

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

1398



FROM: TLMA - Planning Department

SUBMITTAL DATE:
December 23, 2010

SUBJECT: CONDITIONAL USE PERMIT NO. 3648 – Exempt from CEQA – Applicant: Walgreen Co. – Engineer/Representative: Brian Fish/Jennifer Chavez – Fourth Supervisorial District – Bermuda Dunes Zoning District – Western Coachella Valley Area Plan: Community Development: Commercial Retail (CD: CR) (0.20 - 0.35 Floor/Area Ratio) – Location: North of Hidden River Road, south of 42nd Avenue, east of Washington Street and west of Yucca Lane – 1.71 Acres – Zoning: Scenic Highway Commercial (C-P-S) – **REQUEST:** The Conditional Use Permit proposes to add the sale of beer and wine (ABC License Type 20) for off-site consumption to an existing 13,905 square foot Walgreens store. The existing store will dedicate 2% of floor space to wine and beer sales. Approximately 49 square feet of refrigerated and non-refrigerated space will be devoted to the sale of wine and beer and approximately 18 square feet of floor space will be devoted to the storage of wine and beer. This Conditional Use Permit is ONLY for alcohol sales, and does not cover any other uses.

RECOMMENDED MOTION:

RECEIVE AND FILE The Notice of Decision for the above referenced case acted on by the Planning Commission on December 1, 2010.

The Planning Department recommended Approval; and,
THE PLANNING COMMISSION:

ADOPTED a FINDING of “PUBLIC NECESSITY AND CONVENIENCE,” regarding the sale of

Carolyn Syms Luna

Carolyn Syms Luna
Planning Director

Initials:
CSL:vc

(continued on attached page)

REVIEWED BY EXECUTIVE OFFICE
DATE *12/23/10*
Jennifer Sargent
Departmental Concurrence

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

Prev. Agn. Ref.

District: Fourth

Agenda Number:

The Honorable Board of Supervisors
Re: CONDITIONAL USE PERMIT NO. 3648
Page 2 of 2

beer and wine from the subject site for off-site consumption, based upon the findings and conclusions incorporated in the staff report; and,

APPROVED CONDITIONAL USE PERMIT NO. 3648, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

**PLANNING COMMISSION
MINUTE ORDER DECEMBER 1, 2010
RIVERSIDE COUNTY ADMINISTRATION CENTER**

I. AGENDA ITEM 2.2: CONDITIONAL USE PERMIT NO. 3648 – Exempt from CEQA – Applicant: Walgreen Co – Engineer/Representative: Brian Fish/Jennifer Chavez – Fourth Supervisorial District – Bermuda Dunes Zoning District – Western Coachella Valley Area Plan: Community Development: Commercial Retail (CD: CR) (0.20 - 0.35 Floor Area Ratio) – Location: North of Hidden River Road, south of 42nd Avenue, east of Washington Street and west of Yucca Lane – 1.71 Acres – Zoning: Scenic Highway Commercial (C-P-S). (Quasi-judicial)

II. PROJECT DESCRIPTION

The Conditional Use Permit proposes to add the sale of beer and wine (type 20) for off-site consumption to an existing 13,905 square foot Walgreens store. The existing store will dedicate 2% of floor space to wine and beer sales. Approximately 49 square feet of refrigerated and non-refrigerated space will be devoted to the sale of wine and beer and approximately 18 square feet of floor space will be devoted to the storage of wine and beer. This Conditional Use Permit is ONLY for alcohol sales, and does not cover any other uses. – APN: 609-020-038.

III. MEETING SUMMARY

Subject proposal did not require a presentation.

Project Planner: Adrienne Rossi at 951-955-6925 or e-mail arossi@rctlma.org

The following person(s), spoke favor of the subject proposal.

Jennifer Chavez, Applicant's Rep. 600 W. Broadway Ste. 2600 San Diego, CA 92101

There were no speakers in a neutral position or in opposition of the subject proposal.

IV. CONTROVERSIAL ISSUES

NONE

V. PLANNING COMMISSION ACTION

The Planning Commission, by a vote of 5-0, recommend to the Board of Supervisors;

ADOPTION of a **FINDING** of “**PUBLIC NECESSITY AND CONVENIENCE**,” regarding the sale of beer and wine from the subject site for off-site consumption, based upon the findings and conclusions incorporated in the staff report; and

APPROVAL of **CONDITIONAL USE PERMIT NO. 3648**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

VI. CD

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Desiree Bowie, Interim Planning Commission Secretary, at (951) 955-0222 or E-mail at dbowie@rctlma.org.

Agenda Item No.: 2.2
Area Map: Western Coach. Valley Area Plan
Zoning District: Bermuda Dunes
Supervisory District: Fourth
Project Planner: Adrienne Rossi
Planning Commission: December 1, 2010

Conditional Use Permit No. 3648
E.A. Exempt from CEQA
Applicant: Walgreen Co.
Engineer/Representative: Brian Fish/Jennifer Chavez

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

Conditional Use Permit No. 3648 proposes to add the sale of beer and wine (type 20) for off-site consumption to an existing 13,905 square foot Walgreens Store. The existing store will dedicate 2% of floor space to wine and beer sales. Approximately 49 square feet of refrigerated and non-refrigerated space will be devoted to the sale of wine and beer and approximately 18 square feet of floor space will be devoted to the storage of wine and beer. This Conditional Use Permit is ONLY for alcohol sales, and does not cover any other uses.

The project site is located in the Community of Bermuda Dunes within the Western Coachella Area Plan in Eastern Riverside County; more specifically, northerly of Hidden River Road, southerly of 42nd Avenue, easterly of Washington Street and westerly of Yucca Lane.

BACKGROUND:

PP15231 proposed a Walgreens store with a drive thru. The project was originally approved on April 28, 1998. Staff included a standard Condition of Approval 10. PLAN.20 "No approval is given for the sale of alcoholic beverage, including beer and wine on the premises."

ISSUE OF POTENTIAL CONCERN:

The proposed liquor license is located within 1,000 feet (west) from a place of religious worship (Pathfinder Community of Risen Christ); as such, the Planning Department has determined that the proposed liquor license may impact the public health, safety and welfare.

There are no schools or parks within the 1000 ft vicinity of the project. The ABC (Alcohol Beverage Control) has 8 licenses for the census block, per the information they provided the census block is currently over concentrated by 2 licenses, and this application would add an additional one for a total of 9, and an over concentration of 3. The County of Riverside most recent population data and the statutory calculations that are to be made in relation to population, staff's calculations show that 11 licenses should be allowed; therefore this project is not over concentrated.

Permitting alcohol sales at a large drug store in a shopping center generally does not have the social impacts of such a permit of other types of liquor sales since most of the customers arrived and depart the site in cars, and loitering does not occur. Also, with the lack of impacts to schools, and parks in the immediate vicinity, staff finds that the additional license would not have a negative impact to the community, and therefore supports adding the use of alcohol sales to this site.

SUMMARY OF FINDINGS:

- | | |
|-----------------------------------|---|
| 1. Existing Land Use (Ex. #1): | Commercial retail store |
| 2. Surrounding Land Use (Ex. #1): | Vacant land and commercial to the north, single family residences and commercial to the south |

- | | |
|--|---|
| | and commercial to the east, City of Palm Desert to the west. |
| 3. Existing Zoning (Ex. #2): | Scenic Highway Commercial (C-P-S) |
| 4. Surrounding Zoning (Ex. #2): | Scenic Highway Commercial (C-P-S) to the north and south, R-1 to the east and City of Palm Desert to the west. |
| 5. General Plan Land Use (Ex. #5): | Community Development: Commercial Retail (CD: CR) (0.20 - 0.35 Floor Area Ratio) |
| 6. Surrounding General Plan Land Use (Ex. #5): | Community Development: Commercial Retail (CD: CR) (0.25 - 0.35 Floor Area Ratio) to the north and south, Community Development: Medium Density Residential (CD: MDR) (2 - 5 Dwelling Units per Acre) and High Density Residential (CD: HDR) (20+ dwelling units per acre) to the east, City of Palm Desert to the west. |
| 7. Project Data: | Total Acreage: 1.71 Gross / Net
Total Number of Existing Buildings: 1
Total Existing Building Square Footage: 13,905
Total Existing Landscape Area: 18,504 Square Feet
Total Existing Parking Spaces: 88
Liquor License Type: 20 |
| 8. Environmental Concerns: | Exempt from CEQA |

RECOMMENDATIONS:

ADOPTION of a **FINDING** of “**PUBLIC NECESSITY AND CONVENIENCE**,” regarding the sale of beer and wine from the subject site for off-site consumption, based upon the findings and conclusions incorporated in the staff report; and

APPROVAL of **CONDITIONAL USE PERMIT NO. 3648**, 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) (0.20 - 0.35 Floor Area Ratio) 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 compatible with the present and future logical development of the area.
5. The proposed project will not have a significant effect on the environment.

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, and in the attached environmental assessment, which is incorporated herein by reference.

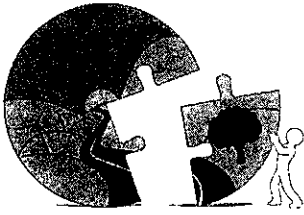
1. The project site is designated Community Development: Commercial Retail (CD: CR) (0.20 - 0.35 Floor Area Ratio) on the Western Coachella Valley Area Plan.
2. The proposed use, sale of beer and wine (type 20) for off premises consumption, is a permitted use in the Community Development: Commercial Retail (CD: CR) (0.20 - 0.35 Floor Area Ratio) land use designation.
3. The project site is surrounded by properties which are designated Community Development: Commercial Retail (CD:CR) (0.20-0.35 floor area ratio) and Vacant Land to the north, Community Development: Commercial Retail (CD: CR) (0.20-0.35 floor area ratio) to the east, Community Development: Commercial (CD:CR) (10.20-0.35 floor area ratio) and Single Family Residences (R-1) to the south and the City of Palm Desert to the west.
4. The zoning for the subject site is Scenic Highway Commercial (C-P-S).
5. The proposed use, sale of beer and wine (type 20) for off premises consumption, is a permitted use, subject to approval of a conditional use permit in the Scenic Highway Commercial (C-P-S) zone.
6. The project site is surrounded by properties which are zoned Scenic Highway Commercial (C-P-S) to the north, Scenic Highway Commercial (C-P-S) and Single family residential (R-1) to the east, and Scenic Highway Commercial (C-P-S) to the south and the City of Palm Desert to the west.
7. Within the vicinity of the proposed project there is vacant land and commercial to the north, commercial to the east, single family residences and commercial to the south and City of Palm Desert to the west.
8. The Redevelopment Development Agency (RDA) has reviewed the proposed project and has determined that the project is consistent with the objectives of the Desert Communities Redevelopment Project Area (DCPA).
9. The year 2010 census population for census tract 452.05 was 13,905 persons according to the US Census Bureau (Census 2010 Summary).
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. Per a facsimile received September 3, 2010 from ABC, currently six (6) alcohol beverage control licenses are allowed in Census Tract 0452.05; however, eight (8) licenses have been issued. Approval of this Conditional Use Permit would increase the number of existing ABC licenses from eight (8) to nine (9). Therefore, a Public Necessity and convenience is required.

12. The project site is consistent with the objectives of Section 18.48 (Alcoholic Beverage Sales) of Ordinance No. 348.
13. The project site is not located within 100 feet of existing and habited residences.
14. The project is located within 1000 feet of an established place of religious worship.
15. No schools are located within 1,000 feet from the project site.
16. The project is not located within 1,000 feet of an existing or planned public park or playground.
17. The proposed use will not be situated in such a manner that the facility will cause undue vehicle traffic impacts to any school, church, Public Park or playground.
18. The proposed project is exempt from CEQA per section 15301. Section 15301 (Existing Facilities) states; "Class I consists of 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." This project is strictly for licensing purposes.

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. The SKR Fee Area (Ordinance No. 663.10);
 - b. An Agriculture Preserve;
 - c. A Policy Area;
 - d. A WRCMSHCP Criteria Cell;
 - e. An MSHCP Fee Area (Ordinance No. 810);
 - f. A High Fire area;
 - g. A County Fault Zone;
 - h. A Flood Zone;
 - i. An Area Drainage Plan Area; or,
 - j. A Dam Inundation Area.
3. The project site is located within:
 - a. An Area subject to the Mt. Palomar Lighting Ordinance No. 655 (Zone B);
 - b. A City of Sphere of Influence (Palm Desert);
 - c. An Airport Influence Area (Bermuda Dunes);
 - d. An Area of Liquefaction Potential (Moderate);
 - e. An Area Susceptible to Subsidence;
 - f. The Boundaries of the Western Coachella Valley Area Plan;
 - g. A Development Impact Fee Area (Ordinance No. 659) (Western Coachella Valley);
 - h. The Bermuda Dunes Community Service District (#121);
 - i. A low Paleontological Potential; and,
 - j. The boundaries of the Desert Sands Unified School District.

4. The subject site is currently designated as Assessor's Parcel Number 609-020-038.
5. This project was filed with the Planning Department on June 16, 2010.
6. Deposit Based Fees charged for this project, as of the time of staff report preparation, total \$9,651.24.



RIVERSIDE COUNTY

PLANNING DEPARTMENT

Carolyn Syms Luna
Director

Memorandum

TO: Planning Commission
FROM: Adrienne Rossi, Urban Regional Planner II
RE: CUP3648 - Agenda Item No. 2.2

1. Staff recommends deletion of condition of approval 10 PLANNING.24, in that it is not applicable to the requested use.
2. Staff recommends the addition of the following condition of approval clarifying the project's relationship to Plot Plan No.15231.(10.PLAN.25): The proposed project, CUP3648 allowing alcohol sales at the facility, does not alter the conditions of approval for Plot Plan No. 15231 and does not replace Plot Plan No. 15231.

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Riverside Office · 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

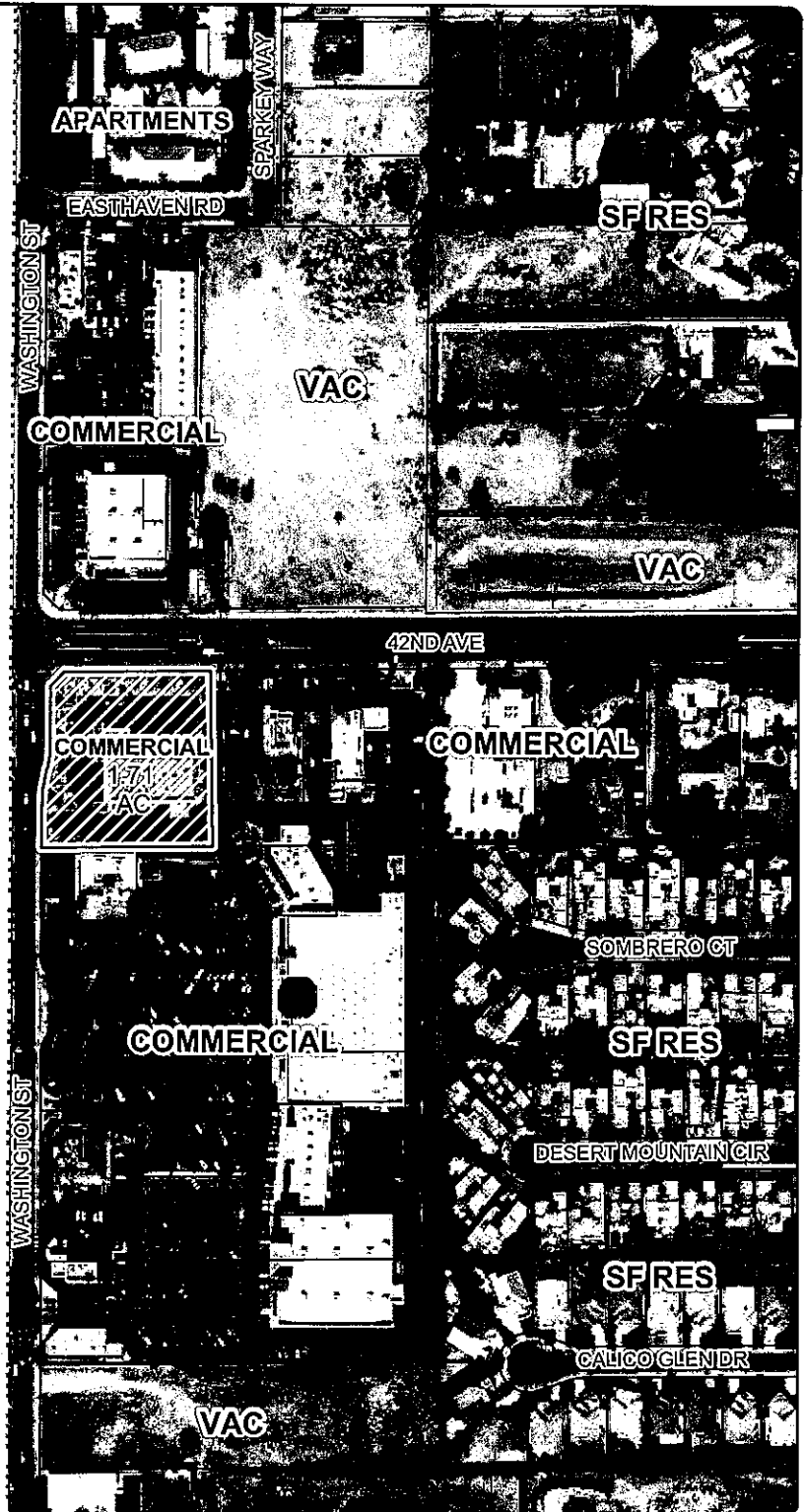
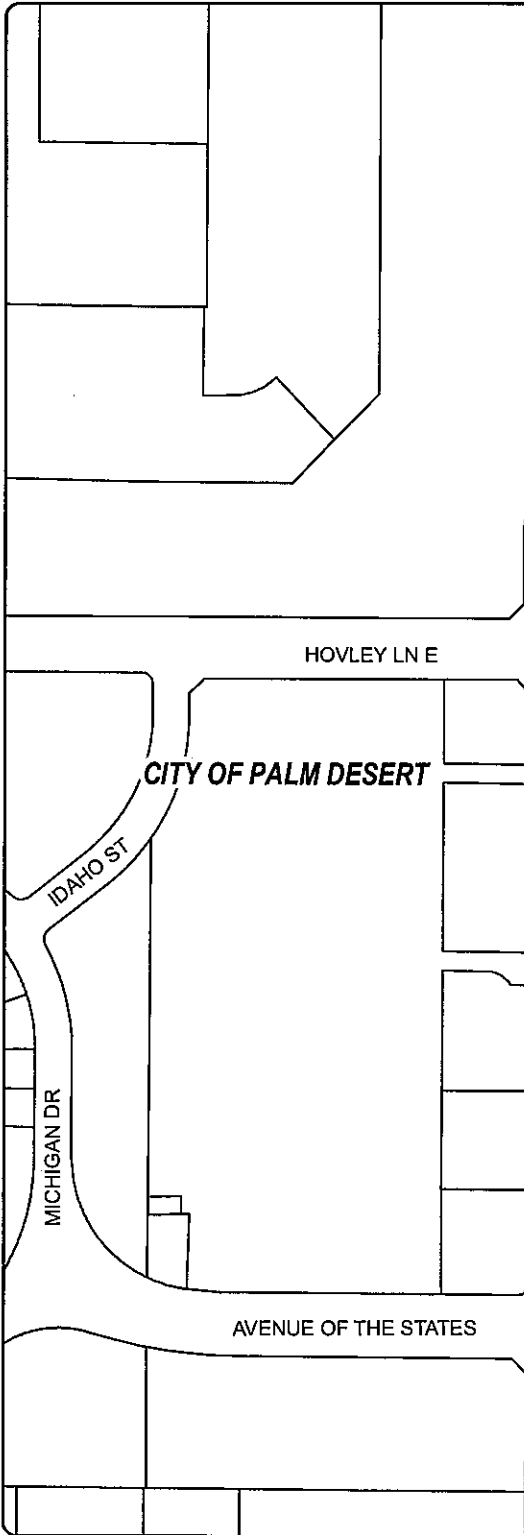
RIVERSIDE COUNTY PLANNING DEPARTMENT

CUP03648

LAND USE

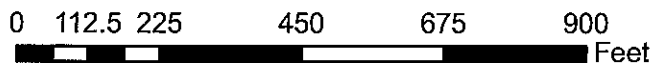
Supervisor Benoit
District 4

Date Drawn: 8/09/10
Exhibit 1



Zoning Area: Bermuda Dunes
Township/Range: T5SR7E
Section: 18

Assessors Bk. Pg. 609-02
Thomas Bros. Pg. 819 F5
Edition 2009

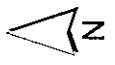
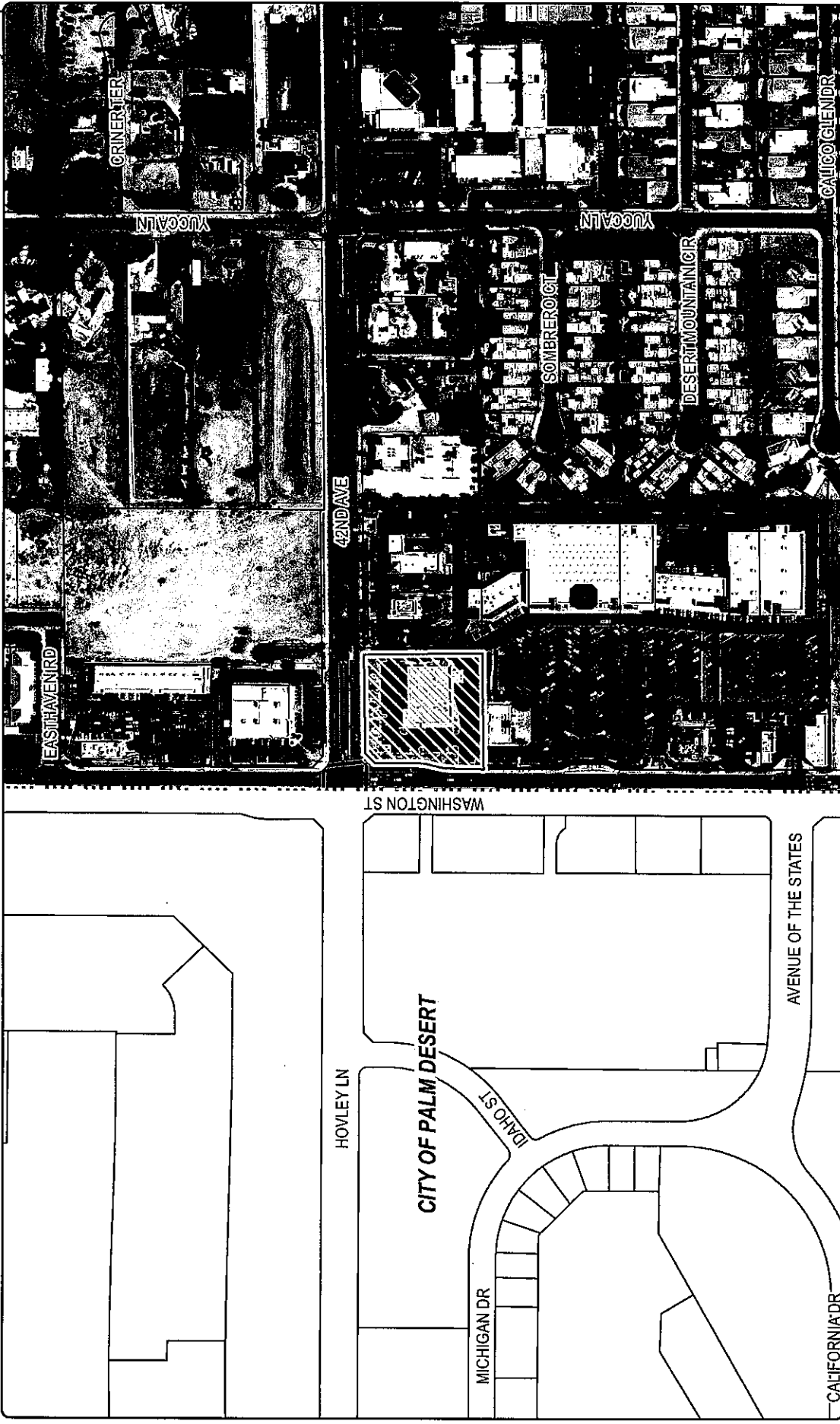


DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.lima.co.riverside.ca.us/ncpx.html>

RIVERSIDE COUNTY PLANNING DEPARTMENT
CUP03648
VICINITY/POLICY AREAS

Supervisor Benoit
 District 4

Date Drawn: 8/09/10
 Vicinity Map



Assessors Bk. Pg. 609-02
 Thomas Bros. Pg. 819 F5
 Edition 2009



Zoning Area: Bermuda Dunes
 Township/Range: T5SR7E
 Section: 18

DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.lima.co.riverside.ca.us/index.html>.

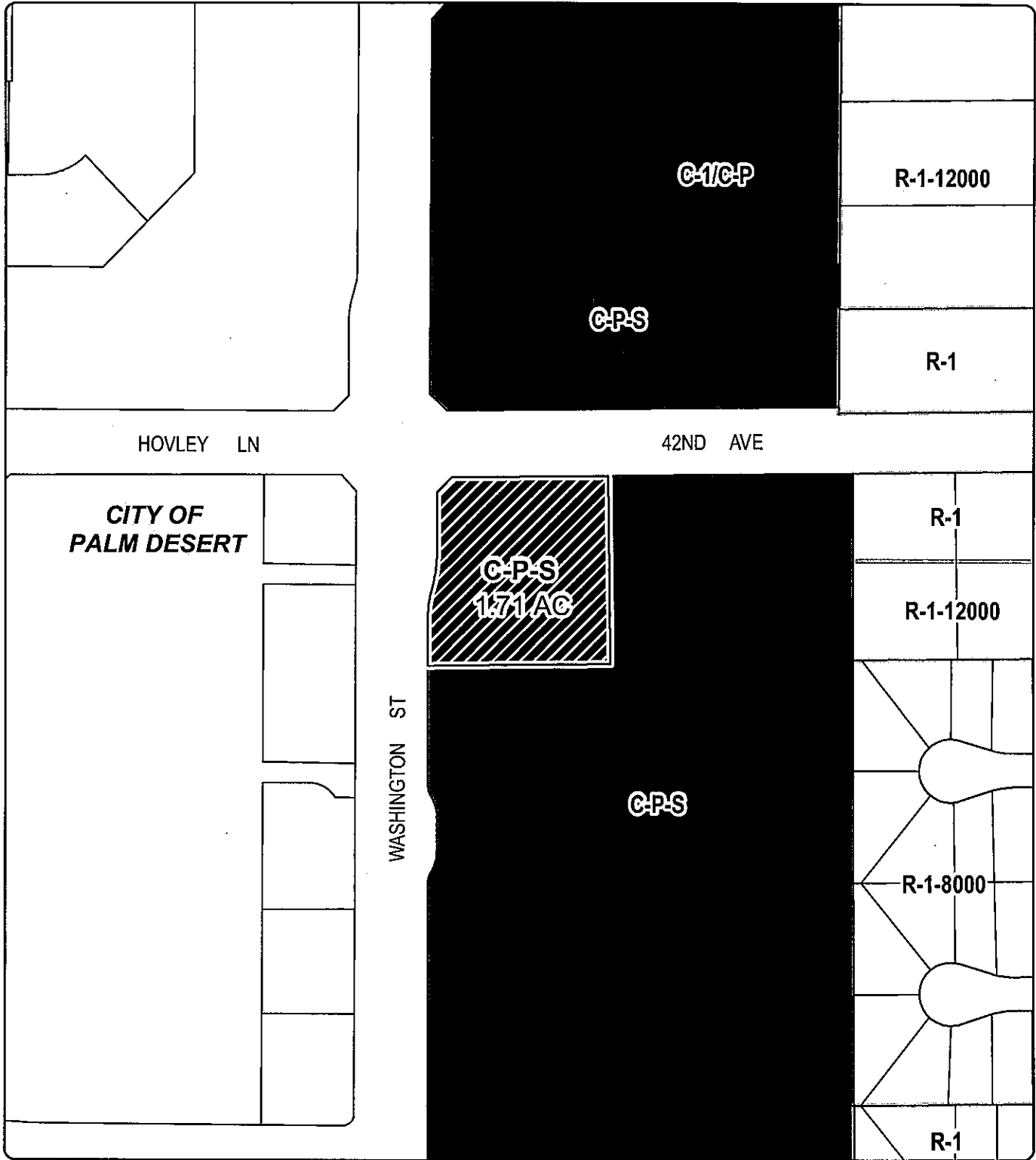
RIVERSIDE COUNTY PLANNING DEPARTMENT

CUP03648

EXISTING ZONING

Supervisor Benoit
District 4

Date Drawn: 8/09/10
Exhibit 2



Zoning Area: Bermuda Dunes
Township/Range: T5SR7E
Section: 18

Assessors Bk. Pg. 609-02
Thomas Bros. Pg. 819 F5
Edition 2009



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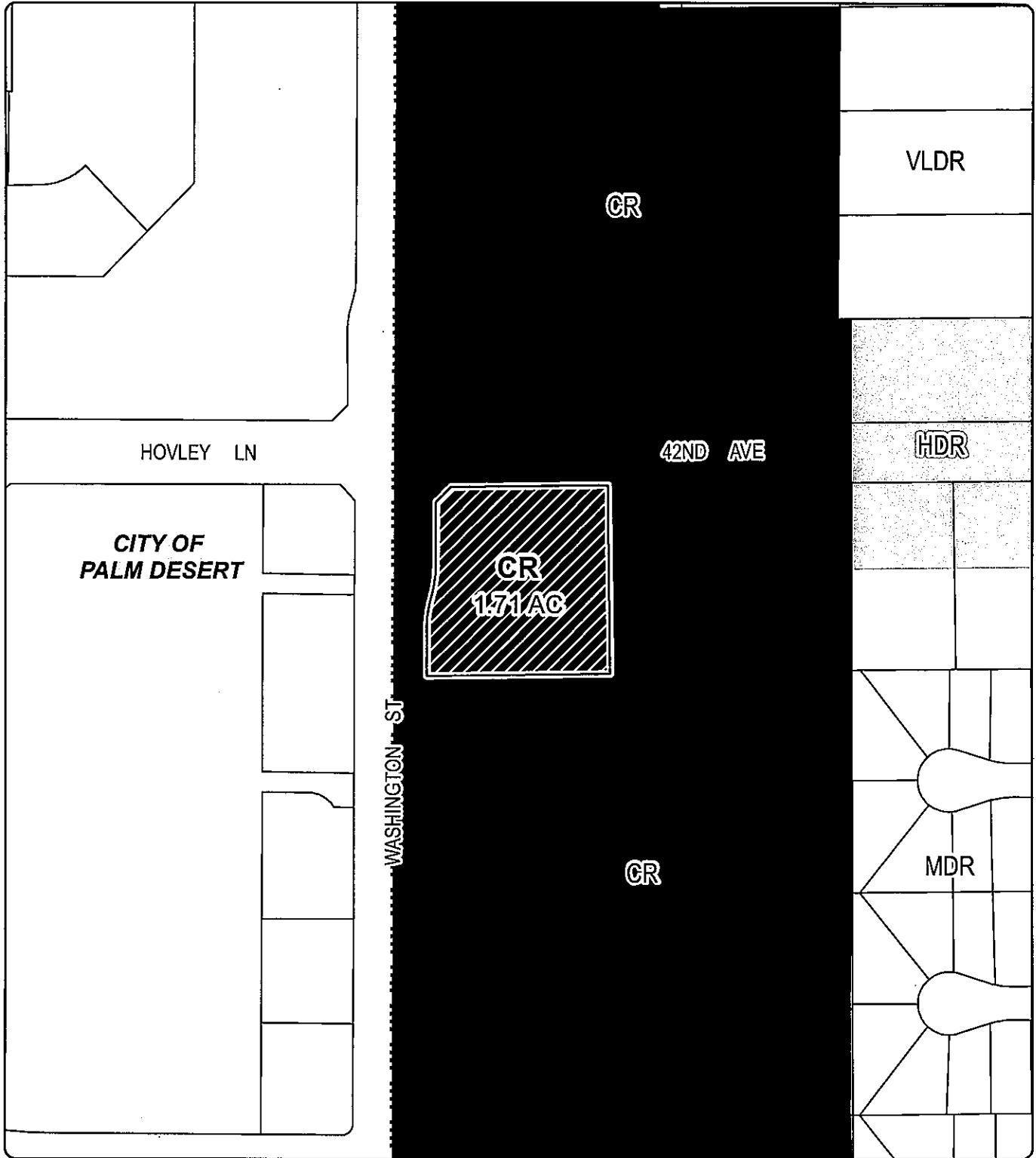
RIVERSIDE COUNTY PLANNING DEPARTMENT

CUP03648

EXISTING GENERAL PLAN

Supervisor Benoit
District 4

Date Drawn: 8/09/10
Exhibit 5



Zoning Area: Bermuda Dunes
Township/Range: T5SR7E
Section: 18

Assessors Bk. Pg. 609-02
Thomas Bros. Pg. 819 F5
Edition 2009



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ROBERT KUBICEK ARCHITECTS
 2233 EAST THOMAS ROAD
 PHOENIX, ARIZONA 85016
 FAX NO. (602) 952-0498
 (602) 957-1900

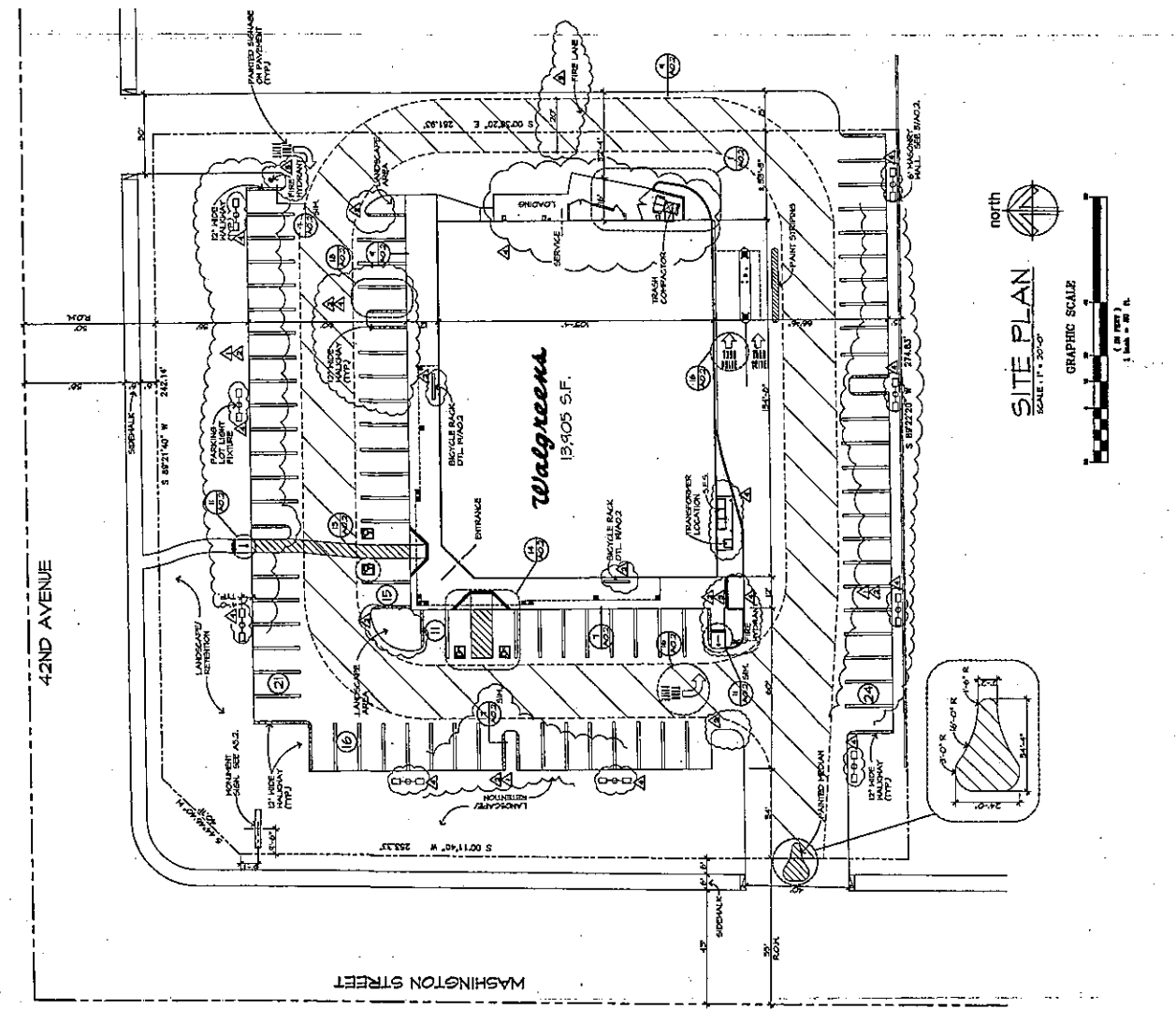
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DESCRIPTION	SITE PLAN
BY	ROBERT KUBICEK ARCHITECTS
CHECKED BY	ROBERT KUBICEK ARCHITECTS
DATE	7/6/98

Design: RTR
 Drawn: GFA
 Check: RWC
 STORE NO. 04757
 42010 WASHINGTON STREET
 INDO, CALIFORNIA 92201

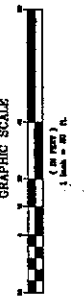
Job #1774
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A0.1
 Design: RTR
 Drawn: GFA
 Check: RWC

- GENERAL NOTES:**
1. THESE PLANS SHALL BE FOR INFORMATION ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF PHOENIX AND THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY.
 2. ALL ELEVATIONS SHOWN ON THESE PLANS ARE FOR REFERENCE ONLY. REFER TO CIVIL ENGINEERING DRAWINGS FOR ALL FINISH ELEVATIONS.
 3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF PHOENIX ZONING ORDINANCES AND ALL OTHER APPLICABLE ORDINANCES AND GOVERNING BODIES.
 4. DO NOT SCALE DRAWINGS. USE DIMENSIONS GIVEN ON THESE PLANS. REFER TO HORIZONTAL CONTROL PLAN FOR SITE LAYOUT.
 5. ALL NOTES TO BE OBTAINABLE FROM THE ARCHITECT'S OFFICE. REFER TO A LIST OF ANY SPECIAL KNOWLEDGE OR EXPERTISE REQUIRED FOR THIS PROJECT. SEE SHEET A-1 FOR MORE INFORMATION.
 6. REPORT ANY CONFLICTS BETWEEN SITE CONDITIONS AND THE INFORMATION PROVIDED ON THESE PLANS PRIOR TO THE COMMENCEMENT OF THE CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF PHOENIX AND THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY.
 7. ALL ELEVATIONS SHALL BE IN ACCORDANCE WITH THE CITY OF PHOENIX ZONING ORDINANCES AND ALL OTHER APPLICABLE ORDINANCES AND GOVERNING BODIES.
 8. ALL DIMENSIONS SHALL BE IN ACCORDANCE WITH THE CITY OF PHOENIX ZONING ORDINANCES AND ALL OTHER APPLICABLE ORDINANCES AND GOVERNING BODIES.
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 20. ALL DIMENSIONS SHALL BE IN ACCORDANCE WITH THE CITY OF PHOENIX ZONING ORDINANCES AND ALL OTHER APPLICABLE ORDINANCES AND GOVERNING BODIES.

- ENVIRONMENTAL SERVICES NOTES:**
1. SPECIES LISTED SHALL BE 50' FROM ANY WELLS AND 100' FROM ANY WATER MAINS.
 2. WORK (ONE HUNDRED PERCENT) REPAKAGED FOODS AND BEVERAGES BY HAND ASSEMBLY ONLY.
 3. REMOVAL FROM INTERIOR CANTY FOR ALL REPAIRS GENERATING ANY HAZARDOUS WASTE.
 4. NO HAZARDOUS OR TOXIC WASTE SHALL BE ENCOURAGED AND THE OWNER SHALL AT ANY TIME FROM THIS BUILDING.



North
SITE PLAN
 SCALE: 1" = 20'-0"



CONDITIONAL USE PERMIT Case #: CUP03648

Parcel: 609-020-038

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 USE - PROJECT DESCRIPTION RECOMMND

The use hereby permitted is to allow for the sale of beer and wine for off-site consumption (type 20) to an existing 13,905 square foot Walgreens Store approved under PP15231. This Conditional Use Permit is only for alcohol sales, and does not cover any other use.

10. EVERY. 2 USE - HOLD HARMLESS RECOMMND

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside (COUNTY) its agents, officers, or employees from any claim, action, or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 3648. The COUNTY will promptly notify the applicant/permittee of any such claim, action, or proceeding against the COUNTY and will cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify, or hold harmless the COUNTY.

10. EVERY. 3 USE - DEFINITIONS RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of Conditional Use Permit No. 3648 shall be henceforth defined as follows:

APPROVED EXHIBIT A = Site Plan for Conditional Use Permit No. 3648, dated 7/08/10.

APPROVED EXHIBIT B = Project Elevations/site photos for Conditional Use Permit No. 3648, dated 7/08/10.

APPROVED EXHIBIT C = Floor Plan for Conditional Use Permit No. 3648, dated 7/08/10.

10. EVERY. 4 USE - 90 DAYS TO PROTEST RECOMMND

The project developer has 90 days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the

CONDITIONAL USE PERMIT Case #: CUP03648

Parcel: 609-020-038

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 USE - PROJECT DESCRIPTION RECOMMND

The use hereby permitted is to allow for the sale of beer and wine for off-site consumption (type 20) to an existing 13,905 square foot Walgreens Store approved under PP15231. This Conditional Use Permit is only for alcohol sales, and does not cover any other use.

10. EVERY. 2 USE - HOLD HARMLESS RECOMMND

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside (COUNTY) its agents, officers, or employees from any claim, action, or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 3648. The COUNTY will promptly notify the applicant/permittee of any such claim, action, or proceeding against the COUNTY and will cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify, or hold harmless the COUNTY.

10. EVERY. 3 USE - DEFINITIONS RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of Conditional Use Permit No. 3648 shall be henceforth defined as follows:

APPROVED EXHIBIT A = Site Plan for Conditional Use Permit No. 3648, dated 7/08/10.

APPROVED EXHIBIT B = Project Elevations/site photos for Conditional Use Permit No. 3648, dated 7/08/10.

APPROVED EXHIBIT C = Floor Plan for Conditional Use Permit No. 3648, dated 7/08/10.

10. EVERY. 4 USE - 90 DAYS TO PROTEST RECOMMND

The project developer has 90 days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the

CONDITIONAL USE PERMIT Case #: CUP03648

Parcel: 609-020-038

10. GENERAL CONDITIONS

10. EVERY. 4 USE - 90 DAYS TO PROTEST (cont.) RECOMMND

imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of this approval or conditional approval of this project.

PLANNING DEPARTMENT

10.PLANNING. 1 USE - COMPLY WITH ORD./CODES RECOMMND

The development of these premises shall comply with the standards of Ordinance No. 348 and all other applicable Riverside County ordinances and State and Federal codes.

The development of the premises shall conform substantially with that as shown on APPROVED EXHIBIT A, unless otherwise amended by these conditions of approval.

10.PLANNING. 2 USE - FEES FOR REVIEW RECOMMND

Any subsequent submittals required by these conditions of approval, including but not limited to grading plan, building plan or mitigation monitoring review, shall be reviewed on an hourly basis (research fee), or other such review fee as may be in effect at the time of submittal, as required by Ordinance No. 671. Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.

10.PLANNING. 9 USE - NO OUTDOOR ADVERTISING RECOMMND

No outdoor advertising display, sign or billboard (not including on-site advertising or directional signs) shall be constructed or maintained within the property subject to this approval.

10.PLANNING. 18 USE - MAINTAIN LICENSING RECOMMND

At all times during the conduct of the permitted use the permittee shall maintain and keep in effect valid licensing approval from Alcohol Beverage Control (ABC), or equivalent agency as provided by law. Should such licensing be denied, expire or lapse at any time in the future, this permit shall become null and void.

CONDITIONAL USE PERMIT Case #: CUP03648

Parcel: 609-020-038

10. GENERAL CONDITIONS

10.PLANNING. 19 USE - EXTERIOR NOISE LEVELS RECOMMND

Exterior noise levels produced by any use allowed under this permit, including, but not limited to, any outdoor public address system, shall not exceed 45 db(A), 10-minute LEQ, between the hours of 10:00 p.m. to 7:00 a.m., and 65 db(A), 10-minute LEQ, at all other times as measured at any residential, hospital, school, library, nursing home or other similar noise sensitive land use. In the event noise exceeds this standard, the permittee or the permittee's successor-in-interest shall take the necessary steps to remedy the situation, which may include discontinued operation of the facilities. The permit holder shall comply with the applicable standards of Ordinance No. 847.

10.PLANNING. 22 USE - CAUSES FOR REVOCATION RECOMMND

In the event the use hereby permitted under this permit,
a) is found to be in violation of the terms and conditions of this permit,
b) is found to have been obtained by fraud or perjured testimony, or
c) is found to be detrimental to the public health, safety or general welfare, or is a public nuisance, this permit shall be subject to the revocation procedures.

10.PLANNING. 23 USE - CEASED OPERATIONS RECOMMND

In the event the use hereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void.

10.PLANNING. 24 USE - BEER & WINE RESTRICTIONS NOTAPPLY

The following development standards shall apply to the concurrent sale of motor vehicle fuels and beer and wine for off-premises consumption:

- a. Only beer and wine may be sold.
- b. The owner and the management shall educate the public regarding driving under the influence of intoxicating beverages, minimum age for purchase and consumption of alcoholic beverages, driving with open containers and the penalty associated with violation of these laws. In addition, the owner and management shall provide health warnings about the consumption of alcoholic beverages. This educational requirement may be met by posting

CONDITIONAL USE PERMIT Case #: CUP03648

Parcel: 609-020-038

10. GENERAL CONDITIONS

10.PLANNING. 24 USE - BEER & WINE RESTRICTIONS (cont.) NOTAPPLY

prominent signs, decals or brochures at points of purchase. In addition, the owner and management shall provide adequate training for all employees at the location as to these matters.

c. No displays of beer, wine or other alcoholic beverages shall be located within five feet of any building entrance or checkout counter.

d. Cold beer or wine shall be sold from, or displayed in, the main, permanently affixed electrical coolers only.

e. No beer, wine or other alcoholic beverage advertising shall be located on gasoline islands; and, no lighted advertising for beer, wine or other alcoholic beverages shall be located on the exterior of buildings or within window areas.

f. Employees selling beer and wine between the hours of 10:00 p.m. and 2:00 a.m. shall be at least 21 years of age.

g. No sale of alcoholic beverages shall be made from a drive-in window.

h. All alcoholic beverage displays and storage areas, and all electrical coolers containing alcoholic beverages shall be locked between the hours of 2:00 a.m. and 6:00 a.m. in order to prevent public access to alcoholic beverages during those hours.

(DELETED AT PC 12-1-10)

10.PLANNING. 25 USE - ABC20 OFF SALE BEER/WINE RECOMMND

OFF SALE BEER AND WINE - (Package Store) Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are allowed on the premises, but are not allowed to purchase beer and wine.

10.PLANNING. 26 USE - PREVIOUS PLOT PLAN RECOMMND

The proposed project, CUP3648 allowing alcohol sales at the facility, does not alter the conditions of approval for Plot Plan No. 15231 and does not replace Plot Plan No. 15231.

12/02/10
16:20

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 5

CONDITIONAL USE PERMIT Case #: CUP03648

Parcel: 609-020-038

10. GENERAL CONDITIONS

10.PLANNING. 26 USE - PREVIOUS PLOT PLAN (cont.)

RECOMMND

(ADDED AT PC 12-1-10)

20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 4 USE - EXPIRATION DATE-CUP

RECOMMND

This approval shall be used within two (2) years of the approval date; otherwise, it shall become null and void and of no effect whatsoever. By use is meant the beginning of substantial construction contemplated by this approval within two (2) year period which is thereafter diligently pursued to completion or to the actual occupancy of existing buildings or land under the terms of the authorized use. Prior to the expiration of the two year period, the permittee may request a one (1) year extension of time in which to begin substantial construction or use of this permit. Should the one year extension be obtained and no substantial construction or use of this permit be initiated within three (3) years of the approval date this permit, shall become null and void.

LAND DEVELOPMENT COMMITTEE
INITIAL CASE TRANSMITTAL
RIVERSIDE COUNTY PLANNING DEPARTMENT - RIVERSIDE
P.O. Box 1409
Riverside, CA 92502-1409

DATE: July 8, 2010

TO:

Riv. Co. Sheriff's Dept.
Riv. Co. EDA-Redevelopment

4th District Supervisor
4th District Planning Commissioner

Desert Sands Unified School Dist.

CONDITIONAL USE PERMIT NO. 3648– EA42334 – Applicant: Walgreen Co – Engineer/Representative: Brian Fish/Jennifer Chavez – Fourth Supervisorial District – Bermuda Dunes Zoning District – Western Coachella Valley Area Plan: Community Development: Commercial Retail (CD: CR) (0.20 - 0.35 Floor Area Ratio) – Location: North of Hidden River Road, south of 42nd Avenue, east of Washington Street and west of Yucca Lane – 1.71 Acres – Zoning: Scenic Highway Commercial (C-P-S) – **REQUEST:** The Revised Conditional Use Permit proposes an Alcohol Beverage Control License for off premise consumption for the sale of beer and wine (type 20) to an existing 13,905 square foot Walgreens store. The existing store will dedicate 2% of floor space to wine and beer sales. Approximately 49 square feet of refrigerated and non-refrigerated space will be devoted to the sale of wine and beer and approximately 18 square feet of floor space will be devoted to the storage of wine and beer. This Conditional Use Permit is ONLY for alcohol sales, and does not cover any other uses. – APN: 609-020-038 – Related Cases: PP15231

Please review the attached map(s) and/or exhibit(s) for the above-described project. **Please have your comments, questions and recommendations to the Planning Department on or before August 8, 2010.** Your comments/recommendations/conditions are requested so that they may be incorporated in the staff report for this particular case.

Should you have any questions regarding this project, please do not hesitate to contact **Adrienne Rossi, Project Planner**, at (951) 955-6925 or email at arossi@rctlma.org / **MAILSTOP# 1070**.

COMMENTS:

DATE: _____ SIGNATURE: _____

PLEASE PRINT NAME AND TITLE: _____

TELEPHONE: _____

If you do not include this transmittal in your response, please include a reference to the case number and project planner's name. Thank you.

LAND DEVELOPMENT COMMITTEE
INITIAL CASE TRANSMITTAL
RIVERSIDE COUNTY PLANNING DEPARTMENT - RIVERSIDE
P.O. Box 1409
Riverside, CA 92502-1409

JUL 22 2010

DATE: July 8, 2010

TO:

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Should you have any questions regarding this project, please do not hesitate to contact **Adrienne Rossi, Project Planner**, at (951) 955-6925 or email at arossi@rctlma.org / MAILSTOP# 1070.

COMMENTS:

NONE

DATE:

8/3/10

SIGNATURE:

Liza Lizaraga

PLEASE PRINT NAME AND TITLE:

LIZA LIZARRAGA, Development Specialist II

TELEPHONE:

(760) 863-2538

If you do not include this transmittal in your response, please include a reference to the case number and project planner's name. Thank you.

CUP 3648

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

George Johnson - Agency Director
Planning Department
Carolyn Syms Luna - Planning Director

Memorandum

DATE: September 2, 2010
TO: Alcoholic Beverage Control (Fax No. 951-781-0531)
FROM: Adrienne Rossi, Project Planner (Fax No. 951-955-3157)
RE: Census Tract 452.05

Good Afternoon, Kim,

Please provide a copy of the information requested:

- 1) Number of Type 20 and Type 21 permits allowed within census tract number 452.05

Thanks!

Attn: Adrienne

Adrienne Rossi
Project Manager
County of Riverside
(951) 955-6925
arossi@RCTLMA.org

ON SALE OFF SALE
=ALLOWED 6 =ALLOWED
=ACTIVE 8 =ACTIVE

OVER CONCENTRADED
 YES NO



Riverside Office - 4080 Lemon Street, 8th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 965-3200 · Fax (951) 955-3157

Desert Office - 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555



**California Department of Alcoholic Beverage
Control
For the County of RIVERSIDE - (Off-Sale Licenses)
and Census Tract = 452.05**

Report as of 8/17/2010

	License Number	Status	License Type	Orig. Iss. Date	Expir Date	Primary Owner and Premises Addr.	Business Name	Mailing Address	Geo Code
1)	373305	ACTIVE	20	4/4/2002	6/30/2011	CIRCLE K STORES INC 78364 HIGHWAY 111 LA QUINTA, CA 92253 Census Tract: 0452.05	CIRCLE K 5911	495 E RINCON ST, STE 150 CORONA, CA 92879-1365	3320
2)	407443	ACTIVE	21	1/6/2004	6/30/2011	RALPHS GROCERY COMPANY 42150 WASHINGTON ST BERMUDA DUNES, CA 92203 Census Tract: 0452.05	RALPHS 681	PO BOX 54143 LOS ANGELES, CA 90054	3300
3)	459960	ACTIVE	20	12/17/2007	11/30/2010	HENRYS HOLDINGS LLC 79050 HIGHWAY 111 LA QUINTA, CA 92253 Census Tract: 0452.05	HENRYS FARMERS MARKET	600 CITADEL DR LOS ANGELES, CA 90040-1562	3320
4)	470019	ACTIVE	20	9/24/2008	8/31/2010	SHAATH AND OUDEH GROUP INC 46150 WASHINGTON ST LA QUINTA, CA 92253 Census Tract: 0452.05	ARCO AM PM		3320
5)	482487	ACTIVE	21	10/6/2009	9/30/2010	GARFIELD BEACH CVS LLC 44075 JEFFERSON ST	CVS PHARMACY 3341	1 CVS DR, MAIL DROP 23062A WOONSOCKET, RI 02895-6146	3320

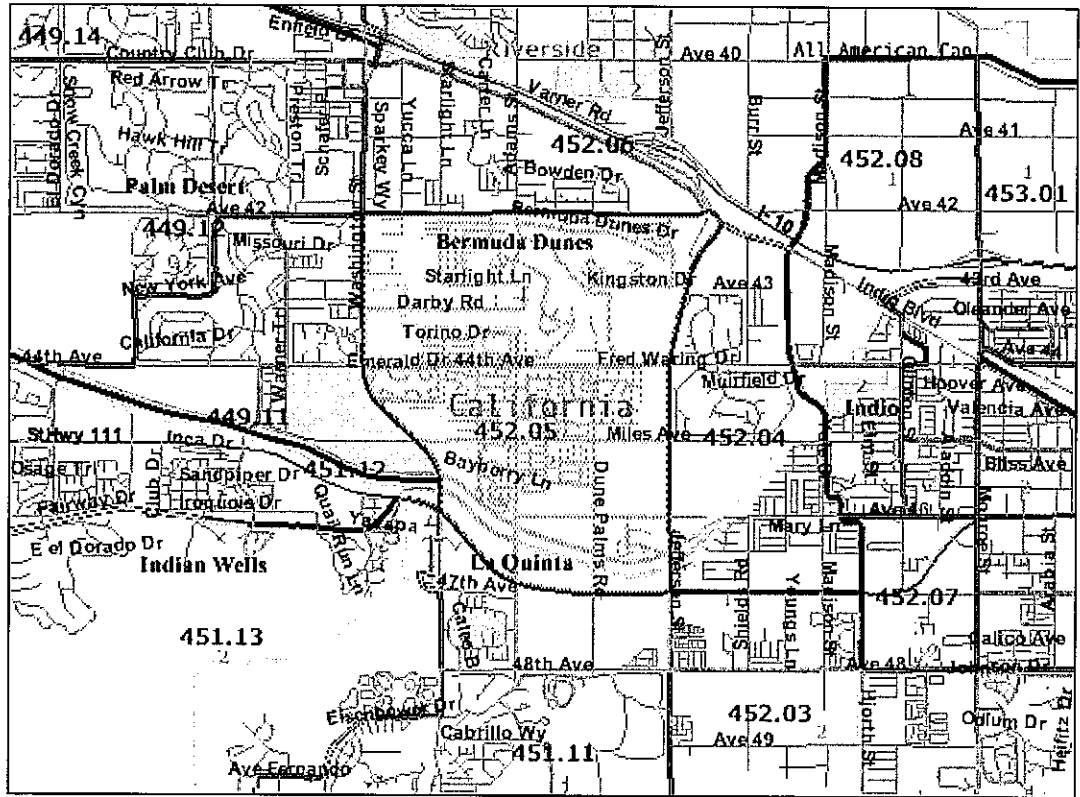
						LA QUINTA, CA 92253-4871 Census Tract: 0452.05			
6)	486063	ACTIVE	20	2/26/2010	1/31/2011	VINTNERS DISTRIBUTORS INC 78998 HIGHWAY 111 LA QUINTA, CA 92253-2047 Census Tract: 0452.05	LA QUINTA SHELL	41805 ALBRAE ST, 2ND FL FREMONT, CA 94538	3320
7)	488481	ACTIVE	20	6/9/2010 2:15:51 PM	5/31/2011	KUCHYT, CHRISTOPHER 78742 HIGHWAY 111, UNIT A LA QUINTA, CA 92253-2062 Census Tract: 0452.05	EUROPA DELI		3320

--- End of Report ---

For a definition of codes, view our [glossary](#).

Census Tract 452.05, Riverside County, California

- Boundaries**
- State
 - '00 County
 - '00 Census Tract
 - '00 Block Group
 - '00 Block
 - '00 Place
 - '00 Place
 - '00 Urban Area
 - '00 Urban Area
- Features**
- Major Road
 - Street
 - Stream/Waterbody
 - Stream/Waterbody



7 miles across

Close

CUP03648



Selected parcel(s):
609-020-038 609-500-002

IMPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Thu Oct 07 14:50:11 2010

Version 100826

Church within 1000 ft

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY
Planning Department
Ron Goldman · Planning Director

APPLICATION FOR LAND USE AND DEVELOPMENT

CHECK ONE AS APPROPRIATE:

Set ID# CC006010

- PLOT PLAN
- CONDITIONAL USE PERMIT
- TEMPORARY USE PERMIT
- REVISED PERMIT
- PUBLIC USE PERMIT
- VARIANCE

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

CASE NUMBER: *CUP 03648* DATE SUBMITTED: *6-16-10*

APPLICATION INFORMATION

Applicant's Name: Walgreen Co. E-Mail: michael.redstone@walgreens.com

Mailing Address: 104 Wilmot Road, 2nd Floor

<u>Deerfield</u>	<small>Street</small> <u>IL</u>	<u>60015</u>
<small>City</small>	<small>State</small>	<small>ZIP</small>

Daytime Phone No: (847) 315-4530 Fax No: (847) 315-4825

Engineer/Representative's Name: Brian Fish/Jennifer Chavez E-Mail: bfish@luce.com
jchavez@luce.com

Mailing Address: 600 W Broadway, Suite 2600

<u>San Diego</u>	<small>Street</small> <u>CA</u>	<u>92101</u>
<small>City</small>	<small>State</small>	<small>ZIP</small>

Daytime Phone No: (619) 236-1414 Fax No: (619) 645-5395

Property Owner's Name: M H Sherman E-Mail: _____

Mailing Address: 2077 West Coast Highway

<u>Newport Beach</u>	<small>Street</small> <u>CA</u>	<u>92659</u>
<small>City</small>	<small>State</small>	<small>ZIP</small>

Daytime Phone No: (949) 642-1626 Fax No: (____) _____

If the property is owned by more than one person, attach a separate page that reference the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

EA 42334 / CFG 05696

APPLICATION FOR LAND USE AND DEVELOPMENT

Proposal (describe project, indicate the number of proposed lots/parcels, units, and the schedule of the subdivision, Vesting Map, PRD):

To dedicate at least 2% of the floor area to beer and wine sales for offsite consumption at the existing Walgreens store at 42010 Washington Street. See attached for additional information regarding the proposal.

Related cases filed in conjunction with this request:

~~None~~ PP 15231

Is there a previous development application filed on the same site: Yes No

If yes, provide Case No(s). _____ (Parcel Map, Zone Change, etc.)

E.A. No. (if known) _____ E.I.R. No. (if applicable): _____

Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes No

If yes, indicate the type of report(s) and provide a copy: _____

Is water service available at the project site: Yes No

If "No," how far must the water line(s) be extended to provide service? (No. of feet/miles) _____

Will the proposal eventually require landscaping either on-site or as part of a road improvement or other common area improvements? Yes No

Is sewer service available at the site? Yes No

If "No," how far must the sewer line(s) be extended to provide service? (No. of feet/miles) _____

Will the proposal result in cut or fill slopes steeper than 2:1 or higher than 10 feet? Yes No

How much grading is proposed for the project site?

Estimated amount of cut = cubic yards: None

Estimated amount of fill = cubic yards None

Does the project need to import or export dirt? Yes No

Import None Export None Neither None

APPLICATION FOR LAND USE AND DEVELOPMENT

What is the anticipated source/destination of the import/export?
Not applicable

What is the anticipated route of travel for transport of the soil material?
Not applicable

How many anticipated truckloads? Zero truck loads.

What is the square footage of usable pad area? (area excluding all slopes) Site is improved sq. ft.

Is the development proposal located within 8½ miles of March Air Reserve Base? Yes No

If yes, will any structure exceed fifty-feet (50') in height (above ground level)? Yes No

Does the development project area exceed more than one acre in area? Yes No

Is the development project located within any of the following watersheds (refer to Riverside County Land Information System (RCLIS) (<http://www3.tlma.co.riverside.ca.us/pa/rclic/index.html>) for watershed location)?

Santa Ana River Santa Margarita River San Jacinto River Whitewater River

HAZARDOUS WASTE SITE DISCLOSURE STATEMENT

Government Code Section 65962.5 requires the applicant for any development project to consult specified state-prepared lists of hazardous waste sites and submit a signed statement to the local agency indicating whether the project is located on or near an identified site. Under the statute, no application shall be accepted as complete without this signed statement.

I (we) certify that I (we) have investigated our project with respect to its location on or near an identified hazardous waste site and that my (our) answers are true and correct to the best of my (our) knowledge. My (Our) investigation has shown that:

The project is not located on or near an identified hazardous waste site.

The project is located on or near an identified hazardous waste site. Please list the location of the hazardous waste site(s) on an attached sheet.

Owner/Representative (1) Jerry Chavez Date 6/9/10

Owner/Representative (2) _____ Date _____

APPLICATION FOR LAND USE AND DEVELOPMENT

Checklist for Identifying Projects Requiring a Project-Specific Water Quality Management Plan (WQMP) within the Whitewater River Region		
Project File No.		
Project Name:		
Project Location:	4210 Washington Street	
Project Description:	CUP for alcohol sales at an existing Walgreens store	
Project Applicant Information:	Walgreens	
Proposed Project Consists of, or includes:	YES	NO
Single-family hillside residences that create 10,000 square feet, or more, of impervious area where the natural slope is 25% or greater.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Single-family hillside residences that create 10,000 square feet of impervious area where the natural slope is 10% or greater where erosive soil conditions are known.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Commercial and Industrial developments of 100,000 square feet or more.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Automotive repair shops (Standard Industrial Classification (SIC) Codes 5013–Motor vehicle supplies or parts, 5014–Tires & Tubes, 5541–Gasoline Service Stations, 7532–Top, Body & Upholstery Repair Shops and Paint Shops, 7533–Automotive Exhaust System Repair Shops, 7534–Tire Retreading and Repair Shops, 7536–Automotive Glass Replacement Shops, 7537–Automotive Transmission Repair Shops, 7538–General Automotive Repair Shops, 7539–Automotive Repair Shops, not elsewhere classified)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Retail gasoline outlets disturbing greater than 5,000 square feet.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Restaurants disturbing greater than 5,000 square feet. (Standard Industrial Classification (SIC) Code 5812: Establishments primarily engaged in the retail sale of prepared food and drinks for on-premise or immediate consumption, including, but not limited to: Automats (eating places), Beaneries, Box lunch stands, Buffets (eating places), Cafes, Cafeterias, Carry-out restaurants, Caterers, Coffee shops, Commissary restaurants, Concession stands, prepared food (e.g., in airports and sports arenas), Contract feeding, Dairy bars, Diners (eating places), Dining rooms, Dinner theaters, Drive-in restaurants, Fast food restaurants, Food bars, Food service (institutional), Frozen custard stands, Grills, (eating places), Hamburger stands, Hot dog (frankfurter) stands, Ice cream stands, Industrial feeding, Lunch bars, Lunch counters, Luncheonettes, Lunchrooms, Oyster bars, Pizza parlors, Pizzerias, Refreshment stands, Restaurants, Sandwich bars or shops, Snack shops, Soda fountains, Soft drink stands, Submarine sandwich shops, and Tea rooms.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Home subdivisions with 10 or more housing units.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parking lots of 5,000 square feet or more, or with 25 or more parking spaces, and potentially exposed to Urban Runoff.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DETERMINATION: Circle appropriate determination.		
If any question answered "YES"	Project requires a project-specific WQMP.	
If all questions answered "NO"	Project requires incorporation of Site Design Best Management Practices (BMPs) and Source Control BMPs imposed through Conditions of Approval or permit conditions.	

NOTICE OF PUBLIC HEARING

A **PUBLIC HEARING** has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the **RIVERSIDE COUNTY PLANNING COMMISSION** to consider the project shown below:

CONDITIONAL USE PERMIT NO. 3648 – Exempt from CEQA – Applicant: Walgreen Co – Engineer/Representative: Brian Fish/Jennifer Chavez – Fourth Supervisorial District – Bermuda Dunes Zoning District – Western Coachella Valley Area Plan: Community Development: Commercial Retail (CD: CR) (0.20 - 0.35 Floor Area Ratio) – Location: North of Hidden River Road, south of 42nd Avenue, east of Washington Street and west of Yucca Lane – 1.71 Acres – Zoning: Scenic Highway Commercial (C-P-S) – **REQUEST:** The Conditional Use Permit proposes to add the sale of beer and wine (type 20) for off-site consumption to an existing 13,905 square foot Walgreens store. The existing store will dedicate 2% of floor space to wine and beer sales. Approximately 49 square feet of refrigerated and non-refrigerated space will be devoted to the sale of wine and beer and approximately 18 square feet of floor space will be devoted to the storage of wine and beer. This Conditional Use Permit is **ONLY** for alcohol sales, and does not cover any other uses. – APN: 609-020-038. (Quasi-judicial)

TIME OF HEARING: 9:00 a.m. or as soon as possible thereafter.
DATE OF HEARING: December 1, 2010
PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER
BOARD CHAMBERS, 1ST FLOOR
4080 LEMON STREET
RIVERSIDE, CA 92501

For further information regarding this project, please contact Adrienne Rossi, Project Planner at 951-955-6925 or e-mail arossi@rctlma.org, or go to the County Planning Department's Planning Commission agenda web page at www.tlma.co.riverside.ca.us/planning/pc.html

The Riverside County Planning Department has determined that the above-described application is exempt from the provisions of the California Environmental Quality Act (CEQA). The Planning Commission will consider the proposed application at the public hearing.

The case file for the proposed project may be viewed Monday through Thursday, from 8:00 A.M. to 5:00 P.M. at the Planning Department office, located at 4080 Lemon St. 9th Floor, Riverside, CA 92501.

Any person wishing to comment on the proposed project may do so in writing between the date of this notice and the public hearing; or, may appear and be heard at the time and place noted above. All comments received prior to the public hearing will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If this project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:
RIVERSIDE COUNTY PLANNING DEPARTMENT
Attn: Adrienne Rossi
P.O. Box 1409, Riverside, CA 92502-1409

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 8/5/2010,

The attached property owners list was prepared by Riverside County GIS,

APN (s) or case numbers CUPO3648 For

Company or Individual's Name Planning Department,

Distance buffered 600' 1000'.

Pursuant to application requirements furnished by the Riverside County Planning Department, Said list is a complete and true compilation of the owners of the subject property and all other property owners within 600 feet of the property involved, or if that area yields less than 25 different owners, all property owners within a notification area expanded to yield a minimum of 25 different owners, to a maximum notification area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the project is a subdivision with identified off-site access/improvements, said list includes a complete and true compilation of the names and mailing addresses of the owners of all property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial of the application.

NAME: Vinnie Nguyen

TITLE GIS Analyst

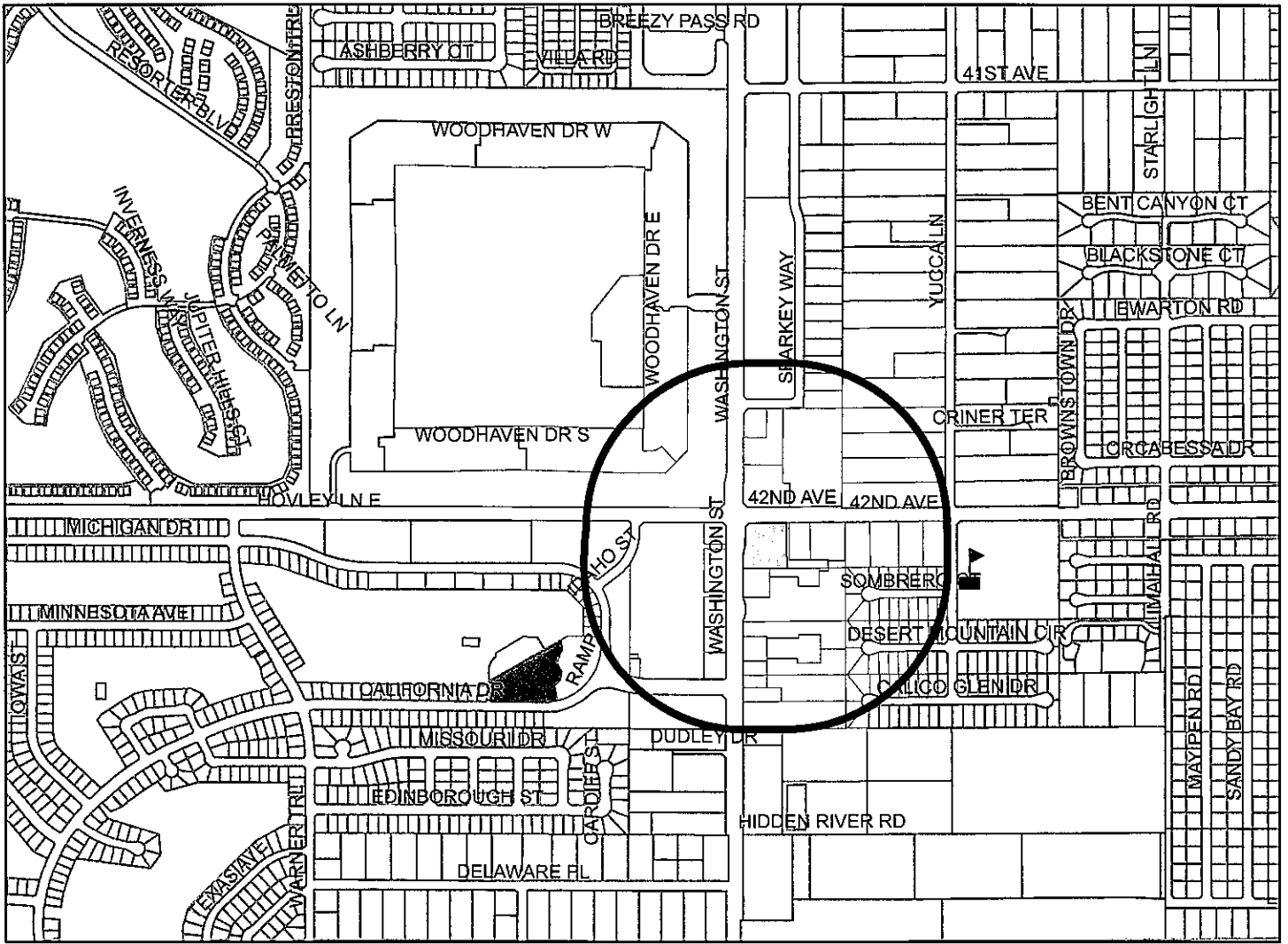
ADDRESS: 4080 Lemon Street 2nd Floor

Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. - 5 p.m.): (951) 955-8158

CUP 3648

1000 feet buffer






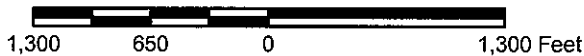
Selected Parcels

607-130-014	607-130-013	609-500-014	609-500-050	609-500-032	609-500-035	609-500-051	607-130-010	607-130-012	609-500-019
609-500-053	609-500-056	609-500-023	609-500-030	607-130-009	609-500-025	609-500-024	609-500-005	609-500-040	609-500-028
609-500-012	609-020-024	609-500-027	609-500-034	609-500-037	609-500-022	609-500-033	609-500-057	607-431-001	609-500-015
637-072-012	637-072-013	637-072-015	637-072-014	637-072-011	607-432-010	637-072-006	609-040-020	637-062-006	609-500-017
609-500-041	607-130-006	609-020-053	609-020-048	609-500-010	609-500-055	609-500-009	637-062-008	637-062-007	637-072-001
607-130-007	609-500-038	609-500-021	609-500-020	609-500-016	607-130-008	609-500-042	637-062-005	609-500-036	607-110-013
609-020-044	637-062-010	609-500-001	637-061-001	609-500-002	607-110-009	607-432-012	607-432-011	609-500-013	609-040-016
609-020-041	609-020-043	609-020-046	609-020-055	637-071-002	609-500-039	609-500-004	609-500-003	637-062-009	637-072-016
637-072-017	609-020-054	609-500-054	609-500-011	609-500-006	609-500-026	632-100-013	632-100-014	609-500-029	609-500-007

rst 90 parcels shown

Legend

-  School Sites
-  1000 feet buffer
-  Parks



Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.



APN: 609500031, ASMT: 609500031
WILLIAM GATHERUM
78172 DESERT MOUNTAIN CIR
BERMUDA DUNES CA 92203

APN: 609500052, ASMT: 609500052
WILLIAM ROSSWORN, ETAL
78174 CALICO GLEN DR
BERMUDA DUNES CA 92203

APN: 609500008, ASMT: 609500008
WILLIAM STUART GIBBS, ETAL
83 QUIET RIDGE
FORISTELL MO 63348

APN: 632104061, ASMT: 632104061
WOODHAVEN DEVELOPERS INC
41555 WOODHAVEN DR E
PALM DESERT CA 92211

APN: 609020052, ASMT: 609020052
WORLD SVGS BANK
C/O WELLS FARGO & CO
333 MARKET ST 10TH FL
SAN FRANCISCO CA 94105



APN: 637062009, ASMT: 637062009
RICHARD L MILLER, ETAL
364 PANAMA AVE
LONG BEACH CA 90814

APN: 609500026, ASMT: 609500026
SHEILA CONNER, ETAL
78232 DESERT MOUNTAIN CIR
BERMUDA DUNES CA 92203

APN: 637072016, ASMT: 637072016
RICHARD R OLIPHANT, ETAL
77900 AVE OF THE STATES
PALM DESERT CA. 92260

APN: 632100014, ASMT: 632100014
SPE CO HOLDINGS INC
C/O TEXTRON FINANCIAL CORP
11575 GREAT OAKS STE 200
ALPHARETTA GA 30022

APN: 637072017, ASMT: 637072017
RICHARD R OLIPHANT, ETAL
77900 AVENUE OF THE STATE
PALM DESERT CA 92211

APN: 609500029, ASMT: 609500029
STEVEN E LOPEZ, ETAL
78196 DESERT MOUNTAIN CIR
INDIO CA. 92203

APN: 609020054, ASMT: 609020054
RIYAD H SHARQAWI, ETAL
37624 COLEBRIDGE ST
PALM DESERT CA 92211

APN: 609500007, ASMT: 609500007
TAMMY FOX, ETAL
78218 SOMBRERO CT
BERMUDA DUNES CA 92203

APN: 609500054, ASMT: 609500054
ROBERT C BUTLER, ETAL
78150 CALICO GLEN DR
BERMUDA DUNES CA 92203

APN: 609500018, ASMT: 609500018
TRACI F KAYLOR
78167 SOMBRERO CT
BERMUDA DUNES CA 92203

APN: 609500011, ASMT: 609500011
ROBERT E DESNOYERS, ETAL
78170 SOMBRERO CT
BERMUDA DUNES CA 92203

APN: 609020038, ASMT: 609020038
WALGREEN CO, ETAL
C/O TAX DEPT
300 WILMOT RD
DEERFIELD IL 60015

APN: 609500006, ASMT: 609500006
ROLAND J ULBER, ETAL
43373 PARKWAY ESPLANADE W
LA QUINTA CA 92253

APN: 609020050, ASMT: 609020050
WASHINGTON SQUARE S C
C/O SCOTT FAWCETT
3835 BIRCH ST
NEWPORT BEACH CA 92660

APN: 609020044, ASMT: 609020044
OHNO PROP
C/O BERNSTEIN REIN ADVERTISING INC
4600 MADISON AVE STE 1500
KANSAS CITY MO 64112

APN: 609040016, ASMT: 609040016
PHYLLIS J DOUGHTY
42605 BYRON PL
BERMUDA DUNES CA 92203

APN: 637062010, ASMT: 637062010
PALM CITY ASSN
77800 CALIFORNIA DR
PALM DESERT CA 92211

APN: 609020043, ASMT: 609020043
RALPHS GROCERY CO
C/O REAL ESTATE DEPT
P O BOX 54143
LOS ANGELES CA 90054

APN: 609500001, ASMT: 609500001
PALM DESERT CHURCH OF CHRIST
134 VISTA ROYALE
PALM DESERT CA 92260

APN: 609020046, ASMT: 609020046
RALPHS GROCERY CO
C/O KROGER CO
1014 VINE ST 7TH FL
CINCINNATI OH 45202

APN: 637061001, ASMT: 637061001
PALM DESERT SPE
C/O AMERICAN CONSOLIDATED INC
109 WESTWOOD BLV
LOS ANGELES CA 90024

APN: 609020055, ASMT: 609020055
RAND J ROGENES, ETAL
20735 VIA MARISA
YORBA LINDA CA 92886

APN: 609500002, ASMT: 609500002
PATHFINDER COMMUNITY OF RISEN CHRIST
78175 AVENUE 42
BERMUDA DUNES CA 92203

APN: 637071002, ASMT: 637071002
REDEVELOPMENT AGENCY CITY OF PALM DESERT
C/O CATHERINE WALKER
73510 FRED WARING DR
PALM DESERT CA 92260

APN: 607432011, ASMT: 607432011
PAUL PAVAO, ETAL
P O BOX 3016
INDIO CA 92202

APN: 609500039, ASMT: 609500039
REGINA M SCHROEDER
78181 DESERT MOUNTAIN CIR
BERMUDA DUNES CA 92203

APN: 609500013, ASMT: 609500013
PETER GREGOR, ETAL
78146 SOMBRERO CT
BERMUDA DUNES CA 92203

APN: 609500003, ASMT: 609500003
REGINALD C CLARK, ETAL
8 TAYLOR AVE
PALM DESERT CA 92211



APN: 609500009, ASMT: 609500009
KENNETH R BOTTEN, ETAL
78194 SOMBRERO CT
BERMUDA DUNES CA 92203

APN: 609500020, ASMT: 609500020
MATTHEW L STEWART
3525 DEL MAR HTS RD 357
SAN DIEGO CA 92130

APN: 637062008, ASMT: 637062008
KYLE R BISS
77845 MICHIGAN DR
PALM DESERT CA. 92211

APN: 609500016, ASMT: 609500016
MELANIE LUCETTE FESMIRE
45071 PARK ST
INDIO CA 92201

APN: 637062007, ASMT: 637062007
LEON E BEAUDIN, ETAL
76383 FAIRWAY DR
INDIAN WELLS CA 92210

APN: 607130008, ASMT: 607130008
MICHAEL J PIERSON, ETAL
41951 YUCCA LN
BERMUDA DUNES CA 92203

APN: 637072001, ASMT: 637072001
LOT 3 TRACT 2137 COMMUNITY ASSN
40175 CALLE LOMA ENTRADA
INDIO CA 92203

APN: 609500042, ASMT: 609500042
MICHAEL SCOTT HOAG, ETAL
78217 DESERT MOUNTAIN CIR
BERMUDA DUNES CA 92203

APN: 607130007, ASMT: 607130007
MARK W THATCHER, ETAL
41865 YUCCA LN
INDIO CA. 92203

APN: 637062005, ASMT: 637062005
NEWTON CATTERN
77815 MICHIGAN DR
PALM DESERT CA. 92211

APN: 609500038, ASMT: 609500038
MARTIN H SUER, ETAL
78169 DESERT MOUNTAIN CIR
BERMUDA DUNES CA 92203

APN: 609500036, ASMT: 609500036
NICHOLAS TREVINO
78145 DESERT MOUNTAIN CIR
BERMUDA DUNES CA 92203

APN: 609500021, ASMT: 609500021
MATTHEW CURCI, ETAL
78203 SOMBRERO CT
BERMUDA DUNES CA 92203

APN: 607110013, ASMT: 607110013
NOLA S DYAL
41615 YUCCA LN
BERMUDA DUNES CA 92203



APN: 609500015, ASMT: 609500015
EDWARD A GALINDO, ETAL
78131 SOMBRERO CT
BERMUDA DUNES CA 92203

APN: 609500017, ASMT: 609500017
GORDON E FREUND, ETAL
78155 SOMBRERO CT
BERMUDA DUNES CA 92203

APN: 637072012, ASMT: 637072012
FIRST BANK, ETAL
73000 HIGHWAY 111
PALM DESERT CA 92260

APN: 609500041, ASMT: 609500041
GREGORY B MCMAHILL, ETAL
78205 DESERT MOUNTAIN CIR
BERMUDA DUNES CA 92203

APN: 637072011, ASMT: 637072011
FKC PALM DESERT PARCEL 1, ETAL
101 S KRAEMER BLV STE 136
PLACENTIA CA 92870

APN: 607130006, ASMT: 607130006
HENRIETTE MORRIS
41755 YUCCA LN
BERMUDA DUNES CA 92203

APN: 607432010, ASMT: 607432010
GARY LYNN COTTON, ETAL
41650 SPARKEY WAY
INDIO CA. 92201

APN: 609020053, ASMT: 609020053
HENRY C RANDAZZO
42065 WASHINGTON NO D
PALM DESERT CA 92211

APN: 637072006, ASMT: 637072006
GAYLE GOODMAN, ETAL
P O BOX 548
NEW HOPE PA 18938

APN: 609020048, ASMT: 609020048
JACK IN THE BOX INC, ETAL
C/O MARIANNE MAK
31 WATERLOO CT
BELMONT CA 94002

APN: 609040020, ASMT: 609040020
GENERAL TELEPHONE CO OF CALIF
C/O GTE ATTN GARY WILLIAMS HQCO2G08
P O BOX 152206
IRVING TX 75015

APN: 609500010, ASMT: 609500010
JAMES R PALMER
78182 SOMBRERO CT
BERMUDA DUNES CA 92203

APN: 637062006, ASMT: 637062006
GLORIA OLDHAM
77825 MICHIGAN DR
PALM DESERT CA. 92211

APN: 609500055, ASMT: 609500055
KENNETH C KINSEY, ETAL
78138 CALICO GLEN DR
BERMUDA DUNES CA 92203



APN: 607130009, ASMT: 607130009
COUNTY OF RIVERSIDE
C/O JOE S RANK
3535 10TH ST STE 300
RIVERSIDE CA 92501

APN: 609500027, ASMT: 609500027
DENNIS W SPATES, ETAL
78220 DESERT MOUNTAIN CIR
BERMUDA DUNES CA 92203

APN: 609500024, ASMT: 609500024
COUNTY OF RIVERSIDE CO SERVICE AREA 121
3133 MISSION INN AVE
RIVERSIDE CA 92507

APN: 609500034, ASMT: 609500034
DERRYL COUSINS
534 ARENA ST
EL SEGUNDO CA 90245

APN: 609500005, ASMT: 609500005
COZ GIANNOULIS, ETAL
2320 BENNINGTON DR
SAN BRUNO CA 94066

APN: 609500037, ASMT: 609500037
DEUTSCHE BANK NATL TRUST CO
C/O CHASE HOME FINANCE
10790 RANCHO BERNARDO RD
SAN DIEGO CA 92127

APN: 609500040, ASMT: 609500040
DAVID B STRATTON, ETAL
4169 VALENCIA AVE
NORTH VANCOUVER
BC CANADA V7N4A7 0

APN: 609500022, ASMT: 609500022
DONALD S CURCI, ETAL
78215 SOMBRERO CT
BERMUDA DUNES CA 92203

APN: 609500028, ASMT: 609500028
DAVID M NUNES, ETAL
78208 DESERT MOUNTAIN CIR
BERMUDA DUNES CA 92203

APN: 609500033, ASMT: 609500033
DONNA J BERARDO
78148 DESERT MOUNTAIN CIR
BERMUDA DUNES CA 92203

APN: 609500012, ASMT: 609500012
DAVID THATCHER, ETAL
78158 SOMBRERO CT
INDIO CA. 92203

APN: 609500057, ASMT: 609500057
DORIAN J COOLEY, ETAL
P O BOX 5093
LA QUINTA CA 92248

APN: 609020024, ASMT: 609020024
DENISE M GOODMAN
79520 VIA SIN CUIDADO
LA QUINTA CA 92253

APN: 607431001, ASMT: 607431001
EASTHAVEN PARTNERSHIP
C/O WILLIAM C BUSTER JR
1399 COLTON AVE STE 5
REDLANDS CA 92374



APN: 607130014, ASMT: 607130014
42ND AVENUE
C/O HERB LUNDIN
16400 PCH STE 207
HUNTINGTON BEACH CA 92649

APN: 607130010, ASMT: 607130010
BLP DESERT, ETAL
16400 PAC COAST HWY NO 207
HUNTINGTON BEACH CA 92649

APN: 607130013, ASMT: 607130013
42ND AVENUE
C/O LUKO MANAGEMENT
16400 PACIFIC COAST 207
HUNTINGTON BEACH CA 92649

APN: 607130012, ASMT: 607130012
BLP DESERT, ETAL
C/O THRIFTY PAYLESS INC
P O BOX 3165
HARRISBURG PA 17105

APN: 609500014, ASMT: 609500014
ALFREDO A AVILA
82567 AVENUE 48 APT 50
INDIO CA 92201

APN: 609500019, ASMT: 609500019
CAROL A MARIETTA
78179 SOMBRERO CT
BERMUDA DUNES CA 92203

APN: 609500050, ASMT: 609500050
ALISSA HELENE MARSHALL
78198 CALICO GLEN DR
INDIO CA. 92203

APN: 609500053, ASMT: 609500053
CAROLYN E MARTIN
P O BOX 6167
LA QUINTA CA 92248

APN: 609500032, ASMT: 609500032
ALLISON A FINNEY, ETAL
78160 DESERT MOUNTAIN CIR
BERMUDA DUNES CA 92203

APN: 609500056, ASMT: 609500056
CHAD RAY BECKSTRAND, ETAL
78135 CALICO GLEN DR
INDIO CA. 92203

APN: 609500035, ASMT: 609500035
BENJAMIN D PAPINAW, ETAL
78133 DESERT MOUNTAIN CIR
BERMUDA DUNES CA 92203

APN: 609500023, ASMT: 609500023
CHRISTINE C RIVENES, ETAL
78227 SOBRERO CT
BERMUDA DUNES CA 92203

APN: 609500051, ASMT: 609500051
BENSON B COOK
78186 CALICO GLEN DR
BERMUDA DUNES CA 92203

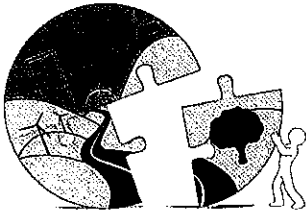
APN: 609500030, ASMT: 609500030
CHRISTOPHER S MCFADDEN, ETAL
72925 FRED WARING DR 204
PALM DESERT CA 92260

Desert Dand Unified School Dist.
47-950 Dune Palms Rd.
La Quinta, Ca 92253

Applicant/Owner:
Walgreen Co.
104 Wilmot Rd., 2nd Floor
Deerfield, IL
60015

Owner:
M H Sherman
2077 West Coast Highway
Newport Beach, CA 92659

Eng-Rep:
Brian Fish/Jennifer Chavez
600 W Broadway Ste. 2600
San Diego, CA 92101



RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna
Director

NOTICE OF EXEMPTION

TO: Office of Planning and Research (OPR) P.O. Box 3044 Sacramento, CA 95812-3044
 County of Riverside County Clerk

FROM: Riverside County Planning Department
 4080 Lemon Street, 12th Floor P. O. Box 1409 Riverside, CA 92502-1409

38686 El Cerrito Road Palm Desert, CA 92201

Project Title/Case No.: Conditional Use Permit No. 3648

Project Location: In the unincorporated area of Riverside County, more specifically located northerly of Hidden River Road, southerly of 42nd Avenue, easterly of Washington Street, and westerly of Yucca Lane.

Project Description: The Conditional Use Permit proposes to add the sale of beer and wine (Type 20 License) for off-site consumption to an existing 13,905 square foot Walgreens Store. The existing Walgreens will devote approximately 49 square feet of non-refrigerated space to the sale of beer and wine and approximately 18 square feet of floor space will be devoted to the storage of beer and wine.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Sponsor: County of Riverside Planning Department

Exempt Status: (Check one)

- Ministerial (Sec. 21080(b)(1); 15268) Categorical Exemption (_____) Declared Emergency (Sec. 21080(b)(3); 15269(a)) Statutory Exemption (_____) Emergency Project (Sec. 21080(b)(4); 15269 (b)(c)) Other: Section 15301 (Existing Facilities)

Reasons why project is exempt: Conditional Use Permit No. 3648 is exempt from CEQA pursuant to CEQA Guidelines Section 15301 (Existing Facilities) stating that "Class I consists of 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." This project is strictly for licensing purposes.

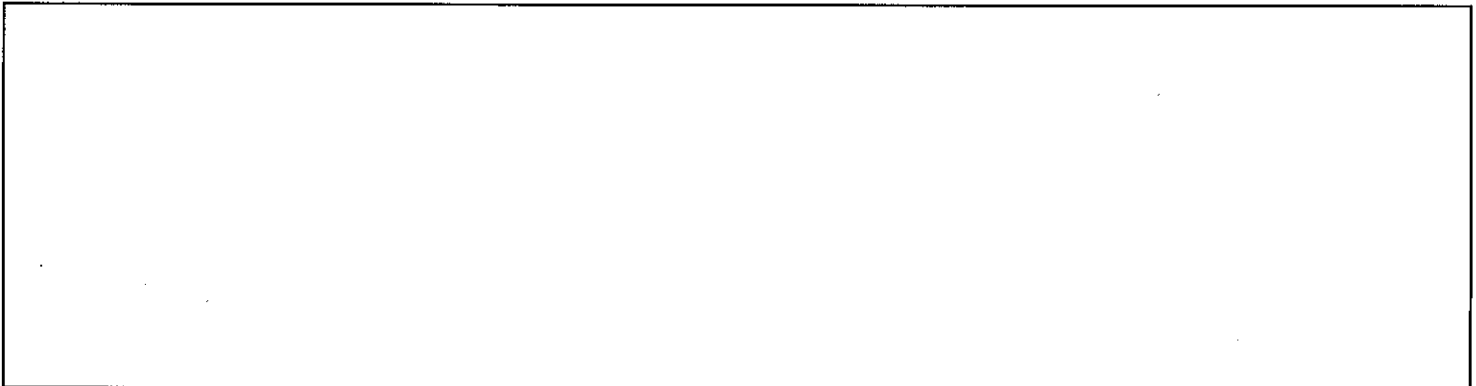
Adrienne Rossi County Contact Person (951) 955-6925 Phone Number

David Manco For Adrienne Rossi Signature Urban Regional Planner II Title 12-6-10 Date

Date Received for Filing and Posting at OPR: _____

Revised: 3/15/10; Y:\Planning Case Files-Riverside office\CUP03648\NOE Form.cup3648.docx

Please charge deposit fee case#: ZEA42334 ZCFG No. 5696 - County Clerk Posting Fee
FOR COUNTY CLERK'S USE ONLY



COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

* REPRINTED * R1006777

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 600-6100

38686 El Cerrito Road
Palm Desert, CA 92211
(760) 863-8277

Received from: WALGREEN CO \$64.00
paid by: CK 30-0010950205
paid towards: CFG05696 CALIF FISH & GAME: DOC FEE
CA FISH AND GAME FOR EA42334
at parcel #:
appl type: CFG3

By _____ Jun 16, 2010 17:37
MGARDNER posting date Jun 16, 2010

Account Code	Description	Amount
658353120100208100	CF&G TRUST: RECORD FEES	\$64.00

Overpayments of less than \$5.00 will not be refunded!

Additional info at www.rctlma.org