

# **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: FEBRUARY 18, 2016 AGENDA ITEM NO.: 2

# **PROPOSED PROJECT**

Case Numbers	P15-1030 (Conditional Use Permit)				
Request	A Conditional Use Permit to establish a veterinary clinic in an existing 6,058 square foot commercial building.				
Applicant	Andrew Lemmer, TerWisscha Cor	nstruction, Inc.			
Project Location	4375 Van Buren Boulevard				
APN	191-240-042	BUREN BLVD			
Project area	0.81-acre	HST PAR			
Ward	5	G <sup>51</sup>			
Neighborhood	Arlington				
Specific Plan	None				
General Plan Designation	C - Commercial	CHALEN ANE E			
Zoning Designation	CR-S-1-X – Commercial Retail, 1 story maximum building height, and six foot (6') building setback along the southern property line.	Ball Role PL Ball Ball Ball Ball Ball Ball Ball Bal			
Staff Planner	Sean P. Kelleher, Associate Planner, 951-826-5712; SKelleher@riversideca.gov				

# RECOMMENDATIONS

Staff Recommends that the City Planning Commission:

- 1. RECOMMEND that the City Council DETERMINE that Planning Case P15-1030 (Conditional Use Permit) is categorically exempt from the provisions of the California Environmental Quality Act per Section 15301 (Existing Facilities) of the CEQA Guidelines.
- 2. RECOMMEND APPROVAL of Planning Case Number: P15-1030 (Conditional Use Permit), based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions.

#### SITE BACKGROUND

The 0.81-acre property, property is currently developed with a 6,058 square foot commercial building and associated parking and landscaping improvements. The site was most recent utilized as a pool sales and supply store.

#### PROPOSAL

The applicant is requesting approval of a Conditional Use Permit to establish a veterinary clinic. The veterinary clinic will be the only use on-site and will provide the following services: general care, vaccinations, check-ups, and reproduction services, grooming, and incidental retail. The business hours of operation are Monday through Friday from 8:00 AM to 7:00 PM and Saturday and Sunday from 8:00 AM to 5:00 PM. No modifications to the property are proposed as part of this request, aside from new landscaping is adjacent to Van Buren Boulevard frontage.

### PROJECT ANALYSIS

Authorization and Compliance Summary						
	N/A	Consistent	Inconsistent			
<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 continued commercial use and upgrading of a developed commercial property within the City.		V				
<i>Specific Plan</i> The project site is not located within a Specific Plan.	$\checkmark$					
<i>Zoning Code Land Use Consistency (Title 19)</i> The underlying CR-Commercial Retail Zone is consistent with the C-Commercial General Plan land use designation. Proposed Veterinary Services are subject to 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.						
<i>Compliance with Development Standards</i> The underlying base zone CR-Commercial Retail allows for Veterinary Services. Chapter 19.430 established development standards for Veterinary Services. As is demonstrated in the table below, the project is consistent with all applicable development standards.		V				

### COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Standard			Proposed/Existing	Consistent	Inconsistent
Min. Parking	Veterinary Services (clinic and hospital, may include accessory grooming and boarding) 1 space/180 square feet of floor area	34	49		

Chapter 19.430 Veterinary Services, requires that the building space be adequately soundproofed that no noise carry beyond the space the use occupies and that the facility is designed to meet the standards of Title 7 "Noise Control". An Acoustical Analysis was prepared for the project by Eilar Associates, Inc. The findings of the analysis indicated that 40.2 dBA is the highest decibel level that will be received by an adjacent property. The receiving property is zoned Single-family Residential (R-1-7,000) which has a maximum night time noise level of 45 dBA and a maximum day time noise level of 55 dBA. Therefore, the project has been designed to meet the standards of Title 7 "Noise Control".

#### ENVIRONMENTAL REVIEW

This proposal is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15301, as the project constitutes an existing facility.

#### NEIGHBORHOOD COMPATIBILITY

The project site is located within the Arlington Neighborhood along Van Buren Boulevard. The property was rezoned from R-1 65 to C-2-S-1-X (now designated as CR-S-1-X – Commercial Retail in January 1984. The site has both a single story building height zoning overlay and a setback overlay of 6' from the southerly property line. These overlays were implemented to maintain compatibility of a commercial use with the adjacent residential uses. The residential uses to the south and east have existed since the site was developed. Furthermore, the proposed use is consistent with noise standards in the municipal code.

#### PUBLIC NOTICE AND COMMENTS

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

#### APPEAL INFORMATION

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

# **EXHIBITS LIST**

- 1. Findings
- 2. Staff Recommended Conditions of Approval
- 3. Aerial Photo/Location
- 4. General Plan Map
- 5. Zoning Map
- 6. Project Plans

Report and Recommendations Prepared by: Report and Recommendations Reviewed by: Report and Recommendations Approved by: Sean P. Kelleher, Associate Planner Ted White, City Planner Rafael Guzman, Community Development Director



PLANNING DIVISION

# EXHIBIT 1 – FINDINGS

PLANNING CASES: P15-1030 (Conditional Use Permit)

#### Conditional Use Permit Findings pursuant to Chapter 19.760.040

- A. The proposed Veterinary Clinic 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 Veterinary Clinic use will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area, with implementation of the recommended conditions of approval;
- C. The proposed Veterinary Clinic 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.



PLANNING DIVISION

# EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

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

#### PLANNING CASES: P15-1030 (Conditional Use Permit)

#### Case Specific

- Planning
- 1. The Veterinary Clinic 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.
- 2. The applicant is advised that the business or use for which this conditional use permit is granted cannot be legally conducted on the subject property until all conditions of approval have been met to the satisfaction of the Planning Division.

#### Operational Conditions

- 3. The applicant shall be responsible for maintaining free of litter, the area adjacent to the premises over which they have control.
- 4. 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.
- 5. Provisions shall be made for regular on-site maintenance and clean-up of the property.

#### Prior to Building Permit Issuance

- 6. Staff Required Plot Plan Conditions: Revise the submitted plot plan such that the plan provided for building permit plan check incorporates the following changes:
  - a. A minimum 12-inch concrete walkway, including curb width, shall be provided along the sides of landscape planters whenever the side of a parking stall is adjacent to it;
  - b. Provision for handicap accessible parking as deemed necessary by Building and Safety Division;
  - c. Provision for screening any ground-mounted equipment to the satisfaction of Planning Staff;

d. Provision for wheel stops where parking spaces are adjacent to pedestrian walkways, screen walls or building walls;

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

7. 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 the Planning Division to schedule the final inspection at least one week prior to needing the release of utilities. Additional plant material may be required upon final inspection if better coverage is needed.

#### Standard Conditions

- 8. There is a 24-month time limit on this approval, which begins following City Council approval of this case.
- 9. 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.
- 10. The Project must be completed per the Conditional Use Permit 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.
- 11. 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.
- 12. 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.
- 13. 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.
- 14. 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.

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

Contact Guy Tanaka at gtanaka@riversideca.gov or 951-351-6313 for questions regarding street tree conditions or corrections.

22. Street Trees required: 24" box size; species and quantity to be determined prior to installation of new landscaping. Deep root irrigation required.

#### • 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:

- 23. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
- 24. Construction plans shall be submitted and permitted prior to construction.

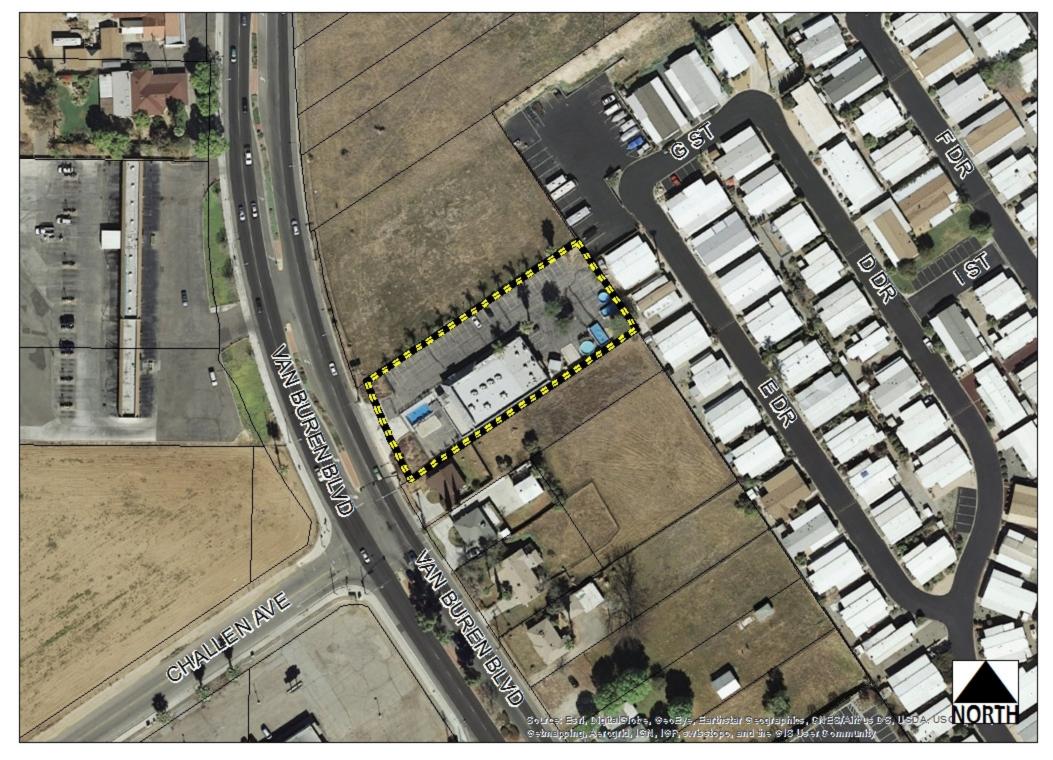




Exhibit 4 – P15-1030, Zoning Map

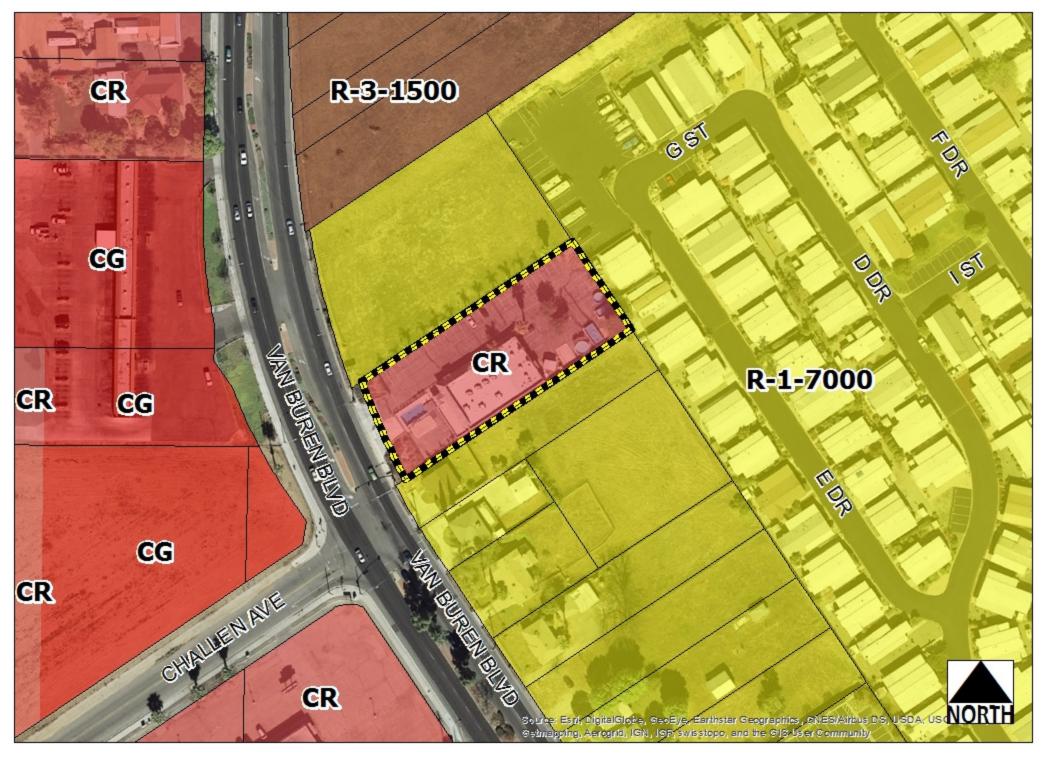


Exhibit 5 -- P15-1030, General Plan Map

#### Legal Description:

POSTAL ADDRESS: 4375 Van Buren Boulevard Riverside California, 92503 Legal Description; Long Version can found within the "Grant Deed

#### Authority Having Jurisdiction:

City of Riverside California: Community Development Department and Planning and Zoning Department: 3900 Main Street Riverside, CA 92522 (951) 826-5311

#### County of Riverside California: Community Development Department

and Planning and Zoning Department: 3900 Main Street Riverside, CA 92522 (951) 826-5311

#### **Zoning Information:**

#### Current Zoning:

Commercial Retail Zone (CR); intended for a broad range of indoor oriented retail sales and services, and officeuse as ether stand-alone or as part of commercial centers or office developments.

#### **Occupancy & Parking Information:**

Per Division 1, Veterinary Services: Chapter 19.430

One (1) Parking Space Required per every 180 Square Feet of Occupied Area 6,058 Groos SF Total / 180 SF per Parking Space = 33,6 or 34 TOTAL Parking Spaces Required 34 Parking Spaces Required

47 Parking Spaces (9'-0" x 18'-0") Provided

2 H.C. Spaces (Van Accessable) Provided

2 Non-Conforming Spaces, not included in total

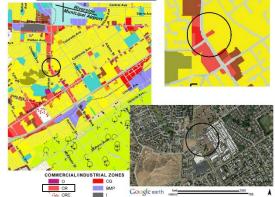
PHASE I AREA:= 3,008 SQUARE FEETPHASE II AREA:= 3,050 SQUARE FEETTOTAL AREA:= 6,058 SQUARE FEET

/ 100 Gross SF = 31 Occupancts (to be "Built-Out" in the future)

/ 100 Gross SF = 30 Occupants

OCCUPANCY LOAD CALCULATIUON FOR OCCUPANCY 'B' Occupancy: Business Area Utility / Storage: Assecory Storage & Mechanical Euipment Room 300 Gross Square Feet of Floor Area 300 Gross Square Feet of Floor Area

#### Zoning Diagram:





Conditional Use Permit Submittal

Veterinary Specialist of Riverside

4375 Van Buren Blvd. Riverside, CA 92503

# Aerial / Vicinity Map:

1" = 3 miles

### **Project Description:**

The project we propose before you is an 'adaptive reuse' as it would relate to the change of use, of an existing building, approximately 6000 SF in size and is currently a retail business providing pools and pools accessories. We are proposing this existing property be cleaned of all debris, the removal of previous tenants remaining merchandise and barriers that are no longer applicable or needed to support the proposed business daily operations. The site will meet or exceed all City standards, as currently described within the City's Code of Ordnances. The site is currently zoned Commercial Retail (CR), the interded use is to be a "Veterinary Services" business and will conform to the specific use of Veterinary Services, Chapter 19/40.

It is our intentions to provide a well maintained, attractive commercial business providing its services to its community, hence providing additional revenues to the City. While improving the overall commercial nature of this area, additional Jobs are created, helping to promote cultural and financial stimulation to the local economy and can become a financially successful commercial business, providing general and specialized veterinary services. We ask the Planning Commission and ultimately the City Council to review and consider this submital for approval.

Regarding the existing building and sounding site, we are to clean, repair and repain the existing building trim the same color, improving the exterior appearance as well the entire site. We will be re-servinging the existing parking lot, including removing and in-filling any below grade pools, replacing and repairing the existing asphalt parking lot and drive access, re-coating of the entire parking lot. The landscaping materials, including all existing rock mulch ground cover, along with the existing landscape planting areas will be maintained, pruned / trimmed will be maintained and irrigated per City approved schedules.

The interior of the existing building is to be renovated with the intended use being a veterinary clinic, providing small animal care and specialty services. The primary intended services of the business are to provide general medical care, vaccinations, check-ups, reproduction of selective 'Show', 'Field & 'Police' Military' trained dogs, small item retail, as well as grounding services.

The Proposed Tenant Finish work for the veterianry services will be completed in Two (2) Phases. Phase One (1) will be the Tenant Improvements or "Build-Out" of approximately one-half of the total leasable square feet for the proposed clinic space to open for business. If the business does find the need to expand the current clinic size, the remaining leasable space will be completed or "Built-Out" at that time. It is our intentions to have the veterinary facility as a single tenant with the ability to expand without ever increasing the existing buildings size.

The proposed veterinary use is substantially compatible with the other existing uses in the area, specifically regarding the nature of its location, hours of operation, and the existing traffic patterns and volume. The proposed project location is intended to re-occupy an existing building that has been under-utilized for some time. The hours of operation are intended to be consistent will neighboring businesses and convenient for its potential customers, that being Monday through Friday between 8:00am and 7:00pm with Saturday hours anticipated to between 8:00am and 5:00pm. Hours of operation for Sundays will be early morning and late alternoon, between the hours of 8:00 am and 5:00p m, by appointment or for emergences only. Al design, ecocurrents arc, scata proceed date i version te experience of the state of the scata and the scata and

changel or disclosed in any form without writer consent. Ter Wascha Construction indehal not be responsible for any allerations or revisions model by anyone dher than employees Ter Wescha Construction Inc. © Ter Wischs Construction Inc.

#### Project Team:

Design/Builder: TerWisscha Construction, Inc. 1550 Willmar Avenue S.E. Willmar, NN 56201 Phr: (320) 235-1664 Fx: (320) 235-3137 Design Contact: Andrew Lemmer Email: alemmer@twoinc.com

#### Acoustical Consultant:

Eilar Associates, Inc. Acoustical & Environmental Consulting 2120 South Juniper Street, Suite 100 Escondido, CA 92025 Ph: (760) 738-5570 Fx: (760) 738-5227

Landscape Architect: Phil May Landscape Architect 1937 West 8th Street Upland, CA 91786 Ph: (909) 373-1959 Fx: (909) 373-1958

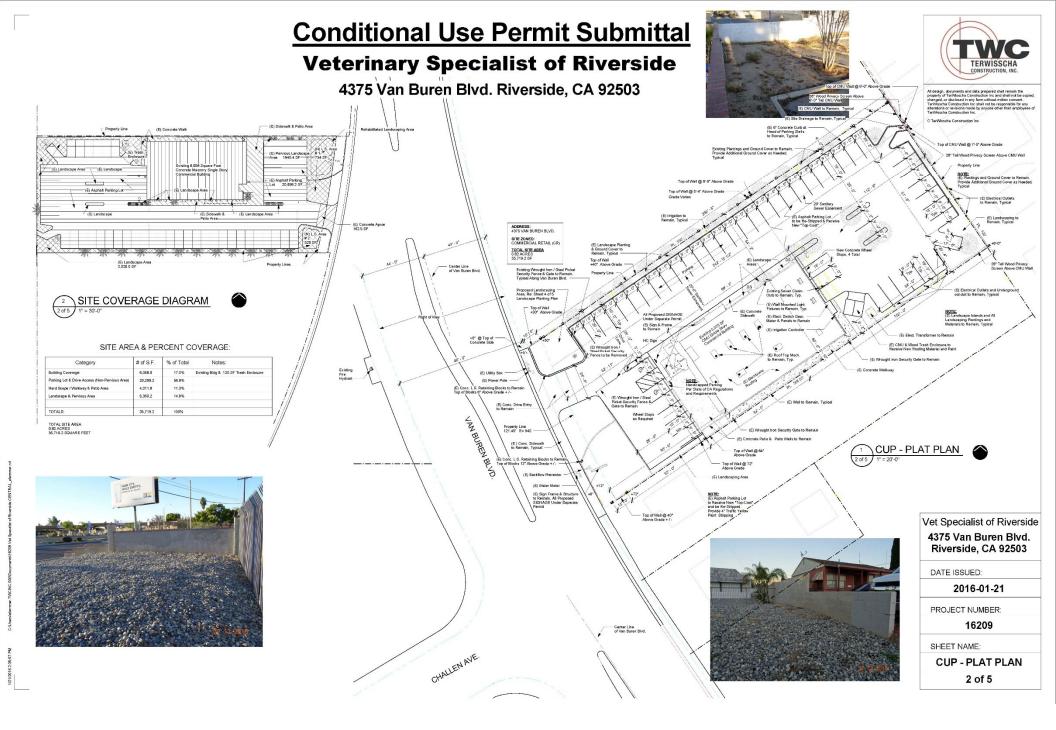
Owner: Secard Trust and Kidder Trust 9292 Ninth Street Rancho Cucamonga, CA 91730

Tenant: Animal Specialist of Riverside 4655 Ridge Point Way Riverside, CA 92509



Aerial / Vicinity Map:

#### Vet Specialist of Riverside 4375 Van Buren Blvd. Riverside, CA 92503 Issue Date: 2016-01-21 Project Number: 16209 Sheet Name: Cover Sheet 1 of 5



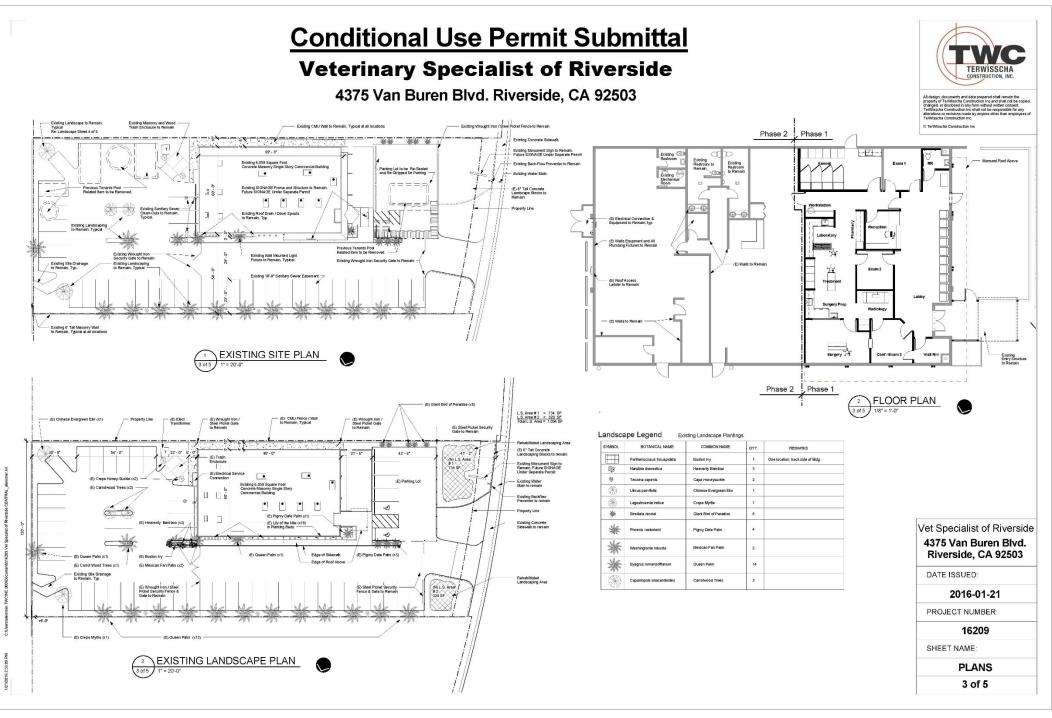


Exhibit 6 - P15-1030, Project Plans

# **Veterinary Specialist of Riverside**

4375 Van Buren Blvd. Riverside, CA 92503

#### PLANTING NOTES

- Contrative is to review pipes, werry while conditions and plant quantities prior to installation. Contractor real take a dev responsibility for any cost incurred due to damage of existing allites. North restantial quantities are initialed for the conversions of the Contractor. Actual number of symbols and have softenty over quantity designed. Confide between to Owner and thate subs or which there appear and to Bower(it is she takening or in the consequence) which the owner and share subs or which there appear and to Bower(it is she takening or in the consequence) whether the Owner and share substantiation of the consequence of the substantiation of the Longeon Architec. In Gener and share substantiation.
- The Contractor shall meintain a qualified supervisor on the site at all times during construction through completion of pick-to work.
- 3. The Contractor shall receive sits graded within 0.10 feot of finish grade. Commensament of work indicates Contractor's acceptance of existing grades and conditions, final grades shall be adjusted by Contractor a directed by Owner's representative. All grading and be completed pilor to commensaments of pilority gradina.
- The Contractor shall furnish and pay for all container grown trees, shrubs, vines, seeded/soubled turf, hydromuidhes, and fathed groundscures. The Contractor shall class be responsible for and pay for planting, staking, and guarantee of all plant materias. See planting cetchs for planning and staking/guiying requirements.
- 5. The Londscape Architect and/or Owner shall approve plant material placement by Contractor prior to installation
- Fortilizer for all own areas shall be a slow-release, high-hitrogen fortilizer incorporated into the soil during planting.
- For creas to be landscoped and irrigetax, the following amanements shall be uniformly broadcast and therough y Incorporated 5<sup>4</sup> deep by means of a reduline or equil. Amanue, rel 1240 securit feel. 4 a., yets, intropen statilized organic pampost 50 points organization (geta.m)

MULCH INSTALLATION After all planting and irrigation operations are completa, lower all exposed andacape creas with 3" lower of SPEC Mulch as made by Recycled Wood Products (877-476-9797), or equa

ROOTBA\_

ROOTEAL.

NOTE: PUDDLE AND SETTLE BACKFILL PRIOR TO SETTING BUD IS ROUGHEN SIDES OF

SHRUB PLANTING DETAIL

TREE PLANTING DETAIL

2

3" MULCH LAMER OR SEE FLAN FOR OTHER SPECIFY

FINISH GRADE-

2" SHALLOWER THAN ROOTBALL

UNDISTURBED SOIL

(1)

CROWN TO BE 1 ABOVE ADJACENT GRADE

ENISH GRADE

ROOTBALL

UNDISTURBED SOIL

(2)

SECTION VIEW

- Note: For areas with a slape condition >4:1 slape; a 1° thick layer of composit shall be uniformly bracecast over planting cross on sope.
- The planting areas for trees shall be dug three times the diameter of the root ball and two inches shallower than the rookul. The planting plant be dug in the center of the tited area, shall be avoide any, and two inches wholever then, the nathed, "andring pits for structs and perennicis and be dug twice as wide and an-and times as deep as the rootball.
- The Landscape Contractor shall maintein all planted areas shown on the plans, including (out not limited to) watering, proming, edging, and mowing, for a period of thirty (30) days after consoletion of project and acceptance by Owner.
- The Landscape Contractor shall warranily and replace any plant indexial that shows signs of ack of vigor or other unhealthful appearance within rinety (30) days of completion at contract. Trees that have been topped an otherwis improperty printed by the Contractor shall be removed and replaced by the Contractor at no cast to the Cener. a tim at

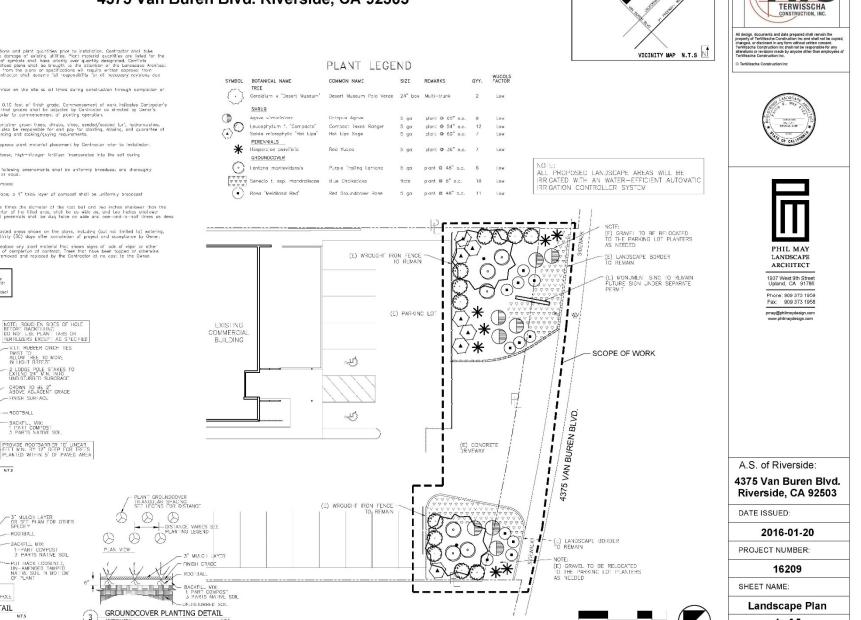
- ROOTBALL

ROOTBALL

NTS

EO F

BACKFILL MIX:



ARLINGTON AVE STE

0'

10'

20' 25' 30

4 of 5

# Exhibit 6 - P15-1030, Project Plans

SECTION VIEW

N.T.S

