



Community & Economic Development Department

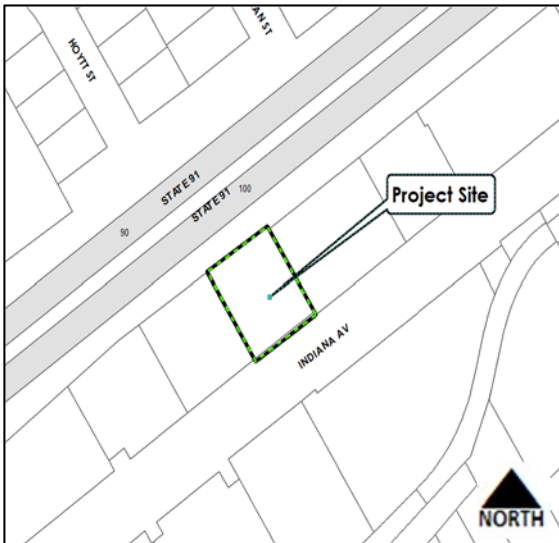
Planning Division

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

**PLANNING COMMISSION HEARING DATE: OCTOBER 17, 2019**

**AGENDA ITEM NO.: 4**

**PROPOSED PROJECT**

<i>Case Number</i>	<b>P19-0382</b> (Conditional Use Permit)	
<i>Request</i>	To consider a Conditional Use Permit to permit vehicle rentals with the outdoor display of vehicles in conjunction with an existing 1,301 square foot office building.	
<i>Applicant</i>	Colleen Basenese for Hertz Car Sales	
<i>Project Location</i>	7807 Indiana Avenue, situated on the north side of Indiana Avenue, between Jefferson and Winstrom Streets	
<i>APN</i>	230-100-012	
<i>Project area</i>	0.45 acres	
<i>Ward</i>	4	
<i>Neighborhood</i>	Casa Blanca	
<i>General Plan Designation</i>	CRC – Commercial Regional Center	
<i>Specific Plan</i>	Riverside Auto Center Specific Plan	
<i>Zoning Designation</i>	CG-SP – Commercial General and Specific Plan (Riverside Auto Center) Overlay Zones	
<i>Staff Planner</i>	Veronica Hernandez, Associate Planner 951-826-3965 <a href="mailto:vhernandez@riversideca.gov">vhernandez@riversideca.gov</a>	

**RECOMMENDATIONS**

Staff recommends that the City Planning Commission:

1. **DETERMINE** that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant Section 15301, (Existing Facilities) of the CEQA Guidelines, as the proposed project will not have a significant effect on the environment; and
2. **APPROVE** Planning Case P19-0382 (Conditional Use Permit), based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions (Exhibits 1 and 2).

## SITE BACKGROUND

The 0.45-acre parcel is located on the north side of Indiana Avenue, between Jefferson and Winstrom Streets (Exhibit 3). The site is developed with a vacant 1,301 square foot office building, and is served by 26 parking spaces. The site has historically been used for car sales.

Access to the site is provided via a two-way driveway on Indiana Avenue. The subject site includes a cross-access drive to the east of the site. The cross-access drive will facilitate vehicle traffic only. No overflow parking will be permitted on the adjacent lot that is also owned by the applicant.

Surrounding uses include State Route 91 (SR-91) to the north, and commercial to the south, east, and west.

	<i>Consistent</i>	<i>Inconsistent</i>
<p><b><i>General Plan 2025</i></b></p> <p>The General Plan Land Use designation for the site is CRC – Commercial Regional Center (Exhibit 4), which provides for regionally serving retail, service, and office uses within the City. The proposed project is consistent with the Commercial Regional Center Land Use designation and the following Objectives and Policies, and furthers the intent of the General Plan 2025:</p> <p><u>Objective LU-44:</u> Improve the quality and economic viability of Casa Blanca's commercial areas by providing for orderly, distinctive commercial development that keeps within the special character and needs of Casa Blanca.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b><i>Riverside Auto Center Specific Plan</i></b></p> <p>The proposed project is located in the Riverside Auto Center Specific Plan, where rental of automobiles is permitted subject to the granting of a Conditional Use Permit. The subject property is surrounded by auto-centric uses, including a truck accessories store, an auto body shop, motorcycle dealerships, and other vehicle rental facilities (Exhibit 5). The Riverside Auto Center Specific Plan was envisioned to keep the auto center in a concentrated area with a focus on automobile sales and related uses in a cohesive and aesthetically pleasing environment.</p> <p>The proposed project as proposed furthers the vision of the Riverside Auto Center Specific Plan and complies with all development standards of the Specific Plan.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b><i>Zoning Code Land Use Consistency (Title 19)</i></b></p> <p>The proposed project site is zoned CG-SP – Commercial General and Specific Plan (Riverside Auto Center) Overlay Zones, which permits vehicle rentals subject to approval of a Conditional Use Permit (Exhibit 5). The proposal is consistent with the applicable development standards of the Zoning Code.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	<i>Consistent</i>	<i>Inconsistent</i>
<p><b><i>Compliance with Citywide Design &amp; Sign Guidelines</i></b></p> <p>The applicant is proposing to paint the building, restripe the parking lot, construct a new trash enclosure, and increase the landscape setback along Indiana Avenue to 15 feet to comply with the setback requirements of the Riverside Auto Center Specific Plan. No other exterior modifications are proposed as part of the proposed project. Any future signs will be subject to Design Review to ensure compliance with the Citywide Design &amp; Sign Guidelines.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b><i>Riverside County Airport Land Use Compatibility Plan</i></b></p> <p>The proposed project is located in Zone E (Other Airport Environs) of the Riverside Municipal Airport Land Use Compatibility Plan. This zone is identified as having a low safety risk level and a low noise impact level, and contains no restrictions on development. The proposed project was analyzed for consistency with Zone E and staff concluded that the proposed project is consistent.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## PROPOSAL

The applicant is requesting approval of a Conditional Use Permit to permit vehicle rentals within an existing 1,301 square foot office building. The rental office building will include three offices, three workstations, a breakroom, and a restroom. As part of the proposal, the applicant will paint the existing building, stripe the parking lot, construct a new trash enclosure, add landscape planters and increase the existing landscape setback along Indiana Avenue to 15 feet, to comply with the setback requirements of the Riverside Auto Center Specific Plan.

The proposed vehicle rental office will operate Monday through Friday from 9:00 a.m. to 5:00 p.m. and Saturday from 9:00 a.m. to 2:00 p.m., with a total of 5 employees. The location will be used to rent vehicles exclusively to Lyft and Uber drivers. Rentals will not be available to the general public, and service and routine maintenance will be performed at other Hertz or partner facilities.

## PROJECT ANALYSIS

### *Authorization and Compliance Summary*

## COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<b><i>Riverside Auto Center Specific Plan</i></b>				
<b><i>Standard</i></b>		<b><i>Proposed</i></b>	<b><i>Consistent</i></b>	<b><i>Inconsistent</i></b>
<b><i>Building Height</i></b>	One Story/20 Feet	14.5 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b><i>Landscape Setback</i></b>	15 feet for parking lots with over 20 spaces	15 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Chapter 19.580- Parking and Loading</b>						
<b>Use/Floor Area</b>		<b>Parking Ratio</b>	<b>Required</b>	<b>Provided</b>	<b>Consistent</b>	<b>Inconsistent</b>
<b>Proposed Use</b>	Vehicle Rental Office – 1,301 sq. ft.	1 space/250 sq. ft.	6 spaces	26	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Outdoor Display of Vehicles	5 spaces	5 spaces			
	<b>Total Spaces Required</b>		<b>11 spaces</b>			

## CONDITIONAL USE PERMIT FINDINGS SUMMARY

The proposed project meets all of the applicable development standards to allow the operation of a vehicle rental office. The proposed project is compatible with the surrounding auto-centric uses and is consistent with the Riverside Auto Center Specific Plan. The proposed project will occupy an existing building and will not negatively impact the surrounding uses. For these reasons, staff supports the proposed Conditional Use Permit.

## ENVIRONMENTAL REVIEW

The proposed project is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15301 (Existing Facilities), as the proposed project will not have a significant effect on the environment.

## PUBLIC NOTICE AND COMMENTS

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

## APPEAL INFORMATION

Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within ten calendar days after the decision. Appeal filing and processing information may be obtained from the Planning Department Public Information Section, 3rd Floor, City Hall.

## EXHIBITS LIST

1. Staff Recommended Findings
2. Staff Recommended Conditions of Approval
3. Location Map
4. General Plan Map
5. Zoning Map and Specific Plan Map
6. Project Plans (Site Plan, Floor Plan, Elevations, Conceptual Landscape Plan)
7. Applicant Prepared Business Operations Plan
8. Existing Site Photos

Prepared by: Veronica Hernandez, Associate Planner

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

Approved by: Mary Kopaskie-Brown, City Planner



# CITY OF RIVERSIDE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

PLANNING DIVISION

## EXHIBIT 1 – STAFF RECOMMENDED FINDINGS

**PLANNING CASE:**      P19-0382 (Conditional Use Permit)

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

- A. The proposed use is substantially compatible with other existing and proposed uses in the area, including the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts;
- B. 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; and
- C. 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.



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

**PLANNING CASE:** P19-0382 (Conditional Use Permit)

*Case Specific*

- **Planning**

1. The proposed vehicle rental office shall be developed and operated substantially as described in the text of this staff report and as shown on the plot plan and floor plan on file with this case, except for any specific modifications that may be required by these conditions of approval.
2. 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.
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. *Advisory:* 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 Grading Permit issuance:*

5. 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

*Prior to Building Permit Issuance:*

6. The applicant shall prepare and record Covenant, Conditions, and Restrictions (CC&Rs) subject to approval of the Planning Division and City Attorney's Office allowing shared access between the subject property and the adjacent property to the east.
7. 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.

8. **Staff Required Trash Enclosure Conditions:** Revise the submitted plans such that the plans provided for building permit plan check ensure that the trash enclosure is constructed of decorative masonry, to the satisfaction of staff.

*Operational Conditions:*

9. The applicant shall be responsible for maintaining the area adjacent to the premises over which they have control and shall keep it free of litter.
10. A copy of the Conditional Use Permit and the final Conditions of Approval shall be available at the site and presented to City staff, including the Police Department and Code Enforcement, upon request. Failure to have the latest approved conditions available upon request will be grounds for revocation.

*Standard Conditions:*

11. There shall be a one-year time limit in which to commence the project beginning the day following approval by the Planning Commission unless a public hearing is held by City Council; in that event the time limit begins the day following City Council approval.
12. The Conditional Use Permit 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.

Prior to **October 17, 2020**, if building permits have not been obtained, a time extension request shall be submitted to the Planning Division. The request shall include a letter stating the reasons for the extension of time and associated fee shall be submitted to the Planning Division. **PLEASE BE ADVISED THAT THE APPLICANT WILL NOT BE NOTIFIED BY THE PLANNING DIVISION ABOUT THE PENDING EXPIRATION OF THE SUBJECT ENTITLEMENT.**

13. 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.
14. The project must be completed per the Conditional Use Permit approved by the Planning Commission, including all conditions listed in this report. Any substantial changes to the project must be approved by the Planning Commission or minor modifications by the Community & Economic Development Director or designee. Upon completion of the project, an inspection must be requested, and UTILITIES will not be released until it is confirmed that the approved plans and all conditions have been implemented.
15. 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.

16. 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.
17. The 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.
18. The use permit may be modified or revoked by the City Planning Commission or the City Council should they determine that the proposed use or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to public safety, property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
19. This permit is issued based upon the business operations plan and information submitted by the applicant, which has been used as the basis for evaluation of the proposed use in this staff report and for the conditions of approval herein. Permittee shall notify Community Development Department, Planning Division, of any change in operations and such change may require a revision to this permit. Failure to notify the city of any change in operations is material grounds for revocation of this conditional use permit.
20. The applicant herein of the business subject to this conditional use permit acknowledges all of the conditions imposed and accepts this permit subject to those conditions and with the full awareness of the provisions of Title 19 of the Riverside Municipal Code. The applicant shall inform all its employees and future operators of the business subject to this permit of the restrictions and conditions of this permit as they apply to the business operations.
21. Failure to abide by all conditions of this permit shall be cause for revocation.
22. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.