



Community & Economic Development Department

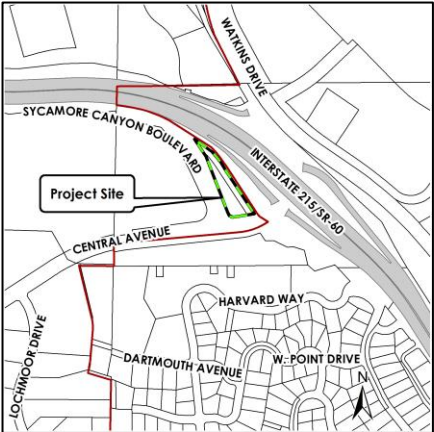
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Planning Division

RiversideCA.gov

**PLANNING COMMISSION HEARING DATE: APRIL 18, 2019
AGENDA ITEM NO.: 02**

PROPOSED PROJECT

Case Numbers	P18-0028 (Zoning Code Map Amendment) P18-0034 (Tentative Parcel Map) P18-0031 (Conditional Use Permit – Vehicle Fuel Station with Off-Sale of Beer and Wine/Vehicle wash facility) P18-0032 (Conditional Use Permit – Drive-thru Restaurant) P18-0033 (Design Review)	
Request	To consider the following entitlements for a commercial development on 2.19 acres: 1) Zoning Code Map Amendment to apply the CG – Commercial General Zone to the project site; 2) Tentative Parcel Map (TPM – 37591) to subdivide the subject 2.19 acres into two lots: one at 1.04 and one at 1.15 acres; 3) Conditional Use Permit to permit a vehicle fuel station consisting of a 3,600 square foot fueling canopy with 12 gasoline pumps, a 3,200 square foot convenience store with off-sale of beer and wine (Type 20 Alcohol License), and a 1,518-square-foot automated vehicle wash facility; 4) Conditional Use Permit to permit a 3,800-square-foot drive-thru restaurant; and 5) Design Review of project plans.	
Applicant	Eugene Marini, of KA Enterprises	
Project Location	Northeast corner of Sycamore Canyon Boulevard and Central Avenue, west, of the southbound I-215 off-ramp	
APN	256-050-013	
Project area	2.19 acres	
Ward	2	
Neighborhood	Canyon Crest	
General Plan Designation	C – Commercial	
Zoning Designation	N/A (not previously zoned)	
Staff Planner	Matthew Taylor, Associate Planner 951-826-5944 mtaylor@riversideca.gov	

RECOMMENDATIONS

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

1. **DETERMINE** that the proposed project will not have a significant effect on the environment based on the findings set forth in the case record and adopt a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP), pursuant to Section 21081.6 of the California Environmental Quality Act (CEQA) Guidelines; and
2. **APPROVE** Planning Cases: P18-0028 (Zoning Code Map Amendment), P18-0034 (Tentative Parcel Map), P18-0031 (Conditional Use Permit – Vehicle Fuel Station with Off-Sale of Beer and Wine/Vehicle Wash Facility), P18-0032 (Conditional Use Permit – Drive-Thru Restaurant), and P18-0033 (Design Review), based on the attached findings and subject to the recommended conditions (Exhibits 1 and 2).

SITE BACKGROUND

The 2.19-acre project site consists of a single, vacant, privately-owned parcel and excess City of Riverside right-of-way. The project site was disturbed during the reconfiguration of the SR-60/I-215-Central Avenue interchange in 2007 (Exhibit 3). The project site is generally flat, with the exception of an existing manufactured slope along the Sycamore Canyon Boulevard frontage.

The project site was annexed into the City in 2015 as part of Annexation 118, which included 16.6 gross acres of privately owned land and CalTrans right-of-way (Planning Cases P14-0246, P14-1059 and P14-0901). As part of Annexation 118, the C – Commercial General Plan Land Use Designation was applied to the entirety of the annexed area (Exhibit 4). Concurrently, the CG – Commercial General Zoning designation was applied to an approximately 9.7-acre parcel of privately owned land west of Sycamore Canyon Boulevard. The project site was not assigned a zoning designation as it consisted entirely of surplus CalTrans property and City right-of-way. Subsequent to annexation to the City, CalTrans conveyed the surplus property to the Applicant.

Surrounding land uses include the SR-60/I-215 freeway to the north and east, vacant, commercially zoned land to the west, and vacant land located in the County of Riverside to the south.

PROPOSAL

The applicant is requesting approval of a Zoning Code Map Amendment to apply the CG – Commercial General Zone to the 2.19-acre project site (Exhibit 5); a Tentative Parcel Map to subdivide the project site into two lots ranging in size from 1.04 to 1.15 acres, and vacate 1.14 acres of excess right of way; a Conditional Use Permit (CUP) to construct and operate a vehicle fuel station, a convenience store with the off-sale of beer and wine, and an automated drive-thru vehicle wash facility; a CUP to construct and operate a drive-thru restaurant; and Design Review approval of site development plans (Exhibit 6).

The proposed commercial development includes the following:

- Vehicle Fuel Station/Vehicle Wash Facility

The proposed vehicle fuel station and vehicle wash facility are located on the southern half of the project site, at the corner of Sycamore Canyon Boulevard and Central Avenue.

The vehicle fuel station includes the construction of a 3,200-square-foot convenience store with the off-sale of beer and wine (Type 20 license), a fueling canopy consisting of 6 multiple product dispensers comprising two gasoline pumps each, and a 1,518-square-foot automated vehicle wash facility. The entrance to the proposed convenience store will be oriented towards Central Avenue.

The vehicle wash facility will be located east of the convenience store, at the southeast corner of Central Avenue and the SR-60/I-215 off-ramp. The proposed drive-thru queuing lane for the vehicle wash facility is 12 feet wide and accommodates stacking for 5 vehicles. It is screened from Central Avenue and the SR-60/I-215 off-ramp with a 3-foot-high screen wall and landscaping. Three covered parking spaces, equipped with vacuum equipment, are located to the immediate southwest of the drive-thru vehicle wash facility building.

The proposed vehicle fuel station, convenience store and vehicle wash facility will operate 24 hours per day, seven days per week. The Applicant has indicated that fuel delivery is typically scheduled during off-peak hours, usually in the early morning, and approximately 7-10 deliveries are expected per week. The vehicle fuel station will have an average of two employees and a maximum of five on site during each of the three daily shifts.

- Drive Thru Restaurant

The proposed drive-thru restaurant consists of 3,800 square feet of gross floor area is located on the northern half of the project site. The entrance to the drive-thru is located on the north side of the building with the pick-up window on the west side of the building. The proposed dual-entry drive-thru queuing lane is 12 feet wide, 190 feet long, and accommodates stacking for 10 vehicles. The proposed pick-up windows will be screened from Sycamore Canyon Boulevard by a 3-foot-high screen wall and decorative trellises. An outdoor seating area is located on the south side of the building.

Although an operator has not been identified for the proposed drive-thru restaurant, the Applicant has indicated prospective operators may operate 24 hours daily, seven days per week, and will typically have an average of five employees and a maximum of 10 employees on site per shift (Exhibit 7).

A total of 54 vehicle parking spaces are distributed throughout the site. Access is provided via two proposed two-way driveways: a 35-foot-wide, right-in/right-out driveway between the proposed convenience store and drive-thru restaurant buildings, and a 24-foot-wide full-access driveway on the north side of the drive-thru restaurant building.

The proposed architectural design reflects a contemporary commercial style with stacked rectangular building massing; shed roof towers and mansard treatments; stucco, textured block and standing seam aluminum panel wall finishes; and full-height storefront glazing systems. Proposed trash enclosures, outdoor dining patio and vacuum bay covers, and the fueling canopy are consistent with the proposed building architecture through the use of similar materials and finishes. The proposed color palette is primarily shades of white, cream and tan.

Proposed grading will involve lowering the southern half of the project site approximately six feet from the existing grade and creating two level building pads separated by the depressed southern project driveway. A series of terraced retaining walls, three feet in exposed height and separated by a minimum of four feet of landscaped area, are proposed along Sycamore Canyon Boulevard to achieve the proposed building pad elevations. A retaining wall, ranging in height from two to six feet, is proposed along the eastern project perimeter facing the interior of the project site, and adjacent to the freeway off-ramp.

Proposed landscaping includes a five-foot-wide landscaped planter along the eastern edge of the project site, adjacent to the freeway off-ramp, and planters ranging from 15 to 36 feet along both street frontages. At the corner of Central Avenue and Sycamore Canyon Boulevard, an enhanced gateway feature is proposed consisting of stack stone walls, project identification signage, decorative boulders and enhanced plantings.

PROJECT ANALYSIS

Authorization and Compliance Summary

City Policy and Regulations	Consistent	Inconsistent
<p>General Plan 2025</p> <p>The General Plan 2025 Land Use designation of C – Commercial is consistent with the proposed CG – Commercial General Zone. The Commercial land use designation provides for retail, sales, service and office uses that serve multiple neighborhoods within the City.</p> <p>The project is consistent with General Plan 2025 Land Use and Urban Design Element Objectives, Goals and Policies for the Canyon Crest Neighborhood and furthers the intent of the General Plan 2025 through consistency with the following goals, policies and objectives:</p> <ul style="list-style-type: none"> • Objective LU-42: <i>Maintain the diverse and lively character of Canyon Crest's residential and commercial areas; and</i> • Objective LU-21: <i>Attractively develop the City's major gateways to create a stronger sense of City identity.</i> 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Zoning Code Land Use Consistency (Title 19)</p> <p>The project site does not currently have a Zoning Designation. The proposed CG – Commercial General Zone allows for more intense service, commercial, retail, office and repair uses and is appropriate for the project site which is surrounded by a freeway, an arterial and collector street.</p> <p>The proposed CG Zone is consistent with the existing C – Commercial General Plan Land Use Designation. The proposed uses including the vehicle fuel station, off-sale of beer & wine concurrent with the sale of motor vehicle fuel, the drive-thru vehicle wash facility, and the drive-thru restaurant are each permitted within the proposed CG Zone subject to the approval of a Conditional Use Permit and compliance with the Site Location, Development and Operational Standards prescribed for each use. The proposed project complies with the applicable development standards prescribed by the Zoning Code.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Subdivision Code Consistency (Title 18)</p> <p>The proposed Tentative Parcel Map is consistent with the applicable provisions of the Subdivision Code relating to the establishment of lots via the subdivision of land, including minimum area, dimensions, configuration, frontage and suitability for purpose. In order to ensure the orderly future operation of the commercial development, a Condition of Approval is recommended requiring the establishment of Conditions, Covenants and Restrictions (CC&Rs) to provide for reciprocal access, parking, common area maintenance and other management procedures.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

City Policy and Regulations	Consistent	Inconsistent
<p>Grading Code Consistency (Title 17)</p> <p>The project site is disturbed and has been altered over the last several decades, primarily as a result of the relocation of Sycamore Canyon Boulevard several hundred feet to the west, in conjunction with the SR-60/I-215 corridor expansion completed in 2007. There is no remaining natural, ungraded terrain on the project site. The proposed project has been designed to comply with the applicable provisions of the Grading Code and as such is consistent with the intent and applicable requirements of Title 17.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Consistency with the Riverside County Airport Land Use Compatibility Plan for March Air Reserve Base/March Inland Port</p> <p>The project site is located within Compatibility Zone E of the Riverside County Airport Land Use Compatibility Plan (RCALUCP) for March Air Reserve Base/March Inland Port Airport Influence Area. Non-residential land use intensity is not restricted in Zone E. On July 26, 2018, the Riverside County Airport Land Use Commission (ALUC) issued a Director's Determination (File No. ZAP1304MA18) finding the proposed project consistent with Zone E of the MARB/MIP AIA (Exhibit 8).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Compliance with Citywide Design & Sign Guidelines</p> <p>The proposed project meets the objectives of the Citywide Design Guidelines for new commercial development related to building siting and orientation, massing, articulation and architectural treatment, parking layout, landscaping, service area and equipment screening and lighting. To further ensure the objectives of the Citywide Design Guidelines are met, Staff recommends Conditions of Approval requiring detailed landscape and irrigation design plans, exterior lighting fixtures, tank vent risers and freestanding and retaining wall materials. As proposed and conditioned, the proposed project is consistent with the Citywide Design Guidelines.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS
VEHICLE FUELING STATION AND VEHICLE WASH FACILITY (PARCEL 2)**

Chapter 19.110					
Commercial and Office Development Standards for the CG-Commercial General Zone					
Standard			Proposed	Consistent	Inconsistent
Floor Area Ratio		0.50	0.10	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lot Requirements	Lot Size	20,000 sq. ft.	45,441 sq. ft.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Lot Width	100 feet	188 feet		
	Lot Depth	100 feet	267 feet		
Building Height	Convenience Store	75 feet	30 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Carwash		19 feet 9 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Setbacks	Front	0 feet	64 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Freeway Side	5 feet	5 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Street Side	0 feet	20 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear	0 feet	23 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Chapter 19.410					
Vehicle Fuel Station Site Location, Operation, and Development Standards					
Standard			Proposed	Consistent	Inconsistent
Lot Area	1 acre		1.04 acres	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Frontage	Located on Arterial Street		Central Avenue (Arterial)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Landscape Setback	Central Avenue	10 feet	15 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Sycamore Canyon Boulevard		13 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Canopy Setback	Front	20 feet	41 feet 2 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Freeway Side		53 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Street Side		36 feet 9 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear		121 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Building Height	Convenience Store	35 feet	30 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Chapter 19.425 Vehicle Wash Facilities Site Location, Operation, and Development Standards					
Standard			Proposed	Consistent	Inconsistent
Frontage	Direct access to an arterial or collector street		Sycamore Canyon Boulevard (Collector)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Circulation	Traffic circulation pattern shall be designed to preclude traffic congestion on public streets and provide safe ingress, egress and movement of on-site traffic		Adequate circulation and safe ingress and egress movements	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Landscape Setback	Central Avenue	10 feet	15 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Noise	Noise shall comply with Title 7 of the Municipal Code		The project will operate in compliance with the Noise Code	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Water Runoff	Water flow shall be confined to the site		Water flows are confined to the site	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Chapter 19.450 Alcohol Sales Site Location, Operation, and Development Standards (Exhibit 9)					
Standard			Proposed	Consistent	Inconsistent
Setbacks	Residential Zone or Use	100 feet	RC - Residential Conservation Zone (Quail Run park site): 771 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Other Vehicle Fuel Stations with Off-Sale Licenses	300 feet	Circle K/76 (5720 Sycamore Canyon Boulevard): 4,915 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Schools, Assemblies of People-Non Entertainment Facilities, Public Park	600 feet	City Park Property (Quail Run park site): 771 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Other Off-Sale Licenses and Supportive Housing	1,000 feet	Rite-Aid (5225 Canyon Crest Drive): 5,648 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

California Department of Alcoholic Beverage Control (Census Tract 422.06) Off-Sale Alcohol Licenses						
Standard		Existing Licenses	Proposed Licenses	Total Number of Existing and Proposed Licenses	Consistent	Inconsistent
Maximum Number of Off-sale Licenses	3	2	1	3	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS
DRIVE-THRU RESTAURANT (PARCEL 1)**

Chapter 19.110 Commercial and Office Development Standards for the CG - Commercial General Zone					
Standard			Proposed	Consistent	Inconsistent
Floor Area Ratio	0.50		0.08	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lot Requirements	Lot Size	20,000 sq. ft.	50,101 sq. ft.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Lot Width	100 feet	462 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Lot Depth	100 feet	160 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Building Height	75 feet		30 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Yard Setbacks	Front	0 feet	27 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Interior Side	0 feet	104 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Freeway Side	5 feet	61-142 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Landscape Setback	15 feet		15 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Chapter 19.475 Drive-Thru Business Site Location, Operation, and Development Standards					
Standard			Proposed	Consistent	Inconsistent
Frontage	100 feet		462 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Located on Arterial Street		Central Avenue (Arterial)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Drive-Thru Lane Standards	Length: 180 feet		190 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Stacking: 10 vehicles		10 vehicles	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Width: 12 feet		12 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Drive-thru lane screening		A 3-foot high masonry screen wall with decorative trellises, and landscaping	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Landscape Setbacks	Sycamore Canyon Boulevard: 15 feet		15 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Between Drive-Thru and Parking Lot: 5 feet		12 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS
PARKING AND LOADING**

Chapter 19.580 Parking and Loading Development Standards					
Standard			Proposed	Consistent	Inconsistent
Vehicle Fuel Station	Vehicle Fuel Station with Convenience Store: 1 space/250 sq. ft.	3,200 sq. ft.: 13 spaces	54 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Vehicle Fuel Station with Car Wash: 1 space/washing bay	1 washing bay: 1 space			
Drive-Thru Restaurant	Restaurant: 1 space/100 sq. ft.	3,800 sq. ft.: 38 spaces			
Total		52 spaces			

FINDINGS SUMMARY

Rezoning and Conditional Use Permits

The proposal to apply the CG – Commercial General Zone to the project site will achieve consistency with the C – Commercial General Plan Land Use Designation and facilitate the development of a high-quality commercial center to activate a prominent gateway to the City.

The proposed vehicle fuel station with the off-sale of beer and wine concurrent with the sale of motor vehicle fuel and vehicle wash facility is an appropriate use for the interchange of Central Avenue, Sycamore Canyon Boulevard and SR-60/I-215. The proposed project will provide convenient and accessible goods and services to neighborhood residents and highway motorists. The proposed drive-thru restaurant will provide additional options for travelers and residents of the Canyon Crest, Sycamore Canyon/Canyon Springs, and University neighborhoods.

The project site has been designed to provide safe and efficient vehicular access and internal circulation while providing adequate landscaping, water quality treatment facilities, utility equipment, pedestrian access and site furnishings. The proposed project complies with all applicable development standards of the proposed CG Zone as well as the specific standards for vehicle fuel stations, vehicle wash facilities, off-sale of beer and wine and drive-thru businesses.

The proposed project is consistent and compatible with the surrounding development and will provide convenient access to goods and services for the surrounding neighborhood and highway travelers. The proposed project is appropriate for the freeway-adjacent location and has been designed to comply with all applicable standards, requirements and guidelines. Staff supports the proposed Zoning Code Map Amendment and Conditional Use Permits, and recommends approval of the proposed project.

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration (MND) and Mitigation and Monitoring Reporting Program (MMRP) have been prepared for this project in accordance with Section 15074 of the California Environmental Quality Act (CEQA) Guidelines (Exhibit 10). The CEQA documentation states the proposed project will not have a significant effect on the environment, subject to implementation of the Mitigation Monitoring and Reporting Program (MMRP).

PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners within 300 feet of the site. A Notice of Intent to Adopt a Mitigated Negative Declaration was published in the Press-Enterprise and mailed to the list of agencies and interested parties. As of the writing of this report, Staff received three letters in opposition to the proposed project; and one letter and one phone call requesting additional information (Exhibit 11).

Letters received in opposition raise concerns with effects on the natural open space in the area and nearby wildlife corridors; light pollution; traffic congestion; and inadequate noticing.

- As it relates to open space and wildlife, the proposed project has been determined to be consistent with all applicable policies of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) as summarized in the Regional Conservation Authority (RCA) Joint Project Review (JPR) #18-08-07-01 (Exhibit 12), including policies related to reserve assembly and the permanent conservation of Proposed Constrained Linkage #7 which passes the project site to the south.
- Light pollution will be controlled through the proposed project's compliance with Chapter 19.556 (Outdoor Lighting) of the Zoning Code for Lighting Zone Three, in which the project site is located, as well as Title 24 of the California Code of Regulations.

- As demonstrated by the Traffic Impact Analysis prepared for the proposed project (Appendix I to Exhibit 10), no significant impacts to levels of service at nearby intersections were identified and no mitigation for traffic impacts is required; however, the Traffic Engineering Section of the Public Works Department has recommended specific conditions of approval requiring modifications to Sycamore Canyon Boulevard vehicle and bicycle lane striping and to the phasing of the existing traffic signal at Sycamore Canyon Boulevard and Central Avenue to improve the overall operation of the intersection.
- The public hearing notices were prepared and mailed to owners and occupants of all property within 300 feet of the project site as required by the Zoning Code, and included all information required by Section 19.670.060 (Content of Notice).

The concerns raised in the letters of opposition have been adequately addressed by the project design and potential environmental impacts have been identified as less than significant or have been reduced to below the level of significance with the proposed mitigation measures incorporated.

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. Location Map
4. General Plan Map
5. Existing and Proposed Zoning Map
6. Project Plans (*Tentative Parcel Map, Architectural Plans, Preliminary Grading Plan, Conceptual Landscape Plan, Site Lighting Plan, Alcohol Management Plan*)
7. Project Description
8. Riverside County Airport Land Use Commission Consistency Determination No. ZAP1304MA18
9. Distance Requirements Map
10. Draft Initial Study and Mitigated Negative Declaration and Appendices
11. Comment Letters
12. Western Riverside County Regional Conservation Authority Joint Project Review #18-08-07-01
13. Existing Site Photos

(Color/Material Board to be available at the City Planning Commission Meeting)

Prepared by:	Matthew Taylor, Associate Planner
Reviewed by:	Patricia Brenes, Principal Planner
Approved by:	Mary Kopaskie-Brown, City Planner



EXHIBIT 1 – FINDINGS

PLANNING CASES: **P18-0028** (Zoning Code Map Amendment)
 P18-0034 (Tentative Parcel Map)
 P18-0031 (Conditional Use Permit – Vehicle Fuel Station with Off-Sale of Beer and Wine/Vehicle Wash Facility)
 P18-0032 (Conditional Use Permit – Drive-Thru Restaurant)
 P18-0033 (Design Review)

Zoning Code Map Amendment (Rezoning) Findings Pursuant to 19.810.040

- a. The proposed Zoning Code Map Amendment (Rezoning) is consistent with the goals, policies, and objectives of the General Plan;
- b. The proposed Zoning Code Map Amendment (Rezoning) will not adversely affect surrounding properties; and
- c. The proposed Zoning Code Map Amendment (Rezoning) will promote public health, safety, and general welfare and serves the goals and purposes of the Zoning Code.

Conditional Use Permit Findings Pursuant to Chapter 19.760.040 (Vehicle Fuel Station with Off-Sale of Beer and Wine/Vehicle Wash Facility and Drive-Thru Restaurant)

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

Vehicle Fuel Station Findings pursuant to Chapter 19.410.030

- a. The proposed vehicle fuel station will not substantially increase vehicular traffic on streets in a residential zone, and the proposed vehicle fuel station will not substantially lessen the usability and suitability of adjacent or nearby residentially zoned property for residential use.
- b. The proposed vehicle fuel station will not substantially lessen the usability of adjacent or nearby commercially zoned property for commercial use by interfering with pedestrian traffic.
- c. The proposed vehicle fuel station will not create increased traffic hazards to pedestrians as it is not located near a school, assemblies of people – non-entertainment or assemblies of people – entertainment use.

- d. The proposed vehicle fuel station site is served by streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by such use.
- e. The proposed vehicle fuel station site is adequate in size and shape to accommodate said use, and to accommodate all yards, walls, parking, landscaping and other required improvements.

Drive-thru Business Findings Pursuant to Chapter 19.475.050

- a. The drive-thru businesses will not substantially increase vehicular traffic on streets in a residential zone.
- b. The drive-thru businesses will not substantially lessen the usability of adjacent or nearby commercially zoned property or commercial use by interfering with pedestrian traffic.
- c. The drive-thru businesses will not create increased traffic hazards to pedestrians.
- d. The sites are adequate in size and shape to accommodate the drive-thru businesses and all yards, walls, parking, landscaping and other required improvements.
- e. The drive-thru businesses will not substantially lessen the usability and suitability of adjacent or nearby residentially zoned property for residential use.



CITY OF RIVERSIDE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

PLANNING DIVISION

EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

PLANNING CASES: **P18-0028** (Zoning Code Map Amendment)
 P18-0034 (Tentative Parcel Map)
 P18-0031 (Conditional Use Permit – Vehicle Fuel Station with Off-Sale of Beer and Wine/Vehicle Wash Facility)
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Case Specific

- **Planning Division**

1. Plans shall conform to the Exhibits attached to this report. Proposed modifications to the approved design shall be submitted to the Planning Division and shall include revised Exhibits and a narrative description of the proposed modifications. The Applicant is advised that an additional application and fee may be required.
2. The proposed project 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.
3. 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.
4. Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. Any new signs, including exterior building mounted, monument, and window signs, shall be subject to separate review and assessment. A separate sign application, including fees and additional sets of plans, will be necessary prior to sign permit issuance.

Prior to Map Recordation:

5. The Applicant shall submit draft Conditions, Covenants and Restrictions (CC&Rs) for review and approval by the Planning Division and the City Attorney's Office. The CC&Rs shall include the following provisions:
 - a. Reciprocal access and parking shall be provided on both parcels;
 - b. A Master Property Association or other management entity shall be established and shall be responsible for the care and maintenance of all common landscaped areas, parking lots, water quality facilities, site lighting and other shared improvements.

Prior to Grading Permit issuance:

6. A 40-scale precise grading plan shall be submitted to the Planning Division and shall include the following:
 - a. Hours of construction and grading activity are limited to between 7:00 a.m. and 7:00 p.m. weekdays and 8:00 a.m. and 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or Federal holidays;
 - b. Compliance with City-adopted interim erosion control measures;
 - c. Compliance with any applicable recommendations of a qualified soils engineer to minimize potential soil stability problems;
 - d. A note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within a pipeline easement; and
 - e. Identification of location, exposed height, material and finish of any proposed retaining walls.
 - f. Specify enhanced decorative paving at project entry driveways.
7. **Mitigation Measure BIO-1:** A qualified biologist shall conduct a pre-construction presence/absence survey for burrowing owls within 30 days prior to site disturbance. If burrowing owls are detected on-site, the owls shall be relocated/excluded from the site outside of the breeding season following accepted protocols, and subject to the approval of the RCA and wildlife agencies.
8. **Mitigation Measure BIO-2:** As feasible, vegetation clearing should be conducted outside of the nesting season, which is generally identified as February 1 through September 15. If avoidance of the nesting season is not feasible, then a qualified biologist shall conduct a nesting bird survey within three days prior to any disturbance of the site, including disking, demolition activities, and grading. If active nests are identified, the biologist shall establish suitable buffers around the nests, and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.
9. **Mitigation Measure BIO-3:**
 - a. **Drainage** - projects in proximity to the MSHCP Proposed Constrained Linkage 7 and shall incorporate measures, including measures required through the National Pollutant Discharge Elimination System (NPDES) requirements, to ensure that the quantity and quality of runoff discharged to the MSHCP Proposed Constrained Linkage 7 is not altered in an adverse way when compared with existing conditions. In particular, measures shall be put in place to avoid discharge of untreated surface runoff from developed and paved areas into the MSHCP Proposed Constrained Linkage 7. Stormwater systems, as applicable, shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes within the MSHCP Proposed Constrained Linkage 7. This can be accomplished using a variety of methods including natural detention basins, grass swales or mechanical trapping devices. Regular maintenance shall occur to ensure effective operations of runoff control systems. The Project's contractor shall develop a Stormwater Pollution Prevention Plan (SWPPP) to runoff and water quality during construction. However, following the completion of activities, the Project site shall not contain any developed or paved areas, that will in any way result in increased drainage to the

MSHCP Proposed Constrained Linkage 7. As such, no measures would be required post-construction.

- b. **Toxics** - Land uses proposed in proximity to the MSHCP Proposed Constrained Linkage 7 that use chemicals or generate bioproducts such as manure that are potentially toxic or may adversely affect wildlife species, habitat or water quality shall incorporate measures to ensure that application of such chemicals does not result in discharge to the MSHCP Proposed Constrained Linkage 7. Measures such as those employed to address drainage issues shall be implemented. The project shall implement a SWPPP that shall address runoff during construction.
- c. **Lighting** - Night lighting shall be directed away from the MSHCP Proposed Constrained Linkage 7 to protect species from direct night lighting. If night lighting is required during construction, shielding shall be incorporated to ensure ambient lighting in the MSHCP Proposed Constrained Linkage 7 is not increased.
- d. **Noise** - Proposed noise generating land uses affecting MSHCP Conservation Area shall incorporate setbacks, berms or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations and guidelines related to land use noise standards. For planning purposes, wildlife within the MSHCP Conservation Area should not be subject to noise that would exceed residential noise standards
- e. **Invasives** - Projects adjacent to the MSHCP Conservation Area (including MSHCP Proposed Constrained Linkage 7) shall avoid the use of invasive plant species in landscaping, including invasive, nonnative plant species listed in Volume I, Table 6-2 of the MSHCP.

10. **Mitigation Measure CR-1:** Archaeological and Paleontological Monitoring; At least 30 days prior to application for a grading permit and before any grading, excavation and/or ground disturbing activities on the site take place, the Project Applicant shall retain a Secretary of Interior Standards qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources.

The Project Archaeologist, in consultation with interested tribes, the Developer and the City, shall develop an Archaeological Monitoring Plan to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. Details in the Plan shall include:

- a. Project grading and development scheduling;
- b. The development of a rotating or simultaneous schedule in coordination with the applicant and the Project Archeologist for designated Native American Tribal Monitors from the consulting tribes during grading, excavation and ground disturbing activities on the site: including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all Project archaeologists;
- c. The protocols and stipulations that the Applicant, tribes and project archaeologist/paleontologist shall follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits, or nonrenewable paleontological resources that shall be subject to a cultural resources evaluation;
- d. Treatment and final disposition of any cultural and paleontological resources, sacred sites, and human remains if discovered on the project site;

- e. The scheduling and timing of the Cultural Sensitivity Training per **Mitigation Measure CR-4.**
11. **Mitigation Measure CR-2:** Prior to grading permit issuance, if there are any changes to project site design and/or proposed grades, the Applicant and the City shall contact interested tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City, Applicant, and interested tribes to discuss any proposed changes and review any new impacts and/or potential avoidance/preservation of the cultural resources on the project site. The City and the Applicant shall make all attempts to avoid and/or preserve in place as many cultural and paleontological resources as possible that are located on the project site if the site design and/or proposed grades should be revised.
12. **Mitigation Measure CR-3:** Treatment and Disposition of Cultural Resources: In the event that Native American cultural resources are inadvertently discovered during the course of grading for this Project. The following procedures shall be carried out for treatment and disposition of the discoveries:
- a. Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location on-site or at the offices of the project archaeologist. The removal of any artifacts from the project site shall be thoroughly inventoried with tribal monitor oversight of the process; and
 - b. Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Riverside Community and Economic Development Department with evidence of same:
 - i. Accommodate the process for on-site reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed;
 - ii. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation;
 - iii. For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center or Riverside Metropolitan Museum by default; and
 - iv. At the completion of grading, excavation and ground disturbing activities on the site a Phase IV Monitoring Report shall be submitted to the City documenting monitoring activities conducted by the project Archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe

how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced shall be submitted to the City of Riverside, Eastern Information Center and interested tribes.

13. **Mitigation Measure CR-4:** Cultural Sensitivity Training: The County of Riverside Certified Archaeologist and Native American Monitors shall attend the pre-grading meeting with the developer/permit holder's contractors to provide Cultural Sensitivity Training for all construction personnel. This shall include the procedures to be followed during ground disturbance in sensitive areas and protocols that apply in the event that unanticipated resources are discovered. Only construction personnel who have received this training can conduct construction and disturbance activities in sensitive areas. A sign in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.

During Construction Activities:

14. 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.
15. The proposed project shall comply with all existing State Water Quality Control Board and City storm water regulations, including compliance with National Pollutant Discharge Elimination System (NPDES) requirements related to construction and operation measures to prevent erosion, siltation, transport of urban pollutants, and flooding.
16. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the proposed project site.
17. The Construction Contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the proposed project site during all construction.
18. To reduce construction related particulate matter air quality impacts of the proposed project, the following measures shall be required:
 - a. Dust generation shall be controlled as required by the AQMD;
 - b. Trucks hauling soil, dirt or other emissive materials shall have their loads covered with a tarp or other protective cover as determined by the City Engineer;
 - c. All contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards;
 - d. Streets shall be swept at the end of the day if visible soil material is carried onto adjacent paved public roads;
 - e. Trucks and other equipment leaving the site shall be washed;
 - f. All disturbed/loose soil shall be kept moist at all times;
 - g. Grading activities shall be suspended when wind speeds exceed 25 miles per hour; and

- h. A 15 mile-per-hour speed limit shall be enforced on unpaved portions of the construction site.
- 19. To reduce diesel emissions associated with construction, construction contractors shall provide temporary electricity to the site to eliminate the need for diesel-powered electric generators, or provide evidence that electrical hook ups at construction sites are not cost effective or feasible.
- 20. The project shall comply with all applicable conditions of the Western Riverside County Regional Conservation Authority Joint Project Review (JPR) #18-08-07-01.

Prior to Building Permit issuance:

- 21. Plans submitted for Building Permit Plan Check shall be revised to specify that exposed deepened footings such as that which occurs on the north elevation of the Convenience Store shall be finished in the same manner as the primary building mass (e.g., decorative block, stucco, etc.).
- 22. Specify a solid overhanging pedestrian awning or canopy above the primary entrance to the Convenience Store.
- 23. Landscape and Irrigation Plans shall be submitted for Design Review approval. Separate applications and filing fees are required. Design modifications may be required as deemed necessary. Landscape and irrigation plans shall include the following:
 - a. Specify fast-growing climbing vine species to be planted along the eastern retaining wall adjacent to the freeway off-ramp.
 - b. Along the easterly property line, north of the retaining wall and adjacent to the freeway off-ramp, specify screening shrub plantings of sufficient container size and spacing.
 - c. Proposed planting at the corner of Sycamore Canyon Boulevard and Central Avenue, as well as the project entry driveways, shall be enhanced to the satisfaction of Planning Division Staff. Required enhancements will be based on detailed landscape and irrigation design plans and may include increased container size and quantities; decreased spacing; additional planting varieties or similar modifications.
 - d. Freestanding and retaining walls shall be constructed of a decorative masonry material (precision block is not acceptable) and shall be finished with and overhanging masonry cap.
 - e. Landscape construction plans shall incorporate additional detail related to the proposed gateway treatment at the corner of Sycamore Canyon Boulevard and Central Avenue.
- 24. Plans submitted for Staff review shall specify the location, design and color of all domestic water meters, tank vent risers, backflow preventers, detector check assemblies, utility equipment cabinets and other ground-mounted equipment subject to Planning Division and Public Utilities review and approval. The visibility of such facilities shall be minimized through means including but not limited to relocation, berming, landscaping, and/or installation of screen walls.
- 25. The Applicant shall submit manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas and in the parking lot as part of the exterior lighting plan. 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 building-mounted

lights are proposed, down-lights shall be utilized. Sight Lighting Plans shall be prepared in accordance with the provisions of the California Building Code and Chapter 19.556 (Outdoor Lighting) of the Zoning Code.

Operational Conditions:

26. Operations outside the vehicle fuel station building shall be limited to the dispensing of gasoline, oil, air and water.
27. All storage and display of merchandise and supplies must be conducted within the service station building.
28. No vehicles shall be parked on the premises other than those of persons attending to business on the site, vehicles being serviced for customers, vehicles of employees, and other service vehicles used in the operation of the station. No vehicle may be parked on the premises and offered for sale.
29. Any tank or display provided for the incidental sale of propane or similar material shall be fully screened from view from any public right-of-way.
30. A copy of the Conditional Use Permit and the final Conditions of Approval shall be available at the site and presented to any 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.
31. The owner and/or occupant shall be liable for the cost of excessive police service or response in accordance with Chapter 9.60 of the Riverside Municipal Code.

Standard Conditions

32. There is a 36-month time limit in which to satisfy the conditions and record this map. Six subsequent one-year time extensions may be granted by the Community & Economic Development Director upon request by the Applicant. Application for a one-year time extension must be made prior to the expiration date of the map. No time extension may be granted for applications received after the expiration date of the map.
33. Conditional Use permits, Design Review, and Variances, related to an implementing subdivision, may be granted time extensions by the Community & Economic Development Director or their designee up to a total of six years consistent with the time limits of the map. Once a building permit has been issued the development will be considered vested and time extensions are no longer needed. At the exhaustion of Community & Economic Development Director approved extensions, the original Approving or Appeal Authority following a public hearing noticed pursuant to Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing), may grant one final permit extension of up to two years. A public hearing notification fee is required of the applicant in such case in addition to a time extension fee.
34. 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.

35. The Conditional 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.
36. 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.
37. 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. The Applicant 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.
38. The Applicant 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.
39. Failure to abide by all conditions of this Conditional Use Permit shall be cause for revocation.

- **Airport Land Use Commission (ALUC) Director's Determination**

Contact Paull Rull, ALUC Urban Regional Planner IV, at 951-955-6893 or prull@rivco.org with questions regarding the following Airport Land Use Commission conditions:

40. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
41. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, the production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris centers, fly ash disposal, and incinerators.)

42. The attached notice shall be provided to all potential purchasers of the property and to lessees of the structures thereon.
43. Any new aboveground detention or water quality basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention/water quality basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

- **Public Works**

Contact Chris Scully at 951-826-5345 or cscully@riversideca.gov with questions regarding the following Public Works Land Development conditions:

44. A "FINAL MAP" shall be processed with the Public Works Department and recorded with the County Recorder. The "FINAL MAP" shall be prepared by a Land Surveyor or Civil Engineer authorized to practice Land Surveying in the State of California and shall comply with the State Subdivision Map Act and Title 18 of the Riverside Municipal Code. All applicable checking and recording fees are the responsibility of the applicant.
45. Installation of sewer main/sewer laterals to serve new construction.
46. Size, number and location of driveways to Public Works specifications.
47. Street Trees (Golden Trumpet Trees) are approved as outlined on the Landscape Plans. Final spotting and spacing will be conducted by the Tree Inspector once final grading and construction has been completed.
48. Installation of curb adjacent sidewalk to Public Works specifications.
49. Prior to final inspection for the development project, the applicant shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of payment. If the project improvements include qualifying right-of-way dedications and/or street improvements to a TUMF regional arterial roadway as identified on the Regional System of Highways and Arterials, the developer may have the option to enter into a Credit/ Reimbursement Agreement with the City and Western Riverside Council of Governments (WRCOG) to recover costs for such work based on unit costs as determined by WRCOG.

The terms of the agreement shall be in accordance with the RMC Chapter 16.68 and the TUMF Administrative Plan requirements. Credit/reimbursement agreements must be fully executed prior to receiving any credit/reimbursement. An appraisal is required for credit/reimbursement of right of way dedications and credit/reimbursement of qualifying improvements requires the public bidding and payment of prevailing wages in accordance with State Law. For further assistance, please contact the Public Works Department.

50. Prior to issuance of a building or grading permit, the applicant shall submit to the City for review and approval, a project-specific WQMP that:
 - a. Addresses Site Design BMP's such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas and conserving natural areas;
 - b. Incorporates the applicable Source Control BMP's as described in the Santa Ana River Region WQMP and provides a detailed description of their implementation;

- c. Incorporates Treatment Control BMP's as described in the Santa Ana River Region WQMP and provides information regarding design considerations;
 - d. Describes the long-term operation and maintenance requirements for BMP's requiring long-term maintenance; and
 - e. Describes the mechanism for funding the long-term operation and maintenance of the BMP's requiring long-term maintenance.
51. Prior to issuance of any building or grading permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument acceptable to the City Attorney to inform future property owners of the requirement to implement the approved project-specific WQMP. Other alternative instruments for requiring implementation of the approved project-specific WQMP include:
- a. Requiring the implementation of the project-specific WQMP in the Property Owners Association Conditions, Covenants and Restrictions (C,C&R's);
 - b. Formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the project-specific WQMP; or
 - c. Equivalent may also be considered. Alternative instruments must be approved by the City prior to the issuance of any building or grading permits.
52. If the project will cause land disturbance of one acre or more, it must comply with the statewide General Permit for Storm Water Discharges Associated with Construction Activity. The project applicant shall cause the approved final project-specific WQMP to be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.
53. Prior to building or grading permit closeout or the issuance of a certificate of occupancy or certificate of use, the applicant shall:
- a. Demonstrate that all structural BMP's described in the project-specific WQMP have been constructed and installed in conformance with approved plans and specifications;
 - b. Demonstrate that applicant is prepared to implement all non-structural BMP's described in the approved project-specific WQMP; and
 - c. Demonstrate that an adequate number of copies of the approved project-specific WQMP are available for the future owners/ occupants.

• **Public Works – Traffic Engineering**

Contact Nathan Mustafa at 951-826-5828 or mdouglas@riversideca.gov with questions regarding the following Fire Department conditions:

54. Figure 10 in the Traffic Impact Study represents the layout for the following conditions of approval:
- a. The project shall install a segment of two way left turn lane/ refuge area for motorists completing a left turn out for the project's northerly access to Sycamore Canyon Boulevard.
 - b. The project shall install a median barrier and signage to restrict the driveway to right in/out movements for the southerly access to Sycamore Canyon Boulevard.

- c. The project shall install a buffered bicycle lane in the Southbound direction to the intersection approach.
55. The Sycamore Boulevard at Central Avenue intersection will operate under Level of Service F conditions in the AM Peak Hour for the Northbound right turn and LOS F conditions in the PM Peak Hour for the Eastbound right turn movements. The project shall install the overlap phasing of the signal modification to improve the LOS F conditions to the Northbound right and Eastbound right lanes at the Sycamore Canyon Boulevard at Central Avenue intersection.

- **Public Works – Environmental Compliance**

Contact Michael Placencia at 951-351-6072 or mplacencia@riversideca.gov with questions regarding the following Fire Department conditions:

56. A Wastewater Discharge Survey for restaurants must be submitted to EC for approval along with a menu. The Wastewater Survey and Menu will help to determine if you need an interceptor and what size. Plans must show the interceptor location.
- Details regarding an oil/water interceptor for the restaurant must be submitted to EC for review and approval. The City requires a minimum 750 gallon interceptor. Actual approved interceptor size depends on review of drainage fixture units and information written in submitted Wastewater survey. Approved interceptor must be installed prior to the restaurant opening for business. Domestic waste shall not be allowed to pass through the interceptor.
57. All corrections to plans shall be completed in order for EC Section to issue a Will-Serve Letter. Will-Serve Letter shall be sent to County of Riverside Department of Environmental Health by the EC inspector.
58. The Applicant shall request inspection to verify the required installation or construction via inspection by the EC Section representative, with a report stating that conditions have been met, and the permit card (if applicable) signed off by the EC Inspector.
59. Other items for correction may need to be completed after actual plans are submitted for a formal review.
60. Proposed trash enclosures with drains to sanitary sewer shall have a cover to control rainwater intrusion.
61. A completed Wastewater Discharge Authorization Certificate (WDAC) Application shall be submitted to EC for review and approval, including description pretreatment, such as clarifier/water recycling system.
62. A sampling station is required—submit proposed installation on plans.

- **Fire Department**

Contact Michelle Douglass at 951-826-5828 or mdouglas@riversideca.gov with questions regarding the following Fire Department conditions:

63. An automatic fire sprinkler system is required by City Ordinance 16.32.335. 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.

Contact the Riverside Public Utilities Department at (951) 826-5285 for the requirements for the dedicated fire service and backflow requirements.

64. Provide for fire department access to the facility. "Knox" key devices are available for use in the city. Contact the Fire Department for applications and details.
65. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
66. Construction plans shall be submitted and permitted prior to construction.
67. Fire Department access shall be maintained during all phases of construction.
68. New public fire hydrant are required on Sycamore Canyon and spaced a maximum of 350 feet.

- **Police Department**

Contact Sgt. Chad Collopy at 951-353-7218 or ccollopy@riversideca.gov with questions regarding the following Fire Department conditions:

Alcohol:

69. The business shall follow the guidelines of the Alcohol Beverage Control (ABC) requirements for acting as an off-sale premise.
70. There shall be no consumption of alcoholic beverages on the store property and this requirement will be prominently posted throughout the property.
71. No cold single units of beer or fortified wine/liquor shall be allowed to be sold. Beer shall only be sold in three packs or larger pre-packaged lots.
72. No displays of beer or wine/liquor shall be located within five feet of the store's entrance, windows or checkout counter.
73. The subject's alcoholic beverage license shall not be exchanged for a public premises type license or operated as a public premise. All alcoholic beverages sold shall be for consumption off the premises.

Security:

74. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easy discernment of the appearance and conduct of all persons on or about the parking lot.
75. The business windows shall not be tinted or obscured in any way, including by temporary or painted window signs, and the interior lighting of the building shall remain at adequate levels to clearly see into the business from the exterior of the business.
76. A security camera surveillance system shall be in constant use, maintained in good working condition and made available for review by members of the Riverside Police Department.
77. Management shall actively participate in Business Watch through the Riverside Police Department.

Entertainment:

78. There shall be no illegal gambling devices, such as coin-pushers or video slot machines, etc., maintained upon the premises at any time.
79. Any adult-oriented magazines, video tapes and other similar materials shall be displayed in an area partitioned off from, and not visible to, the general public or minors and shall be labeled "Adults Only".

Grounds:

80. The licensee shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
81. The applicant shall be responsible for maintaining free from graffiti, the area adjacent to the premises over which they have control.
82. No loitering shall be permitted on any property adjacent to the licensed premises and under the control of the licensee.
83. No pay phones shall be installed or maintained outside the building.

Compliance:

84. The licensee/employees shall attend a 4-hour LEAD (License, Education, Alcohol and Drugs) class presented by the Riverside Office of the Alcoholic Beverage Control within 90 days of obtaining the license upgrade.
85. The required conditional use permit is subject to a mandatory six-month review by the Planning Division. In addition to any other stipulations, three or more sustained complaints to the Riverside Police Department within any 12-month period regarding disturbances caused by patrons or staff at the site shall be grounds for revocation proceedings.

• **Public Utilities – Electric**

Contact Addie Revuelta at 951-826-5484 or arevuelta@riversideca.gov with questions regarding the following Fire Department conditions:

Prior to Map Recordation:

86. Blanket Public Utilities Easement required on all parcels.

Prior to Building Permit Issuance

87. All utilities shall be satisfactorily relocated, protected and/or replaced to the specifications of the affected departments and agencies, and easements for such facilities retained as necessary.
88. The provision of utility easements, water, street lights and electrical underground and/or overhead facilities and fees in accordance with the rules and regulations of the appropriate purveyor.
89. Provisions for electrical Utility equipment to provide power to the site is the responsibility of the developer. Please make sure that all clearances are maintained and location of the equipment is approved by the Utility.
90. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site.
91. Plot existing electrical distribution facilities on the original site plan.
92. Revise the plans to depict the proposed location of transformers, switch, PJC's, and electrical rooms.

93. Developer is responsible to install spare conduits, street lights, also stub & cap along property frontage.

- **Public Utilities – Water**

Contact Chris Gross at 951-826-5370 or cgross@riversideca.gov with questions regarding the following RPU Water conditions:

Prior to Map Recordation:

94. The Applicant shall abandon the existing water main in the right of way to be vacated, and relocate the existing fire hydrant to Central Ave. frontage.
95. Applicant shall construct or guarantee the construction of a new 12-inch public water main in Sycamore Canyon from Central to the project's northerly property line.

- **Parks, Recreation & Community Services**

Contact Randy McDaniel at 951-826-2000 or rmcdaniel@riversideca.gov with questions regarding the following PRCSD conditions:

96. 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.