

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

6448



FROM: TLMA - Planning Department

SUBMITTAL DATE:
September 22, 2008

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:

ADOPTION of Findings of Denial for Plot Plan No. 22248 and Variance No. 1805 subject to the attached findings and conclusions and based upon the project's incompatibility with the surrounding community.

BACKGROUND:

Plot Plan No. 22248 and Variance No. 1805 were heard before the Riverside County Planning Director on January 22, 2007 at a notice public hearing. After accepting public testimony the Planning Director deferred the decision within 10 days of the date of the public hearing. On February 5, 2007, the Planning Director's decision was issued in writing to the project applicant. The Planning Director's decision of denial was received and filed by the Riverside County Board

Ron Goldman
Planning Director

RG:db

REVIEWED BY EXECUTIVE OFFICE

DATE 9/24/08 TM
Tina Grande
Departmental Concurrence

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

Prev. Agn. Ref. 1.13 (2/27/08) & 15.3 (4/17/08) | District: Second | Agenda Number:

3.75

of Supervisors on February 27, 2008 as agenda item 1.13. This action was subsequently appealed on the same day, February 27, 2008 and was set for a public hearing before the Board on April 17, 2008 as agenda item 15.3. After accepting public testimony, staff's presentation, and testimony from the project proponent, the Riverside County Board of Supervisors upheld the Planning Director's decision of denial for the Plot Plan and Variance with a Tentative Denial action and subsequently denied the applicant's appeal. Furthermore, the Board requested that the Office of County Counsel in conjunction with the Planning Department prepare findings for denial to be adopted by the Board of Supervisors.

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE

IN THE MATTER OF PLOT PLAN 22248;)
VARIANCE NO. 1805)

FINDINGS

The Board of Supervisors of the County of Riverside (the "Board") heard the above-referenced matters (the "project") in regular session assembled on April 3, 2007 after giving the required notice. The Planning Department made a presentation and the applicant's representative, Tamara Fenner, gave oral testimony. The Board continued the hearing to April 17, 2007 to afford Supervisor Tavaglione an opportunity to view the project area and to examine the City of Corona's design criteria. On April 17, 2007, Supervisor Tavaglione related his observations to the Board. Thereafter, the Board tentatively denied the project and directed the Office of County Counsel to prepare the following findings. The Board has reviewed the findings and hereby denies the project based thereon.

1. The applicant seeks approval of Plot Plan No. 22248 and Variance No 1805.
2. Plot Plan No. 22248 would, if approved, raise the height of the Chevron sign located at 2270 West Frontage Road, Corona, CA from 45 feet to 100 feet.. This proposal would more than double the maximum allowable height limitation of Section 19.4(a)(1) of Ordinance No. 348 and thus may not be approved without a variance.
3. Variance No. 1805 would, if approved, allow the 45-foot maximum height limitation to be exceeded.
4. Section 18.30(c) of Ordinance No. 348 provides, in pertinent part, that no plot plan shall be approved unless:
 - a. the proposed use conforms to all the requirements of the Riverside County General Plan and the ordinances of Riverside County and
 - b. the overall development is designed for the protection of the public health, safety and general welfare; to conform to the logical development of the land and to be compatible with the present and future logical development of the surrounding property.
5. Section 18.27 of Ordinance No. 348 provides that variances may be granted when, because of special circumstances applicable to a parcel of property, including size, shape, topography, location or surroundings, the strict application of Ordinance No. 348 deprives such property of privileges enjoyed by other property in the vicinity that is under the same zoning classification.

- 1 6. The project is not in conformance with the County's General Plan Policy LU 23.9 which requires
2 "that commercial developments be designed to consider their surroundings and visually enhance,
3 not degrade, the character of the surrounding area."
- 4 7. The project site is designated Community Development: Commercial Retail (CD: CR) (0.20 – 0.35
5 F.A.R.) on the Temescal Canyon Area Plan.
- 6 8. The project site is surrounded by properties which are designated Commercial Retail (CR) (0.20 –
7 0.35 F.A.R.) to the west, Medium Density Residential (MDR) (2-5 D.U./AC) to the north and east,
8 Open Space – Recreation (OS-R) to the south, and Low Density Residential (LDR) to the
9 southwest. The development of the area is predominately low-intensity, leaving a clear skyline.
10 The project, as designed, will intensify the density of development in the area and is not
11 compatible with the surrounding lower intensity designations.
- 12 9. The zoning for the subject site is General Commercial (C-1/C-P).
- 13 10. The project site is surrounded by properties which are zoned General Commercial (C-1/C-P) to the
14 north and west and One-Family Dwelling (R-1) to the east and south.
- 15 11. The project is within the City of Corona's sphere of influence.. The City of Corona's opposition
16 letter states that the project, as proposed, is not compatible with the surrounding uses as the project
17 site is located within the vicinity of single family homes. The letter further states that the project
18 is not compatible with other commercial pylon signs in the vicinity or those allowed under the
19 Corona Municipal Code which are limited to a maximum height of 40 feet.
- 20 12. During the hearing, the applicant's representative suggested that because the County granted a
21 variance for a nearby Arco sign, it should approve Variance No. 1805 as well to ensure equal
22 competition. The Board does not however, find former grants or denials of variances convincing.
- 23 13. Moreover, the applicant's current sign already has an advantage over the competitor's sign. The
24 applicant's sign is a single-advertiser sign, whereas the competitor's sign is a kiosk-sign
25 displaying multiple-advertiser names. The single-advertiser sign is more recognizable and easier
26 to read, and the location is easier to find than a kiosk sign, thus reducing the need for a height
27 increase.
- 28 14. In addition, Supervisor Tavaglione noted and the Transportation Department confirmed that traffic
is excessive and slow on the Eastbound 91, from the Highway 71 interchange through Main Street.
Caltrans lists traffic volume on Highway 91 at Maple Street to include 16,500 vehicles at peak
hours. The slow moving traffic allows the applicant's sign to be seen to the same extent as his
competitor's.
15. In any event, the variance cannot be granted because the required special circumstances are absent.
There is nothing unique about the parcel's size, shape, topography, location or surroundings. The
slight variation of land elevation is not sufficient to be deemed a "special circumstance" warranting
a variance. Even if it were deemed such, the project requests significantly more height than the
elevation difference would necessitate, thus affording a special privilege to the applicant rather
than simply putting the applicant on par with others in the surrounding area.

1 16. Because the project, as proposed, can show no special circumstances justifying a variance, the
2 Board hereby denies Variance No. 1805.. Because Plot Plan No. 22248 depends on the variance to
3 raise the height of the sign, the plot plan is also denied for the reasons stated above.

4 Approved as to Form:

5 Larisa R-McKenna 2/9/09
6 Deputy County Counsel
7 Larisa R-McKenna
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