



**PLANNING COMMISSION HEARING DATE: APRIL 9, 2026
AGENDA ITEM NO.: 2**

CONDITIONAL USE PERMIT

Case Number	PR-2025-001773 (Conditional Use Permit)		
Request	To consider a Conditional Use Permit to establish a day care facility (Cherry Blossom Day Care) within an existing 4,771 square foot building and a proposed 960 square foot detached modular building.		
Applicant	Gina Gibson of Gibson Land Consulting		
Project Location	3481 Prospect Avenue, situated on the north side of Prospect Avenue between Olivewood Avenue and Orange Grove Avenue		
APN	219-330-017		
Project Area	0.55-acre		
Ward	1		
Neighborhood	Downtown		
General Plan Designation	DSP – Downtown Specific Plan		
Specific Plan	Downtown Specific Plan		
Zoning Designation	DSP-PPO – Downtown Specific Plan - Prospect Place Office District		
Staff Planner	Yenifer Cid, Associate Planner 951-826-5652 ycid@riversideca.gov		

RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **DETERMINE** that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) and Section 15303 (New Construction or Conversions of Small Structures), as the project will not have a significant effect on the environment; and
2. **APPROVE** Planning Case PR-2025-001773 (Conditional Use Permit) based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions of approval (Exhibits 1 & 2).

SITE BACKGROUND AND PROPOSAL

The project site consists of a single 0.55-acre parcel, developed with a 4,771-square-foot building and, 25-space surface parking lot. The site was previously used as church. Surrounding land uses include single-family residential to the south (across Prospect Avenue) and offices to the north, west, and east (across Olivewood Avenue) (Exhibit 4).

PROPOSAL

The applicant is requesting approval of a Conditional Use Permit to establish a day care facility (Cherry Blossom Day Care) within an existing 4,771-square-foot building and a 960-square-foot detached modular building.

There will be no exterior modifications to the existing building. The existing building will accommodate a total of 90 children ranging in age from 2 to 5 years old. The detached modular building, located north of the main building with a dimension of 32 feet in length and 30 feet in width, will accommodate 27 infants. Additionally, a 1,173-square-foot green open space adjacent to the modular building and 2,330-square-foot green open space adjacent to the main building have been designated as outdoor play areas. A Modification is requested to allow a play area to be located within the required front yard setback.

Site improvements include the installation of a 6-foot-high wrought iron fence along a portion of the project frontage to enclose the outdoor play area and provide safety measures for children and staff. The proposal also includes a redesign of 3 parking spaces and elimination of 1 parking space to accommodate the placement of the modular building.

Vehicle access to the site will continue to be provided by a two-way, full-access driveway along Prospect Avenue. Children arriving by vehicle will require parents to park in the existing parking lot and walk their children into the facility for drop-off/pick-up.

Staff will consist of a total of 15 employees in shifts of 3 with up to 5 employees per shift. Day care hours are proposed to be from 6:00 a.m. to 8:00 p.m. Monday through Friday. The drop-off/pick-up times are staggered throughout the day. The chart below represents the anticipated percentage of children that are dropped off during morning hours and picked up during the afternoon/evening hours.

Drop-Off Distribution		Pick-Up Distribution	
6:00 AM	5%	5:00 PM	25%
6:30 AM	10%	5:30 PM	22%
7:00 AM	13%	6:00 PM	15%
7:30 AM	15%	6:30 PM	13%
8:00 AM	10%	7:00 PM	10%
8:30 AM	22%	7:30 PM	10%
9:00 AM	25%	8:00 PM	5%

PROJECT ANALYSIS

Authorization and Compliance Summary

	Consistent	Inconsistent
General Plan 2025	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p>The project is consistent with the underlying General Plan 2025 Land Use designation of DSP – Downtown Specific Plan (Exhibit 5). The Downtown Specific Plan designation provides a wide spectrum of allowable uses and intensities. The proposed development also furthers the Objectives and Policies of the General Plan 2025, specifically:</p> <p><u>Objective LU-47</u>: Make Downtown Riverside a regional employment, governmental, arts and entertainment center with unique and interrelated districts offering a wide range of opportunities for residential lifestyles, work environments, shopping, entertainment, learning culture and the arts.</p>		
<p>Specific Plan (Downtown)</p> <p>The project site is in the Prospect Place Office District of the Downtown Specific Plan (Exhibit 6), which includes urban development of offices and single-family residences intermixed with occasional multi-family uses. The Downtown Specific Plan allows for day care facilities subject to approval of a Conditional Use Permit.</p> <p>The proposed day care facility will operate consistent with the policies, objectives and standards set forth by the Specific Plan.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Zoning Code Land Use Consistency (Title 19)</p> <p>The project site is zoned DSP-PPO – Downtown Specific Plan - Prospect Place Office District, consistent with the General Plan Land Use designation (Exhibit 7). The Prospect Place Office District allows for day care facilities subject to approval of a Conditional Use Permit and compliance with the Site Location, Operation, and Development Standards.</p> <p>As designed, the project meets all applicable development standards for a day care facility.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Compliance with Citywide Design & Sign Guidelines</p> <p>The proposed project substantially meets the objectives of the Citywide Design Guidelines, subject to the recommended conditions of approval detailed below. There will be no exterior modifications to the existing building. Parking spaces will be redesigned to accommodate placement for the detached modular building.</p> <p>As proposed, the project is consistent with the Citywide Design Guidelines.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Chapter 19.290 - Day Care Center Standards					
	Standard	Proposed	Consistent	Inconsistent	Modification
Site Location Standards	Minimum 600-foot separation from	1,539 feet (from School Age Care by	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	existing day care center	You're Invited Downtown – 4495 Magnolia Avenue)			
	Access from a public street	Prospect Avenue	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Outdoor play area shall not be allowed in any required front, side or rear yard setbacks and shall be located and designed so as to reduce noise impacts on adjacent properties.	In the front yard area	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Screening	Outdoor play areas shall be enclosed by a natural barrier or minimum 5-foot fence or wall	6-foot wrought iron fence	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Parking

Chapter 19.580 Parking and Loading					
Standard			Proposed	Consistent	Inconsistent
Day Care Centers	1 space/ employee plus 1 spaces/ 10 persons	17 spaces	23 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project is located in a high-quality transit corridor as defined in California Public Resources Code §21155(b). Assembly Bill 2097 (AB 2097) restricts public agencies from imposing minimum parking requirements on residential, commercial, or other development projects located within one-half mile of a high-quality transit corridor. The proposed project meets the criteria defined in AB 2097 and is exempt from the minimum parking requirements of the Riverside Municipal Code (RMC).

Although the project is exempt from the City's parking requirements the project provides 23 on-site parking spaces. As a matter of information, staff shift hours are staggered throughout the day as is child drop-off/pick up, consistent with other day care facilities. Due to the operational characteristics of the day care, ample parking is available on-site for employees and drop-off/pick-up of children.

FINDINGS SUMMARY

Modification of Development Standards

The Zoning Code requires that the outdoor play area shall not be allowed in any required front, side or rear yard setbacks and shall be located and designed so as to reduce noise impacts on adjacent properties. The applicant is requesting a modification to allow the outdoor area in the front yard setback. In addition, front yard fences or walls shall not exceed 4 feet in height. The applicant is requesting modifications of the allowable 4-foot-tall fence to a 6-foot-tall fence in the front yard setback as the area proposes to be fenced for an outdoor play area. The outdoor play area requires to be enclosed by a 5-foot fence or wall.

Section 19.415.040 of the Zoning Code allows for the modification of development standards in conjunction with the required Conditional Use Permit. Staff has prepared the following supplemental justifications in support of the modification:

1. *The outdoor play area is proposed within the front yard setback and extends along the side yard to the rear of the site, allowing for a continuous layout that provides sufficient space for children's outdoor activities; and*
2. *A 6-foot-tall wrought iron fence is proposed along Prospect Avenue to provide adequate security for the outdoor play area and entire site.*

Conditional Use Permit

The proposed day care facility will complement the surrounding residential uses by providing a crucial local community service. The site is designed and constructed with adequate vehicular access and internal circulation to facilitate the proposed enrollment of 117 children and on-site staff. Additionally, as shown in the chart below, drop-off/pick-up times will continue to be staggered to prevent any potential traffic impacts.

Drop-Off Distribution		Pick-Up Distribution	
6:00 AM	5%	5:00 PM	25%
6:30 AM	10%	5:30 PM	22%
7:00 AM	13%	6:00 PM	15%
7:30 AM	15%	6:30 PM	13%
8:00 AM	10%	7:00 PM	10%
8:30 AM	22%	7:30 PM	10%
9:00 AM	25%	8:00 PM	5%

Therefore, the project will not be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area. The project complies with the standards of the Zoning Code, Downtown Specific Plan, and Citywide Design Guidelines.

ENVIRONMENTAL REVIEW

This proposal is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15301 (Existing Facilities) and Section 15303 (New Construction or Conversions of Small Structures) of the CEQA Guidelines, as the project will not have a significant effect on the environment.

PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners within 300 feet of the site. As of the writing of this report, no responses have been received by Planning Staff.

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. Staff Recommended Findings
2. Conditions of Approval
3. Existing Site Photos
4. Location Map
5. General Plan Map
6. Specific Plan Map
7. Zoning Map
8. Project Plans (Existing Site Plan, Proposed Site Plan, Existing Floor Plans, Proposed Floor Plans, and Building Elevations)
9. Project Description

Prepared by: Yenifer Cid, Associate Planner

Reviewed by: Brian Norton, Principal Planner

Approved by: Matthew Taylor, Acting City Planner



EXHIBIT 1 – FINDINGS

PLANNING CASE: PR-2025-001773 (Conditional Use Permit)

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

1. The day care facility 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 day care facility 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 day care facility will be consistent with the purpose of the Zoning Code and the application of any required development standards 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: PR-2025-001773 (Conditional Use Permit)

Planning

1. Any modifications to enrollment or day care staff shall require review by the Planning Division for compliance with Title 19 and any other necessary City Codes.
2. Plans shall conform to the exhibits attached to this report. Proposed modifications to the approved design shall be submitted to the Planning Division and shall include revised exhibits and a narrative description of the proposed modifications. The applicant is advised that an additional application and fee may be required.
3. The subject property shall be developed and operated substantially as described in the text of this report and as shown on the project plans on file with this case except for any specific modifications that may be required by these conditions of approval.
4. 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.

During Construction Activities:

5. 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.
6. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
7. 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 project site during all project construction.

Prior to Issuance of Building Permit:

8. Plans shall be submitted depicting that the final placement of the modular building shall comply with California Building Code, as determined by Building and Safety Division.
9. **Landscape:** Hedge shrubs, that grow up to the height of the fence, shall be planted and maintained along the project frontage where the proposed fence is to be installed to provide additional screening and security to the proposed outdoor play area.

Prior to Release of Utilities and/or Occupancy:

10. 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. Contact the Case Planner to schedule the final inspection at least one week prior to needing the release of utilities.

- 11. The applicant shall obtain all licenses and permits required by the state law of operation of the facility. The applicant shall keep all State licenses or permits valid and current. Failure to comply will result in revocation.

Operational Conditions:

- 12. The day care facility operation shall be limited to Monday through Friday from 6:00 a.m. to 8:00 p.m. No weekend or night operation shall be permitted. Should the applicant request revised house of operation in the future, staff shall require review by the Planning Division for compliance with Title 19 and any other necessary City Codes.
- 13. The site shall be fully landscaped and maintained and kept clean in a weed, and graffiti free condition at all times.

Standard Conditions:

- 14. There shall be a one-year time limit in which to take action on the Conditional Use Permit 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.
- 15. The Conditional Use Permit may be granted time extensions by the Community & Economic Development Director, or their designee, up to a total of five years beyond the original approval expiration date prior to issuance of any building permits. Once a building permit has been issued, the development will be considered vested and time extensions are no longer needed.

Prior to **April 9, 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.**

- 16. Within 30 days of approval of this case by the City, the developer shall execute an agreement approved by the City Attorney's Office to defend, indemnify, including reimbursement, and hold harmless the City of Riverside, its agents, officers and employees from any claim, action, or proceeding against the City of Riverside, its agents, officers, or employees to attack, set aside, void, or annul, an approval by the City's advisory agency, appeal board, or legislative body concerning this approval, which action is brought within the time period provided for in Section 66499.37 of the Government Code. The City will promptly notify the developer of any such claim, action or proceeding and the City will cooperate in the defense of the proceeding.
- 17. The Conditional Use Permit may be modified or revoked by the City Planning Commission or the City Council should they determine that the proposed use or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to public safety, property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
- 18. This project shall fully and continually comply with all applicable conditions of approval, State, Federal and local laws in effect at the time the permit is approved and exercised and which may become effective and applicable thereafter, and in accordance with the terms contained within the staff report and all testimony regarding this case. Failure to do so will be grounds for Code Enforcement action, revocation, or further legal action.
- 19. 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.

20. 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.
21. Failure to abide by all conditions of this Conditional Use Permit shall be cause for revocation.
22. Enumeration of the conditions herein shall not exclude or excuse compliance with all applicable rules and regulations in effect at the time this permit is exercised.

Fire Department

Prior to Issuance of Building Permit:

23. **Codes in Effect:** The proposed project shall fully comply with the 2022 Edition of Title 24, the California Building Standards Code, as adopted and amended by the City of Riverside, or the edition of these codes in effect at the time a building permit application is filed.
24. **Deferred Submittals:** Where required, a separate plan review and permit application shall be submitted to the fire department for each of the following deferred submittals. Please indicate deferred submittals on associated building permit title and or cover sheet:
 - Fire Alarm System
 - Fire Sprinkler System Underground
 - Fire Sprinkler System Overhead
25. **Fire Apparatus Access Roads:** Approved fire apparatus access roads shall be provided for every proposed facility, building or portion of a building. Fire access road design and maintenance shall comply with California Fire Code (2022) §503, as adopted and amended by the City of Riverside.
26. **Fire Protection Water Supply:** An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises of proposed facilities, buildings or portions of buildings. Fire water supply shall comply with California Fire Code (2022) §507, as adopted and amended by the City of Riverside.
27. **Fire Protection Systems:** Fire protection systems including but not limited to fire sprinklers, fire alarm and fixed extinguishing systems shall be provided where required by the California Building Standards Code and or Riverside Municipal Code.
28. **Facility Capacity Limits:** The proposed facility's maximum capacity shall not exceed the licensed capacity as recorded on the applicable State of California Fire Clearance Inspection Report.
29. **Approvals:** Fire Department approval and or support of above-referenced planning case does not constitute a local fire authority clearance of, and or a license to operate, a licensed care facility.

Riverside Public Utilities – Water

Prior to Issuance of Building Permit:

30. New water service installations are processed under a separate plan and permit submitted directly to the Public Utilities Department. Water plan must be submitted prior to issuance of building permit.
31. Project is required to install a separate dedicated fire service with appropriate backflow protection in accordance with current City standards.

Public Works – Land Development

Prior to Certificate of Occupancy:

32. Storm Drain construction will be contingent on engineer's drainage study.
33. Connection of new building to existing sewer lateral to serve this project to Public Works specifications.
34. All security gates or facilities proposed now or in the future will be located on-site and adequate stacking space and vehicle turn-around area will have to be provided to Public Works and Fire Department specifications.
35. Trash enclosure required per public works specifications. Project is required to use the City of Riverside franchise hauler Athens Services for waste disposal or recycling.
36. 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.

37. PROTECT IN PLACE existing Street Trees in PUBLIC RIGHT-OF-WAY along PROSPECT AVE. If existing Street Trees are found by Tree Inspector at time of scheduled site inspection (after fine grading and hardscape installation is complete), to be missing, dead, damaged or in poor condition, they will be required to be removed and/or replaced with 24" box size trees to Tree Inspector's specification.

Public Works – Traffic Division

Prior to Issuance of Building Permit:

38. Prior to the issuance of a Certificate of Occupancy, the applicant shall construct a stop sign (R1-1), stop bar, stop legend at the Project Driveways. Stop signs must conform to City Standard 664 and the stop bar and legend must conform to the City standard 650.

All signage and striping improvements must comply with the most current California Manual of Uniform Traffic Control Devices (MUTCD) standards. The applicant shall hire a contractor to install MUTCD & City of Riverside Standard compliant signage & striping improvements. The applicant shall obtain any necessary permits and approvals to complete the improvements. The applicant is solely responsible for the procurement and installation of the improvements to the satisfaction of the Director of Public Works.

39. That prior to the issuance of any permit, the applicant shall provide traffic control plans signed by a registered professional engineer for any public street, utility, signing/stripping, or traffic signal improvements.
40. The applicant shall construct a bike rack that can accommodate a minimum of two bikes. The installation of these bike racks shall be completed to the satisfaction of the Director of Public Works. The applicant is solely responsible for the procurement and installation of this infrastructure improvement.
41. The vehicular gate shall remain open during designated student drop-off (6AM to 9AM) and pick-up (5PM to 8PM) period to ensure adequate circulation and eliminate possible queuing on adjacent public streets.