



Community & Economic Development Department

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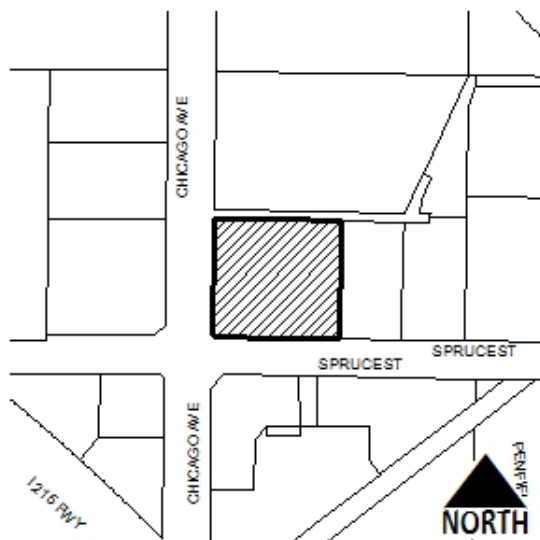
Planning Division

RiversideCA.gov

HEARING DATE: OCTOBER 20, 2016

AGENDA ITEM NO.: 3

PROPOSED PROJECT

<i>Case Numbers</i>	P16-0329 (Conditional Use Permit)	
<i>Request</i>	To consider a Conditional Use Permit to establish an educational resource center within an existing 6,647 square foot lease space in a 19,872 square foot multi-tenant office building.	
<i>Applicant</i>	Kyle Knowland, representing Alta Vista Public Charter School	
<i>Project Location</i>	1695 Spruce Street, Suite 110, located at the northeast corner of Spruce Street and Chicago Avenue	
<i>APN</i>	249-120-016	
<i>Project area</i>	1.86 acres	
<i>Ward</i>	1	
<i>Neighborhood</i>	Hunter Industrial Park	
<i>Specific Plan</i>	Hunter Business Park Specific Plan – General Industrial District	
<i>General Plan Designation</i>	B/OP—Business/Office Park	
<i>Zoning Designation</i>	BMP-SP —Business and Manufacturing Park – Specific Plan (Hunter Business Park) Overlay Zones	
<i>Staff Planner</i>	Gaby Adame, Assistant Planner, 951-826-5933; gadame@riversideca.gov	

RECOMMENDATIONS

Staff Recommends that the Planning Commission:

1. **DETERMINE** that Planning Case P16-0329 (Conditional Use Permit) constitutes an Existing Facility, therefore is categorically exempt from the provisions of the California Environmental Quality Act pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines; and
2. **APPROVE** Planning Cases P16-0329 (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 1.86-acre property is located within the General Industrial District of the Hunter Business Park Specific Plan. The site was developed in 1974 with a 19,872 square foot multi-tenant office building and surface parking lot. The subject tenant space is currently vacant, but was previously occupied by Riverside County Mental Health. The site functions as part of a larger office complex, consisting of a total of three buildings on four contiguous parcels with shared access and parking. Another use within the office complex include Vocademy, a center that teaches hands-on traditional shop skills and manufacturing techniques. The surrounding area is developed with other office and commercial uses.

PROPOSAL

The applicant requests approval of a Conditional Use Permit (CUP) to establish an educational resource center (Alta Vista Public Charter School) within the vacant, 6,647 square foot tenant lease space. Alta Vista Public Charter School offers a personalized education program for students who need flexible and independent studies as an alternative to a traditional school structure. The resource center provides students in grades 9 through 12 an alternative instructional strategy under the general supervision of a credentialed teacher. The facility would serve at-risk or low income adolescents between the ages of 14 and 19. Students follow a local school district curriculum and graduation requirements mandated by the State of California.

The facility will have a maximum enrollment of 500 students; however, a maximum of 35 students will be on the site at any given time. There will also be 10 teachers and 9 support staff on site during two shifts from 8:00 a.m. to 1:00 p.m. and from 1:00 p.m. to 6:00 p.m. Independent study students at Alta Vista will not attend in-school instruction on a daily basis and no classroom instruction will be offered. Students will have a predetermined appointment every week with a designated teacher to submit and discuss assignments, have assignments evaluated, receive new assignments, and participate in assessments. The weekly meetings with the teacher will be approximately one-hour. The assignments will be completed by the students at home. The applicant has indicated that Alta Vista proposes to collaborate with the adjacent Vocademy facility to offer students "hands-on" skills they can apply in their life or career.

The floor plan identifies offices, a reception area, conference, storage, break rooms, restrooms and an open study area. No outdoor recreational activities are proposed. Modifications to the building are limited to the addition of an entry door on the southern building elevation. A designated drop-off/pick-up area is proposed on the east side of the building, where three parking spaces are proposed to be removed.

Vehicular access to the site will be provided from existing driveways on Spruce Street and Chicago Avenue. A total of 140 parking spaces are provided on-site. The applicant has indicated that up to 80 percent of students are expected to arrive by public transportation and that free bus passes will be provided to students upon request.

PROJECT ANALYSIS

<i>Authorization and Compliance Summary</i>			
	N/A	Consistent	Inconsistent
<p><i>General Plan 2025</i></p> <p>The proposed project does not propose to change the existing General Plan 2025 land use designation of B/OP—Business/Office Park, and will further the intent of the General Plan by facilitating educational facilities consistent with these objectives: Objective ED-1: Accommodate the growth of all educational facilities; Objective ED-3: Plan proactively for all education needs; and Objective ED-4: Maintain a safe environment at all campus facilities and on routes to school.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><i>Specific Plan/ Zoning Code Land Use Consistency (Title 19)</i></p> <p>The proposed site is within the General Industrial District of the Hunter Business Park Specific Plan and is zoned BMP – Business and Manufacturing Park. Pursuant to the Specific Plan, all uses permitted within the land use districts of the Hunter Business Park Specific Plan are uses permitted in the area by the Zoning Code. Furthermore, Section 19.150.030 - Special or Unusual Uses of the Zoning Code provides the Community and Economic Development Director the discretion to require a Conditional Use Permit whenever unique or unusual combination of uses or special facilities, not similar to and no more detrimental than those uses permitted in a particular zone, are proposed.</p> <p>The operation of the proposed educational resource center is unique and would not be more detrimental than other uses in the BMP Zone. Thus, the resource center constitutes a unique use and the Special or Unusual Uses provision of the Zoning Code would apply.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Chapter 19.580 – Parking and Loading Minimum Parking Requirement					
		Parking Required	Parking Provided	Consistent	Inconsistent
Subject Site	<u>Proposed Resource Center 1695 Spruce Street</u> 0.75 spaces per student 0.75 spaces per employee	48 Spaces (26 spaces for 35 students and 22 spaces for 29 employees)	134 spaces (140 minus 6 spaces for drop-off/pick-up area)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<u>1695 Spruce Street Offices:</u> 1 space/250 square feet of office space	53 spaces			
Properties with Shared Access and Parking	<u>1635 Spruce Street Vocademy:</u> 1 space/250 square feet office space 1 space/ 350 square feet of manufacturing space	48 spaces	26 spaces		
	<u>1605 Spruce Street Offices:</u> 1 space/ 250 square feet of office space	80 spaces	54 spaces		
	<u>Surface Parking Lot</u> 66 Spaces	N/A	66 spaces		
	TOTAL	229	280		

Proposed improvements are limited to the removal of three parking spaces to accommodate a drop-off/pick-up area and addition of a front entry door on the south building elevation. Therefore, the site will continue to comply with the development standards of the zone and the Hunter Business Park Specific Plan.

The Specific Plan requires that parking be provided consistent with the Zoning Code. The table above provides a parking analysis for the proposed use and existing uses in the subject building and the buildings to the east, as these uses share parking. Three parking spaces are proposed to be removed and striped for a drop-off and pick-up area, reducing the total number of parking spaces from 286 to 283. Staff recommends that three additional parking spaces adjacent to the proposed pick-up/drop-off area be removed to ensure pedestrian safety and adequate vehicular turning movements. The recommended 280 parking spaces exceed the minimum number of required spaces by 51 spaces.

The applicant provided an executed reciprocal access and parking agreement, which would allow the resource center the right to use existing ingress and egress along Spruce Street and Chicago Avenue, as well as the parking areas that serve the office complex.

Riverside County Airport Land Use Commission (RCALUC)

This site is located within Airport Compatibility Zone E of the March Air Reserve Base/Inland Port Airport Influence Area (AIA). The Riverside County Airport Land Use Commission (RCALUC) reviewed this proposal on July 12, 2016 and deemed the project to be consistent with the March Air Reserve Base/Inland Port Airport Compatibility Plan. A condition of approval is recommended requiring the applicant to comply with all conditions recommended by ALUC.

ENVIRONMENTAL REVIEW

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

NEIGHBORHOOD COMPATIBILITY

The educational resource center" will be located within an existing office complex. This use is compatible with the surrounding office uses. The applicant has indicated that Alta Vista Public Charter School is planning to partner with Vocadoemy to provide students with technical skills necessary to enter the workforce. Furthermore, the site is designed to provide adequate circulation, access and parking. The surrounding streets, Chicago Avenue and Spruce Street, will adequately accommodate traffic anticipated by the proposed use. To further minimize any traffic impacts on the surrounding streets, free bus passes will be provided to students upon request. Lastly, the operational characteristics of the educational resource center do not require students to attend in-school instructions regularly like they would be required in a conventional school system, and as a result students would be on-site significantly less. For these reasons, no detrimental 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. Staff received a letter in opposition of the project expressing concerns with traffic. Staff contacted the person who sent the letter and provided clarification on the operation of the use. The person indicated to staff he is no longer opposed to the project.

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. Staff Recommended Findings
2. Staff Recommended Conditions of Approval
3. Aerial Photo/Location
4. General Plan Map
5. Zoning Map
6. Project Plans (Site Plan and Floor Plan)
7. Existing Site Photos
8. Comment Letter

Prepared by: Gaby Adame, Assistant Planner

Reviewed by: Ted White, City Planner

Approved by: Rafael Guzman, Community & Economic Development Director



CITY OF RIVERSIDE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

PLANNING DIVISION

EXHIBIT 1 – STAFF RECOMMENDED FINDINGS

PLANNING CASES: P16-0329 (Conditional Use Permit)

Conditional Use Permit Findings pursuant to Chapter 19.760

1. The proposed educational resource center, as conditional, will be substantially compatible with other existing uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts. The proposed public charter school is a non-traditional school and will be compatible within the context of a large multi-tenant commercial retail center.
2. The proposed educational resource center 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.
3. The proposed educational resource center 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.

Conditional Use Permit Findings Pursuant to Hunter Business Park Specific Plan

- b. That the proposed educational resource center will comply with the purposes of the General Land Use designation in which it is located including all provisions of the General Plan and Specific Plan, if applicable.
- c. That the proposed educational resource center, together with conditions applicable thereto, will not be detrimental to the public health, safety and welfare or injurious to properties or improvements in the area.



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

Case Numbers: **P16-0329** (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 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.
2. Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. A separate sign application, including fees and additional sets of plans, will be necessary prior to sign permit issuance.
3. Student occupancy shall be limited to a maximum of 500 students with a maximum daily attendance of 35 students at any given time.
4. All conditions of the Airport Land Use Commission (ALUC), processed under case ZAP1205MA16, shall be satisfied.

Prior to Building Permit Issuance:

5. Tenant improvement plans shall be submitted to the City's Building and Safety Division to obtain the necessary building permits.
6. **Plot Plan Condition:** Revise the submitted plot plan such that the plan provided for building permit plan check incorporates the following changes:
 - a. A total of 6 parking spaces along the east side of the building shall be removed for use as drop-off/pick up area.

Prior to Release of Occupancy:

7. The applicant shall obtain all licenses and permits required by State law for operation of the facility. The applicant shall keep all State licenses or permits valid and current. Failure to comply will result in revocation of this Conditional Use Permit.

Operational Conditions:

8. Any graffiti on the facility shall be removed within 24 hours of notification.
9. 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.
10. The facility shall be occupied and operated as generally described in the body of this report. Any increase in the number of students or employees, shall be subject to consideration by the Planning Commission.
11. 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.

Standard Conditions:

12. 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.
13. 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.
14. The applicant is advised that the business or use for which this conditional use permit is granted cannot be legally conducted until all conditions of approval have been completed to the satisfaction of the Community & Economic Development Department, Planning Division and as approved by the Planning Commission. Upon completion of the Project, a 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.
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 & Economic Development Department, Planning Division of any change in operations and such change, if determined to be substantial to the Project, must be approved by the Planning Commission or minor modifications by Staff. Failure to notify the Community & Economic Development

Department, Planning Division of any change in operations is material grounds for revocation of this Conditional Use Permit.

16. 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.
17. 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.
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. Failure to abide by all conditions of this permit shall be cause for revocation.
20. Plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
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.
22. 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.

- **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.
25. Fire Department access shall be maintained during all phases of construction.
26. Group E occupancies having an occupant load of 50 or more shall be provided with an approved manual and automatic fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm system. Submit plans and obtain approvals from the Fire Department prior to installation. New fire alarm systems shall be UL, FM, or ETL certificated for the life of the system. Central Station shall be UL UUFX.

27. An automatic fire sprinkler system is required. 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 a UL Central Station (UUFX) and shall be UL, FM or ETL certificated for the life of the system. Post Indicator valves, Detector Check control valves and water flow switches are required to be supervised by an UL listed central station.
28. A Fire Safety and Evacuation Plan shall be provided for Group E occupancies. The Fire Safety and Evacuation Plan shall be submitted to the Fire Department for review prior to final for occupancy. 2013 California Fire Code, Chapter 4.

An evacuation drill shall be conducted not less than once every calendar month at the elementary and intermediate level's, and not less than twice at every school year at the secondary level. 2013 California Fire Code, Chapter 4.

29. An automatic fire sprinkler system is required for E occupancies when the total square footage exceeds 12,000 square feet. 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 a UL Central Station (UUFX) and shall be UL, FM or ETL certificated for the life of the system. Post Indicator valves, Detector Check control valves and water flow switches are required to be supervised by an UL listed central station.

Have a UL, FM or ETL listed and licensed C10 fire 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.

- **Public Works**

No Requirement

- **Public Utilities Electric**

No Requirement

- **Public Utilities Water**

30. Applicant shall be aware that the existing fire service is located underground in a vault. In the event that the fire system is upgraded, RPU Water will require the vault be abandon and the fire service be upgraded to above ground.

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, 3rd Floor, City Hall.