

**NOTICE OF PUBLIC HEARING
& PROPOSED NEGATIVE DECLARATIONS**

FILED
RIVERSIDE COUNTY

SEP 10 2004



**CITY OF RIVERSIDE PLANNING DEPARTMENT
CITY PLANNING COMMISSION**

GARY L. ORSO
By *[Signature]* C. Kohler
Deputy

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City Planning Commission of the City of Riverside, in the Council Chamber of City Hall, 3900 Main Street, Riverside, California, on Thursday, October 7, 2004, relative to the following matters, beginning at the approximate times indicated below. No item will be heard before the times indicated, but possibly later.

9:00 a.m.

PLANNING CASE P04-0896: Proposed Tract Map 32741 by SDH & Associates, Inc. on behalf of Infinity Homes to subdivide approximately 4.5 acres currently developed with 2 single family residences into 13 residential lots at 12034 and 12233 Knoefler Drive, situated southerly of Knoefler Drive and easterly of Raley Drive in the R-1-130 and R-1-65 - Single Family Residential Zones. *(This case to be heard concurrently with Planning Case P04-1021).*
Contact Planner: Yvette Sennewald (951)826-5168 ysennewald@riversideca.gov.

PLANNING CASE P04-1021: Proposal by SDH & Associates, Inc. on behalf of Infinity Homes to amend the Municipal Code (Title 19) to rezone approximately 2.48 acres developed with a single family residence at 12233 Knoefler Drive, from the R-1-130 - Single Family Residential Zone to the R-1-125 - Single Family Residential Zone. *(This case to be heard concurrently with Planning Case P04-0896).* **Contact Planner:** Yvette Sennewald (951) 826-5168 ysennewald@riversideca.gov.

PLANNING CASES P03-1379 & P03-1472: Proposed conditional use permit and design review of a plot plan and building elevations by K & S Communities, LLC, to establish a senior citizens housing project consisting of 19 one bedroom independent senior apartment units on an approximately 0.59 acre vacant parcel located at 11140 Collett Avenue, situated on the southerly side of Collett Avenue between La Sierra Avenue and Stonewall Drive in the R-1-65 - Single Family Residential Zone. **Contact Planner:** Yvette Sennewald (951) 826-5168 ysennewald@riversideca.gov

9:30 a.m.

PLANNING CASE P04-1036: Proposed rezoning by Steve Berzansky on behalf of P B Income Fund, LLC to amend the Municipal Code (Title 19) to rezone two lots totaling .5 acres, each developed with a single family residence at 3410 & 3422 Washington Street from the R-1-65 - Single Family Residential Zone to the C-2 - Restricted Commercial Zone to facilitate a commercial office development, situated on the westerly side of Washington Street between Indiana Avenue and the 91 Freeway. *(This case to be heard concurrently with Planning Case P04-1037)* **Contact Planner:** Yvette Sennewald (951) 826-5168 ysennewald@riversideca.gov

PLANNING CASE P04-1037: Proposed street vacation by Steve Berzansky on behalf of P B Income Fund, LLC to vacate the portion of Washington Street between the 91 Freeway and Indiana Avenue to facilitate a commercial office development. *(This case to be heard concurrently with Planning Case P04-1037)* **Contact Planner:** Yvette Sennewald (951) 826-5168 ysennewald@riversideca.gov

PLANNING CASE P04-0963: Proposal by Mark Thompson for a plot plan review to determine if existing theater buildings and to construct three commercial buildings, totaling 13,178-square-feet in area on approximately

COUNTY CLERK
Neg. Declaration/Nic Determination
Filed and Recorded
POSTED
SEP 10 2004
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Removed:
By: *[Signature]* Dept.
County of Riverside, State of California

23 acres developed with a retail shopping center, "Canyon Crest Town Center", at 5225 Canyon Crest Drive, bounded between El Cerrito and Canyon Crest Drives and Central Avenue. *(This case is to be heard concurrently with Planning Case P04-0964)* **Contact Planner:** Robert Laag (951) 826-5932 rlaag@riversideca.gov

PLANNING CASE P04-0964: Proposal by Mark Thompson for design review of a plot plan and building elevations for three new commercial buildings, totaling 13,178-square-feet in area on approximately 23 acres developed with a retail shopping center, "Canyon Crest Town Center", at 5225 Canyon Crest Drive, bounded between El Cerrito and Canyon Crest Drives and Central Avenue, in the C-1-A – Community Shopping Center Zone. *(This case is to be heard concurrently with Planning Case P04-0963)* **Contact Planner:** Robert Laag (951) 826-5932 rlaag@riversideca.gov

10:00 a.m.

PLANNING CASE P04-1031: Proposal of Eddy Sutiono, on behalf of the Sugarbush Properties, for variances related to the installation of two freestanding signs on 18 acres developed with a commercial center, "University Town Center", at 1756 University Avenue, situated on the southwest corner of University and Chicago Avenues, in the C-2 – Restricted Commercial Zone. **Variances requested:** 1) to allow a 40-foot high, double-face freestanding sign with a sign area of 250-square-feet and nine lines of copy along Chicago Avenue, where the Zoning Code allows a maximum 25-foot high, double-face freestanding sign with a maximum sign area of 100-square feet and three lines of copy; 2) to allow a 40-foot high, double-face freestanding sign with a sign area of 250-square-feet and nine lines of copy along University Avenue, where the Zoning Code allows a 6-foot high, double-face freestanding sign with a maximum sign area of 25-square-feet and two lines of copy. **Contact Planner:** Robert Laag (951) 826-5392 rlaag@riversideca.gov

PLANNING CASE P04-1023: Proposed conditional use permit by Telacu Senior Housing to establish a 75 unit senior housing project on approximately 2.13 vacant acres within the 1800 block of Eleventh Street, situated on the northerly side of Eleventh Street, easterly of Ottawa Avenue, in the R-1-65-Single Family residential Zone. **Contact Planner:** Donald T. Dinkel (909) 826-5716 ddinkel@riversideca.gov.

PLANNING CASE P04-0988: Proposed variance by Brad Barrett related to off-street parking on approximately 0.99 acres developed with an off-street parking lot at 1242 University Avenue, situated on the southerly side of University Avenue, easterly of Iowa Avenue in the C-2-D-SP-Restricted Commercial and Specific Plan Combining Zone. **Variance requested:** to provide 54 off-street parking spaces where a minimum of 66 off-street parking spaces are required. *(This case is being heard concurrently with case P04-0987)* **Contact Planner:** Donald T. Dinkel (909) 826-5716 ddinkel@riversideca.gov.

PLANNING CASE P04-0987: Design review (site plan and building elevations) of a proposal by Brad Barrett for a 9,385 square foot commercial building on approximately 0.99 acres developed with an off-street parking lot at 1242 University Avenue, situated on the southerly side of University Avenue, easterly of Iowa Avenue in the C-2-D-SP-Restricted Commercial and Specific Plan Combining Zone. *(This case is being heard concurrently with case P04-0988)* **Contact Planner:** Donald T. Dinkel (951) 826-5716 ddinkel@riversideca.gov

Specific questions regarding a particular case should be directed to the appropriate Contact Planner; general questions regarding this notice or other matters should be directed to the Public Information Section at (951) 826-5371.

The Commission is authorized to grant site development variances for conditional use permits, plot plan reviews, subdivision maps, and certificates of compliance, as well as exceptions to the grading ordinance.

In lieu of the requested zoning, the Planning Commission is authorized to grant more restrictive zoning categories.

- In conjunction with the above rezoning cases, the Commission may consider the application of the S - (Stories) Height of Buildings and X - Building Setback Combining Zones.

The Planning Department has determined that the proposed projects will not have a significant effect on the environment and is recommending that Negative Declarations be adopted. The Planning Commission can adopt a Negative Declaration for the above referenced maps.

Copies of the proposed Negative Declarations are available for review after 4:00 p.m. on September 10, 2004, in the Planning Department, 3rd Floor, City Hall, 3900 Main Street, Riverside. Staff reports will be available no later than 4:00 p.m. on the Friday preceding the meeting.

Decisions of the City Planning Commission are appealable to the City Council within ten calendar days for zoning cases and fifteen calendar days for maps following the respective meeting dates. Appeal procedures are available from the Planning Department.

Interested persons are invited to appear at the hearings to express their opinions on the above matters.

If you challenge any of the above proposed actions in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Department of the City of Riverside at, or prior to, the public hearing.

DATE: September 10, 2004

Ken Gutierrez, Planning Director, City of Riverside

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, DECLARING ITS INTENTION TO VACATE A PORTION OF WASHINGTON STREET BETWEEN THE 91 FREEWAY AND INDIANA AVENUE, AND SETTING THE DATE, HOUR AND PLACE OF HEARING, PURSUANT TO THE PUBLIC STREETS, HIGHWAYS, AND SERVICE EASEMENTS VACATION LAW.

BE IT RESOLVED by the City Council of the City of Riverside, California, as follows:

Section 1: That the City Council of the City of Riverside hereby declares that in Planning Case No. P04-1037, it is the intention of the City Council to vacate a portion of Washington Street, within the City of Riverside, California for the reason that that portion of said street is unnecessary for present or prospective public use.

Section 2: The City Council hereby elects and expresses its election to proceed in Planning Case No. P04-1037 pursuant to the provisions of Chapter 3 of the Public Streets, Highways, and Service Easements Vacation Law, commencing with Section 8320 of the Streets and Highways Code of the State of California.

Section 3: Washington Street proposed to be vacated in Planning Case No. P04-1037 is located between the 91 Freeway and Indiana Avenue within the City of Riverside, California, as more particularly described and depicted in Exhibit "A", attached hereto and incorporated herein by this reference.

Section 4: The date, hour, and place for hearing all persons interested in the proposed vacation of a portion of Washington Street in Planning Case P04-1037 is set as September 6, 2005, at 3:00 p.m. in the Council Chambers of the Riverside City Council located adjacent to City Hall at 3900 Main Street, Riverside, California.

Section 5: At the hearing provided for in Section 4 hereof, the City Council shall determine whether that portion of Washington Street is unnecessary for present or prospective use, and if so, the reservations or exceptions from the vacation that public convenience and necessity require, if any, which shall be recited in the resolution of vacation as provided in Section 8341 of the Streets and Highways Code.

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IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the
City of Riverside, California, this day of

City Clerk of the City of Riverside

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CA 05-1751
07/25/05

- 5a. **PLANNING CASE P04-1036:** Proposed rezoning by Steve Berzansky on behalf of P B Income Fund, LLC to amend the Municipal Code (Title 19) to rezone two lots totaling .5 acres, each developed with a single family residence at 3410 & 3422 Washington Street from the R-1-65 - Single Family Residential Zone to the C-2 - Restricted Commercial Zone to facilitate a commercial office development, situated on the westerly side of Washington Street between Indiana Avenue and the 91 Freeway. *(This case to be heard concurrently with Planning Case P04-1037)*
- 5b. **PLANNING CASE P04-1037:** Proposed street vacation by Steve Berzansky on behalf of P B Income Fund, LLC to vacate the portion of Washington Street between the 91 Freeway and Indiana Avenue to facilitate a commercial office development. *(This case to be heard concurrently with Planning Case P04-1036)*

Yvette Sennewald, Assistant Planner, presented the staff report.

Commissioner Leonard asked planning staff what their reasoning was with regard to the setbacks along the frontage, 10' facing the front and 21' facing the courtyard on the inside. He noted that this was shallow compared to the more expansive setback on the building to the right.

John Swiecki, Principal Planner, explained that the 10' has been a standard along Indiana Avenue and has been applied in both directions. The Commission can consider expanding the front setback as part of the site plan. He commented that they are not approving the site plan today and staff did not base their determination on this.

Commissioner Leonard said that the Commission spent a fair amount of time going over the architectural elements when they heard the project to the east of this parcel. He did not see any of those elements reflected in this proposal. He said he could not support this design when it came forward. He asked if the design plan would return to the Commission and if they would be able to address that it conform, not exactly, to the other building.

Mr. Swiecki informed the Commission that they could condition that the design review be subject to Planning Commission review and approval. Then the Commission would control over the architectural theme. The historic district area actually starts on the other side of Washington and this site is not within the potential district. He concurred that the context and architecture are important at this location.

Commissioner Leonard said he was not considering the historical district as much as continuity around this intersection. He asked if this has been compared to the design concepts coming forward in the new General Plan for setback and parkway treatments along certain streets throughout the city.

Mr. Swiecki said that to his knowledge there was nothing different proposed along Indiana but staff would verify this.

Commissioner Kurani inquired about the improvements to the vacated portion of Washington. He suggested some different materials such as brick so that it does not have a grey look.

Mr. Swiecki noted that staff has included a condition under the rezoning case that the site plan be subject to Commission review. He would expect that level of detail to be incorporated into that review.

Commissioner Norton agreed this should return to the Commission for design review. She understood the design presented today was a draft but noted this building would be more appropriate in the Sycamore Canyon area. This area is a little more sensitive, even though it is an area in transition. It would be helpful if there were some connection between the buildings. She would like to see some tie into the historic area.

Steve Berzansky, on behalf of P.B. Income Fund, LLC, addressed the Commission. He said they will be moving out of their building on Indiana and moving into the new site. The home on the corner has been boarded up for 10 year and was built in 1906, it was deemed not have any historical significance. The home is not a rock home it is a wood structure that is failing quite badly. We are actually very excited about the architecture here at this corner. He noted they are working closely with A.C. Nejedly and Bob Wolf on their building next door. He noted that the building will be set back an additional 4', possibly 9'. He informed the Commission that after discussions with Public Works and Planning, they have modified the entrance and he distributed a composite of the drive aisle to the Commission and staff. The revised plan addresses Planning's concern regarding dressing it up as a private commercial drive so that it does not look like a public street. He asked for clarification on the condition of approval that prior to street vacation, the design review approval for both properties should occur. While they are jointly developing the site and cooperating in this style of drive aisle, he would prefer not to be hindered or potentially inconvenience the other developer should either of them be ready to move on. He was hoping to modify the condition so that either developer, in connection with the drive aisle could be approved on a plot plan basis without the other one having gotten their architectural design review approved.

Mr. Swiecki replied that staff would be in agreement with such a change.

Mr. Berzansky stated they were in agreement with the conditions.

Commissioner Leonard what the Commission is trying to achieve is an intersection with some character reflecting the rock homes that have been there for 70 years. He recognizes that this is a transitional period and that residential is not appropriate there. The cooperative effort by Germania Construction on the previous case is one that helped them fashion a concept. He noted that nothing Mr. Berzansky described in the building materials would be something he would support. He hoped that they would reconsider. The Commission wants to see them successfully operating an office building and hopefully they can work on the design aspects of the building.

Commissioner Stephens indicated that this was pretty much his thoughts as well. The Commission spent a lot of time with other projects on materials, character and imagery of the area. The case before them today is a zone change but it is important for the applicant to note these comments when they return for design review. It appears as though they are designing Indiana Avenue on a case by case basis which is ok, as long as they recognize it up front today and not have different applicants have different approaches.

Mr. Berzansky stated he would work closely with staff to bring something that would be appropriate. He felt that the two buildings would be large enough to work independently on their own and not feel like a consistent campus. He thought that some variation in architecture would be appropriate but would be sensitive.

Commissioner Kurani suggested relocating the trees in the median of the drive aisle.

Mr. Swiecki recommended an additional condition that the rezoning not be adopted until the vacation has been finalized. He also reminded the commission that a rezoning would require five affirmative votes.

Mr. Berzansky stated he would be in agreement with this condition.

There was no one in the audience wishing to speak, the public hearing was officially closed.

Commissioner Leonard changes inquired of staff whether it was appropriate to have the design review a condition of the vacation rather than the change of zone.

Mr. Swiecki explained that it would better be tied to the rezoning.

MOTION MADE by Commissioner Leonard, **SECONDED** by Commissioner Norton, **TO DETERMINE** that the proposed project would not have a significant adverse impact on the environment, and **TO APPROVE** cases P04-1036 and P04-1037 with modifications: delete condition 6; under P04-1036 add conditions, “To accept the staf recommendation that the vacation shall be completed prior to the finalization of the Zone change.”; “The design review shall be performed by the Planning Commission. The Architectural plans shall be provided incorporating the exterior materials reflecting the historical elements of the site, including the use of stone and wood elements.”; “The plans shall reflect a rock garden wall emulating the architecture.”, change condition 23 to include “to the extent possible.”; and recommending adoption of a Negative Declaration.

Commissioner Leonard commented that the intent of the Commission is not to be exact to the buildings around it but to promote the architectural theme and let their creative juice run wild to the extent of implementing this.

MOTION CARRIED unanimously.

AYES:	Comer, Kurani, Leonard, Norton, Stephens
NOES:	None
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Agnew, Brown, Densmore, Singletary

Chair Pro Tem Comer advised of the appeal procedure.