Agenda Item No.: 8.2
Area Plan: Jurupa
Zoning District: Prado-Mira Loma
Supervisorial District: Second
Project Planner: Jeff Horn
Planning Commission: January 13, 2010
Continued From: December 2, 2009

Conditional Use Permit No. 3628
CEQA Exempt
Applicant: Trip Hord Associates
Engineer/Representative: Keller Consultants

COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

This **Conditional Use Permit** proposes to extend the life of an existing commercial development and to permit concurrent sales of beer and wine for off-premises consumption (ABC Type 20) at the gasoline service station (Building F) on a 2.53 gross acre site. All structures and improvements exist onsite.

The project is located in the Glen Avon community, more specifically northerly of Highway 60, easterly of Etiwanda Avenue and southerly of Van Buren Boulevard in the Jurupa Area Plan.

FURTHER PLANNING CONSIDERATION: December 23, 2009

At the December 2, 2009 Planning Commission hearing, the project was continued at the request of the Commission, in order to allow the applicant time to install new landscaping in accordance with the preliminary landscape plan, and address signage and graffiti concerns on the existing buildings and walls.

As of the writing of this Staff Report, the applicant has stated that they have completed the removal of all un-affixed and excessive signage. Additionally, the applicant stated that they have begun the process of retaining a contractor to perform installation of landscaping, and are preparing to perform graffiti removal.

SUMMARY OF FINDINGS:

1. Existing General Plan Land Use (Ex. #5):	Community Development: Commercial Retail (CD:CR)
2. Surrounding General Plan Land Use (Ex. #5):	Community Development: Medium Density Residential (CD:MDR) to the north and east, Community Development: Light Industrial (CD:LI) to the north and west, and Highway 60 to the south.
3. Existing Zoning (Ex. #2):	Scenic Highway Commercial (C-P-S)
4. Surrounding Zoning (Ex. #2):	One-Family Dwellings (R-1) to the east, Manufacturing-Medium (M-M) to the west, and Highway 60 to the south.
5. Existing Land Use (Ex. #1):	Mini-warehouse complex and commercial buildings for office, general commercial, and restaurant use, and a four (4) pump gas station.
6. Surrounding Land Use (Ex. #1):	Single family residences to the east, vacant land to the west and Highway 60 to the south
7. Project Data:	Total Acreage: 2.53 Acres

Total Building Area: 14,400 sq. ft

8. Environmental Concerns: CEQA Exempt (Section 15301)

RECOMMENDATIONS:

APPROVAL of **Conditional Use Permit No. 3628**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

CONCLUSIONS:

1. The proposed project is in conformance with the Community Development: Commercial Retail (CD:CR) Land Use Designation, and with all other elements of the Riverside County General Plan.

2. The proposed project is consistent with the Scenic Highway Commercial (C-P-S) zoning classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.

3. The public's health, safety, and general welfare are protected through project design.

4. The proposed project is clearly compatible with the present and future logical development of the area.

5. The proposed project will not preclude reserve design for the Multi-Species Habitat Conservation Plan (MSHCP).

6. The proposed project will not have a significant effect on the environment.

FINDINGS: The following findings are in addition to those incorporated in the summary of findings, which is incorporated herein by reference.

1. The project site is designated Community Development: Commercial Retail (CD:CR) on the Jurupa Area Plan.

2. The proposed use, a mini-warehouse complex and commercial buildings for office, general commercial, and restaurant use, and a four (4) pump gas station with concurrent sales of beer and wine for off-premises consumption (ABC Type 20), is permitted use in the Community Development: Commercial Retail (CD:CR) designation.

3. The project site is surrounded by properties which are designated Community Development: Medium Density Residential (CD:MDR) to the north and east, Community Development: Light Industrial (CD:LI) to the north and west, and Highway 60 to the south.

4. The zoning classification for the subject site is Scenic Highway Commercial (C-P-S).

5. The proposed use, a mini-warehouse complex and commercial buildings for office, general commercial, and restaurant use, and a four (4) pump gas station with concurrent sales of beer and wine for off-premises consumption (ABC Type 20), is a permitted use subject to approval of a conditional use permit, in the Scenic Highway Commercial (C-P-S).

6. The project site is surrounded by properties which are zoned One-Family Dwelling (R-1) to the east, Manufacturing-Medium (M-M) to the west, and Highway 60 to the south.

7. Residential uses have been constructed in the project vicinity.

8. The year 2000 census population for census tract 403.05 was 3,886 persons according to the US Census Bureau (Census 2000 Summary File 3).

9. The population of Riverside County increased by 24% from the year 2000 to the year 2005 according to the US Census Bureau (American Community Survey 2005).

10. The maximum concentration level for General Liquor License (type 21) is combined with Beer and Wine (Type 20) and limited to one per 1,250 people by census tract (Alcoholic Beverage Control Act: California Business and Professions Code 23817.5)

11. Two (2) combined (Type 20 and Type 21) licenses are currently issued in Census Tract 403.05. This is approximately 0.65 licenses per 1,250 persons. Census tract 403.05 is not currently over concentrated with Type 20 and Type 21 combined liquor licenses.

12. The project site is consistent with the objectives of Section 18.48 (Alcoholic Beverage Sales) of Ordinance No. 348.

13. No schools are located within 1,000 feet from the proposed project.

14. The project is located within 200 feet of existing and habited residences.

15. The project is located within 1,000 feet of an existing public park, but not a playground, or established place or religious worship.

16. The proposed use, sale of Beer and Wine for Off Premises Consumption, is a permitted use in the Scenic Highway Commercial (C-P-S) zoning classification subject to the approval of a Conditional Use Permit.

17. This project is not located within a Criteria Area of the Multi-Species Habitat Conservation Plan.

18. The Planning Department has found that the project is exempt from the provisions of CEQA per Section 15301 "Existing Facilities." Section 15301 of the CEQA Guidelines defines existing facilities as "the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination".

INFORMATIONAL ITEMS:

1. As of this writing, no letters, in support or opposition have been received.

2. The project site is not located within:
   a. A city sphere of influence;

b. The March Joint Powers Authority jurisdiction;
c. Indian Tribal Land;
d. In a Specific Plan;
e. An Agricultural Preserve;
f. An Airport Influence Area or Airport Compatibility Zone;
g. An WRMSHCP cell group or number;
h. A High Fire Area or State Responsibility Area;
i. A 100-year flood plain, an area drainage plan, or dam inundation area;
j. The Stephens Kangaroo Rat Fee Area;
k. A Fault Zone;
l. A County Service Area; or
m. The Mt. Palomar Lighting Area (Ordinance No. 655)

3. The project site is locate within:
   a. The boundaries of the Jurupa Unified School District;
   b. The Jurupa Area Recreation and Parks District;
   c. The Mira Loma Warehousing/Distribution Center Policy Area;
   d. JVPA Redevelopment Area;
   e. The Santa Ana River Watershed Area;
   f. An Area of Moderate Liquefaction Potential;
   g. An Area susceptible to Subsidence;

4. The subject site is currently designated as Assessor's Parcel Numbers: 156-182-014 and 156-193-024.

5. This project was filed with the Planning Department on August 18, 2009.

6. This project was reviewed by the Land Development Committee one time on the following date September 24, 2009.

7. Deposit Based Fees charged for this project, as of the time of staff report preparation, total $9,965.

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Date Prepared: 12/23/09
Date Revised: 6/08/09 by RJuarez