



Community & Economic Development Department

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

Planning Division

RiversideCA.gov

PLANNING COMMISSION HEARING DATE: APRIL 7, 2016

AGENDA ITEM NO.: 3

PROPOSED PROJECT

<i>Case Numbers</i>	P15-1098 (Conditional Use Permit)	
<i>Request</i>	A Conditional Use Permit to establish a Veterinary Clinic in a 2,010 square foot lease space within the Mission Grove Plaza.	
<i>Applicant</i>	Stuart Beck, GB Architecture	
<i>Project Location</i>	141 East Alessandro Boulevard, Unit D	
<i>APN</i>	276-110-011	
<i>Project area</i>	7.97-acres	
<i>Ward</i>	4	
<i>Neighborhood</i>	Mission Grove	
<i>Specific Plan</i>	Mission Grove	
<i>General Plan Designation</i>	C - Commercial	
<i>Zoning Designation</i>	CR-SP – Commercial Retail, Mission Grove Specific Plan	
<i>Staff Planner</i>	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 P15-1098 (Conditional Use Permit) is categorically exempt from the provisions of the California Environmental Quality Act per Section 15301 (Existing Facilities) of the CEQA Guidelines; and
2. **RECOMMEND APPROVAL** of Planning Case Number: P15-1098 (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 subject site is part of the Mission Grove Plaza, an approximate 42-acre commercial development located on the south side of Alessandro Boulevard between Trautwein Road and Mission Grove Parkway, within the Mission Grove Specific Plan. Mission Grove Plaza provides general retail, grocery, restaurant, service, and entertainment establishments.

PROPOSAL

The applicant is requesting approval of a Conditional Use Permit to establish a veterinary clinic in a 2,010 square foot lease space within the Mission Grove Plaza. Services provided by the clinic will include, but are not limited to: wellness exams, preventative medicine, anesthetic surgical procedures, dental care, and therapy. Hours of operation of the clinic, are Monday through Friday from 9:00 AM to 6:00 PM, and Saturday from 9:00 AM to 1:00 PM. Overnight stay of animals may occur as a result of surgical procedures and or monitoring of animals. The business will be closed on Sunday. No modifications to the property are proposed as part of this request.

PROJECT ANALYSIS

<i>Authorization and Compliance Summary</i>			
	N/A	Consistent	Inconsistent
<i>General Plan 2025</i> The proposed project is consistent with the Citywide objectives and policies of the General Plan Land Use Element, including objectives and policies specific to the Mission Grove Neighborhood, as this project will facilitate continued commercial use and provide a service compatible with the other commercial uses in the area.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Specific Plan Land Use</i> The project site is in the Commercial land use designation of the Mission Grove Specific Plan. This project complies with the intent of the Commercial land use designation, which is to provide goods and services for the daily needs of all people in the area.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Specific Plan Zoning</i> The project site is in the CR-Commercial Retail Zone of the Mission Grove Specific Plan, consistent with the C-Commercial General Plan and Specific Plan land use designations. Proposed veterinary services are permitted in the CR Zone, subject to a Conditional Use Permit.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Compliance with Citywide Design & Sign Guidelines</i> The project does not propose any physical improvements to the site or building elevations. Improvements are limited to interior tenant improvements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Compliance with Development Standards</i> In this instance, the Mission Grove Specific Plan defers to the Zoning Code for development standards. The project was analyzed for consistency with the standards applicable to veterinary services and it complies.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Standard			Required/Provided	Consistent	Inconsistent
<i>Min. Parking</i>	Veterinary Services (clinic and hospital, may include accessory grooming and boarding) 1 space/180 square feet of floor area	12	1,689 required for Mission Grove Plaza. 2,069 provided within Mission Grove Plaza.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Chapter 19.430 Veterinary Services, requires that the building space be adequately soundproofed that no noise carry beyond the space 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 study found that noise generated by the proposed use could be reduced from 85 dBA to 41 dBA, in compliance with the maximum 45 dBA permitted by the municipal code, by implementing the following recommendations:

- Installation of two additional layers of gypsum board, for a total of four layers, along the easterly wall of the suite.
- All wall penetrations, gaps between the gypsum board, and gaps between the gypsum board and the ceiling joist shall be sealed with acoustical sealant.
- All electrical outlets along the easterly wall of the suite shall be fitted with an STC Box Seal or similar product.

A condition of approval has been added to require compliance with the recommendations of the Acoustical Study.

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 subject site is part of the Mission Grove Plaza shopping center consisting of retail, restaurants, and entertainment uses. The proposed veterinary clinic will be compatible with the uses within the Mission Grove Plaza. Adequate parking is available at the Mission Grove Plaza to accommodate the proposed use. The noise generated by the proposed veterinary clinic will be attenuated by implementing the recommendations identified in the project specific acoustical analysis. With the recommended conditions of approval, the veterinary clinic will be compatible with the immediate surrounding commercial uses.

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/ Specific Plan Land Use Map
5. Specific Plan 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 & Economic Development
Director



EXHIBIT 1 – FINDINGS

PLANNING CASES: P15-1098 (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.



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

PLANNING CASES: P15-1098 (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. Plans submitted for building permits shall incorporate the following:
 - a. Installation of two additional layer of gypsum board along the easterly wall of the lease space, for a total of four layers including the two existing layers;
 - b. All wall penetrations, gaps between the gypsum board, and gaps between the gypsum board and the ceiling joist shall be sealed with acoustical sealant; and
 - c. All electrical outlets along the easterly wall of the suite shall be fitted with an STC Box Seal or similar product.

Standard Conditions

7. There is a 24-month time limit on this approval, which begins following City Council approval of this case.
8. 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.
9. 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.
10. 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.
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. 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.
13. 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.
14. 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.
15. 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.

16. 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.
17. Failure to abide by all conditions of this permit shall be cause for revocation.
18. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
19. 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.
20. The applicant shall continually comply with all applicable rules and regulations in effect at the time the permit is approved and exercised and which may become effective and applicable thereafter.