



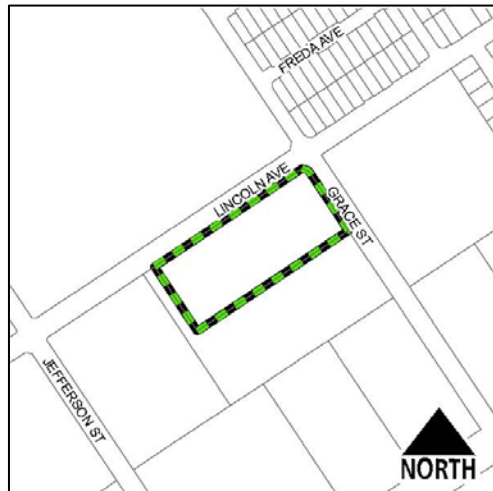
Community & Economic Development Department

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

Planning Division

**PLANNING COMMISSION HEARING DATE: MAY 14, 2020  
AGENDA ITEM NO.: 2**

**PROPOSED PROJECT**

<i>Case Number</i>	<b>P19-0873</b> (Conditional Use Permit)	
<i>Request</i>	To consider a Conditional Use Permit to permit a vehicle repair facility within a 48,343 square foot tenant space.	
<i>Applicant</i>	Craig Valle of Morgan Truck Body, LLC	
<i>Project Location</i>	7750 Lincoln Avenue, situated on the southwest corner of Lincoln Avenue and Grace Street	
<i>APN</i>	237-040-016	
<i>Project Area</i>	5.43 acres	
<i>Ward</i>	4	
<i>Neighborhood</i>	Casa Blanca	
<i>General Plan Designation</i>	B/OP – Business/Office Park	
<i>Zoning Designation</i>	BMP – Business and Manufacturing Park Zone	
<i>Staff Planner</i>	Candice Assadzadeh, Senior Planner 951-826-5667 <a href="mailto:cassadzadeh@riversideca.gov">cassadzadeh@riversideca.gov</a> +4	

**RECOMMENDATIONS**

Staff recommends that the Planning Commission:

1. **DETERMINE** that this proposed project is exempt from the California Environmental Quality Act (CEQA) review pursuant to Section 15301 (Existing Facilities) as this project will not have a significant effect on the environment; and
2. **APPROVE** Planning Case P19-0873 (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

On March 3, 2017 the Development Review Committee approved a Design Review application (Planning Case P16-0413) for the construction of a 100,974 square foot light industrial building. Much of the building has been constructed, with the exception of the office buildout for suite 120, consisting of 2,966 square feet. The 5.43-acre site is developed with a 98,008 square foot building.

Surrounding land uses include light industrial and warehousing uses to the north (across Lincoln Avenue), west and south, and multi-family residences to the east (across Grace Street) (Exhibit 3).

## PROPOSAL

The applicant is requesting approval of a Conditional Use Permit to permit a vehicle repair facility (Morgan Corporation) within a 48,343 square foot tenant space. The vehicle repair facility is proposed to consist of 4,700 square feet and three service bays located along the south and west sides of the building. The remaining 43,643 square feet of tenant space will be used for office, a distribution warehouse, fabrication shop, and flatbed assembly line.

Vehicular access to the site is provided from Lincoln Avenue via two 30-foot wide, two-way driveways, and from Grace Street via a 35-foot wide two-way driveway. The applicant has legal access to the use of western most driveway along Lincoln Avenue, via a 31-foot wide reciprocal access easement over this corridor, as well as half of the parking spaces located within the easement area.

The vehicle repair facility will service refrigerated and dry freight box trucks. The applicant intends to service and repair only the box portion of the trucks; no chassis, engine, or other repairs will be conducted on site. All service and repair work will be conducted entirely within the building. The applicant anticipates the vehicle repair facility will consist of ten employees. Hours of operation will be 6:00 a.m. to 5:00 p.m., Monday thru Friday.

## PROJECT ANALYSIS

### *Authorization and Compliance Summary*

<i>City Policy and Regulations</i>	<i>Consistent</i>	<i>Inconsistent</i>
<b><i>General Plan 2025</i></b>  The General Plan Land Use designation for the site is B/OP – Business/Office Park (Exhibit 4), which provides for single or mixed light industrial uses that do not create nuisances due to odor, dust, noise or heavy truck traffic. The proposed project is consistent with the Business/Office Park Land Use designation and the following Objectives and Policies, and furthers the intent of the General Plan 2025:  <u>Objective LU-45:</u> Improve Casa Blanca's existing industrial areas, while encouraging new industrial development that does not result in the degradation of air, noise, or water quality or generate other negative environmental impacts such as hazardous wastes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>City Policy and Regulations</i>	<i>Consistent</i>	<i>Inconsistent</i>
<p><b><i>Zoning Code Land Use Consistency (Title 19)</i></b></p> <p>The proposed project site is zoned BMP – Business and Manufacturing Park Zone (Exhibit 5), which is consistent with the General Plan Land Use Designation. The BMP – Business and Manufacturing Park Zone allows for vehicle repair facilities subject to the approval of a Conditional Use Permit and compliance with Site Location, Operation, and Development Standards. This proposal is consistent with the applicable development standards of the Zoning Code.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b><i>Compliance with Citywide Design &amp; Sign Guidelines</i></b></p> <p>Proposed improvements to the site include the addition of one parallel parking space within the secured loading area and the removal of four parking spaces along the west property line. The removal of the four parking spaces will allow for cross access between the existing Morgan Corporation facility (located at 7888 Lincoln Avenue) and the proposed vehicle repair facility. No other exterior modifications are proposed as part of the 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 project is located in Zone E (Other Airport Environs) of the Riverside Municipal Airport Land Use Compatibility Plan (RMALUCP). This zone is identified as having a low safety risk level and a low noise impact level and contains no restrictions on development. The 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"/>

## COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<i>Chapter 19.420</i>				
<i>Vehicle Repair Facilities Site Location, Operation, and Development Standards</i>				
	<i>Standard</i>	<i>Proposed</i>	<i>Consistent</i>	<i>Inconsistent</i>
<b><i>Site Area</i></b>	Minimum site area of one-half acre.	5.43 acres	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b><i>Frontage</i></b>	Access to Arterial or Collector Street	Lincoln Avenue – Arterial	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b><i>Screening</i></b>	Minimal visibility of service bays from public rights-of-ways and residential areas.	Service bays are not visible from public rights-of-ways	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Minimum 6-foot high decorative masonry wall along all property lines adjacent to property zoned for residential use or the O – Office Zone.	Not Applicable, as the site is not immediately adjacent to property zoned for residential use or the O – Office Zone	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Chapter 19.420 Vehicle Repair Facilities Site Location, Operation, and Development Standards				
Standard		Proposed	Consistent	Inconsistent
	All repair work to be conducted within an enclosed building or shall be fully screened by a minimum 6-foot high decorative masonry wall.	All repair work will be conducted within an enclosed building	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Landscape</b>	Minimum 10-foot landscaped setback shall be provided adjacent to public streets.	A 20-foot landscape setback exists along Lincoln Avenue	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Circulation</b>	Provide adequate vehicle parking and maneuvering areas to allow for safe internal and external circulation patterns.	Adequate access, circulation, and safe ingress and egress	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Chapter 19.580 Parking and Loading Development Standards				
Land Use		Parking Ratio	Parking Required	Parking Provided
<b>Parking Requirements</b>	Vehicle Repair Facility: 4,700 square feet	6 spaces, plus 2 spaces/ service bay	12 spaces	177 spaces
	Retail: 221 square feet	1/250 square feet	1 space	
	Office: 8,337 square feet	1/250 square feet	34 spaces	
	Warehouse: 60,695 square feet	1/1,000 square feet	61 spaces	
	Manufacturing: 23,975 square feet	1/350 square feet	69 spaces	
<b>Total Parking Spaces Required</b>			177 spaces	

## FINDINGS SUMMARY

### Conditional Use Permit

The proposed project meets all of the applicable development standards to allow the operation of a vehicle repair facility, and is an appropriate use for the area, which is developed with light industrial and warehousing uses. The proposed project will occupy an existing building and will not negatively impact the surrounding uses.

## ENVIRONMENTAL REVIEW

This proposal is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines, as the 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 site. As of the writing of this report, no responses have been received by Staff.

## 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, 3<sup>rd</sup> 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. Project Plans (Site Plan, Floor Plan)
7. Applicant Prepared Project Description
8. Existing Site Photos

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Prepared by: Candice Assadzadeh, Senior Planner  
Reviewed by: Patricia Brenes, Principal Planner  
Approved by: Mary Kopaskie-Brown, City Planner



# CITY OF RIVERSIDE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

PLANNING DIVISION

## EXHIBIT 1 – STAFF RECOMMENDED FINDINGS

**PLANNING CASES:**     P18-0730 (Conditional Use Permit)

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

- 1) 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;
- 2) 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
- 3) The proposed project 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**

**RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES**

**PLANNING CASE:**      **P19-0873** (Conditional Use Permit)

**Case Specific**

•      **Planning Division**

- 1) All applicable Conditions of Approval of Planning Case P16-0413 (Design Review) shall apply.
- 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 subject property shall be developed and operated substantially as described in the text of this report and as shown on the project plans on file with this case except for any specific modifications that may be required by these conditions of approval.
- 4) 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.
- 5) 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.

*Prior to Operation:*

- 6) Revise the existing Declaration of Easements, subject to the City's Planning Division and City Attorney's Office review and approval. The revision shall reflect the removal of four parking spaces, to allow for cross access between 7888 Lincoln Avenue and 7820 Lincoln Avenue.
- 7) A cross access agreement shall be provided between 7888 Lincoln Avenue and 7820 Lincoln Avenue to allow for cross access between the parcels, subject to the City's Planning Division and City Attorney's Office review and approval.

*Site Operation Conditions:*

- 8) All operations shall be in compliance with Title 7 (Noise Control) of the Riverside Municipal Code.
- 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 repair work shall be conducted within an enclosed building.
- 11) Outdoor display of merchandise shall not be permitted.

12) Inoperable vehicles shall not be stored on the property longer than 30 days.

*Standard Conditions:*

- 13) 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 unless a public hearing is held by City Council; in that event the time limit begins the day following City Council approval.
- 14) Prior to **May 15, 2021**, 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 ENTITLEMENTS.**
- 15) 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.
- 16) Within 30 days of approval of this case by the City, the developer shall execute an agreement approved by the City Attorney's Office to defend, indemnify, including reimbursement, and hold harmless the City of Riverside, its agents, officers and employees from any claim, action, or proceeding against the City of Riverside, its agents, officers, or employees to attack, set aside, void, or annul, an approval by the City's advisory agency, appeal board, or legislative body concerning this approval, which action is brought within the time period provided for in Section 66499.37 of the Government Code. The City will promptly notify the developer of any such claim, action or proceeding and the City will cooperate in the defense of the proceeding.
- 17) The 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.
- 18) This project shall fully and continually comply with all applicable conditions of approval, State, Federal and local laws in effect at the time the permit is approved and exercised and which may become effective and applicable thereafter, and in accordance with the terms contained within the staff report and all testimony regarding this case. Failure to do so will be grounds for Code Enforcement action, revocation or further legal action.
- 19) 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.
- 20) 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.

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

- **Fire Department**

*Prior to Building Permit Issuance:*

- 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) Operations where metal or metal alloys are subjected to processing or finishing operations that produce combustible powder or dust shall include, but shall not be limited to, machining, sawing, grinding, buffing, and polishing shall comply with the NFPA 484 Combustible metals and the California Fire Code.
- 31) The design of the fire and explosion safety provisions shall be based on a hazard analysis of the facility, the process, and the associated fire and explosion hazards.