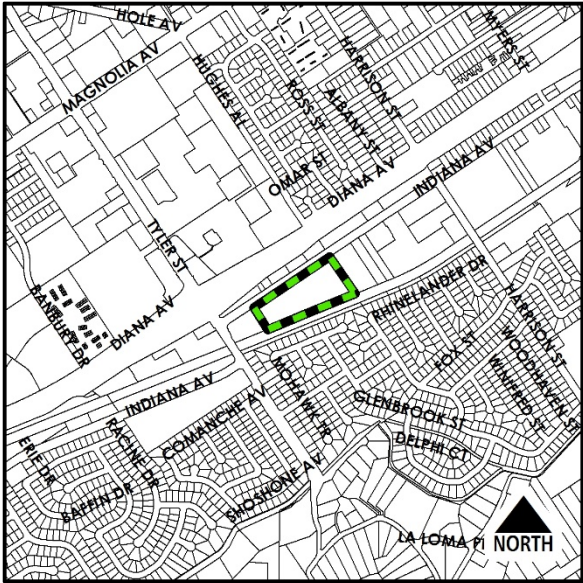




**PLANNING COMMISSION HEARING DATE: AUGUST 8, 2019  
AGENDA ITEM NO.: 2**

**PROPOSED PROJECT**

Case Numbers	P18-0956 (Conditional Use Permit) P18-0957 (Design Review) P19-0252 (Variance)	
Request	To consider the following entitlements to permit a 20,000 square foot banquet hall facility and restaurant within an existing multi-tenant commercial complex (Tyler Village): 1) Conditional Use Permit to permit a banquet hall facility (Assemblies of People – Entertainment) and a restaurant in conjunction with a Type 47 Alcohol License (On-Sale General – Eating Place); 2) Design Review of project plans; and 3) a Variance to allow fewer parking spaces than required by the Zoning Code.	
Applicant	Shiv Talwar on behalf of Design Concepts	
Project Location	10170 Indiana Avenue, on the south side of Indiana Avenue between Tyler and Harrison Streets	
APN	243-160-075	
Project area	8.15 Acres	
Ward	5	
Neighborhood	Arlington South	
General Plan Designation	C - Commercial	
Zoning Designation	CR-S-2-X - Commercial Retail, Building Stories (Two-Story Maximum), and Building Setback (10-feet from Tyler Street) Overlay Zones	
Staff Planner	Veronica Hernandez, Associate Planner 951-826-3965 vhernandez@riversideca.gov	

## RECOMMENDATIONS

Staff recommends that the City Planning Commission:

1. **DETERMINE** that the project is exempt from the California Environmental Quality Act (CEQA) subject to Section 15301 (Existing Facilities), as this project will not have a significant effect on the environment; and
2. **APPROVE** Planning Cases P18-0956 (Conditional Use Permit), P18-0957 (Design Review) and P19-0252 (Variance), based on the findings outlined in the staff report, summarized in the attached findings and subject to the recommended conditions (Exhibits 1 & 2).

## SITE BACKGROUND

The 8.15-acre project site is developed within the Tyler Village shopping center, approved in 1984 under Planning Case DR-146-834. The Tyler Village shopping center consists of six buildings totaling 96,498 square feet and 387 parking spaces. Access to the site is provided from Indiana Avenue and Hughes Alley.

Surrounding land uses include the Atchison, Topeka and Santa Fe (AT & SF) railway and single-family residences to the south, a self-storage facility to the east, and commercial and restaurant uses to the north and west (Exhibit 3).

## PROPOSAL

The applicant is requesting approval of a Conditional Use Permit to permit a banquet hall facility (Assemblies of People – Entertainment) and a restaurant in conjunction with a Type 47 Alcohol License (On-Sale General – Eating Place) for Royal Banquet Hall in an existing 20,000 square foot tenant space within the Tyler Village shopping center. The applicant is also requesting approval of a Design Review of project plans and Variance to allow fewer parking spaces than required by the Zoning Code.

The proposed restaurant will consist of 5,300 square feet and includes a dining area with a total of 40 seats, a lobby, and a bar. The 13,924 square foot banquet hall facility consists of a 2,113 square foot foyer and lobby; a 1,510 square foot storage closet; and a 9,901 square foot banquet hall area, which can be partitioned into three small separate halls. The kitchen, offices, and restrooms will serve the restaurant and banquet facility.

Proposed hours of operation for the facility are as follows:

Facility	Hours
Restaurant	Seven days a week, 11:00 a.m. to 10:00 p.m.
Banquet Hall Facility	Monday through Friday, 7:00 p.m. to 12:00 a.m.
	Saturday & Sunday, 1:00 p.m. to 1:00 a.m.

The applicant is proposing site modifications to provide additional parking spaces. The existing roundabout at the entrance of the shopping center will be removed, resulting in an additional 46 parking spaces, and a total of 433 parking spaces for the shopping center. Access to the site is provided by four existing driveways along Indiana Avenue. No modifications to the exterior of the building are proposed in conjunction with this request.

## PROJECT ANALYSIS

### *Authorization and Compliance Summary*

	<i>Consistent</i>	<i>Inconsistent</i>
<p><b><i>General Plan 2025</i></b></p> <p>The project is consistent with the General Plan Land Use Designation of C – Commercial, which is intended for retail, sales, service, and office uses that serve multiple neighborhoods within the City (Exhibit 4). The project will further Policy LU-41.2 of the General Plan Land Use and Urban Design Element:</p> <p><i>"Ensure that commercial properties are well maintained and compatible with adjacent residential land uses."</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b><i>Zoning Code Land Use Consistency (Title 19)</i></b></p> <p>The project site is zoned CR-S-2-X – Commercial Retail, Building Stores (Two-Story Maximum) and Building Setback (10 feet from Tyler Street) Overlay Zones, which permits a banquet facility in conjunction with alcohol sales, subject to the approval of a Conditional Use Permit and compliance with Site Location, Development, and Operational Standards (Exhibit 5). A restaurant is permitted by right within the CR Zone.</p> <p>With the exception of a Variance requested to allow a reduced number of parking spaces, the project is consistent with all applicable development standards of the Zoning Code, including the Site Location, Development, and Operation Standards (Exhibit 6).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b><i>Compliance with Citywide Design &amp; Sign Guidelines</i></b></p> <p>No exterior modifications to the building are proposed as part of this application. The minor modifications to the parking lot comply with the Citywide Design &amp; Sign Guidelines. Any future signs will be subject to Design Review.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<i>Chapters 19.250 and 19.450</i> <i>Assemblies of People – Entertainment (Banquet Halls) and Alcohol Sales</i>					
<i>Standard</i>			<i>Proposed Separation</i>	<i>Consistent</i>	<i>Inconsistent</i>
<i>Site Location Standards</i>	Schools, Hospitals, Churches, or Public Parks	600 feet	2,604 feet Harrison Elementary School (2901 Harrison St.)  3,852 feet Kaiser Permanent Hospital (10800 Magnolia Ave.)  3,930 feet Christ Redemption Church (10590 Magnolia Ave.) Christ Redemption Church  3,109 feet Harrison Park (2851 Harrison St.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Residential Use or Zone	100 feet	125 feet Flood Control Channel	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Group Housing	1,000 feet	4,961 ft. Operation Safe House (9685 Hayes Street)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Chapter 19.580</i> <i>Parking and Loading</i>				
<i>Land Use</i>		<i>Parking Ratio</i>	<i>Parking Required</i>	<i>Parking Provided</i>
<b>Proposed Uses</b>	<b>Restaurant</b> (5,300 square feet)	1 space / 100 square feet	53 spaces	433 spaces
	<b>Banquet Hall Facility</b> (13, 924 square feet; 9,901 square feet of assembly area)	1 space / 30 square feet of floor area in main assembly area	331 spaces	
<b>Existing Uses</b>	Personal Service/Retail Uses (12,253 square feet)	1 space / 250 square feet	50 spaces	
	Medical Offices (16,955 square feet)	1 space / 180 square feet	95 spaces	
	Restaurants (23,272 square feet)	1 space / 100 square feet	233 spaces	
<b>Vacant Units</b>	Retail/Commercial/ Office/Personal Service (19,018 square feet)	1 space / 250 square feet	77 spaces	
<b>Total Parking Spaces Required (Shopping Center)</b>			<b>839 spaces</b>	<b>433 spaces</b>
<b>Total Parking Spaces Deficiency (Shopping Center)</b>				<b>-406 spaces</b>
<b>Total Parking Spaces Required (Based on Parking Analysis- Worst Case Scenario)</b>				<b>433 spaces</b>

While the shopping center is under parked per the Zoning Code, the Parking Analysis prepared for the project demonstrates adequate parking will be available to serve the proposed and existing mix of uses within the Tyler Village shopping center. The applicant will be required to record a covenant restricting the uses of vacant tenant spaces to retail, personal service, or general office. Based on existing land use patterns, the proposed restaurant and banquet hall facility will not create compatibility problems, particularly since the facility operates at different peak hours than most of the surrounding businesses.

## **FINDINGS SUMMARY**

### **Conditional Use Permit**

The proposed restaurant and banquet facility provides dining and event gathering space within the neighborhood in a manner that will not be detrimental to the surrounding land uses. The project meets most development standards with the exception of the Variance, discussed below, to allow a reduction of the required number of parking spaces.

The project site complies with all site location standards related to alcohol sales and no variances are requested from the required separation standards). The Riverside Police Department reviewed the proposal, including the Security Plan, and has no objection to the proposed project, provided that the operator complies with the recommended conditions of approval.

The Noise Study prepared for the project demonstrates that the proposed banquet hall will not adversely affect the residential properties to the south (Exhibit 10). The reuse of vacant tenant space will be beneficial to the general welfare of residents and surrounding properties.

### **Variance**

The Tyler Village shopping center is served by 387 parking spaces. As part of this project, the applicant is proposing to add 46 additional parking spaces for a total of 433 spaces. The proposed mix of uses within the shopping center, including the proposed restaurant and banquet hall, yields a minimum requirement of 839 parking spaces. The applicant has requested a Variance to allow a reduction in the required number of parking spaces from 839 to 433.

The Zoning Code permits a reduction in parking requirements for Assemblies of People – Entertainment with the submittal of a parking study and shared parking agreement. The applicant commissioned LSA to prepare a Parking Analysis for this project (Exhibit 9). It concluded that the projected peak weekday parking demand, between the hours of 8:00 a.m. and 9:00 p.m., would be 433 spaces resulting in neither a surplus or a deficit of parking spaces; and that the projected peak weekend parking demand, occurring at 8:00 p.m., would be 411 spaces, resulting in a parking surplus of 22 spaces. Thus, adequate shared parking will continue to be available on-site after implementation of the proposed project.

The applicant has prepared justification findings in support of the Variance request (Exhibit 11). Staff prepared supplemental justification findings in support of the Variance based on the analysis presented in the Parking Analysis. Staff concurs with the conclusion provided in the Parking Analysis that based on the current utilization rate and the operational characteristics of the existing uses, an adequate supply of parking will be available.

## **ENVIRONMENTAL REVIEW**

Planning Division Staff determined that this project is categorically exempt from California Environmental Quality Act (CEQA) review, pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines, as the project constitutes the reuse of a tenant space within an existing commercial complex.

## **PUBLIC NOTICE AND COMMENTS**

Public hearing notices were mailed to property owners within 300 feet of the site. As of the writing of this report, no responses have been received by staff regarding this project.

## APPEAL INFORMATION

Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within ten (10) 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. Location Map
4. General Plan Map
5. Zoning Map
6. Distance Requirements Map
7. Project Plans (Site Plan, Floor Plan)
8. Applicant Prepared Project Description
9. Parking Study, Prepared by LSA Associates, Inc.
10. Noise Study, Prepared by LSA Associates, Inc.
11. Applicant Prepared Variance Justifications
12. Existing Site Photos

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Prepared by: Veronica Hernandez, Associate Planner

Reviewed by: Patricia Brenes, Principal Planner and Candice Assadzadeh, Senior Planner

Approved by: Mary Kopaskie-Brown, City Planner



**EXHIBIT 1 – STAFF RECOMMENDED FINDINGS**

**PLANNING CASES:**     **P18-0956** (Conditional Use Permit)  
                                 **P18-0957** (Design Review)  
                                 **P19-0252** (Variance)

***Conditional Use Permit Findings pursuant to Chapter 19.760.040:***

1. The proposed use is substantially compatible with other existing and proposed uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts;
2. The proposed use will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area;
3. The proposed use will be consistent with the purposes of the Zoning Code and the application of any required development standards is in the furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.

***Variance Findings pursuant to Chapter 19.720.040:***

Variance Requested: To allow fewer on-site parking spaces than required by the Zoning Code.

1. *The strict application of the provisions of the Zoning Code would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Code.*

The proposal **complies** with this finding. Strict application of the Zoning Code would require a total of 839 parking spaces to serve the Tyler Village Shopping Center, including the proposed restaurant and banquet hall facility. An additional 406 parking spaces above, the number provided on site, after the addition of 46 parking spaces by the applicant would need to be provided to meet the provisions of the Zoning Code. To accommodate the required parking spaces demolition of existing buildings within the shopping center would be required to construct the additional parking, which presents a practical difficulty or unnecessary hardship inconsistent with the purpose of the Zoning Code.

2. *There are exceptional circumstances or conditions applicable to this property or to the intended use or development of this property which do not apply generally to other property in the same zone or neighborhood.*

The proposal **complies** with this finding. The project site is contained within an existing, fully-developed shopping center comprising of approximately 96,498 square feet of leasable space, occupied by a variety of commercial, personal service, medical, and office uses with distinct operating characteristics. As summarized in the Parking Analysis prepared for this project, observational data collected at the site demonstrates that the shopping center's existing peak weekday parking demand is 159 parking spaces, where 228 parking spaces are available on-site, between the hours of 8:00 a.m. and 9:00 p.m. and 140 parking spaces, where 247 parking spaces are available on-site, during the weekend peak hour of 8:00 p.m. The Parking Analysis further demonstrates that with the proposed project,



and the addition of the 46 parking spaces by the applicant, 433 parking spaces would be needed. There would be 433 parking spaces available on-site and adequate parking would continue to be available on-site after implementation of the proposed project. This is due primarily to the mixture of uses on the site, which include neighborhood serving businesses, sit-down and quick serve restaurants, and various professional and medical offices, each having distinct operational characteristics and peak hours. This circumstance is unique to the project site, a mixed-use commercial complex, compared to nearby properties in the CR – Commercial Retail Zone, which typically have fewer internal operational synergies.

3. *The granting of this request will not prove materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located.*

The proposal **complies** with this finding. The results of the Parking Analysis prepared for this project concluded that the shopping center experiences a peak parking demand of 159 parking spaces, where 228 parking spaces are available on-site. Over half of the available parking supply is unused during peak demand times. Using the Parking Analysis survey counts based on a similar existing facility, the peak weekday parking demand would be 433 spaces and the peak weekend parking demand would be 411 spaces, where 433 parking spaces would be available on-site, after project implementation. Furthermore, the Zoning Code allows for a reduction in parking requirements based on a parking study and shared parking agreement. Granting of a Variance to reduce the required on-site parking from 839 to 433 spaces would not affect the adequacy of the existing parking supply and would leave a surplus of up to 22 parking spaces, ensuring that no spillover, circling, or other detrimental effects deriving from a parking shortage will occur in the adjacent neighborhood.

4. *The granting of this request will not be contrary to the objectives of the General Plan.*

The proposal **complies** with this finding. The proposed project is consistent with General Plan Policy CCM-13.2, which encourages shared parking among land uses based on peak parking demands and other factors to achieve parking efficiencies.





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

**RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES**

**PLANNING CASES:**     P18-0956 (Conditional Use Permit)  
                                 P18-0957 (Design Review)  
                                 P19-0252 (Variance)

• **Planning**

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 subject property 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. *Advisory:* Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. Any new 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.
4. Should the City enact an ordinance for the regulation of entertainment within the City, the applicant and/or property owner shall be required to obtain said Entertainment Permit and relinquish this Conditional Use Permit as it relates to entertainment only.

*Prior to Building Permit issuance:*

5. A Covenant and Agreement shall be recorded restricting the use of currently vacant tenant spaces (Suites 10120, 10124, 10128, 10132, 10178, 10182, and 10228) to commercial/retail/office/personal service uses per the Tyler Village Parking Memorandum, subject to review and approval of the Planning Division and City Attorney's Office.
6. 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.
7. 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. Light poles shall not exceed fourteen (14) feet in height, including the height of any concrete or other base material, within fifty (50) feet of any residentially zoned property.

*Prior to the Release of Utilities and/or Occupancy:*

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 the project Planner at (951) 826-3965 to schedule the final inspection at least one week prior to needing the release of utilities. Additional plant material may be required upon final inspection if better coverage is needed.

*Operational Conditions:*

9. 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.
10. All operations shall be in compliance with Title 7 (Noise Control) of the Riverside Municipal Code.

*Standard Conditions:*

11. There shall be a one-year time limit in which to commence construction of the project beginning the day following approval by the Planning Commission.
12. The Conditional Use Permit and associated Variance, may be granted time extensions by the Community & Economic Development Director, or their designee, up to a total of five years beyond the original approval expiration date prior to issuance of any building permits. At the exhaustion of Community & Economic Development Director approved extensions, the original Approving or Appeal Authority may grant one final permit extension of up to two years following a public hearing noticed pursuant to Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing). A public hearing notification fee is required of the applicant in such case in addition to a time extension fee. Once a building permit has been issued, the development will be considered vested and time extensions are no longer needed.
13. Within 30 days of approval of this case by the City, the developer shall execute an agreement approved by the City Attorney's Office to defend, indemnify, including reimbursement, and hold harmless the City of Riverside, its agents, officers and employees from any claim, action, or proceeding against the City of Riverside, its agents, officers, or employees to attack, set aside, void, or annul, an approval by the City's advisory agency, appeal board, or legislative body concerning this approval, which action is brought within the time period provided for in Section 66499.37 of the Government Code. The City will promptly notify the developer of any such claim, action or proceeding and the City will cooperate in the defense of the proceeding.
14. The 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.
15. 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.
16. This permit is issued based upon the plans 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.

17. 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.
18. Failure to abide by all conditions of this Conditional Use Permit shall be cause for revocation.
19. 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.
20. 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.
21. 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.
22. 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
23. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
24. 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.
25. Enumeration of the conditions herein shall not exclude or excuse compliance with all applicable rules and regulations in effect at the time this permit is exercised.

- **Fire Prevention**

26. If the building is equipped with an existing fire sprinkler, fire alarm, fixed extinguishing system, standpipes or any other type of fire protection systems that are required by the California Fire Code, California Building Code or City Ordinance, these systems shall be maintained and extended if necessary to provide proper coverage of structures. Plans shall be submitted by a California Licensed contractor, under separate cover to the fire department and obtain approvals prior to any work on such systems.

Fire flow monitoring systems that are currently certificated UL, FM placard or ETL shall be maintained for the life of the system. The fire alarm contractor shall be UL, FM or ETL to maintain the certification or placard of the system.

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. Fire Department access shall be maintained during all phases of construction.
30. Assembly Group A occupancies shall be provided with a manual fire alarm system having an occupant load of 300 or more. See C.F.C. exceptions and specific requirements for occupant loads of 1000 or more. Submit plans and obtain approvals from the Fire Department prior to installation. New fire alarm systems shall be UL, FM or ETL certificated for the life of the system. Central Station shall be UL UUFX.
31. Occupant Load analysis for project shall indicate correct square footage of area and correct occupant load factor used for the function of the space with the total sum of the occupant load. CA FIRE CODE, Section 1004, Table 1004.1.2.

- **Environmental Compliance**

32. 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 oil water interceptor for 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.

33. If a sampling station is required—submit proposed installation on corrected plans.
34. All corrections to plans must be completed in order for EC Section to issue a Will-Serve Letter. Will-Serve Letter shall be sent to County of Riverside DEH by EC inspector.
35. Applicant must request inspection to verify the required installation or construction via inspection by EC Section representative, with a report stating that conditions have been met, and the permit card (if applicable) signed off by EC Inspector.
36. Proposed trash enclosures with drains to sanitary sewer must have cover to control rainwater intrusion.

- **Building and Safety**

37. Codes in Effect: The proposed project shall fully comply with the 2016 version of the California Building, Plumbing, Mechanical, Electrical, Green, Energy, and Fire Codes, as adopted and amended by the City of Riverside; or the version of these codes in effect at the time a new permit application is filed.
38. License Design Required: Given the project scope of work, an appropriately Licensed California Design Professional is required and the plans and supporting documents shall bear the stamp, date, and signature of the Licensed Professional in accordance with Sections 5537 and 6737 of the California Business & Professions Code.
39. Plan Review Policy: Building plan review fees will cover the initial plan check and two rechecks only. Any additional review required beyond the first three (3) shall be paid by the applicant on an hourly basis in accordance with the currently adopted B&S fee schedule.

Turnaround Times: This project requires a 20 working day (4 week) review period for the initial plan check turnaround and a 10 working day (2 week) back check for each

subsequent plan review.

*Advisory:* Expedited plan review services may be available that can reduce the plan check turnaround times in half for an additional fee. Please make any such requests at the permit counter prior to plan check submittal in order to verify staff availability.

40. Conditions of Approval: A copy of the City Conditions of Approval, signed by the applicant, shall be incorporated as the second sheet of the building plans and be present at the time of initial plan check submittal. Building plans must show in detail how they will conform to the required conditions as applicable.
41. Plan Review Submittal Package: Plan Review Submittal Package: At the time of the initial plan check submittal and permit application; (4) complete sets of building plans, which include grading plans, architectural, structural, and MEP plans, are required. In addition, (2) sets of supporting structural calculations, Title 24 energy compliance reports, soil reports, or other related project specifications shall be submitted by the applicant prior to the commencement of plan review services.
42. Building Fees: All building plan check, permit, and other development related impact fees from the various City Departments and Agencies must be paid prior to building permit issuance.
43. Separate Permits Required: A separate review, approval and permit is required for any proposed onsite improvements NOT specially included within this permit application scope of work, as required by the City of Riverside. For example, any onsite structural demolition, perimeter walls and fences, retaining walls, trash enclosures, light standards, signs, etc.
44. Structural Calculations: Due to change of use and occupancy, seismic analysis for the existing building is required when the occupant load is greater than 300. Lateral resisting system may be required to be reinforced/retrofitted.

Two (2) sets of supporting structural calculations shall be prepared under the direction of a California licensed Engineer or other appropriately licensed design professional. Each set of structural calculations shall bear the wet stamp, date and signature of the licensed design professional prior to permit issuance

45. Green Code: Building alterations with a permit valuation of \$200,000 or above shall comply with the most recent version of the state adopted California Green Building Standards Code.
46. Project Scope of Work: A detailed scope of work shall be provided on the title sheet of the building plans clearly indicating all proposed building and site improvements to be reviewed by the City under the proposed permit application.

*Advisory Note:* Not providing clear project information may delay the review and approval process and subsequent permit issuance.

47. Accessibility: The project shall fully comply with Chapter 11-B of the most recent version of the California Building Code and include all exterior and interior accessible features as required.

*Advisory Note:* at least one accessible route is required from the public way and any transportation stops to the proposed building(s), between buildings, from accessible parking at each facility and exits for new construction projects.

48. Title 24 Energy Standards Compliance: Each set of building plans shall incorporate a copy of all required Title 24 California energy compliance reports, supporting documents, and mandatory measures based on the most recent version of the adopted Energy Standards; including but not limited to the building envelope, lighting systems (both internal and

external), mechanical HVAC systems and water heaters, where applicable.

Advisory note: Assure that the required energy report(s) are generated using the latest version of the States approved energy software solution(s) and that each report is registered with an approved HERS provider prior to initial plan check submittal.

49. Exiting Design: The proposed use shall provide exits in accordance with Chapter 10 of the adopted Building Code.
50. Building Code Analysis:
- a. Specify the use and occupancy within the building.
  - b. Justify the construction type(s), building height and size of the proposed building(s) through an Area Analysis in accordance with Chapters 5 and 6 of the California Building Code. Plan indicated type V-B appear inaccurate.
  - c. Specify all fire resistive design elements, walls, and horizontal assemblies in accordance with Chapter 7 of the California Building Code.
  - d. Provide a complete exiting analysis for each story in accordance with Chapter 10 of the California Building Code. Clarify and justify required exits versus provided.
  - e. Occupant load calculation showed on Sheet T-1 was insufficient. Occupant load calculations shall be provided with the exiting analysis for the building in accordance with Chapter 10 of the CBC.
  - f. Required plumbing fixtures shall meet the minimum requirements set forth in Chapter 4 of the California Plumbing Code.
51. Waste Pre-Treatment: Given the proposed use, a waste pre-treatment device (gravity grease interceptor) is required and must be approved by the City Public Works Environmental Compliance Division prior to building permit issuance. Include required details and plans accordingly. CPC 1017.1

Advisory: Additional plan review comments may be forthcoming once construction drawings are completed and submitted for a comprehensive building plan check prior to permit issuance.

- **Public Works – Land Development**

52. On all plans, provide linear footage labels along all parcel lines. Protect in place existing street trees.

Advisory: Should construction of new impervious area exceed 5,000 sf a preliminary WQMP and preliminary grading plan will be required.

- **Police Department**

53. Alcohol:
- a. The business shall follow the guidelines of the Alcohol Beverage Control (ABC) requirements for acting as a bona fide public eating establishment (Compliance with Section 23038 of the Business and Professions Code).
  - b. At all times when the establishment is open for business, the sale and service of open alcoholic beverages shall be available only in conjunction with the sale and service of full meals. Food service shall be available during all hours of operation.
  - c. The premises on which the business is located shall be posted to indicate that it is unlawful for any person to drink or consume any alcoholic beverage in any public place or posted premises in accordance with Section 9.04.020 of the Riverside

Municipal Code.

- d. No alcoholic beverages are to be sold or dispensed for consumption beyond the premises.
- e. No alcohol sales shall be permitted after 1:30 am.
- f. No alcoholic beverages shall be permitted on the property adjacent to the licensed premises under the control of the licensee.
- g. The licensee/employees shall attend a 4-hour License, Education, Alcohol and Drugs (LEAD) class presented by the Riverside Office of the Alcoholic Beverage Control within 90-days of obtaining an ABC sales license.

54. Security:

- a. For events held in the banquet area, an agent for the property owner will be on premises for the duration of the event. This agent will be solely dedicated to monitoring this event and not involved in any of the other operations within the building.
- b. The business shall utilize a licensed and bonded security firm or employ only security guards that have a State of California security guard card to monitor the activity of their patrons inside the facility as well as the parking lot. The firm or personnel providing security for the facility shall be subject to review by the Riverside Police Department.
- c. The written security plan shall be enforced as presented including the following items contained herein:
  - i. A minimum ratio of 1:40 (Security personnel to patrons) or a minimum of four security personnel, whichever is greater, shall be on-site during the entertainment activities and extending a minimum of 30 minutes past closing.
  - ii. The security manager shall work directly with the Riverside Police Department whenever events are expected to draw large crowds.
  - iii. Installation of a security camera surveillance system consisting of the latest high definition video technologies with the minimum requirement of having the ability to save recorded video for a fourteen day period, and which shall also be made available to the Riverside Police Department upon request within 24-hours. An on-site manager shall have working knowledge on how to retrieve video when requested by the Riverside Police Department.
  - iv. Security personnel shall mechanically keep an accurate count of people attending the venue and make the count available to public safety personnel upon request.
  - v. All security personnel shall be attired in a manner that will readily identify them as venue security by wearing a security badge on the lapel of their black blazer. Additionally, a patch or a band identified as "SECURITY" shall be placed on or around the upper arm sleeve of the dress shirt. Security personnel patches or badges shall be a minimum of 12 square inches (i.e., 3" x 4") to clearly identify security personnel at all times. Alternative designs may be utilized if first approved by both the Planning Division and Police Department.
  - vi. Security personnel shall actively work with establishment management staff to clear the parking lot and the surrounding area of the establishment within 30 minutes of closing.



55. Entertainment:

- a. Entertainment shall be limited to Wednesday from 5:00 pm to 12:00 am, and Thursday through Saturday from 5:00 p.m. to 1:30 am.
- b. Entertainment shall be limited to interior areas only. All doors shall remain closed while entertainment activities are occurring to minimize noise impact. No entertainment activities shall be permitted outdoors or on a patio. Music shall be played indoors only and shall not be projected onto the outdoor area, including any patio area or surrounding public spaces.
- c. There shall be no external speakers for any audio amplification system.
- d. Entertainment activities shall be limited to banquet activities by Invitation only and no "Night club" activities shall be permitted.
- e. Operations shall comply with Title 7 (Noise Control) of the Riverside Municipal Code.
- f. Future entertainment may be denied should it be determined that the uses or conditions under which it is being operated or maintained is detrimental to 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.

56. Grounds:

- a. 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.
- b. The licensee shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
- c. The licensee shall be responsible for maintaining free of graffiti the area adjacent to the premises over which they have control.
- d. No loitering shall be permitted on any property adjacent to the licensee's premises and under control of the licensee.
- e. The posting of flyers and other propaganda within the outdoor areas of the business and adjacent public and private property, including vehicles, shall be strictly prohibited.

57. Compliance:

- a. The applicant shall comply with all federal, state and local laws and shall cooperate with the Riverside Police Department in the enforcement of all laws relating to this permit. The violation of any laws in connection with this use or failure to cooperate with the Riverside Police Department will be cause for revocation.
- b. A copy of the Conditional Use Permit and the Conditions of Approval shall be available at the site and presented to City staff, including the Riverside Police Department and Code Enforcement upon request.
- c. The Conditional Use Permit shall be subject to a mandatory six-month review following the issuance of the Conditional Use Permit. This review shall be conducted by the Planning Division in consultation with other agencies, including the State ABC, the Riverside Police Department and the City Code Enforcement Division.
- d. 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.