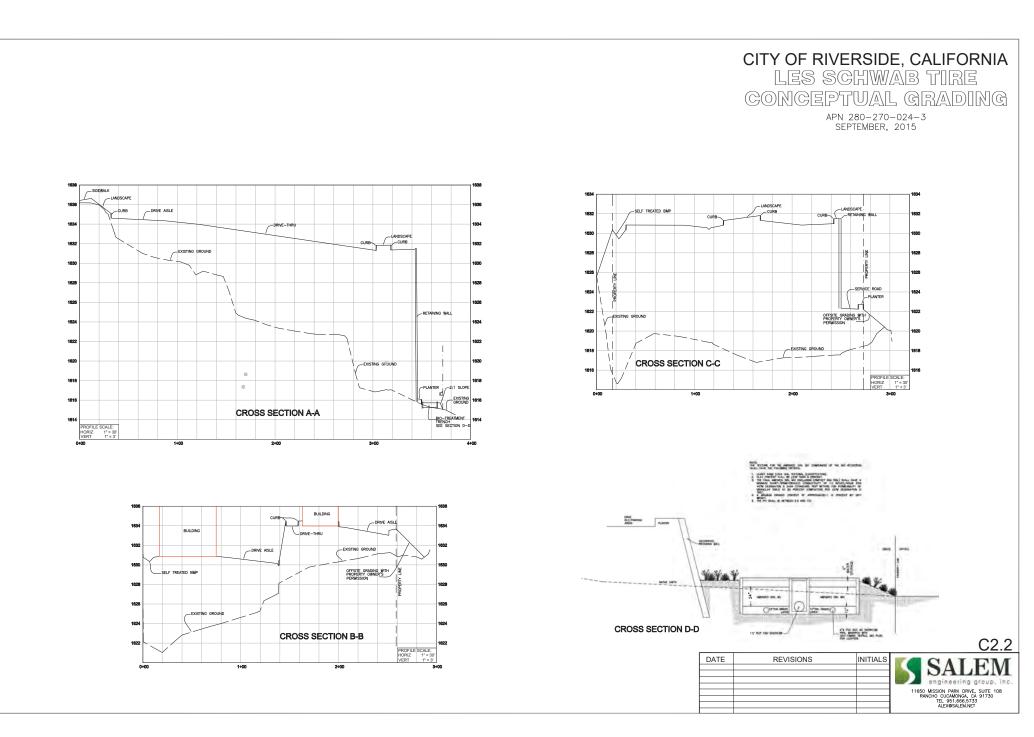


Exhibit 11 - P15-0075, P15-0076 & P15-0819, Conceptual Grading Plan



View of the subject site, looking westerly.



View of the subject site, looking northwesterly.



View of the subject site, looking northerly.



View of the subject site, looking southerly towards Van Buren Boulevard.



CHAIR

Simon Housman

VICE CHAIRMAN

COMMISSIONERS

**Arthur Butler** Riverside

**Glen Holmes** 

John Lyon

**Greg Pettis** Cathedral City

**Steve Manos** 

Riverside

Hemet

**Rod Ballance** Riverside

Rancho Mirage

May 18, 2015

3900 Main Street. Third Floor

Related File No.:

Riverside CA 92522

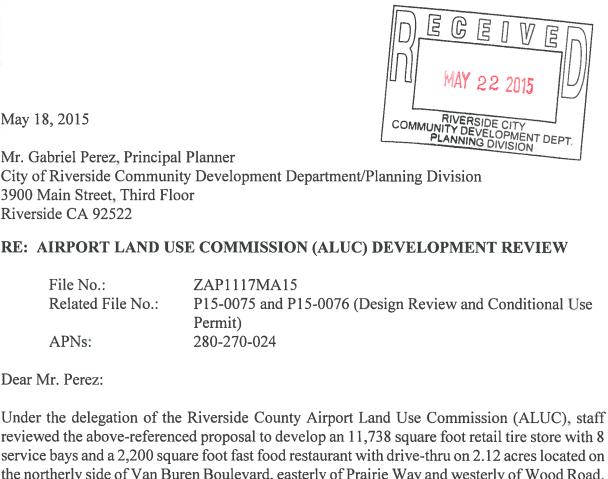
File No.:

APNs:

Dear Mr. Perez:

is not restricted.

# AIRPORT LAND USE COMMISSION **RIVERSIDE COUNTY**



Lake Elsinore service bays and a 2,200 square foot fast food restaurant with drive-thru on 2.12 acres located on the northerly side of Van Buren Boulevard, easterly of Prairie Way and westerly of Wood Road, in the community of Orangecrest within the City of Riverside. STAFF

Director Ed Cooper

John Guerin Russell Brady Barbara Santos

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

www.rcaluc.org

The elevation of Runway 14-32 at March Air Reserve Base/Inland Port Airport at its northerly terminus is approximately 1,535 feet above mean sea level (1535 feet AMSL). At a distance of approximately 18,560 feet from the runway to the property line, any structures at this location with an elevation exceeding 1,720 feet AMSL would require Federal Aviation Administration (FAA) obstruction evaluation review. The site elevation does not exceed 1,640 feet AMSL, and the proposed buildings will not exceed 40 feet in height. Therefore, FAA review for height/elevation reasons is not required.

The site is located within Airport Compatibility Zone D of the March Air Reserve Base/Inland

Port Airport Influence Area (AIA). Within Compatibility Zone D in this AIA, land use intensity

As ALUC Director, I hereby find the above-referenced project **CONSISTENT** with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, subject to the following conditions:

# **CONDITIONS:**

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

Exhibit 13 - P15-0075, P15-0076 & P15-0819, ALUC Correspondence

## **AIRPORT LAND USE COMMISSION**

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

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

## AIRPORT LAND USE COMMISSION

Sincerely, RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Edward C. Cooper, Director

RB:bks

Attachments: Notice of Airport in Vicinity

cc: Zach Lauterbach, Evergreen Devco, Inc. (Phoenix office) (representative) Evergreen Devco, Inc. (Glendale CA office) (payee) Richard, Arthur, and Jeffrey Goodman, c/o Stradling Yocca (landowner) Gary Gosliga, Airport Manager, March Inland Port Airport Authority Denise Hauser or Sonia Pierce, March Air Reserve Base ALUC Case File

Y:\AIRPORT CASE FILES\March\ZAP1117MA15\ZAP1117MA15.LTR.doc