



**PLANNING COMMISSION HEARING DATE: AUGUST 15, 2024
AGENDA ITEM NO.: 3**

PROPOSED PROJECT

Case Number	PR-2024-001679 (Conditional Use Permit and Design Review)		
Request	To consider a Conditional Use Permit and Design Review to facilitate the construction of a 950 square foot Dutch Bros Coffee drive-thru.		
Applicant	John Caglia of Dutch Bros Coffee		
Project Location	9604, 9614, and 9624 Magnolia Avenue, situated on the south side of Magnolia Avenue between Taft and Roosevelt Streets		
APN	234-102-024, 234-102-025, 234-102-030		
Project Area	0.60-acres		
Ward	5		
Neighborhood	Arlington		
General Plan Designation	MU-V – Mixed-Use Village		
Zoning Designation	CG-SP – Commercial General and Specific Plan (Magnolia Avenue) Overlay Zones		
Specific Plan	Magnolia Avenue		
Staff Planner	Judy Egüez, Senior Planner 951-826-3969 jeguez@riversideca.gov		

RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **RECOMMEND that the City Council DETERMINE** that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, as the project will not have a significant effect on the environment; and
2. **RECOMMEND that the City Council APPROVE** Planning Case PR-2024-001679 (Conditional Use Permit and Design Review) based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions (Exhibits 1 & 2).

SITE BACKGROUND/PROPOSAL

The 0.60-acre project site is comprised of three contiguous parcels, partially developed with a surface parking lot. The project site currently has a shared parking agreement with the commercial center located at 9590 Magnolia Avenue for 6 parking spaces.

Surrounding land uses include single family residences to the south, and commercial uses to the north, east and west (Exhibit 3 and 4). Access to the site is from Taft Street and from an improved alley along the east property boundary.

The applicant is requesting approval of a Conditional Use Permit and Design Review to facilitate the construction of a 950-square foot Dutch Bros Coffee drive-thru with surface parking stalls and landscape improvements. Six on-site parking spaces will continue to be reserved for the commercial center at 9604 Magnolia Avenue.

The proposed site plan includes two 12-foot-wide drive-thru lanes with stacking capacity for approximately 15 vehicles and 19 parking spaces. The drive-thru pick up window is located on the west side of the proposed building and a walk-up order window and queue is located on the east side of the building, under a metal canopy.

Vehicle access to the project site will be provided via a two-way driveway on Taft Street and a two-way driveway to an improved alley on the east side of the project. Both, Taft Street and the alley, connect to Magnolia Avenue. The project provides pedestrian pathways throughout the site with connectivity to public sidewalks.

Building elevations reflect a contemporary architectural style, consisting of stucco, cement siding, and a stone veneer. The conceptual landscape design features a variety of trees and water efficient shrubs. A three-foot-tall living screen and tiered landscaping is proposed to screen the drive-thru lane from Taft Street and Magnolia Avenue.

The drive-thru restaurant is anticipated to operate seven days a week from 5:00 a.m. to 11:00 p.m. and will operate 24-hours a day on a seasonal basis. Up to 24 to 32 employees are anticipated to be employed by the proposed Dutch Bros Coffee, with approximately 6-7 employees per shift on average. Dutch Bros implements a "runner system" for customer orders where they dedicate 3 to 5 staff members to take customer orders, receive payment, and control traffic on-site. The runner system reduces customers' time at the drive-thru pick up window to 30 to 45 seconds.

PROJECT ANALYSIS

Authorization and Compliance Summary

	Consistent	Inconsistent
<p>General Plan 2025</p> <p>The proposed project, in combination with surrounding commercial/office, retail, and residential uses, contributes to the mixed use concept consistent with the underlying General Plan 2025 land use designation of MU-V – Mixed Use-Village (Exhibit 5). The MU-V designation generally provides medium to high density residential development in close proximity to community serving services (commercial, office, and service uses). Plazas, courtyards, outdoor dining and other public gathering spaces and other community amenities are strongly encouraged. The proposed development also furthers the Objectives and Policies of the General Plan 2025, specifically:</p> <p><u>Policy LU-8.3:</u> Allow for a mix of development at varying intensities at selected areas as a means of revitalizing underutilized urban parcels.</p> <p><u>Policy LU-9.5:</u> Encourage the design of new commercial developments as “integrated centers,” rather than as small individual strip development. Integrate pedestrian access, parking, access, building design and landscape themes across all parcels in the commercial center to unify the development. In this case, it is in the Arlington Village Portal, adjacent to the Arlington Village. The Portal and Village have been developed with a number of community serving businesses in a walkable environment, consistent with what would generally be provided at an ‘integrated commercial shopping center’.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Magnolia Avenue Specific Plan (MASP)</p> <p>The project site is located within the Arlington District of the Magnolia Avenue Specific Plan (Exhibit 6), which provides for commercial, retail, office, and residential uses that are pedestrian oriented in design. The proposed project is consistent with the goals and vision of the MASP specifically through the following Objectives and Policies of the Specific Plan:</p> <p><u>Policy 1.6:</u> Encourage lot consolidation, driveway consolidation, shared parking, and frontage on Magnolia Avenue for meaningful, coordinated mixed-use and commercial projects that contribute to an attractive streetscape.</p> <p><u>Policy 1.9:</u> Provide sufficient parking, while also maintaining the pedestrian environment.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Zoning Code Land Use Consistency (Title 19)</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p>The project site is zoned CG- SP – Commercial General and Specific Plan (Magnolia Avenue) Overlay Zones (Exhibit 7), which is consistent with the MU-V – Mixed Use-Village General Plan land use designation. The CG – Commercial General Zone allows for drive-thru restaurants 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 drive-thru business with the exception of the requirement that free-standing drive-thru restaurants be on lots with a minimum lot area of 30,000 square feet. The applicant is requesting a Modification for site size. The Zoning Code allows for consideration of Modifications to the development standards for drive-thru businesses.</p> <p><i>Parking</i></p> <p>The project meets the criteria defined in AB 2097 and is exempt from minimum parking requirements in the Riverside Municipal Code (RMC), however, the project proposes 19 parking spaces (including the 6 parking spaces reserved for 9590 Magnolia Avenue) which exceeds the number of parking spaces required by the RMC. The project is located within a High Transit Corridor with access to bus lines as well as within walking distance to residential and other commercial uses.</p>		
<p>Compliance with Citywide Design & Sign Guidelines</p> <p>The proposed project substantially meets the objectives of the Citywide Design Guidelines for commercial development related to architectural treatment and landscaping. The development proposes a living screen along the entire edge of the drive-thru lane in addition to a tiered landscape effect. As proposed and conditioned, the proposed project is consistent with the Citywide Design Guidelines.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Chapter 19.475					
Drive-Thru Business Site Location, Operation, and Development Standards					
Standard		Proposed	Consistent	Inconsistent	Modification
Frontage	100 feet	175-foot frontage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Located on Arterial Street	Magnolia Avenue: 120-foot arterial	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive-Thru Lane Standards	Length: 180 feet	200 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Stacking: 10 vehicles	15 vehicles	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Width: 12 feet	12 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Drive-thru lane screening	3- foot high living screen and tiered planting along public right-of-way	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Total Area of free-standing drive-thru	30,000 square feet minimum	26,285 square feet	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Chapter 19.120					
Commercial Development Standards for the CG – Commercial General Zone					
Standard		Proposed	Consistent	Inconsistent	
Floor Area Ratio	0.50 maximum	0.04	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Height	75 feet	24 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Yard Setbacks	Front	0 feet	46 feet (Magnolia Avenue) 130 feet (Taft Street)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Interior Side	0 feet			
	Rear Side	15 feet	53 feet (South)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Landscape Setback	10 feet along street frontages	Taft Street: 18 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	5 feet adjacent to residential use	5-feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Chapter 19.580 Parking and Loading Development Standards					
Standard		Required	Proposed	Consistent	Inconsistent
Restaurant	1 space/100 sf (950 sf)	10 spaces	19* spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
*Note: Six spaces reserved for 9604 Magnolia Avenue per Parking Agreement (Instrument No. 1997-310708).					

FINDINGS SUMMARY

Conditional Use Permit

The proposed drive-thru Dutch Bros Coffee will complement existing surrounding uses to serve nearby residents and employees and aligns with the vision of commercial development along Magnolia Avenue. The site has been designed with adequate vehicular access and internal circulation. The double drive-thru lanes have been designed to exceed stacking standards required by the Zoning Code to allow for adequate lane stacking during peak business hours. The site will be enhanced with landscaping that includes a combination of trees and shrubs. The project proposes to engage pedestrian activity using pedestrian walkways and connectivity to the sidewalks. The site will also be improved with lighting to ensure security on the site while being sensitive to the adjacent residential uses.

Modification of Development Standards

The applicant is requesting a modification to a development standard to allow for a reduced site area of 26,285 square feet where the Zoning Code requires a minimum of 30,000 square feet for a stand-alone drive-thru. Section 19.475.060 of the Zoning Code allows for the modification of development standards through the consideration of a Conditional Use Permit. Staff has prepared the following supplemental justifications in support of the modification:

- 1) The site contains adequate circulation, parking, and meets all the development standards as it relates to the development of the site for a drive-thru business. No deviations from the Zoning Code have been requested as a result of having a lot less than 30,000 square feet;
- 2) The existing development pattern along the west side of Van Buren Boulevard consists of small lots for residential uses that used to exist and are not in compliance with the lot size requirements for the underlying CG – Commercial General Zone. The applicant is proposing to merge the three existing lots to create a larger lot; and
- 3) The proposed building size of 950 square feet for the Dutch Bros Coffee and operational characteristics are unique and not typical of a standard sit down drive-thru restaurant that would occupy a greater degree of the parcel and require more parking.

Allowing a reduced site area of 26,285 square where the Zoning Code requires a minimum of 30,000 square feet will not be detrimental to the site or surrounding area.

STRATEGIC PLAN

This project contributes to the Envision Riverside 2025 City Council Strategic Priority 3 – Economic Opportunity (Goal 3.3 – Cultivate a business climate that welcomes innovation, entrepreneurship and investment and Goal 3.4 - Collaborate with key partners to implement policies and programs that promote local business growth and ensure equitable opportunities for all).

This item aligns with the following Cross-Cutting Threads:

1. Community Trust: The proposed project will be reviewed at a public meeting held by the City Planning Commission and the public is able to provide comments.
2. Equity: The proposed project will provide a service available to all residents and visitors of the City.
3. Fiscal Responsibility: All project costs are borne by the applicant and will increase business tax revenue to the City when the Dutch Bros Coffee drive-thru business is open for business.
4. Innovation: The proposed project revitalizes vacant parcels and provides a mix of uses to the City.
5. Sustainability and Resiliency: All new construction will meet the most up-to-date Building Codes.

ENVIRONMENTAL REVIEW

The Planning Division of the Community & Economic Development Department determined the proposal to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Section 15303 (New Construction or Conversion 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 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. Existing Site Photos
4. Location Map
5. General Plan Map
6. Specific Plan Map
7. Zoning Map
8. Project Plans (Site Plan, Conceptual Grading Plan, Landscape Plan, Floor Plan, Roof Plan, , Building Elevations, Material Board, Preliminary Photometric Plan)

Prepared by: Judy Egüez, Senior Planner
Reviewed by: Brian Norton, Principal Planner
Approved by: Maribeth Tinio, City Planner



EXHIBIT 1 – FINDINGS

PLANNING CASE: PR-2024-001679 (Conditional Use Permit and Design Review)

Conditional Use Permit Findings pursuant to Chapter 19.760.040, as outlined in the staff report

1. The proposed drive-thru 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 drive-thru 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 drive-thru 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.

Drive-Thru Business Findings pursuant to Chapter 19.475.050, as outlined in the staff report

1. The proposed drive-thru will not substantially increase vehicular traffic on streets in a residential zone.
2. The proposed drive-thru will not substantially lessen the usability of adjacent or nearby commercially zoned property or commercial use by interfering with pedestrian traffic.
3. The proposed drive-thru will not create increased traffic hazards to pedestrians.
4. The site will be adequate in size and shape to accommodate said use and to accommodate all yards, walls, parking, landscaping and other required improvements.
5. The proposed drive-thru will not substantially lessen the usability and suitability of adjacent or nearby residentially zoned property for residential use.



EXHIBIT 2 – CONDITIONS OF APPROVAL

PLANNING CASE: PR-2024-001679 (Conditional Use Permit and Design Review)

Case Specific

Planning

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 shall be permitted in accordance with Chapter 19.620 of the Zoning Code. Any new signs shall be subject to separate review and assessment. A separate sign application, including fees and additional sets of plans, will be necessary prior to sign permit issuance.

Prior to Issuance of Grading Permit:

4. A 40-scale precise grading plan shall be submitted to Public Works and 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 qualified soils engineer to minimize potential soil stability problems;
 - d. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement; and
 - e. Identification of location, exposed height, material, and finish of any proposed retaining walls.

During Grading and Construction Activities:

5. During all project site construction, the Construction Contractor shall limit all construction-related activities that would result in a noise disturbance to between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays. No construction is permitted on Sundays or federal holidays.
6. To reduce construction related particulate matter air quality impacts of projects the following measures shall be required:
 - a. The generation of dust 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. The project 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 off;
 - f. Disturbed/loose Soils shall be kept moist at all times.
 - g. All 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.
7. The applicant shall be responsible for erosion and dust control during construction phases of the project.
8. 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 Issuance of Building Permit:

9. Landscaping and Irrigation plans for the project site shall be submitted to the Planning Division for review, including the following requirements below, separate applications and filing fees are required.
- a. A living screen (hedge) of a minimum of 3-feet high and consisting of 5-gallon sized plants shall be planted along the perimeter of the drive-thru lane along Magnolia Avenue and Taft Street.
 - b. Tiered landscaping consisting of a variety of shrubs, trees and ground cover shall be provided adjacent to street frontages and to screen the parking lot.
10. Plans submitted for plan check review shall specify the location, design and color of all domestic water meters, backflow preventers and utility cabinets subject to the Planning and Public Utilities review and approval. The visibility of such facilities shall be minimized to Planning Division review and approval through means including but not limited to relocation, berms, landscaping, and/or installation of a screen wall.
11. An exterior lighting plan shall be submitted to staff for review and approval. A photometric study and manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas and in the parking lot shall be submitted with the exterior lighting plan. All on-site lighting shall comply with Chapter 19.566 of the Zoning Code (Outdoor Lighting). 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, down-lights shall be utilized. Light poles shall not exceed twenty (20) feet in height, including the height of any concrete or other base material. Light poles within fifty (50) feet of residences are limited to fourteen (14) feet in height.
12. Roof and building mounted equipment shall be fully screened from the public right-of-way. Screening material shall be integrated with the design of the building and be at least as high as the proposed roof mounted equipment.

13. Ground mounted equipment shall be fully screened from the public right-of-way.

During Construction:

14. The project shall comply with all existing State Water Quality Control Board and City storm water regulations, including compliance with NPDES requirements related to construction and operation measures to prevent erosion, siltation, transport or urban pollutants, and flooding.
15. If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendants shall then make recommendations within 48 hours and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98 and the Treatment Agreement described.

Prior to Release of Utilities and/or Occupancy:

16. 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, at (951) 826-5371 to schedule the final inspection at least one week prior to needing the release of utilities.

Site Operation Standards:

17. All operations shall comply with Title 7 (Noise Control) of the Riverside Municipal Code.
18. A copy of the Conditional Use Permit and the final Conditions of Approval shall be available at the site and presented to City staff, including the Police Department and Code Enforcement, upon request. Failure to have the latest approved conditions available upon request will be grounds for revocation
19. The applicant shall be responsible for maintaining free of litter, the area adjacent to the premises over which they have control.
20. 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.
21. 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.

Standard Conditions:

22. 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.
23. The Conditional Use Permit 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.

Please be advised that the applicant will not be notified by the Planning Division about the pending expiration of the subject entitlement.

24. 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.
25. 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.
26. 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.
27. The applicant shall comply with all federal, state, and local laws and shall cooperate with the Riverside Police Department (RPD) in the enforcement of all laws relating to this permit. Material violation, as determined by the City Planning Commission, of any laws in connection with this use or failure to cooperate with RPD will be cause for revocation of this permit.
28. 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.
29. 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.
30. Failure to abide by all conditions of this Conditional Use Permit shall be cause for revocation.
31. 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.

Public Works

Conditions to be fulfilled prior to occupancy unless otherwise noted

32. Storm Drain construction will be contingent on engineer's drainage study.
33. Deed for widening Magnolia Avenue along project frontage to 77-feet from monument centerline to Public Works specifications.
34. 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.
35. Installation of sewers and sewer laterals to serve this project to Public Works specifications.
36. Rehabilitation of pavement on Taft Street to Public Works Specifications.
37. Off-site improvement plans to be approved by Public Works prior to issuance of construction permit.
38. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to map recordation.
39. Size, number and location of driveways to Public Works specifications.
40. Closure of unused driveway(s) to Public Works specifications.
41. On site plan, provide linear footage labels, clearly marked, along all parcel lines. Plant 24-inch box size Magnolia grandiflora 'St Mary' in public right-of-way along Magnolia Avenue and Chitalpa tashkentensis along Taft Street. Typical spacing 20-feet on center. Prior to any planting, email Tree Inspector at gtanaka@riversideca.gov, to schedule inspection for Tree Inspector to determine precise locations at time of scheduled site inspection after fine grading and hardscape installation is complete. Planting, staking, irrigation, root barriers, trunk protectors, to Landscape & Forestry specifications
42. Trash enclosures required per Public Works specifications. Project is required to use the City of Riverside franchise hauler Athens Services for waste disposal or recycling.
43. 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.

44. 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:

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;

Incorporates the applicable Source Control BMP's as described in the Santa Ana River Region WQMP and provides a detailed description of their implementation;

Incorporates Treatment Control BMP's as described in the Santa Ana River Region WQMP and provides information regarding design considerations;

Describes the long-term operation and maintenance requirements for BMP's requiring long-term maintenance; and

Describes the mechanism for funding the long-term operation and maintenance of the BMP's requiring long-term maintenance.

45. 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.
46. 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.
47. Prior to building or grading permit closeout or the issuance of a certificate of occupancy or certificate of use, the applicant shall:
 - Demonstrate that all structural BMP's described in the project-specific WQMP have been constructed and installed in conformance with approved plans and specifications;
 - Demonstrate that applicant is prepared to implement all non-structural BMP's described in the approved project-specific WQMP; and
 - Demonstrate that an adequate number of copies of the approved project-specific WQMP are available for the future owners/ occupants.

Public Works Traffic Division

48. The applicant has submitted a draft Traffic Analysis Report. Prior to any permit issuance, the applicant shall work with the Public Works Traffic Division to finalize the Traffic Analysis Report and complete any improvements to address any operational deficiencies resulting from the study. Project will be responsible to complete the improvements in full.
49. The applicant shall complete an empirical queuing study six (6) months after issuance of a certificate of occupancy. The project shall complete operational improvements at the project access points to ensure that vehicle stacking does not overflow into the public street, to the satisfaction of the City, through the Department of Public Works.
50. Prior to the Certificate of Occupancy, the project shall develop a Grand Opening Period Staffing Plan for the entire duration of the Grand Opening period (minimum three weeks from the first day of operations). The Grand Opening Period Staffing Plan shall also include all signage and striping to direct vehicles for the optimal queuing efficiency to the project drive-thru entry. The applicant shall consider traffic control services through a third party

during the entire grand opening period. The Grand Opening Staffing Plan may be reinstated on an interim basis if traffic operational impacts generated by the Dutch Bros site negatively effect the movement along the surrounding roadway system. Any temporary traffic control in the right of way must be deployed by a contractor via a street opening permit.

51. Dutch Bros staff will be responsible for temporarily restricting the left-turn ingress movement at the project driveway and Taft Avenue if the drive-thru vehicular queuing overflows onto Taft Avenue and then Magnolia Avenue during any peak hours. A temporary left-turn ingress restriction plan shall be submitted and shall include, but is not limited to, the required traffic control devices and signage to temporarily restrict left turn-in maneuver at the project driveway and Taft Avenue.
52. Operation of the drive-thru shall not result in stacking of vehicles in such a manner that would result in obstruction to any access driveways for residences or businesses, parking spaces along Taft Avenue and alleyway, or the main drive aisles for public streets. If the drive-thru operation affects traffic for any access driveways for residences or businesses, parking spaces along Taft Avenue and alleyway, or the main drive aisles for public streets, design, or operational alternatives to remedy the issue, such as modifying the access to the parking lot, shall be presented to the City for review and approval.
53. To prevent stacking in the drive-thru lane from impacting adjacent businesses or residences, additional measures shall be implemented, including but not limited to: Traffic Control Measures, Occupant's managers and staff members shall be trained to direct drive-thru traffic to line up along the parking aisle such that car stacking does not overflow onto the public streets, use of tablets, applicant's staff members shall take food orders and non-cash payments at the drive-thru lanes with tablets to speed up orders in the drive-thru lanes during the restaurant's peak hours, Online Order: An Applicant staff member shall set up temporary parking signs for online order pickup as necessary during high demand online orders.
54. Prior to the issuance of a Certificate of Occupancy, the applicant shall construct a bike rack that can accommodate a minimum of five bikes. The installation of the 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.
55. A traffic control plan shall be prepared, kept onsite, and made available to the store manager for implementation as required. Any temporary traffic control in the right-of-way must be deployed by a contractor via a street opening permit.
56. Prior to the issuance of certificate of occupancy, a directional signage and striping plan shall be submitted for review and approval to ensure that directional signs are in appropriate locations for directing drive-thru customers and to make sure that intersections of parking aisles are not blocked.
57. Prior to the issuance of a Certificate of Occupancy, the applicant shall complete following improvements:
 - a. 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.
 - b. Project driveway along alleyway: Project driveway will restrict right turn out movements so that all the exiting project traffic will make only left turn out from the project site. Project shall install "NO RIGHT TURN" (R3-1) sign at project driveway to restrict right turn out movements.

- c. Project shall construct a new inbound left-turn lane for the southbound direction along Taft Avenue between project driveway and Magnolia Avenue.
 - d. Project shall install red curb on both sides of Taft Avenue between project driveway and Magnolia Avenue. This improvement will require "NO STOPPING ANYTIME" parking restrictions along Taft Avenue.
 - e. Construct a high visibility crosswalk per Standard Plan No. 640 across Taft Avenue at Magnolia Avenue.
 - f. Provide a signing and striping improvement plan.
58. Prior to the issuance of a Certificate of Occupancy, the applicant shall construct the following improvements at the signalized intersection of Alleyway adjacent to project site/Roosevelt Street and Magnolia Avenue:
- a. Remove the existing crosswalk along the west leg and install continental crosswalk per Standard Plan No. 640 on east leg of the intersection.
 - b. Construct new ADA compliant pedestrian ramps on both sides of Magnolia Avenue and necessary traffic signal modifications to accommodate the proposed crosswalk on east leg of the intersection.
 - c. Upgrade existing six (6) pedestrian push buttons to Polara audible pedestrian push buttons (or City approved equal) with a central control unit system. An acceptable audible pedestrian push button assembly and system is the Polara Model iDS39R with 5" x 7" R10-3 face plates.
 - d. Provide a traffic signal modification plan.
 - e. Reconstruct the existing median nose on west leg to provide a clear turning path for vehicles and trucks making northbound left from the alleyway to travel westbound on Magnolia Avenue.
59. The applicant shall hire a contractor to install the traffic signal equipment to its intended operating conditions. 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 and median 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.
60. Signing & striping improvement plans and traffic signal modification plans shall be shown as separate design plans signed by a licensed civil or traffic engineer and completed to the satisfaction of the Director of Public Works.
61. If overflow parking generated by the Dutch Bros. negatively impacts the available parking from the surrounding businesses and residences, then the applicant is solely responsible for determining additional parking off-site including considerations for parking lease agreements.

Fire Prevention

62. If project scope is modified such that square footage of proposed building is 1,000 square feet or greater an NFPA 13 fire sprinkler system shall be submitted as a separate permit to City of Riverside Fire Department per City Ordinance 16.32.335.

63. Provide for Fire Department access to the facility. "Knox" key devices are available for use in the city. Contact the Fire Department for applications and details.
64. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
65. Construction plans shall be submitted and permitted prior to construction.
66. Fire Department access shall be maintained during all phases of construction.
67. To comply with all applicable requirements per CFC, Chapter 33 (Fire Safety During Construction and Demolition). Upload a copy of the emergency site safety plan through the building permit public portal. This document can be uploaded as a supplemental document. The safety plan shall include the 13 components found in CFC, 3303.1.1.

Public Utilities – Electric

68. All utilities shall be satisfactorily relocated, protected and/or replaced to the specifications of the affected departments and agencies, and easements for such facilities retained as necessary.
69. The provision of utility easements, water, streetlights, and electrical underground and/or overhead facilities and fees in accordance with the rules and regulations of the appropriate purveyor.
70. Easements and any associated fees will be acquired during the design process.
71. Provisions for electrical Utility equipment to provide power to the site is the responsibility of the developer. Please make sure that all clearances are maintained, and location of the equipment is approved by the Utility.
72. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site. In addition to installing spare conduits, streetlights, and stub & cap along property frontage. Contact RPU for information on private street lighting.
73. Plot existing electrical distribution facilities on the original site plan.
74. The circuit 1202 in this area has been recently flagged. This circuit does not have the capacity to add any new load. Any necessary circuit improvements, and their associated costs, to bring power to the site will be the responsibility of the customer.
75. Provide proposed PJC and transformer locations.
76. Provide E-sheets reflecting estimated load. Show location, size, and voltage of proposed switchgears on site plan.
77. Contact ElectricDevelopment@riversideca.gov for new RPU Electric Customer AutoCAD File Requirements.
78. Customer's connections to come from PJC-13228 per WO 1723909 / 170001-32.

Public Utilities – Water

79. Separate domestic and landscape services will be required for the project.
80. 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.

Environmental Compliance

81. A Wastewater Discharge Survey for a coffee shop **must** be submitted to Environmental Compliance for approval along with a menu.

The Wastewater Survey and Menu will help to determine if you need an interceptor and what size. Plans must show the interceptor location.

Details regarding oil water interceptor for restaurant must be submitted to Environmental Compliance for review and approval. The City requires a minimum 750-gallon interceptor. Actual approved interceptor size depends on review of drainage fixture units and information written in submitted Wastewater survey. Approved interceptor must be installed prior to the restaurant opening for business.

Domestic waste shall not be allowed to pass through the interceptor.

82. If a sampling station is required—submit proposed installation on corrected plans.
83. All corrections to plans must be completed in order for Environmental Compliance Section to issue a Will-Serve Letter. Will-Serve Letter shall be sent to County of Riverside DEH by EC inspector.
84. Applicant must request inspection to verify the required installation or construction via inspection by EC Section representative, with a report stating that conditions have been met, and the permit card (if applicable) signed off by EC Inspector.
85. Other items for correction may need to be completed after actual plans are submitted for a formal review.
86. Proposed trash enclosures with drains to sanitary sewer must have cover to control rainwater intrusion and connected Grease Interceptor if a hose bib and drain are in the trash enclosure.

Parks and Recreation

87. Prior to lot consolidation, developer shall make payment of all applicable Park Development Impact fees (regional/reserve and trail fees) for all recorded ROW.
88. Prior to Building Permit Issuance, developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve and trail fees) for privately developed areas.