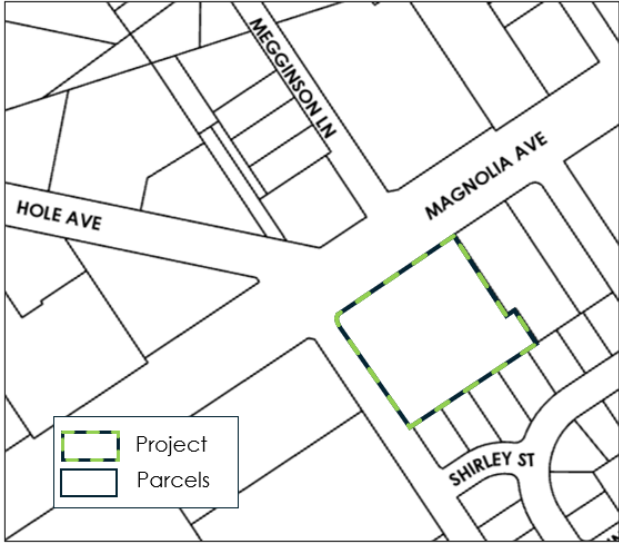




**PLANNING COMMISSION HEARING DATE: JANUARY 29, 2026
AGENDA ITEM NO.: 3**

PROPOSED PROJECT

Case Number	PC-2025-00506 (CUP)		
Request	To consider a Conditional Use Permit to relocate an existing market (Pasha's Market Liquor) with off-sale of alcohol in a multi-tenant commercial complex from an 1,860 square foot tenant space to a 3,138-square-foot tenant space.		
Applicant	Alex Cuevas of AGC Design Concept Inc.		
Project Location	10050 Magnolia Avenue, situated on the southeast corner of Magnolia Avenue and Hughes Alley.		
APNs	234-041-023		
Project Area	2.04 acres		
Ward	6		
Neighborhood	Arlington		
General Plan Designation	C – Commercial		
Zoning Designation	CR-S-1-X-20-SP – Commercial Retail, Building Stories (maximum of 1 story), Building Setback (20-foot rear yard setback from residential) and Specific Plan (Magnolia Avenue) Overlay Zones		
Specific Plan	Magnolia Avenue		
Staff Planner	Sarah Zughayer, Associate Planner 951-826-5932 szughayer@riversideca.gov		

RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **DETERMINE** that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines, as the proposed project will not have a significant effect on the environment; and
2. **APPROVE** Planning Case PC-2025-00506 (Conditional Use Permit) based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions (Exhibits 1 and 2).

SITE BACKGROUND

The 2.04-acre project site is developed with an existing multi-tenant commercial complex (Brickyard Plaza), originally constructed in 1978. The complex consists of two single-story multitenant buildings totaling 18,865 square feet. Surrounding uses include commercial uses to the north and east (across Magnolia Avenue), single-family-residences to the south, and Tyler Galleria Mall to the west (across Hughes Alley) (Exhibits 3 and 4).

On January 28, 1983, the California Department of Alcohol Beverage Control (ABC) issued a Type 21 – Off-Sale General license at 10054 Magnolia Avenue for the off-sale of alcohol. At the time the license was issued, the Riverside Municipal Code did not regulate the off-sale of alcohol, therefore the business was permitted to operate by right. On December 22, 1992, the City Council passed Ordinance 6033 (AM-007-901) which amended the Zoning Code to require a Conditional Use Permit for the off-sale of alcoholic beverages. Because the Zoning Code allows for continuation of uses legally established prior to the effective date of Title 19 revisions, the off-sale of alcohol use continued to operate at the subject site under legal nonconforming rights.

The applicant proposes to transfer the existing Type 21 Off-Sale General license to an adjacent tenant space within the same commercial complex, resulting in the loss of the legal nonconforming status, requiring the business to comply with current Zoning Code regulations. Therefore, the Applicant has submitted a Conditional Use Permit to bring the off-sale of alcohol into conformance with the Zoning Code.

PROPOSAL

The applicant is requesting approval of a Conditional Use Permit to relocate an existing market with off-sale of alcohol in a multi-tenant commercial complex from a 1,860 square foot tenant space (10054 Magnolia Avenue) to a 3,138-square-foot tenant space (10050 Magnolia Avenue).

The project proposes to transfer an existing Type 21 – Off Sale General ABC License from one tenant space to the space next door. As such, this premise-to-premise transfer does not require or constitute as a new license issued by ABC.

The store will continue to operate from Sunday through Thursday from 8:00 A.M. to 11:00 P.M. and Friday through Saturday from 8:00 A.M. to 1:00 A.M. with two employees per shift. The floor plan includes 127 square feet of dedicated sales area for alcoholic beverages within the refrigerators and behind the sales counter. The remaining floor area is designated for retail items such as hot food, non-alcoholic beverages, non-perishable snacks, and household essentials.

On-site security measures will include surveillance cameras, alarm systems, store front lighting, and employee training for emergency responses and conflict resolution.

PROJECT ANALYSIS

Authorization and Compliance Summary

	Consistent	Inconsistent
<p>General Plan 2025</p> <p>The proposed project is consistent with the underlying General Plan 2025 Land Use designation of C - Commercial, which provides for retail, sales, services and office uses that serve multiple neighborhoods within the City (Exhibit 5).</p> <p>The proposed project is also consistent with the General Plan Land Use and Urban Design Element Objectives, Goals, and Policies of the Magnolia Center neighborhood and will further the intent of the General Plan 2025 through consistency with the following objectives:</p> <ul style="list-style-type: none"> • Objective LU-37: Spur the economic revitalization of the Arlington Neighborhood. • Policy LU-37.2: Encourage a strong, cooperative working relationship between the City and the Arlington business community. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Zoning Code Land Use Consistency (Title 19)</p> <p>The site is zoned CR-S-1-X-20-SP – Commercial Retail, Building Stories (maximum of 1 story), Building Setback (20-foot rear yard setback from residential) and Specific Plan (Magnolia Avenue) Overlay Zones, which is consistent with the C – Commercial Land Use Designation (Exhibit 6). Establishments that provide off-sale alcohol are permitted subject to the granting of a Conditional Use Permit and compliance with Site Location, Development, and Operational Standards. The proposed project is consistent with all applicable development standards for off-sale of alcohol.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Magnolia Avenue Specific Plan</p> <p>The project site is located within the Galleria District of the Magnolia Avenue Specific Plan, which is intended for a variety of commercial businesses to provide goods and services to the surrounding community. The proposed project is consistent with the intent and vision of the Magnolia Avenue Specific Plan.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Compliance with Citywide Sign and Design Guidelines</p> <p>The proposed project is within an existing multi-tenant commercial complex which underwent an exterior remodel in, 2016 (P15-0894, P16-0004, P16-0297). The remodel included façade improvements such as new stucco with brick siding and steel awning accents, articulated rooflines and towers with archways at the prominent building corners. Additionally, Magnolia Avenue and Hughes Alley provide a high-quality landscape setback with natural screening of cars. The proposed project substantially meets the objectives of the Citywide Design Guidelines, subject to the recommended conditions of approval detailed below.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<i>Chapter 19.450.030C – Off Sale of Alcoholic Beverages Sales</i>					
<i>Standard</i>			<i>Proposed</i>	<i>Consistent</i>	<i>Inconsistent</i>
Setbacks	Schools, Assemblies of People - Non-Entertainment Facilities, Public Park	600 feet	3,670 feet – Christ Redemption Church	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Residential dwelling or property zoned for residential uses	100 feet	135 feet, 8 inches – 10061 Shirley Street	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Business licensed by the State of California for the off-sale general alcoholic beverage sales with less than 15,000 square feet of floor area	1,000 feet	2,141 feet – Riverside Liquor 2,834 feet – Cavalier Liquor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Existing Parolee/Probationer Emergency Shelter, and Supportive Housing	1,000 feet	2,511 feet – Operation Safe House	<input checked="" type="checkbox"/>	<input type="checkbox"/>

FINDINGS SUMMARY

Conditional Use Permit

The proposed market with off-sale of alcohol is consistent with the CR-S-1-X-20-SP – Commercial Retail, Building Stories (maximum of 1 story), Building Setback (20-foot rear yard setback from residential) and Specific Plan (Magnolia Avenue) Overlay Zones, which allows a broad range of indoor-oriented retail sales and services as part of commercial centers or office developments. Pasha's Market Liquor will occupy a tenant space that has recently been vacated, preventing the space from being underutilized and improving the usability of the multi-tenant center. Pasha's Market Liquor is consistent with the surrounding uses along the Magnolia Avenue corridor and provides a community service within the Galleria neighborhood. The proposed project complies with all applicable development standards of the Magnolia Avenue Specific Plan and the Zoning Code (Title 19).

ENVIRONMENTAL DETERMINATION

The Planning Division of the Community & Economic Development Department has determined that this project is categorically exempt from further California Environmental Quality Act (CEQA) review pursuant to Section 15301 (Existing Facilities), Article 19 of the CEQA Guidelines.

PUBLIC NOTICE AND COMMENTS

Public notices were mailed to properties within 300 feet of the project site. As of the writing of this report, Staff has not received any written comments regarding this project.

APPEAL INFORMATION

Actions by the City Planning Commission, including any environmental findings, 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. Findings
2. Conditions of Approval
3. Existing Site Photos
4. Location Map
5. General Plan Map
6. Zoning Map
7. Census Tract Map
8. Distance Requirements Map
9. Project Plans (Site Plan, Demo Plan, Floor Plan, Roof Plan, Elevations, Security Plan)

Prepared by: Sarah Zughayer, Associate Planner
Reviewed by: Veronica Hernandez, Senior Planner
Approved by: Brian Norton, Acting City Planner



EXHIBIT 1 – FINDINGS

PLANNING CASE: PC-2025-00506 (Conditional Use Permit)

Conditional Use Permit Findings Pursuant to Chapter 19.760.040, as outlined in the Staff Report

1. The proposed market with off-sale of alcohol 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 market with off-sale of alcohol 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 market with off-sale of alcohol 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 – CONDITIONS OF APPROVAL

PLANNING CASE: PC-2025-00506 (Conditional Use Permit)

Planning Division

1. Plans shall conform to the exhibits attached to this report. Proposed modifications to the approved design shall be submitted to the Planning Division and shall include revised exhibits and a narrative description of the proposed modifications. The applicant is advised that an additional application and fee may be required.
2. The subject property shall be developed and operated substantially as described in the text of this 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.
3. **Advisory:** Signs and murals shall be permitted in accordance with Chapter 19.620 of the Zoning Code. Any signs shall be subject to separate review and assessment, including any required variances. A separate sign application, including fees and additional sets of plans, is necessary prior to any sign permit issuance.

Operational Conditions:

4. A copy of the Conditional Use Permit and the final Conditions of Approval shall be available at the site and presented to any 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.
5. All operations shall comply with Title 7 (Noise Control) of the Riverside Municipal Code.
6. The hours of operation shall be limited to:
 - a. Sunday through Thursday from 8:00 A.M. to 11:00 P.M.
 - b. Friday through Saturday from 8:00 A.M. to 1:00 A.M.
7. No intoxicated person shall be permitted to remain on premises.
8. The applicant shall be responsible for maintaining the area adjacent to the premises over which they have control and shall keep it free of litter.
9. The applicant will be required to remove any graffiti on the project site within 48 hours of the incident being reported to City of Riverside Code Enforcement.
10. The premises on which the business is located shall be posted to indicate that it is unlawful for any person to drink or consume any alcoholic beverage in any public place or posted premises in accordance with Section 9.05.020 of the Municipal Code.
11. The management at the location of the off-sale of alcoholic beverages pursuant to this section shall be responsible for educating the public regarding drunk driving laws and the related penalties for breaking those laws. (This includes minimum age law, open container law and driving while intoxicated law.) This can be accomplished by posting prominent signs, decals or brochures at the point of purchase and providing adequate training for employees.

12. The owner and/or occupant shall be liable for the cost of excessive police service or response in accordance with Chapter 9.60 of the Riverside Municipal Code.

Prior to Building Permit Issuance:

13. **Photometric/Lighting Plan:** A lighting plan shall be submitted during building plan check and approval. A photometric study and manufacturer's cut sheets of all exterior lighting on the building shall be submitted with the exterior lighting plan. All on-site lighting shall provide a minimum intensity of one foot-candle and a maximum of ten foot-candles at ground level throughout the areas serving the public, with a ratio of average light to minimum light of four to one (4:1). The 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 lights are proposed to be mounted on buildings, downlights shall be utilized.

Prior to Occupancy:

14. A final site inspection shall be required prior to the Certificate of Occupancy or the commencement of site operations.
15. All signage including building and window signage shall comply and receive proper permits consistent with the General Sign Chapter of the Zoning Code.
16. Alcoholic Beverage Control License shall be active and transferred to the new location at 10050 Magnolia Avenue.

Standard Conditions

17. 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.
18. The Conditional Use Permit may be granted time extensions by the Community & Economic Development Director, or their designee, up to a total of two years beyond the original approval expiration date prior to issuance of any building permits. Once a building permit has been issued, the development will be considered vested and time extensions are no longer needed.

Prior to **January 29, 2027**, 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.**

19. 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.
20. 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.

21. 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.
22. 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.
23. 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.
24. Failure to abide by all conditions of this Conditional Use Permit shall be cause for revocation.
25. Enumeration of the conditions herein shall not exclude or excuse compliance with all applicable rules and regulations in effect at the time this permit is exercised.

Riverside Police Department

Prior to Occupancy

26. Installation of a security camera surveillance system consisting of the latest high-definition video technologies with the minimum requirement of having the ability to save recorded video for a thirty-day period and which shall also be made immediately available to the Riverside Police Department upon request. An on-sight manager shall have working knowledge on how to retrieve video when requested by Riverside Police Department.
27. The licensee/employees shall attend a License, Education, Alcohol and Drugs (LEAD) class and Responsible Beverage Service (RBS) training, both of which are presented by the Department of Alcoholic Beverage Control within 90 days of obtaining an ABC sales license.

Operational Conditions

Alcohol

28. The business shall follow the guidelines of the Alcohol Beverage Control (ABC) requirements and conditions for acting as off-sale general premise.
29. There shall be no consumption of alcoholic beverages on the store property and this requirement will be prominently posted throughout the property.
30. Beer, malt beverages, flavored malt beverages, pre-mixed distilled spirit cocktails, wine mixed drinks, and wine coolers cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities.
31. No single use or pre-packaged multi-unit liquor bottles, malt beverages, flavored malt beverages, pre-mixed distilled spirit cocktails, wine mixed drinks or wine coolers (50 ml or 1.7 ounce) shall be sold.

32. No displays of beer or wine/liquor shall be located within five feet of the store's entrance, windows, or checkout counter.
33. The subject's alcoholic beverage license shall not be exchanged for a public premises type license or operated as a public premise. All alcoholic beverages sold shall be for consumption off the premises.

Security

34. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easy discernment of the appearance and conduct of all persons on or about the parking lot.
35. The business windows shall not be tinted or obscured in any way, including by temporary or painted window signs, and the interior lighting of the building shall remain at adequate levels to clearly see into the business from the exterior of the business.
36. Management shall actively participate in Business Watch through the Riverside Police Department.

Entertainment

37. Prior to the start of any entertainment activities, the business shall apply for all required permits (see Riverside Municipal Codes 5.80 and 2.28).
38. There shall be no illegal gambling devices, such as coin-pushers or video slot machines, etc., maintained upon the premises at any time.
39. Any adult-oriented magazines, video tapes and other similar materials shall be displayed in an area partitioned off from, and not visible to, the public or minors and shall be labeled "Adults Only".

Grounds

40. The licensee shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
41. The licensee shall be responsible for maintaining free of graffiti the area adjacent to the premises over which they have control.
42. No loitering shall be permitted on any property adjacent to the licensee's premises and under control of the licensee.
43. If tobacco is to be sold on the premises, a Tobacco Retail Establishment Permit shall be obtained. Riverside Municipal Code 6.24.
44. Cannabis products, considered illegal by the State of California without proper authorization, may not be sold on the premises unless all required licenses and permits are obtained from local, state, and county regulatory agencies.

Compliance

45. The licensee/employees shall attend a License, Education, Alcohol and Drugs (LEAD) class and Responsible Beverage Service (RBS) training, both of which are presented by the Department of Alcoholic Beverage Control within 90 days of obtaining an ABC sales license.
46. The applicant shall comply with all federal, state and local laws and shall cooperate with the Riverside Police Department in the enforcement of all laws relating to this permit. The

violation of any laws in connection with this use or failure to cooperate with the Riverside Police Department will be cause for revocation.

47. A copy of the Conditional Use Permit and the Conditions of Approval shall be available at the site and presented to City staff, including the Riverside Police Department and Code Enforcement upon request.
48. In addition to any other stipulations, three or more sustained complaints to the Riverside Police Department within any 12-month period regarding disturbances caused by patrons or staff at the site shall be grounds for revocation proceedings.