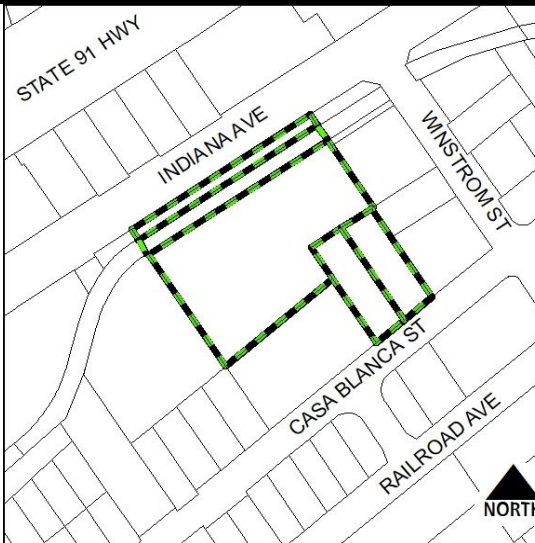




**PLANNING COMMISSION HEARING DATE: FEBRUARY 18, 2021
AGENDA ITEM NO.: 4**

PROPOSED PROJECT

Case Numbers	P20-0214 (General Plan Amendment) P20-0215 (Specific Plan Amendment) P20-0216 (Zoning Code Amendment) P20-0217 (Design Review) DP-2020-00073 (Variance)
Request	To consider the following entitlements for a 6,200 square foot expansion of an existing Harley-Davidson dealership building: 1) General Plan Amendment for a portion of the lots located at 7681 and 7691 Casa Blanca Street to change the land use designation from MDR – Medium Density Residential to CRC – Commercial Regional Center; 2) Specific Plan Amendment to include a portion of the lots located at 7681 and 7691 Casa Blanca Street into the boundaries of the Riverside Auto Center Specific Plan; 3) Zoning Code Map Amendment to rezone a portion of the lots located at 7681 and 7691 Casa Blanca Street from R-1-7000 - Single Family Residential Zone to CG-S-2-X-25-SP – Commercial General, Building Stories (maximum of 2 Stories), Building Setback (25 feet), and Specific Plan (Riverside Auto Center) Overlay Zones; 4) Design Review of project plans; and 5) Variance to allow a reduced lot area for the conversion from residential to commercial zoning in the Riverside Auto Center Specific Plan.
Applicant	Glen Espinoza of The Motorcycle Company
Project Location	7688 Indiana Avenue, 7681 and 7691 Casa Blanca Street, situated on the south side of Indiana Avenue, north side of Casa Blanca Street, and west of Winstrom Street
APNs	230-242-005, 230-242-006, 230-242-024, 230-242-025, and 230-242-026
Project area	2.95 acres
Ward	4
Neighborhood	Casa Blanca

Specific Plan	Riverside Auto Center	
General Plan Designation	CRC – Commercial Regional Center; and MDR – Medium Density Residential	
Zoning Designation	CG-S-2-X-25-SP – Commercial General, Building Stories (maximum of 2 stories), Building Setback (25 feet) and Specific Plan (Riverside Auto Center) Overlay Zones; and R-1-7000 – Single Family Residential Zone	
Staff Planner	Judy Egüez, Associate Planner 951-826-3969 jeguez@riversideca.gov	

RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **RECOMMEND that the City Council 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 Sections 15074 and 21081.6 of the California Environmental Quality Act (CEQA) Guidelines; and
2. **RECOMMEND that the City Council APPROVE** Planning Cases P20-0214 (General Plan Amendment), P20-0215 (Specific Plan Amendment), P20-0216 (Zoning Code Amendment), P20-0217 (Design Review), and DP-2020-00073 (Variance) 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 2.95-acre project site consists of five contiguous parcels. Four of them are owned by Harley Davidson and one parcel is owned by the City of Riverside. Following is a summary of the development on each parcel:

- Two parcels, owned by the applicant, located at 7688 Indiana Avenue, are developed with a 37,794 square foot Harley-Davidson dealership, approved under DR-002-12 by the Design Review Board on July 11, 2001.
- The parcel owned by the City of Riverside, located near the front of the site, contains the Riverside Canal. It was developed as part of the Harley Davidson dealership under a Lease Agreement with the City, which restricts the construction of structures on the Riverside Canal property.
- Two parcels, located at 7681 and 7691 Casa Blanca Street and recently acquired by the applicant, are developed with single-family residences, constructed in 1963.

On January 2, 2020, the Development Review Committee (DRC) reviewed the Design Review and Variance (P19-0922 and P20-0036) request for a 40-space parking lot on the 0.42-acre parcel east

of the subject site to provide additional employee parking. DRC staff concurred that the project is authorized to move forward based on the requirements of their Department/Division.

Surrounding land uses include an auto dealership and single-family residences to the north, a vehicle repair shop, a parking lot and single-family residences to the east, single-family residences and Casa Blanca Head Start to the south, and an auto dealership and single-family residences to the west (Exhibit 3).

PROPOSAL

The applicant requests approval of the following entitlements to facilitate the proposed 6,200 square foot expansion of Harley-Davidson dealership:

- General Plan Amendment: to change the land use designation of 5,978 square feet of the lot at 7681 Casa Blanca Street, and 6,001 square feet of the lot at 7691 Casa Blanca Street, from MDR – Medium Density Residential to CRC – Commercial Regional Center;
- Specific Plan Amendment: to include the 5,978 square feet of the lot at 7681 Casa Blanca Street, and 6,001 square feet of the lot at 7691 Casa Blanca Street, into the boundaries of the Riverside Auto Center Specific Plan;
- Zoning Code Map Amendment: to rezone 5,978 square feet of the lot at 7681 Casa Blanca Street, and 6,001 square feet of the lot at 7691 Casa Blanca Street, from R-1-7000 - Single Family Residential Zone to CG-S-2-X-25-SP – Commercial General, Building Stories (maximum of 2 Stories), Building Setback (25 feet), and Specific Plan (Riverside Auto Center) Overlay Zones;
- Design Review: to ensure project plans reflect a high-quality development; and
- Variance: to allow reduced lot areas for the conversion from residential to commercial zoning in the Riverside Auto Center Specific Plan.

The proposed building expansion is intended to be used for the storage of motorcycles for the existing Harley-Davidson dealership. The expansion will incorporate 11,979 square feet of the adjacent residential lots to the south, located at 7681 and 7691 Casa Blanca Street. The building will be located at the southeast corner of the dealership and has been designed to match the existing building in colors and materials.

Parking lot improvements include: reconfiguration of the southeast drive aisle and parking area to add 10 parking spaces; installation of a 10-foot wide landscape planter and construction of a 6-foot high masonry screen wall between the Harley-Davidson dealership and the surrounding residential properties to the south and east; and construction of an 800 square foot cantilever shade structure over the existing parking spaces located on the west side of the property, adjacent to the dealership building.

Access to the site will continue to be provided from Indiana Avenue. An additional exit to Winstrom Street, via the parking lot to the east of the site, is provided. No changes are proposed to the operation of the existing facility.

The rear portion of the lots at 7681 and 7691 Casa Blanca Street will be consolidated with the Harley Davidson property under a Lot Line Adjustment (P19-0768), submitted concurrently with this request to the Public Works Department for administrative approval. The remaining portions of the lots will be reduced in size from 13,015 to 7,037 square feet for the residential lot at 7681 and from 13,544 to 7,543 square feet for the residential lot at 7691. The existing single-family residences will remain on the lots, except for a swimming pool located in the rear of the property at 7681 Casa Blanca Street. Records show that a building permit (BP-2020-01124) was issued on March 2, 2020 for the demolition of the swimming pool. Access to the two residential lots will continue to be provided from Casa Blanca Street.

PROJECT ANALYSIS

Authorization and Compliance Summary

	Consistent	Inconsistent
<p>General Plan 2025</p> <p>The applicant requests approval of a General Plan Amendment for a portion of the lots located at 7681 and 7691 Casa Blanca Street to change the land use designation from MDR – Medium Density Residential to CRC – Commercial Regional Center (Exhibit 4). The rear portion of the lots will be consolidated under a Lot Line Adjustment. The CRC designation provides for large, regionally serving retail, service and office uses such as the Riverside Auto Center.</p> <p>The proposed project is consistent with General Plan 2025 Land Use and Urban Design Element Objectives, Goals and Policies for the Casa Blanca 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"> • <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. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Riverside Auto Specific Plan</p> <p>The proposed project is located within the Riverside Auto Center Specific Plan (Exhibit 5). The applicant requests approval of a Specific Plan Amendment to include a portion of the lots located at 7681 and 7691 Casa Blanca Street into the boundaries of the Riverside Auto Center Specific Plan to facilitate the addition to the Harley-Davidson building. The rear portion of the lots will be consolidated under a Lot Line Adjustment.</p> <p>The overall goal of the Specific Plan is to retain and return the Riverside Auto Center as the premier "state of the art" auto center in Southern California by retaining and expanding a major component of the City's sales tax and employment base. The proposed rezoning of the project site from R-1-7000 - Single Family Residential Zone to CG-S-2-X-25-SP – Commercial General, Building Stories (maximum of 2 Stories), Building Setback (25 feet), and Specific Plan (Riverside Auto Center) Overlay Zones is consistent with the Specific Plan, except for the standard requiring the minimum 13,000 square foot unit for conversion from residential to commercial zoning.</p> <p>The proposed rezoning comprises of 11,979 square feet. The Riverside Auto Center Specific Plan reverts to the Zoning Code, which allows for consideration of Variances to deviate from development standards. Therefore, the applicant is requesting a Variance to facilitate implementation of the proposed project.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Consistent	Inconsistent
<p>Zoning Code Land Use Consistency (Title 19)</p> <p>The applicant requests approval of a Zoning Code Map Amendment to rezone a portion of the lots, located at 7681 and 7691 Casa Blanca Street, from R-1-7000 - Single Family Residential Zone to CG-S-2-X-25-SP – Commercial General, Building Stories (maximum of 2 Stories), Building Setback (25 feet), and Specific Plan (Riverside Auto Center) Overlay Zones (Exhibit 6). The rear portion of the lots will be consolidated under a Lot Line Adjustment.</p> <p>The Harley-Davidson site is contiguous to the lots located at 7681 and 7691 Casa Blanca Street. To facilitate the expansion of the existing Harley-Davidson building, portions of the rear of the residential lots are needed for circulation, parking and required landscaping. The portion of the residential lots acquired by Harley-Davidson will be rezoned to be consistent with the rest of the Harley-Davidson parcels. The remainder of the single-family lots would retain their existing zoning of R-1-7000 – Single Family Residential Zone and comply with the minimum requirements of the underlying zone.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Citywide Design & Sign Guidelines</p> <p>The proposed project substantially 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. As proposed and conditioned, the proposed project is consistent with the Citywide Design Guidelines.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Riverside Municipal Airport Land Use Compatibility Plan</p> <p>The project site is located within Airport Compatibility Zone E (Other Airport Environs) of the Riverside Municipal Airport Land Use Compatibility Plan. The project was reviewed by the Riverside County Airport Land Use Commission (RCALUC) on August 13, 2020 and determined to be conditionally consistent with the 2005 Riverside Municipal Airport Land Use Compatibility Plan. Conditions of approval have been added to reflect the limitations required by the RCALUC (Exhibit 7).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS
HARLEY-DAVIDSON DEALERSHIP – 7688 INDIANA AVENUE

Chapter 19.110.030				
CG-S-2-X-25 – Commercial General, Building Stories (2 stories) and Building Setback (25 feet) Overlay Zones Development Standards				
Standard		Proposed	Consistent	Inconsistent
Floor Area Ratio	0.50	0.39	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lot Requirements	Lot Size	20,000 sq. ft.	114,344 sq. ft.	<input checked="" type="checkbox"/>
	Lot Width	60 feet	384 feet, 1 inch	
	Lot Depth	100 feet	275 feet	
Setbacks	Front (Indiana Avenue)	25 feet	56 feet, 8 inches (existing)	<input checked="" type="checkbox"/>
	Interior Side (East)	0 feet	70 feet, 9 inches	<input checked="" type="checkbox"/>
	Street Side (West)	0 feet	72 feet, 8 inches (existing)	<input checked="" type="checkbox"/>
	Rear (East)	15 feet	45 feet	<input checked="" type="checkbox"/>
Building Height	2-Story	1-Story (24 feet)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Riverside Auto Center Specific Plan – Development Standards				
Standard		Proposed	Consistent	Inconsistent
Min. Unit for Conversion from Residential to Commercial Zoning	21,780 square feet	11,979 square feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Landscaped Setbacks – Adjacent to Residential	10 feet	10 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wall – Adjacent to Residential	6-foot high masonry wall	6-foot high masonry wall	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Landscaping – Adjacent to Residential	Consist of dense plantings of tall shrubbery and/or trees	Shrubs and Trees are proposed within the landscape setback	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Clinging vines on wall surfaces	Cat's Claw Vine is proposed along the masonry wall	<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
Office	1 space/250 sq. ft.	3,699 sq. ft. = 15 spaces	143 parking spaces*	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vehicle Sales	1 space/250 sq. ft.	13,668 sq. ft. = 55 spaces			
Vehicle Sales – Outdoor Display	5 spaces + 1 space/250 sq. ft. of office floor area	3,699 sq. ft./250 = 15+5 = 20 spaces			
Vehicle Repair	6 spaces + 2 spaces/service bay	9 service bays = 18 +6 = 24 spaces			
Storage	1 space/1,000 sq. ft.	17,884 sq. ft. = 18 spaces			
Total		132			

*103 parking spaces are provided on-site and 40 parking spaces are provided on the adjacent parking lot to the east located at 3362 Winstrom Street, approved by the Development Review Committee under Planning Cases P19-0922 (Design Review) and P20-0039 (Variance).

**COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS
SINGLE-FAMILY RESIDENCES - 7681 AND 7691 CASA BLANCA STREET**

Chapter 19.100 – Residential Development Standards for the R-1-7000 Zone					
Standard		Proposed		Consistent	Inconsistent
		7681 Casa Blanca Street (Parcel 2)	7691 Casa Blanca Street (Parcel 3)		
Min. Lot Area	7,000 sq. ft. minimum	7,037 sq. ft.	7,543 sq. ft.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Min. Lot Width	60 feet	65 feet, 5 inches (existing)	65 feet, 3 inches (existing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Min. Lot Depth	100 feet	104 feet, 11 inches	119 feet, 10 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Max. Lot Coverage	40%	24%	23%	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Front Setback	20 feet	25 feet, 42 -inches (existing)	25 feet, 5-inches (existing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Side Setbacks	7.5 feet/10 feet	5 feet* – garage 10 feet – residence (existing)	5 feet* – garage 10 feet – residence (existing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rear Setback	25 feet	30 feet	37 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*The 1959 Zoning Code, which was in effect when the residences were constructed, allowed a garage which is an integral part of the main dwelling, to be located no closer than 5 feet to any interior side lot line, per Section 36.9(b)(16).

FINDINGS SUMMARY

Rezoning

The proposal to rezone 11,797 square feet from R-1-7000 – Single-Family Residential Zone to CG-S-2-X-25-SP – Commercial General, Building Stories (maximum of 2 Stories), Building Setback (25 feet), and Specific Plan (Riverside Auto Center) Overlay Zones will allow the expansion of the existing Harley-Davidson building. The proposed expansion will be used to store additional motorcycles and provide additional usable square footage to the property, which will improve internal circulation around the building. The project has been designed to provide adequate screening and landscaping for the area to be expanded.

The single-family residential lots located at 7681 and 7691 Casa Blanca Street will be reduced in size to 7,037 square feet and 7,543 square feet, respectively, and continue to comply with the development standards of the R-1-7000 – Single Family Residential Zone. The remaining size and configuration of the lots will remain compatible with the surrounding single-family residential lots in the neighborhood.

The proposed project is consistent and compatible with the surrounding development and will continue to provide commercial services to the region. Staff supports the proposed Zoning Code Map Amendment and recommends approval of the proposed project.

Variances Findings

The Riverside Auto Center Specific Plan requires a minimum 13,000 square foot unit for conversion from residential to commercial zoning. The proposed rezoning comprises of a total area of 11,979 square feet. The Riverside Auto Center Specific Plan reverts to the Zoning Code, which allows for consideration of Variances to deviate from development standards. The applicant is requesting a Variance to facilitate implementation of the proposed project.

The applicant provided justifications in support of the Variance request (Exhibit 9). Staff is able to make the necessary findings in support of the Variance to allow a reduced minimum area of 11,979 square feet for the conversion from residential to commercial zoning, as the Riverside Auto Center Specific Plan requires a minimum unit of conversion of 13,000 square feet.

Most of the surrounding properties in the Riverside Auto Center Specific Plan are bounded by the Riverside Canal property along their southern border while the Harley-Davidson site is encumbered by the Riverside Canal along the front of their building, bisecting the two parcels owned by Harley-Davidson. This condition limits their buildable area for expansion.

Strict adherence to the Specific Plan would require rezoning a minimum of 13,000 square feet of the adjacent single-family residential lots, resulting in lots less than 7,000 square feet and not consistent with the development standards of the R-1-7000 - Single Family Residential Zone.

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration (MND) and a Mitigation and Monitoring Reporting Program (MMRP) have been prepared for this proposed project in accordance with Section 15074 and 21081.6 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. As of the writing of this report, no responses have been received by Planning Staff regarding the proposed project.

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. Existing and Proposed General Plan Map
5. Existing and Proposed Specific Plan Map
6. Existing and Proposed Zoning Map
7. ALUC Memo, dated August 20, 2020
8. Project Plans (General Plan Amendment Plat Map, Specific Plan Amendment Plat Map, Riverside Auto Center Specific Plan – Figure 1, Zoning Map Amendment Plat Map, Site Plans, Floor Plans, Building Elevations, Preliminary Grading Plan, Conceptual Landscape Plan)
9. Applicant Prepared Variance Justifications
10. Draft Mitigated Negative Declaration
11. Existing Site Photos

Prepared by: Judy Egüez, 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: **P20-0214** (General Plan Amendment)
 P20-0215 (Specific Plan Amendment)
 P20-0216 (Zoning Code Amendment)
 P20-0217 (Design Review)
 DP-2020-00073 (Variance)

Zoning Code Map Amendment (Rezoning) Findings Pursuant to 19.810.040

1. The proposed Zoning Code Map Amendment (Rezoning) is consistent with the goals, policies, and objectives of the General Plan;
2. The proposed Zoning Code Map Amendment (Rezoning) will not adversely affect surrounding properties; and
3. 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.

Variance - Justification Findings Pursuant to Chapter 19.720.040

Variance A: To allow a reduced minimum area of 11,979 square feet for the conversion of two lots from residential to commercial zoning, when the Riverside Auto Center Specific Plan requires a minimum unit of conversion of 13,000 square feet.

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 proposed project **complies** with this finding. The Riverside Auto Center Specific Plan requires a 13,000 square foot minimum unit for conversion from residential to commercial zoning. The applicant is proposing to rezone 11,979 square feet of the rear portion of the adjacent lots, located at 7681 and 7691 Casa Blanca Street, to incorporate into the Harley-Davidson site to facilitate the expansion of the existing building. The rear portion of the lots will be consolidated under a Lot Line Adjustment.

Strict adherence to the Specific Plan would require rezoning a minimum of 13,000 square feet of the adjacent single-family residential lots, resulting in lots less than 7,000 square feet and not consistent with the development standards of the R-1-7000 - Single Family Residential Zone. Alternatively, the applicant would be restricted from rezoning any surrounding property, which would hinder the opportunity to expand the existing Harley-Davidson dealership. A potential consequence to adhering to the Specific Plan is that the applicant chooses a different location, potentially out of the City for their business. This conflicts with the goal of the Riverside Auto Center to retain and expand major components of the City's sales tax and employment base. As a result, applying strict application of the Specific Plan presents unnecessary hardships inconsistent with the general purpose of the Riverside Auto Center Specific Plan.

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 proposed project **complies** with this finding. The project site is located within the Riverside Auto Center, bounded by Indiana Avenue to the north and residential uses to the south. The Harley-Davidson site is unique, in that it is encumbered by a parcel and easement containing

the Riverside Canal, which runs along the front of the existing building, bisecting the two parcels owned by Harley-Davidson. The existing lease between the applicant and the City prohibits structures over the Riverside Canal property, which requires any building expansions to be constructed at the rear of the site.

If a minimum of 13,000 square feet of the adjacent single-family residential lots is rezoned to commercial, in compliance with the Specific Plan standards, the single-family residential lots created as part of the Lot Line Adjustment would result in lots less than 7,000 square feet, which would not be consistent with the development standards of the R-1-7000 - Single Family Residential Zone. These challenges to the site are exceptional circumstances and conditions applicable to this property which do not generally apply to other properties in the same zone or neighborhood.

3. *Granting 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 proposed project **complies** with this finding. The Riverside Auto Center Specific Plan's requirement to establish a minimum unit of conversion from residential to commercial zoning was intended to prevent commercial properties from encroaching into the surrounding residential neighborhoods. The proposed Zoning Code Map Amendment would not create impacts greater than the condition that exists today.

Currently, the residence located at 7691 Casa Blanca Street shares two property boundaries with the Harley-Davidson site along its northern (rear) and western (side) property line. Incorporating portions of the single-family residential lots into the Harley-Davidson site would result in the lot only sharing the rear property line. The proposed expansion of the Harley-Davidson dealership is consistent with the development standards of the Zoning Code. As a result, granting this request will not be detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood.

4. *Granting the request will not be contrary to the objectives of the General Plan and the Magnolia Avenue Specific Plan.*

The proposed project **complies** with this finding. The proposed project is consistent with Objective LU-76 of the General Plan to, "Ensure the long-term viability of the Riverside Auto Center" as the Riverside Auto Center Specific Plan carries out the objectives of the General Plan by providing detailed criteria for development of specific sites and public improvements. Granting the proposed variance will allow for the expansion of an existing dealership consistent with the goals and policies of the Auto Center Specific Plan and it will not be contrary to the objectives of any part of the General Plan or Specific Plan.



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

PLANNING CASES: **P20-0214** (General Plan Amendment)
 P20-0215 (Specific Plan Amendment)
 P20-0216 (Zoning Code Amendment)
 P20-0217 (Design Review)
 DP-2020-00073 (Variance)

All mitigation measures are noted by an asterisk (*).

Planning Division

1. All applicable conditions of approval of Planning Cases DR-002-012 (Design Review), P19-0922 (Design Review), and P20-0039 (Variance) shall continue to apply, except as modified herein.
2. All conditions of Riverside County Airport Land Use Commission case ZAP1099RI20 shall apply.
3. 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.
4. 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.
5. 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.
6. **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:

7. General Plan Amendment (P20-0214) shall be adopted.
8. Specific Plan Amendment (P20-0215) shall be adopted.
9. Zoning Code Amendment (P20-0216) shall be adopted.
10. ***MM-CUL-1:** 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 consulting tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City, developer/applicant, and consulting 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

developer/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. In the event of inadvertent discoveries of archaeological resources, work shall temporarily halt until agreements are executed with consulting tribe, to provide tribal monitoring for ground disturbing activities.

11. ***MM-CUL-2: On Call Project Archeologist:** Prior to the issuance of a grading permit, the Property Owner/Developer shall provide a letter from a County certified Archaeologist and Paleontologist stating that the Property Owner/Developer has retained these individuals, and that the Archaeologist and Paleontologist shall be on call during all grading and other significant ground-disturbing activities in native sediments.
12. 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.

Prior to Ground Disturbing Activities:

13. ***MM-CUL-4: Cultural Sensitivity Training:** The Secretary of Interior Standards County 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 Ground Disturbing and Construction Activities:

14. ***MM-CUL-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 will be carried out for treatment and disposition of the discoveries:
 - a. **Consulting Tribes Notified:** within 24 hours of discovery, the consulting tribe(s) shall be notified via email and phone. Consulting tribe(s) will be allowed to access the discovery, in order to assist with the significance evaluation;
 - b. **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 will need to be thoroughly inventoried with tribal monitor oversight of the process; and
 - c. **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 onsite 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. If more than one Native American tribe or band is involved with the project and cannot come to agreement consensus 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 will be submitted to the City of Riverside, Eastern Information Center and interested tribes.
15. 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.
 16. 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.
 17. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the proposed project site.
 18. 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.
 19. 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 always be kept moist;
 - 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.
20. The applicant shall be responsible for erosion and dust control during construction phases of the project.
21. 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.

Prior to Building Permit issuance:

22. **Staff Required Elevation Conditions:** Revise the plans submitted for plan check so that the color of the cantilevered shade structure (canopy and steel supports) is consistent with the development standards Riverside Auto Center Specific Plan:
- a. The canopy of the shade structure shall be limited to the solid, neutral colors of black, white, gray, cream, dark green and dark blue;
 - b. Only one color shall be permitted on the canopy (i.e., no stripes, patterns or the like); and
 - c. The color of the steel supports shall be limited to either black or white.
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.
24. Roof and building mounted equipment shall be fully screened from the public right-of-way. Screening material shall be at least as high as the proposed roof mounted equipment and shall be architecturally integrated with the proposed structure.
25. Ground mounted equipment shall be fully screened from the public right-of-way.
26. Plans submitted for staff review shall specify the location, design and color of all domestic water meters, backflow preventers, detector check assemblies, utility 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 a screen wall.
27. 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:

28. 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 Case Planner at (951) 826-5371 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:

29. All operations shall comply with Title 7 (Noise Control) of the Riverside Municipal Code.

Standard Conditions:

30. There shall be a two-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.
31. The General Plan Amendment, Specific Plan Amendment, Zoning Code Map Amendment, and Design Review 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.
32. Prior to the expiration of the entitlements, 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.**
33. 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.
34. 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.
35. 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.

36. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
37. 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.
38. The applicant shall continually comply with all applicable rules and regulations in effect at the time permit is approved and exercised and which may become effective and applicable thereafter.

Fire Department

39. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
40. Construction plans shall be submitted and permitted prior to construction.
41. Fire Department access shall be maintained during all phases of construction.

Parks, Recreation & Community Services – Park Planning

42. 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.

Public Utilities – Electric

43. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site.
44. Plot existing electrical distribution facilities on the original site plan.
45. Please show proposed location of meter pedestal for new parking lot at 3364 Winstrom Street.

Public Utilities – Water

46. Unused water services at the demolished residential sites are required to be abandoned at the water main
47. No building construction will be allowed on City owned Riverside Canal Property.

Public Works

Conditions to be fulfilled prior to building permit unless otherwise noted:

48. Storm Drain construction will be contingent on engineer's drainage study.
49. Prior to Building Permit Issuance, the Developer shall complete a lot line adjustment to consolidate the project site parcels to the satisfaction of the Planning Division and Public Works Department.
50. 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.

51. 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.
52. 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: requiring the implementation of the project-specific WQMP in the Home Owners Association or Property Owners Association Conditions, Covenants and Restrictions (C.C&R's); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the project-specific WQMP; or equivalent may also be considered. Alternative instruments must be approved by the City prior to the issuance of any building or grading permits.
53. 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.
54. 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.

55. Planting of 24" box size Lagerstroemia indica required in public right-of-way along Indiana Avenue. Tree Inspector will determine precise locations at time of scheduled site inspection after fine grading and hardscape installation complete for all trees planted in the public right-of-way. Planting, staking, irrigation, root barriers to Landscape & Forestry specifications.