

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

813B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
March 13, 2007

SUBJECT: APPEAL BY THE APPLICANT OF THE BOARD OF SUPERVISORS RECEIVE AND FILE ACTION OF THE PLANNING DIRECTOR'S DECISION TO DENY PLOT PLAN NO. 22248 & VARIANCE NO. 1805 – CEQA Exempt – Applicant: Chevron Corporation – Engineer / Representative: Larry Tidall - Second Supervisorial District – West Corona Zoning District – Temescal Canyon Area Plan: Community Development: Commercial Retail (CD-CR) (0.20 - 0.35 Floor Area Ratio) – Location: Southerly of Highway 91, and easterly of Serfas Club Drive – 0.88 Gross Acres - Zoning: General Commercial (C-1/C-P) - **REQUEST:** The Plot Plan is a proposal to raise the height of the existing Chevron sign from 45 feet to 100 feet located at 2270 West Frontage Road, Corona, CA. The Variance is an application to allow signage for the commercial development to exceed the standards of Ordinance 348 Section 19.4 (On-Site Advertising Structure and Signs). This variance proposes to exceed Ordinance 348 Section 19.4 (a) (1) by 55 feet, which allows for signs located within 660 feet to the nearest edge of the freeway right of way line to be a maximum height of 45 feet.

RECOMMENDED MOTION:

CONSIDERATION of the referenced appeal of the Planning Director's decision received on February 27, 2007.

THE PLANNING DIRECTOR took the following actions on January 22, 2007:

DENIED PLOT PLAN NO. 22248, based upon the findings and conclusions incorporated in the staff report; and,

DENIED VARIANCE NO. 1805, based upon the findings and conclusions incorporated in the staff report.

Mark Balysfor

Ron Goldman
Planning Director

RG:cv

REVIEWED BY EXECUTIVE OFFICE

DATE 3/22/07

Dept's Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

Planning Department
Robert C. Johnson Planning Director

RIVERSIDE COUNTY
CLERK OF THE BOARD
OF SUPERVISORS

APPLICATION FOR APPEAL

PAID
DATE: 2-21-07
AMOUNT: 983.28
RECD BY: [Signature]

DATE SUBMITTED: 2.27.07

Appeal of application case No(s): Vav. No. 1805 / PP# 22248 / EA # 41043

List any concurrent application case numbers: _____

Applicant's Name: Tamara Fenner - RHL Design E-Mail: tfenner@rhl-design.com

Mailing Address: 2401 E. Katella Ave. # 400
Anaheim City
CA State
92806 ZIP

Daytime Phone No: (714) 935-0050 Fax No: (714) 935-0051

HEARING BODY WHOSE ACTION IS BEING APPEALED	HEARING BODY TO WHICH APPEAL IS BEING MADE	APPEAL TO BE FILED WITH
Planning Director	<input checked="" type="radio"/> Board of Supervisors for: Temporary Outdoor Events and Substantial Conformance Determination for WECS. <input type="radio"/> Planning Commission for: all other decisions.	<input type="radio"/> Clerk of The Board for: Appeals before the Board of Supervisors. <input type="radio"/> Planning Department for: Appeals before the Planning Commission.
Planning Commission	Board of Supervisors	Clerk of the Board of Supervisors
TYPE OF CASES BEING APPEALED		FILING DEADLINE
<ul style="list-style-type: none"> • Change of Zone Denial by the Planning Commission • Commercial WECS Permit • Conditional Use Permit • Hazardous Waste Facility Siting Permit • Public Use Permit • Variance • Specific Plan denied by the Planning Commission • Substantial Conformance Determination for WECS • Surface Mining and Reclamation Permit 		Within 10 days after the notice of decision appears on the Board of Supervisors Agenda. <div style="font-size: 2em; font-family: cursive;">(Set for hrg. 4.3.07)</div>
<ul style="list-style-type: none"> • Land Division (Tract Map or Parcel Map) • Revised Tentative Map • Minor Change to Tentative Map • Extension of Time for Land Division (not vesting map) 		Within 10 days after the notice of decision appears on the Board of Supervisor's Agenda.
<ul style="list-style-type: none"> • Extension of Time Vesting for Tentative Map 		Within 15 days after the notice of decision appears on the Board of Supervisor's agenda.
<ul style="list-style-type: none"> • General Plan or Specific Plan Consistency Determination • Temporary Outdoor Event 		Within 10 days after date of mailing or hand delivery of decision of the Planning Director.
<ul style="list-style-type: none"> • Environmental Impact Report 		Within 10 days of receipt of project sponsor or Planning

Riverside Office · 4080 Lemon Street, 9th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-3157
Form 295-1013 (03/09/05)

Indio Office · 82-675 Hwy 111, 2nd Floor
Room 209, Indio, California 92201
(760) 863-8277 · Fax (760) 863-7555

Murrieta Office · 39493 Los Alamos Road.
Murrieta, California 92563
Fax (951) 955-3157

B-S M-F

2007-02-057380

2-27-07 1.13

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

4518



FROM: TLMA - Planning Department

SUBMITTAL DATE:
February 5, 2007

SUBJECT: PLOT PLAN NO. 22248 / VARIANCE NO. 1805 – CEQA Exempt – Applicant: Chevron Corporation – Engineer / Representative: Larry Tidall - Second Supervisorial District – West Corona Zoning District – Temescal Canyon Area Plan: Community Development: Commercial Retail (CD-CR) (0.20 - 0.35 Floor Area Ratio) – Location: Southerly of Highway 91, and easterly of Serfas Club Drive – 0.88 Gross Acres - Zoning: General Commercial (C-1/C-P) - **REQUEST:** The Plot Plan is a proposal to raise the height of the existing Chevron sign from 45 feet to 100 feet located at 2270 West Frontage Road, Corona, CA. The Variance is an application to allow signage for the commercial development to exceed the standards of Ordinance 348 Section 19.4 (On-Site Advertising Structure and Signs). This variance proposes to exceed Ordinance 348 Section 19.4 (a) (1) by 55 feet, which allows for signs located within 660 feet to the nearest edge of the freeway right of way line to be a maximum height of 45 feet.

RECOMMENDED MOTION:

RECEIVE AND FILE the Notice of Decision for the above referenced case acted on by the Planning Director on January 22, 2007.

The Planning Department recommended Denial; and,
THE PLANNING DIRECTOR:

DENIED PLOT PLAN NO. 22248, based upon the findings and conclusions incorporated in the staff report; and,

DENIED VARIANCE NO. 1805, based upon the findings and conclusions incorporated in the staff report.

Mark F. Balys for

Ron Goldman
Planning Director

RG:cv

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Wilson, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED that the above report of denial is received and filed as recommended.

Ayes: Buster, Tavaglione, Wilson and Ashley

Nays: None

Absent: Stone

Date: February 27, 2007

By: _____
Planning, Applicant

Nancy Romero
Clerk of the Board

By: _____
Deputy

Prev. Agn. Ref. | District: Second | Agenda Number: 1 1 3
1 . 1 3

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

DATE *2/20/07*

Dept Recomm.: Consent
Per Exec. Ofc.: Consent

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER - SEE REVERSE SIDE FOR COMPLETE SECURITY FEATURES



2401 E. KATELLA AVE., SUITE 400
ANAHEIM, CA 92806
714-935-0050

Dr. Merrill Lynch
Piper Jaffray & Associates, Inc.
Member SIPC

Working Capital Management Account
25-80/440

603488

PAY NINE HUNDRED EIGHTY THREE DOLLARS AND 28/100

\$983.28

TO THE ORDER OF COUNTY OF RIVERSIDE

Susan Park

AUTHORIZED SIGNATURE

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE. RED IMAGE DISAPPEARS WITH HEAT.

603488 04000804041142735167





John W. Johnson
Co-President
Architect

Brian F. Zita
Co-President
Architect

John B. Hicks
Vice President

Regional Managers

Brad A. Gubser
Jesse E. Macias
Roy W. Pedro
Alan K. Shimabukuro
John W. Strobel

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www.rhldesign.com

February 15, 2007

Riverside County Board of Supervisors
c/o: Riverside County Clerk of the Board
4080 Lemon Street, 9th Floor
Riverside, CA 92502-1409

RE: Appeal of Planning Director's Decision
Variance Request 1805
Chevron Freeway Sign, 2270 W. Frontage Rd., Corona

Dear County Board of Supervisors:

Please accept this Request for Appeal in the matter mentioned above.

The request for a height variance for the existing freeway sign was submitted on behalf of Chevron in July of 2006 to gain equal visibility with the neighboring competitor. In October of 2006, after many telephone calls, we were finally granted a contact name for a Planner assigned to the case, and began receiving feedback in regard to our submittal. With every request for further information or additional exhibits we were very responsive and provided the requested information within a matter of days, only to then be in a waiting pattern again, thinking that we would soon be called with a date for the Planning Director's hearing. In December, after multiple planners being assigned to our case, we were finally given a letter of "Comments and Corrections" from the Planning Dept. requesting more changes to our submittal package. We believe that this only happened because we had written emails of complaint on the lack of response to both the Planning Director's office and to Supervisor Tavaglione's office.

We met with our newly assigned planner in early January to go over the project and discuss the latest exhibits that were provided per their request. We were finally given a hearing date of January 22nd, more than 6 months after our submittal date. At that meeting we were given a copy of the Staff Report recommending denial. It also stated that Staff had requested further information from us and that we had "not been responsive". For the record, the request was faxed to us on December 26th, and we delivered the requested study at the meeting on Jan. 17th.

The staff report also stated that we "insisted on being placed on a public hearing as soon as possible." For the record, we felt six months should have been more than enough time for Staff to review our request and the accompanying exhibits, as well as the Variance for the neighboring property and be able to respond to the request. We feel that we went into a Planning Director's hearing with a Staff Report that was blatantly resentful and lacking facts that would have supported our request, thereby coloring the Planning Director's decision.

The ARCO station located in the same area has an existing sign that was approved under a variance at a height of approximately 85 feet. I have attached for your review the exhibits that were created in regard to this matter for staff's review. We have repeatedly requested a copy of the ARCO Variance approval from the Planning Department for reference, but they have not been willing or able to produce a copy. Staff is denying our request for a variance "because no special circumstances are applicable to the parcel size, shape, topography, and location of surroundings as determined by planning staff." We feel it is only fair that if a neighboring parcel (which is also a service station competing for freeway business) was approved for a sign height variance, we should be granted the same consideration.

The existing Chevron Freeway sign is 150 square foot, at a height of 45 feet. This sign has limited visibility from the eastbound and westbound directions of Highway 91. If we cannot be granted a Variance for the full 100 foot requested height, we would be satisfied with a Variance to match that granted to the adjacent commercial (competitor) for what we have been told is an 85 foot high freeway sign.

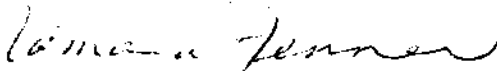
Please consider overturning the Planning Director's denial of the Variance request and allowing the Variance to grant Chevron the right to raise their existing 45 foot high freeway sign to a height equal to the competition.

Established 1966

Thank you for your consideration of this matter.

Respectfully,

RHL DESIGN GROUP, INC.



Tamara Fenner
Entitlements Manager

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY

Tony Carstens · Agency Director

Planning Department

Ron Goldman · Planning Director

February 5, 2007

RECEIVED

FEB 05 2007

RE: NOTICE OF DECISION
Variance No. 1805 relating to Plot Plan No. 22248
Environmental Assessment No. 41043
Regional Team: Riverside

RHL DESIGN GROUP

On January 22, 2007, the Riverside County Planning Director denied the above-referenced case based on the findings and conclusions in the staff report.

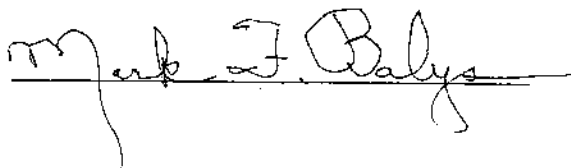
Pursuant to Riverside County Ordinance No. 348, Section 18.26, this decision shall be considered final unless within ten days after this notice of decision appears on the Board of Supervisors agenda:

- (1) The applicant or an interested person files an appeal, accompanied by the fee set forth in the Riverside County Ordinance No. 671, with the Clerk of the Board; or
- (2) The Board, on its own motion, assumes jurisdiction of this matter.

Although an appeal must be filed no later than ten days after this notice of decision appears on the Board's agenda, an appeal may be filed at any time before this notice of decision appears on the Board's agenda. If a timely appeal is filed or the Board assumes jurisdiction, this matter shall be set for public hearing before the Board not less than 13 nor more than 60 days thereafter; and notice of the time and place of the hearing shall be given in the same manner as notice was given of the hearing before the Planning Director. The appeal of any condition of approval constitutes an appeal of the matter as a whole and the Board shall hear the matter de novo.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT
Ron Goldman, Planning Director



Y:\Planning Case Files-Riverside office\PP22248\Notice of Decision for Variance (1-22-07).doc

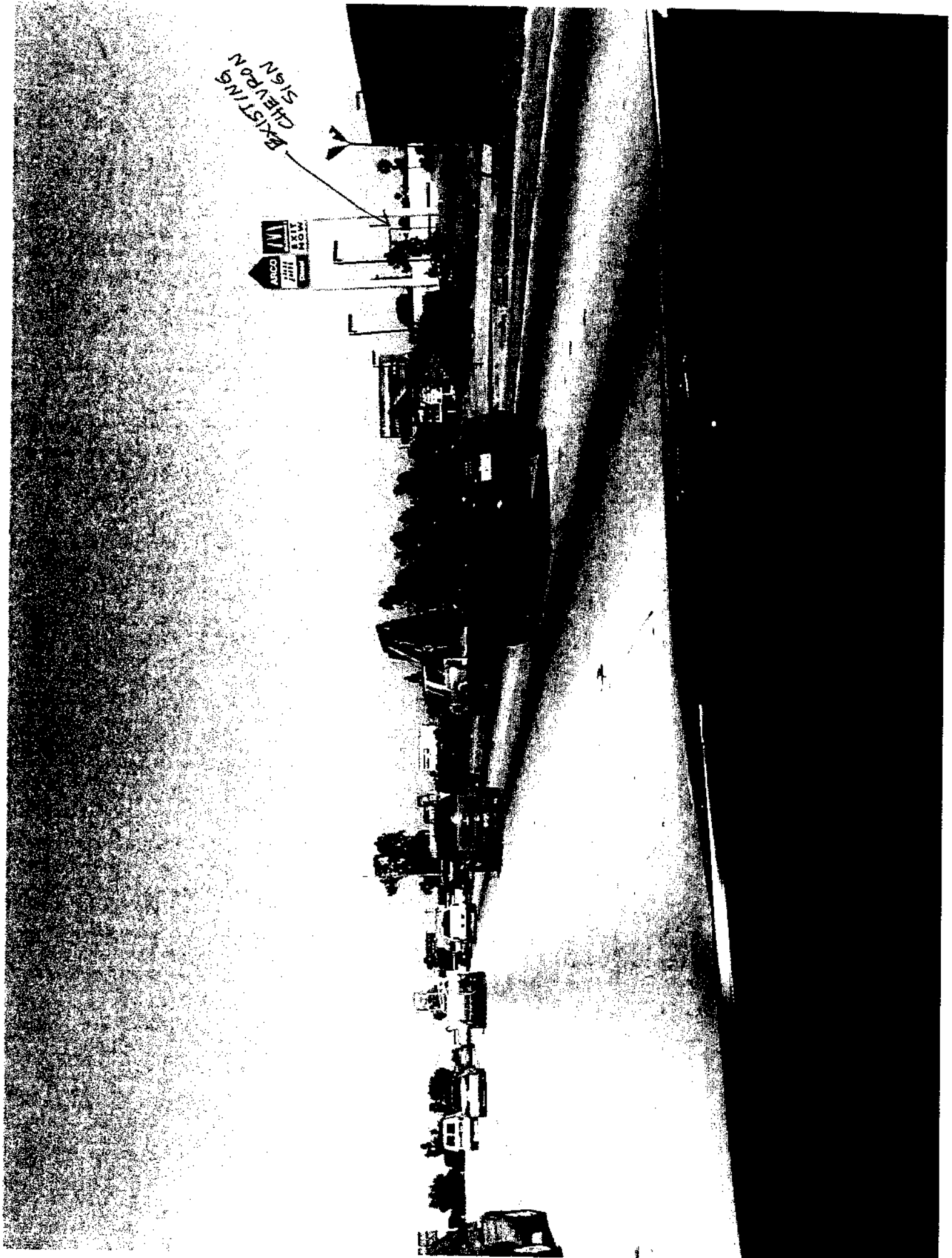


Exhibit 5

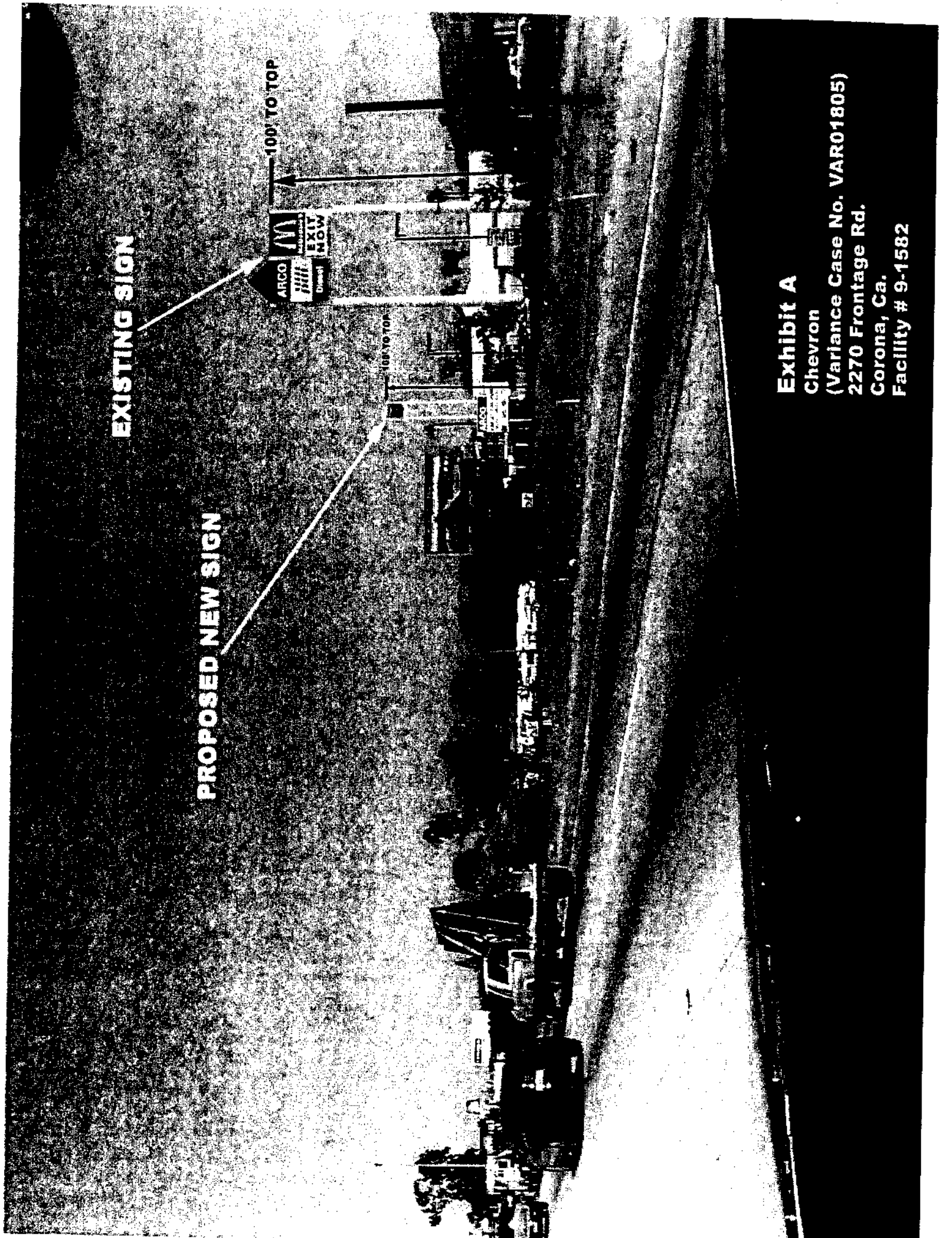
EXISTING SIGN

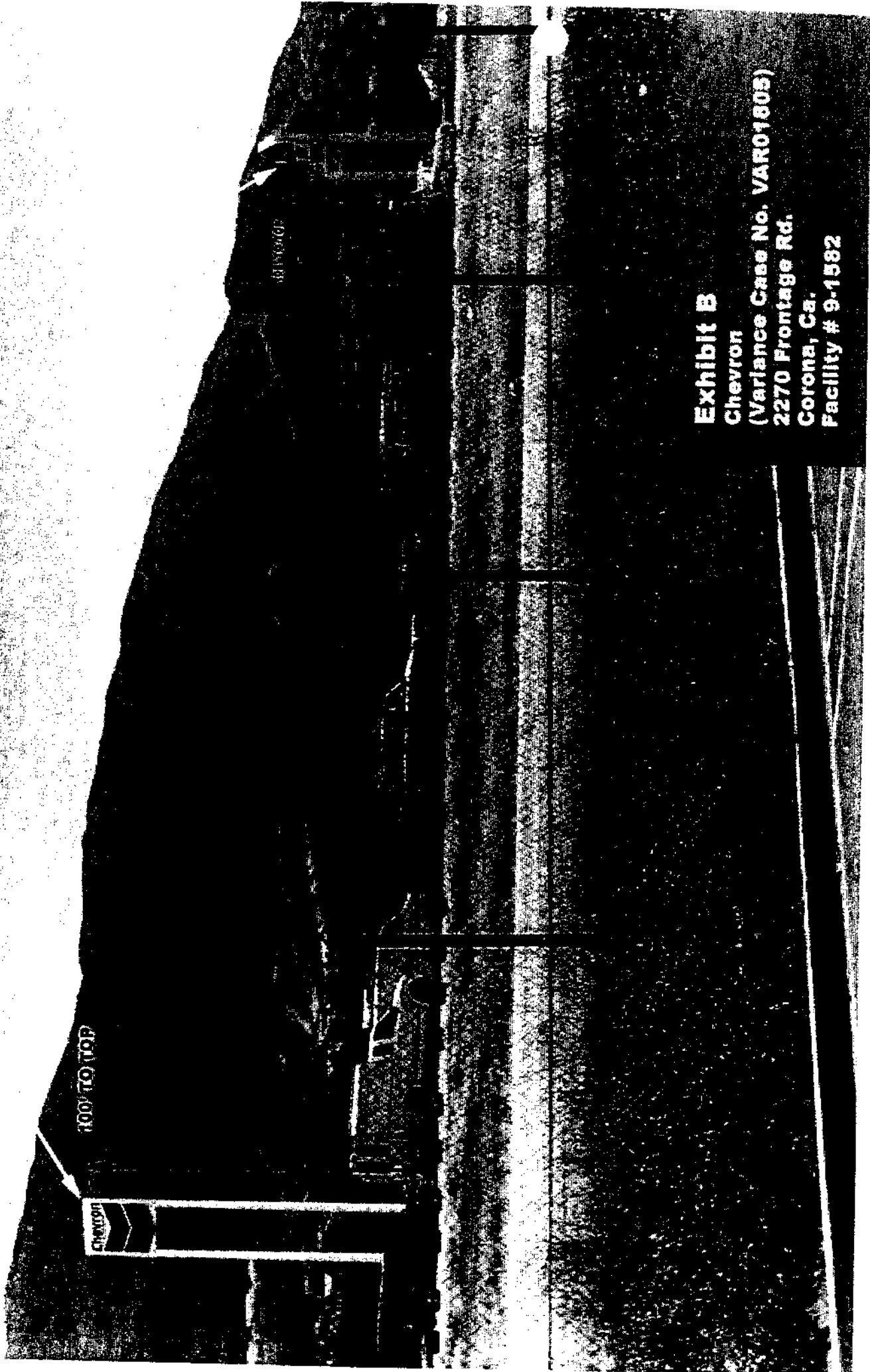
PROPOSED NEW SIGN

100' TO TOP

100' TO TOP

Exhibit A
Chevron
(Variance Case No. VAR01805)
2270 Frontage Rd.
Corona, Ca.
Facility # 9-1582





100% TO TOP



Exhibit B

Chevron

(Variance Case No. VAR01805)

2270 Frontage Rd.

Corona, Ca.

Facility # 9-1582

Exhibit C

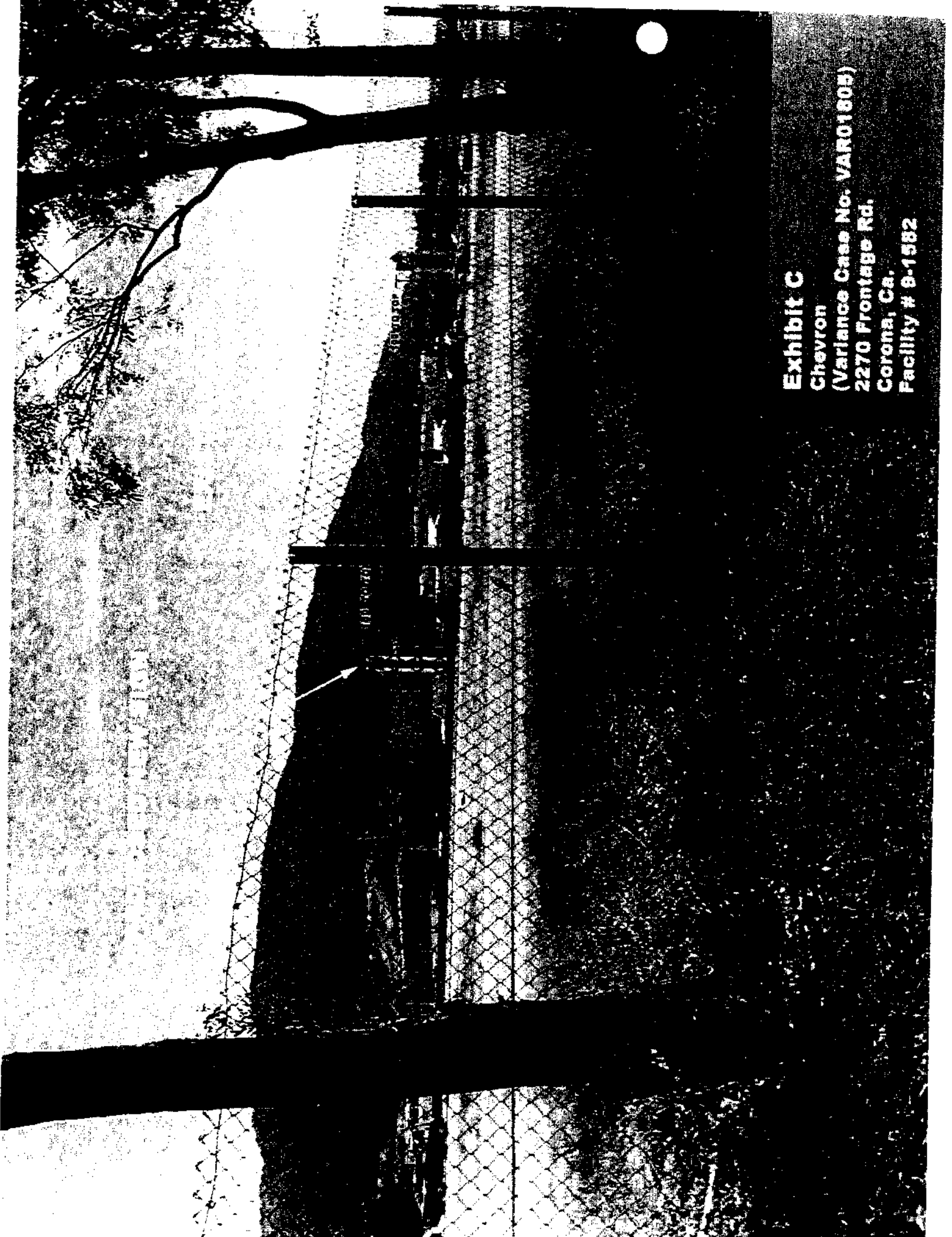
Chevron

(Variance Case No. VAR01805)

2270 Frontage Rd.

Corona, Ca.

Facility # 8-1582



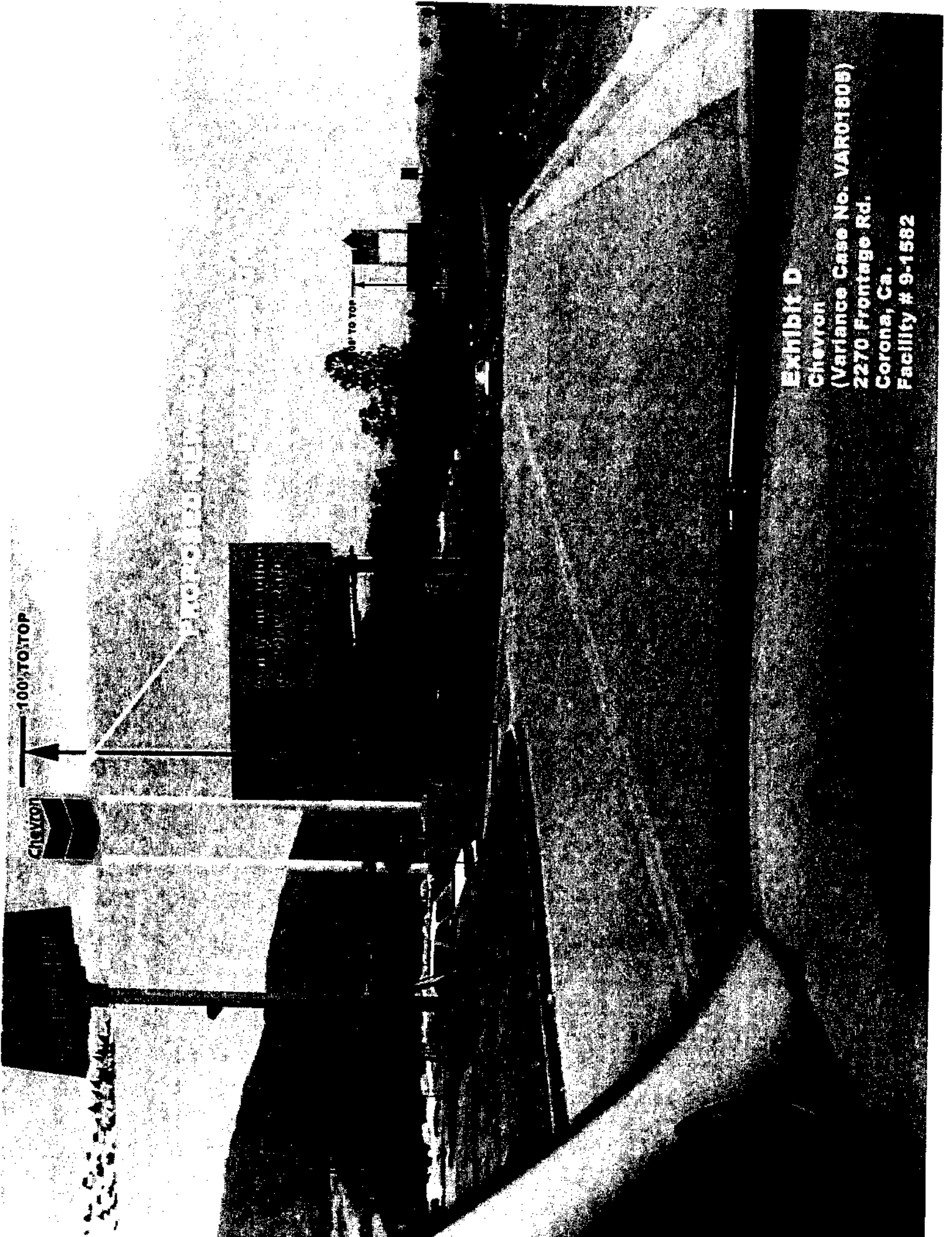


Exhibit D

Chevron

(Variance Case No. VAR01808)

2270 Frontage Rd.

Corona, Ca.

Facility # 9-1582

Agenda Item No.: 4.4
Area Plan: Temescal Canyon
Zoning Area: West Corona District
Supervisorial District: Second
Project Planner: Jim Phithayanukarn
Directors Hearing: January 22, 2007

Plot Plan No. 22248
Variance No. 01805
E.A.: CEQA Exempt
Applicant: Chevron Corporation
Engineer/Rep.: Larry Tidall

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

PLOT PLAN NO. 22248 proposes to raise the height of the existing Chevron sign from 45 feet to 100 feet located at 2270 West Frontage Road, Corona, CA.

VARIANCE NO. 1805 is an application to allow signage for the commercial development to exceed the standards of Ordinance 348 Section 19.4 ("On-site Advertising Structures and Signs"). This variance proposes to exceed Ordinance 348 Section 19.4 (a) (1) by 55 feet, which allows for signs located within 660 feet to the nearest edge of the freeway right of way line to be a maximum height of 45 feet

The proposed project is located in the Temescal Canyon Area Plan, more specifically it is located southerly of Highway 91, and easterly of Serfas Club Drive.

ISSUES OF POTENTIAL CONCERN:

The proposed sign exceeds the allowed height in Ordinance 348 Section 19.4 (a) (1) by 55 feet. The variance can not be granted because no special circumstances are applicable to the parcels size, shape, topography, and location of surroundings as determined by planning staff.

The applicant has insisted on being placed on a public hearing as soon as possible. Corrections were faxed to the applicant December 26, 2006 asking the applicant to provide planning staff with adequate informational items to review the proposed variance. The applicant has not been responsive to the request of the planning staff and therefore planning staff has made the determination that the proposed variance can not be granted because there are no special circumstances applicable to the parcels size, shape, topography, and location of surroundings.

SUMMARY OF FINDINGS:

- | | |
|-----------------------------------|---|
| 1. Existing Land Use (Ex. #1): | Commercial, existing Chevron Gas and Service Station |
| 2. Surrounding Land Use (Ex. #1): | Commercial to the north and west, Single Family Residential to the east and south |
| 3. Existing Zoning (Ex. #2): | General Commercial (C1/CP) |
| 4. Surrounding Zoning (Ex. #2): | General Commercial (C1/CP) to the north and west, Residential (R-1) to the east and south |
| 5. General Plan: | Community Development: Commercial Retail (CD: CR) (0.20-0.35 F.A.R.) |
| 6. Project Data: | Total Acreage: 0.88 acres
Total Proposed Lots: 1 |
| 7. Environmental Concerns: | CEQA Exempt per section 15270 |

ARR

RECOMMENDATIONS:

DENIAL of PLOT PLAN NO. 22248 based on the findings incorporated in the staff report.

CONCLUSIONS:

1. The proposed project is not in conformance the Community Development: Commercial Retail (CD: CR) (0.20 – 0.35 F.A.R.) Land Use Designation of the Riverside County General Plan.
2. The proposed project is not consistent with the C-1/ C-P zoning classification of Ordinance No. 348.
3. The proposed project is not consistent with the On-Site Advertising Structures and Signs Section 19.4 (a) (1) (a) of Ordinance No. 348.
4. The public's health, safety, and general welfare are not protected through project design.
5. The proposed project is not compatible with the present and future logical development of the area.
6. The proposed project will not preclude reserve design for the Multi-Species Habitat Conservation Plan (MSCHP).

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

1. The proposed project is not in conformance with the County's General Plan Policy LU 23.9 which "Require that commercial development be designed to consider their surroundings and visually enhance, not degrade, the character of the surrounding area."
2. The proposed project exceeds the allowed height in Ordinance 348 Section 19.4 (a) (1) by fifty-five (55) feet.
3. The proposed variance can not be granted because there are no special circumstances applicable to the parcels size, shape, topography, and location of surroundings as determined by planning staff.
4. It can not be determined if the project has a significant impact without further study.
5. The project site is surrounded by properties which are designated Commercial Retail (CR) (0.20 – 0.35 F.A.R.) to the north and west and Medium Density Residential (MDR) (2-5 D.U./ AC) with scattered Open Space – Recreation (OS-R) and Low Density Residential (LDR) to the south. The increase intensity of the commercial project is not compatible with the surrounding lower intensity designations.
6. The project site is designated Community Development: Commercial Retail (CD: CR) (0.20 – 0.35 F.A.R.) on the Temescal Canyon Area Plan.

7. The zoning for the subject site is General Commercial (C1/CP)
8. The project site is surrounded by properties which are zoned General Commercial (C1/CP) to the north and west and One-Family Dwelling (R-1) to the east and south.
9. This project is not located within a Criteria Area of the Multi-Species Habitat Conservation Plan, and as such is not required to provide conservation.

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. An area drainage plan,
 - b. An dam inundation area.
 - c. The Stephens Kangaroo Rat Fee Area
 - d. A Core Reserve Area.
3. The project site is locate within:
 - a. The city of Corona sphere of influence.
 - b. A 100-year flood plain, per RCLIS the flood zone is just south
 - c. The boundaries of the Corona/ Norco Unified School District
 - d. The Riverside County Recreation and Parks District.
 - e. California Gnatcatcher,
 - f. Quino Checkerspot Butterfly habitat.
4. The subject site is currently designated as Assessor's Parcel Number: 102-091-020