



Community & Economic Development Department

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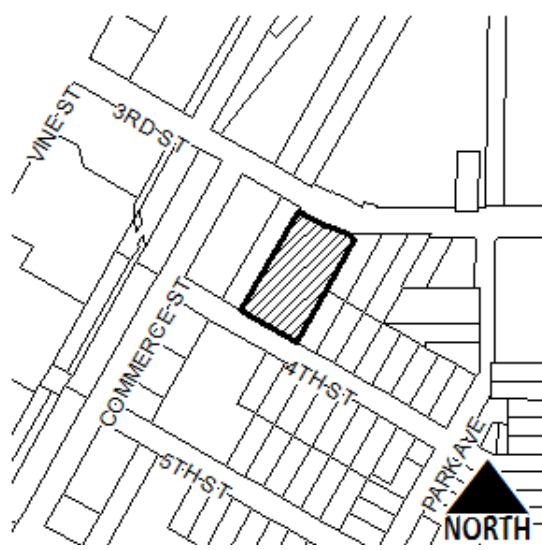
Planning Division

RiversideCA.gov

PLANNING COMMISSION HEARING DATE: DECEMBER 1, 2016

AGENDA ITEM NO.: 3

PROPOSED PROJECT

<i>Case Numbers</i>	P16-0615 (Conditional Use Permit)	
<i>Request</i>	To establish a large equipment rental business with ancillary repairs, maintenance and outdoor storage of equipment in an existing industrial building.	
<i>Applicant</i>	Kevin Aylesworth, representing All Access Equipment Rentals	
<i>Project Location</i>	2622 Third Street, located on the south side of Third Street, between Commerce Street and Park Avenue	
<i>APN</i>	211-021-023	
<i>Project area</i>	1.33 acres (58,074 square feet)	
<i>Ward</i>	2	
<i>Neighborhood</i>	Eastside	
<i>Specific Plan</i>	Marketplace Specific Plan	
<i>General Plan Designation</i>	B/OP – Business/Office Park	
<i>Zoning Designation</i>	BMP-SP – Business and Manufacturing Park, Specific Plan (Marketplace) Overlay Zones	
<i>Staff Planner</i>	Matthew Taylor, Assistant Planner; 951-826-5944, mtaylor@riversideca.gov	

RECOMMENDATIONS

Staff Recommends that the City Planning Commission:

1. **DETERMINE** that Planning Case P16-0615 (Conditional Use Permit) is categorically exempt from the provisions of the California Environmental Quality Act per Section 15301 (Existing Facilities) and Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines; and
2. **APPROVE** Planning Case P16-0615 (Conditional Use Permit) based on the attached findings and subject to the attached recommended conditions of approval.

SITE BACKGROUND

The 1.33-acre property is located within the Marketplace Business Park Sub-Area of the Riverside Marketplace Specific Plan. The site was developed in 1981 with an 11,300-square-foot industrial building, surface parking lot, and a storage yard. Prior to 2015, Riverside Fertilizer Works and later Crop Production Services, Inc. occupied the site. It is surrounded by light industrial uses to the north, the abandoned Southern Pacific Railway right-of-way and industrial use to the west, Riverside County Department of Facilities Management to the east, and a mix of single and multi-family residential uses to the south.

PROPOSAL

The applicant requests approval of a Conditional Use Permit to establish a large equipment rental business in an existing 11,300-square-foot industrial building. The facility will consist of an 800-square-foot management office, a 10,500-square-foot warehouse, and a three-bay maintenance area, and 23,000 square foot equipment storage yard on the eastern side of the site. The proposed facility will offer medium- to large-sized construction equipment for rent to construction contractors and the general public, including but not limited to: scissor lifts, boom lifts, forklifts and reach forklifts, skid steers (i.e., Bobcat), generators, pavement rollers, and small excavators.

Proposed on-site activities include equipment inspections, limited equipment repair and maintenance, and employee safety training. Major equipment repairs, servicing and maintenance of delivery trucks, and equipment operation instruction for customers will be conducted off-site. A conceptual staging and storage plan indicates that small boom lifts, scissor lifts, generators and attachments will be stored inside the warehouse portion of the building, while larger boom lifts, rollers and forklifts, as well as delivery trucks, will be stored in the equipment storage yard. Office hours of operation will be Monday through Friday from 7:00 a.m. to 5:00 p.m. Delivery and pick-up of equipment will occur Monday through Friday from 8:00 a.m. to 4:00 p.m. and are not anticipated to occur more than 5 times daily. All rented equipment will be delivered to and picked up from the customer's worksite. Delivery vehicles include unibody flatbed trucks and flatbed semi-trailers, kept on-site and dispatched as needed.

An existing 22-space surface parking lot to the north of the building will serve employees and customers. Vehicular access will be provided from two existing one-way driveways on Third Street, and one existing two-way driveway on Fourth Street.

The existing fencing surrounding the perimeter of the site will be maintained and refurbished where necessary. A new chain link fence with faux ivy vines and automated rolling vehicle gate with wood slats are proposed to enclose the equipment yard on its northern side. A 10-foot wide on-

site landscape planter is proposed along the southern property line, adjacent to Fourth Street, where there currently is none. The remainder of the equipment yard will be screened by the existing fencing and landscaping, which will be enhanced where gaps exist.

PROJECT ANALYSIS

<i>Authorization and Compliance Summary</i>			
	N/A	Consistent	Inconsistent
<p><i>General Plan 2025</i></p> <p>The proposed project is consistent with the underlying General Plan 2025 land use designation of B/OP – Business/Office Park, which will further the intent of the General Plan by facilitating the preservation and productive use of industrial land.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><i>Specific Plan and Zoning Land Use Consistency</i></p> <p>The project site is located within the Marketplace Business Park Sub-Area of the Marketplace Specific Plan and is zoned BMP – Business and Manufacturing Park.</p> <p>The Specific Plan provides that the City Planning Commission may determine whether a particular use is permitted, conditionally permitted or prohibited if it is not specifically listed under the permitted, conditionally permitted or prohibited land uses of a given sub-area. Equipment Sales and Rental Facilities are a conditionally permitted use in the BMP Zone. For this reason, Staff recommends that the Planning Commission determine that the use is similar to and compatible with the permitted uses in the Business Park Sub-Area, and further determine that a CUP is the appropriate entitlement for this use within the Specific Plan.</p> <p>With the Planning Commission’s concurrence, the proposed use will therefore be consistent and compatible with the uses in the Marketplace Specific Plan, as well as consistent with the conditionally permitted uses in the BMP Zone.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><i>Compliance with Citywide Design & Sign Guidelines</i></p> <p>The proposed project substantially meets the objectives of the City’s Design Guidelines for industrial properties. Staff supports the proposal as adequate access and circulation are provided; as well, the outdoor storage of equipment will be adequately screened from public view, subject to the recommended conditions of approval detailed below.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<i>Parking and Loading Standards (Chapter 19.580)</i>					
Standard		Required	Proposed	Consistent	Inconsistent
Min. Parking	Large Equipment Rental – 1 space/500 square feet of Office Area	2 spaces (800 sq. ft.)	22 Spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Large Equipment Rental Maintenance – 2 spaces/repair bay	6 spaces (3 bays)		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Warehouse – 1 space/1,000 square feet	11 spaces (10,500 sq. ft.)		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Total Required	19 Spaces	22 Spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Large Equipment Sales/Rental Facility Standards (Chapter 19.300) and Outdoor Storage Yard (Chapter 19.285)</i>					
Standard		Proposed	Consistent	Inconsistent	Modify
Minimum Lot Size	1 acre	1.33 acres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Separation from Residential Zone	100 feet	0 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Landscaped Setback	10 feet from street frontages	10 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Screening	6-foot-high solid masonry wall	6-foot-high chain link with landscape and faux vines	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Modifications:

Section 19.300.040 of the Zoning Code allows for the modification of development standards specific to the Large Equipment Rental land use through the consideration of a CUP. The following modifications have been requested for this project, and justifications for the modifications are discussed below.

Screening

The Zoning Code requires that outdoor storage of rental equipment be screened by a solid 6-foot-high masonry wall. Section 4.3.5.2 of the Marketplace Specific Plan permits the substitution of landscape screening in lieu of solid masonry walls to screen outdoor storage areas, provided that the plantings are a minimum of 6 feet high and are of sufficient density to visually screen the storage area from adjacent streets and properties.

This project proposes a combination of open chain link fencing and landscaped planter in lieu of solid walls to screen the equipment storage yard. Mature landscaping already exists within the right-of-way on Fourth Street and will serve to screen the proposed outdoor storage yard from public view. In addition, a 6-foot high chain link fence with faux ivy vines is proposed between the parking lot and equipment storage area for additional screening. Vinyl slats will be added to the rolling vehicle gates at the north and south ends of the equipment yard. Finally, the existing landscape screening will be augmented where gaps exist.

Staff is supportive of the modification of the storage area screening requirements as the proposed landscape screening is consistent with the intent of the Marketplace Specific Plan and Zoning Code, and will effectively screen the equipment storage area from public view in the same manner as a solid wall. Additionally, a condition of approval is recommended requiring the faux vine screening material to be maintained in good repair at all times.

Separation from Residential Zones

The Zoning Code specifies that no portion of a large equipment rental establishment shall be located closer than 100 feet to the nearest residentially zoned property.

The subject site is adjacent to properties zoned R-3-1500 – Multiple-Family Residential. The adjacent parcels to the east are developed with a County facility. The parcels to the south across Fourth Street are approximately 65 feet from the site and are developed with single family residences. However, one of the two residence is located in the BMP Zone. The actual separation from the storage area to the nearest dwelling on a residentially zoned parcel would be 95 feet.

Staff is supportive of the proposed modification as the neighboring properties, while zoned for residential uses, have been developed with a non-residential use. Further, adequate screening and buffer will be provided to protect the residential uses across Fourth Street. The proposed 10-foot landscape buffer and the existing mature landscaping at the southern property line will minimize visual impacts and increase the physical separation between the facility and the nearby residential zones.

ENVIRONMENTAL REVIEW

This proposal is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15301 of the CEQA Guidelines, as the project constitutes an existing facility, and pursuant to Section 15303, as the project also constitutes the new construction or conversion of small structures.

NEIGHBORHOOD COMPATIBILITY

The surrounding neighborhood is characterized by a mix of small- to medium-sized industrial properties, open storage yards and one- and two-family residences. The proposed equipment rental facility is consistent with the surrounding development pattern as a small, low-intensity semi-industrial use. By providing enhanced landscape screening, particularly along the east property line and the Fourth Street frontage, the proposed facility will be adequately screened from the residential uses to the southeast and the public right-of-way. Further, the proposed facility is consistent with the applicable standards of the BMP Zone, the Marketplace Business Park Sub-Area of the Marketplace Specific Plan, and the Citywide Design Guidelines for industrial development. Thus, the proposed facility is compatible with the surrounding neighborhood.

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, Planning Staff have received no responses.

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/Specific Plan Map
6. Site Plan
7. Conceptual Equipment Staging Plan
8. Conceptual Landscape Plan
9. Existing Site Photos

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



EXHIBIT 1 – STAFF RECOMMENDED FINDINGS

PLANNING CASES: P16-0615 (Conditional Use Permit)

Conditional Use Permit Findings pursuant to Chapter 19.760.040

- a. The proposed equipment rental facility 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 equipment rental facility 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 equipment rental facility 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; and



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

PLANNING CASES: P16-0615 (Conditional Use Permit)

Case Specific

• **Planning**

1. The project shall comply with all recommended conditions of Riverside County Airport Land Use Commission Case No. ZAP1218MA16.
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.
3. 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.

Prior to Building Permit Issuance:

4. A separate Landscape and Irrigation Design Review application shall be submitted to the Planning Division for review and approval pursuant to Chapter 19.570 (Water Efficient Landscaping and Irrigation) of the Zoning Code. Design modifications may be required as deemed necessary. A separate application and filing fee is required.
 - a. Container sizes and plant spacing shall be of a minimum dimension necessary to ensure proper screening of the equipment storage area upon installation, subject to Planning Division Staff satisfaction.
5. An exterior lighting plan shall be submitted for Planning Division staff review. A photometric study and manufacturer's cut sheets of all new exterior lighting on buildings, landscaped areas and in parking lots shall be reflected. All on-site lighting shall provide a minimum intensity of one foot-candle and a maximum of ten foot-candles at ground level throughout the areas serving the public and used for parking. Light sources shall be shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties and public rights-of-ways. If lights are proposed to be mounted on buildings, down-lights shall be utilized. Freestanding light poles shall not exceed fourteen feet in height, including the height of any concrete or other base material.

Prior to Release of Utilities and/or Occupancy:

6. All barbed and razor wire shall be removed from the existing fencing.

7. Chain link vehicular gates serving the equipment storage yard shall be screened with wooden or vinyl slats or a similar material. Fabric screening is not an appropriate screening method.
8. 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 Assistant Planner Matthew Taylor at (951) 826-5944 to schedule the final inspection at least a week prior to needing the release of utilities.

Operational Conditions:

9. The retractable appurtenances of all equipment stored outdoors shall be stored in the lowest possible position.
10. Truck movements shall comply with the submitted Equipment Staging and Truck Circulation plan. Any modifications to circulation patterns shall be subject to the approval of the Planning Division and the Public Works Department.
11. The faux-ivy fence screening material shall be maintained in good repair at all times. The material shall be refurbished or replaced whenever substantial tearing, weathering, discoloration, sun damage or other deterioration occurs.
12. 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.

Standard Conditions

13. 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.
14. 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.
15. The Project must be completed per the Conditional Use Permit and Design Review approved by the Planning Commission, including all conditions listed in this report. Any substantial changes to the Project must be approved by the Planning Commission or minor modifications by Design Review Staff. Upon completion of the Project, a Design Review Staff inspection must be requested, and UTILITIES will not be released until it is confirmed that the approved plans and all conditions have been implemented.
16. 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.

17. 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.
18. 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.
19. 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.
20. 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.
21. 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.
22. 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.
23. Failure to abide by all conditions of this permit shall be cause for revocation.
24. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
25. 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**

26. No conditions.

- **Fire Department**

27. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.

28. Construction plans shall be submitted and permitted prior to construction.
29. Any required fire hydrants shall be installed and operational prior to Fire Department release of permit.
30. Fire Department access shall be maintained and no exterior storage of equipment shall block access.
31. If the building currently does not have fire sprinklers, and the change of use becomes a Group S-1 with a fire area that exceeds 12,000 sq. ft., then, an automatic fire sprinkler system is required by City Ordinance 16.32.080. 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.

- **Building and Safety**

Prior to Occupancy:

32. Any change in use of the existing building requires approval of the Building & Safety Division and a new Certificate of Occupancy. Plans must be submitted to the City by an appropriately Licensed Design Professional justifying the change in use and how it conforms to current codes for the new use.

- **Parks and Recreation**

Prior to Building Permit Issuance:

33. Advisory: Developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve and trail fees) per RMC Chapters 16.60, 16.44 and 16.76.