

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

406 B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
June 26, 2009

SUBJECT: APPEAL FOR CONDITIONAL USE PERMIT NO. 3577 – (Mitigated Negative Declaration) - Applicant: Mustafa Abdelkarim - Engineer/ Representative: Ramcam Engineering Group - Fifth Supervisorial District – University Zoning District – Highgrove Area Plan: Community Development: Commercial Retail (CD:CR) (0.20 to 0.35 floor area ratio) - Location: Northerly of Villa Street, easterly of I-215, southerly of Center Street, westerly of Iowa Avenue. – 0.52 Gross Acres - Zoning: Scenic Highway Commercial (C-P-S) – **REQUEST:** A proposal for the construction and operation of a 3,942 square foot automobile service station. The station would include a convenience store, deli, and a 3,340 square foot canopy overhanging the gasoline pumps. The project would include 12 parking spaces and 3,281 square feet (15%) of landscaping. – APN: 247-081-025, -026, and -027

RECOMMENDED MOTION:

DENIAL of the **APPEAL** for **CONDITIONAL USE PERMIT NO. 3577**; and,

UPHOLD the **PLANNING COMMISSION'S DECISION** of:

ADOPTION of a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 41677**, 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,

APPROVAL of **CONDITIONAL USE PERMIT NO. 3577**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

Ron Goldman
Planning Director

RG:db
Raf

REVIEWED BY EXECUTIVE OFFICE
DATE 7/1/09
Tina Grande
Departmental Concurrence

Policy
 Policy

Consent
 Consent

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

APR 26 2009 11:58 AM
PLANNING DEPARTMENT

Prev. Agn. Ref. 6/16/09 : Item No. 1.2 | District: Fifth | Agenda Number:

16.3

BACKGROUND:

The above referenced project was approved by the Riverside County Planning Commission on May 13, 2009. The decision of the Planning Commission is considered final and no action by the Riverside County Board of Supervisors is required unless, within 10 days after the notice of decision appears on the Board's agenda, the applicant or an interested person may file an appeal.

The Riverside County Board of Supervisors received and filed the notice of decision of the Planning Commission for the above referenced project on June 16, 2009. As indicated above, the Board's action initiates a ten (10) day appeal period during which an applicant or any interested person may file an appeal. An appeal must be made in writing, stating the basis for the appeal, accompanied by the fee set forth in Ordinance No. 671, and submitted to the Clerk of the Board within that 10 day appeal period. A timely filed appeal constitutes an appeal of the action as a whole and requires a new public hearing, and the Clerk of the Board will set the project for public hearing before the Board of Supervisors.

On June 24, 2009, the City of Riverside filed an application to appeal the Planning Commission's decision to approve the above referenced case. The Application for Appeal, required documents and the Board of Supervisor's Receive and File package are incorporated herein.