

## 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: JANUARY 21, 2016

AGENDA ITEM NO.: 4

#### **PROPOSED PROJECT**

Case Numbers	P15-0890 (Conditional Use Permit)		
Request	To establish a 1,320-square foot lawn mower sales and repair shop within an existing, vacant commercial building		
Applicant	Alfredo Campos		
Project Location	3141 Madison Street		
APN	230-293-002		
Project area	0.17 acres (7,240 ft²)	Constitution of the consti	
Ward	4		
Neighborhood	Casa Blanca		
Specific Plan	None		
General Plan Designation	MDR – Medium-Density Residential		
Zoning Designation	CG - Commercial General	NORTH	
Staff Planner	Matthew Taylor, Planning Technic	sian; 951-826-5944; mtaylor@riversideca.gov	

#### **RECOMMENDATIONS**

Staff Recommends the City Planning Commission recommend that the City Council:

1. **DETERMINE** that Planning Case P15-0890 (Conditional Use Permit) constitutes an existing facility and conversion of a small structure, and is therefore categorically exempt from the provisions of the California Environmental Quality Act per Section 15301 and15303, respectively, of the CEQA Guidelines.

2. **APPROVE** of Planning Case Number P15-0890 (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

As shown on the attached exhibits, the 0.17-acre parcel is located on the easterly side of Madison Street midblock between Ysmael Villegas Street and Diamond Street. Access to the site will be gained from an existing driveway approach on Madison Street.

Attached exhibits 4-7 demonstrate the project site's specific location as well as the subject and surrounding General Plan and Zoning designations.

#### **PROPOSAL**

The applicant requests approval of a Conditional Use Permit to permit a new approximately 1,320-square foot lawn mower sales and repair shop to include a customer-serving retail area, workshop/repair and storage room, restrooms and other ancillary support functions, as well as related parking and landscaping improvements. The shop would occupy an existing building, constructed in 1956, that has been vacant since approximately 2005.

#### Site Improvements

The existing building is located in the southwest corner of the site and is setback five feet from Madison Avenue and zero feet from the adjacent residential property to the south.

Proposed floor plans indicate that the 1,320 square foot building would consist of a 720-square foot retail shop fronting Madison Street and an approximately 600-square foot workshop, storage area, office and restroom in the rear of the building. Access to the shop will be provided by an existing door facing Madison Avenue, and a new exterior door facing the rear parking area.

A 7-car parking lot is proposed at the rear of the building which is currently unpaved. The site is served by an existing, nonconforming 12-foot-wide driveway along the north property line.

Site improvements include paving the parking lot, installing five-foot wide landscape planters along the southerly and easterly perimeter of the site where it abuts the surrounding residential uses and three-foot landscape planter along the northerly property line. Finally, the applicant also proposes to rehabilitate the building façade and add a decorative landscape planter along Madison Street in the existing 5-foot front yard setback area.

#### **Operations**

The proposed Small Equipment Sales and Rental use (lawn mower sales and repair shop) is permitted in the CG – Commercial General Zone subject to the granting of a Conditional Use Permit per the City Zoning Code, Table 19.150.020(A) – Base Zones and Permitted Uses.

The applicant proposes to operate the business from 8am to 4pm Monday through Friday. The facility will be closed Saturday and Sunday.

The applicant anticipates no more than two employees to be present at any given time, who will serve an estimated two customers per hour, or a total of 16 daily anticipated customer visits. The retail sale of parts and equipment is proposed as the primary function of the use. Repair, Page 2

assembly or dismantling of equipment on-site would be incidental in nature, with most items sent off-site to the manufacturer for repair.

#### **PROJECT ANALYSIS**

The CG - Commercial General zoning designation permits Small Equipment Sales and Rental uses subject to the granting of a Conditional Use Permit. No specific development standards particular to this type of use exist; instead, the project must comply with the development standards applicable to the underlying base zone.

Authorization and Compliance Summary				
	N/A	Consistent	Inconsistent	
General Plan 2025  The proposed project is consistent with the underlying General Plan 2025 land use designation of MDR – Medium Density			<b>V</b>	
Residential.				
Zoning Code Land Use Consistency (Title 19)  The property is zoned CG - Commercial General which permits the subject use subject to the granting of a Conditional Use Permit. As noted below, excluding the non-conforming access driveway, the project complies with all applicable development standards.		☑		
Compliance with Citywide Design & Sign Guidelines  The proposed project substantially meets the objectives of the Citywide Design Guidelines, subject to the recommended conditions of approval detailed below.		Ø		
Compliance with Development Standards  The underlying base zone CG – Commercial General allows for the sale and rental of small equipment. As is demonstrated in the table below, the project is consistent with all applicable development standards. The existing driveway is nonconforming at 12 feet where 20 feet is required for new construction. Based on the only site plan on record, estimated to be from circa 1956, the site was developed with 3 parking spaces along the rear of the property line; however, the plan does not include any landscaping area, drive aisles or other improvements (see Exhibit 7). The proposed project will improve the parking lot to reduce the nonconformity of the parking area, including new parking stalls, drive aisle, increases in landscape area, and construction of a block wall. However, the project site will remain non-conforming with regards to the drive-aisle width and limited landscaping (three feet where five feet is required) along the northerly property		V		

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### COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Standard			Proposed	Consistent	Inconsistent
Max. Floor Area Ratio	0.5	0.18			
	Front	0 ft.	5 ft. 🔽		
Min. Setbacks	Interior Side	0 ft.	0/12 ft. ✓		
	Street Side	N/A	N/A	$\square$	
	Rear	0 ft.	92 ft.		
Min. Parking <sup>1</sup>	1 stall/250 ft <sup>2</sup> floor area 6 stalls		7 stalls		

 $<sup>^{\</sup>rm 1}$  Parking may be provided on the same lot or within 150 feet of the subject site.

#### **DESIGN REVIEW**

#### Site Access

Vehicular access to the project site is taken from an existing 12-foot wide driveway off of Madison Street. The existing driveway, original to the building, is considered non-conforming with respect to the minimum width of two-way commercial drive aisle (20 feet).

#### Architecture

The single-story, 12-foot high structure has approximately 37 feet of frontage on Madison Street. The applicant proposes to reface the façade in painted stucco, replace existing windows and add decorative light sconces. The existing building façade, while in need of repair, is well-articulated and displays a pattern of alternating recesses of equal size with a strong vertical emphasis. Within recesses, tall vertically-oriented shop windows add to this effect.

#### Conceptual Landscaping

The conceptual landscape plan (Exhibit 6) indicates a variety of landscape materials throughout the property, including trees, shrubs, and groundcovers. Five-foot wide landscape planters containing shade trees and flowering shrubs will provide a buffer to the adjacent residential properties east and south of the property. A new 3-foot wide landscape planter will be located adjacent to the north boundary line. Additionally, the existing 5-foot setback from Madison Street is proposed to be planted with a variety of palms, flowering shrubs and groundcover. The proposed landscaping will serve to enhance both the streetscape and the project.

#### Walls

The applicant has proposed to construct a 6-foot decorative masonry wall around the entire perimeter of the site. Staff is supportive of this proposal as conditioned.

#### **ENVIRONMENTAL REVIEW**

This proposal constitutes an existing facility and conversion of a small structure, and is therefore categorically exempt from the provisions of the California Environmental Quality Act per Section 15301 and 15303, respectively, of the CEQA Guidelines.

#### **NEIGHBORHOOD COMPATIBILITY**

The surrounding neighborhood (Casa Blanca) consists of a variety of small-scale commercial and institutional uses and single-family residential properties. The proposed project is consistent with the eclectic, semi-urban character of the Casa Blanca community. The project site is immediately surrounded by single-family residential uses on three sides and directly across Madison Street; however, the intermixing of similar-sized residential and commercial uses is common along this section of Madison Avenue and contributes to an active, pedestrian-friendly streetscape. Potential noise and other impacts to surrounding residential uses have been addressed through the recommended Conditions of Approval, including the limitation of activities to indoors only, the prohibition of outdoor storage and limited hours of operation.

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#### **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. 2012 Aerial Photo
- 4. General Plan Map
- 5. Zoning Map
- 6. Site Plan/Conceptual Landscape Plan
- 7. Project Plans
- 8. Historic Site Plan
- 9. Existing Site Photos

Report and Recommendations Prepared by: Report and Recommendations Reviewed by: Report and Recommendations Approved by: Matthew Taylor, Planning Technician Ted White, City Planner Rafael Guzman, Community & Economic Development Director

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#### COMMUNITY & ECONOMIC DEVELOPMENTDEPARTMENT

PLANNING DIVISION

#### **EXHIBIT 1 – FINDINGS**

**PLANNING CASES:** P15-0890 (Conditional Use Permit)

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

a. The proposed use is substantially compatible with other existing and proposed uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts.

The project <u>complies</u> with this finding. The proposed small equipment sales use is compatible with other small neighborhood-serving commercial uses found along Madison Street between the ATSF Railway and Lincoln Avenue. Additionally, the site has been host to commercial uses in some capacity since at least 1956, when a plumber's workshop and supply was established and the building was constructed. The proposal is consistent with the General Plan Policy LU-44.5, which encourages the establishment of neighborhood-serving commercial uses along this same stretch of Madison Street. Finally, as conditioned, the proposed project will have minimal impacts on the surrounding residential uses with respect to noise, hours of operation and other possible disturbances.

b. The proposed use will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area.

The project <u>complies</u> with this finding. The proposed use will activate a long-vacant site with a history of Code Enforcement complaints. In addition, the applicant's proposal will provide additional neighborhood commercial services and visual enhancement of the streetscape while maintaining the intimate, small-scale character of the surrounding community. The conversion of a vacant and blighted site to an active commercial will be beneficial to the health, safety and general welfare of the Casa Blanca neighborhood.

c. The proposed use will be consistent with the purposes of the Zoning Code and the application of any required development standards is in the furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.

The project <u>complies</u> with this finding. The proposed use is conditionally permitted in the underlying CG – Commercial General Zone and is consistent with all applicable development standards. Where nonconformities exist on the site, the project as proposed does not expand the degree of nonconformity. The development standards and conditions applied further the compelling governmental interest of minimizing incompatibilities between residential and commercial uses in proximities such as those seen in this proposal.

EXHIBIT 1- FINDINGS January 21, 2016 **Page 7** P15-0890



#### COMMUNITY & ECONOMIC DEVELOPMENTDEPARTMENT

PLANNING DIVISION

#### EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

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

**PLANNING CASES:** P15-0825 (Conditional Use Permit)

#### **Case Specific**

Planning

Prior to issuance of building permits

- 1. A revised plot plan, building elevation and landscape and irrigation plan shall be submitted to the Planning Division for review and approval for consistency with the conditions of this Conditional Use Permit. This review may be completed under the previously submitted Comprehensive Landscape and Irrigation Design Review (Planning Case P15-0330).
  - a. Catalog cuts of the decorative sconce lighting 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.
- 2. An exterior lighting plan shall be submitted to Planning Division 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 footcandle 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-ofways. If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed fourteen (14) feet in height, including the height of any concrete or other base material.

#### Operational Conditions

- 3. All assembly, dismantling, packaging, storing, repair work and other activities shall be limited to within the enclosed building and shall take place within the hours of operation approved herein (8:00am to 4:00pm Monday through Friday).
- 4. No outdoor storage or display of inventory or other materials shall be permitted.
- 5. The roll-up workshop door depicted on plans shall remain closed during business hours when not in use for loading or unloading purposes.

- 6. 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.
- Public Works
- 7. No Conditions.
- Fire Department

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

Prior to Building Permit Issuance:

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

#### **Standard Conditions**

- 10. There shall be a two-year time limit in which to commence the project beginning the day following approval by the Planning Commission unless a public hearing is held by City Council; in that event the time limit begins the day following City Council approval.
- 11. 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.
- 12. 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.
- 13. 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.
- 14. 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.
- 15. 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.
- 16. 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 Planning Division staff. Upon completion of the Project, an inspection by

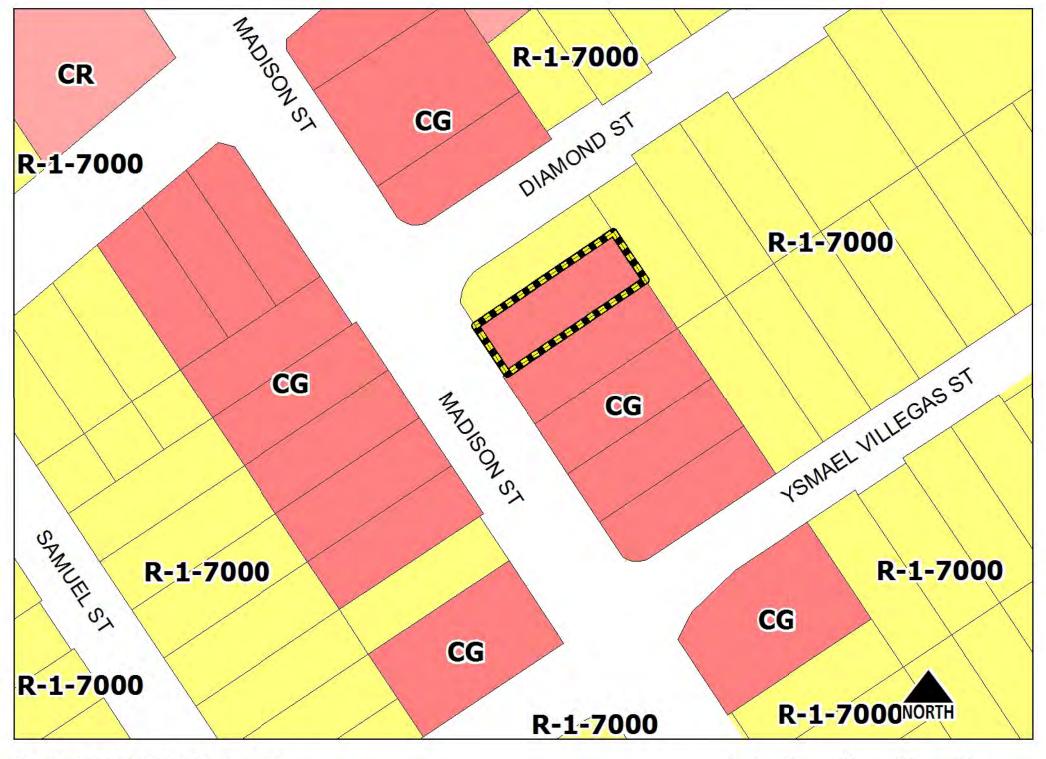
- Planning Division staff must be requested, and UTILITIES will not be released until it is confirmed that the approved plans and all conditions have been implemented.
- 17. Within 30 days of approval of this case by the City, the developer shall execute an agreement approved by the City Attorney's Office 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.
- 18. 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.
- 19. 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.
- 20. 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.
- 21. Failure to abide by all conditions of this permit shall be cause for revocation.

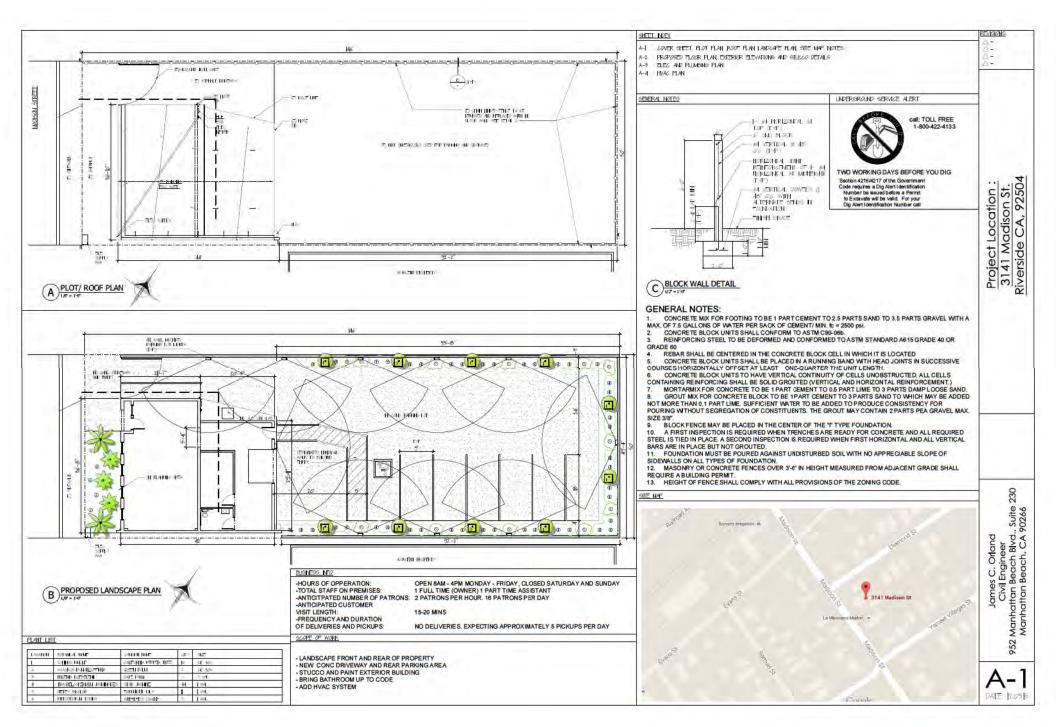


Exhibit 3 - P15-0890, 2012 Aerial Photo



Exhibit 4 - P15-0890, General Plan Map





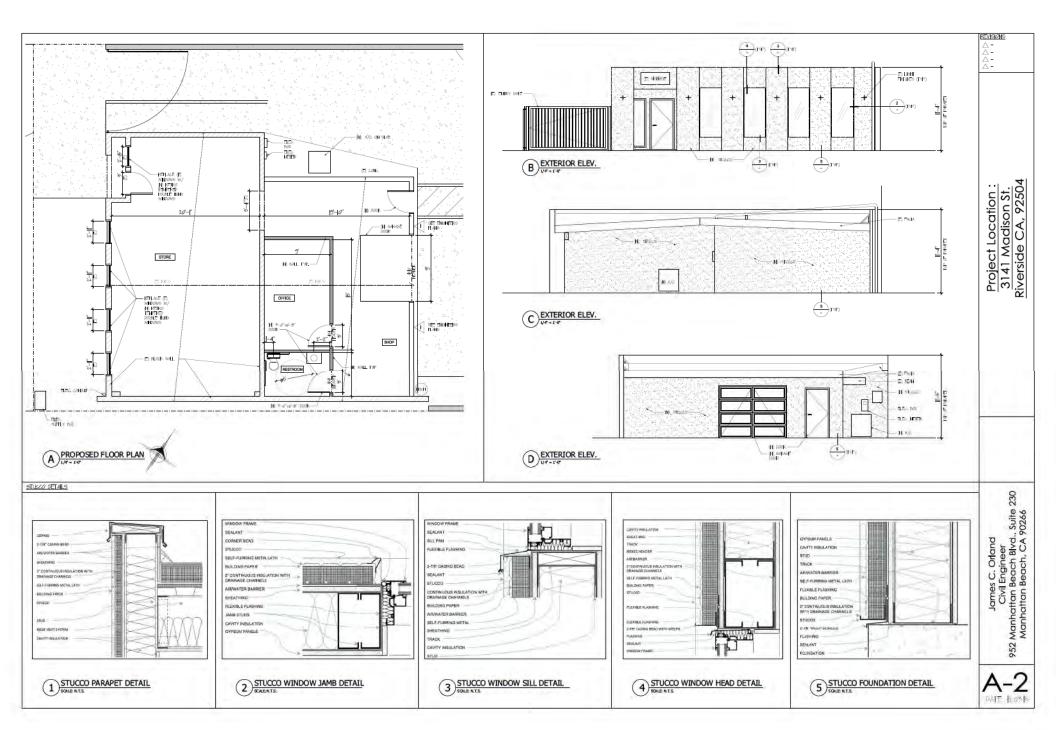


Exhibit 7 - P15-0890, Project Plans

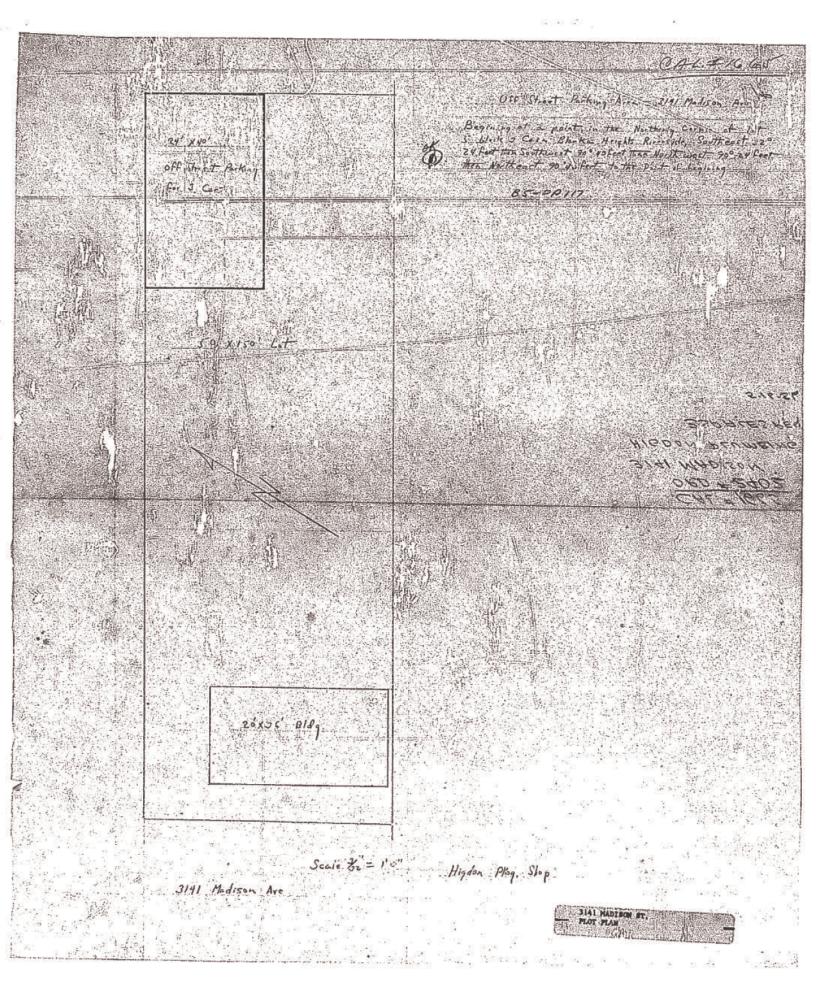


Exhibit 8 - P15-0890, Historic Site Plan



































TAPE, DO NOT STAPLE  TAPE, DO
Jose Guardage Kamos  HT484 DIAMONT ST CORNER Place Stamp Here  Riveralde CAL 92504
House Right Side From: 3141 Madison
City of Riverside Planning Division Attn: Matthew Taylor - P15-0890 3900 Main Street Riverside, CA 92522
Response to Public Notice
Any information submitted on this form is public record and can be viewed by any member of the public upon request.
Please note that public comment for this project closes at the Public Meeting on January 21, 20156  Please enter any comments you may have about this proposal below. (Please print or type all information):
COMMENTS: Am Is Marlaly Basses 2ESIGN+CAE, CASAYLACA
POR POR-26 Since 1979 TO 2016 YO Estoi Comforme
con mi Becino EL Sr Alfredo Campos Por que LA
Propiedad # 341 A Mejorano y Eso Iseneticia a mi
y la Comonidad y Sobre su Negocio yo Estoi por ave. Durde Dar Servicio A la Comunidad y 9
Cualquier Persona V lo de la Barda que Esta
Colindard con Las Dos Propiedade que son #3141 Madison y
#7484 DIAMONT ES Meior que Ponga Barda Nueva y Estoi
de Acuerdo Para Su Proyecto o Negocio. Eracia city Riverside
# 7484
House Corner DIAMONT AND MADISON AVE
JAN-17-2016
Contact Phone Number (Optional) 951-689-4987
Contact Email (Optional): NO Email  W Omblevial Like DAME
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Guadalupe Ramos, resident of Casa Blanca for 26, since 1979 to 2016. I am in agreement with my neighbor, Mr. Alfredo Campos, because the property #3141 has improved and that benefits me and the community. With regard to his business I am because he can provide service to the community and any person. With regard to the wall contiguous with the two properties that are #3141 Madison and #7484 Diamond, it's best he puts a new wall. I am in agreement with his project and business. Thank you City of Riverside.

Jan 17, 2016 – Guadalupe Ramos

Distributed at Planning Commission: Jan. 21, 2016 Es



## Community & Economic Development Department

Planning Division City Hall 3900 Main Street Riverside, CA 92501

City Arts & Innovation



OCCUPANT

APN: 230293002 3141 MADISON ST

RIVERSIDE CA 92504

P15-0890 Matthew Taylor

# Notice of Public Hearing

You are invited to attend a Public Hearing before the City Planning Commission of the City of Riverside for the following item:

CASE NUMBER: P15-0890

**APPLICANT: Alfredo Campos** 

**PROPERTY LOCATION: 3141 Madison Street** 

PROPOSAL: Proposed Conditional Use Permit by Alfredo Campos, to establish a 1,320-square foot lawn mower sales and repair shop on approximately 0.17 acres currently developed with a vacant, approximately 1,320-square foot commercial building in Ward 4. The Planning Division of the Community & Economic Development Department is recommending that the Planning Commission recommend that the City Council determine that this proposal is categorically exempt from further California Environmental Quality Act (CEQA) review pursuant to Section 15301 and Section 15168, as it can be seen with certainty that this proposed project will not have a significant effect on the environment.



Floor City Hall, 3900 Main Street, Riverside, CA 92522

MEETING DATE: January 21, 2016

MEETING TIME: 9:00 a.m.

REVIEW SCHEDULE

Interested parties may contact the Contact Planner between 8:00 a.m. and 5:00 p.m. Monday through Friday

for further information. The staff report will be available by 4:30 p.m. 12 days preceding the meeting at https://riversideca.legistar.com/Calendar.aspx.

This notice is being mailed to property owners within 300 feet of this project site. Interested parties may appear and speak in opposition to or support of the project or the staff recommendation at the meeting. Written comments may also be submitted for consideration.

For further information you may call or write: Matthew Taylor, Planning Technician, City of Riverside Community & Economic Development Department, Planning Division, 3900 Main Street Riverside, CA 92522 (951) 826-5944 or <a href="mailto:mtaylor@riversideca.gov">mtaylor@riversideca.gov</a>



Jose F Sanches

TAPE, DO NOT STAPLE

TAPE Agenda Item 4

Distributed at Planning Commission: Jan. 21, 2016

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City of Riverside Planning Division Attn: Matthew Taylor - P15-0890 3900 Main Street Riverside, CA 92522

# Response to Public Notice

Any information submitted on this form is public record and can be viewed by any member of the public upon request.

Please note that public comment for this project closes at the Public Meeting on January 21, 20156

Please enter any comments you may have about this proposal below. (Please print or type all information):

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ontact Phone Number (Opti	onal) <u>9</u>	51 (378	5-6392)	
ontact Email (Optional):		•	•	
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COMMENTS:

Distributed at Planning Commission: Jan. 21, 2016



## Community & Economic Development Department

Planning Division City Hall 3900 Main Street Riverside, CA 92501

City Arts & Innovation



JOSE F & JUANA SANCHEZ APN: 230293001 3133 MADISON ST RIVERSIDE CA 92504

P15-0890 Matthew Taylor

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I, Jose F. Sanchez of 3133 Madison Street, Riverside, CA 92504, have been a resident of my home for 25 years. On or about November 2014 Mr. Alfredo Campos hereinafter known as Mr. Campos, purchased the property residing next to my residence. The property-Mr. Campos purchased is a commercial property located on 3141 Madison Street, Riverside, CA 92504. At the time of purchase, the property was 80 percent abandoned and neglected. After Mr. Campos purchased the property, he rehabbed the property. The rehabilitation of the property included cleaning the interior and exterior of the building along with cleaning the front and back yards. Since the purchase of the property Mr. Campos has maintained the property in an orderly fashion. I consider that the conditions of the property have greatly improved. Mr. Campos's

business is located on a well-transited street. I believe that Mr. Campos's business would be

Signature

beneficial for the community.

Date: January 18, 2016