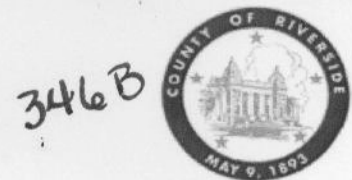


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: TLMA - Planning Department

SUBMITTAL DATE:
February 9, 2005

SUBJECT: COMPREHENSIVE GENERAL PLAN AMENDMENT NO. 677, CHANGE OF ZONE NO. 6869; CONDITIONAL USE PERMIT NO. 3413 – EA39245 – Mohamed Fadel – Bermuda Dunes Zoning District – Fourth Supervisorial District – Northerly of Fred Waring Drive, westerly of Clinton Street, southerly of Riverlane Drive – 1.12 Acres – R-1 Zone - REQUEST: Amend the land use map of the Western Coachella Valley Area Plan from “Medium Density Residential” (2-5 du/ac) to “Commercial Retail”, a change of zone from R-1 to C-1/C-P or C-P-S, and a conditional use permit to construct a 12,000 square foot convenience store including beer and wine sales for off-premises consumption with a building height of approximately 27 feet.

CONTROVERSIAL ISSUES: Issues consist of adequate landscape buffering and re-design of building elevations to buffer adjoining single-family residential dwellings to the west, and, staff's recommendation that the project be continued and be changed to a commercial office building instead of a commercial retail building. These issues were resolved through discussion. The Planning Commission did not agree with staff's recommendation for a commercial office building, but recommended approval of a commercial retail building as proposed by the applicant with amended conditions.

Public comment at the hearing indicated compatibility concerns, partially addressed through discussion and explanation of the nature of the proposed business. However, just after the Planning Commission's action, Planning staff received 10 petition letters in opposition. Planning staff has alerted the applicant to this opposition and encouraged him to meet and confer with the neighbors.

Departmental Concurrence

REVIEWED BY EXECUTIVE OFFICE
[Signature]
DATE 2/28/05

[Signature]

Robert C. Johnson
Planning Director

2/15/05
RCJ:jo

Dep't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

COUNTY OF RIVERSIDE
OFFICE OF THE CLERK
EXECUTIVE OFFICE

Prev. Agn. Ref.

District: Fourth | Agenda Number:

16.6

RECOMMENDED MOTION:

The Planning Department recommended Continuance; and,
THE PLANNING COMMISSION BY UNANIMOUS VOTE RECOMMENDS:

ADOPTION of a **De Minimis Finding as follows:** An Initial Study has been prepared by the Riverside County Planning Department for the project described in **ENVIRONMENTAL ASSESSMENT NO. 39245**, so as to evaluate the potential for adverse environmental impact; and, there is no evidence before the Planning Commission that the proposed project will have a potential adverse effect on wildlife resources; and,

ADOPTION of a **MITIGATED NEGATIVE DECLARATION for ENVIRONMENTAL ASSESSMENT NO. 39245**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

TENTATIVE APPROVAL of **COMPREHENSIVE GENERAL PLAN AMENDMENT NO. 677**, amending the land use map of the Western Coachella Valley Area Plan from "Medium Density Residential" (2-5 du/ac) to "Commercial Retail", in accordance with Exhibit 6a; and,

DENIAL of **CHANGE OF ZONE NO. 6869**, from R-1 to C-1/C-P; but,

TENTATIVE APPROVAL of **CHANGE OF ZONE NO. 6869**, from the R-1 zone to the C-P-S zone in accordance with Exhibit 4; and,

APPROVAL of **CONDITIONAL USE PERMIT NO. 3413**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.